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Working papers

MODES OF EXTERNALISATION

Making sense of recent developments in the external dimension of EU's migration and asylum policies

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Abstract

The recent migration and refugee crisis is at the core of the current European political debate concerning migration management. If solidarity among EU Member States is weakening and the interests they express appear to be conflicting, policy-making is shifting more towards the external dimension of migration management. Third countries of origin and transit have traditionally been key partners in this field, even though the 2015 European Agenda on Migration and the 2016 Partnership Framework have awarded them an even more crucial role in order to attain the overall goal of reducing incoming irregular migration flows. The paper retraces the EU policies concerning external migration management and provides a more complex definition of the “externalisation” process. More particularly, attention is paid to the possible shift towards a more comprehensive approach to externalisation that seems to be entailed by the Partnership Framework and, to some extent, by the Statement between EU and Turkey. Moreover, the paper attempts a classification of the recent bilateral and EU agreements with partner third countries based on the methods and contents of the agreements in order to sketch the most frequent typologies of cooperation and the relevance awarded to migration issues. Finally, some concerns are expressed on the implementation of such comprehensive approach to the externalisation of migration management, stressing those issues which might compromise the recently introduced innovations and reduce these tools to mere instruments for tackling irregular migrations.

1. Europe's migration and refugee crisis and the revival of externalisation¹

Over the last two years, the European Union has been facing an unprecedentedly severe crisis in its capacity to effectively manage migration flows from its eastern and southern neighbourhood. Key statistics are known, but worth recalling briefly. In 2016, 1,204,300 first time asylum seekers applied for international protection in the Member States of the European Union (EU): in 2015, the number of lodged applications was 1,257,000 and 562,700 in 2014.² 355,361 persons arrived to Europe crossing the Mediterranean Sea in 2016 and 24,972 in the first months of 2017 (up to 22 March): 53% of them proceed from the world's top 10 refugee-producing countries, the most represented nationalities being Syria, Afghanistan, Nigeria, Iraq, Eritrea, Guinea.³ The Central Mediterranean route, though currently being the most relevant as for the overall volume of incoming persons, has not always been at the core of the political debate. As a matter of fact, until recently, most political efforts have been directed to reduce mixed flows along the so-called "Western Balkan route". This route – starting in Turkey and heading west into Greece and then into the Western Balkans primarily via the former Yugoslav Republics of Macedonia and Serbia – is composed of two migratory flows: one from the Western Balkan countries themselves and another one of migrants having entered the EU (Bulgaria or Greece) via Turkey by land or sea, with the aim of reaching the Schengen area.⁴ According to Frontex, 123,000 persons entered the Schengen area through the Balkan route in 2016: most of these arrivals took place in the first months of last year, before the beginning of the implementation of the EU-Turkey deal reached in March. There was a significant drop compared to 2015 when the overall amount of arrivals through the same channel had been 764,000.⁵

As to the categorisation and treatment of the inflows, the crisis has challenged the established distinction between "economic migrants" (i.e. persons leaving their country of origin heading to another country of transit or destination in order to improve their economic and labour life conditions) and protection-seekers (i.e. persons forced to leave their country of origin to flee persecution, conflicts, instability and generalised violence). In fact, incoming inflows which have interested the European context in the last couple of years have frequently been described as "mixed flows" since the two abovementioned groups of subjects use the same entry channels to Europe and are pushed by multiple and intersected drivers (McMahon, Sigona 2016). The extremely complex and sensitive task to sort out who belongs to which category is left to southern EU Member States, Italy and Greece in the first instance.

But the heaviest political impact of the migrant and refugee crisis has been on the EU political project. The principle of solidarity among Member States, which should entail burden-sharing mechanisms aimed at avoiding to completely delegate the practical management of migration inflows to border States, has proven its dramatic limitations. While the crisis could have paved the way to the acceleration of the design and implementation of an effective Common European Asylum System, it has instead exacerbated the contrast between the different interests pursued by EU Member States. The polarisation of interests between some southern EU Member States, on the one hand, and other groups of States, such as the so-called Visegrad Group (Poland, Hungary, Czech Republic and Slovakia), which are reluctant or openly critical towards burden-sharing mechanisms (Pastore 2015: 2), has undermined the solidity of the cornerstones of the EU system originally set in Schengen and Dublin, and hampered the further communitarisation of asylum and migration policies.

The attempts to provide answers to the migration and refugee crisis focused primarily – in an initial phase, at least - on the *internal dimension* of EU's policies. This was the case, for instance, with the

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² Source Eurostat, 16 March 2017: <http://ec.europa.eu/eurostat/documents/2995521/7921609/3-16032017-BP-EN.pdf/e5fa98bb-5d9d-4297-9168-d07c67d1c9e1>.

³ Source UNHCR: <http://data.unhcr.org/mediterranean/regional.php>.

⁴ EU Parliament Briefing, *The Western Balkans. Frontline of the Migrant Crisis*, January 2016, available at: [www.europarl.europa.eu/RegData/etudes/BRIE/2016/573949/EPRS_BRI\(2016\)573949_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/573949/EPRS_BRI(2016)573949_EN.pdf).

⁵ <http://frontex.europa.eu/news/fewer-migrants-at-eu-borders-in-2016-HWnC1J>.

hasty implementation of the “hotspot system” in Italy and Greece⁶, with the proposal of a comprehensive reform of the Common European Asylum System (CEAS)⁷ and with the adoption of the relocation mechanism as key tool to share responsibilities among Member States⁸. Nonetheless, this internal strategy has not worked so far, mainly due to lack of concrete solidarity between the Member States more directly and substantially affected, and the others. In particular, according to the latest Progress Report on Relocation and Resettlement – released on 2 March 2017 by the EU Commission - the total number of persons relocated so far amounts to 13,546 as of 28 February 2017 (9,610 from Greece and 3,936 from Italy)⁹ out of the foreseen 120,000 agreed in September 2015¹⁰.

The major political difficulties that the EU found in figuring out effective internal responses to the crisis, coupled with the persisting migratory pressure on external borders and with the upsurge of populist and xenophobic discourses, led to a growing prioritisation of external responses, with a view to limiting direct arrivals to European shores. The mandate of Frontex has been reformed and expanded, thus creating a European Border and Coast Guard Agency whose mission includes monitoring, training, counselling and intervention tasks including the possibility of intervention into the Member States’ territories and the use of weapons.¹¹ But the priority shift towards external responses did not stop at external borders and concerned more generally the “external dimension” of migration policies, an umbrella concept encompassing a variety of political and diplomatic tools (bilateral and multilateral agreements, readmission agreements, mobility partnerships, international treaties, memorandum of understandings, etc.) generally aimed at involving third countries of origin and transit in the prevention and management of migration flows.

The external approach to migration management dates back to at least two decades ago and it has translated into a series of subsequent institutional and policy approaches, amongst which mention should be made at least of: the European Neighbourhood Policy (ENP)¹², the Global Approach to Migration (GAM, then reformed into GAMM)¹³, the Rabat¹⁴ and Khartoum Processes¹⁵. Our attention, however, will be focused on the most recent developments, and particularly on the European Agenda

⁶ The “hotspot system” is based on the European Agenda on Migration COM (2015) 240: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0240&from=EN>.

