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Research Report

Profiteers of migration? Authoritarian states in Africa and European migration management

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SWP Research Paper

-Anne Koch, Annette Weber and Isabelle Werenfels (eds.)

Profiteers of Migration?

Authoritarian States in Africa and
European Migration Management



Stiftung Wissenschaft und Politik
German Institute for
International and Security Affairs

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July 2018

Since 2015, the management of refugee and migration movements has been high on the agenda of the European Union (EU) and its member states. Great hopes are being pinned on development policy interventions that offer the people who are willing to migrate prospects in their home countries. This policy is accompanied by a strong focus on migration statistics. At the same time, the local contexts and regional dynamics of partner countries tend to be neglected. This is where this study comes in: What social, political, and economic processes do the EU's external migration policies encounter in African states? Which possibilities for cooperation are realistic?

This study focusses on several countries that are governed in an authoritarian manner, albeit with strong variance in the degrees of authoritarianism: Egypt; the Maghreb states Algeria and Morocco; the Sahel state of Niger; as well as Sudan and Eritrea, which are linked together in a “migration complex” at the Horn of Africa. The study analyses migration cooperation in countries with different degrees of proximity and interaction with Europe and examines whether – and to what extent – authoritarian rulers, in particular, benefit from this cooperation.

The analysis shows that the impact of external EU migration policies varies according to the political, economic, and social contexts in partner countries. The respective degree of centralisation, assertiveness, creative drive, and regional ambitions of the regimes are decisive in determining whether European offers are perceived as a welcome influx of project funds or as an opportunity to pursue overarching political goals – or neither of the two. The interests in maintaining power and the legitimacy strategies of the elites play decisive roles in responding to offers of cooperation in all countries examined.

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Profiteers of Migration? Authoritarian States in Africa and European Migration Management

Since the so-called refugee crisis of 2015, the handling of refugee and migration movements has been high on the agenda of the EU and its member states. Urgently needed reforms of the Common European Asylum System and European migration policies are proving difficult because many EU member states rely exclusively on restrictions for domestic reasons. The external dimensions of EU migration policies are becoming increasingly important in light of the difficulties of achieving internal change. Alongside the strengthening of the EU's external borders, this is the lowest common denominator among the member states: Under the banner of "combating the root causes of migration", cooperation with countries of origin and transit countries is being promoted in order to stop migration movements, even before the EU's external borders. Great hopes are being pinned on development policy interventions that offer the people willing to migrate prospects in their home countries, and thus discourage them from leaving or continuing their journeys. The consequences are a steadily growing number of cooperation formats and project funds related to migration as well as an increased focus by the EU on the African continent.

A reduction in irregular entries into the EU is the declared aim of this policy, which is accompanied by a focus on migration statistics. However, the local contexts and regional dynamics of the partner countries are being neglected. This is where this study comes in: What social, political, and economic processes do the EU's external migration policies encounter in African countries, and which possibilities for cooperation are realistic? After an initial contribution, which provides an overview of the EU's cooperation instruments on migration policies, it is a question of analysing the "cornucopia" of corresponding European projects pouring across African states. Which dynamics are triggered, reinforced, or changed in partner countries? The analysis focusses on a number of countries that belong to the spectrum of authoritarian regimes: Egypt; the Maghreb states Algeria and Morocco; the Sahel state of Niger; as well as Sudan and Eritrea, which are linked together in a

“migration complex” in the Horn of Africa. The focus on the realities of migration movements and the associated interests and strategies of important partner countries enables a change of perspective in the current debate. It allows a nuanced presentation of the resonating effects generated by migration policy cooperation in countries with close ties to Europe. It clarifies existing patterns of cooperation and enables a discussion of whether — and to what extent — authoritarian rulers benefit from this cooperation.

As the country case studies show, intentions and outcomes often diverge. Although the impacts of external EU migration policies on concrete migration dynamics are difficult to measure, a look at the African partner countries shows that the elites there often know how to use European offers to their own advantage. But can they be described as “migration profiteers”? A closer look shows that differentiation is necessary: Egypt’s president, Abdel Fattah al-Sisi, is using the high priority that the EU attaches to migration policy cooperation with third countries to consolidate his power. The Sudanese regime, on the other hand, faces a multitude of cooperation options, whose importance and priorities have not been clearly identified by the EU and, moreover, do not meet Khartoum’s expectations. The government of Niger hopes that cooperation will improve relations with the EU and individual member states. However, at the same time, Niger must deal with problematic consequences in its own country if, for example, the transport of irregular migrants as a source of income is halted and local conflicts become a threat. The Moroccan government has its own design ambitions on migration policy and is acting strategically. It is therefore placing the EU’s migration policy offers at the service of its own modernisation agenda. The neighbouring country of Algeria, on the other hand, has so far largely avoided cooperation, so there are no potential “migration profits”. However, there are signs of a cautious opening towards more cooperation. The Eritrean regime, on the other hand, remains categorically opposed to partnership-based cooperation.

This brief overview shows that the impacts of the EU’s external migration policies vary according to the internal conditions of the partner countries. The degrees of centralisation as well as the assertiveness and willingness to shape the regional ambitions of the regimes are decisive factors in determining whether European proposals are perceived primarily as a welcome influx of project funds or as an oppor-

tunity to pursue overarching political goals. Countries such as Morocco and Egypt, which have many years of experience with EU cooperation, know how to make much better use of their negotiating powers and act more strategically vis-à-vis the EU than “cooperation newcomers” such as Niger. Notably however, the degrees of authoritarianism and its manifestation, which varying across the states analysed, do not correlate significantly with the respective willingness to cooperate with the EU.

However, interests in the preservation of power and legitimisation strategies play a formative role in the responses to offers of European cooperation in all countries examined in this study. A precise understanding of the specific interests that are linked to migration and flight in the individual states is required by German and European decision-makers in order to avoid contradictions between the migration policy agendas and longer-term development policy objectives, thereby avoiding any potential for domestic political conflicts in partner countries (“do no harm” principle). A deeper understanding of local contexts also reveals that the willingness to cooperate is not necessarily tied to a desire for more financial support but linked to strategic interests, such as the lifting of sanctions or the normalisation of relations and international recognition.

Equally central to successful “migration management” is knowledge of the respective migration movements in transnational migration complexes, whether circular, regional, or to Europe. European approaches should build on these growing regional dynamics. After all, regional freedom of movement, in particular, has promoted the economic development of African states. It is therefore counterproductive to jeopardise progress in this area by focussing on restrictive border management. Rather, it is necessary to work out how intra-African circular migration can be preserved despite intensified border management.

In addition to the local economies that are developing in connection with migration, the remittances of migrants are of great importance. For the families who remain in their home countries, this money often represents important social security. The volume of these financial flows has an impact on the scope for negotiations in migration policy cooperation. For example, states for which remittances from Europe are an important economic factor have a greater interest in enhancing the possibilities of legal migration than states whose citizens primarily send money home from the Gulf States.

Financial means or surveillance technologies, which are actually intended to build border management and other migration-regulating capacities, can be misused for repressive purposes by partner countries. This circumstance must also be taken into account – and avoided. Special attention is required here because the authoritarian elites examined in this study have long understood that the willingness to cooperate on migration policy alleviates the pressure exerted by the EU on issues concerning political transformation. Therefore, it makes sense to replace the ambitious – but de facto ineffective – transformation agenda with clear red lines in the area of human rights, and to adhere to these consistently. This means that European actors must set clear priorities, avoid misunderstandings about their priorities (development, security, or both?), and generate realistic timelines. To avoid raising false expectations – particularly in view of the EU-Turkey agreement, which has also generated commotion in several of the countries examined in this study – Europe must in each case communicate more clearly than it has to date about which forms of cooperation on migration policy are possible, and which are not.

Map 1

Migration routes in Africa

Countries

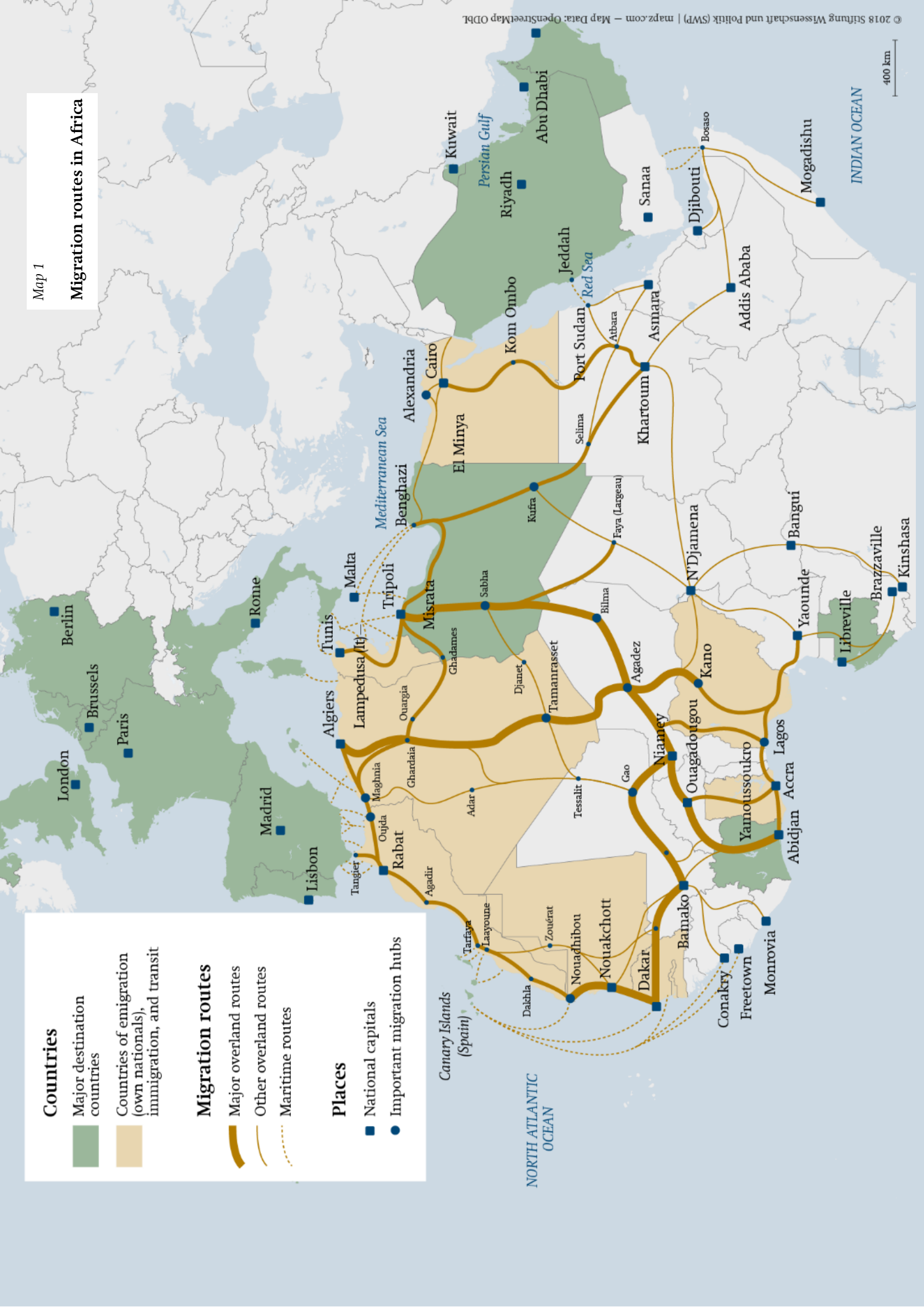
- Major destination countries
- Countries of emigration (own nationals), immigration, and transit

Migration routes

- Major overland routes
- Other overland routes
- Maritime routes

Places

- National capitals
- Important migration hubs



INDIAN OCEAN

400 km

NORTH ATLANTIC OCEAN

Canary Islands (Spain)

David Kipp and Anne Koch

Looking for External Solutions: Instruments, Actors, and Strategies for European Migration Cooperation with African Countries

The external migration policy of the European Union (EU) has become more complex since the early 2000s: There are now a large number of different instruments and agreements, and the areas of responsibility and competences of foreign, security, development, and economic policy actors are sometimes hard to disentangle. The policy area is therefore very complex. It is the stated goal of the European Commission to implement a comprehensive approach – particularly with regards to cooperation with relevant African partner countries. However, this attempt has in the past been characterised by diverging priorities and interests within the EU.

In the course of the long-standing, but profoundly increased, irregular migration of migrants and refugees via the Mediterranean in 2015, the issue of migration management has moved to the top of the European agenda. This has intensified the pre-existing tendency towards the externalisation of migration control and restriction.¹ On the other hand, three further trends can be identified since 2015: (1) a regional shift in migration cooperation from the direct European Neighbourhood area to more distant countries of origin and transit, with a focus on the countries neighbouring Syria and the African continent in particular; (2) an increasing instrumentalisation of EU development aid for migration policy purposes;

(3) a gradual re-nationalisation of European development policy, for example through new migration funding instruments that have been established outside the Community method. The result is that funds are allocated more often to the member states' national implementing organisations.

The EU's migration cooperation instruments²

For a long time, EU member states' cooperation on migration policies with third countries was predominantly bilateral. Since 2005, the EU has gradually developed a policy framework to serve as a basis for balanced and partnership-orientated external asylum and migration policies. This Global Approach to Migration (GAM) was revised in 2012 under the name Global Approach to Migration and Mobility (GAMM). The latter is made up of four officially equivalent objectives: (1) better organising of legal migration and fostering well-managed mobility; (2) preventing and combating irregular migration and eradicating trafficking in human beings; (3) maximising the development impacts of migration and mobility; and (4) promoting international protection. In response to the increasing number of deaths due to migrants and refugees attempting to reach Europe via the Mediterranean, the European Commission published the European Agenda on Migration in May 2015. This was before mixed migration movements to Europe increased sharply in the following months.³ Even

¹ Luiza Bialasiewicz, "Off-shoring and Out-sourcing the Borders of Europe: Libya and EU Border Work in the Mediterranean", *Geopolitics* 17, no. 4 (2012): 843–66; Rens van Munster and Steven Sterkx, "Governing Mobility: The Externalization of European Migration Policy and the Boundaries of the European Union", in *European Research Reloaded: Cooperation and Integration among Europeanized States*, ed. Ronald Holzhaacker and Markus Haverland (Dordrecht: Springer, 2006), 229–50.

² See the overview on p. 11.

³ On the phenomenon of mixed migration, see Steffen Angenendt, David Kipp, and Amrei Meier, *Mixed Migration*.

though the long-term objectives of GAMM are adopted on paper, the primary focus is de facto on the short-term reduction of irregular migration. This reflects an understanding of migration as being primarily a problem, not an opportunity. Thus, the goal of improved border and migration management in important countries of transit and origin is becoming just as important as the protection of the EU's external borders. This is demonstrated by the efforts to intensify regional dialogues on migration management as well as the expansion of the European Border and Coast Guard Agency (Frontex).

Political and legal partnership agreements

The decision of the European Agenda on Migration was swiftly followed by the creation of a new instrument, the so-called Migration Partnership Framework. In June 2016, five major African countries of origin and transit – Ethiopia, Mali, Niger, Nigeria, and Senegal – signed documents to this effect. It is striking that the list of objectives (to save lives in the Mediterranean sea and break the business model of smugglers; to increase the rate of returns to countries of origin and transit; and to stem irregular flows)⁴ only vaguely refers to the need to offer legal migration channels. Instead of proposing more concrete steps, the European Commission just mentions the need for increased resettlement efforts and possibly piloting legal migration.

Partner countries are motivated to cooperate through financial incentives, as there are no prospects for legal migration routes.

This marks a change of direction. GAMM stresses the idea of legal migration opportunities as an incentive for cooperating with third countries. Offers in the

Challenges and Options for the Ongoing Project of German and European Asylum and Migration Policy (Gütersloh: Bertelsmann Stiftung, 2017).

⁴ European Commission, *Establishing a New Partnership Framework with Third Countries under the European Agenda on Migration*, COM (2016) 385, 7 June 2016, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_external_aspects_eam_towards_new_migration_ompact_en.pdf (accessed 10 October 2017).

area of legal migration were intended to motivate the partner countries to restrict irregular emigration from their own territories and to take back irregular migrants through Mobility Partnerships, if these were countries in the European Neighbourhood, or Common Agendas on Migration and Mobility (CAMMs) in the case of more distant countries. Mobility Partnerships and CAMMs contain mutual objectives as well as offers for support from the EU for the cooperating countries. Mobility Partnerships have legally binding elements, since they foresee negotiations on visa liberalisation and readmission agreements. Nine Mobility Partnerships have been established so far, three of them with African countries (Morocco, Tunisia, and Cape Verde). However, Cape Verde is the only African country that concluded a visa liberalisation and readmission agreement. CAMMs have even shown fewer results and so far only been agreed with India, Ethiopia, and Nigeria.

The limited success can be explained by the fact that the European Commission does not have the competency to effectively promote legal migration. Visa liberalisation merely amounts to a simplification of procedures; for the partner countries, this is not a sufficient incentive to commit to readmission agreements, which are often highly controversial in domestic policy terms (see the contribution on Morocco and Algeria, p. 22ff.). More substantial incentives, for example additional legal migration routes, would require the initiative and willingness of individual EU member states – and that is what is lacking.

Even though the European Commission has followed up on the idea to establish pilot projects for migrants seeking work from partner countries,⁵ it is increasingly offering partner countries other incentives for cooperation on migration policies. The new Migration Partnership Framework, introduced in 2016, is seeking to combine different policy elements within EU competence areas (Neighbourhood Policy, development aid, trade, mobility, energy, security, digital policy). The main financial assistance for this instrument has come from the EU Emergency Trust Fund (EUTF) for Africa, which was set up in November 2015 and now amounts to a budget of €3.4 billion. In

⁵ European Commission, *Communication on the Delivery of the European Agenda on Migration*, COM (2017) 558, 27 September 2017, 22, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170927_communication_on_the_delivery_of_the_eam_en.pdf (accessed 26 October 2017).

Overview

Instruments of the EU's external migration policy

	2004	2005	2006	2007	2008 – 2011	2012	2013	2014	2015	2016	2017
Political framework		Global Approach to Migration (GAM)				Global Approach to Migration and Mobility (GAMM)			European Agenda on Migration		
Regional processes			Rabat Process	Africa-EU Migration, Mobility and Employment (MME) Partnership				Khartoum Process			
Agreements with African third-countries					EU Mobility Partnership with Morocco			EU Mobility Partnership with Tunisia EU readmission agreement with Cape Verde EU visa facilitation agreement with Cape Verde	Common Agendas for Migration and Mobility (CAMM) with Ethiopia and Nigeria	EU Migration Partnership Frameworks with Ethiopia, Mali, Niger, Nigeria, and Senegal	
Developments in external border protection	Founding of the European Agency for the Management of Operational Cooperation at the External Borders (Frontex)							Launch of the Frontex joint operation Triton	Start of the EUNAVFOR MED (Operation Sophia)	Reform of Frontex into European Agency for the Border and Coast Guard Expansion of EUNAVFOR MED to training of the Libyan Navy Coast Guard and Libyan Navy	Support to the joint force of the G5 Sahel

addition, the European Commission plans to use funds from the European External Investment Plan, newly established in 2017, for this purpose.¹ With a contribution of €4.1 billion from the European Commission, the External Investment Plan is expected to leverage more than €44 billion in investments by 2020. The dimensions of the planned – but not yet secured – financial support for the partner countries confirm that the European Commission is increasingly replacing the previously promised, but unfulfilled, prospects of legal migration routes with financial incentives in its external migration policy.

Regional dialogues

In addition to agreements with individual partner countries, the EU also participated in regional dialogues for discussions on – and harmonisation of – migration policy approaches. The oldest dialogue is the Budapest Process, which was initiated in 1993 as part of the Eastern enlargement of the EU and has developed into a European-Asian forum with 52 member states. Building on this experience, further regional dialogues followed within the framework of GAMM. Although there are attempts to have dialogues with all regions relevant to migration policy,² a focus on the African continent can now be observed. The Rabat Process was established in 2006 and brings together 57 countries along the West and Central African migration routes.³ For the Horn of Africa, the Khartoum Process was launched in 2014 to intensify cooperation on migration management and to combat human trafficking.⁴

1 European Commission, *EU External Investment Plan. Fact Sheet*, 7 December 2017, https://ec.europa.eu/europeaid/sites/devco/files/factsheet-eip-20171120_en.pdf (accessed 31 January 2018).

2 European Commission, *Global Approach to Migration and Mobility*, last update 20 March 2018, https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration_en (accessed 20 March 2018).

3 International Organization for Migration (IOM), *Euro-African Dialogue on Migration and Development (Rabat Process)*, <https://www.iom.int/euro-african-dialogue-migration-and-development-rabat-process> (accessed 10 October 2017).

4 Abdirahman Olow, *Readmission*, Global Compact Thematic Paper (Geneva: International Organization for Migration, o.D.), https://www.iom.int/sites/default/files/our_work/ODG/GCM/IOM-Thematic-Paper-Readmission.pdf (accessed 9 May 2017); IOM, *EU-Horn of Africa Migration Route Initiative (Khar-*

Both regional dialogues bring together a number of countries along important migration routes to Europe. However, there are different regional conditions for cooperation. In the Rabat Process, the EU cooperates with the Economic Community of West African States, whose citizens enjoy free movement between member states. Even though the dialogue has been ongoing for more than a decade, it has hardly achieved any concrete results. The more recently established Khartoum Process is driven mainly by a security approach to the challenges of migration.⁵ This can partly also be observed in the EUTF-funded projects in the Horn of Africa. The Better Migration Management programme, implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), is intended to strengthen the rights of refugees and migrants and protect them from violence, exploitation, and ill-treatment. At least indirectly, however, the measures also aim at reducing irregular migration by building more capacity in the security sector (see the contribution on Sudan, p. 44ff.). This notion is even more obvious in the planned Regional Operational Centre in Support of the Khartoum Process and AU-Horn of Africa Initiative, which is promoting the exchange of information between security institutions.

Developments in EU border protection

Although a policy area in its own right, the protection of the EU's external borders is closely linked to the EU's external migration policy. It is obvious that effective border protection is a requisite for controlling migration. Although there is little consensus between the EU member states on how to deal with migration, particularly in a crisis situation like the one in 2015, investments in border protection are often the lowest common denominator that everyone can agree on.

toum Process), <https://www.iom.int/eu-horn-of-africa-migration-route-initiative-khartoum-process> (accessed 10 October 2017).

5 Even before the founding of the Khartoum Process in 2014, the “Horn of Africa” initiative of the African Union (AU) had a regional dialogue on migration issues. Its primary rights-based orientation is now overshadowed by the more security-oriented perspective of the Khartoum Process. See Tuesday Reitano, *The Khartoum Process. A Sustainable Response to Human Smuggling and Trafficking?*, ISS Policy Brief, no. 93 (Pretoria: Institute for Security Studies [ISS], November 2016), <https://issafrica.s3.amazonaws.com/site/uploads/policybrief93.pdf> (accessed 10 October 2017).

Frontex, founded in 2004, supports the member states in the operational control of the EU's external borders and in the repatriation of irregular migrants and rejected asylum seekers. Marine operations in the Mediterranean, whose focus has shifted over the years from the western to the eastern and central Mediterranean, are some of the most well-known operations in this regard. In response to the European "refugee crisis" of 2015, Frontex was reformed in October 2016 and equipped with additional competences and resources, but its operational work continues to depend on cooperation from the EU member states. Frontex activities also go beyond the EU, since Frontex liaison officers are deployed to third countries or – vice versa – border officers of third countries participate in Frontex operations.⁶

The barriers for the EU to cooperate with authoritarian and fragile states on migration have lowered.

In addition, the EU established operational activities to improve its external border management and security cooperation with transit countries, for example within the framework of the EU-Turkey agreement and through support for the G5 Sahel Joint Force for cross-border, anti-terrorist operations in the Sahel zone. The European Union Naval Force Mediterranean operation, also known as Operation Sophia, which has been active since spring 2015, is mainly intended to combat smuggling routes on the central Mediterranean route and, since September 2016, to train the Libyan Coast Guard and Navy. These security policy operations show that the barriers for the EU and its member states to cooperate with authoritarian and fragile states in the course of migration control have lowered in recent years.

In 2015, the European Agenda on Migration successively replaced GAMM and made – with the support of member states – the restriction of migration the main priority. As a consequence, a multitude of

instruments and cooperation possibilities have emerged, but their respective status is often not clearly communicated to partner countries, which makes cooperation difficult and hinders a comprehensive approach.

Central actors and their interests

The EU's engagement in external migration policy has steadily developed over the past decade. This has been characterised by complex relationships between EU institutions, member states, international organisations, and implementing organisations, which often pursue contradictory objectives. The EU institutions try to exert influence by establishing the political framework and different funding instruments. The actual dialogue with third countries is often characterised by an informal division of labour: EU member states that have historical ties with certain partner countries will become particularly active there. Member states also try to influence the implementation of the new instruments by giving priority to national implementing organisations instead of international organisations, which were traditionally commissioned to implement migration-related projects in third countries.

EU institutions: Struggle for coherence

Legally and politically, the European Commission has instruments with limited reach at its disposal. It therefore seeks to assert its role through various financing instruments.⁷ From 2015 to 2017 alone, the funds available under the Asylum, Migration and Integration Fund as well as the fund going to relevant EU agencies increased by 75 per cent.⁸ In addition to this, new financial instruments such as the EUTF for Africa have been developed for the external dimension. These instruments are a departure from the pre-

⁶ With the countries examined in this publication, the following cooperations are ongoing or planned: From 2014 to 2016, Frontex has been piloting the concept of integrated border management in Morocco. The agency is also in negotiations with Niger, Morocco, and Egypt on formalised "working arrangements". In the context of the Africa-Frontex Intelligence Community, Frontex works together with all six countries surveyed here. See <http://www.statewatch.org/news/2017/jul/eu-com-frontex-coop-third-states-letter-28-11-16.pdf> (accessed 15 December 2017).

⁷ Leonhard den Hertog, *Money Talks. Mapping the Funding for EU External Migration Policy*, (Brussels: Centre for European Policy Studies [CEPS], 15 November 2016), <https://www.ceps.eu/publications/money-talks-mapping-funding-eu-external-migration-policy> (accessed 19 March 2018).

⁸ European Commission, *Communication on the Delivery of the European Agenda on Migration*, Brussels, 27 September 2017, COM(2017) 558 final, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170927_communication_on_the_delivery_of_the_eam_en.pdf (accessed 5 February 2018).

viously prominent transformation agenda and its focus on democracy and the rule of law, particularly with regard to the North African states. A prime example is the (migration) cooperation with Egypt (see the contribution on Egypt, p. 56ff.).

Within the European Commission, the Directorate-Generals for Migration and Home Affairs (DG HOME), Neighbourhood and Enlargement (DG NEAR), and International Cooperation and Development (DG DEVCO) are central to the development of Community migration policy. DG HOME has succeeded in gradually appropriating the external dimension of migration policy beyond its actual field of internal affairs and – with the help of the migration policy frameworks GAMM and the European Agenda on Migration – in shaping the strategic orientation of the cooperation with third countries.⁹ However, DG HOME had only limited financial resources available for a long time. Only under the current multiannual EU financial framework (2014–2020) was DG HOME – for the first time – not able to both finance migration policy projects inside and outside the EU.¹⁰ The majority of the funds for migration policy cooperation with third countries, however, continue to come from DG NEAR and DG DEVCO, which have thus been able to design and implement the policy frameworks according to their own priorities – but at the price of incoherent objectives and the resulting low levels of effectiveness.¹¹

The European External Action Service (EEAS) has also gained importance in external migration policy. Its task is to coordinate the dialogues with third countries, for example in the case of the Migration Partnership Framework, and to act as a link to the initiatives of the member states. By sending migration attachés to the EU delegations, the EEAS will monitor the implementation of the respective partnerships more closely in the future. At the same time, the EEAS is responsible for security aspects of the external

migration agenda within the framework of the Common Security and Defence Policy. This concerns, for example, the EU missions to build capacity for the fight against smuggling organisations in Niger (see the contribution on Niger, p. 34ff.) and Operation Sophia.

The EUTF for Africa gives the EU more flexibility to respond to dynamic developments on migration routes.

In the context of the “refugee crisis”, the EU felt pressured to strike new agreements with important countries of origin and transit to reduce irregular migration. The European Commission reacted with new financing instruments that made funding more flexible. The EUTF for Africa gives the EU institutions more means to respond to dynamic developments on migration routes; 63 per cent of EUTF funds go to development projects, 22 per cent to projects focussing on migration management, and 14 per cent to security and peace-building measures.¹² Since the fund is an emergency mechanism outside the regular EU budget, it also undermines the strict EU procurement procedures.

The European Commission was able to give €3 billion to the EUTF by March 2018, which corresponds to a financing share of 88 per cent. This money has been taken from different funds: €2.3 billion comes from the European Development Fund, which is managed by DG DEVCO and is not part of the regular budget.¹³ All other funds are taken from the regular budget: €313 million from the Development Cooperation Instrument, also managed by DEVCO; €226 million

⁹ Sergio Carrera, Raluca Radescu and Natasja Reslow, *EU External Migration Policies. A Preliminary Mapping of the Instruments, the Actors and Their Priorities*. Report prepared for the FP7 project “Transnational Migration in Transition: Transformative Characteristics of Temporary Mobility of People” (EURA-NET), deliverable 3.1, o. D. [2015], 46.

¹⁰ Den Hertog, *Money Talks* (see note 7), 15f.

¹¹ Europäischer Rechnungshof, *EU-Ausgaben im Bereich externe Migration in Ländern des südlichen Mittelmeerraums und der östlichen Nachbarschaft bis 2014* (Luxembourg, 2016), http://www.eca.europa.eu/Lists/ECADocuments/SR16_09/SR_MIGRATION_DE.pdf (accessed 19 March 2018).

¹² Elise Kervyn and Raphael Shilhav, *An Emergency for Whom? The EU Emergency Trust Fund for Africa – Migratory Routes and Development Aid in Africa*, Oxfam Briefing Note (Oxford: Oxfam, November 2017), https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-emergency-for-whom-eutf-africa-migration-151117-en.pdf (accessed 16 November 2017).

¹³ The European Development Fund (EDF), the financial instrument of the Cotonou Agreement, supports activities in the African, Caribbean and Pacific (ACP) countries. Adopted intergovernmentally so far, the fund is largely managed by the Commission. The integration of the EDF into the regular budget has already been discussed several times in the past. How the EDF will be established after 2020 will depend on the negotiations on the Multiannual Financial Framework and on Brexit. In addition, the Cotonou Agreement expires in 2020 and will be renegotiated between the EU and ACP countries from September 2018.

from DG NEAR; €77 million from DG HOME; and €50 million from the Directorate-General for Humanitarian Aid and Civil Protection (DG ECHO).¹⁴

Bringing together the various EU financial instruments has the advantage that the coherence of EU policy as a whole can be strengthened. The European Parliament, however, criticises that the new external migration policy instruments and agreements are largely beyond its control and too strongly dominated by the self-interests of the member states.¹⁵

EU member states focus on self-interest

Since 2015, external EU migration policy has increasingly been lifted to the top of the political agenda. It has been shaped by the four largest¹⁶ EU member states (following “Brexit”): Germany, France, Italy, and Spain. These four states have special historical relations with various partner countries, which are relevant as countries of origin and transit. The Spanish-Moroccan cooperation is regarded by many as an important model (see the contribution on Morocco and Algeria, p. 22ff.).¹⁷ France and Italy are mainly active in those countries that emerged from their former colonial territories. Since 2015, Germany has also been increasingly involved bilaterally, for example in Niger, Sudan, Eritrea, and Egypt (see the contributions on Niger (p. 34ff.), Sudan and Eritrea (p. 44ff.), and Egypt (p. 56ff.). Other member states confine themselves to supporting measures strengthening the EU’s external borders. This applies, for example, to Eastern European countries.

