

A stylized world map composed of a grid of grey dots, with several dots highlighted in red to represent specific regions or countries.

Causes of Flight »Made in Europe«

On European Policy and Its Relationship
with Migration and Flight

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- If Europe wishes to do justice to its global responsibility it has to understand the complex relationship between European policy and migration or flight. That constitutes the fundamental precondition of measures that would really be able to prevent the destruction of people's bases of existence. European states have to face up to this responsibility.
- Thus causes of flight that are »made in Europe« have to be approached consistently. In an increasingly globalised world Europe has to assume its share of responsibility, for example, with regard to trade agreements and restrictions of states' regulatory options and abilities to act, corporate due diligence, agricultural and fisheries policy, CO₂ emissions, military interventions and European arms exports. The present publication is aimed at enhancing this understanding and offers proposals for a responsible policy for »combating the causes of flight«.
- Europe could in this way contribute decisively to the implementation of the UN 2030 Agenda. Its sustainability goals emphasise that all countries, including rich industrialised ones, must promote a socially, environmentally and economically sustainable development of the world in order to enable coming generations to lead fulfilled lives, regardless of where they are born. Europe has a humanitarian responsibility not only to the people who seek protection here, but also to people whose basis of existence is threatened by European policies.



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Causes of Flight »Made in Europe«. On European Policy and Its Relationship to Migration and Flight

Felix Braunsdorf

To date, policymakers have tried to »tackle« the causes of flight in crisis regions locally. However, that is nowhere near sufficient. Causes of flight that are »made in Europe« also have to be addressed and Europe bears its share of the responsibility, for example, with regard to the drafting of trade agreements and restrictions of states' regulatory options and abilities to act, corporate due diligence, agricultural and fisheries policy, CO₂ emissions, military interventions and European arms exports. If Europe wishes to do justice to its global responsibility it has to understand the complex relations between European policy and migration or flight. That constitutes the fundamental precondition of measures that would really be able to help prevent the destruction of people's bases of existence. Precisely this is the present publication's point of departure, in which the topic is examined from a number of perspectives.

In recent years substantially more asylum-seekers than ever before have come to the countries of the European Union (EU). The general public and politicians in Europe are engaged in an intensive debate on how to deal with the people arriving here, the phenomena of migration and flight and their causes. In the course of discussion a number of new concepts have found their way into the public debate.


»Combating the causes of flight« is one such new concept that has come to inhabit political reality. The German government has been constantly topping up the resources available for development-policy measures, insofar as they are used to tackle the causes of flight. The European Commission has brought into being a trust fund in order to deal with the causes of irregular migration in Africa. These measures indicate that politicians wish to take energetic action against the »problem« with the intention of »combating« it at its roots. But what does that really mean? Although the expression »combating the causes of flight« may appear to be clear, in political practice it is interpreted and deployed in very different ways. The concept thus threatens to become a political mantra void of meaning.

To date, politicians have responded to the increasing number of people fleeing or migrating with various short-term measures. For example, states consolidate their development-policy commitments in the destination regions, break up smuggler networks or cooperate on border management in the area of security policy. Many of these measures are thus aimed not at the causes of flight in the countries of origin, but rather at stemming the flight and migratory movements to Europe.

Instead, »combating the causes of flight« should start with the question of why people leave their homeland in the first place. In accordance with the international law definition refugees are suffering from political persecution. The Geneva Refugee Convention defines a refugee as a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality. Such persons are entitled to asylum because the government of their home country is not in a position to protect them against lethal threats or indeed itself threatens them, life and limb.

However, a glance at the public debates and political practice suffices to show that causes of flight go beyond political persecution in a particular country. In fact, the narrow concept of the political refugee captures little of the reality of people fleeing from their country of origin. For many, the decision to leave their home is a necessary adaptation to deteriorating living conditions and has deep-lying political, environmental and economic causes. Many factors are making life in many parts of the world increasingly unbearable, even impossible. People are fleeing conflicts and wars, and the longer the violence lasts the longer they are simply forced into an often precarious existence as »refugees«. Natural catastrophes, such as droughts, are endangering more and more livelihoods and fuelling conflicts over scarce resources. Discrimination ranging up to out and out persecution often leaves people with no choice but to flee. Poverty, inequality and lack of prospects, particularly among young people, are rife in many societies.

In an increasingly globalised world European policy sometimes has considerable effects on the life conditions of people not only within, but also outside Europe. These complex relationships between European policies and migration or flight need to be revealed and understood.



Only in this way can political alternatives be worked out that really help to prevent the destruction of the bases of people's lives.

The present volume enhances this understanding and offers proposals for a responsible policy on »combating the causes of flight«. This volume collects contributions from authors from various fields that identify the causes of flight »made in Europe« in seven selected policy areas. To kick off, Jochen Hippler weighs the options and limitations of European foreign and security policy, making clear the possible consequences of an ambivalent approach to intervention. Julia Gurol, Esther Meininghaus, Max M. Mutschler and Carina Schlüsing examine the risks of European arms exports to crisis regions, taking the examples of Syria and Libya. Thomas Hirsch invokes European responsibility for implementing the Paris climate change agreement and calls for more humanitarian involvement in tackling climate-induced migration on a global basis. Wolfgang Obenland unravels the complex relations between inequality and migration, identifying international tax policy and state indebtedness as the main starting points. Christopher Schuller points to human rights violations and displacements of populations perpetrated by European companies, which at present are neither prevented nor appropriately compensated. Francisco J. Marí identifies the effects of European agricultural and fishing policies on the local economy in West Africa. Evita Schmieg, finally, makes clear how EU trade policy would have to change in order to enable partner countries to develop sustainably and provide everyone with a positive future.

The contributions offer a range of perspectives on one and the same phenomenon, namely people fleeing or migrating. They make clear the complexity of the issue and lay bare the difficulty of distinguishing in practice between flight and migration. Above all they show that Europe not only has a humanitarian responsibility to the people seeking protection here, but also to those whose bases of existence are under threat from European policy. European countries must face up to this responsibility. In that way they can also contribute to implementing the UN's 2030 Agenda. Its sustainability goals emphasise that all countries, including rich industrialised states, must advance a socially, environmentally and economically sustainable development of the world in order to enable coming generations to live a fulfilled life, regardless of where they are born.

Western Foreign Policy as a Cause of Flight? Remarks on the Ambivalence of European Policy

Jochen Hippler

Migration, flight and population displacement are not new, but have been with us for millennia. Even in Europe they are far from unknown. However, mass migration and mass flight are mainly regional phenomena that remain within their countries of origin or their neighbourhood. Afghani refugees have since the Soviet invasion in the late 1970s departed mainly for Pakistan and Iran. Today the vast majority of Syrian refugees – apart from those who simply remain in the country as »internally displaced persons« – flee to neighbouring countries: the Lebanon, Turkey or Jordan. The fact that refugees are now also coming to Europe is something new and has stirred up considerable disquiet. Europe has long experienced labour migration or immigration from former colonies, but the sudden influx of a large number of war refugees from outside Europe is regarded as a new challenge, also for security policy.

In this contribution we ask whether and to what extent, by contrast, European foreign and security policy also plays a role in flight and migration movements. This concerns not only Western policy on the Middle East, but also global economic conditions.

War and Conflict as Acute Causes of Flight

Major migratory movements usually arise when the previous homeland no longer offers prospects of a decent life or has even become positively life-threatening (push

factors) and when another country or another region in the home country appears to be much better or at least more secure (pull factors). The push factors can be particularly wide-ranging: economic and social hopelessness in the country of origin, political repression, »ethnic cleansing« and displacement, wars and civil wars play key roles. In future environmental reasons are likely to become increasingly important, such as migration due to the expansion of deserts, water shortages or flooding as a result of rising sea levels. The pull factors are in themselves seldom the causes of mass migration, but can lower the bar and play a key role in the choice of a place of refuge. If one has to flee in any case then regions that offer better life prospects suggest themselves much more readily than other crisis countries.

The causes of flight of the victims of political persecution and of war refugees are many and various. In both instances, however, it can be assumed that the life-threatening danger rules out remaining safely at home, whether subjectively and/or objectively. In the case of political refugees the causes range from systematic discrimination (for example, occupational prohibitions or loss of job) through intimidation (for example, with regard to the expression of unpopular opinions or political activities), threats of or actual arrest or torture, to the threat of murder. Usually several factors combine and make a normal, especially a politically active life impossible. Often the victims of such political repression also have their bases of existence taken away from them, for example, in the form of sources of income; writers are banned from publishing or artists are forbidden from exhibiting. In the case of war refugees the situation is different. It is simply a matter of saving one's life if a city is subjected to air raids or attacked with heavy weaponry, if ethnic cleansing or mass rapes become instruments of war or civilians get caught in the crossfire. Additionally, very often a population's means of subsistence are deliberately destroyed, for example, with attacks on the water or electricity supply, health care facilities or food supplies. Sometimes this is intended to weaken the enemy's will to resist, sometimes to depopulate whole regions in order then to be able to invade unhindered. In all cases, however, it is made impossible for the population to remain in their homeland – and when this happens in large parts of the country concerned there is little option than to flee abroad. This can be demonstrated with regard to Syria and Iraq: UN organisations estimate the number of Syrians in the country (not including those who have fled)

»Even in times of strongly increasing numbers refugees are very unevenly distributed globally. Richer countries take in far fewer refugees than poorer ones. Just under nine out of ten refugees (86 per cent) in 2015 were in less economically developed countries. A quarter of all refugees were in states on the UN list of least developed countries.«

UNHCR (2015)

who need humanitarian aid at around 13.5 million out of 22 million inhabitants, 8.7 million of whom are no longer in a position to provide themselves with sufficient food. As many as 70 per cent of people do not have regular access to drinking water. Average life expectancy in Syria has fallen by 20 years since the outbreak of the civil war (OCHA 2015). These low figures alone – which don't even include the dead and wounded – show clearly why perhaps 4.5 million Syrians have sought safety abroad. The overwhelming majority of refugees has remained in the region: well over 2 million in Turkey, 1.2 million in Lebanon (whose total population is lower than Germany's Ruhr district) and 600,000 to 700,000 in Jordan.

The mass flight movement of 2015 was given its particular thrust by war refugees – in Europe especially from Syria and Afghanistan.¹

It is evident that the wars and violent conflicts in the respective countries represented the decisive cause of flight and it is clear that only a small part of these refugees came to Europe; most remained in their own regions. Regardless of the target countries, however, the question arises of whether Western governments have contributed to the refugee movements from such conflict regions due to their actions or neglect. This refers not only to war-related migration, but also to other causes of flight.