⁷ For more information on the proposal of reform of the CEAS: and http://europa.eu/rapid/press-release_IP-16-1246_en.htm.

⁸ Regulation of the European Parliament and Council on relocation of 9 September 2015: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/proposal_for_regulation_of_ep_and_council_establishing_a_crisis_relocation_mechanism_-_annex_en.pdf.

⁹ EU Commission Tenth Progress Report on Relocation and Resettlement, March 2017, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170302_tenth_report_on_relocation_and_resettlement_en.pdf.

¹⁰ [http://europa.eu/rapid/press-release MEMO-15-5698_it.htm](http://europa.eu/rapid/press-release_MEMO-15-5698_it.htm).

¹¹ The European Border and Coast Guard Regulation is available at: http://frontex.europa.eu/assets/Legal_basis/European_Border_and_Coast_Guard.pdf.

¹² Communication from the Commission COM(2004)373 of 12 May 2004, “European Neighbourhood Policy. Strategy Paper”: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52004DC0373&from=EN>.

¹³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2011)743 of 18 November 2011 on “The Global Approach to Migration and Mobility”: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0743&from=en>.

¹⁴ The Rabat Process was first launched at the first Euro-African Ministerial Conference on Migration and Development in July 2006 in Rabat. Additional information is available at: [http://europa.eu/rapid/press-release MEMO-15-4832_en.htm](http://europa.eu/rapid/press-release_MEMO-15-4832_en.htm).

¹⁵ The Khartoum Process was launched at a Ministerial Conference in November 2014 in Rome. Additional information is available at: http://europa.eu/rapid/press-release MEMO-15-4832_en.htm.

on Migration¹⁶ and the subsequent New Partnership Framework with Third Countries¹⁷. The latter in particular constitutes the main focus of this paper, whose main goal is to briefly analyse the current trends of the EU external migration policy in order to assess: if and how it changed over the years; which priorities it strives for; and the approaches used to implement it. With this purpose, we will resort to the concept of “externalisation” of migration policies, that will however be used in a wider and more comprehensive meaning than its current use in academic and policy literature.

2. Towards a more sophisticated understanding of externalisation

Externalisation of migration policy and control is a wide and complex issue which has catalysed the debate on migration management both at the academic and non-academic level (see the so-called “grey literature” produced by NGOs, associations, human rights advocates and so on). The interest awarded to this topic can be explained by two main factors. The first one is an increased awareness on the part of the EU institutions and member States that migration issues cannot be adequately addressed only by considering the European internal dimension. Incoming flows of migrants and asylum seekers would be impossible to contrast, manage and reduce only by strengthening the external borders of the EU and a cooperation of some kind with countries of origin and transit would be needed. The second factor is represented by the attempt to partly or entirely outsource the implementation of the EU asylum policy to neighbouring third countries, which would be required to assess asylum applications and offer adequate protection. However, such a development questions the respect of migrants and refugees fundamental rights recognised by many international and EU law instruments, e.g. the United Nations Convention relating to the Status of Refugees signed in Geneva on 28 July 1951.

The externalisation of migration management and control is implemented through a wide array of tools: unilateral, bilateral and multilateral, formal or informal agreements as well as partnerships with private actors; direct interdiction and preventive policies as well as more indirect actions such as the provision of support, development assistance and capacity-building activities.

Over the years, academic and grey literature offered several definitions of the meaning and content of externalisation of migration policy. Notwithstanding the different nuances stressed by each of them, the underlying concerns expressed by scholars refer to the potential negative impact of externalisation policies on the fundamental rights of people on the move.¹⁸ In fact, some NGOs have stressed that, even though over the years capacity-building actions addressed to partner third countries have been introduced in multilateral strategies – such as the EU Commission 2005 Regional Protection Programmes (RPPs) – in order to guarantee adequate protection to migrants transiting or received in those countries, concerns might be raised that “the EU will use the existence of such programs as a pretext to declare the target countries ‘safe third countries.’ The EU could then return asylum seekers and migrants who transited through these countries even though effective protection could not be guaranteed” (HRW 2006).

Moreover, traditional definitions of externalisation of migration policies stress the overwhelming predominance of the transfer of techniques and methods of migration control to origin and transit

¹⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2015)240 of 13 May 2015, on “A European Agenda on Migration”, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52015DC0240&from=EN>.

¹⁷ Communication from the Commission to the European Parliament, the European Council, the Council and the European Investment Bank, COM(2016)385 of 7 June 2016 on “establishing a new Partnership Framework with third countries under the European Agenda on Migration”: http://eur-lex.europa.eu/resource.html?uri=cellar:763f0d11-2d86-11e6-b497-01aa75ed71a1_0001.02/DOC_1&format=PDF.

¹⁸ For instance, Frelick, B., Kysel, I. M., Podkul, J., The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants, *Journal on Migration and Human Security*, No. 4/2016, 190-220.

countries, which become strategic partners of destination countries in combating smuggling, human trafficking and irregular migration. In this perspective, externalisation has been defined as “State actions to prevent migrants, including asylum seekers, from entering the legal jurisdiction or territories of destination countries or regions or making them legally inadmissible without individually considering the merits of their protection claims” (Frelick, B., Kysel, I. M., Podkul, J. 2016).

Scholars and NGOs usually stress a lacking interest in the possibility to outsource and externalise the protection of the human rights of people on the move, whereas only migration control is successfully delegated to third countries. In this respect, externalisation could be defined as “the attempt to transfer the EU’s rules and policies (*acquis communautaire*) to third countries and international organisations” (Lavenex, Schimmelfennig 2009). A particular attention is paid also to the role of non-state actors – especially private companies but also NGOs and international organisations – in the design and implementation of externalisation policies (Lavenex 2015).

Finally, what is striking about the traditional interpretation of externalisation is the glaring pre-eminence of the interests pursued by destination countries. Migration policies in general, and the externalisation of migration management in particular, are designed, implemented and interpreted mainly considering as a core element their impact on European countries of destination, both as to their efficacy in terms of control of incoming flows and as to the predominance of the interests of destination countries in the negotiations with third countries of origin and transit (Betts, Milner 2007). Scarce attention has been paid so far to the impact of externalisation policies on the partner countries, except for the fundamental rights of the people on the move. In fact, the partner countries’ reticence in seriously engaging in cooperation on migration management might be due to several different reasons, which are rarely taken into account. These include: the lack of the resources needed to tackle irregular migration; the fact that emigration might constitute a safety valve to relieve pressure on domestic unemployment; the fact that migration is a relevant source of external revenues through remittances; the risk of jeopardising relations with neighbouring countries; and the fact that most of the North African countries, besides being countries of origin, are also countries of destination of migration flows, which provide for cheap labour force (Cuttitta 2010). These factors should be taken into due consideration when the EU and its Member States establish negotiations on migration cooperation with third countries of origin and transit through the use of incentives, such as entry quotas, development aid, technical assistance, financial assistance, training, political support and trade partnership.