14 *EU Contributions Pledged*, ed. European Commission (March 2018), https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/eu_contributions_pledged_1.pdf (accessed 19 March 2018).

15 See European Parliament, *Bewältigung von Flüchtlings- und Migrantenströmen: Die Rolle des auswärtigen Handelns der EU*, Entschließung vom 5 April 2017, Punkt 70, <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2017-0045+0+DOC+XML+V0//DE> (accessed 10 October 2017).

16 Measured by population size and gross domestic product in 2016.

17 Sergio Carrera, Jean-Pierre Cassarino, Nora El Qadim, Mehdi Lahlou, and Leonhard den Hertog, *EU-Morocco Cooperation on Readmission, Borders and Protection. A Model to Follow?*, CEPS Paper in Liberty and Security in Europe, 87 (Brussels: CEPS, January 2016), <https://www.ceps.eu/system/files/EU-Morocco%20Cooperation%20Liberty%20and%20Security%20in%20Europe.pdf> (accessed 19 March 2018).

While member states are steering 42 per cent of EUTF for Africa towards projects implemented by national implementing organisations,¹⁸ they show less willingness to support the EUTF with additional funds: According to the European Commission, they only finance 12 per cent of EUTF funds.¹⁹ Critics see this as part of a trend – that EU development policy is becoming re-nationalised.²⁰ Member states, on the contrary, are wary of the expansion of the European Commission’s competences through the EUTF, because it undermines their rights under the committee procedure.²¹

The informal division of labour between the European Commission and member states contributes to the dynamics of external migration policy.

The dynamic development of external migration policy is nevertheless also the result of individual initiatives by the member states. In addition to Germany’s important role in the conclusion of the EU-Turkey agreement,²² this is illustrated by the agreements reached by Italy with the Libyan Government of National Accord. The Memorandum of Understanding of February 2017 explicitly refers to Italy’s previous agreement with the Gaddafi regime of 2008 and is thus an example of the informal division of labour between EU member states and the European Commission, as the EU supports the bilateral initiative

18 *2017 Annual Report. EU Trust Fund for Africa*, ed. European Commission (March 2018), https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/2017_tffa_en_web_lowres_final_05.pdf (accessed 20 March 2018).

19 *The EU Emergency Trust Fund for Africa: EU MS and Other Donors Contributions (Pledges and Received Contributions)*, ed. European Commission (19 March 2018), https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/donor_2.pdf (accessed 19 March 2018).

20 Den Hertog, *Money Talks* (see note 7).

21 The comitology procedure foresees a right for member states to control the adoption of implementing acts by the European Commission in accordance with Article 291 TFEU. EUR-Lex, *Komitologie (Ausschusswesen)*, <http://eur-lex.europa.eu/summary/glossary/comitology.html?locale=de> (accessed 1 February 2018).

22 Robin Alexander, Manuel Bewarder, Christoph Schlitz et al., “Flüchtlingskrise: Wie Merkel und Erdogan die EU überrumpelten”, *Die Welt* (online), 13 March 2016, <https://www.welt.de/politik/deutschland/article153234567/Wie-Merkel-und-Erdogan-den-Tuerkei-Deal-einfaedelten.html> (accessed 13 November 2017).

with accompanying measures.²³ The migration summit in Paris in August 2017 – at which the heads of state and government of Germany, France, Italy, and Spain met with representatives from Libya, Chad, and Niger – suggests that the four largest EU member states will step up their coordination efforts to increase the number of migration partnership agreements with important countries of origin and transit.

Competition between national implementing organisations and international organisations

International organisations also play a role in the EU's external migration policies. When it comes to the humanitarian care and registration of refugees, the United Nations High Commissioner for Refugees is the most important partner. The International Organization for Migration offers a wide range of services: information campaigns, programmes to support returnees, and advice to partner countries on the drafting of migration-related legislation. It also acts as a secretariat for many regional dialogue processes in which the EU participates. The lesser-known International Centre for Migration Policy Development, which has played a decisive role in the Europeanisation of the policy field of migration since the 1990s,²⁴ fulfils some similar functions; it currently manages the funds for DG HOME to enable partner countries to implement Mobility Partnerships and CAMMs (Mobility Partnership Facility).²⁵ Under the EUTF for Africa, however, national implementing organisations are given preference, and international organisations are only commissioned with about 30 per cent of projects. Instead of using formal procurement procedures, member states can have their project proposals drawn up directly by their implementation organisations in consultation with the European Commission. However, international organisations still have the advantage that they can become active more quickly and more easily in countries that are

considered politically sensitive due to violent conflicts or human rights violations. This results in regional differences in the allocation of funds: For example, the EU makes much more use of the expertise of UN organisations in the North Africa and Horn of Africa regional windows than in the Sahel regional window.

The relevance of civil society organisations for the implementation of the EU's external migration policy is also decreasing under the new instruments – only 22 per cent of the EUTF funds allocated so far have gone to NGOs. This development supports the thesis concerning the re-nationalisation of this policy area. Most EUTF funding goes to national implementing organisations in France, Germany, Spain, and the United Kingdom. Three French implementing organisations are mainly active in the Sahel region and together receive 13 per cent of the EUTF funds disbursed to date; the GIZ is increasingly involved in the Horn of Africa and North Africa and receives about 10 per cent (see the contribution on Sudan and Eritrea, p. 44ff.).

Strategies of external EU migration policy

The fragmented nature of the EU's external migration policy is, as has been shown, the product of complex negotiation processes between a large number of actors. Is it at all possible for the EU to take strategic action in this policy area? If so, to what extent? Three strategic elements can be identified: (1) Shifting the focus towards activities on the African continent is linked to the narrative of “reducing the root causes of forced displacement”; (2) subordinating development cooperation to migration policy; (3) further informalising external EU migration policy by developing migration policy instruments outside the Community method.

Root cause narrative

During the 1990s and early 2000s, external EU migration policy focussed on the Eastern European Neighbourhood. European interests in the area of migration policy were often discussed in the context of ongoing or planned EU accession negotiations. This arrangement strengthened the EU position and enabled the conclusion of legally binding readmission agreements with many Eastern European countries. In the course of the growing mixed migration movements via the Mediterranean and the associated

23 Daniel Howden, *The Central Mediterranean: European Priorities, Libyan Realities* (October 2017), http://issues.news-deeply.com/central-mediterranean-european-priorities-libyan-realities?utm_source=rd-banner (accessed 5 October 2017).

24 Sabine Hess, “‘We Are Facilitating States!’ An Ethnographic Analysis of the ICMPPD”, in *The Politics of International Migration Management*, ed. Martin Geiger (Basingstoke et al.: Palgrave Macmillan, UK, 2010), 96–118.

25 Den Hertog, *Money Talks* (see note 7), 17.

deaths, the tenor changed: Since the Valletta Summit of European and African heads of government in autumn 2015, the aim of “reducing the causes of forced displacement” became the new narrative. The EUTF for Africa brings together many different projects under this umbrella term, which also has an important discursive effect: It suggests that the “evil” of unregulated cross-border migration movements can be tackled at its roots. In practice, however, there is often a lack of distinction between structural and acute causes of forced displacement; voluntary and involuntary migration; and primary and secondary migration movements.²⁶

Together with the European governments’ focus on reducing the number of migrants coming to the EU, this conceptual uncertainty is leading to an increasing (mis-)use of funds from development cooperation. This is dangerous: The opportunities for development cooperation to reduce migration movements are burdened with huge expectations; longer-term structural measures are replaced with short-term measures to prevent migration. The principles of both humanitarian aid and development cooperation are watered down. The barriers to cooperating with authoritarian regimes have noticeably lowered. Taken together, all these factors are giving rise to the fear that the measures initiated under the umbrella term of reducing the “root causes” are just about combating the symptoms – the irregular migration to Europe.

Migration as a new conditionality of the EU’s development cooperation

The subordination of development policy objectives to the maxim of reducing “root causes” is accompanied by a conditionalisation of migration-related development cooperation. The key issues here are new readmission agreements and improved migration and border management. On the one hand, there is direct conditionalisation. The “more for more” principle was already pursued with the EU Mobility Partnerships: The cooperative behaviour of partner countries concerning the readmission of rejected asylum seekers or irregular migrants was supposed to be rewarded with visa liberalisation and the opening of

routes for legal migration. However, this idea suffered from the fact that the EU has very limited competences in the area of legal migration. This weakens the EU’s negotiating position as long as there is a lack of willingness by member states to fill the idea of “more for more” with substance.

European efforts to make policies dealing with returns more effective have intensified in recent years. However, such negotiations are lengthy and often fail because of the different domestic policy interests of African partner countries.²⁷ A central point of contention is the demand of Europeans that partner countries should also take back third-country nationals who have travelled through their territory to the EU. This is a request that is highly problematic, especially for important transit states such as Morocco, and therefore not expedient from a strategic perspective (see the contribution on Morocco and Algeria, p. 22ff.). The idea of using development policy as a sanction for a lack of cooperation in the area of readmission (“less for less”) is repeatedly raised in both national and European contexts, but has so far not been able to gain ground. According to studies, the EU has so far not strategically applied its trade-policy power to achieve migration policy concessions in the partner countries.²⁸

On the other hand, financial incentives play an increasing role in cooperation on migration. A large number of individual projects add up to considerable funding amounts, from which state and other actors in authoritarian partner countries are increasingly benefiting. Funding is made available for projects motivated by development policy that aim to improve the rights and prospects of migrants and refugees in the country, as well as for projects with a security

²⁷ See, among others, Natasja Reslow, “EU ‘Mobility’ Partnerships: An Initial Assessment of Implementation Dynamics”, *Politics and Governance* 3, no. 2 (2015): 117–28 (125); Sadio Soukouna, *L’Échec d’une coopération franco malienne sur les migrations: Les logiques du refus malien de signer*, Mémoire de Master 2 Science Politique, Mention Relations Internationales, April 2011, http://www.reseau-terra.eu/IMG/pdf/SOUKOUNA_Sadio.pdf (accessed 5 March 2018); Stephan Dünwald, “Remote Control? Europäisches Migrationsmanagement in Mauretanien und Mali”, *movements. Journal für kritische Migrations- und Grenzregimeforschung* 1, no. 1 (2015): 21–23.

²⁸ Flavia Jurje and Sandra Lavenex, “Trade Agreements as Venues for ‘Market Power Europe’? The Case of Immigration Policy”, in *Journal of Common Market Studies* 52, no. 2 (2014): 320–36.

²⁶ Steffen Angenendt and Anne Koch, “Fluchtursachenbekämpfung: Ein entwicklungspolitisches Mantra ohne Inhalt?”, in *Ausblick 2016: Begriffe und Realitäten internationaler Politik*, ed. Volker Perthes (Berlin: Stiftung Wissenschaft und Politik, January 2016), 41–44.

policy orientation that are of particular interest to European home ministries. The entirety of all individual projects serves as a “door opener” for further cooperation on migration policy with strategically important countries.

Informalisation of external EU migration policy

Developing relationships is indeed an important aspect of external EU migration policy. Since bilateral channels of dialogue are indispensable for functioning cooperation with partner countries, European governments also see the agreement of migration partnerships and dialogue forums as confidence-building measures for establishing or consolidating high-level working contacts. Despite the attempt to formulate comprehensive frameworks for migration cooperation, mostly restrictive approaches dominate the operational agenda. This can be explained on the one hand by the domestic political preferences of the European governments. On the other hand, such measures are often easier to implement than initiatives aimed at greater mobility, as targets and cooperation partners are easier to define.²⁹

Informal channels for dialogue are crucial for external migration policy, but they make democratic control more difficult.

The implementation of restrictive measures in partner countries goes hand in hand with a preference for legally non-binding political agreements. By bypassing the comitology procedure new forms of cooperation can be established. This however goes at the expense of transparency and democratic control through the European Parliament. Although the Treaty of Lisbon gave the EU institutions more powers in the policy area of asylum and migration, it is ultimately the member states that continue to set the tone and help to implement their own migration policy interests within the flexible framework that the European Commission offers them. The informal division of labour among the relevant actors, which gives particular weight to the four largest member

²⁹ Daniel Wunderlich, “Implementing EU External Migration Policy: Security-driven by Default?”, *Comparative European Politics* 11, no. 4 (2013): 406 – 27.

states and their networks, is driving this development forward.

Conclusion

External EU migration policy is caught between internal and external policy interests and contains elements motivated by both security and development policy. However, it is dominated by the short-term interest in curbing irregular migration to Europe, whereby the facilitation of legal migration from and within the African continent serves as an incentive for partner countries that has yet to be fulfilled.

Looking at the migration policy instruments that have been developed since the “EU refugee crisis” of 2015, the following strategic elements can be identified: at the discursive level, the narrative of combating the “root causes”, the conditionalisation of development cooperation, the circumvention of the Community method by creating new instruments and the focus on intergovernmental negotiations. However, this does not yet result in a comprehensive strategy. Instead, the multitude of migration policy instruments and partnership formats, as well as the often inadequate communication with partner countries, make counterproductive results more likely. The risk increases to the extent that other policy areas are placed at the service of migration policy interests and alternative logics of action are neglected: If, for example, development policy no longer primarily aims at combating poverty and promoting the rule of law, there is a risk of cuts in longer-term structural measures in favour of short-term interventions in the area of border management. If this change hurts cross-border trade or if existing distribution conflicts are fuelled, this can lead to more rather than less involuntary migration movements in the medium term. Furthermore, by prioritising the reduction irregular migration, EU member states accept that their negotiating power vis-à-vis third countries is shifting: From the perspective of key countries relevant to migration policy, especially those bordering the southern Mediterranean, the EU-Turkey agreement not only shows examples of how irregular crossings can be managed, but also how one’s own political negotiation power can be upgraded vis-à-vis the EU.

External EU migration policy is currently a laboratory for new approaches and instruments – often

primarily motivated by domestic policy and designed to send out a signal to the European public. In the view of the European Commission, these measures have helped to substantially decrease the number of irregular entries into the European Union in 2017 compared with the previous year.³⁰ However, the political and social realities in partner countries are out of sight. A comprehensive understanding of the consequences and effects therefore requires a change of perspective: a look at migration-related dynamics, interests and policies in authoritarian African third countries.

30 European Commission, “Zukunftsfähige Migrationssteuerung: Europäische Kommission legt Fahrplan vor”, Press Release, 7 December 2017, http://europa.eu/rapid/press-release_IP-17-5132_de.htm (accessed 12 February 2018).

Table 1

Country	Population			Remittances to... (in \$ mil.)	Migrant population			Registered refugees	
	Total population	... in Germany	... in Europe		Total	Countries of origin in Africa	... total	... from Syria	
Egypt	93,778,172 (2015)	26,915	282,923 (2015)	16,590 (2016)	491,643 (2015)	Sudan	31,589	213,530	116,013
	97,553,151 (2017*)		267,470 (2010)	14,324 (2011)	295,714 (2010)	Somalia	22,709		
	102,941,484 (2020*)					Libya	5,591		
						Eritrea	2,368		
						Ethiopia	1,457		
Algeria	39,872,000 (2015)	21,320	1,597,319 (2015)	2,000 (2016)	242,391 (2015)	Western Sahara	90,939	94,232	0
	41,318,142 (2017*)		1,484,565 (2010)	1,942 (2011)	244,964 (2010)	Somalia	20,810		
	43,333,255 (2020*)					Libya	4,182		
						Sudan	2,873		
Eritrea	4,846,976 (2015)	59,800	98,175 (2015)	318 (2012*)	15,941 (2015)	Somalia	2,457	2,342	No data
	5,068,831 (2017*)		70,546 (2010)	599 (2008*)	15,676 (2010)	DR Congo	1,688		
	5,432,216 (2020*)					Uganda	1,524		
						South Sudan	1,490		
						Mozambique	1,107		
Morocco	34,803,000 (2015)	75,855	2,507,560 (2015)	7,088 (2016)	88,511 (2015)	Algeria	13,664	4,771	3,242
	35,740,000 (2017*)		2,472,372 (2010)	7,256 (2011)	70,909 (2010)	Tunisia	2,622		
	37,070,718 (2020*)					Congo	1,913		
						Egypt	1,890		
						Senegal	1,837		
Niger	19,896,965 (2015)	1,220	10,499 (2015)	182 (2016)	189,255 (2015)	Mali	84,640	166,093	7
	21,477,348 (2017*)		9,376 (2010)	134 (2011)	126,464 (2010)	Nigeria	19,436		
	24,074,693 (2020*)					Burkina Faso	19,323		
						Benin	17,908		
						Togo	9,702		
Sudan	38,647,803 (2015)	6,225	44,900 (2015)	153 (2016)	503,477 (2015)	Eritrea	159,748	421,466	6,997
	40,533,000 (2017*)		37,137 (2010)	442 (2011)	578,363 (2010)	South Sudan	135,558		
	43,541,203 (2020*)					Chad	74,514		
						Ethiopia	60,734		
						Nigeria	14,828		

Country	Population			Remittances to ... (in \$ mil.)	Migrant population		Registered refugees	
	Total population	... in Germany	... in Europe		Total	Countries of origin in Africa	... total	... from Syria
Sources	UN DESA 2017 *mean estimate	Destatis 2016	UN DESA 2015	World Bank 2017 *African Development Bank 2016	UN DESA 2015	UN DESA 2015	UNHCR 2016	UNHCR 2016
African Development Bank		2016						
Destatis German Federal Statistical Office		2016						
UN DESA Population Division		2015						
UN DESA Population Division		2017						
UNHCR		2016						
World Bank		2017						

http://www.africaneconomicoutlook.org/sites/default/files/content-pdf/AEO2009_EN.pdf
https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/AEO_2016_Report_Full_English.pdf
https://www.afdb.org/fileadmin/uploads/afdb/Documents/Project-and-Operations/Eritrea_Interim_Country_Strategy_Paper_I-CSP_2014-2016_-_11_2014.pdf
https://www-genesis.destatis.de/genesis/online/data;jsessionid=171FDCBF1B26ADEF27C4B6F90FE7F204.tomcat_GO_1_3?operation=abruftabelleBearbeiten&levelindex=1&levelid=1513177720188&auswahloperation=abruftabelleAuspraegungAuswaehlen&auswahlverzeichnis=ordnungsstruktur&auswahlziel=werteabruf&selectionname=12521-0002&auswahltext=&nummer=6&variable=2&name=GES&nummer=5&variable=3&name=STAAG6&werteabruf=Werteabruf
http://www.un.org/en/development/desa/population/migration/data/estimates2/data/UN_MigrantStockByOriginAndDestination_2015.xlsx
[https://esa.un.org/unpd/wpp/DVD/Files/1_Indicators%20\(Standard\)/EXCEL_FILES/1_Population/WPP2017_POP_F01_1_TOTAL_POPULATION_BOTH_SEXES.xlsx](https://esa.un.org/unpd/wpp/DVD/Files/1_Indicators%20(Standard)/EXCEL_FILES/1_Population/WPP2017_POP_F01_1_TOTAL_POPULATION_BOTH_SEXES.xlsx)
http://popstats.unhcr.org/en/persons_of_concern
http://www.knomad.org/sites/default/files/2017-11/bilateralremittancematrix2016_Nov2017.xlsx

Isabelle Werenfels

Migration Strategist Morocco – Fortress Algeria*

Morocco and Algeria have been referred to pointedly as European Borderlands¹ for some years now: This is where the European Union (EU) is trying to successfully outsource border tasks and functions. In doing so, European political actors tend to lump the Maghreb states together. The German initiative to declare Algeria, Morocco, and Tunisia as safe countries of origin is an example of this.

Indeed, the two authoritarian states Algeria and Morocco,² which are examined in more detail in this article, show structural parallels in the area of migration: For many decades, both countries have been emigration countries and, since the 2000s, increasingly transit countries for mixed migration movements from sub-Saharan Africa to Europe. Over the past decade, both countries have also become countries of immigration. Rabat and Algiers are thus facing similar political and social challenges as their European neighbours. Similarities between Morocco and Algeria can also be found in reactions to migration-

related phenomena: concerning the relevance of security issues, social prejudices against “black Africans”, and Rabat and Algiers’ attempts to instrumentalise migration movements in order to disavow each other (internationally). The political elites in both states also know how to use their central geopolitical situation for Europe’s migration management and the fight against terrorism to increase their own negotiating power, expand bilateral cooperation with individual EU states, and alleviate external transformation pressures.

The migration policies are partly in the European interest – but they are not the result of European shaping power.

Yet, Algerian and Moroccan migration policies differ fundamentally. Whereas Morocco belongs to the African avant-garde, Algeria has so far pursued isolationist policies. Morocco was the first North African country to take concrete steps towards an immigration and asylum policy. In doing so, King Mohammed VI has cleverly used the topic of migration to pursue a broad spectrum of interests. These range from capacity-building in the security apparatus and in local administrations to establishing Morocco as a progressive multilateral player, expanding its “soft power” in sub-Saharan Africa, and last but not least, attaining international recognition of Western Sahara as Moroccan territory. Ultimately, four factors are decisive for this proactive migration policy: the country’s exposed geographical location; regional lines of conflict, including that of the non-resolved Western Sahara; a growing African reference in Moroccan foreign policy; and a highly assertive power centre in Rabat with a long-term vision. At least in part, the concrete political measures – even if they have little to do with Europe’s original intentions – are in the European interest, but they are

* The author thanks Athmane Bessalem and Salma al-Sayed for their assistance in doing research for this article.

1 About this concept, see Raffaella Del Sarto, “Borderlands: The Middle East and North Africa as the EU’s Southern Buffer Zone”, in *Mediterranean Frontiers: Borders, Conflicts and Memory in a Transnational World*, ed. Dimitar Bechev and Kalypso Nicolaidis (London/New York: I. B. Tauris, 2010), 150–56.

2 While Algeria is classified as “authoritarian” or “not free” in international comparative rankings of democracy and political freedoms, Morocco is considered “partly free” or falls into the category “hybrid”. See Freedom House, “Freedom in the World 2018”, <https://freedomhouse.org/report/freedom-world/freedom-world-2018>; *The Economist Intelligence Unit, Democracy Index 2017*, <https://www.eiu.com/topic/democracy-index>. In qualitative studies, on the other hand, Morocco is generally regarded as authoritarian, see Francesco Cavatorta, “Morocco: The Promise of Democracy and the Reality of Authoritarianism”, in *The International Spectator* 51, no. 1 (2016): 86–98, <http://www.tandfonline.com/doi/full/10.1080/03932729.2016.1126155?src=recsys> (all accessed 19 February 2018).

more coincidental side effects than the result of European shaping power.

In Algeria, which, unlike Morocco, has neither entered into a so-called Privileged Partnership with the EU under the European Neighbourhood Policy nor a Mobility Partnership, the policy approach to mixed migration is both less nuanced and less influenced by external actors. Here, a focus on security dominates. The government's primary aim is to seal off growing refugee and migration movements from sub-Saharan Africa – even if this runs counter to its own rhetoric of solidarity with Africa as well as to calls for an asylum law from Algerian civil society and individual political actors. A sophisticated migration strategy, as pursued by Morocco, is not to be expected in the short term. A worsening economic crisis caused by low oil prices in the past years has promoted populist positions; power struggles and manoeuvring over the succession of the president, who is suffering from health problems, are preventing bold new policies. Last but not least, Algeria's particularly strong claim to sovereignty, stemming from its colonial history, sets narrow limits to increased cooperation with Europe in the area of migration – beyond the readmission of its own citizens and selective security cooperation.

Actors, interests, and social dynamics

In Morocco and Algeria, mixed migratory flows can be divided into three categories: (1) emigration of their own citizens, (2) transit migration to Europe, and (3) immigration of migrant workers and refugees who settle permanently in the Maghreb. Each of these groups is associated with different political and social dynamics and interests.

Welcomed emigration

From the perspective of Moroccan and Algerian politics and society, by far the most important group of migrants is that of their own citizens who emigrate to Europe and North America.³ With 1.6 million Algerians and just under 2.5 million Moroccans, this represents just under 4 and a good 7 per cent, respectively, of the total population (see Table 1, p. 20).

³ Mohamed Berriane, Hein de Haas, and Katharina Natter, "Introduction: Revisiting Moroccan Migrations", *The Journal of North African Studies* 20, no. 4 (2015): 503–21 (503).

Since the 1990s, Morocco has been the EU's largest source of immigrants, ahead of Turkey. In the course of 2017, irregular migration to Europe increased sharply. Moroccan and even more Algerian official bodies and (social) media reported an increase in intercepted boats whose passengers were locals.⁴ According to the European Border and Coast Guard Agency (Frontex), almost 40 per cent of the people who came via the Western Mediterranean route in 2017 came from the two Maghreb countries.⁵ Socio-economic factors play a role in both countries, albeit not the only one. In Morocco, the repression of protests in the Rif region in the north of the country promoted emigration in 2017; in Algeria, generalised political and economic disillusionment is also driving persons integrated in the labour market and even politicians on an irregular path to Europe.⁶

However, only some of these people use the Mediterranean route – informed circles point out that a considerable number of visas are issued on the basis of forged documents, particularly in Algeria.⁷ The extent to which socio-economic factors are responsible for emigration could become apparent in Morocco in the foreseeable future when the country reaches the threshold of socio-economic development, at which point emigration generally decreases again, according to migration research.⁸

⁴ See the website of the Algerian Ministry of Defence, which registers all intercepted boats, http://www.mdn.dz/site_principal/index.php?l=fr#Lutte181120172 (accessed 29 January 2018).

⁵ See Frontex, "Migratory Flows in 2017 – Pressure Eased on Italy and Greece, Spain Saw Record Numbers", 5 January 2018, <http://frontex.europa.eu/news/migratory-flows-in-2017-pressure-eased-on-italy-and-greece-spain-saw-record-numbers-8FC2d4> (accessed 31 January 2018).

⁶ A candidate in the local elections in Algeria in November 2017 who fled to Spain with his campaign money across the Mediterranean made headlines. See "Mutarashah yafurr bi-'shakarāt' al-hamla al-intikhabiya wa-'yuharrig' ila isbaniya" [A candidate takes the money for the election campaign and flees across the Mediterranean to Spain], *Ennahar Online*, 21 November 2017, <https://www.ennaharonline.com/-/مترشح-يفر-بشكارة-الحملة-الانتخابية> (accessed 26 March 2018).

⁷ Interviews with representatives of European countries and international organisations, Algier, November 2017.

⁸ On the discussion about the so-called "migration hump", see Berriane, de Haas and Natter, "Introduction: Revisiting Moroccan Migrations" (see note 3), 519; Steffen Angenendt, Charles Martin-Shields, and Benjamin Schraven, *More Development – More Migration? The "Migration Hump" and Its Significance for Development Policy Co-operation with sub-Saharan Africa*, SWP

Political and social interest in voluntary returnees is very limited.

The emigrants relieve the labour market and support the economies in their country of origin. Remittances of around \$7 billion (2016, see Table 1, p. 20) accounted for almost 7 per cent of Morocco's gross domestic product and a multiple of total development aid.⁹ In Algeria, remittances are more modest at \$2 billion in 2016, but are also the main source of income for many families and can reduce poverty in entire regions.¹⁰ Direct investments by wealthy emigrants living abroad or by voluntary returnees are also a welcome effect of migration. Especially in Algeria, which has no international tourism of note, *les émigrés* are an important pillar of the tourism sector. The generally high reputation of emigrants is therefore strongly based on their real or perceived economic success. From the point of view of the societies of origin, the question of whether emigration originally was regular or irregular plays no decisive role.

Conversely, this means that the political and social interest in returnees is low or is limited to people who have come into (relative) wealth abroad. On the other hand, those who are deported from Europe are primarily regarded in their country of origin as an economic burden and, in the case of criminal or radicalised returnees, also as social liabilities. This may be one reason why official cooperation regarding deportations from Germany proved difficult for years before a change occurred in 2017.¹¹ However, the fact that Rabat and Algiers allow deportations by boat, for example from Spain, which are little noticed by the public, but do not permit returns from Germany and other European states with specially chartered aircraft, shows how socially charged governments consider this issue. At the same time, both countries have laws that not only punish smuggling and irregular

Comment 40/2017 (Berlin: Stiftung Wissenschaft und Politik, October 2017), <https://www.swp-berlin.org/en/publication/more-development-more-migration/> (accessed 20 March 2018).

⁹ About the Moroccan GDP, see *The World Bank Data: Morocco*, <https://data.worldbank.org/country/morocco> (accessed 10 January 2018).

¹⁰ See, e.g., David N. Margolis et al., "To Have and Have Not": International Migration, Poverty, and Inequality in Algeria", *The Scandinavian Journal of Economics* 117, no. 2 (2015): 650–85 (665ff.).

¹¹ Discussions with official bodies involved in the repatriation process, Berlin, August/September 2017.

residency in the country, but also the irregular departure of their own citizens. In practice, however, the latter is handled rather flexibly.¹²

Unwelcomed transit passengers to Europe

Migration and flight from sub-Saharan Africa are not a new phenomenon for Algeria and Morocco. Every major conflict in the Sahel states has been accompanied by waves of migration and refugees towards the Maghreb states, mostly with Europe as their destination. Some of these passers-by spend weeks and months in the Maghreb under precarious circumstances in order to earn money to continue their journeys, for example in the construction industry. The number of people using Algeria or Morocco as a transit country has fluctuated greatly over the years. As a result of increased European border protection measures and security cooperation with (North) African states, the main flight and migration routes towards Europe have repeatedly shifted. Intensive bilateral security cooperation between Spain and Morocco has reduced Morocco's importance as a transit country since 2006.¹³ The fact that a turnaround towards greater use of the western Mediterranean route became apparent in 2015 can be explained, on the one hand, by the increasing emigration from the Maghreb itself¹⁴ and, on the other, by the fact that the attractiveness of the Libyan route has diminished. Migrating people have experienced massive levels of vio-

¹² Interviews with Moroccan and Algerian journalists and migration experts, Rabat, March 2017, Berlin, July 2017, and Algiers, November 2017. See law 02-03 of 20 November 2003 on the legal framework in Morocco, Titre II, Art. 50, in *Bulletin Officiel* <http://www.refworld.org/docid/3ae6b4ed5c.html>; on Algeria see Art. 175, law 09-01 of 25 February 2009, in *Journal Officiel*, <https://www.joradp.dz/FTP/jo-francais/2009/F2009015.pdf> (all accessed 29 January 2018).

¹³ However, human rights organisations argue that this cooperation breaks EU law through blanket expulsions, including of asylum seekers, and encourages Morocco to commit human rights violations. See Judith Sunderland, "Outsourcing Border Control to Morocco a Recipe for Abuse", Human Rights Watch, 28 August 2017, <https://www.hrw.org/news/2017/08/28/outourcing-border-control-morocco-recipe-abuse> (accessed 11 January 2018).