Social Tensions due to External Socioeconomic Influences

Causes of flight are multi-dimensional and complex. Wars and major violent conflicts do not emerge overnight, but due to economic, social and political developments that lead to the violent unfolding of pent-up conflicts. Mass flight is thus often the result of a long-term negative development that either emerges from the society in question or comes from outside. Many of these factors can easily be attributed to specific actors, if for example, a government resolves on »ethnic cleansing« or starts a war. This also applies if the causes of such decisions go even further back and involve other actors. Other factors may appear to be rather »anonymous« or structural: a

series of bad harvests or a collapse of commodity prices for key export goods can exacerbate social tensions and rivalries. Natural catastrophes that are partly man-made or global market mechanisms can play a role here, as can the social structure of a society, such as extreme inequality or the political dominance of one population group over others. In particular when the internal situation is already tense external factors – such as global economic problems – can tip a society into violent conflict and trigger flight movements. If competition for resources is already sharp a shrinking of the scope for redistribution due to a collapse in export revenues or foreign competition surging into the domestic market can have devastating effects. In such circumstances foreign or international actors have a major responsibility: IMF and World Bank »structural adjustment programmes« or pressure from the European Union or the United States have in the past done a lot to exacerbate conflicts. Neoliberal policies imposed from outside can intensify distribution conflicts.

Disastrous Interventions

A further aspect of international responsibility is the military policy of large powers, especially when they get involved in regional trouble spots. This can happen in the context of imperialist interventions, such as the Soviet invasion of Afghanistan in the 1980s or George W. Bush's Iraq War in 2003. But it can also happen within the framework of what were intended as humanitarian interventions, such as in Somalia in 1992. Other interventions are more difficult to categorise in these terms: for example, the war to bring down the Taliban in Afghanistan was neither humanitarian nor primarily imperialist, but rather emerged from a mixture of security-policy aims (combating terrorism in the wake of 11 September 2001), the transformation of Afghani society and state and geostrategic considerations. The consequences of military interventions are determined partly by the intentions of the intervening countries, but mainly by their military and civilian practices, conditions and problems in the target country and by the intervening country's perception and greater or lesser understanding of the country concerned.

Military interventions do not always lead directly and automatically to flight movements, as has often been seen. For example, before the US war in Iraq in 2003 large reception camps were built for refugees which were never

1. The six countries responsible for the largest number of refugees in 2015 are Syria (4.9 million), Afghanistan (2.7 million), Somalia (1.12 million), South Sudan (778,700), Sudan (628,800) and the Democratic Republic of Congo (541,500) (UNHCR 2015).

used. However, substantial flight movements can ensue at a later date if fighting continues and lead not only directly to civilian casualties, but also to the destruction of a society's bases of existence, such as irrigation systems, hospitals, food supply, drinking water or electricity. Then it may no longer be feasible for people to remain and the number of internally displaced people and then of refugees rises accordingly. This development was observed, for example, in the case of the Soviet invasion of Afghanistan (over 5 million refugees) (Bressensdorf 2016) and more recently in Syria.

In many cases interventions, especially those involving ground troops, in due course lead to the destabilisation of the society concerned. This happens, for example, when a foreign military takes over the law and order and sovereign functions of a country for an extended period because this tends to provoke counter forces and nurture radicalisation. Iraq again serves as an example: the US intervention in 2003 did not lead directly and immediately to flight movements, but it did exacerbate interconfessional tensions, triggered a multidimensional civil war, facilitated the rise of "Islamic State" and thus created the conditions for internal and international flight movements. Even if an external military wants to avoid such a quasi-colonial situation and makes a prompt effort to hand back power to domestic forces, it nevertheless becomes the main body responsible for allocating domestic power, without ever really getting to grips with social and political conditions in the country concerned. Domestic power actors regularly try to exploit such situations, jockeying for position with domestic political rivals. Afghanistan and Iraq again provide examples of this. This can foster ethnic fragmentation, religious polarisation and other destructive social tendencies, which in turn trigger or exacerbate a dynamic of violence. Major inflows of resources from outside can also aggravate domestic distributional conflicts – often beneficiary sectors of society use these resources to fund client networks, which in turn mobilises their opponents. Once such factors pass a certain threshold an already fragile society can collapse and polarise. Then, resort to violence becomes a viable option for certain segments of society, triggering flight movements not caused by the original intervention. The question of »blame« or causation is rarely simple in such circumstances: local power actors usually play a key role, but their destructive behaviour often unfolds in an externally imposed political and social framework that induces a dynamic of violence, keeps it going or even

escalates it. On this basis the external actors not only bear responsibility for their own activities, but also for the circumstances that favour escalation on the part of local violent actors. This applies to both active policies and decisions, and omissions. A good example is US occupation policy in Iraq from 2003 to 2005, which intensified ethnicisation and confessionalisation in an effort to win over local partners (Hippler 2008 and 2012). One might also mention Western policy in Afghanistan, which in many parts of the country favoured the resurgence of the warlords with a view to making use of them for security purposes (Chayes 2007).

Learning from Stabilisation Dogma

Military interventions since the end of the Cold War have generally had rather ambivalent outcomes. Their destructive aspects – for example, the fall of the Taliban, Saddam Hussein or Gaddafi – have usually been implemented rapidly and successfully. In other words, their direct military aims – namely the destruction of opposing military forces or facilities could be achieved quickly and efficiently due to the massive Western – especially US – superiority in terms of manpower and matériel. However, the strategic or political aims have foundered almost without exception, however great the military superiority. Political stability, new and well functioning state structures, democratisation and other noble aims were achieved neither in Somalia, Afghanistan, Iraq or Libya; one cannot even say that a stable and well functioning statehood has emerged in Bosnia and Kosovo, notwithstanding the extraordinary personnel and financial commitment. To be sure, the countries concerned were already fragile and unstable before the interventions. However, they have not been able to stabilise them; to some extent they have even destabilised them further. The military interventions were the main causes of flight movements only in exceptional cases, such as the Soviet invasion of Afghanistan. However, they have rarely successfully stabilised a crisis country and more often have further entangled the domestic political situation and all too often led to social fragmentation and conflict escalation. This contributed indirectly to flight movements or at least neglected them. In all these cases those responsible for military interventions at least bear some of the responsibility for flight movements.

Options and Limitations of German and European Foreign and Security Policy

In response to regional violent crises German and European foreign and security policy have long sought to contribute to crisis prevention, conflict management and diplomatic solutions. In recent years »combating the causes of flight« has been added to the range of policy aims, for example, in the coalition agreement of the CDU, CSU and SPD, and since 2015 various federal government ministers and the Chancellor herself have formulated it in more detail. Because the great majority of refugees in Germany and Europe come from areas hit by civil war – primarily Syria and Afghanistan – there is a direct connection between the two aims. However, it has to be said that success has been meagre.


Foreign economic policy lacks initiatives that help to improve basic socioeconomic conditions in potential and current crisis countries. Rather they often contribute – as addressed in other contributions to this publication – to undermine the economy in fragile regions of the world. Here a crisis prevention policy would be desirable in order to relieve the external socioeconomic pressure on potential crisis countries.

On the other hand, since the end of the Cold War many European countries, including Germany, have time and again participated in military interventions in crisis countries, sometimes for reasons that have little or nothing to do with the countries concerned: at least the interventions in Somalia, Afghanistan and, in the cases of Iraq and Libya, by the »coalitions of the willing« were supported by many countries because they wanted to strengthen relations with Western partners – especially the United States, but also the United Kingdom and France – not because they were particularly interested in Somalia or Afghanistan. This applies, for example, to the despatch of German troops to Somalia and Afghanistan, but also to Mali, backing Washington or Paris. Then German Chancellor Schröder had already made this clear in his government announcement on the despatch of German troops to Afghanistan in 2001.²

2. »For decades we have enjoyed solidarity. Thus it is simply our duty – in accordance with our understanding of self-esteem – if in the current situation we repay our allied solidarity ... Is the success of this allied action guaranteed? No one can say, at least with certainty. But what kind of solidarity would it be if we made it dependent on success?« German Chancellor Gerhard Schröder (Plenardebate 2001).

The primarily alliance-policy character of military interventions, at least from Germany's standpoint, led to falling in line with the leadership of the United States and renouncing its own strategy for the intervention. Because the United States, too, operated largely in strategic disarray the interventions were ill-considered or long lists of often vague intentions and aims served as a substitute for strategy. As a result the task of stabilisation failed fundamentally. Alliance policy took priority over conflict management from the ground up.

However, the failures were the result not only of subjective weaknesses and mistakes by the intervening forces, but also of objective circumstances. While the military destruction of operational targets and the violent overthrow of foreign governments generally turned out to be relatively simple due to the intervening countries' overwhelming military superiority and total control of airspace, the fundamental rebooting of social and political conditions in a foreign country depends on certain preconditions. Even in the best case military superiority is neither here nor there. If those implementing external interventions for good reasons wish to avoid pursuing political rebuilding as a quasi-colonial effort over one or two generations, then there have to be strong social and political sectors in the country concerned that are able to take on this task. Providing strong support for these sectors can be promising – without partners in the country concerned the attempt to transform the country fundamentally will usually not just fail, but permanently exacerbate the instability. Here a wide gap opens up between the intervening forces' publically proclaimed goals and expectations, on one hand, and the actual political options, on the other. Stabilising missions are first and foremost a task of political organisation. Although economic or security policy problems are generally important factors in social fragmentation and the development of civil wars, they are rarely decisive. What is crucial in whether societies fall into fundamental crisis is often their *governance* system. If it is effective and legitimate it can handle or resolve many social problems, but if it is not then problems will be drastically exacerbated and often even a dynamic of violence will be unleashed. It is thus not enough to try to stabilise a country by means of development policy and security policy measures. The decisive factor is the establishment of legitimate and effective statehood. An attempt must also be made to prevent violent conflicts or to cope with them effectively. The aim of legitimate and functioning statehood goes much



further than »capacity building«; it generally requires far-reaching reforms in the target country. Western policy has to date not done very well in this regard: often the will is lacking to take determined action because other policy aims counteract it. Furthermore, particularly effective instruments have not been available for this purpose, even if the political will existed. If conflict management is to be pursued consistently such instruments have to be created and put to work. In this respect foreign, security and development policy have a long way to go.

Anyone seeking to avoid such efforts by leaving policy to soldiers will not only fail, but reinforce and amplify the instability. Dealing with the causes of flight is very different.

The Risks of European Arms Exports

**Julia Gurol, Esther Meininghaus,
Max M. Mutschler, Carina Schlüsing**

The export of European arms to conflict zones inevitably gives rise to European responsibility for flight and displacement. In 2015, 65.3 million people were either internally displaced persons or fleeing from their country of origin, more than ever before (UNHCR 2016a: 2). Most of them remained in the regions directly bordering their homeland, not even showing up on the world's radar. Only the increased influx into Europe, relentless reports on the inhumane conditions suffered by the refugees and over 3,000 deaths in the Mediterranean in 2016 (IOM 2016) somehow endowed their desperation with a human face, from which people could no longer easily turn away. Violent conflicts are the main causes of flight within the meaning of the Geneva Convention. With the beginning of the so-called »Arab Spring« in December 2010 the Middle East returned to the centre of the stage. For the first time in decades millions of people came onto the streets demanding an end to political repression.