Considering the relevant contribution of the abovementioned literature and the central role that the externalisation of migration policy still play today, it seems important to adopt a broader and more comprehensive perspective on this crucial issue; such perspective might consider the impact of externalisation strategies not only in terms of their impact on the fundamental rights of migrants and refugees – an issue that should never be omitted while designing migration policies – or in terms of their impact on the context of destination of migration flows, but also their impact on the social, political and economic structure of third countries. This approach offers a thorough view on these policies and allows to assess the sustainability of externalisation considering its implications for both origin and transit countries, and destination countries, while unpacking the euro-centric perspective that has traditionally been used to analyse European external migration policies (Stocchiero 2002).

3. The EU’s evolving approach to the external dimension of migration and asylum policies

Before analysing in details the current EU approach towards externalisation and its shift towards a new framework that seems to entail a more comprehensive perspective of external migration management, it is useful to briefly recall the history of externalisation policies in the migration field developed and implemented both by the EU institutions and EU member States.

Even before the current migration and refugee crisis emerged, the aim of developing an external migration management strategy had already been concerning the EU policy agenda for decades, as

well as foreign policies of EU member States. Looking back to the '90s, it is possible to highlight that the main purpose of such a strategy was to outsource migration controls to third countries of origin and transit in order to reduce the number of migrants pressing at the European external borders. In fact, negotiating in the field of border control and visa policies was considered to be less politically controversial if compared to the implications entailed in the possible outsourcing of asylum policies and fundamental rights protection.

A first crucial step towards the permanent inclusion of cooperation with third countries into EU migration management policies was marked by the European Council in Tampere in October 1999¹⁹. The Tampere Council introduced a five-year programme for the creation of an “area of freedom, security and justice” whose implementation was partly based on fostering cooperation with third countries in the area of migration management. In general terms, the main incentive for the development of such a strategy has always been the fact that liberal states committed and bound to the respect of international human rights law and refugee law instruments – first of all the Geneva Convention – cannot consider their borders as insurmountable barriers but as filters aimed at balancing the States’ right to select people who are not allowed to enter their national territory – considering their status and the reasons motivating their journey - and those who cannot be pushed back because they are in need of protection, or who are legally entitled to enter their territory. For this reason, EU member States, and over the years EU institutions as well, have endeavoured to expand their external borders beyond their territorial limits to include techniques and diplomacy tools aimed at creating a “buffer zone” surrounding the European borders: in this process, the role of third countries of origin and transit has been absolutely crucial. The awareness of the impossibility to implement an isolationist strategy in migration management is properly stressed in the Tampere Conclusions, which called for “a comprehensive approach to migration addressing political, human rights and development issues in countries and regions of origin and transit” and for “a greater coherence of internal and external policies of the Union”.

Since the very beginning of this gradual and enduring externalisation process of migration management two main goals have been pursued. The first one consists of the attempt to delegate border control to other national subjects in order to extend EU borders so much as to prevent incoming flows to reach the European soil. This strategy includes also policies aimed at strengthening the protection capacities of third countries, which should be able to implement policies and tools to guarantee the respect of the fundamental rights of migrants and refugees hosted in their territories. The second goal consists of the long-term attempt to reduce the push factors of migration in countries of origin through more comprehensive development policies according to the consolidated – even though not unanimous²⁰ – theory that an increase in a country’s level of development entails a reduction in outgoing migration flows. As the following overview is going to show, all the forms embodied by the EU external migration policies swung between these two poles, with a glaring inclination towards the former.

The approach sketched by the Tampere Council was further developed during the European Council meetings held in Santa Maria de Feira (June 2000), Laeken (December 2001) and Seville (June 2002). In Seville the decision was made to include migration management and readmission clauses in every form of cooperation negotiated and implemented with third countries. In those years, the conditionality of cooperation aid emerged as well: positive incentives (such as financial and technical assistance) were introduced as the *quid pro quo* for the partner countries’ cooperation on migration and border management. Finally, during this period negative incentives showed up too, as a possible way to sanction partner countries that proved reluctant to offer adequate cooperation in the area of migration management. This “sanction element” is particularly relevant since it represents a recurring feature of the European external migration policy.

¹⁹ www.europarl.europa.eu/summits/tam_en.htm.

²⁰ In this respect, Gotev, G., *UN official: More development doesn't mean less immigration*, 18 June 2015, available at: www.euractiv.com/section/development-policy/news/un-official-more-development-doesn-t-mean-less-immigration/; De Haas, H., *Turning the Tide? Why Development Will Not Stop Migration*, *Development and Change*, Vol. 38, Issue 5, 819-841, September 2007.

The first comprehensive and consistent framework governing the EU external migration policy was adopted in 2005. This replaced the spot initiatives adopted up to that moment, which lacked an adequate backing in terms of financial resources and political legitimacy for the EU institutions to intervene. In December 2005, the European Council adopted the Global Approach to Migration (GAM), which became the overarching reference point and conceptual framework of the EU external migration policy. This approach was based on the implementation of three pillars, which represented the cornerstones of the EU external migration policy: better organising legal migration, and fostering well-managed mobility; preventing and combating irregular migration, and eradicating trafficking in human beings; maximising the development impact of migration. The GAM was actually born with a focus on the EU's southern neighbourhood, but already in December 2006 (one year after its launch) the European Council proposed to expand its geographical scope to include countries in the eastern and south-eastern neighbourhood. And in fact, the focus of the GAM shifted rather soon eastward. Notably, the majority of Mobility Partnerships (MPs) has been signed with Eastern European or Caucasus countries (only 3 MPs with countries in the southern neighbourhood, Cape Verde, Morocco and Tunisia). In this same context, it is worth recalling the multilateral conference of the "Intergovernmental Euro-African Dialogue on Migration and Development" launched in Rabat in July 2006 (the "Rabat process"), the EU-Africa ministerial conference launched in Tripoli in November 2007 and the "EU-Horn of Africa Migration Route Initiative" launched in Rome in November 2014 (the "Khartoum process").

The GAM framework was further enriched in 2011, in order to include more explicitly the concept of mobility (the GAM was renamed GAMM, with a second "M" for "mobility") and to add a fourth pillar concerning international protection and the external dimension of the EU asylum policy. Even though in theory, the GAM could represent a more comprehensive approach to migration, entailing both measures to fight irregular migration and a crucial attention towards rights protection and development policies, its effective implementation revealed that the traditional control-oriented approach was still predominant. Very limited attention was paid to legal migration channels (Pastore 2015:1) and to the development impact of migration on countries of origin: all the effort was put on combating irregular migration flows, smuggling and trafficking.

The above-mentioned migration and refugee crisis imposed the necessity to reconsider the GAMM approach in order to frame migration cooperation with third countries within a broader framework. This is also due to the fact that the conditionality imposed to third countries entailed the imposition of migration control policies to be implemented by the partner countries, even though such policies did not fulfil their interests, but rather constituted a highly unpopular measure. The following crucial step in this process of reconsideration of the EU external migration policy was marked by the Valletta Summit (Valletta, November 11-12, 2015), which gathered more than 40 European and African heads of state and government with the aim to find new ways of facing the common challenges that international migration poses on Europe and Africa. This summit produced an Action Plan involving several actions in different key fields, to be implemented with the financial support of the dedicated 1.8-billion-EUR "EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa".