¹⁴ So far, fewer central routes have been used, such as from Annaba in Algeria to Sicily. See Naima Benouaret, "Lorsque le mal-vivre se dévoile au monde", *El Watan*, 19 October 2017, http://www.elwatan.com/hebdo/magazine/lorsque-le-mal-vivre-se-devoile-au-monde-19-10-2017-354992_265.php (accessed 11 January 2018).

lence there, and Italy's intensified security cooperation with Libyan actors as well as European border protection activities in Niger have also had an impact.

How many people were irregularly in Morocco and Algeria in autumn 2017 is unclear. In Morocco this group was estimated at 40,000 people by officials and at 80,000 by NGOs. In Algeria, official sources in 2017 spoke of 25,000 people, mainly from sub-Saharan Africa, living illegally in the country; human rights activists of more than 100,000; and the International Organization for Migration (IOM) of 50,000 to 75,000 people.¹⁵ In both states, the majority of migration from sub-Saharan Africa is mixed migration. These figures do not include refugees registered by the United Nations High Commissioner for Refugees, including more than 90,000 Sahraouis (indigenous people of Western Sahara, see Table 1, p. 20) who have been living in refugee camps in south-western Algeria for decades, as well as more than 40,000 Syrian refugees who, according to the Algerian government, are in the country.¹⁶ Moreover, because some African and Asian countries do not require visas, some migrants on their way to Europe in Morocco and Algeria have legal status.¹⁷ Last but not least, the figures mentioned on irregular migration do not indicate whether a person is actually passing

through or intends to settle permanently in one of the two countries.¹⁸

Since the figures circulating in the public are so widely divergent, the various political actors can play the issue of flight and migration up or down, depending on their interests. Governments generally set the number of migrants from sub-Saharan Africa low for internal political reasons, but tend to accentuate or exaggerate these figures selectively when it comes to highlighting the security risks of migration, pointing to successful repatriations (Algeria), or soliciting external funds for integration (Morocco).¹⁹ The number of Syrian refugees, on the other hand, is often emphasised by the authorities in Algeria in order to demonstrate Arab solidarity.²⁰ Moreover, as Arabs, "Whites", and Muslims, they enjoy a higher social acceptance than refugees from sub-Saharan Africa. In Morocco, and even more so in Algeria, the latter are increasingly exposed to physical assaults and pogrom-like riots.²¹

Whereas the Algerian government does little to counter these dynamics, the Moroccan monarchy is sending out very different signals. In Algeria in the summer of 2017, the prime minister and the foreign minister reproduced common prejudices against people from sub-Saharan Africa by publicly portraying them as a security threat and blaming them for

15 See Mixed Migration Hub, *Trend Bulletin*, August 2017, <http://www.mixedmigrationhub.org/wp-content/uploads/2015/02/MHub-Trend-Bulletin-AUGUST-2017-v.3.pdf>; "En Algérie, Amnesty dénonce des expulsions massives et 'illégalés' de Subsahariens", *Le Monde*, 24 October 2017, http://www.lemonde.fr/afrique/article/2017/10/24/en-algerie-amnesty-denonce-des-expulsions-massives-et-illegales-de-subsahariens_5205271_3212.html (both accessed 11 January 2018); conversations with representatives of the International Organization for Migration (IOM), Algiers, November 2017.

16 See Abdelkrim Zerzouri, "Syriens bloqués à la frontière marocaine: Le HCR pour libérer les 'prisonniers du désert'?", *Le Quotidien d'Oran* (Algeria-Watch), 15 June 2017, http://www.algeria-watch.org/fr/article/pol/migration/hcr_syriens_bloques.htm (accessed 11 January 2018).

17 In Morocco, citizens from Ivory Coast, the Republic of Congo, Mali, Niger, and Senegal, among others, can enter without a visa (see website of the Moroccan Foreign Ministry, http://www.consulat.ma/fr/prestation.cfm?gr_id=6&id=53) in Algeria from Mali, Mauritania, and the Democratic Arab Republic of Sahara (recognised by Algeria but not by Morocco). See visa regulations of the Algerian Foreign Ministry, <http://www.mae.gov.dz/images/sce/documents/visas.pdf> (both accessed 23 March 2018).

18 In a survey in Mali in autumn 2017, 28 per cent of people on migration routes to North Africa stated Algeria as their destination. See IOM, "Flow Monitoring Mali, 30 June 2016 – 30 September 2017", https://drive.google.com/file/d/0B841q6qT8kS_WG5Jdjc3U1ZmQJE/view (accessed 11 January 2018).

19 Interviews with representatives of the Moroccan Ministry of Migration (Ministère chargé des marocains résidant à l'étranger et des affaires de la migration) in Rabat, March 2017, and with migration researchers in Berlin, July 2017. About high deportation figures, see also Rachid Ikhen, "Migrants – 120 milliards pour le rapatriement des Subsahariens", *Algerie Focus*, 30 July 2017, <http://www.algerie-focus.com/2017/07/migrants-120-milliards-rapatriement-subsahariens/> (accessed 11 January 2018).

20 See Zerzouri, "Syriens bloqués à la frontière marocaine" (see note 16).

21 A corresponding xenophobic debate took place in the social media in 2017, on Twitter under the hashtag "#الجزاير_في_الافارقة_لا" (#No to Africans in Algeria). Syrène Attia, "Algérie: pourquoi la situation des migrants subsahariens est-elle si problématique?", *Jeune Afrique*, 21 July 2017, <http://www.jeuneafrique.com/459154/societe/situation-migrants-subsahariens-algerie-problematique/> (accessed 21 November 2017).

moral decline and spread of diseases.²² The Moroccan king, on the other hand, emphasises his African origin at every opportunity and stated at the EU-African Union (AU) summit in Abidjan in November 2017 that the 21st century would become one of mixture (of peoples), and thus any change towards an ideological and xenophobic discourse on migration should be out of the question.²³ At the AU summit in January 2018, Morocco presented the first cornerstones of an “African Agenda for Migration”, which are to include national policies, sub-regional coordination, a continental vision, and international partnerships.²⁴ The fact that this is not just about rhetoric is mirrored by the fundamentally new decisions that have been made in Moroccan migration policy since 2013.

Immigration and integration as a new challenge

The Moroccan and Algerian treatment of the growing number of sub-Saharan Africans who either “got stuck” on their way to Europe or who arrived irregularly in Morocco or Algeria could not be more different. Morocco is the first – and so far the only – North African country to pursue a policy of legalising certain groups of people. Through a so-called wave of regularisation initiated by the king, 18,000 irregular immigrants were granted one-year and later multi-year residence permits in 2014/2015, a right to schooling and health care, and access to the labour market.²⁵ In a second regularisation phase in 2017, 25,600 applications were submitted. At the beginning

of 2018, however, no figures were available on how many of these were approved.²⁶

Behind this policy is a paradigm shift towards an immigration policy and an asylum system with corresponding structures and integration measures. Statements by Moroccan officials that one cannot “tell Europeans to treat our people well, and then treat our African neighbours badly”²⁷ bear witness to a new awareness of one’s own responsibility. At the end of 2017, the institutional structures required for the new policy were still under construction, and the legal framework had not yet been adopted.²⁸ Nevertheless, the new legal status has significantly improved the living conditions of tens of thousands of people. This is also due to the fact that an increasing number of state-recognised organisations are committed to the humanitarian support and integration of migrants from sub-Saharan Africa; in 2017, a good 30 such NGOs were active, often run by refugees themselves. The State Human Rights Authority (CNDH) has also been central in implementing the new provisions.

As in Europe, the vision of an immigration society arouses socio-economic and identity-related fears.

At the same time, the process of regularisation and integration reveals political, bureaucratic, and social resistance to this kind of opening up to sub-Saharan Africa. Civil society actors report on the arbitrary approach to regularisation at the local level,²⁹ the unwillingness of local state actors to inform migrants about existing options, as well as the selective and still brutal handling of people from sub-Saharan Africa by the police. Furthermore, human rights groups complain

22 See “Les propos ‘choquants et scandaleux’ de Ahmed Ouyahia sur les migrants subsahariens indignent les associations et la toile”, *HuffPost Algeria*, 9 July 2017, http://www.huffpostmaghreb.com/2017/07/09/ouyahia-migratns_n_17445678.html (accessed 12 January 2018).

23 About the speech, see “Le texte intégral du discours du roi au sommet UA-UE”, *HuffPost Maroc*, 29 November 2017, http://www.huffpostmaghreb.com/2017/11/29/le-texte-integral-du-discours-du-roi-au-sommet-ua-ue_n_18681526.html (accessed 12 January 2018).

24 See “King Mohammed VI Submits African Agenda on Migration to AU”, *The North Africa Post*, 29 January 2018, <http://northafricapost.com/21977-king-mohammed-vi-submits-african-agenda-migration-au.html> (accessed 30 January 2018).

25 Information from the Moroccan Ministry of Migration.

26 Anaïs Lefébure, “Régularisation de migrants au Maroc: 25.600 dossiers déposés en 2017”, *Huffpost Maroc*, 22 November 2017, http://www.huffpostmaghreb.com/2017/11/22/regularisationmigrants-maroc-25600-dossiers-deposes-en-2017_n_18624394.html (accessed 19 February 2018).

27 Interview with representatives of the Moroccan Ministry of Migration, Rabat, March 2017.

28 Of the three laws announced on asylum, on immigration, and on integration, residence and illegal immigration and emigration, only the last was passed by the end of 2017 (Law 02-03 as of 23 May 2016).

29 Interview with Moroccan journalist and migration expert Hicham Arroud, representatives of the Association Marocaine des Droits de l’Homme (AMDH) and several NGOs founded by migrants from sub-Saharan Africa, Ra-bat, March 2017.

that, proportionally, significantly more people from Arab states than from sub-Saharan Africa have benefited from legalisation.³⁰ In addition, in the era of the new migration policy, the police regularly deport sub-Saharan Africans from the northern coastal region to the south of the country because the Moroccan government wants to keep migrants away from the Spanish enclaves Ceuta and Melilla and prevent them from crossing the Mediterranean.³¹

The difficulties described can be partially explained by the fact that regularisation is above all the king's hobbyhorse. The state apparatus and the larger parties are much more reserved towards the undertaking, especially as the vision of an immigration society – as in Europe – arouses socio-economic or identity-related fears in parts of society: The lower classes of society are concerned about competition on the (informal) labour market from immigration, and the conservative social spectrum is concerned because many of the migrant workers and people seeking protection from sub-Saharan Africa are Christians, and there are fears that they have different moral concepts.³² Because politics is propagated by the king, however, resistance is only quietly stirred up and is reflected more in individual assaults than in populist political movements. In any case, migration and immigration played virtually no role in the 2016 parliamentary election campaign.³³

In neighbouring Algeria, migration policy is much more one-dimensional. The signs here have primarily been of sealing off borders and isolation. According to the IOM, in the course of 2017, the government deported far more than 10,000 sub-Saharan Africans to Niger and Mali, half of whom were African third-

country nationals.³⁴ Although human rights activists and journalists vehemently criticise these actions, there have been no notable protests from the larger population. Similar to Morocco, concerns about competition in the labour market and the rejection of other “customs” and lifestyles prevent widespread solidarity. Theoretically, people who are in Algeria irregularly have a right to basic medical care and schooling – in practice, this is usually not guaranteed. Humanitarian civil society initiatives, for example to accommodate homeless migrants or to educate children who have entered Algeria irregularly, receive no state support.³⁵ Anyone who has entered the country irregularly has no chance of obtaining a legal residence permit, and thus no legal access to the labour market. Syrian refugees are a partial exception.³⁶

However, in 2017 there were indications that a more differentiated policy was being fought for behind the scenes. In the summer of 2017, the Foreign Ministry announced that a draft law would soon enter parliament, and the then – prime minister promised a reform of the right of residency for irregular migrants.³⁷ However, with the replacement of this prime minister a few weeks later, the more progressive voices in this respect among the political elite have ceased to exist for the time being. Whether observers who are reminded of the situation in Morocco before 2013 – and therefore predict a paradigm shift for Algeria – are right remains to be seen. So far, the domestic political settings and the larger geopolitical interests have been too different for simple parallels to be drawn between the neighbouring countries.

30 Syrians are the largest group among refugees, but not among irregular migrants. Nevertheless, they profited disproportionately from the first wave of regularization – they accounted for 23 per cent of the legalised. See Royaume du Maroc, Ministère Chargé des Marocains Résidant à l'Étranger et des Affaires de Migration, *Politique Nationale d'Immigration et d'Asile 2013–2016* (Rabat, September 2016), 84.

31 Interviews with representatives of NGOs working in the field of migration, Rabat, March 2017.

32 Interviews in the Moroccan Ministry of Migration and with civil society actors, Rabat, Casablanca, and Marrakesh, March 2017.

33 Interviews with parliamentarians of the PJD (Parti de la Justice et du Développement) and the FGD (Fédération de la gauche démocratique), Rabat, March 2017.

34 Algeria has concluded readmission agreements with these two neighbouring countries.

35 Interview with Algerian civil society activists working in the field of migration, Berlin, October 2017.

36 See République Algérienne Démocratique et Populaire, Ministère des Affaires Étrangères, “Ressortissants syriens bloqués au Maroc: l'Algérie contrainte de lever provisoirement le dispositif mis en place pour leur accueil et prise en charge”, 7 June 2017,

http://www.mae.gov.dz/news_article/4870.aspx (accessed 21 November 2017). Symptomatic of the attitude towards people from sub-Saharan Africa is that they are called “les Africains”, despite the fact that the Maghreb is also on the African continent.

37 A Bureau algérien pour les réfugiés et apatrides (BAPRA) was created as early as 1963, but its work is not very transparent. It also remains unclear what tasks it performs.

Migration strategies and policies in a broader (geo)political context

Algerian and Moroccan approaches to mixed migration are based on fundamental differences in the political system, historical experiences, and the culture of external cooperation.

Successful interweaving of domestic and foreign policy interests in Moroccan migration policy

In Morocco, despite a constitutional amendment in 2011 during the course of the so-called Arab Spring, decisions of strategic relevance are still in the de facto hands of the Royal Palace. Morocco not only has an assertive power centre with the king, but it is also pursuing a clear and ambitious strategy for modernising and developing the country, both internally and externally.³⁸ An important driving force behind this strategy is the desire for an international recognition of Western Sahara as Moroccan territory. The migration policy that has been pursued since 2013 is central to achieving these goals, as it affects Rabat's policies regarding Africa, Europe, and the region, as well as its development, security, and economic interests.

Firstly, the regularisation policy fulfils a security function. It allows for the better control of people on Moroccan territory, which is in Morocco's own interest with regards to jihadists – especially from Arab states – and organised crime, but the policy also accommodates Europe. At the same time, closer security cooperation with selected partners, such as Spain, is taking place under the banner of migration policy; in addition, data and technological and military know-how are being transferred as part of migration management.³⁹ Moreover, in the fight against migration as well as terrorism, security and economic interests

38 Isabelle Werenfels and Ilyas Saliba, *No Rivals to the King. The Limits of Political Reform in Morocco's "Enlightened Authoritarianism"*, SWP Comment 17/2017 (Berlin: Stiftung Wissenschaft und Politik, May 2017), https://www.swp-berlin.org/fileadmin/contents/products/aktuell/2017A25_wrf_saliba.pdf (accessed 21 November 2017).

39 See Laura L. Caro, "España y Marruecos reunirán en mayo del año que viene al Comité Mixto migratorio", *ABC*, 8 December 2016, http://www.abc.es/espana/abci-espana-y-marruecos-reuniran-mayo-viene-comite-mixto-migratorio-201612080210_noticia.html (accessed 10 January 2018). At the beginning of 2018, possible cooperations were also discussed with Frontex.

are combined – this applies to European arms exporters as well as to Moroccan economic actors.⁴⁰

An important driving force behind migration policy is the quest for international recognition of Western Sahara as Moroccan territory.

Secondly, regularisation and planned immigration policies are important building blocks in Morocco's eminently strategic soft power policy in sub-Saharan Africa. This is not only due to the economic interests of Moroccan economic actors in expanding into African growth markets. It is also about diplomatic efforts to persuade more and more African states to officially support the Moroccan annexation of Western Sahara (contrary to international law). Against this background, the country has been investing heavily in Africa for more than a decade⁴¹ – promoting social and scientific exchanges as well as training imams in numerous African states – and it has expanded legal employment opportunities for sub-Saharan Africans. The fact that Morocco was integrated into the AU in January 2017 is largely due to this commitment. It should not be seen as a coincidence that the second wave of regulations was announced shortly before, in December 2016. Morocco's 2017 application for membership in the Economic Community of West African States (ECOWAS) is the logical continuation of its Africa policy. To what extent this accession would give citizens from ECOWAS countries a greater degree of freedom of movement is still open, but a migration policy primarily aimed at isolation would not be compatible with Morocco's policy of openness towards sub-Saharan Africa. Not least for this reason: Morocco also firmly rejects European ideas to set up so-called reception camps on Moroccan soil for people from other African states.

Thirdly, Morocco is skilfully using the issue of migration to gain support on the international stage, both for its domestic modernisation agenda and for the international recognition of Western Sahara as part of Morocco. In its cooperation with Germany and Spain, for example, Rabat uses the voluntary return

40 It is not for nothing that security technology producers and consulting firms with Moroccan participation are present at forums on security and migration in Morocco, such as the African Security Forum in Casablanca in October 2017.

41 Especially in the telecommunications, insurance, finance, banking, and agricultural technology sectors.

of Moroccans propagated by European states, which has so far been extremely modest in terms of numbers, to set up programmes that are generously supported by external actors such as the Deutsche Gesellschaft für Internationale Zusammenarbeit and ultimately serve the general capacity-building of local administrative structures in the course of decentralisation.⁴² Significantly, until the end of 2017, Morocco only received money from the EU Emergency Trust Fund (EUTF) in the area of development, but not for migration management, etc.⁴³ Morocco's close security cooperation with Spain in the Western Mediterranean, the isolation of the enclaves of Ceuta and Melilla, and the rapid readmission of migrants is paying off for Rabat, in that it can count on Spanish visas for seasonal workers and avert Spanish pressure on the Western Sahara issue.⁴⁴

Morocco is demonstrating its own negotiating power to its European partners, at times quite bluntly. Observers, for example, interpret the successful storming of the border walls in Ceuta in February 2017 as a signal from Morocco to Europe that cooperation cannot be taken for granted.⁴⁵ Only one month later, in March 2017, the Moroccan Agriculture Minister announced that if the EU (following the confirmation of a first-instance ruling by the European Court of Justice (ECJ) in December 2016) no longer allowed exports of agricultural products from the "Moroccan Sahara", unemployment would rise in Morocco, and that Europe knew what this meant for migration.⁴⁶ Morocco has thus shown that it is a

master in "packaging", in linking different concerns. Negotiations with the EU on a readmission agreement are stalled, not least because of the question of Western Sahara. The spelling out of the mobility partnership has so far failed, not least because of another Moroccan red line: the readmission of third-country nationals. Morocco does not want to be seen by its own people or African governments as a willing executor of European policy and does not understand that Europe "does not directly regulate the problem with third countries, as we do".⁴⁷

Fourthly, Morocco's regularisation policy and its active involvement in international migration forums and initiatives serve to consolidate the reputation of an open-minded country with a reform-oriented, multilateral, and humanitarian approach. In 2017/2018, Morocco shares the chairmanship with Germany of the Global Forum on Migration and Development, which will hold its summit meeting in Morocco in 2018. As early as 2006, the country was the first host of the so-called Rabat Process, a Euro-African dialogue format designed to combat the causes of flight and irregular migration. From the perspective of external actors, Morocco's migration policy approach fits in with its progressive commitment to global climate and energy goals. The fact that these publicity-effective international successes are displacing less pleasing internal developments – stagnating political reforms, the restriction of political freedoms, and the continuing socio-economic hopelessness of lower social strata – from the global headlines is something that suits Rabat.⁴⁸

Fifthly, Rabat, like Algiers, is using the issue of migration to discredit its unloved neighbour internationally. The background is the permanent competition between Morocco and Algeria for power and influence in the region and on the continent, especially as Algeria supports the Polisario independence movement in the Western Sahara conflict. For years, Rabat has accused Algiers of deliberately directing migratory flows to Morocco. Conversely, Algiers complains that Morocco is deporting refugees and migrants across the border to Algeria. Examples of this are the

⁴² Interviews in the Moroccan Ministry of Migration and with representatives of the GIZ, Rabat, March 2017.

⁴³ See Elise Kervyn and Raphael Shilhav, *An Emergency for Whom?*, Oxfam Briefing Note (November 2017), <https://www.oxfam.org/en/research/emergency-whom-eu-emergency-trust-fund-africa-migratory-routes-and-development-aid-africa> (accessed 12 January 2018).

⁴⁴ "España no apoya a los saharauis porque teme perder el apoyo de Marruecos en migración y terrorismo", *Espacios Europeos*, 28 September 2017, <http://espacioseuropeos.com/2017/09/espana-no-apoya-los-saharauis-teme-perder-apoyo-marruecos-migracion-terrorismo/> (accessed 10 January 2018).

⁴⁵ Beat Stauffer, "Handelspolitik mit Migranten", *Neue Zürcher Zeitung*, 20 February 2017, <https://www.nzz.ch/international/ansturm-in-ceuta-handelspolitik-mit-migranten-ld.146723> (accessed 21 November 2017).

⁴⁶ Sam Edwards, "Are Morocco and EU Heading towards a Political Impasse?", *AlJazeera* (online), 13 March 2017, <http://www.aljazeera.com/indepth/features/2017/03/morocco-eu-heading-political-impasse-170301102342685.html> (accessed 21 November 2017).

⁴⁷ Interview with an advisor to the king. When asked whether repatriations to African states would work, this advisor replied: "Of course, but à l'Africaine, that is informal. You Europeans always want everything formal."

⁴⁸ European criticism of the suppression of the protests in the Moroccan Rif region since October 2016, for example, was limited.

several Syrian refugee families who were pushed back and forth for weeks in the Algerian-Moroccan no man's land in spring 2017⁴⁹ – despite both states having raised border fences and ramparts to prevent (human) smuggling. The fact that propaganda wars are waged on the backs of migrants was also demonstrated in the summer of 2016 by the Moroccan king's demonstrative offer of aid to sub-Saharan Africans who had been deported from Algeria to Niger.⁵⁰ At the same time, Morocco also continues to deport people to sub-Saharan Africa. Ultimately, however, Morocco has the greater leverage in these propaganda battles because, unlike Algeria, it can point to its own legalisation policy.

Ad hoc policy in Algeria

Algerian migration policy is not the result of a clear strategy, but an expression of the lowest common denominator: the primacy of internal security. The profound need for security shared by the government and the population can be traced back to the civil war of the 1990s, but this need is intensified by the decay of the neighbouring Libyan state and the associated fear of an intrusion of weapons and armed actors.⁵¹ Nevertheless, according to a Gallup survey in 2017, Algerian citizens felt as safe as Swiss and Scandinavian citizens with regards to their immediate environment (neighbourhood and trust in the police).⁵² Maintaining this high standard is therefore an important

source of legitimacy for political decision-makers in Algiers. Against this background, it is not surprising that the government seeks to fend off outside influences and frames migrants primarily as a potential danger. This propaganda works,⁵³ especially when the government activates the fear of the *main étrangère* (the hand of foreigners) – which is rooted in Algeria's colonial experiences, deeply entrenched in its collective memory, and widespread in society – and, for instance, accuses migrants of spying for Israel and trying to destabilise Algeria.⁵⁴

However, the policy of isolation also produces a number of tensions and dilemmas with regards to domestic and foreign policy interests and strategies.

Firstly, the expulsion of refugees from sub-Saharan Africa undermines Algiers' economic and diplomatic interests in sub-Saharan African states. It not only lessens Algeria's chances to compete with Morocco for influence on the continent, but it also severely strains the historical connection and mutual solidarity with African freedom movements and the post-colonial states they built. Accusations made by African civil society activists about the brutal treatment of migrants put the Algerian government in an embarrassing situation.⁵⁵ Moreover, decision-makers in Algiers will not fail to notice that Morocco is cooperating ever more closely with Algeria's neighbour Niger (which is on Rabat's side on the Western Sahara issue), while they are making headlines in Niger with deportations

49 See République Algérienne Démocratique et Populaire, Ministère des Affaires Étrangères, "L'Algérie dément avoir refoulé des ressortissants syriens qui se trouvent sur son territoire", 23 January 2014, <http://www.mae.gov.dz/news-article/1874.aspx>, or Kenza Filali, "En plein désert, des réfugiés syriens ballotés entre le Maroc et l'Algérie dans le dénuement le plus total", *Le Desk*, 23 April 2017, <https://ledesk.ma/2017/04/23/en-plein-desert-des-refugies-syriens-ballotes-entre-le-maroc-et-lalgerie-dans-le-denuement-le-plus-total/> (alle accessed 12 January 2018).

50 Nadia Lamlili, "Maroc: Mohammed VI envoie une aide d'urgence aux migrants subsahariens expulsés par l'Algérie vers le Niger", *Jeune Afrique*, 15 December 2016, <http://www.jeuneafrique.com/384288/politique/maroc-mohammed-vi-envoie-aide-durgence-aux-migrants-subsahariens-expulses-lalgerie/> (accessed 12 January 2108).

51 An example of this is the terrorist attack on an Algerian gas production facility in January 2013, which claimed numerous victims.

52 *Gallup Global Law and Order 2015 Report* (Gallup, 2015), <http://news.gallup.com/reports/214607/gallup-global-law-order-report-2017.aspx> (accessed 30 January 2018).

53 See "Messahel: 'Les migrants clandestins constituent une menace pour la sécurité nationale'", *Le Matin d'Algérie*, 10 July 2017, <http://www.lematindz.net/news/24866-abdelkader-messahel-les-migrants-clandestins-constitent-une-menace-pour-la-securite-nationale.html>, and Hadjer Guenanfa, "Propos de Ouyahia sur les migrants africains: le RND confirme", *TSA*, 9 July 2017, <https://www.tsa-algerie.com/propos-de-ouyahia-sur-les-migrants-africains-le-rnd-confirme/> (all accessed 12 January 2018).

54 See Fatiha Mez, "Un officier algérien révèle: le flux de migrants planifié par un sioniste", *Algeriepatriotique*, 25 July 2017, <https://www.algeriepatriotique.com/2017/07/25/complot-franco-sioniste-inonder-lalgerie-6-millions-de-migrants-africains/> (accessed 12 January 2018). One of the theories about external manipulation spread among the Algerian population is that the French intervention in Mali is an attempt to destabilise Algeria qua refugee flows. Interviews, Algiers, November 2017.

55 As happened in an open letter from African trade unionists to the Algerian president, see <https://www.ituc-africa.org/MIGRATION-Open-letter-to-His-Excellency-the-President-of-the-Republic-of.html?lang=en> (accessed 12 January 2018).

(see the contribution on Niger, p. 34ff.).⁵⁶ Algerian officials are trying to counteract negative perceptions in sub-Saharan Africa, for example by justifying deportations also with “the security of migrants” in light of anti-migrant protests in the Algerian population.⁵⁷ Or they emphasise the need to reconcile the protection of one’s own borders with the duty of solidarity towards African brothers and to work internationally for a global fight against the causes of mixed migrations. This is how the Minister of Justice argued in Kigali in October 2017.⁵⁸

Secondly, if the policy of isolation is rigorously enforced, there is a risk of social tension. Even if Algeria’s immensely long borders could actually be closed, as the rhetoric of isolation pretends, such an undertaking would run counter to social reality. In the south of the country, a considerable proportion of the population traditionally lives from cross-border activities; the Tuareg, in particular, are also anchored in Libya, Mali, and Niger (see the contribution to Niger, p. 34ff.). The fact that the border trade has been facing ever higher hurdles for several years is regarded as one reason for the growing social protests in southern Algeria.⁵⁹ In the north, on the other hand, security actors are trying to prevent not only sub-Saharan Africans but also Algerians from crossing the Mediterranean. The action against the *harraga* (“who burn their papers”) is not unproblematic, as they have the status of tragic heroes, especially among younger generations.⁶⁰ If the trend towards emigration to

Europe continues, the government is likely to face a dilemma: It wants to demonstrate to the outside world and the domestic audience that it has its borders under control, but in doing so it risks provoking domestic ire, as the repression of people who want to leave the country is likely to produce solidarity with the *harraga* among the population.

Thirdly, Algeria’s and European states’ interests are converging on the issue of the externalisation of borders and on the policy of sealing them off. But it is not in Algiers’ interest that this be the perception either internally or externally. Algiers declared already years ago that it was not prepared to play the “gendarme of Europe”, and it has accused the EU of trying to get a clear conscience through financial transfers, the bulk of which flow to European experts anyway.⁶¹ Criticisms by Algerian and international human rights activists of their own deportation practices are officially dismissed as attempts to taint Algeria’s image.⁶² Moreover, Algiers points out that Europe has a similar approach.⁶³ Cooperation and coordination with Europe on migration is also limited by Algeria’s very high sense of sovereignty and low threshold for what is perceived as foreign meddling in domestic affairs, which, among other things, can be explained with the traumatic colonial experience. Close cooperation with the EU, which would involve joint patrols between Morocco and Spain, for example, is hard to imagine. Cooperation with Frontex is not underway either, and the European idea of North African reception camps has even fewer prospects here than in Morocco. So far, Algeria has not even drawn any money from the EUTF.⁶⁴ At the same time, Algeria is emphatically multilateral, at least on the rhetorical level: When it comes to migration issues, the government likes to

56 “Rabat & Niamey Building a Model Strategic Partnership in Africa”, *The North Africa Post*, 26 December 2017, <http://northafricapost.com/21465-rabat-niamey-building-model-strategic-partnership-africa.html> (accessed 12 January 2018).

57 See, e.g., Djamilia Ould Khettab, “Algérie: les opérations d’expulsion de migrants subsahariens depuis le camp de Tamanrasset sont en cours”, *Jeune Afrique*, 8 December 2016, <http://www.jeuneafrique.com/382003/politique/algerie-operations-dexpulsion-de-migrants-subsahariens-camp-de-tamanrasset-cours/> (accessed 12 January 2018).

58 “L’Algérie n’a pas fermé ses portes’ devant les migrants, selon Tayeb Louh”, *HuffPost Algeria*, 12 October 2017, <http://www.huffpostmaghreb.com/2017/10/21/tayeb-louh-algerie-18343878.html> (accessed 12 January 2018).

59 International Crisis Group (ICG), *Islamism, Violence and Reform in Algeria: Turning the Page*, ICG Middle East Report no. 29 (Cairo and Brussels, 30 July 2004), <https://www.crisisgroup.org/middle-east-north-africa/north-africa/algeria/islamism-violence-and-reform-algeria-turning-page> (accessed 10 January 2018).

60 Rani Zaafan’s YouTube video about the hopelessness within Algeria and the tragedy of the *Harraga* was clicked

on well over a million times within a few days: <https://www.youtube.com/watch?v=UvE73kS7LG8> (accessed 12 January 2018).

61 See “Algeria Affirms Commitment to Migrants’ Welfare”, *BBC Monitoring Middle East*, 15 December 2017.

62 Adlène Meddi, “Algérie – Campagne anti-migrants: ce racisme qui ne dit pas son nom”, *LePoint*, 25 June 2017, http://afrique.lepoint.fr/actualites/algerie-campagne-anti-migrants-ce-racisme-qui-ne-dit-pas-son-nom-25-06-2017-2138142_2365.php (accessed 15 January 2018).

63 “Messahel: ‘Les migrants clandestins’” (see note 53).