When it comes to the EU states' shared responsibility Syria and Libya are particularly relevant, given the quantity of arms exported there over the years. We shall look more closely at these two examples in what follows. Syria is riven by several lines of conflict. However, two main conflicts can be discerned: a war in which the Baath regime under Bashar al-Assad is grimly hanging on to power at all costs against the opposition and its own people, and a second war in which the self-proclaimed Islamic State (ISIS) is trying to expand its power in Syria and Iraq. Several EU member states are solely involved in the military intervention against ISIS. In Syria now every second person (around 11 million) has abandoned their home; 4.8 million have crossed the border as refugees. Syrians have thus become the largest group among refugees worldwide. Although most of them remain in the neighbouring countries the 10 per cent of Syrians seeking protection in Europe represent the largest proportion of asylum seekers in the EU (UNHCR 2016a: 35, UNHCR 2016b).

In the case of Libya, protests starting at the end of 2010 finally led to armed resistance involving various groups, which the Gaddafi regime brutally suppressed. In March 2011 UN Security Council Resolution 1973 permitted direct intervention pursuant to the Responsibility to Protect,

in which several EU member states were involved. This international support enabled the armed groups to overthrow Gaddafi. Since then there have been a number of transitional governments, none of which has been able to stabilise the country. Since early 2016, with the mediation of the UN, there has been a unity government under prime minister Fayiz al-Sarraj. Due to the ongoing violent conflicts and the political instability, however, Libya has become a major transit country for people from all parts of Africa fleeing violence, poverty and fears for their survival and heading for Europe (Frontex 2016: 39). The European Union agency Frontex estimates that in 2015 around 885,000 people fled for Europe via the eastern Mediterranean route, as well as a further 154,000 via the eastern Mediterranean route from Libya (Frontex 2016: 6). In particular, since the closing of the Balkan route from Turkey via Greece the central Mediterranean route to Italy, which has resulted in many deaths, has gained in significance among human traffickers.

Although it is clear that arms exports are not the sole, inevitable and direct cause of the outbreak of violent conflicts, they do inflame emerging and ongoing conflicts by enabling individual conflict actors to pursue their violent strategies. Thus the question arises of the degree to which EU member states are involved in arms supplies to the two crisis areas and what conclusions can be drawn from this for future EU arms exports.

The Case of Libya

Arms exports to Libya can be divided into three phases: up to 2004 UN and EU weapons embargos were imposed on Libya because of its support for terrorist organisations (UN 1992–2003; EU 1986–2004). In 2003 Gaddafi finally accepted responsibility for the terrorist attacks on Pan-Am flight 103 over Lockerbie in 1988 and on a French airliner in 1989, joined the War on Terror as a partner and announced the end of Libya's weapons of mass destruction programme. The UN then lifted the weapons embargo, followed by the EU in 2004. After the outbreak of violent conflicts in the wake of the Arab Spring the UN Security Council again imposed a weapons embargo on Libya; since September 2011 only deliveries to the National Transitional Council – the temporary transitional government – have been permitted, as long as the UN Sanctions Committee does not forbid it (SIPRI 2014). Between 2005 and 2010 there were considerable

arms deliveries to Libya, which were reduced from 2011 but not completely suppressed.

For years Russia was Libya's main arms supplier (BICC country report 06/2016; SIPRI Arms Transfers Database 2016). The bulk of Libyan armaments come from Soviet stocks, and in recent years Russia has supplied – among other things – anti-tank missiles and portable anti-aircraft missiles. However, numerous EU member states have also exported arms to the Libyan government since 2004. Although comparatively many requests have been refused (Duquet 2014: 22; SIPRI Fact Sheet 2011: 4) licence values for at least 10 EU member states exceeded 1 million between 2004 and 2011 (Hansen/Marsh 2015: 278 ff).¹ Leading the field is France, with arms export licence values of over 381 million euros. Among other things, France supplied 1,999 MILAN anti-tank missiles and 100 launchers at a value of 88 million euros, parts for Mirage F1 aircraft, small arms and munitions. Italy recorded licence values of over 315 million euros, among other things for light helicopters, military vehicles, missiles and small arms. Belgium supplied small arms (F2000, P90 rifles) and in March 2008 Spain supplied 1,050 cluster munitions to the value of over 3 million euros (Vranckx/Slijper/Isbister 2011: 44). These munitions were used to bombard the town of Misrata in the civil war in 2011. The United Kingdom approved arms exports in the amount of over 98 million euros, followed by Germany with more than 93 million euros. While the United Kingdom, among other things, supplied Libya with a tactical communications system and military vehicles, Germany approved, for example, the export of all-terrain vehicles, helicopters and their components, as well as a battlefield monitoring system. Although Germany, in contrast to Belgium, France and Italy, refused to supply Libya with small arms German Heckler & Koch G36 rifles and G36-KV pistols were found in Libyan arsenals after the fall of Gaddafi. They got to Libya via a circuitous route, possibly from Egypt (Vranckx/Slijper/Isbister 2011: 36).

Despite the UN embargo in June 2011 France was still supplying Libya with weapons, now no longer for stabilisation but to bring down the Gaddafi regime. This included assault rifles, machine guns and bazookas (New

York Times, 30.6.2011). Malta and the United Kingdom also supplied the rebels with small arms (Small Arms Survey 2015: 104).

After the collapse of state authority the Libyan weapons arsenal became a source of illegal proliferation, especially for small and light weapons. Weapons from Libyan stocks found their way to Algeria, Mali, Gaza and the Sinai (Der Spiegel, 30.3.2013), as well as, via North Lebanon and probably also Turkey and Qatar, to Syria (UNSC S/2014/106: 47 ff).

The Case of Syria

Three phases can also be identified with regard to arms exports to Syria, in which the EU weapons embargo of 2011 and its lifting in 2013 represent two pauses. The most important arms supplier for Syria since the 1950s has been Russia. During the period 2010–2015 alone Russian arms supplies to Syria amounted to around USD 1.2 billion (SIPRI Arms Transfer Database 2016).

EU member states, too, supplied arms to Syria up to the imposition of the embargo in 2011 and after its lifting in 2013. As early as the 1970s the Syrian regime received a delivery of around 4,400 German-French MILAN missiles, which since 2011 have time and again resurfaced in the crisis region, including in ISIS hands. Between 1977 and 1981 France supplied anti-tank missiles (SIPRI Arms Transfer Database) and between 1980 and 1981 16 armed Gazelle helicopters, which presumably are being deployed in the ongoing civil war (Duquet 2014: 39). Between 1998 and 2009 Italy supplied, among other things, fire control systems to upgrade around 122 Syrian T72 tanks (Wezeman 2012: 22).

In this context the supply of 360 tonnes of chemicals must also be mentioned, which arrived in Syria from Germany between 1998 and 2011 (Spiegel Online, 30.9.2013). It's true that these were not armaments, but so-called dual-use goods that could also be used for civilian purposes, such as the production of toothpaste, the chemicals supplied included hydrogen fluoride, which is also used in the production of the nerve gas sarin (Daily Record 1.9.2013). The fact that the Syrian government would not use these chemicals solely for civilian purposes became evident in August 2013 when up to 1,400 people were killed by sarin in al-Ghoutha near Damascus. It

1. See Table 3 in: Hansen/Marsh (2015), pp. 278–280. These figures are derived from national arms export reports and other publically accessible information sources. There are, however, large gaps and inaccuracies in reporting. It should also be noted that in many cases we only have information on licence values and not on actual exports of armaments.

also turned out that the United Kingdom and the Netherlands had also supplied Syria with dual-use chemicals (Bromley 2014: 9ff).

When the Syrian regime commenced its violent suppression of the opposition in 2011 the EU imposed an arms embargo on Syria, although according to reports it was violated by a number of member states. For example, in 2012 France is supposed to have supplied armaments and military equipment to Syrian rebels and from 2013, among other things, 12.7 SMEs machine guns, rocket launchers, body armour and communications equipment to the Free Syrian Army (France24, 21.8.2014). Together with the United Kingdom France favoured a modification of the embargo in order to be able to supply legal weapons to selected rebel groups (n-tv, 15.3.2013). In May 2013 the EU foreign minister gave in to pressure from London and Paris and lifted the embargo again.

After the imposition of the embargo in 2011 Germany did not export any armaments to the Syrian regime or the rebels. However, German-built weapons have been used in the Syrian civil war. First and foremost G3 assault rifles have been found in the hands of combatants on both sides, from Hezbollah fighters from the Lebanon fighting for Assad, through moderate opponents of the Assad regime all the way to ISIS. It is not improbable that these weapons come from licenced production in Saudi Arabia, Turkey and Iran. Germany supported these states in the past in the construction of their own small arms production capacities. As late as 2008 Germany licenced Saudi Arabia to produce G36 rifles (Mutschler/Wisotzki 2016). The fact that weapons from European states frequently end up in war zones via circuitous routes is also revealed by the disclosures of the Balkan Investigative Reporting Network (BIRN) and the Organized Crime and Corruption Reporting Project (OCCRP, 2016). According to them since 2012 weapons to the value of at least 1.2 billion euros have reached Syria from Croatia, the Czech Republic, Serbia, Slovakia, Bulgaria, Romania, Bosnia-Herzegovina and Montenegro via Saudi Arabia, Jordan, the UAE and Turkey.

Summary

These examples demonstrate that also European weapons and armaments are being deployed in violent conflicts in Europe's neighbourhood. The causes of these

conflicts and the resulting flight movements lie deeper and cannot be eliminated by limiting weapons supplies. However, the availability of means of violence cannot be ignored. Without weapons supplies the actors in these conflicts would not be able to pursue their strategies of violence as they do. That begins with the long-term support for repressive regimes, such as those of Gaddafi and Assad, on the premise that they guarantee stability. How rapidly such alleged stability can turn into the opposite is made abundantly and frighteningly clear by these two cases because regimes have responded to those challenging them with the full force of their military apparatus, aiming to crush opposition movements. Supporting parts of this opposition with weapons supplies may initially appear to be necessary help for the purpose of self-defence, but in many cases it has rather led to an escalation and prolongation of violence and thus exacerbated flight and displacement. These developments in Syria and Libya should give the EU member states further occasion to strengthen their system of export controls on military technology and equipment. As both cases show although EU member states were not the main weapons suppliers, quite a number of them have contributed to arming first the repressive regimes and then parts of the opposition.

We need a more restrictive and consistent European system of arms export controls. With the Code of Conduct on arms export controls of 1998, which in 2008 was upgraded to a »Common Position of the EU«, the EU member states agreed on common criteria for arms exports. This includes, among other things, attention to human rights, the internal situation in the country of final destination and the risk that the weapons will be passed on into undesirable hands. But decision-making on arms transfers still lies in the hands of governments, which can interpret them pretty much how they wish on the basis of criteria that are much too vague. For example, although some EU member states did not approve at least 113 applications to export arms to Libya between 2006 and 2012, among other things on human rights grounds (von Boemcken/Grebe 2014), in other cases these member states were not deterred from arming the Gaddafi regime.

The EU member states should thus first of all agree on stricter and more unambiguous criteria. In particular against repressive regimes that are guilty of massive human rights violations there must be a general export



ban and mechanisms to monitor and implement such standards. One possibility to this end might be a centralisation of European export controls by an EU institution furnished with the relevant competences (von Boemcken/Grebe 2014). This ought to be accompanied by a reduction in overcapacity in the European arms industry. Demand for armaments in the EU is too low to utilise existing capacities. The result is high export pressure. Technology transfers in the form of the issue of production licences and the related construction of manufacturing plants for armaments in third states outside the EU and NATO should cease, especially in cases in which illegal transfer of weapons has been verified.