Nonetheless, the huge gap between the goals the Action Plan was meant to achieve and the actual achievements it conveyed led the EU institutions to rethink the strategy in order to better respond to the challenges that the migration crisis was still posing to EU member States. The most recent result of this attempt to entangle external migration management into a wider and more comprehensive approach to foreign policy has been the European Commission Communication "on establishing a new Partnership Framework with third countries under the European Agenda on Migration" (COM(2016) 385). Four main features can be outlined to describe this new approach (Pastore 2016).

The first one is the decision to mainstream migration policy goals into other fields of the EU's external action, which traditionally had been considered as separate leverages of foreign policy (such as education, climate change, agriculture etc.) using both positive and negative incentives to foster cooperation. The second feature consists of a gradual implementation of the Framework through the prioritisation of a certain number of partner countries: 5 priority countries (Ethiopia, Mali, Niger,

Nigeria, Senegal) have been chosen in order to develop a model of partnership (called “compact²¹”) which should later be extended to all the other partners involved in the process²². The decision to choose as priority partners, these countries of origin and transit might be due to the EU institutions’ awareness of the difficulty to directly intervene in geopolitically complicated though crucial contexts characterised by conflicts, political instability and/or generalised violence, such as Syria or Libya²³.

Thirdly, the new Framework confers a central role to private financing, aimed at new investment opportunities in emerging markets. Private funding should allow member States and EU institutions to contribute with a reduced amount of financial resources, which would nonetheless benefit from the financial leverage generated by private contribution. In particular, the Commission hypothesises that a contribution of 3.35 billion EUR from the EU budget – supported by EU member states contributions - could engender up to 88 billion EUR. This third feature obviously confirms the underlying idea of the Framework, i.e. that promoting development in countries of origin will significantly weaken migration push factors, reducing outgoing flows in the long term.

Eventually, the last feature to be considered concerns the foreseen increased involvement of multilateral coalitions, such as the UN system and the countries represented in the G7 and G20, in an attempt to “multilateralising” the European migration and refugee crisis. The role of multilateral cooperation is particularly crucial if one considers the relevance attributed to the increasing involvement of third countries in the direct protection of migrants and refugees before (or in order to prevent) their arrival to Europe. In fact, in this new Framework, origin and transit countries are not considered anymore only in terms of their contribution to the reinforcement of border control but also for their direct role as safe third countries or first countries of asylum, as it is the case of the Statement signed by the EU and Turkey in March 2016. The EU-Turkey Statement, which includes a relevant part concerning Turkey’s obligations as to the protection of Syrian refugees in its territory, can be considered as a relevant example of this new comprehensive approach, even though the Statement is not comprised in the above-mentioned Framework. The exact nature of the comprehensiveness entailed in the new Partnership Framework is precisely the topic of the following sections.

4. Modes of externalisation: sketching a typology

Before analysing in further details the current approach to the external dimension of the EU migration policy – and more specifically the approach entailed in the recent Partnership Framework – it seems useful to sketch a typology aimed at classifying the different agreements and policy measures implemented over the years as part of the EU external migration policy. This typology is useful also to scientifically assess the approach evolution and the claimed shift towards a greater comprehensiveness in cooperation with third countries. The general purpose of this typology is to offer a more thorough and complete definition of the word “externalisation” and to avoid conceiving the latter as a monolithic policy, by highlighting the complexity and variety of dimensions it can entail.

Two main criteria may be used to point out the different types of externalisation which have been implemented since the very introduction of this term in the migration policy agenda: the contents of cooperation and the methods of cooperation with third countries. The combination of these two

²¹ A definition of compact is provided by the First Progress Report on the Partnership Framework with third countries under the European Agenda on Migration (COM(2016)700 of 18 October 2016), available at: https://eeas.europa.eu/sites/eeas/files/com_2016_700_f1_communication_from_commission_to_inst_en_v8_p1_english.pdf. According to the document, the compacts “are a political framework for continued and operational cooperation, pulling together the different work strands in order to develop a comprehensive partnership with third countries, combining the instruments, tools and leverages available to the EU and Member States to deliver clear targets and joint commitments. Formal international agreements, such as readmission agreements, can flow from the compact process. But the compacts approach avoids the risk that concrete delivery is held up by technical negotiations for a fully-fledged formal agreement” (p. 3).

²² The Framework’s implementation concerning the 5 priority countries is described in Annex I of this paper.

²³ A concise report on the unstable political situation in Libya is available at: www.bbc.com/news/world-africa-38752742.

criteria gives rise to four cooperation models: these are to be considered as polar models and the examples provided below might show features belonging to the other types as well. The aim is to offer a theoretical tool to untangle the complex meaning of externalisation.

As to the contents of negotiations and cooperation with third countries in the external migration policy field, a distinction has to be made between two opposite approaches. On the one hand, it is possible to identify “one-dimensional agreements”, i.e. agreements that deal only with migration issues, without including them in a wider framework of cooperation. This is the case of readmission agreements with third countries of origin and transit (signed both at bilateral and at the European level): financial resources or technical assistance are guaranteed to those partner third countries which actively cooperate in the readmission of irregular migrants living in the EU or in border control enforcement policies.

On the other end of the content-based range, there are agreements and negotiations based on an integrated approach: migration policy issues are a relevant part of the agreement, but they are mainstreamed in other relevant negotiation leverages, including trade, development aid, democratisation actions, etc. This might be the case of the European Neighbourhood Policy (ENP)²⁴ – launched in 2004 – whose aims included the support to the structural transformation of EU Eastern and Southern neighbours, the promotion of democracy and the rule of law, the development of successful market economies. As to the migration issues, through the ENP, “cooperation in migration has been embedded in a much broader integration strategy which mobilises a wider and more diverse set of actors, issues and interests than the foreign policy activities of trans-governmental cooperation” (Lavenex 2007). Despite its integrated approach, though, the migration dimension of the ENP focused mainly on migration control and “consisted in the gradual involvement of Eastern Europe and Southern Mediterranean neighbours in securing the EU’s external borders” (Cassarino, Lavenex 2012). However, over the years, the ENP – which currently includes 16 States in the Middle East, North Africa and Eastern Europe – has shown its shortcomings, consisting of: an excessive conditionality, especially in the case of countries which were included in the ENP but also candidates to accession to the EU; the traditional euro-centric approach to cooperation with third countries; and the over-emphasis on bilateral agreements rather than on a wider regional approach (Lehne 2014²⁵). Another example of the integrated approach, are the Mobility Partnerships (MPs) which are the most relevant implementing tool of the GAMM. These agreements foster legal migration channels to the EU, encompassing a broad range of issues ranging from development aid to temporary entry visa facilitation, circular migration programmes and the fight against unauthorised migration, including cooperation on readmission. Nine MPs have been signed so far (Cape Verde, Republic of Moldova, Georgia, Armenia, Morocco, Azerbaijan, Tunisia, Jordan and Belarus)²⁶, financed through the Mobility Partnership Facility (MPF)²⁷.