64 See Yousef Salami, “Mécanisme de lutte contre la migration clandestine: Bruxelles juge Alger peu coopérative”, *Liberté*, 3 December 2017, <https://www.liberte-algerie.com/actualite/bruxelles-juge-alger-peu-cooperative-282393> (accessed 17 January 2018).

point out to the EU that it is not Algiers, but rather the AU that is the right partner. Algeria was also the first North African country to join the IOM and took over its yearly presidency in 2009. Contrary to this, the multilateral organisation for migration could only start its work in the country itself in 2016, and its activities there until the end of 2017 have been limited to collecting data for statistics.

These contradictions and areas of tension will hardly be resolved in the near future. In contrast to Morocco, the Algerian government currently does not have the capacity to be creative – not only with regards to designing a new migration policy. In 2018, just as in past years, the political elite is once again primarily engaged in power struggles and manoeuvring over the succession of the president, who is suffering from health problems, as well as disputes about the right way out of the economic crisis caused by low oil and gas prices. A nuanced migration policy beyond the lowest common denominator – internal security – is unlikely before the issue of succession is resolved and/or the 2019 presidential elections are over. Rather, it is to be expected that Algiers will continue to proceed in an ad hoc and reactive fashion rather than a strategic one with regards to migration issues.

Scope for Europe

With the issue of migration, Morocco and Algeria have gained in importance and negotiating power for Europe. Rabat, in particular, is using its political capital vis-à-vis Europe as strategically as Turkey has, albeit much more subtly. Ultimately, it is the Maghreb partner states that set the framework for cooperation in the area of migration, and not the EU or its member states. This is mainly due to the fact that the respective handling of mixed migration flows is less a reaction to European incentives or pressure than an expression of central national interests. Where there is a convergence of interests with European actors and, as in the case of Morocco, decision-makers see a “win-win” situation, cooperation works well. This is particularly true at the bilateral level. Due to its strategic approach, Morocco, in particular, has very concrete ideas about what various European partners and the EU as a whole can offer Rabat under the broad umbrella of migration cooperation (see for the EU’s migration policy instruments the first contribution in this study, p. 9ff.). An example of this is the

Moroccan-Spanish security cooperation in the area of migration.

Agreements that are perceived as asymmetrical or that ignore the interests of the partner states – as is the case, for example, with the mobility partnership between the EU and Morocco – are difficult to implement. The blockades in the spelling out of this mobility partnership show that money cannot be used to buy the readmission of persons from third countries.⁶⁵ In the context of the mobility partnership, Morocco would rather like to see concessions with regards to the free movement of persons than additional funds. Due to the high levels of pressure described above on the Moroccan labour market and the great importance of remittances, it cannot be ruled out that generous quotas on work visas for Moroccans, or even visa exemptions, could lead Rabat to accept persons from third countries who are rejected from Europe.

Rabat, in particular, uses its negotiating power in a strategic manner similar to Turkey, albeit much more subtly.

Algeria is pursuing a policy of isolation from sub-Saharan Africans, but the foreign policy costs in Africa are increasing. Moreover, as the economic crisis intensifies and Algerians are under pressure to emigrate, the number of Algerians who want to flee to Europe via the Mediterranean is growing. As remittances can protect family members left behind from poverty, support among the population for irregular Algerian migration is expected to increase. Here, too, European concessions on the free movement of persons or the transfer of border protection equipment are likely to be needed to ensure that Algeria continues to be prepared to consistently hold back not only people from sub-Saharan Africa, but also its own citizens.

Even if Europe has the short end of the stick, it can try to make better use of its leeway and offer both countries more attractive incentives for cooperation

⁶⁵ Sergio Carrera, Jean-Pierre Cassarino, Nora El Qadim, Mehdi Lahlou, and Leonhard den Hertog, *EU-Morocco Cooperation on Readmission, Borders and Protection. A Model to Follow?*, CEPS Paper in Liberty and Security in Europe, 87 (Brussels: CEPS, January 2016), 3–7, <https://www.ceps.eu/system/files/EU-Morocco%20Cooperation%20Liberty%20and%20Security%20in%20Europe.pdf> (accessed 19 March 2018).

– provided it understands the interests and sensitivities of its respective counterparts. Measures to improve the investment climate or to create training and jobs already exist in cooperation with Europe – and Germany, in particular – and could be expanded. Moreover, Morocco is likely to react positively if its African Agenda for Migration, launched at the beginning of 2018, is seen as a starting point for European-African partnerships.

However, some of the incentives and concessions most important for Morocco and Algeria – in the trade sector, where import regulations for (processed) agricultural products into the EU could be further relaxed, or higher European visa quotas and options for legal immigration – remain highly controversial within Europe. With regards to Morocco, trade issues, in particular, have considerable potential for conflict on account of the Western Sahara issue. For example, in February 2018, with a ruling on the validity of the fisheries agreement with Morocco, the ECJ once again confirmed that existing European agreements with Morocco do not extend to the territory or waters of Western Sahara.

These restrictions at the EU level promote bilateralism, particularly in the area of migration. European countries provide bilateral incentives for cooperation, especially in the security field. Border management and capacity-building in the security sector play increasingly important roles in the cooperation with Maghreb states, whereas normative European agendas are receding into the background. This may lead to European governments, as well as the EU, being even more reluctant than before to criticise restrictions on political freedoms or the lack of political and economic reforms. A de facto shift to the Moroccan line in the Western Sahara question is also conceivable. Such concessions could possibly lead to a “win-win” cooperation in the fight against irregular migration in the short term, but they do not eliminate the risk of a further increase in migratory pressures from the Maghreb, which is also a consequence of a lack of political and economic structural reforms.

Melanie Müller

Migration Conflict in Niger: President Issoufou Dares, the North Loses*

Introduction

Until 2015, Niger had little interest in regulating migration. The Nigerien government took corresponding measures only in response to the EU's proactive policies, although the government's measures are not in the economic interest of the country: The North in particular – the region around Agadez – benefited from the economic effects of migration by providing transport and other services for migrants. A decline of this migration economy, which has been developing since 2011, is accompanied by losses that could lead to political destabilisation. But President Mahamadou Issoufou's government hopes that cooperation with the European Union (EU) in the area of migration will help to avert threats from neighbouring countries, strengthen its own security sector, and intensify development cooperation.

Niger is regarded by the EU as one of the most reliable allies in sub-Saharan Africa in terms of migration partnerships. Cooperation is close, and the Nigerien government has involved the EU to a large extent, both in the formulation of its migration policy and in its implementation. Through the EU Emergency Trust Fund (EUTF) and bilateral cooperation, the Community and its member states promote the competencies of the Nigerien administration in migration management and control and support the Nigerien security apparatus in order to increase the effectiveness of controls. In addition, there are development projects and efforts to encourage West African migrants to return voluntarily. The focus of project implementation so far has been on repressive meas-

ures, which have led to a rapid decline in transit movements through the north of the country since 2016.

The IOM estimates that 70 per cent of West African migration flows take place within the ECOWAS region.

Development projects aimed at creating new jobs, on the other hand, are only starting slowly. It cannot be predicted when – if at all – these projects will have the necessary effect to offer economic alternatives to the migration economy in the long term.

It is also not known to what extent the development of the Economic Community of West African States (ECOWAS), which for years has successfully sought to integrate 15 West African states, will suffer under the new restrictions.

The importance of migration for Niger

Migratory movements are not a new phenomenon in Niger. For centuries, the Sahel region has been an important trading centre that lives from circular migration.¹ This still applies today. Migration takes place primarily within the ECOWAS region. Nevertheless, the European interest in cooperation with countries of the region on migration policies has grown strongly since then. As a transit country, Niger moved into Europe's focus in 2015 and has become one of its most important partners.

Niger is considered a hybrid system with democratic and authoritarian tendencies. Elections have been held regularly since 1993, although they have been accompanied repeatedly by unrest and/or accusations

* The article is based on 35 qualitative interviews with political decision-makers, scientists, and staff of civil society and international organisations conducted in Niamey in June 2017 and in Berlin between May and December 2017. The interviews have been made anonymous for reasons of source protection.

1 Judith Scheele, *Smugglers and Saints of the Sahara. Regional Connectivity in the Twentieth Century* (New York, NY: Cambridge University Press, 2012).

of electoral fraud. The last military coup took place in 2010.² A year later, President Issoufou was elected, who in turn withstood an alleged coup d'état in 2015. The background and causes of the coup were intensively discussed in the country.³ The state monopoly on the legitimate use of force is weak outside the capital, Niamey, and especially in the north of the country and in the border region between Nigeria and Mali.⁴ Citizens' rights are guaranteed by the Constitution but are often not respected in practice. Shortcomings exist, for example, with regard to freedom of opinion and freedom of the press, which has been repeatedly restricted in the past following criticisms of the government.⁵

The country is the penultimate country in the Human Development Index⁶ and is highly dependent on international financial support. Niger has one of the highest birth rates in the world, with 7.3 children per woman.⁷ Bordering Mali, Algeria, Libya, Chad, Nigeria, Benin, and Burkina Faso, ECOWAS member Niger is both a recipient country for migrants and refugees and – to a lesser extent – a country of origin, but primarily a transit point. The International Organization for Migration (IOM) estimates that 70 per cent of West African migration flows take place within the ECOWAS region. Only 30 per cent of migrants leave the ECOWAS region to seek work either in North Africa or in Europe.⁸ Nigerien citizens mainly migrate to neighbouring countries such as Libya and Algeria or to other West African countries

looking for economic alternatives.⁹ Seasonal mobility also plays an important role to secure supply: Cattle herders and farmers move around within and outside national borders, depending on the wet and dry seasons.¹⁰

Over the last 10 years, migration has slowly but steadily gained economic importance for northern Niger. Until 2007 tourism was an important economic sector. The rebellion of the Tuareg faction MNJ (Mouvement des Nigériens pour la Justice) from 2007 to 2009 put an end to this.¹¹ Hostage-taking and attacks by jihadist networks such as AQIM (al-Qaida in the Maghreb) and MUJAO (Movement for Unity and Jihad in West Africa) ensured that the situation did not ease afterwards either – on the contrary.¹² For the local population, which had previously worked in the tourism sector, the migration sector became an alternative, especially after political insecurity in the Sahel compelled more and more people to leave.¹³ The state disintegration of Libya in 2011 led to a rapid increase in transit migration because people were no

2 *BTI 2016. Niger Country Report* (Gütersloh: Bertelsmann Stiftung, 2016), 7, https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Niger.pdf (accessed 29 January 2018).

3 Idayat Hassan, *Situation Analysis Niger* (Stockholm: International Institute for Democracy and Electoral Assistance, February 2016), <https://www.idea.int/sites/default/files/publications/situation-analysis-niger-EN.pdf> (accessed 30 January 2018).

4 *BTI 2016* (see note 2).

5 Amnesty International, *Niger 2017*, 20 May 2017, <https://www.amnesty.de/jahresbericht/2017/niger> (accessed 19 January 2018).

6 United Nations Development Programme (UNDP), *Niger* (Stand 2015), Human Development Reports, <http://hdr.undp.org/en/countries/profiles/NER> (accessed 19 January 2018).

7 The World Bank, "Fertility Rates, Total (Birth per Women)" (Stand 2015), <https://data.worldbank.org/indicator/SP.DYN.TFRT.IN/> (accessed 26 January 2018).

8 International Organization for Migration (IOM), *West and Central Africa*, 2017, <https://www.iom.int/west-and-central-africa> (accessed 21 December 2017).

9 "Vom weißen Fleck zum Frontstaat". Interview with Moussa Tchangari of the Nigerien human rights organisation Association Alternatives Espaces Citoyens, in *Medico International Rundschreiben*, 4/17, 24–29, <https://www.medico.de/material/rundschreiben/2017/rettung-lauert-ueberall/> (accessed 18 January 2018).

10 Mirjam de Brujin, "Mobility and Society in the Sahel: An Exploration of Mobile Margins and Global Governance", in *Cultures of Migration. African Perspectives*, ed. Hans Peter Hahn and Georg Klute (Berlin: Lit Verlag Dr. W. Hopf, 2007), 109–28.

11 Emmanuel Grégoire and Marko Scholze, "Identität, Imagination und Tourismus bei den Tuareg im Norden des Niger", *Via@ – internationale interdisziplinäre Tourismuszeitschrift*, 2012/2, https://viatourismreview.com/wp-content/uploads/2015/06/Article10_DE.pdf (accessed 21 December 2017).

12 Wolfram Lacher and Guido Steinberg, "Transnationaler Jihadismus, lokal verwurzelt: AQIM und MUJAO in der Sahara", in *Jihadismus in Afrika. Lokale Ursachen, regionale Ausbreitung, internationale Verbindungen*, SWP-Studie 7/2015, ed. Guido Steinberg and Annette Weber (Berlin: Stiftung Wissenschaft und Politik, March 2015), https://www.swp-berlin.org/fileadmin/contents/products/studien/2015_S07_sbg_web.pdf (accessed 14 November 2017).

13 Ines Kohl, "Flucht und Migration durch die Sahara: Tuareg, Akteure eines transnationalen Netzwerks", in *Schleppen, Schleusen, Helfen. Flucht zwischen Rettung und Ausbeutung*, ed. Gabriele Anderl and Simon Usaty (Vienna: Mandelbaum, 2015), 449–67 (451–53).

longer held back at the Libyan border.¹⁴ Since then, at the latest, the migration economy in the North has played a role that should not be underestimated, and various social actors have participated in it.

Corruption is widespread in Niger. This also applies to migration.

Well-developed networks, consisting primarily of the Tubu and Tuareg peoples, have taken over the transport of West African migrants along strategic junctions. The Tuareg networks were responsible for the route to Algeria, which runs via Arlit; they also controlled the route to the Tchinchad gold mines. The Tubu controlled the way to Libya via Dirkou and the route to the Djado gold mines under their control.¹⁵ Labour migration from Niger and West Africa to these gold mines thus further intensified the migration dynamics.¹⁶

Various sources suggest that the Nigerien security sector also benefited. Corruption is widespread in Niger.¹⁷ This also applies to the area of migration: Security forces raised a “*Bakshesh*” for the transit of migrants before they let buses pass.¹⁸ A study suggests that this illegal taxation was already included in the travel costs to ensure no delays at the crossings.¹⁹ It is

striking that since 2011, Nigerien security officials have increasingly expressed the wish to be transferred to the North. Obviously, the officers expected additional income from such a step,²⁰ which suggests a close cooperation between the transporters and the security apparatus. When the Nigerien government primarily addresses the profits in the migration economy, it primarily addresses those of the carriers.

People in transit also have to stop somewhere and need accommodation, services, and goods. Staging destinations such as Agadez, Arlit, Dirkou, and Séguédine were prepared for this. Migrants spent weeks – or even months – preparing to continue their journeys.²¹ They were often accommodated in ghetto-like quarters; according to the European Border and Coast Guard Agency (Frontex), the Nigerien police reported 70 of these “ghettos” in 2015.²² The temporary stay of migrants²³ developed into a comparatively lucrative business. In Dirkou alone, an estimated 60 per cent of 18- to 25-year-olds worked in the transport sector, and job seekers from other parts of the country also flocked to Agadez. This had an impact on population development: According to a study from the Clingendael Institute, the city’s population would increase from 100,000 to 500,000 in just the four years between 2012 and 2016.²⁴

14 Tahar Benattia and Marie-Cecile Darne, *Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges* (UNHCR, Impact, Altai Consulting, February 2017), <http://www.altaiconsulting.com/wp-content/uploads/2017/07/Mixed-Migration-Trends-in-Libya-Executive-Summary.pdf> (accessed 10 January 2018).

15 Fransje Molenaar et al., *A Line in the Sand. Roadmap for Sustainable Migration Management in Agadez*, CRU Report (The Hague: Clingendael, Netherlands Institute for International Relations, October 2017), 34, https://www.clingendael.org/sites/default/files/2017-10/Roadmap_for_sustainable_migration_management_Agadez.pdf (accessed 9 January 2018).

16 Interviews with scientists from the Nigerien Research Institute Laboratoire d’Études et de Recherches sur les Dynamiques Sociales et le Développement Local (LASDEL) and with a scientist from Niamey University, Niamey, June 2017.

17 *BTI 2016* (see note 2), 9; Marie Chêne, *Niger: Overview of Corruption and Anti-corruption* (Transparency International, 23 January 2017), https://www.transparency.org/files/content/corruptionqas/Country_profile_Niger_2017.pdf (accessed 26 January 2018).

18 Kohl, “Flucht und Migration” (see note 13), 454.

19 Fransje Molenaar, *Irregular Migration and Human Smuggling Networks in Niger* (The Hague: Clingendael, Netherlands Institute for International Relations, February 2017), 15,

https://www.clingendael.nl/sites/default/files/irregular_migration_and_human_smuggling_networks_in_niger_0.pdf (accessed 20 December 2017).

20 Interview with Wolfram Lacher, Stiftung Wissenschaft und Politik, January 2018.

21 Interviews with scientists from the Nigerien research institute LASDEL and a scientist from Niamey University, Niamey, June 2017; see also: Molenaar, *Irregular Migration* (see note 19).

22 Frontex, *Africa-Frontex Intelligence Community Front Report* (2015), 26, http://frontex.europa.eu/assets/Publications/Risk_Analysis/AFIC/AFIC_report_2015.pdf (accessed 16 January 2018).

23 Alexandre Devillard et al., *A Survey on Migration Policies in West Africa* (Vienna: ICMPD/Dakar: IOM, March 2015), 240, http://publications.iom.int/system/files/pdf/survey_west_africa_en.pdf (accessed 9 January 2018).

24 Molenaar, *Irregular Migration* (see note 19), 22.

EU initiatives are seen as an opportunity to raise one's profile in foreign policy and to promote cooperation with Europe.

Even if born out of necessity, the migration economy thus opened up the possibility of integrating dissatisfied groups economically and employing them, at least in a rudimentary way. The government abandoned this stabilising factor when it decided to regulate migration in 2015. The decisive factor for this was the changed interests of the EU.

Whose migration agenda?

Niger's migration policy can be characterised as reactive in relation to European concerns: The regulation of migration has only been taking place in Niger since the EU offered to cooperate in this area. The Nigerien government is prepared to do so, although the collapse of the described economy in the North could lead to political destabilisation. The EU initiatives are seen as an opportunity to sharpen Niger's foreign policy profile and to promote both security and development cooperation with Europe. President Issoufou, who has been trying since the beginning of his electoral term to present himself to the EU as a reliable partner,²⁵ has closely linked migration cooperation with his personal agenda and is resolutely pushing it forward; his most important supporter is Minister of the Interior Mohamed Bazoum. Meetings with European state and government representatives have increased Issoufou's prominence and popularity on an international level.

In official statements, Nigerien government representatives speak of the "converging interests" of the EU and Niger.²⁶ This is reflected in the almost equal representation of the necessary coordination meetings. The committee convened for this purpose ("cadre de concertation sur la migration") is located at the Nigerien Ministry of the Interior. It has held three meetings so far.²⁷ The meetings in October 2016 and

June 2017 were attended not only by the EU delegation but also by the ambassadors from Spain, Germany, and France, and in June 2017 by the Italian ambassador.²⁸ The meetings were coordinated jointly by the Nigerien Ministry of the Interior and the EU Representation in Niger.²⁹ The composition of the staff in the meetings illustrates the Nigerien government's real political bartering: It implements the new migration policy in close consultation with the EU to receive political and economic support in return.

However, critical observers fear that the Nigerien migration agenda is dominated by the EU.³⁰ Since migration has hardly been regulated in Niger, the Nigerien administration has few competencies in this area. The European partners offer support in this regard for the purpose of a "coherent migration policy",³¹ but it is unclear to what extent the Nigerien government is at all capable of making decisions on regulatory matters. With regard to the objectives of migration policy, one can hardly recognise a difference between the rhetoric of the Nigerien and European partners.

Domestically, this is not uncontroversial.³² Although groups in Agadez reject the regulations that criminalise migration, civil society organisations and journalists complain that public criticism of the migration agenda has become more difficult. The government has reacted tensely to such reports, which

²⁸ See also pictures on the Facebook page of the EU delegation in Niger, https://www.facebook.com/pg/UENiger/photos/?tab=album&album_id=1730519080607143 (accessed 1 December 2017).

²⁹ Le Sahel, "2ème réunion du cadre de concertation sur la migration: Passer en revue les nombreuses avancées dans la lutte contre le phénomène", 2017, <http://news.aniamey.com/h/80018.html> (accessed 5 April 2018).

³⁰ Various interviews with civil society organisations and scientists at the University of Niamey and the research institute LASDEL, Niamey, June 2017).

³¹ Gesellschaft für Internationale Zusammenarbeit (GIZ), "Niger. Migrationspolitische Beratung", 2018, <https://www.giz.de/de/weltweit/58037.html> (accessed 29 January 2018).

³² "Tcherno Boulama, periodista nigerino: 'La frontera de la UE está en Agadez'", interview in *EFE*, 11 July 2017, <https://www.efe.com/efe/espana/entrevistas/tcherno-boulama-periodista-nigerino-la-frontera-de-ue-esta-en-agadez/10012-3322514>; see also Medico International, "Wohin führt die aktuelle Flüchtlings- und Migrationspolitik?", Podium discussion with, among others, Albert Chaibou and Ousmane Diarra, <https://www.youtube.com/watch?v=hJdL8BYBrSs> (both accessed 29 January 2018).

²⁵ Alex Thurston, "Issoufou Is Everything the West Wants in a Leader", *World Politics Review*, 12 September 2017, <https://www.worldpoliticsreview.com/articles/23116/niger-s-issoufou-is-everything-the-west-wants-in-an-african-leader> (accessed 19 December 2017).

²⁶ Interviews with representatives of Nigerien ministries, Niamey, June 2017.

²⁷ As of April 2018.

therefore had to be formulated with caution.³³ The restriction of civil society organisations in Niger is not on the same level as the massive levels of repression in Egypt or Sudan, for example (see the contributions on Egypt, p. 56ff., and Sudan, p. 44ff.). In recent years, however, people in Niger have been arrested, for example when cooperation between Niger and France in uranium mining and sales and in the security sector has been called into question.³⁴

Following the increasing levels of criticism in its own country, the Nigerien government has tried to explain more clearly why the regulation of migration is important and correct, despite economic losses. It focusses on humanitarian aspects: The new policy protects people from the dangerous crossing of the Sahara.³⁵ In fact, robberies and mistreatment happen regularly on these routes, as various reports show.³⁶ Nevertheless, many migrants apparently renounce the “protection” that is offered and continue to take the journey, despite the risks.³⁷ Officials counter the argument that the country is giving up an important economic sector with the argument that the country is also losing taxes because of illicit trade at the border.³⁸

The Nigerien government also stresses the security dimension of the controls. Legal migration from ECOWAS countries would not be affected by this regulation; it is rather about “avoiding illegal onward

travel to Algeria or Libya”.³⁹ In addition, the same networks that transport people would also bring weapons and drugs to the country.⁴⁰ So far, no systematic research exists that has proven this connection. Ethnological research with a focus on Tuareg groups even comes to a different conclusion: For these groups, which organise migrants’ journeys through the Sahel, there is the danger of encountering arms and drug traffickers.⁴¹ Civil society organisations therefore complain that the government’s arguments put Nigerien transport networks in a bad light and exacerbate political and ethnic tensions.⁴²

Since cooperation with the EU is closely linked to the person of Issoufou, much is at stake for him.

The nervous reaction of the Nigerien government shows how risky it is to cooperate with the EU. Those responsible are in a dilemma: Due to its financial dependence, Niger must meet the expectations of its European partners and, at the same time, further integrate divergent social groups in order to maintain political stability in the country. Since cooperation with the EU is closely linked to the person of Issoufou, much is at stake for him. Failure of cooperation would weaken him politically and jeopardise the implementation of development projects he is aiming for. At the same time, domestic dissatisfaction with the implementation of EU initiatives could provoke new coup attempts against the president.

Priorities and effects of the new migration policy

The migration policy, which Niger has been implementing with European support since 2015, focusses on (1) repressive measures aiming at making migration more difficult; (2) various development coopera-

33 Interviews with representatives of civil society organisations, Niamey, June 2017.

34 Thibault Van Damme, *Under the Shadow of Boko Haram: Niger on the Eve of Elections*, CRU Commentary (The Hague: Clingendael, 2016), <https://www.clingendael.org/sites/default/files/pdfs/Under%20the%20shadow%20of%20Boko%20aram%20Niger%20on%20the%20eve%20of%20elections.pdf> (accessed 30 January 2018).

35 Little is known to date about whether and how the slave trade from African countries to Libya, which caused great indignation on the part of the AU member states during the EU-Africa summit in November 2017, is linked to migration dynamics.

36 Fabrizio Gatti, *Bilal: Als Illegaler auf dem Weg nach Europa* (Munich: Kunstmann, 2010); IOM, *Migrant Profiling Report 2016*, https://gmdac.iom.int/sites/default/files/Web%20Version%20-%20IOM%20Niger%202016%20Profiling%20Report_EN.pdf (accessed 28 January 2018).

37 Interviews with migrants from various West African countries in Niamey, June 2017.

38 Interview with a representative of the Haute Autorité de la Consolidation de la Paix (HACP), Niamey, June 2017.

39 Interviews with staff from Nigerien ministries, Niamey, June 2017. See also Christian Putsch, “Glauben Sie mir, dieses Mal ist es uns ernst”. Interview with Mohamed Bazoum, *Die Welt* (online), 12 December 2016, <https://www.welt.de/politik/ausland/article160094557/Glauben-Sie-mir-diesmal-ist-es-uns-ernst.html> (accessed 29 January 2018).

40 Putsch, “Glauben Sie mir” (see note 39).

41 Kohl, “Flucht und Migration” (see note 13), 460.

42 Interviews with scientists from Niamey University and representatives of civil society organisations, Niamey, June 2017. See also “Vom weißen Fleck zum Frontstaat” (see note 9).

tion instruments to create employment alternatives to the migration economy; (3) support for voluntary return to West Africa through cooperation with the IOM. So far, as the analysis shows, the main focus has been on reducing mixed migration. This has economic consequences that cannot yet be offset by development cooperation measures.

Restricting migration as a primary goal

On 26 May 2015, the Nigerien government passed a law differentiating between “legal” and “illegal” migration. To date, citizens from ECOWAS countries have been able to stay in Niger without a valid passport. Nor did the transporters have to fear any consequences.⁴³ Migrants without valid passports will still not be punished, but the drivers will be criminalised. The government is focussing its attention on the region north of Agadez. If citizens from other ECOWAS countries are caught without valid passports while being driven in vehicles in this area, the drivers can be prosecuted as traffickers. The Nigerien government assumes that the intention is then to cross the border, even if this border is 800 km further north.⁴⁴ This offence can be punished with imprisonment for up to 25 years.⁴⁵ The reinforcement of Nigerien border controls – both on the border with West African countries and on the border with Libya and Algeria – was supported by the EU. About a quarter of the funds provided by the EUTF for Niger are spent on border control mechanisms.⁴⁶ In addition, the financing of numerous other initiatives shows a strong overlap between migration and security policies.⁴⁷

43 Kohl, “Flucht und Migration” (see note 13), 454.

44 Molenaar et al., *A Line in the Sand* (see note 15), 13.

45 République du Niger, *Loi No. 2015–36 du 26 mai 2015 relative au trafic illicite de migrants*, https://www.unodc.org/res/cld/document/ner/2015/loi_relative_au_trafic_illicite_de_migrants.html/Loi_N2015-36_relative_au_trafic_illicite_de_migrants.pdf (accessed 9 January 2017).

46 See overview of the European Commission, *Fonds fiduciaire pour l’Afrique. Actions au Niger*, 2017, https://ec.europa.eu/europeaid/sites/devco/files/niger_vf.pdf (accessed 20 December 2017); see also Molenaar et al., *A Line in the Sand* (see note 15), 16.

47 These include the training missions of EUCAP (European Capacity Building Mission) Sahel, see https://eeas.europa.eu/csdp-missions-operations/eucap-sahel-niger_en. The Federal Foreign Office is financing two projects to secure the country’s borders, <https://www.giz.de/de/weltweit/57301.html>, and <https://www.giz.de/de/weltweit/20718.html>. In 2016 the Bun-

In autumn 2017, the Nigerien authorities took stock of the new law and its implementation: 282 people who would have benefited from migration as drivers or operators of shelters have been arrested and 169 cars confiscated by the Nigerien security forces since the law was passed.⁴⁸ According to official IOM figures, migration via Agadez decreased by 75 per cent between the first half of 2016 and the same period in 2017.⁴⁹ However, the IOM only monitors migration through Agadez. It is therefore possible that the drivers will now avoid these checkpoints. According to smugglers, it can be assumed that at least two new migration routes have been developed, writes the IOM: one on the border with Chad, another through Algeria.⁵⁰ According to a report from the UN Security Council at the end of 2017, West African migrants are now increasingly reaching Libya via Chad and West and North Darfur.⁵¹

Since transport has been criminalised, the travel costs for migrants have increased and the journey has become even more dangerous⁵²: Between April and July 2017, the IOM reportedly rescued at least 600 people who had been abandoned in the desert,⁵³ pre-

deswehr included Niger for the first time in its upgrading initiative and paid for equipment for the Nigerien army, see <https://www.bmvg.de/de/themen/dossiers/engagement-in-afrika/das-engagement/ertuechtigung-in-afrika/faq-ertuechtigung> (all accessed 27 March 2018). Since the military and police take on border security tasks, security-sector support also influences – unspoken – the regulation of migration.

48 Molenaar et al., *A Line in the Sand* (see note 15), 8–9.

49 Ibid., 9; see also IOM 2017, *Point de suivi de flux de population*, https://drive.google.com/file/d/0B_hLuy9q1oXQai1FUuA1OTZGWE/view (accessed 19 January 2018).

50 IOM Niger Overview, *Migrant Resource and Response Mechanism* (Niamey: IOM, June 2017), 2.

51 United Nations Security Council, *Letter Dated 28 December 2017 from the Panel of Experts on the Sudan Established Pursuant to Resolution 1591 (2005) Addressed to the President of the Security Council*, S/2017/1125, 28 December 2017, http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/1125 (accessed 18 January 2018).

52 Alfred Hackensberger, “Wie riegelt man die Wüste ab?”, *Die Welt*, 20 December 2017, <https://www.welt.de/print/die-welt/politik/article171757194/Wie-riegelt-man-die-Wueste-ab.html> (accessed 21 December 2017).

53 “52 Dead in Niger As UN Migration Agency Search and Rescue Operation Saves 600 Stranded Migrants in Sahara Desert” (IOM, 27 June 2017), <https://www.iom.int/news/52-dead-niger-un-migration-agency-search-and-rescue-operation-saves-600-stranded-migrants> (accessed 29 January 2018).

sumably for fear of arrest. Whether corruption continues to play a role in the security sector cannot be conclusively assessed from previous sources. According to an earlier study from February 2016, border officials are not willing to perform the prescribed controls – instead, they allow vehicles to pass through in exchange for bribes in order to improve their poor salaries.⁵⁴ The Nigerien government stated in December 2016 that the security authorities controlled the water points in the region and that the vehicles had little chance of crossing the Sahara.⁵⁵ However, it remains to be seen whether this will actually be done effectively. In any case, Issoufou transferred a new police chief to Agadez in mid-2017 who emphasises the faithful commitment of the police.⁵⁶

Slow economic compensation

Agadez's efforts to curb migration have affected the local economy, which had previously had to cope with the collapse of tourism. So far, there are few economic alternatives, especially since the Nigerien government closed gold mines of artisanal mining in 2017 that operated without a licence.⁵⁷ However, this had important – albeit indirect and informal – economic implications for the region.⁵⁸ High unemployment carries the risk of political destabilisation. It is therefore not surprising that the Nigerien government has called for the expansion of development projects in Niger from the beginning of the cooperation with the EU.