Their arms export to third states make many EU member states con-responsible for violent conflicts in Europe's neighbourhood and thus also for a key cause of flight. This includes ongoing deliveries to countries such as Saudi Arabia despite human rights violations and strong indirect involvement in the Syrian war, as well as direct intervention in Yemen. A serious, long-term oriented approach to the causes of flight requires structural changes in European arms export policy.

Climate-induced Migration and European Responsibility

Thomas Hirsch

Less climate protection means more climate-induced damage, exacerbates conflicts about scarce resources and boosts migration pressure. This is becoming particularly significant in the African drought zone south of the Sahara, in Central and South(east) Asia and in low-lying Pacific island states.

The stronger the global migration pressure, the more important it becomes to develop a clearly regulated approach to human mobility. This also applies with regard to sustainable human development: subgoal 10.7 of the UN's Sustainable Development Goals (SDG) advocates facilitation of safer, more regular and more responsible migration and human mobility by means of a well governed migration policy.

However, aspirations and reality remain far apart. How this discrepancy can be overcome, what responsibility lies with the European Union and how the EU could close the responsibility gaps in its climate and migration policy is the task of this contribution. The point of departure is the obligations arising from the Paris Climate Agreement.

European Climate Policy as Reflected in the Paris Agreement

The Paris Climate Agreement of December 2015 was acknowledged worldwide as a significant breakthrough on the road to the decarbonisation of the world economy and entry into the age of renewable energies. Years of negotiation by the international community under the umbrella of the United Nations Framework Convention on Climate Change (UNFCCC) were brought to a successful conclusion under the French presidency and the supporting efforts of the EU. With its triad of aims the agreement stands for a new, transformative understanding of development and thus goes far beyond climate protection:

1. limitation of global warming to significantly under 2°C, if possible 1.5°C;
2. boosting adaptation capacity, especially in particularly vulnerable countries;

3. diversion of global financial flows to low-emission and climate-resilient investments.

By recognising a joint responsibility for reducing climate risks and committing themselves both to more national ambition and enhanced cooperation in tackling climate change states have given a sign of solidarity in relation to the most vulnerable states. With the Agreement the fight against climate change has not been won, however. In the coming years major efforts will be needed if the conclusions are in fact to be implemented.

The European Union (EU), as the third biggest emitter after China and the United States, has long been in the vanguard of international climate policy and claims for itself a decisive role in achieving the Paris Agreement. Its climate target of an at least 40 per cent emissions cut by 2030 (compared with 1990) was laid down before Paris, however, and has not been adjusted since. This target is not compatible with the Agreement: scientific analyses, such as those of Climate Analytics, Ecofys and the Potsdam Institute for Climate Impact Research, show that a 40 per cent emissions reduction by 2030 is at best at the absolute lower end of what would be a fair European share of the necessary climate protection in order to achieve the 2°C target.¹ The aim of the Agreement, however, is to cap global warming significantly below 2°C and if possible 1.5°C. The fact that the EU has not refined its targets makes it clear that it is set to violate the spirit of the Paris Agreement which it helped to conjure into being. The loss of trust that that would give rise to is considerable and requires a fundamental new beginning for EU climate policy.

Climate Change, Migration and European Responsibility

The International Organization for Migration (IOM) estimates the number of international migrants worldwide at 244 million. If one includes internal migration the number rises to just under 1 billion. Migration is an umbrella term for various forms of mobility due to a range of motivations, which in the wake of globalisation are rapidly increasing in complexity and dynamism. At around 65.3 million – including 38 million internally displaced persons – there have never been so many

1. See www.climateactiontracker.org.

refugees among the migrants (UNHCR 2016). Natural catastrophes and environmental damage have been the main causes of flight for a number of years now, well ahead of armed conflicts: in 2014 alone 19.3 million people had to flee their homes because of natural catastrophes (IDMC 2015). That means that migration due to environmental and climate causes is not something for the distant future, but is already straining the absorption capacity of many, especially poor countries. At the same time, the risk is rising that a failure to act on climate protection and advancing global warming will give rise to unprecedented migratory movements in the coming decades. The figures for potential displaced persons due to climate change range from 25 million to 1 billion people, which shows how difficult making such estimates is (IOM 2014). Probable hotspots include densely-populated river deltas (for example, the Ganges-Brahmaputra, the Nile, the Amazon, the Mississippi, the Irrawaddy, the Mekong and the Yellow River); coastal cities particularly affected by rising sea levels (for example, Guangzhou, Guayaquil, Ho Chi Minh City, Abidjan); island states (for example, Kiribati, Tuvalu, Maldives); and arid areas (for example, Nigeria, Niger, East Africa, North Africa, Central Asia). In the African drought zone on the southern edge of the Sahara alone 300 million people live under vulnerable conditions.

The fragility or vulnerability that give rise to multicausal and climate-induced migration are multifaceted: human mobility – displacement, flight or voluntary migration – results from the confluence of a number of factors. If natural catastrophes, fragile agriculture, high population pressure, failing states and ethnic or religious conflicts come together and there is the prospect of a better life elsewhere the probability of migration is high. Climate change operates as a risk multiplier that can exacerbate existing problems, depriving people of their bases of existence and forcing them to leave their homes.

A joint study by the Potsdam Institute for Climate Impact Research, Climate Analytics and Humboldt University Berlin (Schleussner et al. 2016) comes to the conclusion, based on mathematical coincidence analysis, that climate-induced damage, in particular in ethnically divided areas, significantly increases the risk of armed conflict and flight. Almost a quarter of all violent outbreaks coincided with natural catastrophes. Thus climate stress is a much more significant trigger than, for example, social inequality. Even the bloody civil war in South Sudan, which has

had tens of thousands of victims, and has forced even more people to flee to neighbouring countries, further deteriorated during the drought caused by El Nino in 2015/2016. Ethnic tensions between livestock farmers and crop farmers were exacerbated by the massive pressure on water and land.

How the pressure on natural resources in Bangladesh, one of the poorest countries in the world, so undermines human security that it leads to migration has been shown by research by the Center for Participatory Research and Development: in a survey of 600 rural households in six districts 90 per cent of respondents stated that they were suffering from climate-induced problems. Particularly hard hit were households who make a living from fishing or agriculture. In order to try to make up for income losses due to flooding, salinization or tropical cyclones 90 per cent of respondents first of all took out microcredits, which led to further debt. In 70 per cent of cases food security was at least temporarily jeopardised. Depending on the region between 26 and 46 per cent of respondents stated that at least part of the family in the end had migrated looking for work. Most remained in the region to be as close as possible to the family. The majority of respondents did not choose migration, rather it was a last resort.²

This and many other research projects show that for people displaced by climate change the causes and processes of flight and migration are not complex and diverse; rather the destruction of the bases of existence as a result of environmental degradation, resource scarcity and, increasingly, climate change have become the main drivers of migration. It is also clear that, generally speaking, the weakest remain behind (the so-called »trapped population«): those who are too old, too young, too weak or too poor, lack networks, have no skills or no prospects of a job elsewhere are left behind and dependent on external support (CPRD 2015).

Although the term »environmental refugee« has been current in public discourse since at least 1985 and »climate refugee« since at least 2007, and there have been calls for legal recognition or political support for those affected, the chances of a legal status being conferred

2. The cited study »Climate Induced Displacement and Migration: The Ground Reality« by M. Shamsuddoha and M. M. Islam, written at the behest of Bread for the World, had still not been published at the time of writing, but a draft was made available to the present writer.

on such people in the foreseeable future are almost zero. On the contrary, the fact that in many places the human rights situation is grave and the refugee debate is politically charged leads human rights experts to urgently warn against renegotiating the Geneva Refugee Convention. They fear that in the end it will not be expanded, but rather further undermined.

Anyone fleeing from climate change needs a minimum degree of protection. This requires improved practice, but not a new UN convention, as the participants in an FES podium discussion in April 2016 also opined.³

What about Europe's role and responsibility? Although the EU, not least at the urging of the Greens in the European Parliament, at the latest since 2010 has addressed the topic within the framework of its climate, refugee, foreign and security policy and since 2011 has produced a study with recommendations for action (European Parliament 2011),⁴ it still does not have an agreed strategy, policy or even instruments. »Defence through denial« seems to be the motto. Also within the framework of the UNFCCC negotiations the EU has at no time supported the small island states in developing solutions for climate-induced migration – and indeed out of fears of being made liable itself. It is thus thanks to the political intervention of the small island states and many other developing countries that a specific article (Article 8) was included in the Paris Agreement on dealing with climate-induced damage and losses and that the International Warsaw Mechanism (IWM), which deals with climate-induced damage and losses, was tasked with setting up a task force on climate-induced migration in 2016. The EU's reluctance, by contrast, has been disappointing.

The obvious lack of ambition in relation to both climate change and climate-induced migration means that the EU is currently not meeting its political responsibility. As the third largest greenhouse gas emitter and one of the richest regions on earth its economic success, in historical terms, is based not insignificantly on the burning of fossil fuels and the exploitation of natural resources. Europe undoubtedly has a major, at least moral co-responsibility

for people being driven involuntarily to flee climate change. The Equity Review, in which a number of trade unions and NGOs analysed the announced climate protection contributions (Intended Nationally Determined Contributions or INDCs) of large emitters before the Paris Summit, comes to the conclusion that the EU's level of ambition is only around 20 per cent of what is fair (ITUC et al. 2015). Even if one can criticise the approach taken by the Equity Review on methodological and political grounds, it is nevertheless clear that the EU has fallen well short of its capabilities, but also of its responsibility. In particular with regard to the 1.5°C pledge that the EU has backed the current lack of action on climate policy borders on cynicism.

What would it mean, based on the polluter pays principle, if the EU, whose responsibility for closing the emissions gap by 2030 on a 1.5°C-compatible path – taking into consideration economic capacity and historical emissions – has been calculated by the issuers of the Equity Review at 20 per cent (<https://calculator.climateequityreference.org>), in fact only comes up with a fifth of its »fair« climate protection contribution? Would that mean that the EU would have a proportionate financial responsibility for those who flee climate change? Even if such simple correlation calculations do not tally with complex reality the example nevertheless illustrates that the EU must do much more than hitherto both with regard to emissions reduction and combating climate impact and migration.

Closing Responsibility Gaps – Proposals for a New EU Climate Policy

The EU needs a climate policy oriented towards ambition, reliability and trust-building, based on three pillars:

- Close emissions gaps: the 2030 minimum targets must be raised to at least 55 per cent and there must be a resolution on total decarbonisation by 2050;
- Close risk gaps: climate risk management oriented towards boosting resilience and solidaristic support for vulnerable states;
- Close humanitarian protection gaps: a voluntary agreement on human-rights based minimum standards on the protection of people from climate catastrophes, further development of the EU Temporary Protection

3. FES Podium discussion »Flucht vor dem Klimawandel« [Flight from climate change], 28.6.2016, Berlin.

4. The study states, among other things, that there is reason to fear an increase in climate-induced migration, there are major gaps in the protection of those affected and that the EU does not have a policy on this but must develop one.