Similar considerations might be raised as to the EU-Turkey Statement of March 2016²⁸. Notwithstanding its unclear legislative nature, this document has to be analysed in the wider framework of the joint action plan activated by the EU and Turkey on 29 November 2015. Besides the well-known and controversial measures to combat irregular migration from Turkey to the EU (“All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be

²⁴https://eeas.europa.eu/headquarters/headquarters-homepage/330/european-neighbourhood-policy-enp_en.

²⁵ According to the author, the two main problems of the ENP were, on the one hand, the attempt to develop a single conceptual framework for all the partner States involved in the policy which have different features and attitudes towards the EU and, on the other hand, the fact that the ENP was merely based on geographical proximity which in itself is a poor indicator of the importance of a relationship. In fact, in Spring 2013 most of the key recommendations entailed by the ENP had not been implemented and the policy has not so far contributed to establish stability and security in the area.

²⁶ https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration_en.

²⁷https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/mobility-partnership-facility_en.

²⁸ www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/.

returned to Turkey”) and the “1:1 criteria” used to readmit Syrians to Turkey²⁹ (“For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU taking into account the UN Vulnerability Criteria”), cooperation with Turkey envisages a wide array of tools, measures and financial resources aimed at approaching the externalisation of migration management in a more comprehensive way.

In this respect, the Facility for Refugees in Turkey – a dedicated EU financial instrument worth EUR 3 billion – might constitute an incentive for Turkey to address the existing gaps in its refugee protection system, considering also that Turkey still applies a geographical limitation to the 1951 Geneva Convention. This Facility should be used to finance projects addressed to persons under temporary protection in Turkey, notably in the field of health, education, infrastructure, food and other living costs. Consistently, the Statement clearly stresses that “the EU and its Member States will work with Turkey in any joint endeavour to improve humanitarian conditions inside Syria, in particular in certain areas near the Turkish border which would allow for the local population and refugees to live in areas which will be safer”. Without considering the actual implementation of the statement, the opaque methods used to adopt it (Den Heijer 2016; Corten, Dony 2016; Gatti 2016) and the adequacy of labelling Turkey as a safe third country (Chetail 2016), this form of cooperation with a strategic third country might be considered as a proof of the EU’s effort to combine control and security issues with the compliance to international law obligations, especially as to the protection of the fundamental rights of asylum seekers and refugees³⁰.

As to the method of cooperation, two different approaches can be outlined too. On the one hand, certain agreements can be defined as “blind”, meaning that the only criterion to assess them and monitor their implementation concerns the attainment of the foreseen outcomes. In most cases, this definition can be used to portray most of the readmission agreements, whose only purpose is to guarantee fast procedures for the readmission of third country nationals.

On the other end of the method-based range, a model based on a “critical approach” to cooperation with third countries conveys a long-term perspective on migration issues, which leads to abandoning the traditional emergency approach (based on short-term actions aimed at obtaining immediate results in order to gain electoral and political consensus). In this case, negotiations on migration issues are included in a long-term cooperation perspective with the third countries concerned, generally aimed at controlling irregular migration in the present and addressing migration causes and push factors in the next and faraway future. The critical approach binds partner countries not only to the achievement of the results foreseen during the negotiation, but also as to the methods according to which these results should be achieved. In this respect, EU member States might make the provision of financial resources conditional to the implementation of certain political or technical requirements.

This seems to be the case of the current Partnership Framework whose “ultimate aim [...] is a coherent and tailored engagement where the Union and its Member States act in a coordinated manner putting together instruments, tools and leverage to reach comprehensive partnerships (compacts) with third countries to better manage migration in full respect of our humanitarian and human rights obligations” through an intense work with key partners in order to: improve their legislative and institutional framework for migration; offer concrete assistance for capacity building on border and migration management (including providing protection for refugees); increase return and readmission rates with a preference for voluntary return and a focus on reintegration; stem irregular flows while offering legal migration channels (including increased resettlement efforts). In

²⁹ According to some authors, the “1:1” criteria might cause the violation of the principle of individual assessment of international protection applications envisaged by the Geneva Convention. Moreover this criteria, being applicable only to Syrian asylum seekers, could discriminate asylum seekers depending on their nationality (Roman, 2016; Labayle, 2016).

³⁰ As to the necessary measures to implement in order to guarantee the protection of the fundamental rights of migrants in Turkey, see UNHCR, *Legal considerations on the return of asylum-seekers and refugees from Greece to Turkey as part of the EU-Turkey Cooperation in Tackling the Migration Crisis under the safe third country and first country of asylum concept*, 23 March 2016, available at: www.unhcr.org/56f3ec5a9.pdf.

this respect, implementing readmissions and combating irregular migration still constitute a priority in the cooperation with third countries, but these elements are entangled in a wider and more comprehensive set of tools and incentives.

By combining the two above-mentioned criteria it is possible to outline an analysis pattern to be applied to the externalisation of the EU migration policy; this pattern might prove useful if applied to practical examples of cooperation with third countries. Four examples are proposed in the table below.

		CONTENTS	
		One-dimensional approach	Integrated approach
METHOD	Blind approach	Italy-Libya cooperation pre-2011	ENP MPs
	Critical approach	Cooperation between Italy and Albania (1990s-early 2000s)	EU-Turkey Statement Partnership Framework

5. From theory to practice

The previous section highlighted the innovative features of a more comprehensive approach to the externalisation of migration management. Nonetheless, policies' reliability has to be confirmed through the analysis and monitoring of their actual implementation. Since most of the measures envisaged by the New Partnership Framework are still declarations of intent, the attention should be focused on the consistency of, on the one hand, the declarations and press releases of EU institutions and member States and, on the other hand, bilateral negotiations carried out by member States and in most cases endorsed by the EU, with the new approach conveyed by the Partnership Framework - which should represent the overarching structure moulding the external dimension of the EU migration policies. In order to draft some considerations on the consistency of the measures implemented so far – both at the EU and at the bilateral level – within the Framework's approach, the two abovementioned criteria of the *contents* and *methods* of externalisation will be considered.

As to the contents, some concerns might be raised about the difficulties to establish partnerships and agreements with some countries, which entail this comprehensive approach. In fact, in some cases external migration management policies seem to remain bound to a more traditional and blind approach, mainly focused on short-term results concerning the immediate effect of an agreement on stemming and controlling irregular migration flows towards Europe. Security issues still represent a core aspect of cooperation on migration management, especially when a partnership is established with third countries whose political context is far from being stable and reliable. It might be assumed that in those third countries where the government is based on hierarchical and authoritarian structures, security issues and migration control are considered as top priorities: in these cases, a blind and control-centred approach to migration policies is more likely to be adopted.