54 Eric Komlavi Hahonou, *Security in the Sahel – Corruption, Insecurity and Border Control in Niger*, DDIS Policy Brief (February 2016), https://reliefweb.int/sites/reliefweb.int/files/resources/PB_Sahel_WEB.pdf (accessed 10 January 2018). Note: The study does not explicitly refer to the new migration law, but to existing legislation on various forms of border activities (arms and drug smuggling, human trafficking, etc.).

55 Putsch, “Glauben Sie mir” (see note 39).

56 Hackensberger, “Wie riegelt man die Wüste ab?” (see note 52).

57 Interview with Scientists of Niamey University, June 2017. See also: “Niger: Artisanal Gold Panners Evicted from a Gold Site”, *La Libre Afrique*, 18 July 2017, <https://afrique.lalibre.be/6176/niger-les-orpailleurs-artisanaux-evinces-dun-site-aurifere/> (accessed 30 October 2018).

58 Mathieu Pellerin, *Beyond the “Wild West”. The Gold Rush in Northern Niger*, SANA Briefing Paper (Geneva: Small Arms Survey, June 2017), <http://www.smallarmssurvey.org/fileadmin/docs/T-Briefing-Papers/SAS-SANA-BP-Niger-Gold.pdf> (accessed 30 January 2018).

At first it seemed to work out. Of the 139.9 million from the EUTF for Niger alone, 36.9 million will go to long-term development cooperation projects and 8 million to create short-term employment opportunities, mainly in the Agadez and Diffa regions.⁵⁹ At the end of 2017, the EU steered around €1 billion towards further development cooperation projects.⁶⁰ A whole package of measures is therefore planned to boost the economy. But it will take time for these projects to take effect.

Local actors in Agadez have been critical of the plans since their inception.⁶¹ Even if implementation were successful, the effects would be too small to compensate for the high losses incurred. There are different statements regarding the costs of a trip to Libya: The price range before the introduction of the law was €120 to €300.⁶² According to Nigerien standards, €120 would be a high profit, considering that a truck could accommodate between 15 and 30 people. A whole network of people involved in transport and logistics benefited from this income.⁶³ Since the decline in migration, costs are said to have increased to at least €400. For trips in small groups, the average quoted price is €1,400.⁶⁴ Here, however, the question

59 Molenaar et al., *A Line in the Sand* (see note 15), 16. See also: European Commission, *Fonds fiduciaire pour l'Afrique* (see note 46).

60 “EU Will Support Niger with Assistance of €1 Billion by 2020”, European Commission Press Release (Brussels, 13 December 2017), http://europa.eu/rapid/press-release_IP-17-5233_en.htm (accessed 19 January 2018).

61 Laura Dean, “Migration after Rebellion”, *International Reporting Project*, 6 June 2017, <https://internationalreportingproject.org/stories/view/in-agadez/>; Ibrahim Manzo Diallo, “Niger-Agadez: Former Migration Operators Express Their Anger against the Authorities”, *The Sahelien*, 9 May 2017, <http://sahelien.com/en/niger-agadez-former-migration-operators-express-their-anger-against-the-authorities/> (both accessed 19 January 2018).

62 Christian Jakob, “Endstation Agadez”, *taz*, 18 December 2017, determined €120, <http://taz.de/Wie-Niger-die-Flucht-routen-dicht-macht!/5468121/> (accessed 10 January 2018). After citing “several sources”, Molenaar, *Irregular Migration* (see note 19), 21, calculated €230. Jérôme Tubiana, “Europe’s ‘Migrant Hunters’” (in *Foreign Affairs*) states \$250 (or €200), <https://www.foreignaffairs.com/articles/niger/2017-08-31/europes-migrant-hunters> (accessed 30 January 2018). Hackensberger, “Wie riegelt man die Wüste ab?” (see note 52), cites a driver, who used to take \$300.

63 Molenaar, *Irregular Migration* (see note 19), 20–23.

64 Tubiana, “Europe’s ‘Migrant Hunters’” (see note 62), speaks of at least \$500 (i.e. €400), and \$1,800 dollars (i.e.

arises as to which migrants can even afford to pay these prices.

A survey of development projects in the region in autumn 2017 shows that the local population is not satisfied with the first phase of implementation. Around two-thirds of those surveyed stressed that they had benefited from the presence of migrants, but not from the development projects. This also applies to the municipality of Agadez as such.⁶⁵ The projects mainly benefited (foreign) development organisations and some local political authorities. Some of these authorities would act more in the interests of the EU than of the local population. Traditional and religious authorities “such as community elders, imams, and the sultan” were not given a decent chance to have a say in the planning.⁶⁶ Concrete proposals for projects in a reconversion plan for the Agadez region were also refused funding.⁶⁷ This criticism is also being directed against the central government: President Issoufou has filled the governor’s post in the Agadez region with a non-resident who acts in the spirit of the central government and stresses the need to regulate migration.⁶⁸

The region still appears to be politically stable, but the mood could change if dissatisfaction with the economic situation increases. The economic and political developments in northern Niger therefore deserve critical attention. If former Tuareg rebels see no possibilities of economic compensation for themselves, and members of the Tubu networks feel even more marginalised by the restrictions on migration than they already do,⁶⁹ violent conflicts are imminent. There is also a risk of unemployed young people turning towards jihadist groups. This rural demographic is susceptible to radicalisation.⁷⁰

€1,400), for exclusive trips; Hackensberger, “Wie riegelt man die Wüste ab?” (see note 52), assumes €1,000.

65 Molenaar et al., *A Line in the Sand* (see note 15), 4.

66 *Ibid.*, 5.

67 *Ibid.*

68 See various interviews with Governor Sadou Soloké and reports about him: Hackensberger, “Wie riegelt man die Wüste ab?” (see note 52); Jakob, “Endstation Agadez” (see note 62).

69 Molenaar et al., *A Line in the Sand* (see note 15), 33.

70 UNDP, *Journey to Extremism in Africa* (2017), 5–7, <http://journey-to-extremism.undp.org/content/downloads/UNDP-JourneyToExtremism-report-2017-english.pdf> (accessed 29 January 2018); International Crisis Group, “Forced Out of Towns in the Sahel, Africa’s Jihadists Go Rural”, 11 January 2017, <https://www.crisisgroup.org/africa/west-africa/mali/>

Voluntary return

The third priority of Niger’s migration policy comprises projects to support the voluntary return of migrants to West Africa.⁷¹ These programmes are implemented by the IOM and funded by the EU. The IOM offers migrants from West Africa the option of return at the central hubs of migration in Niger. People who are picked up during police checks in the desert can also receive appropriate support at an IOM centre.⁷² If interested, the organisation finances the voluntary return and – together with those interested, partly with the involvement of their families – looks for economic alternatives for them in their country of origin.⁷³

Between March and September 2017, there were 20 return and reintegration projects launched in five West African countries – Senegal, Guinea-Bissau, Mali, Guinea, and Cameroon – with funding from the EUTF and the EU’s Migrant Resource and Response Mechanism programme. As early as 2016, the IOM returned more than 4,800 migrants to their countries of origin through 70 reintegration projects in Senegal, Gambia, Nigeria, Mali, and Guinea-Bissau.⁷⁴ So far, there are no studies to assess the success of the IOM measures. It is therefore unclear whether the prospects offered are sustainable in the long term or whether the returnees will return to Europe after a certain period of time. The latter is supported by the new migration routes already mentioned.

Risks for regional cooperation

Mobility is of great importance for the West African economic area: Labour migration in the services sector as well as in agriculture and livestock farming⁷⁵

[forced-out-towns-sahel-africas-jihadists-go-rural](#) (accessed 19 January 2018); Savannah De Tésières, *At the Crossroads of Sahelian Conflicts. Insecurity, Terrorism, and Arms Trafficking in Niger* (Geneva: Small Arms Survey, 2017), 29–34, <http://www.smallarmssurvey.org/fileadmin/docs/U-Reports/SAS-SANA-Report-Niger.pdf> (accessed 26 January 2018).

71 Interviews with IOM employees, Niamey, June 2017.

72 Jakob, “Endstation Agadez” (see note 62).

73 “IOM Launches Reintegration Projects for West African Migrants with EU Trust Fund Support” (IOM, 2017), <https://www.iom.int/countries/niger> (accessed 14 November 2017).

74 *Ibid.*

75 Malte Steinbrink and Hannah Niedenführ, *Afrika in Bewegung. Translokale Livelihoods und ländliche Entwicklung in Subsahara-Afrika* (Bielefeld: transcript, 2017), 108.

generates important sources of income. Although the Nigerien government distinguishes between legal and illegal migration, the new legislation can de facto hinder this circular migration. Only a few citizens of the ECOWAS region hold a passport because they were not previously dependent on it for crossing the border.

However, systematic studies about the effects on the ECOWAS region are not yet available. Questions about the medium-term effects of migration measures on economic development in the region in terms of trade and job seeking must therefore be critically examined. West and Central African states and ECOWAS countries were included in European migration initiatives via the Rabat Process (see the contribution on instruments, actors, and strategies, p. 9ff.); the IOM also offers support to the economic community with regard to the collection of migration data and migration management.⁷⁶ However, ECOWAS has not yet been systematically integrated and strengthened in order to coordinate regional dynamics.⁷⁷

With the reduction in mixed migration, the Europeans' desire to achieve visible success quickly was met.

Nevertheless, a number of security and development policy initiatives are planned or already underway concerning ECOWAS countries, such as the so-called Compact Agreements with Senegal, Ghana, and Côte d'Ivoire to promote economic relations, which are coordinated bilaterally.⁷⁸ If implemented successfully, economic development can change the migra-

tion dynamics within the ECOWAS region. The security cooperation envisaged under the G5 Sahel, in turn, includes partner countries such as Burkina Faso, Mali, and Niger, which are part of ECOWAS, but also some that do not belong to it, such as Mauritania and Chad.⁷⁹ This can have a negative effect on ECOWAS's willingness to act as a community.

Outlook

As the analysis of past measures in the area of migration shows, President Issoufou in particular is relying on cooperation with the EU. This is done in the hope of bringing economic development and enhancing Niger's voice at the international level. The desire to increase his own power comes at the expense of the North, which has had to cope with the drastic decline in migration movements and a slump in the economy that emerged from this issue. With the reduction in mixed migration, the European objective of quickly achieving visible success has been met. Now the Nigerien government is highly dependent on the rapid success of development policies financed by the EU. Dependence is twofold: The implementation of the agreed migration policy has to carry on if cooperation with the EU is to continue.

Nigerien and European interests converge, but they are not congruent. For Niger, border security plays a role for security reasons. At least for the North, however, the containment of migration is not in its economic interest. Cooperation with the EU should bring funds into the country in addition to existing development cooperation projects. However, the high expectations regarding the possibilities of development projects, which do (and can) only slowly reveal their effects, have not been met yet. This threatens to destabilise the North, which, in the worst case, could lead to another Tuareg rebellion and the strengthening of jihadist networks. New attempts to overthrow the government are also conceivable. It is difficult to assess whether Issoufou has sufficiently considered the risks of economic dissatisfaction. It is also unclear whether he is prepared to accept these risks for now in order to transform the migration economy, which

⁷⁶ IOM, "Free Movement of Persons and Migration Project in West Africa Builds Capacity in Migration Data Collection and Management", 26 May 2017, <https://www.iom.int/news/free-movement-persons-and-migration-project-west-africa-builds-capacity-migration-data>; see also IOM, "UN Migration Agency Co-hosts Free Movement of Persons Workshop in Gambia, Nigeria", 4 August 2017, <https://www.iom.int/news/un-migration-agency-co-hosts-free-movement-persons-workshops-gambia-nigeria> (both accessed 25 January 2018).

⁷⁷ See also Anne Koch, Eva Dick, Benjamin Schraven, and Benjamin Etzold, *Regionale Migrationsgovernance. Impulse für eine nachhaltige Migrationsarchitektur*, SWP-Aktuell 81/2017 (Berlin: Stiftung Wissenschaft und Politik, December 2017), https://www.swp-berlin.org/fileadmin/contents/products/aktuell/2017A81_koh_etal.pdf (accessed 29 January 2018).

⁷⁸ See "G20 Compact with Africa", <https://www.compactwithafrica.org/content/compactwithafrica/home.html> (accessed 30 January 2018).

⁷⁹ International Crisis Group, *Finding the Right Role for the G5 Sahel Joint Force* (Brussels and Dakar, 12 December 2017), <https://www.crisisgroup.org/africa/west-africa/burkina-faso/258-force-du-g5-sahel-trouver-sa-place-dans-lembouteillage-securitaire> (accessed 30 January 2018).

is born out of necessity, into a more stable economic driver. He might then also be able to increase his power and control of the central government vis-à-vis the North.

The cooperation with the EU and the state visits of high-ranking European government representatives have happened quickly and, in the short term, raised the prestige of the Nigerien government. Issoufou, in particular, is invested in this cooperation. His many years of work on joint projects with Europe now seem to be paying off. In contrast to other countries examined in this study, such as Egypt, migration policy cooperation has not increased the authoritarian tendencies of the government. This could change, however, if discontent and pressure on Issoufou increase. If a political overthrow succeeds, a person with a more pronounced authoritarian consciousness could also prevail, who would then benefit from the enhancement and strengthening of the security apparatus initiated by Issoufou.

In addition to possible domestic implications, the interaction of various policy measures – migration, security, and development policies – in the ECOWAS region must be taken into account. Regional integration had picked up momentum, not least since the ECOWAS intervention in the Gambia, which persuaded Yahya Jammeh, who had been voted out of office, to withdraw.⁸⁰ In cooperation with ECOWAS countries, it is therefore advisable to investigate the impact of the various initiatives on regional integration and to ensure a greater degree of coherence in order to coordinate the interactions of the different measures in West Africa and the Sahel region.

80 Christof Hartmann, “ECOWAS and the Restoration of Democracy in The Gambia”, *Africa Spectrum* 52, no. 1 (2017): 85–99.

Annette Weber

Migration Hub Sudan/Eritrea: Disappointed Expectations – Conflicting Interests

As the region of origin for a significant group of refugees, the Horn of Africa is important for migration cooperation between Germany and the European Union (EU). Eritrean citizens make up 11 per cent, Sudanese 5 per cent, and Somalis 4 per cent of those who enter Italy via Libya and the central Mediterranean route.¹ In the ranking of the countries of origin of asylum seekers who reached Europe in 2015, however, the Horn of Africa countries occupied places far behind Syria, Afghanistan, Iraq, the Balkans, and Pakistan.²

In the following, two cases – Sudan, the main transit country for refugees from the region, and Eritrea, the main country of origin – show what opportunities and risks are associated with the current EU instruments and how governments react to the offers that are made. Sudan is being proactive in articulating its own interests, which are mostly not migration-related vis-à-vis the EU's migration-related interests. It wants to normalise relations with the international community and secure borders with Darfur, and it is seeking to use migration cooperation to this end. The Eritrean government, on the other hand, is being reactive and defensive and has not presented an interest profile of its own, nor does it expect relations with Europe to normalise or improve.

The Sudanese government's high expectations for the migration cooperation have not yet been fulfilled. Hoping to make a deal with Europe that is similar to Europe's agreements with Turkey, Sudan has been disappointed. Despite the fact that the deployment of

Sudanese security forces at the border is actually helping to reduce immigration figures, no deal has been made. However, there is no agreement with the EU that provides for such a border policy, and the EU's critical reactions to the security forces are seen as a snub by the government in Khartoum.³ Sudan is confronted with a cacophony of European norms and wishes that it cannot possibly meet – and therefore it accuses the EU as a whole of lacking transparency. The domestic political pressure on European countries to reduce the number of refugees and migrants from Africa is strengthening the negotiating power of the governments in Sudan and Eritrea. In the medium term, however, they calculate that Europeans will have to bow to their ideas and wishes, otherwise migration pressures will not diminish but increase.

Disagreements

The basic causes of flight and migration are identified differently from European versus Sudanese and Eritrean perspectives. For example, the governments in Sudan and Eritrea emphasise economic push factors and assume that the lack of jobs is the reason for the large number of departures. Europeans, on the other hand, consider the repressive policies and human rights situation in the two countries to be crucial. The government in Asmara also blames pull factors for the exodus.

1 European Commission, *Irregular Migration via the Central Mediterranean*, EPSC Strategic Notes, Issue 22 (Brussels: European Political Strategy Centre [EPSC], 2 February 2017), 5, https://ec.europa.eu/epsc/sites/epsc/files/strategic_note_issue_22_0.pdf (accessed 16 January 2018).

2 European Stability Initiative, *The Refugee Crisis through Statistics* (30 January 2017), 20, <http://www.esiweb.org/pdf/ESI%20-%20The%20refugee%20crisis%20through%20statistics%20-%2030%20Jan%202017.pdf> (accessed 16 January 2018).

3 "EU: No Support to Sudan's RSF", *Radio Dabanga*, 6 September 2016, <https://www.dabangasudan.org/en/all-news/article/eu-no-support-to-sudan-s-rsf> (accessed 29 January 2018).

The basic assumptions about flight and migration differ fundamentally. It is therefore difficult to imagine a common fight against the causes.

The high rates of approval of Eritrean refugees in Europe, for example, attracted more and more young people in the hopes of leading better lives abroad.⁴ In his speech on the 25th anniversary of independence, the Eritrean president spoke firmly of weakening his country through emigration:

The greatest historical threat to Eritrea's arch-enemies being the Eritrean people, "human trafficking" was employed to disperse and weaken Eritrea's human capital. This policy was given paramount priority under the rubric of "granting asylum status" to Eritreans. The campaign was formalized with the official blessing of the US President. Organized crime of human trafficking thereby received additional impetus and gained traction through frantic and intensive propaganda and diplomatic campaigns. It is now being utilized as another tool for accusation of violation of human rights against Eritrea.⁵

In view of such different basic assumptions on flight and migration, cooperation with the EU in the field of irregular migration faces serious obstacles. A common fight against the causes is hard to imagine.

What remains is the politically explosive power of the topic. The Sudanese Commissioner for Europe at the Foreign Ministry in Khartoum, for example, warns: "One hundred million people from Africa will make their way to Europe." That is a blatant threat. As long as Europe concentrates on the Eritrean refugees and neglects the large group of refugees from South Sudan, and the even larger group of internally displaced people in Sudan, social tensions in Sudan will increase. Social tensions have again caused new flight movements, possibly also to Europe. A cooperation agreement similar to the EU-Turkey agreement

could relieve the situation.⁶ The Sudanese government certainly sees bargaining power here.

Sudan and Eritrea: Regional realities

Sudan is the transit country par excellence for the Eritrean group that is relevant to Europe. At the height of the wave of refugees from Eritrea to Israel via Sinai (2006-2014), the smuggling and trafficking network consisted of the Rashaida peoples, who live as nomads between Sudan and Eritrea, and human traffickers in Sinai.⁷ In addition, the involvement of security forces on the Eritrean and Sudanese sides has been demonstrated.⁸ The United Nations (UN) investigation report on Eritrea and Somalia mentions specific names of Eritrean military personnel who smuggled human beings.⁹

After Israel completed its border fence with the Sinai in 2012 and tightened conditions in the reception camps, the route of Eritrean refugees changed, but their numbers remained constant. As a goal, Israel was replaced by Europe. Under the current Office of the United Nations High Commissioner for Refugees (UNHCR) procedure, after crossing the Eritrean border into Sudan, people are registered by the Sudanese authorities and then looked after by the UNHCR. However, more than 70 per cent of those

⁶ Interview with the European Commissioner in the Sudanese Ministry of Foreign Affairs, Khartoum, 27 April 2017; names are not mentioned here for reasons of source protection.

⁷ Michael Obert, "Im Reich des Todes", *Süddeutsche Zeitung Magazin*, no. 29 (2013), <http://sz-magazin.sueddeutsche.de/texte/anzeigen/40203>; Christopher Horwood and Tuesday Reitano, *A Perfect Storm?*, RMMS Discussion Paper 3 (Nairobi: Regional Mixed Migration Secretariat [RMMS], May 2016), http://www.regionalmms.org/images/DiscussionPapers/A_Perfect_Storm.pdf (both accessed 16 January 2018).

⁸ Interview with the UNHCR representative in Sudan, April 2017; Phoebe Greenwood, "Eritrean Regime Cashes in on Arms and Human Trafficking, Says UN Report", *The Guardian*, 17 July 2012, <https://www.theguardian.com/world/2012/jul/17/eritrean-regime-arms-human-trafficking>; *Human Trafficking and Smuggling on the Horn of Africa – Central Mediterranean Route* (Sahan and IGAD, February 2016), https://igad.int/attachments/1284_ISSP%20Sahan%20HST%20Report%20%2018ii2016%20FINAL%20FINAL.pdf (both accessed 16 January 2018).

⁹ *Report of the Monitoring Group on Eritrea and Somalia Pursuant to Security Council Resolution 2002 (2011) S/2012/545*, 20, http://www.un.org/ga/search/view_doc.asp?symbol=S/2012/545&referer=/english/&Lang=E (accessed 23 January 2018).

⁴ Eritrea's ambassador to the African Union (AU) in a lecture in Nairobi, October 2016.

⁵ Eritrea's president during his speech on the 25th Independence Day on 24 May 2016, see <http://www.shabait.com/news/local-news/21863-president-isaias-afewerkis-speech-on-the-occasion-of-the-25th-independence-day-celebrations-> (accessed 16 January 2018).

who cross the border disappear before registering because they neither want to be known to the authorities nor want to stay in Sudan.¹⁰ This also means that they do not receive any services such as housing, care, or schooling from the state or a refugee organisation and are still dependent on smugglers and smuggling networks. Even the inhumane and dangerous conditions on the route through Libya, which most people are aware of, do not prevent them from continuing their journeys. “We know from surveys that women coming from Eritrea and Ethiopia protect themselves preventively against rape to which they are exposed on the flight, especially in Libya. And yet they choose this dangerous route to Europe, preferring it to staying in Sudan.”¹¹ The Eritrean refugees often perceive the smugglers more as helpers than criminals, which means that they hardly support the authorities in the prosecution of smugglers and human traffickers.¹²

Sudan

Sudan is an authoritarian state in which the National Congress Party (formerly the National Islamic Front), which came to power in 1989 through a bloodless coup, rules with President Omar al-Bashir at the head.

Like its predecessors, the government is engaged in violent conflicts on the periphery. Between 1983 and 2005, the government waged war against the Sudan People’s Liberation Army; since 2003 there has been an armed conflict with opposition groups in Darfur; and since 2011 there have been conflicts with the Sudan People’s Liberation Army/North in South Kordofan and the Southern Blue Nile. After decades of civil war, South Sudan had split off as an independent country in 2011. As a result of these wars, there are more than 3.3 million internally displaced persons in Sudan.¹³

The war in Darfur, which was waged primarily between government-supporting militias and various armed parties and, to a large extent, directly against the civilian population, also led to legal action against

senior government officials who were brought before the International Criminal Court (ICC) in the face of at least 300,000 deaths and more than two million displaced civilians. Arrest warrants were issued in The Hague against President Bashir and Janjaweed militia leader Musa Hilal.¹⁴ Khartoum hopes that a normalisation of relations, especially with Western countries, through cooperation in the fight against terrorism and in migration control will also lead to the lifting of these arrest warrants. Confidence in the Western community, in particular, is low, but the partial lifting of sanctions by the US government in October 2017 and the urgent interest of Europeans in reducing migration has raised expectations in this regard.¹⁵

Since the late 1990s, Sudan’s economy has focussed primarily on oil exports, mainly to South Sudan, through a pipeline to Port Sudan. The fall in oil prices and the outbreak of war in South Sudan in December 2013, which resulted in a drop in oil production of more than two-thirds, forced Khartoum to look for other sources of income.¹⁶ Economic output is still weak, and an increase in “bread price protests” points to growing dissatisfaction among the population.¹⁷ Gold mining in Darfur and the north of the country, income from agricultural investments by various Gulf States and India, and bonds from China may bring foreign exchange into the country, but the majority of the population is not achieving economic stabilisation. However, since the partial lifting of US sanctions, which have been a burden on the country for more than 20 years, Khartoum is optimistic that investments and foreign exchange will now quickly flow into the country, and that the economic hurdles, which have been exacerbated by high defence spend-

14 Two arrest warrants have been issued against the president. The charges are war crimes and crimes against humanity. See also “The Prosecutor v. Omar Hassan Ahmad Al Bashir”, ICC-02/05-01/09, <https://www.icc-cpi.int/darfur/albashir> (accessed 16 January 2018).

15 US Department of the Treasury, *Sudan and Darfur Sanctions*, <https://www.treasury.gov/resource-center/sanctions/Programs/pages/sudan.aspx> (accessed 16 January 2018).

16 Annette Weber, *Red Sea: Connector and Divider?*, SWP Comments 50/2017 (Berlin: Stiftung Wissenschaft und Politik, November 2017), <https://www.swp-berlin.org/en/publication/red-sea-as-connector-and-divider/> (accessed 16 January 2018).

17 “Sudanese Students Stone Police on Third Day of Bread Price Protests”, *Reuters*, 8 January 2018, <https://uk.reuters.com/article/uk-sudan-protests/sudanese-students-stone-police-on-third-day-of-bread-price-protests-idUKKBN1EX212> (accessed 29 January 2018).

10 UNHCR Representative in Khartoum, May 2017.

11 UNHCR Representative in Sudan, May 2017.

12 Interview with an Eritrean academic in Khartoum researching Eritrean refugees, Khartoum, May 2017. See also Peter Tinti and Tuesday Reitano, *Migrant, Refugee, Smuggler, Savior* (London: Hurst, 2016).

13 Internal Displacement Monitoring Centre, *Africa Report 2017*, <http://www.internal-displacement.org/library/publications/2017/africa-report-2017> (accessed 23 January 2018).

ing (30 per cent of GDP) and corruption, can be overcome.¹⁸ Hundreds of thousands of Sudanese have fled to work as labour migrants to neighbouring countries or the Gulf States due to the crisis-ridden economic situation. On the other hand, refugees to Europe are mainly politically persecuted or members of the middle class who can afford the costs involved. In political and civil liberty indices, Sudan is at the lower end (not free) on the press freedom list, ranking 174 out of 180.¹⁹

The ICC's arrest warrant against the president, the conflicts and human rights violations, and the government's refusal to sign the Cotonou Agreement²⁰ are weighing on relations with Europe. After the 1989 coup, Germany froze development cooperation with Khartoum.²¹ Although Sudan is central to European migration management in the Horn of Africa, cooperation is associated with high political risks to the German government and the EU, as the critical media coverage of recent months has shown.²²

Eritrea

In Eritrea, which is Africa's second youngest country and gained independence from Ethiopia in 1993 after decades of conflict, three phases of state formation

can be distinguished: departure, war, and dictatorship.²³ President Isaias Afewerki continues to rule in a one-man dictatorship through political repression, militarisation of society, and a command economy closely linked to the military-political apparatus. The primary instrument of mobilisation is an unlimited national service, which includes both military and labour services. Every man of working age and every woman between 18 and 27 years of age is obliged to complete the national service. The people concerned are neither told where they will be working nor for how long, which leads to enormous frustrations and problems in terms of relationships and family planning. This service, known as the Warsay-Yikealo Development Campaign, was introduced in 2002 to fundamentally change, homogenise, and build a national consciousness in Eritrean society,²⁴ as well as to absorb the large number of otherwise unemployed people.

Afewerki's radical policy of isolation has resulted in a catastrophic economic situation: People are tortured, murdered for political reasons, or disappear without charge or trial. In terms of political and civil liberties, Eritrea ranks at the bottom of the list. Charges are brought without trial and there is no independent judiciary. In 2001, independent media were banned and the right of assembly was suspended. In the Freedom House Ranking of 2017, Eritrea ranks third to last among the states of the world.²⁵

Especially young people are driven to flee due to this mixture.²⁶ Every month, 5,000 Eritreans leave the country, despite a ban on leaving the country – a visible consequence of this political hardening. Although the Eritrean autocracy has been relieved financially in the short term by its participation in the Saudi Arabian alliance in the Yemen war, it shows no movement towards a political opening. Neither the restrictions on the national service de-

18 EIU Country Report Sudan (The Economist Intelligence Unit, June 2017), 6. Sudan ranks 170th (out of 176) on Transparency International's corruption index, far behind Ethiopia and Egypt (both 108th). See Transparency International, *Corruption Perceptions Index 2016*, https://www.transparency.org/news/feature/corruption_perceptions_index_2016 (accessed 16 January 2018).

19 Freedom House, *Freedom in the World 2017*, <https://freedomhouse.org/report/freedom-world/2017/sudan>; Reporters Without Borders, *2017 World Press Freedom Index*, <https://rsf.org/en/ranking#> (both accessed 16 January 2018).

20 The Cotonou Agreement between 79 African, Caribbean and Pacific (ACP) countries and 15 European countries is a set of rules covering both trade agreements and human rights and governance issues.

21 See *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Klaus-Jürgen Hedrich, Dr. Norbert Blüm, Siegfried Helias, weiterer Abgeordneter und der Fraktion der CDU/CSU*, Deutscher Bundestag, Drucksache 14/5922, 24 April 2001, <http://dipbt.bundestag.de/doc/btd/14/059/1405922.pdf> (accessed 18 January 2018).

22 See the report "Grenzen dicht" of the ARD magazine Monitor of 23 July 2015, <https://www1.wdr.de/daserste/monitor/sendungen/grenzen-dicht-100.html> (accessed 18 January 2018); Christian Jacob and Simone Schindwein, *Dictators as Bouncers of Europe* (Berlin: Ch. Links, 2017).

23 Annette Weber, "Eritrea", in *How Regimes Change. Post-Conflict Transitions Revisited*, ed. Hajo Gießmann and Roger Mac Ginty (Cheltenham: Edward Elgar, 2018; forthcoming).

24 On the campaign, see Nicole Hirt, "Fleeing Repression: Inside Eritrea", in *Out of Africa: Why People Migrate*, ed. Giovanni Carbone (Milan: Istituto per gli Studi di Politica Internazionale [ISPI], 2017), 95–118, http://www.ispionline.it/sites/default/files/pubblicazioni/out_of_africa_web.pdf (accessed 18 January 2018).

25 Freedom House, *Freedom in the World 2017* (see note 19).

26 Amnesty International, *Annual Report 2016/2017*, <https://www.amnesty.org/en/countries/africa/eritrea/report-eritrea/> (accessed 22 January 2018).

manded by the EU in the talks on migration cooperation, nor socio-economic improvements that would counteract the mass exodus can be implemented.

Eritrea's economy is closely linked to the small elite around President Afewerki.²⁷ The government sought to ease the pressure on the Eritrean national budget by levying a diaspora tax of 2 per cent and a forced depreciation of the national currency, the Nakfa, in 2015.²⁸ However, after sanctions were imposed on Eritrea and some countries stopped Eritrean embassies and consulates from collecting the diaspora tax, the share of foreign transfers fell by 75 per cent to less than 10 per cent of GDP.²⁹ Remittances of migrant workers and refugees from abroad have replaced social benefits. However, the latter first have to raise the money for the escape, and this is very expensive to do from Eritrea when compared to other African countries, since escape helpers and smugglers want to be paid in advance for the departure. These financial resources are therefore lost to the relatives as well as the state.