Agenda and the establishment of a voluntary international fund for climate-induced resettlement and rehabilitation.

More ambitious EU climate change targets for 2030 should be deposited with the UNFCCC secretariat by 2018 at the latest and a decarbonisation strategy up to 2050 in the same year. In this way the EU would come closer into line with the Paris Agreement and counteract the long-term migration pressure.

A systematic adaptation and risk management policy based on standardised climate risk analyses, which also gives priority to the needs of the most vulnerable population groups, boosts adaptation capacity, prevents catastrophes and ameliorates migration pressure.

People who flee temporarily or permanently from climate catastrophes or precarious environmental situations need a minimum degree of human security. Ensuring their human rights is a humanitarian imperative. Because at present a global regulation anchored in international law has no prospect of success, the EU should cooperate in providing subsidiary protection within the framework of voluntary agreements at national or regional level. Examples of this include the Global Protection Agenda for cross-border climate migration, initiated by the Nansen Initiative and continued by the Platform on Disaster Displacement, the Peninsula Principles in the case of climate-induced internal displacement or the UNHCR and Georgetown University's »Guidance on protecting people from disasters and environmental change through planned relocation« (UNHCR/Georgetown University 2015).

The EU can temporarily offer protection to those affected by extending its Temporary Protection Directive, improving immigration options and creating a voluntary international fund to help the affected countries implement sustainable climate-induced relocations in line with human rights. Thus they would also send out a signal that those affected are being put back into the centre of attention as against a pervasive defensive stance that perceives refugees only as a security risk and threat.

Such a further developed EU climate policy – accompanied by a forward-looking migration policy – would send a signal internationally and mark a new beginning that restores trust in the EU's climate policy capacities. In par-

ticular the following measures would form a heptagon of climate-policy responsibility that could serve as an anchor of stability in a period of stormy global changes: (i–iii) a return to the three most important basic principles of European environmental policy, namely the precautionary principle, the preventive principle and the polluter pays principle; (iv) the anchoring of human rights and (v) the goals of sustainable development; (vi) enhanced international cooperation; and (vii) the drafting of an extended concept of »human security«. At the same time the EU could develop a narrative from this on what comprises the new essential core and the vision of an efficient, credible and integrated EU climate policy. That could not least improve the urgently needed internal re-establishment and legitimation of its climate policy action and thus help to accelerate the effective implementation of the Paris Climate Agreement, achieved at the discretion of the executive, which hitherto has been neither understood nor assimilated beyond a small climate policy elite.

Europe's Influence on Global Inequality

Wolfgang Obenland

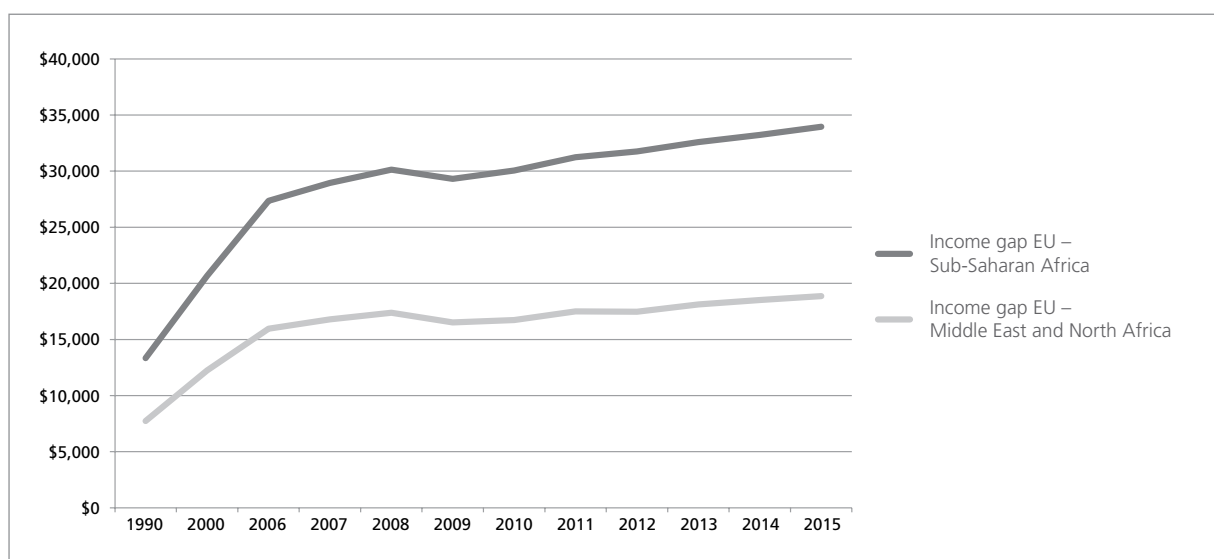
Inequality is one of the most urgent problems facing us today. The topic is also increasingly coming to the fore in the scholarly and political discussion of the causes of migration and flight (Morazán/Mauz 2016; Seitz 2016). Anyone wishing to discuss inequality has to look at local problems and their sometimes global causes, as well as the current dependencies between migrants' countries of origin and host countries. It is precisely those factors that lead to the unequal distribution of prosperity between countries and constitute such strong push and pull factors that they trigger migration. The effects of specific policies of European states and the European Union on economic inequalities both between countries and also within countries are not inconsiderable. Besides the topics discussed below (international tax policy, public debt and interdependent inequalities) there are many other policy areas that are important for the development of global and national inequality. They include monetary policy and the consequences of quantitative easing; the question of how return remittances increase or reduce inequalities; the topic of decent income and how it might be achieved; and the question of how far social systems in the countries of the Global South can be constructed or strengthened.

What Inequality Means

Inequalities of the demographic, economic and social kind between North and South are regarded as key factors in migration research (Martin 2005). A particularly important role is attributed to wage differences. For example, the assumption is that the number of migrants increases by 10 per cent if the income difference increases by 1,000 USD (purchasing power parities) (Ortega and Peri 2009).¹ The wage disparities between industrialised, emerging or developing countries currently average 2,000 USD (PPP) a month (ILO 2015). While real-wage increases in some developing and emerging countries in Asia and central and eastern Europe in recent years have been greater than in the countries of the Global North income development between Europe and Africa has moved further apart and in 2015 stood at just under 34,000 USD (see Figure 1) (Morazán and Mauz 2016).

1. This is a very simplifying assumption; although it can be shown to be statistically significant, in reality things are much more complex. For example, the cited study points to other factors in migration decisions, including cultural and geographical distance and the political and human rights situation.

Figure 1: Income gap between the EU and Sub-Saharan Africa and the Middle East and North Africa (1990–2015 in US dollars in PPP per capita and year)



Source: Author's calculations based on World Development Indicators (<http://databank.worldbank.org>).

Income inequality within countries can also be an important factor in enhancing or reducing migration movements. Inequality is generally measured in terms of the Gini coefficient (a figure between 0 and 1, with 0 signifying complete equality and 1 complete inequality) but also other variables, such as the Palma ratio (the ratio between the share of the income share of the top 10 per cent to that of the bottom 40 per cent). Income inequality is attributed so much importance because it correlates closely with other social and economic variables. For example, in countries with major inequality more health problems are observed. In societies with lower inequality people have higher life expectancy and education systems work better (Wilkinson and Pickett 2010; Ortiz and Cummins 2011). Economic growth also seems to go together with higher income equality. Less clear, however, is in what direction the causalities go, whether, that is, higher growth leads to more equality or vice versa. Besides these correlations another important aspect is the fact that inequalities contribute to an enhanced perception of problems and options for improvement. Someone who recognises that a better life is available in the same country will make more effort to improve hers or his. Someone who sees economic, political and other barriers to improving her or his life, however, will be keen on moving to another country. This link will only be operative, however, when the necessary conditions for a decent life are in place; in other words, the realisation of social, economic and cultural, as well as political human rights. Someone suffering from hunger or political persecution or tangled up in violent conflict will not ask whether her or his neighbours are doing a bit better or worse. In reality the motives are closely intertwined and make it difficult to distinguish between »voluntary« migration and forced flight.

The fact that there is a close connection between inequality and other issue areas has now come to be reflected in governments' policy programmes. For example, in September 2015 the UN heads of state and government, in their Sustainable Development Goals (SDGs) – within the framework of the 2030 Agenda – also included a specific goal on inequality (UN 2015). In SDG 10 it is demanded or resolved to reduce the inequality both between and within countries. However, this goal is not sufficiently spelled out and in the targets all that is called for is higher income growth for the lower 40 per cent of the income distribution. Interestingly, SDG 10 also contains a target (10.7) that provides for »facilitating orderly, secure, regular and responsible migration and mobility«.

Whether that is meant as a contribution to a reduction of inequalities between countries or a way of dealing with their effects remains unclear. Presumably the inclusion of the issue represents another compromise formula between the different governments.

Causes of Inequality and the Role of Europe

The relations between European policy and the development of (income) inequality both within and between countries are many and various. Elsewhere in this volume it has already been highlighted how misguided agricultural and investment policies can lead to the destruction of the bases of life or weaken social systems. The countries of Europe and the European Union are in a position, by implementing a fair financial policy, to reduce the gap within and between countries and to take action against the dramatic increase in inequality.

International Tax Policy

In recent years international cooperation on tax issues and so-called illegitimate financial flows have come to the fore both in politics and the media. As a result of such processes many countries of the Global South are not sufficiently in a position, through their own efforts, for example, to implement the SDGs; in other words, to make the necessary investments in infrastructure and education, to ensure energy supplies or to fund social systems for the poorest. Furthermore, there is a wealth of evidence that tax avoidance practices have heightened financial inequalities because transnational companies and rich individuals benefit disproportionately from the extra gains to be made in this way. The fact that well functioning – and properly designed – tax systems can contribute to more equal income distribution is well documented.

Illegitimate financial flows stem, among other things, from criminal activities, black market trading in weapons, people and drugs. However, these activities – at least from a financial standpoint – are only the tip of the iceberg. Much more serious, especially for the economic and financial systems of the countries of the Global South, are the losses arising from the tax avoidance practices of transnational companies. They include artificial profit shifting, falsely declared prices for imports and exports and the granting of tax breaks for investments or certain

goods. The Washington research institute Global Financial Integrity estimates that in the period 2004–2013 around 7.8 trillion USD flowed out of the countries of the Global South, 1.1 trillion in 2013 alone. More than 83 per cent of this immense sum is accounted for by the accounting tricks of transnational companies (Kar and Spanjers 2015). Just how vast these financial flows and their consequences are is also indicated by a study by the Tax Justice Network in 2012. Its authors estimate that around 21 trillion USD are stashed in shadow financial centres and do not even show up in the existing calculations of inequality figures, which makes a mockery of all existing statistics on wealth and income inequality (Shaxson/Christensen/Mathiason 2012).