Moreover, attention should be paid also to the risks entailed in the conditionality imposed on development aid. The latter should not be dependent on the partner countries' actual commitment in cooperating in the field of migration management but should rather be addressed to its main and original goal, that is the eradication of poverty (Joint NGO Statement 2016). This goal has been strongly confirmed by the UN "2030 Agenda for Sustainable Development"³¹. In fact, concerns have been raised that "the EU has interpreted the nexus between EU migration law and other policies (i.e. development and foreign policy) so as to instrumentalize development and support initiatives to prevent emigration or stop it before it reaches the EU's shores" (Palm 2016). Consequently, monitoring activities are needed in order to ensure that financial aid is earmarked for development projects (with the active participation of local civil society) rather than for activities only aimed at curbing irregular migration and at border enforcement (ARCI 2016). In other words, as the European Parliament stressed in a briefing of October 2016, "development aid should not be used for migration

³¹ <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

control purposes” and “EU member states should not report refugee costs as official development assistance at the expense of the development programmes which tackle root causes of migration”³².

Considering the contents of current negotiations on migration governance, doubts can be raised on the consistency of bilateral initiatives and the approach entailed by the recent Partnership Framework, with particular regard to the bilateral negotiations recently established by Italian authorities with Sudanese (August 2016³³), Libyan (February 2017³⁴) and Tunisian (February 2017³⁵) authorities. In all cases, the main goal of the cooperation is the control of incoming flows and the acceleration of readmissions, whereas scarce or none attention seems to be paid to a more comprehensive approach to cooperation with third countries. In the case of Libya, these negotiations do not take sufficiently into account the critical political situation of the counterpart and seem to take for granted an adequate level of protection of the rights of migrants who might be readmitted in the country without being offered the possibility to lodge an international protection application in Europe. In fact, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (IOM), in a joint statement released immediately after the deal between Italy and Libya was signed, expressed their concerns on the impact of the agreement on the fundamental rights of people on the move, since “we believe that, given the current context, it is not appropriate to consider Libya a safe third country nor to establish extraterritorial processing of asylum-seekers in North Africa”³⁶. Concerns have been raised also by the German ambassador in Niger, who reported several episodes of torture, executions, rapes and extreme violence perpetrated in detention centres for irregular migrants in Libya managed directly by human traffickers³⁷.

The question that still needs to be answered is whether such initiatives – which often receive the endorsement of the EU institutions – constitute a barrier to the full implementation of a more comprehensive approach to external migration management, or whether they can coexist with the Partnership Framework without neutralizing its results. The same doubt can be extended to EU partnership agreements which are not implemented in the context of the Framework: this is the case of the “Joint Way Forward on migration issues between Afghanistan and the EU”³⁸ signed during the Conference on Afghanistan held in Brussels on 4-5 October 2016.

This agreement aims to enhance cooperation between Afghanistan and the EU “on addressing and preventing irregular migration, and on return of irregular migrants, who after the consideration of all relevant international law and legal procedures cannot be granted international protection status” – within the wider cooperation framework between the two partners – through a financial contribution of EUR 13.5 billion for the period 2017-2020 (4.8 directly provided by the EU). The EU-Afghanistan deal seems to feature a high degree of conditionality: in fact, the President of the Council of the EU, Donald Tusk, stressed that “we do expect sending countries to take back irregular economic migrants, in line with international standards and obligations”³⁹. In this case, the traditional approach based on development aid in exchange for cooperation on readmission and fight against irregular migration flows seems to emerge again.

The central role of border enforcement and readmission is at the core of the external action of the new “European Border and Coast Guard” too. According to the progress report of the activities of the new Frontex – released on 25 January 2017⁴⁰ – the mandate is given to this agency to develop

³² [www.europarl.europa.eu/RegData/etudes/BRIE/2016/589815/EPRS_BRI\(2016\)589815_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/589815/EPRS_BRI(2016)589815_EN.pdf).

³³ www.asgi.it/wp-content/uploads/2016/10/accordo-polizia-Italia-Sudan_rev.pdf. A critical analysis of the Memorandum is available at: www.statewatch.org/news/2016/nov/asgi-italy-sudan-mou.pdf.

³⁴ www.governo.it/sites/governoNEW.it/files/Libia.pdf.

³⁵ www.esteri.it/mae/en/sala_stampa/archivionotizie/comunicati/alfano-firmera-domani-dichiarazione.html.

³⁶ www.unhcr.org/news/press/2017/2/58931ffb4/joint-unhcr-iom-statement-addressing-migration-refugee-movements-along.html and <https://euobserver.com/migration/136781>.

³⁷ www.meltingpot.org/La-Germania-denuncia-il-verificarsi-di-abusi-in-Libia-a.html#.WJw3U_kX3IV.

³⁸ https://eeas.europa.eu/sites/eeas/files/eu_afghanistan_joint_way_forward_on_migration_issues.pdf.

³⁹ www.consilium.europa.eu/it/press/press-releases/2016/10/05-tusk-remarks-conference-afghanistan/.

⁴⁰ [www.europeanmigrationlaw.eu/documents/COM\(2017\)42-Operationalisation-EuropeanBorderCoastGuard.PDF](http://www.europeanmigrationlaw.eu/documents/COM(2017)42-Operationalisation-EuropeanBorderCoastGuard.PDF).

autonomous negotiations with third countries aimed at reinforcing and fastening readmission procedures and deploy its own liaison officers abroad. The European Border and Coast Guard will be in charge of “carry[ing] out actions with executive powers on the territory of neighbouring third countries subject to a prior agreement concluded by the European Union and the third country concerned”, starting from the two selected priority countries, Serbia and the former Yugoslav Republic of Macedonia⁴¹.

Moving now to the methods of cooperation, even when a comprehensive approach is explicitly adopted at formal level, an efficient monitoring of implementation methods has to be guaranteed. In fact, the real commitment of the stakeholders involved in the process needs continuous assessment, and the same can be said as to the use of the financial resources destined to the implementation of the Partnership Framework. For instance, the EUR 200 million programme for Libya and North Africa (which the European Commission unveiled on 25 January) addressed to finance actions aimed at stemming irregular migration flows, increasing surveillance and saving lives within Libya’s territorial waters might raise concerns about the control-oriented and blind approach that the cooperation with Libyan authorities is allegedly adopting. In fact, these financial resources are covered by the EU Trust Fund for Africa, but their goal consists merely of enhancing control measures and military cooperation with the local Border and Coast Guard, without embedding these priorities into a more comprehensive cooperation framework⁴². In other words, it is necessary to establish a robust monitoring mechanism, which focuses on the full implementation of all the issues encompassed by the Partnership Framework - i.e. not only the enhancement of migration control strategies aimed at contrasting human trafficking and irregular migration, but also the creation of legal migration channels towards Europe, and the development of protection measures in partner countries aimed at guaranteeing the respect of the fundamental rights of people on the move.