There is no reliable population data from Eritrea, nor are economic and budgetary data published.³⁰ The defence budget is estimated to be one of the highest in Africa.³¹ In 2009, the UN Security Council imposed an arms embargo on the country, as the government was suspected of supporting the Somali jihadist group Al-Shabaab. In 2017 the US government followed up with its own sanctions because the

Eritrean navy had undermined sanctions against North Korea.³² The German government stopped development cooperation with the state as early as 2008. Funds from the EU Emergency Trust Fund (EUTF) were not utilised by Eritrea.³³

Flight and migration in the region

More than 10 million people are displaced in the Horn of Africa, 7 million of them internally displaced (3.3 million in Sudan alone).³⁴ Only a small proportion of these people have the means and the desire to make their way to Europe.

The largest group of refugees in Sudan is officially comprised of more than 400,000 war refugees from South Sudan.³⁵ In reality, however, the number is much higher, as many of those affected do not register with the UNHCR but move to where relatives live. However, to the annoyance of the government in Khartoum, the group of South Sudanese hardly plays a role in the EU's migration policies. In addition, Eritrean refugees remain in the country or return to Eritrea. However, Sudan is mainly used as a transit country. In recent years, irregular emigration of Sudanese people via Libya to Europe has also increased, where 56 per cent of them were recognised as being entitled to asylum in 2015. Politically persecuted people are also moving to North America and Aus-

27 United Nations, Security Council, *Report of the Monitoring Group in Somalia and Eritrea Submitted in Accordance with Resolution 1916 (2010)*, S/2011/433.

28 On the devaluation of the Nakfa and the forced exchange, see Nicole Hirt, "Fleeing Repression: Inside Eritrea", in *Out of Africa*, ed. Carbone (see note 24), 95ff.

29 Analysts have different assessments. Before the sanctions, up to 37 per cent of GDP is spoken of, <http://www.iwim.uni-bremen.de/Dorow/kifle-Remittances-Layout-Final-7-2009.pdf>; more recent calculations are below 10 per cent and a decline of 75 per cent due to sanctions: AFDB and UNDP (ed.), *African Economic Outlook*, Eritrea für die Jahre 2013, 2014 und 2017, <http://www.undp.org/content/dam/rba/docs/Reports/African%20Economic%20Outlook%202013%20En.pdf>, <http://www.er.undp.org/content/dam/eritrea/docs/MDGs/AfricanEconomicOutlookEritrea2014.pdf?download>, http://www.africaneconomicoutlook.org/sites/default/files/2017-05/Eritrea_EN_2017.pdf (all accessed 4 April 2018).

30 Mary Harper, "Has Eritrea's Self-reliant Economy Run Out of Puff?", *BBC*, 14 July 2016, <http://www.bbc.com/news/world-africa-36786965> (accessed 16 January 2018).

31 "Eritrean Military Budget", *MilitaryBudget.org*, <http://militarybudget.org/eritrea/>.

32 "US Imposes New Sanctions on Eritrea's Navy over North Korea Links", *Voice of America*, 8 April 2017, <https://www.voanews.com/a/us-sanctions-eritrea-navy-over-north-korea-links/3802651.html> (accessed 16 January 2018).

33 See Elise Kervyn and Raphael Shilhav, *An Emergency for Whom?*, Oxfam Briefing Note (Oxfam Research EUTF for Africa, November 2017), <https://www.oxfam.org/en/research/emergency-whom-eu-emergency-trust-fund-africa-migratory-routes-and-development-aid-africa> (accessed 12 January 2018); European Commission, *The EU Emergency Trust Fund for Africa. 2016 Annual Report*, <https://ec.europa.eu/europeaid/sites/devco/files/eutf-2016-annual-report-final-en.pdf> (accessed 18 January 2018).

34 Internal Displacement Monitoring Centre, *Africa Report 2017* (see note 13); European Commission, *Better Migration Management. Annual Progress Report, 1 April 2016 to 31 March 2017*, https://ec.europa.eu/europeaid/sites/devco/files/2017-08-09-bmm-annual-progress-report-publication_en.pdf (accessed 18 January 2018).

35 UNHCR, *South Sudan Situation*, 29 June 2017 <http://data.unhcr.org/SouthSudan/download.php?id=3267> (accessed 18 January 2018).

tralia.³⁶ Readmission agreements with Sudan have been concluded by Italy, the EU, and Switzerland.

However, the majority of Sudanese refugees and migrants – fleeing war or looking for work – move to the surrounding countries, the Gulf States, or other Arab states.³⁷ In Chad’s border region alone, there are more than 300,000 people who cannot return to their villages in Darfur.³⁸

New to this group are Syrian refugees who fly directly to Sudan, where they receive Sudanese passports, schooling, and health care.³⁹ In Sudan itself, refugee groups from Syria, Eritrea, and South Sudan are provoking mixed reactions. Although Syrians are respected as “Arab brothers”, the growing number of Syrian businesses is considered to be unwelcome competition. Eritrean refugees, who mainly work in the services sector in the restaurant and hotel industries, are certainly recognised; if they are in the country illegally, they face the threat of exploitation, forced prostitution, and extortion if relatives abroad are to make money available for onward travel. The South Sudanese are now often treated even worse than under a common government. Many of them returned to South Sudan on the occasion of independence in 2011 and fled again to Sudan because of the renewed war in 2013. Most of them live in the slums on the outskirts of Khartoum and earn a meagre living as domestic workers or day labourers in construction.⁴⁰

36 Amira Ahmed Mohamed, “More Effective Options in Addressing Irregular Sudanese and South Sudanese Migration to Europe”, in *Escaping the Escape. Toward Solutions for the Humanitarian Migration Crisis*, ed. Bertelsmann Stiftung (Gütersloh, 2017), 245–64 (253ff.).

37 Internal Displacement Monitoring Centre, *Africa Report 2017* (see note 13).

38 Mahamat Adamou, “Sudanese Refugees in Chad Must Adapt or Starve”, *IRIN*, 9 June 2016, <http://www.irinnews.org/feature/2016/06/09/sudanese-refugees-chad-must-adapt-or-starve> (accessed 18 January 2018).

39 See “Sudan Imposes Security Clearance ahead of Citizenship for Syrian Refugees”, *Middle East Monitor*, 9 August 2017, <https://www.middleeastmonitor.com/20170809-sudan-imposes-security-clearance-ahead-of-citizenship-for-syrian-refugees/>, and “‘At Least We Are Treated as Humans’: Syrians in Sudan”, *Al Jazeera*, 7 December 2015, <http://www.aljazeera.com/indepth/features/2015/12/syrians-seek-refuge-sudan-escape-isil-assad-unhcr-151206104145843.html> (both accessed 23 January 2018).

40 Talks with an Eritrean refugee researcher and roundtable discussion with representatives of civil society and academics in Khartoum on the issue of migration and refugee policy in Sudan, Khartoum, May 2017.

Migration cooperation

The starting point for European cooperation on migration issues with Sudan was the reports of torture and extortion of Eritrean refugees who fled to Israel via the Sinai. Prior to the migration summit in Valletta in November 2015, 58 European and African ministers met in Rome in June to adopt the “EU Horn of Africa Migration Route” initiative and to set the Khartoum Process in motion (see the contribution on instruments, actors, and strategies, p. 9ff.).

By the time of the migration summit in Valletta, however, the priorities had changed due to the increase in the number of refugees to Europe in the summer and autumn. From then on, the main focus was on the prevention of uncontrolled migration movements to the EU. Following on from earlier agreements, such as those between Italy and the Libyan government under Muammar Gaddafi (see the contribution on instruments, actors, and strategies, p. 9ff.) and those with Turkey on the Aegean route, African countries should also be actively involved in the so-called migration management.⁴¹ Almost all Eritreans, Somalis, and Ethiopians travelling to Europe via the Mediterranean route must travel through Sudan and Libya. Since no government was (or is) available in Libya with which cooperation could be agreed, Sudan as a transit country and Eritrea as the main country of origin were established as important partners.

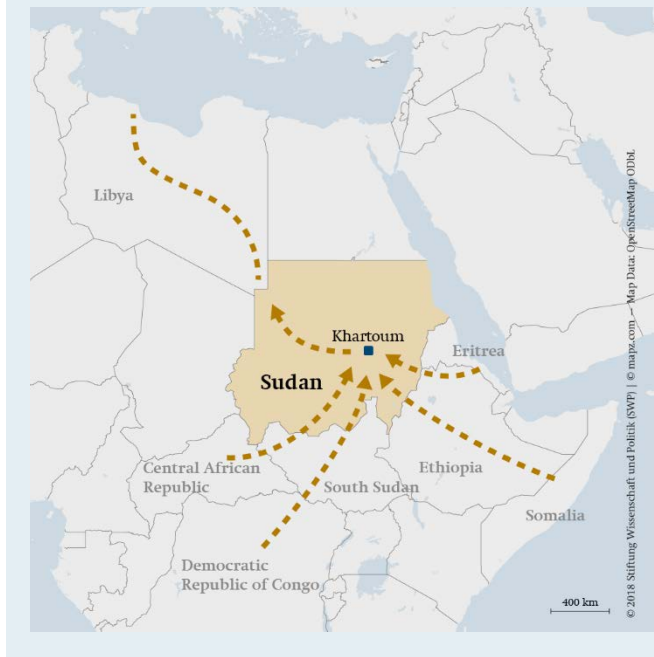
The decisive factor for the Khartoum Process and the resulting instrument of “Better Migration Management” (BMM) as well as the entire EU strategy was the fight against human trafficking, smuggling, and thus irregular migration. The BMM is led by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and provides for four components: harmonisation of national migration policies, capacity-building, protection of refugees, and general awareness of the issue. Six countries from East Africa and the Horn of Africa are partners; the focus is different in each country. The BMM is financed with €40 million from the EUTF and a further €6 million from the Federal Ministry for Economic Cooperation and Development (BMZ).⁴²

41 Talks with regional managers at the Berlin Foreign Office and in Brussels, 2014 to 2017.

42 “Better Migration Management, Project Description”, GIZ, <https://www.giz.de/en/worldwide/40602.html> (accessed 18 January 2018).

Map 2

Migration routes to and through Sudan



The EU has other objectives than the Sudanese government assumes. This leads to misunderstandings and discontent.

However, neither the states of the region nor most of the refugees regarded the BMM's approach as being particularly urgent. For the countries, the focus is on development aid and support for border security; for the refugees from Eritrea, the smugglers are facilitators, and any fight against them would not lead to improved conditions for escape. From the EU's perspective, which, in addition to war and economic crisis, also identifies political persecution and repression as the causes of flight, neither a purely development policy approach nor a securitisation of the problem is sufficient.

Three examples illustrate the different interests, assessments, and the resulting reputational risk in the area of migration cooperation.

Unclear expectation management

Although the Sudanese government assumes that the EU is primarily interested in reducing migration figures, it formulates as its goals the fight against the causes of flight as well as improvement in the resili-

ence and living conditions of the people on the ground. This leads to misunderstandings and discontent.

The government in Sudan is taking a robust approach to securing its own borders because of its – correct – perception that Europe has a great interest in ensuring that refugees remain in their region of origin. It hopes to be able to record this as a migration regulation activity vis-à-vis the EU. However, it overlooks the fact that the EU cannot tolerate border protection by state-funded militias that violate the human rights of refugees. The latter, on the other hand, hopes that development-based measures will encourage people to stay – measures that, however, do not reach the majority of the refugees and are therefore irrelevant to their decisions about continuing their journeys.

Migration cooperation between the EU and Sudan began with poor public relations: For almost a year, the wish list of the Sudanese Interior Ministry for border security assistance was the only publicly accessible document concerning the state of cooperation between Sudan and the EU within the framework of the BMM.⁴³

For the Sudanese government, migration cooperation was an opportunity to highlight its situation as a transit country, especially for Eritrean refugees. Improved border management using helicopters, detention cells, and the biometric recording of people crossing borders were considered a priority by the Ministry of the Interior in Khartoum.⁴⁴ The BMM hardly meets these requirements. The eight planned EUTF and BMM projects will focus on other components such as harmonising migration policies, improving livelihoods, and protecting refugees, for example in eastern Sudan on the Eritrean border. Although logistical and political coordination with the governments of the countries takes place, implementation in Sudan is largely carried out through (Western) NGOs. GIZ is examining several projects and locations, but less than a year after the start of the BMM, no final decisions had yet been reached.⁴⁵

⁴³ European Commission, *The European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa. Action Fiche for the Implementation of the Horn of Africa Window*, 13, https://ec.europa.eu/europeaid/sites/devco/files/t05-eutf-hoa-reg-09-better-migration-management_en.pdf (accessed 18 January 2018).

⁴⁴ Ibid.

⁴⁵ Interview with the programme director of the BMM in Berlin, April 2017.

Only one consultant is currently active in eastern Sudan for cooperation with the police and border guards. Although this is a high priority and is at the centre of media coverage in Europe, there are no concrete projects for improving border management between Sudan and Eritrea.⁴⁶ The newly established National Committee for Combating Human Trafficking and the Commissioner for Refugees are two central bodies for the registration of refugees and the fight against smugglers. However, according to the coordinator in the Sudanese Foreign Ministry, the office of the Commissioner for Refugees is not financed by the BMM or the EUTF.⁴⁷

The Centre for Migration, Development and Population Studies in Khartoum analyses regional migration and flight movements, the return and reintegration of Sudanese, and their flight to Europe. The head of the authority criticises the EU's approach as being too short-sighted. The belief is that whatever Brussels thinks, Africa will implement. Sustainability cannot be achieved in this way.⁴⁸ The international community is not using Sudan's knowledge and experience in this area, nor does it recognise Sudan's successes, for example in the fight against organised crime. The message of both the head of the authorities and the Foreign Ministry is: Only improvements in the living conditions of refugees and locals will lead to fewer people leaving the country for Europe. This would require more development cooperation than what is being offered through the EUTF instruments. Since Germany froze development cooperation with Sudan after 1989, the projects offered by the BMM cannot be compared to conventional development cooperation and cannot be implemented directly by the government in Khartoum either. There is a lack of understanding for both. The political consequences that the refugee movement of 2015 will have in Europe are very precisely registered in the Sudanese capital city. As the main transit country of the region, it sees itself in a strong negotiating position, but it must be taken note of in the interior and foreign ministries that offers from the Sudanese side are not being acknowledged. The fact that more and more delegations are being sent to investigate, but hardly any projects are being implemented, is also generating discontent.

⁴⁶ See the dossier "Migrationskontrolle", *taz*, o. D., <https://migration-control.taz.de/#de/pages/about> (accessed 18 January 2018).

⁴⁷ Conversation in Khartoum, May 2017.

⁴⁸ Conversation in Khartoum, April 2017.

Sudan's borders are predominantly areas of conflict.

A frustrated employee of the refugee commissioner in Khartoum stated:

We've done our job. We're going after the smugglers and human traffickers. In 2014, we adopted an anti-trafficking law and established a high-level body on migration. We are investing in joint border troops on the border with Eritrea, Ethiopia, Chad, and Libya. We are also active members in the Khartoum Process. And yet nothing is implemented, there are no projects, we are not supported.⁴⁹

This assessment is often shared by local implementation organisations and embassies. However, a better management of expectations would require a clear political orientation that both the EU and Germany are trying to circumvent. Being too close to the regime is risky and small projects remain ineffective because they would require cooperation with the government. On their side, frustration is increasing as the prospects for the hoped-for normalisation of relations dwindle.

Border security – diverging interests

Sudan's borders are predominantly areas of conflict. This applies to the Horn of Africa – Sahel nexus – the area between Sudan, Libya, and Chad – where regional armed movements are active and use the respective neighbouring countries as retreats. The same applies to the border with South Sudan, which is volatile, partly because of the unclear status of Abyei, which is claimed by both countries and is currently protected by a UN mission. Also on this border, in South Kordofan and the Southern Blue Nile, the government is fighting rebel organisations that were previously part of the South Sudanese Liberation Front and are now lamenting the central state's neglect of their region. The border area between Sudan and Ethiopia is used as a transit area by armed Ethiopian opponents, but also by fighters from Sudan and South Sudan. In any case, fighters and jihadists acting

⁴⁹ Interview with the Sudanese Refugee Commission in Khartoum, April 2017, which serves as a focal point for the BMZ's "Better Migration Management" project and acts as EUTF coordinator.

between the regions roam the whole country. The regions on the borders with Egypt and Eritrea have also become increasingly conflict-ridden. There is a dispute with Egypt over the Halaib Triangle, and on the border with Eritrea the government in Khartoum is mobilising militias, since Egypt is said to have stationed military forces on the Eritrean side.⁵⁰ All these conflicts are responsible for the large number of refugees and displaced persons.

Sudan's policy of border security is ambivalent: On the one hand, it makes it more difficult to escape war and expulsion and often involves repression and war tactics. On the other hand, secure borders are necessary to protect one's own sovereignty and population. Border security also has a regulatory function in connection with migration cooperation. For Europe, the borders with Libya and Eritrea are particularly relevant; for Sudan, the borders with South Sudan and Chad play a greater role.

The decisions of the Valletta Summit and the BMM specifically refer to border control in the fight against smuggling. In May 2017, Minister of the Interior Thomas de Maizière also made border security a priority with his proposal to set up an EU border protection mission to secure Libya's southern borders in cooperation with the states of the region.⁵¹ Sudan, on the other hand, has a vested interest in making the border with Libya as impermeable as possible. There are fears about the return of Darfur rebels, who have taken on the role of mercenaries in Libya and now want to return to Sudan armed. The government is therefore setting up a Rapid Support Force under the control of the secret service, primarily composed of former Janjaweed militias, which are responsible for war crimes in Darfur.⁵² This is disastrous for a value-

oriented foreign policy and the fight against the causes of flight from the European perspective.

These troops block the onward movement of refugees from the Horn of Africa to Libya as a kind of secondary activity. For Europe's interest in reducing irregular migration across the Mediterranean, this regulation produces the desired result, whereby the Sudanese government sees itself as a border guard on behalf of the EU. For them, sending a border force is a service in the spirit of Valletta. Why this border force is not financed by the EU and why the border police requested by Refugee Commissioner General Raja Dahir are not trained is therefore incomprehensible in Khartoum.⁵³

In addition, the Sudanese government does not consider its positioning in the region to be appreciated. Whereas Khartoum is on the side of the Western-backed Libyan government of Prime Minister Fayez al-Sarraj, Western allies such as Egypt and the Emirates are also supporting the parallel government of General Khalifa Haftar in eastern Libya without reaping sanctions or criticism from the West.⁵⁴

For Europe and Germany, securing the border between Darfur and Libya, currently being carried out by Sudan, is unacceptable. Major General Mohammed Hamdan (Hameti), who uses his Rapid Support Force as border guards, is considered to be an alleged war criminal. His units are suspected of involvement in war crimes and crimes against humanity in the Darfur conflict, which has been ongoing since 2003.⁵⁵ In a press conference he gave after the capture of more than 800 refugees on the border with Libya, Hamdan nevertheless described border security as the Europeans' mission: "We are doing this for Frontex, and nobody thanks us for it."⁵⁶ This results in considera-

50 "Sudan Declares Popular Mobilization on Eritrean Border", *Sudan Tribune*, 8 January 2018, <http://www.sudantribune.com/spip.php?article64450> (accessed 18 January 2018).

51 "De Maizière fordert EU-Grenzschutzmission zwischen Libyen und Niger", *Die Zeit* (online), 14 May 2017, <http://www.zeit.de/politik/ausland/2017-05/de-maizi-re-eu-grenzschutzmission-afrika> (accessed 18 January 2018).

52 "UNAMID Handed Over Its Former Basis to Darfur Militia: Rebel Groups", *Sudan Tribune*, 9 September 2017, <http://www.sudantribune.com/spip.php?article63468>; "Sudan Not Closing Libya Border to Stop Smugglers Says Khartoum FM", *Libya Herald*, 7 September 2017, <https://www.libyaherald.com/2017/09/07/sudan-closes-border-to-stop-weapons-and-vehicle-smuggling/>; "Sudan's RSF Detain Musa Hilal Militiamen on Darfur-Libya Border", *Dabanga*, 13 August 2017, <https://www.dabangasudan.org/en/all-news/article/sudan-s-rsf-detain-musa-hilal-militiamen-on-darfur-libya-border> (accessed 18 January 2018).

53 European Commission, *Valletta Summit, 11–12 November 2015, Action Plan*, 12, http://www.consiliium.europa.eu/media/21839/action_plan_en.pdf (accessed 18 January 2018).

54 Interview with an EU representative of the Sudanese Ministry of Foreign Affairs, Khartoum, May 2017.

55 On the activities of Janjaweed, see the prosecution against one of its leaders, "The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Abd-Al-Rahman (Ali Kushayb)", ICC. ICC-02/05-01/07, <https://www.icc-cpi.int/darfur/harunkushayb> (accessed 18 January 2018).

56 Jacob and Schindwein, *Diktatoren als Türsteher Europas* (see note 22), 17ff. Read more about Hamdan in the 2008 reports from the US Embassy in Khartoum, item 6, <https://www.dabangasudan.org/en/all-news/article/sudan-s-rsf-detain-musa-hilal-militiamen-on-darfur-libya-border> (accessed 18 January 2018).

ble political risks to the reputations of Germany and the EU, which are denounced – falsely – in the media as being clients of a militia.

With regard to Eritrea, where the majority of the refugees come from, the EU is facing a completely different problem. Until 2015, the Eritrean army issued orders to shoot all those who attempted to leave the country. Eritrea denies its citizens official departure, especially since most of them want to escape the National Service.⁵⁷ EU cooperation with these same Eritrean border guards would exacerbate, not combat, the causes of the conflict. The explicit aim of the Khartoum Process and the BMM to combat smugglers and human traffickers cannot be implemented with the Eritrean security authorities either. After all, they are often the ones who earn extra money by assisting escapees.

Confusion over readmissions

As in border management, the Sudanese government sees itself as an enforcer of European wishes when it deportes Eritrean refugees to their countries of origin. However, since most European countries are not themselves deporting migrants to Eritrea because of the human rights situation, such an approach by the Sudanese border militias in the name of Europe is by no means politically opportune.

Since 2016, reports of the arrests, floggings, and deportations of Eritrean refugees from Sudan have been accumulating.⁵⁸ Even if this is certainly not the

wikileaks.org/plusd/cables/08KHARTOUM385_a.html (accessed 18 January 2018).

⁵⁷ Amnesty International, *Just Deserters: Why Indefinite National Service in Eritrea Has Created a Generation of Refugees*, AFR 64/2930/2015 (December 2015), https://amnesty.org.pl/wp-content/uploads/2016/02/Raport_Just-deserters_11_2015.pdf (accessed 18 January 2018).

⁵⁸ “EU Urged to End Cooperation with Sudan after Refugees Whipped and Deported”, *The Guardian*, 27 February 2017, <https://www.theguardian.com/global-development/2017/feb/27/eu-urged-to-end-cooperation-with-sudan-after-refugees-whipped-and-deported> (accessed 2 April 2018); see also the report “Flüchtlingsdeals mit ostafrikanischen Machthabern?” of ARD-Magazin’s *Monitor* from 14 April 2016, [intention of European and German migration policy, the German Federal Government is held jointly responsible for this in public discourse, both in Germany and in Sudan. At the same time, Khartoum is bothered by European media reports of the violent repatriation of Eritrean refugees by the Sudanese authorities. The Sudanese Commissioner for Europe accuses the Europeans of hypocrisy:](http://www.ardmediathek.de/tv/Monitor/FI%C3%BCchtlingsdeals-mit-ostafrikanischen-Ma/Das-Erste/Video?bcastId=438224&documentId=34691418; Kristy Siegfried, “Sudan and Eritrea Crackdown on Migrants amid Reports on EU Incentives”, IRIN, 25 May 2016, http://www.irinnews.org/news/2016/05/25/sudan-and-eritrea-crackdown-migrants-amid-reports-eu-incentives (accessed 18 January 2018).</p>
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Europe wants to return people to Eritrea, but they have no coherent policies, they do politics according to the mood of the day, sometimes people are sent back, sometimes they receive travel documents. You want to send Eritreans back, but you don’t want to do it yourself. If we do it for them, there’ll be trouble.⁵⁹

If one considers the previous considerations, the interests of the EU and the government in Sudan only overlap in a few fields.⁶⁰ Both are keen to see the region become more stable, jihadism contained, and the situation of the population improved. Sudan wants relations to return to normal, the ICC’s case against President Bashir to end, economic sanctions to be lifted completely, and debt relief to be granted. Europe wants fewer human rights violations, improved migration management, and a higher rate of return of Sudanese refugees whose asylum applications in Europe are not successful.

In both areas – the regulation of migration and the readmission of rejected asylum seekers – Sudan sees itself as having the greater leverage.

Conclusion: Directed past each other

The Sudanese government has high expectations for the EU’s migration policies. The government in Khartoum and the implementing organisations are expecting support in the areas of border management and security, caring for refugees in the country – in-

⁵⁹ Meeting at the Foreign Ministry, Khartoum, April 2017; Tesfa-Alem Tekle, “UNHCR Urges Sudan to Halt Forcibly Deporting Eritreans”, *Sudan Tribune*, 3 June 2016, <http://www.sudantribune.com/spip.php?article59178> (accessed 18 January 2018).

⁶⁰ European Commission, *Joint Commission-EEAS Non-paper on Enhancing Cooperation on Migration, Mobility and Readmission with Sudan* (Brussels, 16 March 2016), <http://statewatch.org/news/2016/mar/eu-com-eeas-readmission-sudan-7203-16.pdf> (accessed 18 January 2018).

cluding those who do not want to travel on to Europe – and above all a coordinated and common European policy. In all discussions on the topic of migration in Sudan, the demand “coordinate!” is heard sooner or later. There is displeasure about coordination meetings that do not involve relevant partners and an excess of delegations travelling through Khartoum and to the borders that take up a lot of time but produce few results.

Sudan wants to free itself from the nimbus of a rogue state and establish a partnership with the West.

The government in Khartoum faces a variety of instruments, offers, and ideas within the framework of migration partnerships with the EU. For the government in Khartoum, this signals an urgent interest of Europeans to find a solution to a European problem as soon as possible. Sudan therefore hopes to receive financial support for equipment and training to help reduce irregular migration across the Mediterranean. Following the agreement between the EU and Turkey on 18 March 2016, the government was prepared to conclude a similar deal with the EU.⁶¹ The fact that this has not happened has led to growing frustration in Khartoum because they do not see their proactive approach being appreciated and are disappointed by the small-scale migration projects that are not meeting their expectations. Moreover, European migration policies do not provide a coherent strategic direction for negotiating a convergence of interests.

The interests of the Eritrean government are far less clear, as the country has the highest percentage of refugees and has not shown the slightest tendency towards eliminating the causes of political flight. In the cooperation between the EU and Eritrea, the flow of communication is also significantly slower. From the regime’s point of view, cooperation is essentially due to the need to generate foreign exchange and cushion economic decline – but not at the price of ideological compromises or political concessions.

Sudan, on the other hand, wants to free itself from the nimbus of a rogue state and achieve a partnership with the West that is based on economic cooperation

and investment. In its view, the possibility of such a normalisation of relations arises from successful migration cooperation with Europe and the lifting of economic sanctions currently being negotiated with the US administration. The geostrategic shifts in the Horn of Africa and the Sahel make the country an important player, primarily in the fight against terrorism, but also in the difficult Nile water negotiations between Egypt and Ethiopia. It is in the mutual interest of all actors to improve relations.

Change of perspective: European interests

The EU and Germany are in a dilemma over their cooperation with states in the region. The expansion and improvement of development cooperation is not an instrument that brings about rapid solutions and generates visibility. On the other hand, close cooperation with the security forces of authoritarian and repressive countries carries the risk of supporting groups and individuals who have committed war crimes or are involved in human rights violations. The European member states must decide whether they really want to create better conditions for people in their regions of origin in the long term or reduce the number of refugees arriving in Europe in the short term. Instead of combating the causes of flight, the issue would then be the security of Europe’s external borders, for which other mechanisms and negotiation processes would be necessary.

The basic problem often lies in the paradox of European migration policies and their mediation. The EU and Germany are pursuing tough security goals: reducing irregular migration and prosecuting smugglers and human traffickers. The programmatic design and the migration projects under consideration, however, focus on improving living conditions and managing migration. Aims and programmes are not very congruent. Moreover, when working with repressive regimes, which are widely seen more as being a cause of flight than as a remedy, the contradiction becomes even clearer.

For the government in Khartoum, the ambiguity of migration cooperation is irritating and disappointing.

The example of Sudan shows how necessary it is to reach a political decision: If the focus is on soft targets – such as improving living conditions for the population and the refugees – then comprehensive develop-

⁶¹ Talks in the Sudanese Foreign Ministry, Khartoum, May 2017; European Council, “Erklärung EU – Türkei”, 18 March 2016, <http://www.consilium.europa.eu/de/press/press-releases/2016/03/18-eu-turkey-statement/> (accessed 18 January 2018).

ment aid projects are needed, but their implementation does not mean the rapid end of irregular migration. If combating the causes of flight through development is the policy of choice, the German government would also have to reconsider its position adopted after the 1989 coup to discontinue development cooperation with Sudan.

However, if tough security goals such as border security and criminal prosecution are sought, Germany and the EU must be aware that direct cooperation with a repressive, authoritarian state that employs human rights criminals as security forces entails an undeniable risk to its reputation. Finally, the question arises as to why cooperation with the security authorities of this state is conceivable, but not development cooperation.

For the government in Khartoum, the ambiguity surrounding migration cooperation is annoying and disappointing. It requires clarification and thus puts the German Federal Government and the EU under pressure.

Stephan Roll

Egypt: Migration Policy and Power Consolidation

Introduction

At a meeting with the Office of the United Nations High Commissioner for Refugees (UNHCR) in September 2014, Egyptian President Abdel Fatah al-Sisi stressed his country's efforts to tackle the refugee crisis. According to Sisi, Egypt hosts more than five million refugees, even though the country itself is facing serious economic problems.¹

What initially sounded like a cautious cry for help to the international community became an increasing threat in the following years. Thereby, the primary aim of the government was not to raise aid in the area of refugee policy. Although more and more people had fled to Egypt as a result of the regional crises and wars, the number was far lower than officially stated. At least the country was by no means exposed to a burden comparable to that of Syria's neighbours: Measured against their total populations, those countries had hosted significantly more refugees.²

Against the background of the refugee crisis in Europe, the Sisi administration saw its opportunity to generate urgently needed financial aid on the migration issue without having to make concessions with regard to political reforms that might jeopardise its own consolidation of power. Accordingly, it designed its migration policy approach in a reactive way that was oriented towards the interests and goals of European policy, but by no means followed a defensive logic of action.

¹ "Almost 5 mln Refugees in Egypt: Sisi", *Aswat Masriya*, 6 September 2014, <http://en.aswatmasriya.com/news/details/9536> (accessed 1 April 2018).

² For an overview, see Björn Rother et al., *The Economic Impact of Conflicts and the Refugee Crisis in the Middle East and North Africa*, IMF Staff Discussion Note SDN/16/08 (Washington, D.C.: International Monetary Fund [IMF], September 2016), <https://www.imf.org/external/pubs/ft/sdn/2016/sdn1608.pdf> (accessed 1 April 2018).

