

MEASURES FOR GREATER EUROPEAN RESPONSIBILITY IN MIGRATION POLICIES TOWARDS AFRICA

At the AU-EU Summit on 17-18 February 2022, the European Union (EU) and the African Union (AU) committed to a “joint vision” for a renewed partnership between Europe and Africa. Among other initiatives, both sides want to improve the quality of their cooperation in the areas of migration and mobility. However, the topics that have been agreed on still mainly reflect European security interests. They do not consider important development aspects such as reducing the costs of remittances, expanding legal migration routes to Europe and the impact of the COVID-19 pandemic on migrants and refugees.

In its coalition agreement, the German Federal Government announced a paradigm shift in migration policy. It should therefore use its political leverage within the EU to ensure that the EU’s migration and mobility partnerships with African countries also promote development and are based on human rights.

The rights and prospects for development of migrants and refugees must be respected

The management of migration flows from Africa to Europe is one of the key elements of the agreements reached at the AU-EU Summit. The focus of these efforts is just as much on preventing irregular migration as on investing in border management and providing targeted support for return and reintegration in the countries of origin.

The EU is currently concluding status agreements with African countries such as Senegal. Their aim is to enable the European border management agency Frontex to carry out missions outside the EU’s borders. The EU thus continues to pursue its approach of shifting border management to Africa in order to prevent migration to Europe.

The German government’s coalition agreement supports this approach of using the instrument of bilateral agreements with third countries to curb irregular migration. In addition, Frontex is to be further developed “into a genuine EU border protection agency... on the basis of human rights and the mandate granted...” (2021-2025 Coalition Agreement, p. 112). At the same time, the agency is under scrutiny for its role in the illegal repatriation of refugees in war and crisis zones.

Concluding such instruments with African states unilaterally changes the local dynamics according to European ideas. This is already evident in Niger, where Law 36-2015 prohibits international migrants from migrating from Agadez to Libya or Algeria – and from there onwards to Europe. This not only affects migrants from neighbouring countries such as Burkina Faso and Benin, but also the local population. This includes, for example, people who make money from migration through hotels, transportation, or food supplies, not those who exploit criminal methods from migration.

The Law 36-2015 also has a direct impact on the cohabitation of ethnic groups. By focusing exclusively on international migrants, it increases the potential

for local conflicts. In order to circumvent these restrictions, migrants look for alternative, clandestine ways to travel north, which makes migration to Europe both more expensive and dangerous.

Meanwhile, in Agadez, many refugees remain in camps indefinitely until their asylum applications are processed by the United Nations High Commissioner for Refugees (UNHCR). This adds to the vulnerability of certain migrant groups, especially women and children. It can also lead to worsening conditions of detention, for example due to simplified or dubious procedures.

In its migration policy at EU level, we call on the German Federal Government to:

- demand adherence with the standards of international law from Frontex. In the EU Charter of Fundamental Rights, Germany and Europe have committed themselves to the prohibition of expulsion and refoulement. They must therefore safeguard the rights of migrants and refugees. The principle of non-refoulement must also be applied. People must not be returned to states where torture is practised, and serious human rights violations are committed;
- ensure that EU development funds are not used for migration and border management in Europe or for security measures, border controls and readmission agreements at the EU's external borders, but for development projects on the African continent.

It is time to endow the Euro-African Dialogue on Migration and Development with a renewed and ambitious strategic framework

Within the framework of the Rabat Process, migration and development ministers meet regularly at EU-AU ministerial conferences on migration and development. No such meetings have taken place since May 2018. Since then, the multi-year cooperation programme for the period 2018–2020 has come to an end.

As a result of the COVID-19 pandemic, there have been substantial changes to the right to free movement and the urgent protection needs of migrants in the last two years. This applies in particular to health services.

In its migration policy at EU level, we call on the German Federal Government to:

- advocate for a new ministerial meeting and action plan to revitalise the AU-EU Partnership on Migration and Mobility and address the present challenges in the health-migration nexus.

The dialogue on climate-induced migration should play a greater role

Climate change-induced displacement is already a reality in many regions of Africa. According to the Climate Change and Land (2019) report by the Intergovernmental Panel on Climate Change (IPCC), temperatures in Africa are set to rise faster than on other continents in the coming decades. Various natural disasters such as water shortages, droughts and poor harvests threaten the livelihoods of millions of people.

Within the EU, we call on the German Federal Government to:

- prioritise projects to build regional protection mechanisms, strengthen resilience, and scale up knowledge transfer and technology for climate adaptation within funds directed to Africa, such as the multi-year indicative programs of the Neighbourhood, Development and International Cooperation Instrument (NDICI).

Expanding resettlement programmes

Resettlement plays an important role in the protection of refugees. It involves the permanent relocation of particularly vulnerable refugees from a country of first reception, where they have sought protection, to a third country that is willing to receive them. The latter will then grant them refugee status or subsidiary protection.

The European response to the handling of Ukrainian refugees represents a positive example of non-bureaucratic solutions.

These include the rapid confirmation of legal status, a simplified procedure with regard to the pursuit of gainful employment and the possibility of individual housing. These should be the rule in dealing with refugees from all countries of origin. Double standards must not exist.

Although the heads of state and government emphasise that migration and asylum issues require a European approach, policies and practices remain national in every respect. To date, the EU member states have not adopted an official resettlement policy. The European resettlement programme is voluntary in nature. As a result of the heterogeneous national responses to the programme, some EU Member States contribute relatively little or nothing to this EU scheme compared to others.

In its migration policy at EU level, we call on the German government to:

- advocate for the resettlement programme to be extended to the EU as a whole, while giving a more active role to the United Nations (UN).

Systematic involvement of African and European civil societies

When it comes to migration policy between Africa and Europe, it will only be possible to overcome the many challenges if the voices of civil society organisations are taken into account in a systematic and equitable manner.

In its migration policy at EU level, we call on the German government to:

- strengthen participatory formats such as regular round tables and consultations. This includes transparency of information, sufficient time for preparation as well as funding to ensure the elaboration of targeted contributions and genuine participation.

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