In this respect, the current situation of Syrian asylum seekers sent back to Turkey under the UE-Turkey Statement of March 2016 is far from being satisfactory. The UNHCR – which had been given formal guarantees of the possibility to monitor reception conditions offered to migrants and asylum seekers hosted in Turkey – expressed its concerns and lamented difficulties in implementing monitoring activities, because of the administrative and bureaucratic barriers imposed by Turkish authorities, which prevent the organisation from accessing camps⁴³. Moreover, some critics have commented that “*safe third countries* provisions are so broad in scope that [...] they could be applied in breach of international law”; for example, an applicant might be sent back to a country with a formal asylum regime but which may have a zero recognition rate or no operative refugee status determination procedure of an acceptable standard (Garlick 2006). In this respect, the pilot multi-

⁴¹ This constitutes a relevant change compared to the ambiguous mandate of the former Frontex Agency. In fact, in the past “the establishment and development of Frontex does represent a shift in the exercise of powers which are traditionally the domain of the State, without there being the same degree of legal and political accountability that Member States’ authorities would be subjected to in the domestic sphere” and consequently “the lack of clarity and transparency regarding the exact scope of Frontex’s coordinating role, and the way in which Frontex operations are conducted make it difficult to establish which authority can ultimately be held responsible by an individual” (Baldaccini, 2010). This ambiguity which featured Frontex’s mandate in the past seems to have been partially solved after the agency’s evolution into the “European Border and Coast Guard”.

⁴² <https://euobserver.com/migration/136671>.

⁴³ <http://statewatch.org/news/2017/jan/unhcr-letter-access-syrians-returned-turkey-to-greece-23-12-16.pdf>; <https://euobserver.com/migration/136591> and www.euractiv.com/section/global-europe/news/turkey-blocks-unhcr-access-to-syrian-refugees/. On 18 January 2017, the European Ombudsman – answering a complaint lodged by Spanish activists and NGOs – recommended to the EU Commission to introduce effective monitoring measures to guarantee the respect of fundamental rights of asylum seekers and migrants sent back to Turkey under the EU-Turkey Statement. More specifically, according to the Ombudsman “the Commission should include, in its forthcoming reports on progress made in the implementation of the Agreement (‘EU-Turkey Statement’), a separate section focusing on specific aspects of the implementation which carry significant risks for human rights compliance and on measures aimed at minimising the negative impact on human rights” (www.ombudsman.europa.eu/cases/decision.faces/en/75160/html.bookmark?utm_source=ECRE+Newsletters&utm_campaign=aa129987a3-EMAIL_CAMPAIGN_2017_01_27&utm_medium=email&utm_term=0_3ec9497afd-aa129987a3-422307766).

purpose centre set up in Niger under the European Agenda on Migration might constitute a good practice⁴⁴: with the support of the IOM and UNHCR, Niger authorities will be in charge of providing information, local protection and resettlement opportunities to migrants in need⁴⁵.

6. Some strategic implications for the future of EU and Italian policies

As stressed in the previous section, despite the shift towards a more comprehensive approach to the externalisation of policies of migration management, their actual implementation carried out both by EU institutions and EU member States could compromise the whole reliability of formal agreements and perpetuate a more traditional, blind and control-oriented approach to migration. Moreover, the traditional approach has never proved to be effective in stemming irregular migration, smuggling and trafficking of human beings: on the contrary, an almost exclusive focus on repressive measures aimed at combating migration flows – especially through the Mediterranean Sea – risks affecting the fundamental rights and lives of people on the move, who are increasingly forced to rely on smugglers to try their journey to Europe.

Considering that migrations are an undeniable reality of modern societies and are far from being an unexpected emergency (Geiger, Pécoud 2010), a robust attention should be paid to the practical implementation of the external migration management policies that are currently being adopted by the EU in cooperation with third countries of origin and transit. If such an attention is softened, the way might be paved for an increase in violence and conflicts in third countries and for a blackmailing towards EU member States and institutions. This might be the case, in particular, if the conditionality imposed on financial contributions aimed at migration control is perpetuated and becomes a weapon in the hands of unreliable partners⁴⁶, which might be the case of Libya – a country that is torn between two different political authorities, one of whom seems to be willing of cooperating with Italy on migration control, while the other has expressed several times reluctance if not open opposition.⁴⁷

The risks of a control-based approach to the externalisation of migration policies will certainly hit more relevantly southern EU member States – especially Greece and Italy – which are already somehow discouraged, because of the lack of effective solidarity among EU member States. If they perceive the impossibility to actively control incoming migration flows through the tools made available at the EU level, they will probably continue creating their own negotiations and agreements – as it is the case of Italy with Libya, Nigeria and Sudan. Such a modality of cooperation might envisage a reduced room for a more comprehensive approach, for the mainstreaming of migration issues in the wider framework of cooperation policies, and for an adequate attention towards the fundamental rights at stake. It might be assumed that bilateral cooperation – especially if it is established on a short-term basis by law enforcement and security authorities, as is the case of the Memorandum signed by the Italian Head of Police with its Sudanese counterpart – might be oriented

⁴⁴ Some critics have stressed though that the actual reduction of migrants transiting through Niger might be due to the fact that smugglers decided to change the routes towards Northern African States: www.newsdeeply.com/refugees/community/2017/01/17/the-e-u-s-hollow-success-over-migrant-smuggling-in-niger.

⁴⁵ http://europa.eu/rapid/press-release_MEMO-15-4957_en.htm. Moreover, according to some experts the strengthening of control measures to stem irregular flows is having as its main consequence the increase of the prices migrants have to pay for the smugglers' services: www.a-dif.org/2017/02/04/il-risultato-degli-accordi-anti-migranti-aumentati-i-prezzi-dei-viaggi-della-speranza/. The negative backlash of harshening border and migration route controls aimed at stemming irregular flows leading to an increase of travel costs and the need for migrants to increasingly resorting to human traffickers is an issue often considered and stressed in academic literature as well (Baldaccini, 2010).

⁴⁶ Some critics reported the concern that the "EU is continuing its legacy of working with authoritarian elites to prevent international movement" (Baird, 2016).

⁴⁷ www.ansa.it/sito/notizie/mondo/europa/2017/02/08/tobruknullo-accordo-migranti-con-italia_248d004e-de3f-422e-8be0-c89a7923389e.html.

to a reduced and less ambitious set of goals, mainly focused on migration control and border reinforcement.

Finally, it is worth stressing that potential inconsistencies between the approach adopted by the Partnership Framework and the actual implementation of external migration policies could undermine the EU's political coherence and, in more general terms, the principle of solidarity among EU member States, which has already been seriously damaged by the management of the recent migration and refugees crisis.