Starting point: Egypt as a destination, transit country, and country of origin of migration

Due to its size and geographical location, Egypt has always been a destination for migration. Especially since the 20th century, African migrant communities have been forming here, mainly in the large metropolises of Cairo and Alexandria. The majority of job seekers and refugees have been of Sudanese origin, not least because Sudanese did not need a visa for entry until 1995.³ However, the figures vary greatly. The claim often made in the literature — that the Sudanese community in Egypt alone comprises several million people — is not based on reliable data.⁴ There are some indications that these figures are too high.⁵

In the second half of the last century, many refugees from other Arab countries came to Egypt, including an estimated 70,000 Palestinians, who had to leave their homes during the 1948 and 1967 wars. The largest group of officially registered refugees are now Syrians. As a consequence of the Syrian civil war,

³ Françoise De Bel-Air, *Migration Profile: Egypt*, Policy Brief 2016/01 (Florence: Migration Policy Centre, European University Institute, February 2016), http://cadmus.eui.eu/bitstream/handle/1814/39224/MPC_PB_2016_01.pdf (accessed 1 April 2018).

⁴ Michael Kagan, "From the Archives: Troublesome Refugee Statistics and the Case of Sudanese in Egypt", *RSDwatch*, 15 January 2014, <https://rsdwatch.com/2014/01/15/from-the-archives-troublesome-refugee-statistics-and-case-of-sudanese-in-egypt/> (accessed 1 April 2018).

⁵ It is often unclear whether Egyptians of Sudanese origin who have lived in the country for generations are also counted as part of the Sudanese community. For an overview of the Sudanese migrant community, see Anita H. Fábos, *Brothers or Others?* (New York, NY, and Oxford: Berghahn Books, 2008).

their number increased rapidly, from less than 1,000 in July 2012 to more than 138,000 in January 2015.⁶

In the absence of its own asylum legislation, refugee status is recognised through the UNHCR, with which Egypt has maintained an agreement since 1954. In addition to the refugees registered with the UNHCR, however, there are a large number of unregistered refugees and migrants. The Egyptian government occasionally speaks of a total of 500,000 people in the case of the Syrians – a figure that experts classify as too high.⁷

Information on the costs incurred by Egypt as a result of the influx from abroad is also by no means certain. With regard to Syrian refugees, the government puts the financial burden of providing subsidised food and free access to education and health care at \$200–\$300 million annually.⁸ On the other hand, there are reports that the Syrian community itself invested up to \$800 million in the Egyptian economy between 2011 and 2016.⁹ Accordingly, Syrians in particular have likely made a significant contribution to job creation in recent years.

However, most of the refugees and migrants stranded in Egypt do not consider the country as their final destination, but as a stopover.¹⁰ Regis-

tered refugees, for example, hope that the UNHCR will resettle them in a third country. Others try to leave the country on their own. This development is not new. Between 2006 and 2012, thousands of migrants from African countries, above all Sudan and Eritrea, crossed Egyptian territory via Sinai to Israel. As a result, not only smuggling but also human-trafficking structures developed. African migrants were partly kidnapped in order to extort ransom money, or even fell victim to organ traders.¹¹ Only the construction of a border fence on the Israeli side and the civil war–like conflict in North Sinai have led to a drastic decline in transit migration since the end of 2012.¹²

Egypt is likely to gain importance as a country of origin for migration.

Instead, irregular migration via the Egyptian Central Sea coast to Europe increased. On the one hand, there was a partial shift in the migratory routes. Both the actual closure of the Sinai route and the increasingly difficult conditions on the central Mediterranean route via Libya were decisive in this regard. On the other hand, the number of locals who tried to leave their land by sea also increased: While between 2009 and 2012 around 4,000 Egyptian migrants were registered who arrived in Italy irregularly,¹³ between 2013 and 2016 there were well over 13,000 (Table 2, p. 65).¹⁴

In relation to the overall sharp increase in the number of refugees and migrants, these figures were negligible. However, European decision-makers were

6 Ayman Zohry and Khaled Hassan, “Human Mobility in the Euro-Mediterranean Region: The Case of Egypt”, in *Escaping the Escape*, ed. Bertelsmann Stiftung (Gütersloh: Verlag Bertelsmann Stiftung, 2017), 183–96.

7 Omar Karasapan, “Who Are the 5 Million Refugees and Immigrants in Egypt?”, Brookings, Future Development, 4 October 2016, <https://www.brookings.edu/blog/future-development/2016/10/04/who-are-the-5-million-refugees-and-immigrants-in-egypt/> (accessed 1 April 2018).

8 “Egypt Hosts Five Million Refugees: Foreign Ministry”, *Egyptian Streets*, 1 September 2016, <https://egyptianstreets.com/2016/09/01/egypt-hosts-five-million-refugees-foreign-ministry/>; United Nations Office for the Coordination of Humanitarian Affairs, *Regional Refugee & Resilience Plan 2015–16: Egypt*, 5, <http://www.unocha.org/sites/dms/Syria/3RP-Report-Egypt.pdf> (both accessed 1 April 2018).

9 United Nations Development Programme, *Jobs Make the Difference – Expanding Economic Opportunities for Syrian Refugees and Host Communities* (5 April 2017), 62, <http://www.arabstates.undp.org/content/rbas/en/home/library/crisis-response0/jobs-make-the-difference.html> (accessed 1 April 2018).

10 Many migrants realise after their arrival in Egypt that travelling to Europe is much more difficult than expected and are therefore forced to stay. International Organization for Migration (IOM), *Migration Trends across the Mediterranean: Connecting the Dots* (June 2015), 66, <https://publications.iom>.

int/system/files/altai_migration_trends_across_the_mediterranean.pdf (accessed 1 April 2018).

11 See Martin Gehlen, “Ermordet, gequält und ausgeweidet”, *Die Zeit* (online), 15 January 2013, <http://www.zeit.de/wissen/gesundheit/2013-01/organraub-beduinen-sinai-egypten-menschenrechtsausschuss> (accessed 1 April 2018).

12 Gideon Israel, “Why Israel’s Border Fence Worked”, *Mida* (online), 21 February 2017, <http://mida.org.il/2017/02/21/israels-border-fence-worked/> (accessed 1 April 2018).

13 Author’s calculation, data source: Philippe De Bruycker, Anna Di Bartolomeo, and Philippe Fargues, *Migrants Smuggled by the Sea to the EU*, Research Report 2013/09 (Florence: Migration Policy Centre, European University Institute, 2013), <http://cadmus.eui.eu/bitstream/handle/1814/29459/MPC-RR-2013%2009.pdf?sequence=1&isAllowed=y> (accessed 1 April 2018).

14 This increase is clearly put into perspective when we consider the period 2004–2007, when more than 10,000 Egyptians reached Italy by sea. Against the background of the acute refugee crisis, however, such considerations were hardly made in the European capitals.

reminded of the potential that Egypt could have as the country of origin of migration. The population development of the country plays a central role here. Egypt will have well over 100 million inhabitants in 2020. Of these, more than two-thirds are younger than 29 years, implying that some 600,000 young Egyptians will enter the labour market every year. In order to create sufficient employment opportunities for these new employees – and at the same time reduce high unemployment levels that are, presumably, well above the officially reported 12 per cent – the country would need continuous economic growth rates of well over 6 per cent.¹⁵ Egypt is far from that.¹⁶

It is also important, however, that the previous target countries of Egyptian labour migration have become significantly less attractive. In neighbouring Libya, where it is estimated that up to two million Egyptians had been working before the start of the civil war in 2011, only a few hundred thousand Egyptian guest workers are still employed today.¹⁷ Conditions in Saudi Arabia, currently the most important destination for labour migration, have also deteriorated significantly since 2011. In view of the “Saudization” of the labour market by the government, the future is uncertain for many of the 1.3 to 2 million Egyptian guest workers.¹⁸

Against this background, future scenarios predicting that more than 2.7 million Egyptians could be tempted to leave their country by 2030 appear par-

ticularly relevant from a European perspective.¹⁹ It is true that no statements can be made as to what extent those who are willing to migrate are also willing to do that in an irregular way via the dangerous sea route. However, Egypt’s fundamental importance as a country of origin for migration to Europe is likely to increase.

Migration policy interests

In summer 2013, the military coup against Egypt’s first freely elected president, the Muslim brother Muhammad Mursi, paved the way for Abdel Fatah al-Sisi, then Minister of Defence, to take power and to get himself elected as president in June 2014.

In this highly volatile phase of establishing a new ruling regime, migration policy was of limited interest to political decision-makers. In the first six months following the coup, the issue was seen solely from the point of view of internal security. Migrants and especially Syrian refugees, to whom President Mursi had generously offered asylum, were now regarded by the Egyptian security establishment as an acute threat. They were said to be close to the Muslim Brotherhood,²⁰ whose members and structures the new political leadership fought with all means. Consequently, the new administration had no interest in offering the Syrians already in the country a longer-term prospect to stay. Above all, however, it was fundamentally opposed to take in new refugees. It was only in 2014 – after the resistance to the military’s assumption of power had largely been broken – that the government began to focus more strongly on migration policy, but primarily from an economic

15 European Bank for Reconstruction and Development, *Private Sector Diagnostic Egypt* (London, March 2017), 2, <http://www.ebrd.com/cs/Satellite?c=Content&cid=1395255626323&d=&pagename=EBRD%2FContent%2FDownloadDocument> (accessed 1 April 2018).

16 Between 2014 and 2016, growth in gross domestic product (GDP) averaged less than 4 per cent.

17 However, it is remarkable that, despite a travel ban to Libya imposed by the Sisi administration in 2015, Egyptians are still trying to cross the border into a country in a civil war – the prospects for work in their own country are too poor. Hassan Abdel Zaher, “Despite Risks, Egyptian Workers Cross into Libya”, *The Arab Weekly*, 29 October 2017, <http://www.thearabweekly.com/Society/9558/Despite-risks%2C-Egyptian-workers-cross-into-Libya> (accessed 1 April 2018).

18 For example, the introduction of a tax for the family members of migrant workers is likely to significantly reduce the attractiveness of the kingdom as an at least temporary destination for many Egyptians. “Saudi Arabia’s Dependent Fees Leave Egyptian Expats in Dire Straits”, *Gulf Insider*, 17 July 2017, <http://www.gulf-insider.com/saudi-arabias-dependent-fees-leave-egyptian-expats-dire-straits/> (accessed 1 April 2018).

19 See Michael Bommers, Simon Fellmer, and Friederike Zigmann, “Migration Scenarios: Turkey, Egypt and Morocco”, in *Migration from the Middle East and North Africa to Europe*, ed. Michael Bommers, Heinz Fassmann, and Wiebke Sievers (Amsterdam: Amsterdam University Press, 2014), 271ff. In the scenarios calculated here, the actual potential for migration to Europe is considerably lower, since the Egyptian migrant community in Europe is so far very small and will therefore only have a very limited “pull factor” effect for compatriots. However, the scenarios do not take into account any “crowding out effects” resulting from the crises and isolation tendencies described here in the classical target countries of Egyptian migration.

20 See Jasmin Fritzsche, “Egypt’s Others”, *Sada*, 5 November 2013, <http://carnegieendowment.org/sada/fa=53501> (accessed 1 April 2018).

point of view due to the steadily deteriorating economic situation.

Initially, the interest of the state leadership was primarily directed towards Egyptian labour emigration. The aim was to achieve the highest possible level of remittances from Egyptian guest workers from abroad to their home country. In the extremely tense economic and political situation, such revenues had become increasingly important for the Egyptian national budget, but above all for the country's foreign exchange control: The transfer payments of Egyptians living abroad reached a 17-year high in terms of GDP in 2012/2013.²¹ These were indispensable foreign currencies for continuing to service the government's liabilities in foreign currency. In addition, in view of the growing pressure on the Egyptian labour market and the desolate social systems, the emigration of young people was not inconvenient for the political leadership. This applied both to migrants trapped in Egypt and to those young Egyptians who were becoming increasingly dissatisfied with their living conditions.

The Sisi administration saw the refugee crisis in Europe 2015 as an opportunity to receive financial support to overcome its own financial crisis.

With the escalation of the refugee crisis in Europe – and since the summit of European and African leaders in Valletta at the end of 2015 – the Sisi administration began to see the issue of irregular migration from a new perspective. In the announcement of the European Union (EU) to focus more than before on measures to combat the causes of flight and migration, Cairo saw an opportunity to receive help in coping with its own economic crisis, but above all with the crisis in public finances.

This situation was extremely acute at the end of 2015. The three Gulf countries Saudi Arabia, the United Arab Emirates, and Kuwait, which transferred billions of dollars in loans and donations to Cairo after the military coup in 2013, were not willing to finance Egypt's national deficit of well over \$30 bil-

lion (2014/2015) on a permanent basis.²² The threat of insolvency therefore became the central challenge for the further consolidation of power of the new political leadership.²³ From then on, Cairo saw migration policy primarily as a bargaining chip in the negotiations on international financial assistance.

Strategies and political action

On the surface, the migration policy pursued by Egypt after 2013 appears arbitrary, uncoordinated, and ill-considered, but the course of action was by no means haphazard. Rather, it was oriented towards the interests of the Sisi administration outlined above, which changed between 2013 and 2017. Although, at the beginning, repression against refugees and migrants was in the foreground, later on the new rulers saw the topic of migration increasingly from a foreign policy and economic point of view. Accordingly, the establishment and development of an institutional migration policy framework was not accompanied by concrete measures against irregular migration. These would have led, in particular, to better control of the Egyptian maritime border. Rather, such measures were the subject of negotiations on financial assistance that the Egyptian government conducted with European states and the International Monetary Fund (IMF) in summer 2016.

Dealing with Syrian refugees

Immediately after the military coup in 2013, the new leadership in Cairo made an abrupt turn in its policy towards Syrian refugees.²⁴ The military-led government underlined Egypt's continuing willingness to

²² In particular, the change of government in Saudi Arabia at the beginning of 2015 caused a stir in Cairo. The foreign policy course of the new Saudi king, Salman, was considered uncertain and fears of a cessation of Saudi financial aid rose accordingly. See Stephan Roll, *Egypt's Foreign Policy after the Coup. Change in Strategy to Secure Power*, SWP Study 16/2016 (Berlin: Stiftung Wissenschaft und Politik, August 2016), 12 and 16.

²³ *Ibid.*, 11.

²⁴ Maggie Fick, "Egyptian Welcome Mat Pulled out from under Syrian Refugees", *Reuters*, 12 September 2013, <http://www.reuters.com/article/us-syria-crisis-egypt-refugees/egyptian-welcome-mat-pulled-out-from-under-syrian-refugees-idUSBRE98B0OE20130912> (accessed 1 April 2018).

²¹ See The World Bank, "Personal Remittances, Received (% of GDP)", <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=EG> (accessed 1 April 2018).

help at international forums.²⁵ Syrian refugees are on an equal footing with Egyptians, especially with regard to education and medical care. According to the Egyptian Foreign Ministry, they would continue to receive visas, so they would not have to fear fundamental changes under the new administration.

In practice, however, the visa policy towards Syrians has been drastically tightened. The procedure established under President Mursi, whereby Syrian refugees could enter the country on tourist visas issued at the border, was abolished. Instead, Syrians had to apply for visas at the Egyptian embassy in Damascus and undergo a security check – a procedure that almost brought the influx of refugees from Syria to a standstill.²⁶

Above all, however, security forces took massive action against the Syrian refugees already living in Egypt, but also against Palestinian refugees coming from Syria. Under the pretext of the fight against terrorism, hundreds of them were imprisoned,²⁷ and some, especially Palestinians, were even deported to Damascus against their will. The police repression was accompanied by inflammatory propaganda. Media outlets close to the government portrayed Syrian refugees as the “fifth column” of the Muslim Brotherhood, which had to be fought.²⁸

It was not until spring 2014 that the Egyptian authorities tempered their hard course again. Family reunification, for example, has become much easier. Nevertheless, the repression had a noticeable effect. Since July 2013, the number of new registrations with the UNHCR has fallen significantly, and from summer 2014 onwards, there has been a decline not only in new registrations but also in the number of registered

persons.²⁹ The number of refugees fell from 138,212 in January 2015 to 116,013 in January 2017,³⁰ with Syrian refugees apparently increasingly trying to leave the country irregularly by sea. The expansion of trafficking networks and related “infrastructure” facilitated irregular migration also for members of other migrant groups, especially those with African origins. Although they were not subjected to systematic, politically motivated attacks like the Syrian refugees after the military coup, racially motivated harassment and mistreatment as well as inadequate protection by Egyptian security forces were also reported in their communities. Above all, however, their already difficult economic and social situations have deteriorated steadily since 2011.³¹

Redesigning the legal and institutional framework

From spring 2014 onwards, the government has put the issue of labour migration of Egyptians on the political agenda. Even before his election to the presidency, Abdel Fatah al-Sisi stated: “There are over 9 million Egyptians living abroad. They all were educated in Egypt’s schools and universities and lived on Egyptian soil. Did any of them think to give one month’s salary for the poor in Egypt?”³² After taking office, Sisi tried to siphon off this “source of financing” through concrete measures for the state budget. These efforts were reflected not only in the introduc-

25 3RP, “Government of Egypt, United Nations and Partners Launch Major Aid Plan for Syrian Refugees in Egypt and Host Community”, in *3RP – Regional Refugee & Resilience Plan 2018–2019*, 17 February 2015, <http://www.3rpsyriacrisis.org/news/government-egypt-united-nations-partners-launch-major-aid-plan-syrian-refugees-egypt-host-community/> (accessed 1 April 2018).

26 De Bel-Air, *Migration Profile: Egypt* (see note 3); Andreas Gorzewski, “Driven Out of Egypt”, *Qantara.de*, 24 October 2013, <https://en.qantara.de/node/1712> (accessed 1 April 2018).

27 Amnesty International, *Egypt: End Deplorable Detention and Deportation of Refugees from Syria*, 17 October 2013, <https://www.amnesty.org/en/latest/news/2013/10/egypt-end-deplorable-detention-and-deportation-refugees-syria/> (accessed 1 April 2018).

28 Fritzsche, “Egypt’s Others” (see note 20).

29 It can hardly be proven that this trend can be attributed exclusively to the political changes in Egypt. However, other analyses also conclude from the temporal correlation of both developments that there is at least one connection here. See e.g. Maysa Ayoub and Shaden Khallaf, *Syrian Refugees in Egypt: Challenges of a Politically Changing Environment*, *Cairo Studies on Migration and Refugees*, Paper 7 (The American University in Cairo, School of Global Affairs and Public Policy, 2014), 10, <http://schools.aucegypt.edu/GAPP/cmrs/Documents/Final%20Syrian%20refugees.pdf> (accessed 1 April 2018).

30 See Zohry and Hassan, “Human Mobility” (see note 6), 185, and Table 2, 65.

31 See on Sudanese migrants, Tom Rollins, “Ten Years of Waiting: Sudanese Refugees Stuck in Egypt”, *Middle East Eye*, 12 August 2015, <http://www.middleeasteye.net/news/everyone-was-just-watching-420605811> (accessed 1 April 2018).

32 Mohamed El Dahshan, “Does General Sisi Have a Plan for Egypt’s Economy?”, *Foreign Policy*, 18 April 2014, <http://foreignpolicy.com/2014/04/18/does-general-sisi-have-a-plan-for-egypts-economy/> (accessed 1 April 2018).

tion of a new tax for foreign residents,³³ but above all in the creation of a state ministry for “Emigration and Egyptian Expatriates Affairs”.³⁴

However, the new “Emigration Ministry” was not given any responsibility for the issue of irregular migration. To enhance the capacity to act in this area, but above all to demonstrate to international donors that the state is capable of acting, the government set up the National Coordinating Committee for Combating and Preventing Illegal Migration (NCCPIM) in March 2014. It is composed of representatives of seven ministries and reports directly to the prime minister.³⁵

The declared task of this inter-ministerial body – organisationally assigned to the Foreign Ministry – was to draft a national strategy and a legal framework to combat irregular migration. In reality, however, the main objective was to create an institutional contact point for foreign development aid organisations and enable Egypt to take a regional lead in international negotiations related to the migration issue.³⁶

Career diplomat Naima Gabr was appointed head of the NCCPIM. Gabr had already headed an inter-ministerial body set up in 2007 to combat and prevent human trafficking. This was later merged with the new NCCPIM. Through her former assignments, she had the relevant experience, both with the necessary coordination processes within the administration and in conducting negotiations with international organisations or foreign embassies.³⁷

33 These include income earned by Egyptians living abroad that was not previously taxed. “Sisi Introduces Taxes on Revenue Earned Abroad”, *Mada*, 2 July 2014, <https://www.madamasr.com/en/2014/07/02/news/u/sisi-introduces-taxes-on-revenue-earned-abroad/> (accessed 1 April 2018).

34 Until then, responsibility for the interests of Egyptian guest workers had been with a Minister of State, who in turn was subordinate to the Ministry of Labour and Emigration. See Ayman Zhory, *Migration and Development in Egypt* (online: Berlin, 2007), http://policydialogue.org/files/events/Zohry_Migration_Development_Egypt.pdf (accessed 1 April 2018). In many reports, the Arabic name of the “Ministry of Emigration and Egyptians Affairs Abroad” is erroneously translated as “Ministry of Immigration”.

35 See <http://nccpimandtip.gov.eg/about-nccpim/> (accessed 1 April 2018).

36 See “Nationale Strategie zur Bekämpfung und Verhinderung illegaler Migration” (Arab.), on file with the author.

37 Among other functions, Gabr was the personal assistant to Susanne Mubarak, the wife of the president, in the 1990s, and in this respect was closely associated with the then power centre.

Legislative procedures have been protracted.

In fact, the NCCPIM drafted a new law to combat illegal migration that was submitted to the government and ratified by the Egyptian parliament in October 2016.³⁸ The law makes smuggling of human beings a punishable offence, illustrating that legal progress is being made. However, the text of the law does not provide for any rules on the status of refugees in Egypt. Therefore, an asylum system was not established. Moreover, the government’s assertion that refugees are “decriminalised” and that only smuggling is punishable is not correct. Even with the law, crossing the Egyptian border without permission remains a criminal offence. In the absence of an asylum system, therefore, refugees are at the mercy of the police, as long as they are not granted status by the UNHCR – a process that can take months – provided they reach a UNHCR office.³⁹

Above all, however, the legislative process took a disproportionate two and a half years. Drafting and ratification were delayed, indicating that the Sisi administration was in no hurry to combat trafficking. Rather, it is difficult to avoid the impression that the increase in smuggling activities, and thus the increase in irregular migration to Europe, has been deliberately approved – or at least that the state authorities have made no effort to prevent it.⁴⁰ The security apparatus has done as little to combat tugs as it has to combat trade in boats.⁴¹ On the contrary, there have been repeated indications that Egyptian security

38 Law no. 82/2016, “Law on Combating Illegal Migration & Smuggling of Migrants”, <http://nccpimandtip.gov.eg/the-legislation/> (accessed 1 April 2018).

39 See as detailed criticism of the law: Human Rights Watch, “Egypt: Immigration Law Lacks Key Protections”, 15 December 2015, <https://www.hrw.org/news/2016/12/15/egypt-immigration-law-lacks-key-protections> (accessed 1 April 2018).

40 For 2015, see Mohamed Abdel Salam, “Egypt’s Responsibility in the Mediterranean Refugee Crisis”, *Atlantic Council*, 1 May 2015, 3, <http://www.atlanticcouncil.org/blogs/menasource/egypt-s-responsibility-in-the-mediterranean-refugee-crisis> (accessed 1 April 2018).

41 Wooden boats for the Libya route were also reportedly imported from Egypt. See EUNAVOR MED – Operation SOPHIA, *Six Monthly Report: June, 22nd to December, 31st 2015*, 7, <https://wikileaks.org/eu-military-refugees/EEAS/EEAS-2016-126.pdf> (accessed 1 April 2018).

forces are also involved in the human-trafficking business.⁴²

Bargaining about financial assistance

The lack of action by the security forces against human trafficking and the lack of control of the Egyptian maritime border with the Mediterranean have caused the number of those who set out irregularly from Egypt to Europe to increase since 2014 (Table 2, p. 65). Although Egyptian security forces have repeatedly picked up refugees and migrants in the coastal region in a media-effective manner.⁴³ However, in spring and summer 2016, in particular, a significant increase was observed in Italy. The European Border and Coast Guard Agency (Frontex) was correspondingly alarmed, according to a report: “From 1 January to 14 August 2015, a total of 6,021 migrants were apprehended while trying to reach Italy from Egypt. During the same period in 2016, this number increased by ~96% to 11,801, confirming Egypt as the main alternative route to Italy.”⁴⁴ There was also an increase in the number of Egyptians, especially unaccompanied minors, trying to reach Europe via the Mediterranean.

The passiveness of the security forces also remained unchanged when refugee ships apparently sailing from the Egyptian Mediterranean coast sank. Hundreds of refugees and migrants drowned in these tragedies, especially from Egypt, Syria, and sub-Saharan Africa.⁴⁵ It was by no means the lack of technical

requirements that explained the absence of government action, both in terms of preventing irregular migration and in terms of rescue measures.⁴⁶

Instead, a political decision was needed but not made before September 2016. Almost overnight, security forces hermetically sealed off the Egyptian Mediterranean coast. An irregular departure from the country by sea became practically impossible, the route to Europe closed: Between October 2016 and December 2017, apparently fewer than 100 migrants arrived in Italy who had debarked from Egypt. This abrupt change in migration policy by the Sisi administration came as no surprise. It was preceded by a complex process of negotiations on international financial aid, during which the Egyptian government seemed to be extremely clever in using the closure of the maritime border as a bargaining chip, knowing how to take advantage of Europeans’ fears of relocating the central Mediterranean route to Egypt.

Behind closed doors, Egyptian officials openly threatened their European counterparts by announcing a flood of refugees in 2016 if European countries did not cooperate and provide Egypt with financial support.⁴⁷ At least in one case, the migration issue was used publicly as a political lever: When Italy announced in July 2016 that it would not deliver military equipment ordered by Egypt out of anger over the delayed investigation of the murder of an Italian scientist in Cairo, the Egyptian Foreign Ministry discussed on its Facebook page the possibility of terminating cooperation in the area of irregular

⁴² See e.g. Patrick Kingsley, “Trading in Souls: Inside the World of the People Smugglers”, *The Guardian*, 7 January 2015, <https://www.theguardian.com/world/2015/jan/07/sp-trading-souls-inside-world-people-smugglers> (accessed 1 April 2018).

⁴³ In 2014, the UNHCR Egypt registered 3,025 refugees and migrants who were picked up by the Egyptian coastguard. See IOM, *Migration Trends across the Mediterranean* (see note 10), 89. In 2015, according to UNHCR figures, around 3,652 persons were recorded; between January and September 2016, the number rose to 4,600. See UNHCR, *Migrant and Refugee Boat Tragedy and Irregular Departures from Egypt*, 23 September 2016, <http://www.unhcr.org/news/briefing/2016/9/57e4ee964/migrant-refugee-boat-tragedy-irregular-departures-egypt.html> (accessed 1 April 2018).

⁴⁴ Frontex, *Africa-Frontex Intelligence Community Joint Report 2016* (Warsaw, April 2017), 22, http://frontex.europa.eu/assets/Publications/Risk_Analysis/AFIC/AFIC_2016.pdf (accessed 1 April 2018).

⁴⁵ One known example is an accident off Malta in September 2014, during which a ship coming from the Egyptian

coastal town of Damietta was deliberately sunk by tugboats. Around 500 people were killed. See “Malta Boat Sinking ‘Leaves 500 Dead’ — IOM”, *BBC News*, 15 September 2014, <http://www.bbc.com/news/world-europe-29210989>. Another accident occurred off the coast of the island of Crete in June 2016. The ship, also from Egypt, may have had over 700 people on board, of whom only 340 could be rescued. See Stephanie Nebehey, “Death Toll of Migrants in Wreck Off Crete Climbs to 320”, *Reuters*, 7 June 2016, <https://www.reuters.com/article/us-europe-migrants-greece-iom/death-toll-of-migrants-in-wreck-off-crete-climbs-to-320-iom-idUSKCN0YT1IU> (both accessed 1 April 2018).

⁴⁶ The sinking of a refugee ship off the Egyptian coast in February 2016 was particularly dramatic, killing more than 500 people — 195 Somalis, 150 Ethiopians, 80 Egyptians, and 85 Sudanese and Syrians. Stephen Grey and Amina Ismail, “The Forgotten Shipwreck”, *Reuters*, 6 December 2006, <http://www.reuters.com/investigates/special-report/migration/#story/60> (accessed 1 April 2018).

⁴⁷ Talks with European diplomats, Berlin, 2016 and 2017.

migration.⁴⁸ For Italy — the only European country to have had a readmission agreement with Egypt since 2007 — this was a serious threat that ultimately contributed to the gradual normalisation of relations between the two countries.⁴⁹

Moreover, the Egyptian side made it clear time and again that it had little interest in concrete, practical measures that, for example, would help to strengthen migration management. To the astonishment of European diplomats, the country repeatedly opposed projects within the framework of the EU Emergency Trust Fund (EUTF).⁵⁰ Only offers to support the Egyptian side's own security sector were of fundamental interest. However, in that field, cooperation with individual European countries was preferred to cooperation with European agencies.⁵¹ Cooperation with Frontex, for example, was much more difficult than expected from the European side.⁵² A working agreement to seal Egypt's participation in the Seahorse Mediterranean Network, which was created to ease communi-

cation between national border guard services, did not come about until the end of 2017.

Rather, as mentioned in a non-paper of the European External Action Service, the Egyptian side had “clear expectations that the EU should provide more substantial financial support” in the context of migration policy cooperation in order to overcome the country's serious economic challenges.⁵³ The Sisi administration had followed closely the conclusion of the EU-Turkey agreement and was encouraged by all the publicly made considerations of European politicians to transfer this model to Egypt.⁵⁴

The unproven but often repeated claim by Egyptian officials that the country was hosting 5 million refugees underlined that, from an Egyptian point of view, the financial sum of the EU-Turkey agreement could only represent the lower limit for aid payments.⁵⁵ Such substantial support had been under negotiation with the IMF since July 2016. Even though these discussions were not officially linked to the issue of migration, statements by top European politicians, such as then-president of the European Parliament, Martin Schulz, made it clear that both were directly related.⁵⁶

European governments played a very decisive role in these negotiations. On the one hand, they have an important voice on the IMF's Board of Directors, and

48 See <https://www.facebook.com/MFAEgypt/posts/1110118635726748> (accessed 1 April 2018).

49 However, the most important factor for the improvement of Italian-Egyptian relations is likely to be economic cooperation between the two countries, particularly in the energy sector.

50 After several delays by the Egyptian side, the EU was able to agree with the Sisi administration at the beginning of 2017 on seven projects under the EUTF with a funding volume of €60 million. However, negotiations on the implementation of these projects are ongoing and appear to be difficult (as of the end of 2017). Project description: “Action Fiche of the EU Emergency Trust Fund, Egypt 2017”, https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/action_document_egypt_action_fiche_20170523_en_4.pdf. On the course of the negotiations: Paolo Cuttitta, “Egypt: Europe's Other North African Border”, *Statewatch Viewpoint*, 2017, 10, <http://www.statewatch.org/analyses/no-313-egypt-viewpoint.pdf> (both accessed 1 April 2018), and diplomatic correspondence available to the author.