Even though no reliable figures are available on where precisely the illegitimate financial flows end up, we can say that Europe, too, is in need of reform, with regard to the vulnerability of its financial systems to money from questionable sources. With its Financial Secrecy Index, published since 2009, the Tax Justice Network estimates the level of secrecy on financial issues of various jurisdictions and countries, the main factor in the selection of locations for the »investment« of money from dubious sources. In 2015 Switzerland, Luxembourg and Germany were the three European countries in the top 10 of the Financial Secrecy Index. If one included all the UK's dependent territories, however, it would be a fourth European country incontrovertibly at the top of the financial secrecy centres (Tax Justice Network 2015).

Because European countries are also involved in the inadequate taxation of transnational companies – also as a result of competitive tax policy between European countries – in recent years various policy programmes have been launched to tackle it, such as the project Base Erosion and Profit Shifting instigated by the OECD and the G20. However, the envisaged measures are concentrated primarily on the problems of richer countries. The specific problems of the countries of the South, which, for example, stem from underresourced financial and tax administrations, the enormous importance of resource exports or the great demand for direct investments, are not satisfactorily taken into account.

In order to tackle these problems at a global level the G77 countries – the group of developing and emerging countries in the UN – at their Third International Conference on Financing for Development in Addis Ababa, which

in July 2015 also dealt with means of implementation for the 2030 Agenda, advocated that the UN step up its activities in the area of tax. The proposals – for example, the creation of a UN body and closer cooperation between governments with regard to tax – were, however, unable to make headway against the countries of the North, which continue to rely on the capacities of the OECD (Obenland 2016). In September 2016 the government of Ecuador renewed the proposal at the general assembly (Correa 2016). To strengthen the tax systems in the countries of the Global South Germany, the United States, the Netherlands and other governments launched the Addis Tax Initiative in Addis Ababa, which is supposed to double the resources available for establishing or expanding administrative structures (<https://www.addistaxinitiative.net>).

The effects of dual taxation agreements on the development of the tax base in the countries of the South are still not given sufficient attention. In such agreements the taxation rights – for example, for affiliates or establishments – are laid down, as well as withholding tax rates for expatriated profits. If designed in a certain way such dual taxation agreements can lead to the shrinking of the tax base, especially in developing countries. Some countries, such as Switzerland, the Netherlands and Ireland (although not Germany) have carried out spillover analyses on this; however, there has as yet been no systematic evaluation of these analyses and a revision of the agreements.

If the EU took the fight against the causes of flight and migration seriously, it would renounce its opposition to the closer involvement of poorer countries in global tax policymaking and take a closer look at the effects of its own regulations or agreements on the countries of the Global South. Because just as EU member states, for example, suffer from the tax privileges conferred on Apple by Ireland, the developing countries suffer from the tax policy patronage made available by the EU and its members for »their own« companies.

Public Debt

In the foreseeable future, manifold causes could once more lead to numerous countries – not only in the Global South – getting into new sovereign debt crises: falling prices for commodities, stagnating growth in many

Southern countries, cheaper credit as a result of the low interest rate policy in Europe and the United States, as well as various global and regional political crises. Even today the debt servicing of the Global South, at 609 billion USD (2014) far exceeds the resources of public development cooperation flowing back into these countries. The Debt Report 2016 by erlassjahr.de and MISEREOR designates 108 countries as critically indebted. In particular the trend towards overindebtedness is evident in North Africa/Middle East, including countries that have taken a large proportion of refugees from Syria, namely Lebanon and Jordan (MISEREOR/erlassjahr.de 2016).

It is problematic because past experience shows that in countries that get into a debt crisis in particular the poorest stratum of the population and the middle class are affected by diminishing state spending, withdrawn subsidies and ravaged social systems as a result of »austerity« policies and rising unemployment. Inequalities are not only increased by this (the rich are generally in a better position to protect their wealth) but in extreme instances migration movements are triggered that exacerbate the situation in the overindebted country, such as the emigration of well educated young people from Greece due to the debt crisis and the related youth unemployment.

European countries and the international community have to date not found a systematic solution to the constantly arising debt crises. The 2014 initiative to establish a UN legal framework for resolving debt crises, under pressure from the G77, would have been an important step. Unfortunately, the European countries did not participate in the process constructively – although it would have been in their own interest. Instead, they continue to insist on debt management exclusively within institutions that they dominate, such as the International Monetary Fund (Montes 2016). The resolutions laid down in the Addis Ababa Action Agenda on debt sustainability are largely confined to the obligations of debtor countries, disregard the responsibility of state creditors – including the responsibility of international institutions such as the IMF and the World Bank, which are still dominated by the rich industrialised countries – and are still too weak in relation to private creditors. The fact that governments such as Argentina's are now once more subject to the rules of neoliberal financial markets instead of being reformed is not a good sign. New, hidden public debt generated by public-private partnerships brings additional risks (Rügemer 2016; Jones 2016).


Interdependent Inequalities

Another connection that merits more thorough research is the question of whether inequalities in different countries can mutually reinforce one another. For example, the increase in the competitiveness of Germany's export economy has a lot to do with the wage moderation of German trade unions over the past couple of decades, the implementation of Agenda 2010 and the related increase in income inequality in Germany. There have been at least two consequences: the enormous increase in the export surplus has led to major economic problems in other countries (inside the euro zone due to the elimination of an important balancing factor, the exchange rate), above all rising unemployment. Furthermore, also within Germany demand grew among relatively poor population groups for affordable goods, such as clothing. This demand is now being serviced by cheap imports, which leads to downward pressure on prices in the production countries, not to wages sufficient for a decent life; it also encourages poor working conditions. This has also increased the incentive for many people to try their luck in supposedly richer countries. In the latter, however, the enhanced influx can result in a new or larger low wage sector that only increases inequalities, as evidenced by the calls for the abolition of the minimum wage for refugees in Germany. Naturally, these links are not set in stone and could be prevented by adequate political action. Under the dictat of an ever more deregulated economy, however, inequalities could mutually reinforce one another – both financial inequalities and horizontal inequalities between social groups, such as men and women and ethnic groups.

Summary

Inequalities between countries and inequalities between people in individual countries are – besides other factors – important variables for the development of migration movements. In the context of other local problems social conflicts can be triggered. Even if the links should be subject to closer empirical research in one place or another, the underlying causalities are well attested.

European policy influences – deliberately or otherwise – the development of inequality both between and within countries. If European policy seeks to help minimise incentives for migration it must better understand its



effects on the development of, for example, income inequality and duly plot a different course. Tax policy continues to be understood as a basis of competition between countries; the main aim is to maximise national revenues and minimise the burdens on one's own companies, which can be achieved only at the expense of other countries. The debt situation is similar: national interests – for example, private investors or speculators from one's own country – are asserted while national responsibility is sidelined. Such policies, however, are not sustainable because in a globalised world their consequences cannot be locally confined. The examples of tax policy and public debt show that Europe needs to do better in making its policies more consistent in terms of not exacerbating inequalities within and between countries and not compelling people to resort to flight or migration as a result.

How Can Displacement of People by Corporate Activities Be Prevented?

Christopher Schuller

Today people are engaged in agriculture and resource extraction to an unprecedented extent. Agriculture and resource extraction have long been much more than means of provisioning society, but rather are the first links in global value chains, the fuel of immense economic engines for the generation of energy and consumer goods. The political structures of society, however, have not developed to the same extent and thus are often no longer capable of guiding and shaping the economy. It is no longer a matter of course that the state has the necessary expertise or technical knowledge to protect human rights against transnational economic activity. In many countries state and politics are also no longer able to effectively redress human rights violations due to economic activity.

Organised agriculture and the availability of raw materials are two central creative forces of human settlement and movement. If economic activity destroys these bases those affected often have no other choice than to move on. In this context one often talks of development-induced displacement,¹ whose causes and conditions of emergence can vary considerably. Despite this complexity there are solutions that can lead to discernible long-term improvements. National and international politics should find the courage to apply them.

Identifying the Problem

It was not by chance that the first large cities were established on the Euphrates and the French oil company Total does not negotiate with African governments selected at random: business brings people to the places where resources and products can be found. Modern transnational companies are flexible, mobile and quick on their feet; their presence is sought by governments and societies of resource-rich countries because of their investment potential. International markets and trade routes make possible the purchase of products even without local subsidiaries. From this, in the places where coal, gold or tantalum are found under the earth or three or

four harvests are possible each year rather than only one, arises intensive investment activity and a business presence on a global scale. In the ideal case environmentally friendly resource extraction and sustainable agriculture create jobs and robust civil societies. They confer self-determination and leverage on indigenous peoples and states: after all, the mineral jade is to be found primarily in Myanmar, underground, and the climatic conditions for four harvests a year are found in a few tropical countries, such as Uganda.

But wherever economic activity depends so strongly on the ownership and use of land, land, environmental and food rights can be violated and displacement or flight can be triggered. For example, textile companies outsource their production instead of establishing affiliates in Bangladesh or Cambodia. This makes it possible to switch production locations from one day to the next and heightens competition, dissuading governments from regulating. In agriculture and especially with regard to raw materials, however, the purchasing world economy lacks this option and so countries such as Ghana, Uganda and Columbia find themselves in an excellent negotiating position with regard to their natural resources.

As a rule, however, existing social structures are not strengthened because resource-rich states usually do not have the negotiating strength they ought to have. They often remain poor; governance, the rule of law and indicators such as the Human Development Index (HDI) scarcely register any improvement. None of these host countries of the postmodern world economy has yet achieved a level of democracy, rule of law or HDI comparable with that of Norway. At least, the company activities – usually managed from afar – in countries in which factories or mines are located have not done much to contribute to it. The countries Norway and Uganda differ, however, not in terms of their resource endowments or export potential, but in terms of the design of their state structures and the extent of the outside rule of society by foreign companies, purchasers and investors. Human rights violations arise when companies exploit the weaknesses of state structures to clear the way of rights that hamper, as well as of interest of outsiders. The following examples illustrate current practices:

1. The Indian mining company Coal India, with government participation, brought about the relocation of the Adivasi people in the federal states of Jharkand and Odi-

1. For example, displacement and forced relocation due to major infrastructure projects, such as the building of dams, highways and harbours or the establishment of plantations, mines or logging.

sha without taking into account their right to »free, prior and informed consent« in accordance with the UN Declaration on the Rights of the Indigenous Peoples (UNDRIP). In this case, which exhibits many features of so-called land grabbing, promises of compensation or reparation were either not kept at all or only years later. The company refused to take on local employees and sometimes carried out forced resettlement with violence (Amnesty International 2016).

2. Because of a mining project of the Antofagasta company the river of the small town of Caimanes in Chile dried up. It is unclear how the inhabitants of the town are now to be resupplied with water. The compensation agreement offered by the company, which provides for environmental safety measures and development projects for those affected, has split the community. Many inhabitants of Caimanes reject it and want to halt the project completely (Thomson/Reuters 2016).

3. Logging has harmed the bases of life of indigenous peoples in Columbia for years. They have to give way to the cultivation of exportable agricultural products. The government time and again issues extraction permits that violate indigenous land rights. The affected communities have little role in major programmes on land rights and rural development, such as Vision Amazonía 2020 (ForumSyd 2016).