ANNEX I – EU Partnership Framework’s Compacts

Country	Partnership Framework’s Implementation
Niger	<ul style="list-style-type: none">- High-level visits to the Country: the German Chancellor visited the country in October, followed by the Italian Minister of Foreign Affairs at the beginning of November and the Dutch Minister of Foreign Affairs in December; the President of Niger visited Brussels on 15 December; the Danish Minister for Development Cooperation visited the country in January, in parallel with an EU technical mission; an EU and Member State senior official mission to Niger is planned for the end of March;- hands-on support on the ground to support the design and implementation of the short term actions to tackle smuggling and trafficking in human beings;- European Union CSDP (Common Security and Defence Policy) Sahel Niger mission field office in Agadez is operational, and since April, it has run a series of trainings, including 20 training sessions on migration, intelligence and arrest techniques for 360 members of the internal security forces;- An EU Migration Liaison Officer was deployed to the EU Delegation in Niamey on 1 February; further EU staff, including a European Border and Coast Guard Agency liaison Officer, will also be deployed to the Delegation;- A meeting of the Africa- Frontex Intelligence Community took place in Niger at the start of March, and a Risk Analysis Cell will be launched later in 2017;- The EU Trust Fund for Africa will support in six centres 30,000 vulnerable migrants intercepted along the migration route, and the return of 12,000 migrants to their communities of origin. In addition, support from Member State economic programmes will be provided aiming at supporting self-employment to 1,400 Nigeriens in transit zones and improve skills of 6,000 young people to facilitate their insertion in the labour market; at the end of January 2017, three new projects were launched on the ground in Agadez; the Commission has also signed a contract with the High Authority for Consolidation for Peace that will provide short term employment opportunities for youth, thus contributing to provide alternative sources of income for 65,000 people;- The EU is working with the IOM to reinforce data collection, working in 40 strategic locations along the migration routes to look at migration flows and routes, migrant demographics and the drivers of migration.
Nigeria	<ul style="list-style-type: none">- Negotiations on an EU-Nigeria Readmission Agreement started in October. The EU's aim is to conclude the readmission agreement in time for the planned EU-Nigeria ministerial meeting (June 2017). In total, almost 2,000 Nigerian nationals irregularly staying in the EU had been returned by mid-November in 2016. Nigerian authorities have delivered 65% of the Emergency Travel Documents requested by Member States;- cooperation in the field of smuggling will be further reinforced through an EU-Nigeria cooperation platform on migrant smuggling, launched in October;- Nigeria remains the most significant country of origin for non-EU victims of trafficking in the EU. Nigeria actively participates in the Africa-Frontex Intelligence Community, and the recently launched Cooperation Platform on Migrant Smuggling, involving EU Agencies and Member States;- in the context of the Boko Haram crisis the EU Trust Fund for Africa response provides a comprehensive approach in the field of stability and resilience. Projects focus on the North East and have approximately

280,000 direct beneficiaries (Internally Displaced Persons, returnees, and host communities). Three more projects are in the pipeline to address return and reintegration of irregular migrants and anti-radicalisation;

- Projects adopted under the EU Trust Fund for Africa in December 2016 with the International Organisation for Migration will lead to the reintegration of more than 3 800 returning migrants from EU and transit countries. In addition, more than 5 million pupils will benefit from books and literacy lessons, and more than 75 000 children will gain access to mental health services;
- A European Migration Liaison Officer has been deployed since 1 February.

Mali

- Dialogue and cooperation, including at high level, has again been intensified, with a visit of the Ministers of Foreign Affairs of the Netherlands and Italy;
- the European Commission has been providing basic humanitarian support to Malian refugees in Burkina Faso, Mauritania and Niger;
- The EU Trust Fund for Africa will support the resilience and self-sufficiency of these refugee populations, contribute with the UNHCR to maintain peaceful coexistence between displaced populations and communities and facilitate the voluntary repatriation of refugees;
- As to readmissions, Mali has worked with the EU in view of the return of persons irregularly staying in the Union on the basis of standard procedures finalised between the two parties respecting their mutual obligations. Difficulties persist as to the confirmation of nationality and the issuance of consular travel documents by Malian consulates to persons identified as Malian nationals;
- On border management, cooperation with the Malian authorities is already ongoing. In the past months, work has focused on cooperation with Malian actors and international partners to support a National Border Strategy and a related Action Plan. This should soon be adopted;
- Mali is one of the main recipients of funds through the EU Trust Fund for Africa, with nine projects approved so far. The projects adopted in December 2016 are now in the contracting phase. They include projects to improve the biometric population registry, for the reintegration for returnees and for youth employment. The other six projects approved earlier in 2016 are in the process of being implemented, including a support program for border management and for reinstallation of Malian security forces in sensitive regions.

Senegal

- The Commissioner for International Cooperation and Development visited the country, followed by a visit of Italian Minister of Foreign Affairs. The EU High Representative/Vice President participated in the Third International Forum on Peace and Security in Africa in December in Dakar. The High Representative/Vice-President Mogherini and the President of Senegal met in Dakar in December 2016 and in the same period the President of Senegal visited France;
- Cooperation on readmissions is still striving to be effective: even where migrants have been identified for return, it has proven challenging to obtain the travel documents required from the Senegalese authorities. In 2016, only 563 Senegalese irregularly staying in Europe returned to Senegal. This figure contrasts with the more than 10,000 Senegalese nationals that arrived irregularly through the Central Mediterranean route in 2016;
- negotiation between the European Border and Coast Guard Agency and the Senegalese authorities on the conclusion of a working arrangement is advancing;

- EU funds are also helping to address the root causes of irregular migration, with projects supporting job creation for youth adopted under the EU Trust Fund for Africa;
- Senegal also benefits from a regional project supporting law enforcement entities;
- an EDF project on internal security and border management to improve capacities of internal security services in the fight against terrorism, organised crime, border management and fight against irregular migration was adopted in October 2016;
- Senegal can benefit from nine projects supported under the EU Trust Fund for Africa, four of which were adopted in December 2016. These new projects will support reintegration, job creation, and a biometric national registry system;
- A European Migration Liaison Officer was deployed to the EU Delegation in Dakar on 1 February 2017.

Ethiopia

- High level engagement has continued, through a meeting between Commissioner for International Cooperation and Development Mimica with Prime Minister Desalegn in January, a meeting between High Representative/Vice-President Mogherini and the Ethiopian Minister for Foreign Affairs Gabeyehu in the margins of the February 2017 Munich Security Conference, and a visit of Minister Gabeyehu to Brussels, also in February. High Representative/Vice-President Mogherini is scheduled to travel to Ethiopia in March;
- Workshop on readmissions scheduled for early 2017 in order to increase return rate (dates for the workshop have yet to be confirmed);
- EU development and protection support to refugees in Ethiopia has continued through the implementation of the Regional Development and Protection Programme (RDPP) for the Horn of Africa, targeting support for over 100,000 refugees out of the estimated 415,000 Somali and Eritrean refugees currently in Ethiopia, as well as the host communities, and with including specific action for the protection of children;
- a Trust Fund project is seeking to build the resilience of a million farmers in vulnerable areas prone to violent conflict. Further programmes are in the pipeline to support job creation, in particular for refugees, as well as to support the establishment of a unified national identification and registration system. It will also benefit from further regional programmes under the Trust Fund adopted in December 2016. These include a Regional Operational Centre for the Khartoum Process, and a Facility to support returns and to help stranded migrants and their sustainable reintegration into communities;
- the EU has announced its readiness to provide financial support to the newly planned industrial parks, which are intended to create jobs not just for Ethiopians but where also approximately 30,000 jobs will be reserved for refugees;
- A European Migration Liaison Officer will be deployed in Ethiopia by the end of March 2017.

Source: REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL on Third Progress Report on the Partnership Framework with third countries under the European Agenda on Migration, COM(2017)205 of 2 March 2017, available at: https://eeas.europa.eu/sites/eeas/files/com_2017_205_f1_report_from_commission_en_v8_p1_880005_0.pdf

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