51 Cooperation was agreed with Germany on 11 July 2016 within the framework of a security agreement. The agreement on the “Bilateral Dialogue on Migration” between Germany and Egypt, which was signed on 27 August 2017, also provides for cooperation between the security authorities of both countries. See Markus Bickel, “The Cairo Cronyism”, *taz.de*, 8 January 2018, <http://www.taz.de/!5471852/> (accessed 1 April 2018). However, this cannot be verified because the Federal Government declares the agreement to be classified.

52 Christian Jacob and Simone Schlindwein, *Diktatoren als Türsteher Europas* (Berlin: Ch. Links, 2017), 181.

53 See “Options on Developing Cooperation with Egypt in Migration Matters” (European External Action Service [EEAS]), <http://www.statewatch.org/news/2016/dec/eu-com-eeas-non-paper-egypt-migration-cooperation.pdf> (accessed 1 April 2018).

54 Chancellor Angela Merkel described the agreement with Turkey before the German Bundestag as “a model” for Egypt as well. Speech by Chancellor Merkel in the German Bundestag, 7 September 2016, <https://www.bundeskanzlerin.de/Content/DE/Rede/2016/09/2016-09-07-merkel-bundestag.html>. The Austrian Federal Chancellor at the time, Christian Kern, made similar statements. “Can Egypt Secure \$7bn in Refugee Support”, *Daily News Egypt*, 21 September 2016, <https://dailynewsegypt.com/2016/09/21/550155/> (both accessed 1 April 2018).

55 Nicolaj Nielsen, “Egypt Blames EU-Turkey Deal for Refugee Spike”, *EUobserver*, 31 August 2016, <https://euobserver.com/migration/134829> (accessed 1 April 2018).

56 Schulz made it clear that IMF aid to Egypt would be out of the question if the country did not cooperate on the migration issue. See Nico Fried and Paul-Anton Krüger, “EU Fears Mass Flight from Egypt”, *Süddeutsche Zeitung*, 23 September 2016, <http://www.sueddeutsche.de/politik/nach-bootsunglueck-mit-vielen-toten-eu-befuerchtet-massenflucht-aus-egypten-1.3174453> (accessed 1 April 2018).

thus have a considerable influence on the Fund's credit decisions. On the other hand, the IMF had called for further loans from national donors and international organisations as a precondition for the granting of a \$12 billion loan.⁵⁷ For the Egyptian government, the acquisition of this additional loan package, also worth around \$12 billion, became a central challenge. There were tough negotiations, particularly with some major European countries, including Germany, about this aid package.⁵⁸

Finally, in August 2016 – coinciding with the closure of the Egyptian maritime border – an agreement in principle was reached on the details of the aid programme, approved by the IMF Board on 11 November. Germany, France, and the United Kingdom participated in the agreed loan package with \$550 million.⁵⁹ The programme is ultimately based on a number of macroeconomic conditions. However, the lenders have completely abstained from implementing any political conditionality aiming at improving the human rights situation, better governance, or the withdrawal of the military from the country's politics and economy.⁶⁰

Conclusion

The Egyptian leadership under President Sisi very quickly developed an understanding that the most populous Mediterranean country is of great importance for the implementation of the migration

policy plans of the EU countries, but above all for the effective closure of migration routes across the Mediterranean. In order to benefit from this, it gave up its initial course of repression against Syrian refugees and demonstrated its own ability regarding migration policy action by reorganising the institutional and legal framework. At the same time, it left the maritime border largely unsecured, so that irregular migration from Egypt continued to rise between 2014 and 2016, albeit at a generally low level.

This is the background to European support for the IMF assistance package. It may be that migration was only one of the issues that played a role in the negotiations with the Egyptian side. Europe's governments also see the country as a partner in the fight against international terrorism and repeatedly emphasise its importance for the resolution of regional conflicts. Business interests were, of course, also an important driver for European policy. However, since 2016, the migration issue has probably been of overriding importance, not only because the governments in Berlin, Paris, and other European capitals see the management of the refugee crisis as a central political challenge, but also because – contrary to other issues, such as combating terrorism – Egypt can deliver real and quick results by closing the maritime border.

Only after the agreement on international financial assistance was concluded was irregular migration to Europe completely stopped.

⁵⁷ See *Arab Republic of Egypt: Request for Extended Arrangement under the Extended Fund Facility*, IMF Staff Country Reports (Washington, D.C.: IMF, 18 January 2017), <https://www.imf.org/en/Publications/CR/Issues/2017/01/18/Arab-Republic-of-Egypt-Request-for-Extended-Arrangement-Under-the-Extended-Fund-Facility-44534> (accessed 1 April 2018).

⁵⁸ Chancellor Merkel's foreign policy advisor at the time, Christoph Heusgen, travelled to Cairo three times in 2016 for talks.

⁵⁹ Germany increased the amount of committed loans to €500 million in spring 2017. See "Egypt Is a 'Stability Leader of the Region'", *Handelsblatt*, 2 March 2017, <http://www.handelsblatt.com/politik/international/merkel-in-kairo-egypten-ist-stabilitaetsanker-der-region/19467732.html> (accessed 1 April 2018).

⁶⁰ See also Stephan Roll and Matthias Sailer, *Wird der IWF-Kredit für Ägypten zur vertanen Chance?*, *Kurz gesagt* (Berlin: Stiftung Wissenschaft und Politik, 16 August 2016), <https://www.swp-berlin.org/kurz-gesagt/wird-iwf-kredit-fuer-egypten-zur-vertanen-chance/> (accessed 1 April 2018).

On the surface, the IMF agreement could therefore be interpreted as a successful political conditioning of European financial assistance. Immediately after the agreement came into being with European help, the Sisi administration closed the sea border and almost completely brought irregular migration to Europe emanating from its territory to a standstill within a few days. However, the extent of the financial aid – without any political conditions for improving the human rights or the governance situation in Egypt – points in a different direction: The Egyptian leadership under President Sisi conditioned its migration policy towards Europe in order to consolidate its own power.

From this point of view, the question arises for Germany and its European partners how sustainable their own policies towards Egypt really are in terms of preventing irregular migration. In the future, the Sisi administration could again instrumentalise the migra-

Table 2

Irregular migration to Italy (by sea)

	2012	2013	2014	2015	2016	2017
Migrant arrivals (total)	13,267 ^a	42,925 ^b	170,100 ^b	155,842 ^c	181,436 ^c	119,369 ^d
Egyptian migrant arrivals	1,223	2,728	4,095	2,610	4,230	733 ^e
of which unaccompanied minors (in %)	32%	42%	49%	66%	58%	13% (Jan – Nov 2017) ^f
Migrant arrivals (any nationality embarking from Egypt)	1,401 ^g	n/a	15,283 ^g	11,114 ^h	12,766 (until October ⁱ – after- wards 0)	79 ^j

Sources (all URLs accessed 1 April 2018):

- a** <https://egypt.iom.int/sites/default/files/FactSheet2016Final28MARW.pdf>;
http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/rapporto_accoglienza_eng_isbn_appendice_rev3b.pdf
- b** https://publications.iom.int/system/files/altai_migration_trends_across_the_mediterranean.pdf, 72
- c** http://migration.iom.int/docs/2016_Flows_to_Europe_Overview.pdf
- d** <https://data2.unhcr.org/en/documents/download/61549>
- e** <https://data2.unhcr.org/en/situations/mediterranean/location/5205> (until 31 October 2017)
- f** <https://data2.unhcr.org/en/documents/download/61461>
- g** https://publications.iom.int/system/files/altai_migration_trends_across_the_mediterranean.pdf, 74
- h** <https://data2.unhcr.org/fr/documents/download/53356>
- i** <http://www.statewatch.org/news/2016/dec/eu-com-eeas-non-paper-egypt-migration-cooperation.pdf>
- j** Informed circles referring to official bodies in Italy.

tion issue to enforce its own interests. That it is willing to use this lever became clear just a few months after signing the IMF agreement. In March 2017, in response to European criticism of the human rights situation in Egypt, the Egyptian government temporarily suspended the previously agreed migration dialogue with the EU. So the Egyptian side could soon put the issue of securing the Community's maritime borders back on the agenda in negotiations with European governments – at the latest when the loans agreed in the IMF agreement are paid out at the end of 2019.

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Diversity of Cooperation Contexts as a Challenge for the EU

The growing number of instruments of the external migration policies of the European Union (EU) encounters a variety of political interests and social contexts in the countries examined in this study. Not only does the degree and nature of authoritarian rule vary strongly, but some of the states are primarily countries of origin or transit, whereas others are increasingly also countries of immigration: Eritrea, for example, “produces” primarily refugees, whereas Sudan functions primarily as a transit state and as a hub for displaced persons and circular migration in the Horn of Africa. Niger is also a transit country or starting point for (circular) migration to the Maghreb and within the region of the Economic Community of West African States (ECOWAS). The North African states, on the other hand, are changing from classic countries of origin of migrants to countries of transit and immigration for people from sub-Saharan Africa. Accordingly, the importance of flight and migration for the local economies, the geographical and social peripheries, and the respective political elites varies.

It comes as no surprise that political decision-makers in the countries analysed are trying to mitigate European pressure and benefit from financial incentives. Nor is it remarkable that almost all countries prefer bilateral cooperation with individual EU member states to cooperation with the EU because it enables them to place more targeted, informal, and often successful demands. Ultimately, the ruling elites – and often other social groups in all these states – benefit from mixed migration movements and the associated development and security policy cooperation. A remarkable range of reactions of African states can be observed not only to European migration policies, but also quite fundamentally to the challenge of flight and migration.

Proactive versus reactive approaches of the partner countries

In order to systematise the way authoritarian regimes in Africa deal with migration movements and with external EU migration policies, a distinction between proactive and reactive approaches is appropriate. In one case, governments have their own creative claim in migration policy, which is reflected in an active and corresponding agenda-setting. In the other case, such ambitions are lacking, but the respective governments are reacting to the EU’s offers of cooperation. Some of them make strategic use of the available opportunities, others act purely defensively, largely refusing cooperation for various reasons, and others leave it to the EU to define the parameters of cooperation (see Table 3, p. 69).

Morocco is an example par excellence for a proactive approach. The king pursues development and security policy as well as domestic, regional, and geopolitical goals through Morocco’s own distinctive migration policy. For example, Rabat uses the funds available under European and German migration policies to strengthen local administrative capacities. With its involvement in multilateral forums, the regulation of irregular migration, and the gradual creation of legal and institutional structures for immigration and refugee protection, Morocco has earned itself an international reputation as an African pioneer in the progressive management of mixed migration movements. In doing so, it deliberately sets itself apart from its competitor and neighbour Algeria and presents itself as a comparatively reliable and assertive partner in bilateral cooperation with individual EU states. Rabat is therefore resolutely using its migration policy to consolidate the country’s modernisation, to gain political prestige in sub-Saharan Africa, to strengthen the monarchy’s international legitimacy, and to push calls for political transformation into the background. Last but not least, Morocco

uses control of migration to try to forge international support for its position in the Western Sahara conflict. All in all, Rabat's migration policy has made a major contribution to increasing its negotiating power vis-à-vis the EU and reversing long-standing power asymmetries.

Sudan is also pursuing a proactive migration policy with its own priorities. Given its role as a hub and transit country for refugees from neighbouring countries, and the fact that it accommodates millions of displaced persons in the long term, the available EU funds and cooperation opportunities are a welcome starting point for circumventing decades of international economic and financial sanctions. The Sudanese government has a particular interest in border security, as large parts of the armed opposition are in neighbouring countries. There are obvious overlaps with the EU agenda, but Khartoum is hoping for more, such as equipment and intelligence support. Further international rehabilitation and comprehensive financial assistance are on the government's wish list; in particular the "Better Migration Management" programme launched within the framework of the EU Emergency Trust Fund has raised high expectations. The frustration is therefore increasing because, from Khartoum's point of view, the EU does not reward Sudan enough for successfully securing its borders and continues to refuse to engage in comprehensive development and security policy cooperation on account of ongoing human rights violations in Sudan. Moreover, the EU is sending ambivalent signals about the priority of security and development-oriented migration policies. This unclear communication and the large number of smaller European projects create confusion and are not good prerequisites for sustainable cooperation on migration policies.

The other countries examined in this study are more reactive to the EU's external migration policies. Nevertheless, there are relevant differences, especially with regards to the ability to successfully assert one's own interests. For example, the Egyptian government is closely monitoring the European migration debate and making strategic use of Europe's interest in curbing irregular immigration to consolidate power: Cairo's willingness to cooperate in the area of border security, for example, is closely linked to the extension of urgently needed international loans. An important model for this policy is the often-quoted deal on the regulation of migration that the EU has concluded with Turkey. As a result, it is not the European

states and international financial institutions that de facto make their loans and other cooperation dependent on regulatory efforts in the area of migration, but, conversely, it is Egypt that conditions its efforts in this regard and puts, in particular, European actors and its direct neighbours under pressure to act.

Algeria, which is increasingly becoming a target country for refugees and migrants from sub-Saharan Africa, has so far done little to shape its political response to the associated challenges. The divided political elite is dominated by the faction that relies on a policy of isolation and expulsion – thereby accepting high reputational costs, especially with regards to West Africa. However, Algiers is using the mixed migration movements and the strong increase in the emigration of its own citizens in 2017 to tighten its security measures at home and on the borders. So far, however, Algiers has hardly profited from the funds available in the context of the EU's external migration policies, since the country's pronounced claim to sovereignty, founded in colonial history, is expressed in a generally defensive attitude towards EU cooperation offers and instruments. However, the Algerian government's security policy interest in equipment for border management and in intelligence know-how is weakening its defensive stance vis-à-vis individual EU states. Against this background, cooperation on migration policy with Algeria amounts to an expansion of bilateral agreements, a strengthening of the security apparatus, and the consolidation of existing (authoritarian) structures.

The migration-related activities of Eritrea – one of the most authoritarian states in the world, from which many people flee from state repression and enforced military service – are limited to the closure of borders and a strongly enforced travel ban for all citizens. The European discourse on combating the causes of flight has found no resonance here, in that the causes of flight are inherent in the system and are denied by the regime. Although the country is in long-term economic decline, and the European cooperation instruments linked to financial incentives could therefore be attractive, the government is defensive about development cooperation with Europe. It is not prepared to make any ideological concessions; security policy cooperation projects (e.g. within the framework of the "Better Migration Management" programme) that would serve Asmara's interests are not acceptable from a European perspective. Against this background, the EU lacks starting points to en-

courage the Eritrean government to pursue an active and rights-based approach to migration.

Finally, Niger is the only country examined in this study whose reactive policies show neither creative ambition nor defensive reflexes. The informal economic structures that have formed in the northern border area in response to migration are of great relevance to this transit country characterised by great levels of poverty. Preventing migration therefore undermines the economic interests of the country. At the same time, the EU's security and development policy cooperation offers promises of financial and reputational opportunities that the government in Niamey can hardly ignore. This ultimately leads to the EU being the one managing Nigerien migration policy. Tellingly, migration-relevant bodies in Niger are composed of equal numbers of Nigeriens and Europeans. In addition, the EU is intervening in the social and economic structures of the country, particularly in the border region with Libya. The consequences for the government as well as for the EU are associated with not inconsiderable risks. The potential for local conflicts is growing in the course of the structural changes associated with the formalisation of migration policy, and the advantages of the freedom of movement implemented in the ECOWAS region are in danger. The EU's close cooperation with the president also threatens to reinforce occasional authoritarian tendencies and to damage the country's power, as criticism from the north of the country concerning the consequences of migration cooperation is growing.

How to explain these differences in policies?

Whether a government pursues a proactive or a reactive migration policy, whether it has the capacity to act strategically, reacts defensively, or is quite helplessly exposed to European instruments depends on numerous factors. These include state constitution (governance capacity, strength of the security apparatus, state penetration, centre-periphery divide, internal conflicts, economic situation), colonial heritage, migration and emigration practices, (sub-)regional contexts, and not least the question of whether experience has already been gained through cooperation with the EU.

State constitution. The partner country's own capacity to act is decisive in determining whether, and to what extent, migration policy cooperation with the EU can be achieved, and to what extent a state is in a position to use the instruments offered by Europe for its own – not necessarily migration policy – interests. Who has the monopoly of violence? Is a government able to control its borders – if it wants to – with its own security apparatus, or does it have to use militias to keep actors in conflict-laden border regions at bay? What about the gap between the centre and the periphery or the degree of state penetration in order to enforce measures? The analysis in this study shows that there is no direct correlation between the degree of authoritarianism and state capacity to act. Eritrea is certainly the most repressive and autocratic country among the case studies, but its ability to act and negotiate is far more limited and reactive than Sudan, which is also repressive. The latter outsources border control – especially in conflict regions – to militias, which makes cooperation more difficult from a European perspective. In other border regions, such as Western Sahara and the border between Morocco and Algeria, conflicts lead to an expansion of state border controls.

State penetration can be improved through cooperation, as the example of Niger shows, where European actors intervene to support border security. With regards to state services in terms of basic care, education, and medical care, inhabitants of the periphery often have no great expectations anyway; border communities, in particular, often secure their needs in trade, health, and schooling independently and across borders.

In the event of internal conflicts and the associated security-related interests of states, as is evident in Darfur, cooperation with Europe may serve to legitimise one's own actions through external actors. The Sudanese regime, for instance, is trying to normalise relations with Europe and legitimise its rule internationally through migration cooperation.

Administrative capacity and ideological orientation are also important parameters of state constitution. A country such as Niger, whose political infrastructure is rudimentary and whose statehood is weak, is certainly more inclined to accept external support – including at the price of interference – than, for example, Morocco or Egypt. If there are strong anti-Western reservations, as in Sudan, or determined efforts at self-sufficiency, as in Algeria, such ideological factors influence the options for migration cooperation. In authoritarian states, the will to shape

Table 3

Interests and migration policies of selected authoritarian states in Africa

<i>State</i>	<i>Constitution</i>	<i>Migration profile</i>	<i>Interests linked to flight and migration</i>	<i>Migration policy</i>
Morocco	authoritarian monarchy with relatively high degree of pluralism; coherent and assertive power centre	country of origin, transit, and immigration	<ul style="list-style-type: none"> ■ legal emigration to the EU (remittances) ■ international recognition of Western Sahara as Moroccan ■ influence in Subsaharan-Africa ■ bargaining power vis-à-vis the EU ■ EU security support ■ financing the development of administrative capacities 	proactive-strategic
Sudan	strongly authoritarian; power centre protected by military, secret service, and security forces of the secret service; continuing civil war in two regions on the periphery	country of origin, transit, and immigration; destination of circular migration from the Horn of Africa	<ul style="list-style-type: none"> ■ normalisation of relations with the Western international community ■ upgrading of regional position ■ EU support for security and border management 	proactive
Egypt	strongly authoritarian; power centre linked to the military	country of origin, transit, and immigration	<ul style="list-style-type: none"> ■ budget support from EU/member states and international organisations ■ legal emigration/labour migration to the EU ■ EU support for the security sector ■ recognition as leading nation in Middle East/Africa 	reactive-strategic
Algeria	authoritarian with certain degree of pluralism; strong security apparatus; divided power centre; little political coherence	country of origin, transit, and immigration; destination of circular migration from the Sahel states	<ul style="list-style-type: none"> ■ reduction of mixed migration flows ■ demonstration (internal and external) of national sovereignty and capacity for border control and safeguarding internal security ■ legal emigration to the EU ■ transfer of security equipment and know-how 	reactive-defensive
Eritrea	extremely authoritarian; repressive dictatorial rule with disguise of military, party, and economy	country of origin	<ul style="list-style-type: none"> ■ foreign exchange ■ EU budget support 	reactive-defensive
Niger	semi-authoritarian power centre with weak administrative structures	especially transit country and intensive circular migration (ECOWAS states and Maghreb)	<ul style="list-style-type: none"> ■ officially: “converging interests with EU” ■ border security and control to ward off attacks and conflicts from neighbouring regions ■ development with EU financial support ■ securing power through international cooperation 	reactive

migration policy often also depends on the person of the state leader. This leads, on the one hand, to a personalised policy that the EU must take into account in its offers of cooperation; on the other hand, it limits the ability of civil society to review or criticise political decisions. At the same time, it is precisely civil society actors, political parties, and business representatives who play an important role in the implementation or blocking of migration cooperations or mediating existing migration realities. In view of the restricted freedoms of the press, information about these realities would otherwise hardly be able to leak out to the outside world.

Last but not least, the economic situation of a country is essential for the cooperation arrangements. Liquidity constraints or a low level of development and high poverty rates can increase the willingness to cooperate with European actors, as paradigmatically demonstrated in the case of Egypt and Niger in this study. However, it is precisely the variance in the respective attitudes to cooperation that points to the importance of the interplay of economic, political, social, and ideological factors in explaining proactive and reactive, formative and defensive migration policies. Especially since two similarly poor countries react completely differently to European offers of migration policy cooperation: Whereas the Nigerien government is primarily hoping for urgently needed financial resources to improve the ailing economy – accepting the harmful effects on the informal economy in the north – Eritrea regards such aid as a reputational risk for its own ideal of self-sufficiency.

Colonial heritage. Arbitrary historical demarcations by the European occupying powers across the entire African continent play a role for current migration policies and countries' willingness to cooperate that should not be underestimated. However, the differences in the effects on today's cooperation attitudes are great. This is related to the different French and British colonial models as well as to the respective form of decolonisation.

In countries such as Algeria, Eritrea, and Sudan, where weapons were used to rebel against colonial rule and to create a national identity-building, anti-colonial consensus, there is a sceptical distance to European politics. During the Cold War, patronage-based alimony – and later dependence on development cooperation and aid deliveries – limited the claims to sovereignty of individual states in their relations with Europe, particularly in the case of sub-

Saharan African countries. In today's multipolar world, the need to orientate oneself towards European interests has weakened massively. This is reflected in the proactive, sometimes strategic policies of some countries towards European migration interests. The African governments, which emerged from an armed anti-colonial struggle, see themselves as sovereign decision-makers with their own creative powers and not as "stooges" of European interests – even if migrants from the respective populations often seek refuge in the former colonial powers.

Paradoxically, it is precisely the ambivalent but shared colonial history that promotes a tendency towards bilateralism between formerly colonised states and their colonisers, which often undermines common approaches to European migration policies. This is particularly evident in Morocco's relations with France and Spain. Moreover, the Western Sahara conflict, which plays a problematic role in European-Moroccan (migration) cooperation, is a colonial legacy here. In addition, the border demarcations formerly imposed by the colonial powers, which the Organisation of African Unity decided to maintain one year after its foundation, often do not adequately reflect social realities. The need for mobility and cross-border cooperation therefore remains an important issue for the continent. Free movement of persons within Africa – as made possible by ECOWAS for example, from which a poor state such as Niger benefit greatly – is of central importance for African populations and governments.

Migration and emigration practices. The ways in which individual countries deal with migration and emigration are also decisive for the willingness and necessity for cooperation. For the Maghreb states – and increasingly also for Egypt – emigration of their own citizens to the EU presents itself both as an essential building block of the national economy and as a bargaining chip with the European Union. Therefore, the Mediterranean countries negotiate with Europe much more intensively about legal migration routes and the status of emigrants in Europe than Niger or Sudan, for example.

For Niger, circular regional migration is at the centre of attention; for Sudan, the focus is on the large number of refugees from conflict areas in neighbouring countries – but both are hardly taken into account in the EU's instruments. For all countries examined in this study, circular migration and emigration have existed for decades due to economic

necessity. Nevertheless, there are clear regional differences, and these have an impact on the willingness to cooperate with Europe: In the Horn of Africa, labour migration to the Gulf States plays a far greater role than migration to Europe – unlike in the Maghreb states, where emigration mainly to France and Spain takes place due to the specifics of late decolonisation and geographic proximity. The amount of remittances and the regions to which they flow can be used to illustrate the significance of migration for the respective domestic economy and politics.

(Sub-)regional contexts. Regional and sub-regional contexts and complexes are central to migration processes – and thus also to European cooperation instruments. They constitute important framework conditions for cooperation and often define the possibilities for cooperation. These include situations of competition for regional supremacy, such as between Morocco and Algeria or between Egypt and Sudan. Conflicts such as civil wars (Sudan, South Sudan) or armed conflicts with jihadists (Somalia), which determine regional dynamics, especially in the Horn of Africa, are responsible for the high number of displaced persons and refugees within the region. However, the country where there is no violent conflict (Eritrea) provides the largest number of migrants to Europe. Due to this constellation, the migration dynamics in the Horn of Africa can best be understood as a migration complex.

However, these regional dynamics also have positive aspects. Both in Niger and on the Horn of Africa and between the Sahel and the Maghreb, there are many years of experience with circular migration and flight movements. This is reflected in the negotiating traditions of pastoralists whose pastures extend across national borders, but also in the reception of people fleeing war, poverty, and hunger. Regional organisations such as ECOWAS and the Intergovernmental Authority on Development (IGAD) are taking up these long-standing practices of cooperation, which are thwarted by European instruments when it comes to strengthening border regimes. However, the profound knowledge bundled and available in the region and in the individual states is hardly used in Europe's current migration cooperation with these states.

Experiences in cooperation with the EU. Previous experiences in dealing with European actors is a decisive element for migration cooperation. It is not so much the volume as the nature and history of the coopera-

tion that is important. For example, most of the funds that the EU makes available in the form of humanitarian aid and financial support for the various United Nations missions flow into the conflict areas in Sudan – however, development cooperation between Germany and Sudan ceased after President Omar al-Bashir's coup against the National Islamic Front in 1989.

Egypt and the Maghreb, on the other hand, as Mediterranean countries, have been in close contact with the EU for several decades within frameworks such as the Euro-Mediterranean Partnership, and later the European Neighbourhood Policy and the Union for the Mediterranean.

The degree of familiarity with processes and people on the other side influences the form and intensity of communications between the EU and migration policy partners. For example, Morocco and Egypt, which have been cooperating closely with Europe for decades, see the EU as being more transparent than Niger or Sudan: The Maghreb states and Egypt have a much more profound knowledge of the EU apparatus and decision-making processes within the union. This is reflected not least in the fact that they successfully use the issue of flight and migration to strengthen their own negotiating powers vis-à-vis the EU and individual EU member states. The cooperation newcomer Niger, on the other hand, is more reactive. Conversely, the EU also lacks knowledge of administrative structures, cross-sector planning, and relevant contacts in countries such as Eritrea and Niger.

Recommendations for European policy

The same applies to migration as to other policy areas: Successful cooperation between the EU and its member states and African states requires a comprehensive understanding of the interests that differ from country to country. Incentives are not universal, but vary according to the political and economic priorities of the respective elites and decision-makers. Authoritarian states also react very differently to pressure.

For governments pursuing their own migration agenda (and categorised as “proactive” in the context of this study), it is often not primarily a matter of direct financial contributions but of strategic interests, such as the pursuit of regional supremacy, the economic significance of the diaspora, the lifting of sanctions or the normalisation of relations and international recognition. If countries have not yet devel-

oped a conscious approach to the phenomena of flight and migration (categorised as “reactive” in this study), it is worthwhile to find out why this is the case. Only in this way can the opportunity be seized to influence the development of future migration policy approaches or, in the case of weak states, to prevent the cornucopia of European programmes and projects from exacerbating internal social and economic imbalances or triggering conflicts. Beyond the strategic European considerations of how migration can be regulated, it is important to consider which broader social dynamics migration policy interventions can set in motion and which instruments are appropriate in the long term from a development policy perspective. Particularly with regards to cooperation with authoritarian regimes, the question arises as to whether existing repressive structures might be promoted as a result of migration cooperation.

In general, the following specific points must be taken into account in migration policy cooperation with African countries of origin and transit:

- Migration flows – circular, within the region, as well as to Europe – are best understood as transnational migration complexes. West Africa, for example, connects Niger, Mali, and the western Maghreb states to form a north-west African migration complex, while the Horn of Africa is located in a migration complex with the Gulf States and Libya. If European instruments build upon evolving regional dynamics rather than trying to counter them, the prospects of success are larger.
- Regional freedom of movement promotes the economic development of African states. It is counterproductive to jeopardise the progress made to date in this area through a focus on restrictive border management. Rather, it is necessary to explore how intra-African circular migration and free economic areas can be preserved despite intensified border management.
- In authoritarian contexts, in particular, there is a danger that funds and equipment intended to build up migratory capacities are being misappropriated. When allocating funds, it is of central importance to take a close look at the administrative structures on the recipient’s side. A coherent overall strategy with clear sub-goals can be more promising than a confusing variety of small individual projects.
- Remittances of migrants are an important economic factor in many countries of origin. Their importance lies not only in their overall volume, but also in the fact that they provide long-term social security for many families – and allow more planning security than development policy project funds. Against this background, international migration routes for partner countries are often more important than selective financial contributions.
- European efforts to repatriate irregular migrants are also so delicate because they threaten to undermine the economic system of remittances. European negotiations for readmission agreements are therefore generally particularly difficult when the majority of remittances come from Europe. There is more room for negotiation with countries whose emigrants work primarily in the Gulf States.
- If the EU attaches importance to concrete progress in migration cooperation, it should refrain from the demand for the readmission of third-country nationals, which is particularly problematic for many partner countries in terms of internal policies, and instead support partner countries in building up capacities to integrate migrants and protect refugees. It should also be borne in mind that racism towards refugees from sub-Saharan Africa in North Africa is a major problem, and that North African governments justify xenophobic attitudes not least by referring to European policies and discourse.
- The case studies also show that European instruments for “migration management” work best where there are no fundamental differences in expectations between cooperation partners. It is therefore in the interests of European actors to send out clear signals, avoid misunderstandings about the respective European priorities (development, security, or both?), and to draw up realistic timelines.
- Prudence in communication is particularly necessary when partner countries negotiate in parallel with the European Commission and with individual EU member states. Although there are diverging preferences and a tendency towards bilateralism within Europe, it is in the interests of European actors to speak with one voice: If the EU and its member states are played against each other, there is a risk of shifting the negotiating power in favour of the potential partners.
- Several of the case studies suggest that individual cooperation instruments such as the EU-Turkey agreement are having a significant impact. This

gives rise to expectations that must be taken into account in the communication and planning of migration policy cooperation with other partner countries.

- With its migration agenda, the European policy approach has de facto abandoned its post-2011 transformation agenda vis-à-vis its immediate neighbours. If the EU wants to increase the confidence of its authoritarian cooperation partners in Europe's external migration policies as well as its general credibility, it is appropriate to communicate this clearly. Instead of using transformation rhetoric, European decision-makers should define clear red lines in the area of human rights and consistently observe these in concrete cooperation efforts.

Appendix

Abbreviations

AU	African Union
BMM	Better Migration Management
CAMM	Common Agenda on Migration and Mobility
Destatis	German Federal Statistical Office
DG	Directorate-General for International
DEVCO	Cooperation and Development
DG HOME	Directorate-General for Migration and Home Affairs
DG NEAR	Directorate-General for Neighbourhood and Enlargement
ECJ	European Court of Justice
ECOWAS	Economic Community of West African States
EEAS	European External Action Service
EU	European Union
EUTF	EU Emergency Trust Fund
Frontex	European Border and Coast Guard Agency
GAM	Global Approach to Migration
GAMM	Global Approach to Migration and Mobility
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
ICC	International Criminal Court
IMF	International Monetary Fund
IOM	International Organization for Migration
NCCPIM	National Coordinating Committee for Combating and Preventing Illegal Migration (Egypt)
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs
UNHCR	Office of the United Nations High Commissioner for Refugees

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