Particularly affected by such situations are the owners and users of small parcels of land. They are often indigenous, almost always poor, politically powerless and rapidly driven from their land, either directly or by depriving them of the bases of making a living, for example, access to water.

Compensation processes for those affected meet with hitches at almost every stage, are rarely participatory and are not compatible with the principle of free, prior and informed consent (FPIC). Redress is not actively offered; it has to be fought for. That requires time, resources, will power and political unity among those affected that are seldom available. Information is lacking about available assistance mechanisms, which often can only be made use of with the help of NGOs. Even relatively accessible relief mechanisms, such as binding mediation procedures of national human rights institutions, on average take two to three years, court proceedings considerably

longer.² The delays in the procedures are due to the displacement of those affected, who are forced to find other possibilities for making a living. These systematic problems hit vulnerable groups such as women, children or older people particularly hard. Land users are not land owners. The former are overwhelmingly women (in many economies over 80 per cent of those working in agriculture), alarmingly often children. They are often the most powerless of powerless population groups. Redress often goes, however, to land owners, who are mainly older men, who either formally enjoy property rights or decide on the distribution of aid or compensation in community property structures. But even if a remedy is fought for and the promises made by companies or government in mediation proceedings are kept they often do not benefit those who have been harmed. And anyone robbed of their means of livelihood moves on in the hope of finding some prospects of living elsewhere.

European Responsibility

Europe is co-responsible for the abovementioned problems largely due to its demand for raw materials and consumer goods. Raw materials are extracted because there are buyers for them. For example, around 93 per cent of Columbian coal production is sold abroad, just under half to member states of the OECD. Also decisions on what plants are to be cultivated are based rather on available demand – and often only assumed – from exporters and export processing industry. Uganda, for example, sells agricultural exports worth around 2 billion USD a year, but remains a net importer of wheat and rice. Purchasers only rarely have a direct connection to the human rights consequences of this demand; even if they are directly involved in economic activity in the country of origin it is almost always via contractual or economic structures operating outside normal economic and social law: for example, oil company Total is contractually protected from the Ugandan state in its cooperation with the Ministry of Energy with regard to legal liability in relation to the communities affected by its activities. The British NGO War on Want meticulously, albeit also polemically documents British involvement in forced resettlements and displacement in connection with raw material extraction in Africa. German energy

2. Thirteen years in the *Neumann* case in Uganda, according to the company involved; <http://www.nkg.net/userfiles/Documents/2013-04-16%20Chronologie%20-%20ENG.pdf>.

companies, or energy companies active in Germany, such as Vattenfall, E.ON and EnBW, have a long history of human rights abuses in coal mining in Columbia. Although they are generally not directly involved in mining their purchases of coal provide incentives to continue existing human rights violating practices within the framework of extraction. Other countries are involved by way of state investments: the Swedish pension fund is a shareholder in multinational mining companies Anglo American, BHP Billiton and Glencore Xstrata, all parent companies of Columbian company Cerrejón.³

The European Union is aware of this problem. It has been working for years on a directive intended to inhibit European demand for so-called »conflict commodities« by obliging larger companies to report on the origin of their raw materials. The current draft of the directive is restricted to four rare minerals which are practically available only in conflict areas in Africa. It says nothing about coal or copper and imposes a reporting obligation only in regions afflicted by armed conflicts, but not, for example, in regions in which companies are responsible for environmental damage and entangled in corruption. Only in June 2016 did the European Parliament and the European Commission agree that such reporting should be obligatory for larger firms; smaller firms remain exempted from the regulation regardless of turnover or market share. In particular in Germany, where there is a very strong presence of small and medium-sized companies, and due to the vertical fragmentation especially in the production of technological goods, in which many companies are involved, some firms are not covered by the directive despite their significant market position.

The EU's Corporate Social Responsibility directive, too, sets a threshold for the number of employees for non-financial disclosure obligations.⁴ The government draft of the German implementation law sets a threshold of 500 employees, which covers only around 3 per cent (within the meaning of the Commercial Code) of large companies. The draft does not oblige any German company to apply an internationally comparable template for reporting and thus further reduces the international comparability of these company reports.

3. On this see Utlu 2016 and ForumSyd 2016.


4. This means primarily information on sustainability or human rights consequences that is supposed to be published together with the usual economic reports on results in accordance with commercial law.

Solutions and Recommendations

The connections between international economic activity and flight, displacement and migration are manifold, although causal relations tend to be at best indirect. Therefore when discussing solutions one must first eschew the illusion that European consumers surfing websites that compare electricity suppliers or standing in front of a supermarket shelf can bring about much change with their choice of product. Generally speaking the will is lacking, and in times of rising inequality often enough people's range of economic options but in any case information on the real origin of the goods. After all, this approach requires that there be alternatives. By July 2016 virtually no smartphone in the world was without the conflict commodity tantalum; the sole exception is only available within the EU. Only if initiatives such as the conflict commodity directive are implemented will we approach an information balance between companies and society and step up the political pressure on business.

In any case, only a state or a supranational organisation of states such as the EU are in a position to bring about significant changes. Companies are – even with the best intentions – not institutions for promoting human rights or human development. But it should be in the interests of companies to stand alongside robust trade unions and civil society establishments and organisations. This strengthens and takes some of the pressure off them and creates more secure and easier conditions for their business activities. Even if what is at issue are the prosecution of human rights violations, access to protection or aid mechanisms or effective preventive approaches the basic principle of the UN with regard to the economy and human rights applies: the obligation for protecting human rights lies with the state and not with companies, NGOs, churches or consumers.

States must create better, more rapid and more accessible remedial mechanisms. These should not, for example, punish the companies concerned; rather it is a matter of effectively protecting an endangered basis of life or restoring or replacing one that has already been destroyed so that people are not driven from their habitation. For that purpose, affected or potentially affected groups have to be informed in detail and appropriately about these mechanisms. Only in this way can displacement be prevented in good time. The mechanisms in the companies' home states are a long way away, function



slowly and, without the support of international NGOs, can scarcely be reached. They demand a high level of political coordination within the affected community and generally have little prospect of success. Extrajudicial mechanisms such as the OECD's contact points are not appropriate for grave human rights violations or the elimination of urgent existential threats .

Preventive approaches are even better; the real goal of the whole movement concerning business and human rights is the prevention of human rights violations due to business activities. Initiatives such as reporting on human rights risk analysis contribute to this, so-called elements of human rights due diligence. Alongside independently developed models such as the Framework of the Global Reporting Initiative on Business and Human Rights or the UN Guiding Principles Reporting Framework companies deal with the human rights consequences of their business activities early on and in a structured way. On the ground – that is, in connection with a specific project or investment – an agreement is reached with the affected communities, issued voluntarily and in advance, in full knowledge of the facts, as in the case of the abovementioned UNDRIP. Companies must be compelled to take these steps by the statutory anchoring of a cross-border human rights due diligence.

Longer term flight due to business activities can be prevented only if companies comply with the relevant guidelines and conventions that enable people to benefit from economic activities and encourage them to take charge of their own affairs, for example, through trade union organisation. In other words, Norway is not Norway because it has oil, but because Norwegians benefit from commodity extraction. Extraction of natural resources lifts no one out of poverty, but if a local community can participate in the wealth attained in this way transnationally boosted economic development can improve prospects of life locally. Because ultimately that unites everyone: the desire for prosperity and progress, best of all where they feel at home.

Fisheries, Agriculture and Economic Policy: How the EU Creates Hunger and Poverty in Africa

Francisco J. Mari

The coastal waters and fertile soils of Africa have been coveted since the beginning of colonisation to meet the demand of European consumers. Europe's influence on the conditions of African agriculture and fisheries gave rise to tea and banana plantations, which were long worked with forced labour; peasants were compelled to cultivate cocoa and coffee; child labour is being tolerated in cotton fields up until today; and coasts with an abundance of fish were plundered by EU trawlers. On top of that we have economies based on imports and exports and an infrastructure with a developed road system only to the major port cities. Regional trade and exchange was completely neglected. Little changed after independence. African elites are too closely intertwined with European ones – especially the French and British – for either side to have any real interest in change. Europe appears to be generous, allowing products from former colonies into EU markets duty free, although first and foremost for products from plantations that previously belonged to the colonial masters. The industrialisation of Africa is not promoted and in any case exemption from duties applies only to raw materials: not even roasted coffee or chocolate may disrupt the high value added through processing in Europe. Thus the powers that be in Africa ultimately leave everything as it was. Africa supplies raw materials and exports agricultural products, which even today are the main provider of foreign currency.

Causes of Flight or Reasons for Migration

The economic situation of the whole African continent offers inhabitants sufficient reasons to seek out regions in which they can imagine better life prospects. That applies first of all to migration within the continent and especially concerns large states in which people are fleeing rural areas for megacities. Some 90 per cent of continental migration takes place within Africa (Flahaux/ de Haas 2016). That also applies to flight from conflict and war areas. Sometimes refugees live in neighbouring states for a decade. This should always be borne in mind when trying to figure out why Africans want to come to Europe. It is usually only the end of a long road which begins with discussions with friends and family.

Europe's isolationist policy does not distinguish between migration and flight; in particular the people who drown in the Mediterranean never even had a chance to give the reasons for their endeavour. In a boat sinking in the Mediterranean everyone is equal. The figures of arriving refugees, divided up by country, merely give an indication of why people risked their lives. Regional origin provides only partial information on individual reasons for people's departure for Europe. Most people from Africa who set off for Europe for reasons of poverty in 2015 came from the west of the continent. The lives of East Africans from Somalia, Eritrea or Ethiopia are every bit as much afflicted by poverty as by political persecution. But people from Gambia in West Africa, for example, suffer under a government responsible for massive human rights violations. In what follows we shall describe a number of EU policies in Africa and their influence on agricultural structures and fishing, which play a role in people's decisions on whether they will set out for Europe. When looking at the causes we should keep in mind that people who imagine their future outside their country of birth are exercising a self-evident fundamental right, namely their freedom of movement.

Africa's Agriculture in the Clutches of Agricultural Multinationals

The veritable land grab of the colonial period through the cultivation of export products in agriculture, which not infrequently led to major famines,¹ established an agricultural structure for the local population that was supposed to reduce hunger by means of calorie rich and high fibre crops such as manioc. After independence and rapid population growth African governments bothered little with agriculture if it did not bring in much foreign currency. Mining licences and revenues from commodities – not infrequently for the private pockets of those in power – or gigantic infrastructure projects within the framework of catch-up industrialisation, such as dams, roads, new capital cities or ports, were more important to them than feeding the population.

The regions that have the longest and strongest ties with Europe are West and Central Africa. Not only were the most slaves taken from there, but their economies, gov-

1. For example, in 1931 in what today is Niger almost half the population died (Fuglestad 1974).

ernments and production structures are still closely linked to the »mother countries«. France in particular continues to nurture these special African relationships, even if it means supporting corrupt and mafia-like networks with African despots. African elites and their supporters East and West have been able to rely on domestic agriculture to provide enough food for people in Africa. However, population growth led to an increasing need for food and to numerous crises. Drought as in Ethiopia in the 1980s or conflicts like the one in Biafra in present day Nigeria, Liberia or the Congo drove people from their farms. The world community provided aid and in spectacular actions dropped thousands of food packages by parachute. Food aid became a media event and allegedly showed the world that Africa was unable to meet its fundamental needs.

Food Aid as a Trojan Horse of Agricultural Exporters

The EU and the United States were only too eager to seize on these images of famine in order to implement a new agricultural policy within the framework of the World Bank's structural adjustment programmes in Africa – the familiar key words were privatisation and liberalisation. State agricultural consultancy, agricultural and seed science research or veterinary services were shattered, considered to be superfluous state spending. Within the framework of tough conditions on debt reduction only an intensification of agriculture was promoted to bring in foreign currency via exports. Thus in the 1980s prices for coffee, cocoa and fruit from West Africa were eroded because now more and more states were reliant on exports. European consumers benefited from the plunging prices for tropical products, as did European companies such as the notorious French »Companie Fruitiere«, which also leased its plantations from the colonial period to US multinationals such as Del Monte for later sale in Europe. Not much remains for peasants from the value added of this export-oriented agriculture. States for a long time obtained so much foreign currency from it that they were able to purchase cheap food for the hungry population, including surplus and highly subsidised wheat from the EU. Thus African food markets became increasingly dependent on cheap EU imports. Baguettes and toast from EU wheat have now become staple foods at least in the West African coastal countries. They have driven out much more nourishing local grain varieties, such as

sorghum and millet. Only in countries such as Mali and Niger, which are too poor for cheap EU imports, are they still cultivated to meet basic needs.

Besides that, massive poorer quality rice imports from the United States or Asia were established as a »second pillar« of import dependence with regard to foodstuffs in Africa. How fatal this enormous food dependence can be was shown in 2008, when due to speculation, strong demand and bad harvests prices worldwide rose so sharply that there were hunger protests even in Cameroon, Ivory Coast and Senegal. Now countries such as Senegal have to pay the price for their dependence on EU grain imports. If the grain price rises as in 2008 African governments have to support the price of bread and subsidise imports. For logistical reasons (ships with containers instead of bulk cargos) more and more wheat flour instead of grain is imported from the EU, as a result of which dozens of mills in Africa have had to close. There is no evil EU plan behind the conquest of African food markets; they are too unimportant – apart from meat and milk – compared with overall EU production. It is happening because »free and defenceless agricultural markets« make it possible. It is usually African importers that sell European products and make the big profits. Bread is just one example of the »sustainable« influence of an EU policy that deprives small farmers of their incomes and young people of their prospects of making a living from the land.

The Founding of the World Trade Organisation Globalised African Farmers' Markets

With the founding of the World Trade Organisation (WTO) in 1995 a new much more effective phase began in the decoupling of African agricultural production from traditional, particularly urban markets. African governments were advised by the World Bank and donors to impose as low external tariffs as possible on foodstuffs at the WTO; they would benefit from that given the high dependence of their populations on food imports. This Trojan Horse opened up the African market to the EU. Apart from grain, EU production in many branches of agriculture in the 1990s had still not gone over to surplus production for third markets. Even the milk lakes and butter mountains were reduced after the McSherry agricultural reform of 1992 and the switch to area payments. No one imagined that further EU agricultural products would take aim at the low tariffs in Africa in order to ex-

port substantial amounts, in particular because purchasing power in Africa is too low for refined EU agricultural products such as cheese or tinned meat.

But this was a major mistake: the massive intensification of EU agriculture, boosted by high subsidies from the EU agricultural budget, especially in vegetable cultivation and in milk and meat production, meant that the EU Agricultural Commission had to seek new sales markets. Emerging countries such as China, but also the Middle East, North Africa and Russia were initially welcoming markets. Although other export countries were cheaper, there was still the means of export refunds (in other words, export subsidies) to capture markets.

After the turn of the millennium, however, these markets were no longer sufficient. Furthermore, in particular meat, vegetables and milk were so cheap in the EU that consumers wanted only the highest quality they could get. As a result surpluses were produced that had no effect on prices. Enterprising importers from Africa seized the opportunity and bought surplus chicken thighs, pigs' feet, tinned fish and meat, second class onions and carrots and sold them on African markets with very low import duties. In consequence it was brought home to the peasant farmers who make up almost 70 per cent of workers in West Africa that even in the most remote village of the Sahel they were victims of globalisation. Governments in fact had no trade policy instrument to ward off these floods of imports.² Even though the WTO has a set of rules against dumping, a poor developing country has never managed to open an anti-dumping procedure against an industrialised country. On the contrary, the EU is still contesting that its agricultural policies have negative effects on agriculture in Africa. Even so, many African governments are defending themselves and have issued import bans – against WTO rules – on EU goods. Although this can be circumvented by smuggling through neighbouring countries it is evident that African elites recognise how important local supplies of agricultural products are. Another negative consequence of the food crisis is the race for Africa's fertile soils because the continent harbours enormous potential for supplying markets outside Africa. Emerging countries are having foodstuffs cultivated and EU and US speculators expect high profits from trade in fertile land.

2. The UN Food and Agriculture Organization (FAO) identified over 400 sudden import waves (FAO 2011).

15 Years of Negotiations – Africa Must Ultimately Open Its Markets to the EU

The criticisms of this unfair balance of power were articulated especially pronouncedly with regard to the negotiations between the EU and Africa on bilateral trade agreements, cynically called Economic Partnership Agreements (EPA). Because the exemptions from duty granted by the first Yaoundé agreement for African products in the EU have not led to prosperity and growth in Africa, the idea emerged to seek them by mutually opening up markets. At least that is the EU's official position. For this purpose an Article from the General Agreement on Tariffs and Trade (GATT) that has been in existence since 1948 was used that does not permit unilateral trade preferences if regions agree tariff cuts. The WTO as successor organisation to the GATT was asked by the EU in 2000 to permit this unilateral exemption from tariffs for Africa for another eight years only. Building on that, Africa was instructed in the Cotonou Agreement to open up to 80 per cent of its markets to EU exports in these EPAs. Because the EU, however, during the same period granted tariff exemptions to low-income countries as part of the initiative »Everything But Arms« the need arose for the few middle-income countries – such as Ghana, Ivory Coast, Kenya, Cameroon and Namibia – to conclude agreements on mutual market opening in order to continue to export tariff-free to the EU. A radical opening up of African markets for EU products aroused massive resistance among most African governments, however, so that no agreement was signed for 14 years. Naturally, the resistance from a civil society comprising small businessmen, small farmers, churches and NGOs »rescued« governments, as so often, from giving in to EU pressure. The position of representatives of African civil society, however, although heard in the negotiations was long ignored by the EU. The fears of those affected in Africa by a further market opening, especially small farmers, that in the end they would no longer be able to make a living off the land, led to strong protests. The negotiators for African states came under massive pressure and tried to resist the EU proposals and at least to obtain more protection for agriculture. The EU, by contrast, in 2014 applied its ultimate leverage to African states. All middle-income countries that did not conclude negotiations by 1 October 2014 would have punitive tariffs imposed on their export goods. Because the export economy has major influence over African elites due to its economic significance in terms of foreign currency revenues almost

all governments gradually gave in to the pressure from the European Commission and at least declared an end to the negotiations in order to avoid punitive tariffs. The price Africa had to pay for the exemption of the bulk of agricultural products from tariff cuts in the agreement was bleak prospects for developing an industrial economy: almost all industrial goods will face unprotected EU competition in the coming years.

Subsequently the necessary ratification of the agreement threatened to founder on opposition in some national parliaments. Thus on 1 October 2016 the EU announced that it would punish those who did not sign, which only partly worked. While southern Africa ratified the agreement, in West and East Africa the worst possible scenario transpired. Because Nigeria continued to refuse to sign Ghana and Ivory Coast had to rush to sign the agreement they had already rejected in 2008. This represents a trade policy split in the West African Economic and Monetary Union. The same thing threatens East Africa because Tanzania withdrew its approval. Only Kenya, the only country with medium average income in East Africa, signed the agreement in order to avert punitive tariffs. That meant a breach for the East African customs union as a whole: instead of common external tariffs cheap products can now be channelled into the poorer neighbouring countries via Kenya.

What do these new trade policy conditions now mean for people in rural areas, for families that make a living from agriculture? While many had grown up with the export-oriented plantation economy, which sometimes helped them with seasonal work, the globalisation of agricultural markets brought ruin to many from the turn of the millennium. Becoming exposed in one's own markets to competition not just from the EU, but also the United States and Asia and, at the same time, to experience changes in food habits in the cities is, at least for many young people on the land, a sign that they have no future in agriculture. Their attempts at running small food processing businesses, such as poultry farming, tomato puree or cheese production have no chance against cheap products from the EU, causing them to leave rural areas. Only the old remain in the villages. The growing labour shortages are reducing local and regional food supplies, increasing hunger and malnutrition and creating dependencies on cheap imports. Agriculture is thus becoming less attractive and uneconomical and the coming generations will scarcely be able to remain on the

land. Arriving in the cities, however, young people experience that the investments in processing industries – for example, in the food industry – as promised by the World Bank and development agencies to provide replacement jobs, do not exist. While international donor projects promote export-oriented agriculture and the development of commodities, which primarily enrich the economic elites, the government does hardly anything for young people. If they hear about trade agreements with the EU that compel Africa to open their markets completely for the next 20 years, so that local industry cannot even develop, no wonder they try to reach the countries that have partly caused Africa's problems.

EU Fishing Policy – Turnaround after Decades of Plundering Fishing Grounds

Not only traditional EU policies are influencing Africa's future. Since more and more people are heading towards Europe for economic reasons the EU is trying to keep migrants well away from European coasts and thus having another negative effect on the economic development in particular of West Africa. The EU border agency Frontex plays a special role in this. Small fishermen in West Africa have already had a lot of experience with its rigid approach. When thousands of people in pirogues fled to the Canaries between 2004 and 2009 Frontex was mandated to check all fishing boats crossing maritime borders. Since then fishermen's activities have been hindered and curtailed or boats impounded on suspicion of illegal migration (Bread for the World, Medico International, Pro Asyl 2014). Because often up to 20 young men work on pirogues in order to be able to haul the heavy nets into the boat Frontex assumes that the boats are on the way to Spain (Belleret 2006). Fishermen on the West African coast are accustomed, however, to following the fish depending on the season. They are not concerned about maritime borders. Ghanaian fishermen fish in Sierra Leone and Liberians in Guinea Bissao or Senegalese in Mauretania. This possibility of fishing elsewhere during one's own poor season to protect young fish, in order to feed one's family has been massively interfered with by border patrols, with the consequence that fishing grounds are destroyed because now young fish are being caught. Fishermen are thus forced to give up their trade because they cannot make enough from it. Migration policy is subject to a security logic and has got into a vicious circle of defending against and reinforcing

migration. People are being deprived of their livings and thus are forced into migration in order to escape poverty and lack of prospects.

In recent years – in contrast to EU agricultural and trade policy – EU fishing policy has developed very positively. In many areas, however, this turnaround is too late. EU fishing boats, after overfishing their own waters since the 1980s, stepped up fishing off African coasts, where they were not subject to effective supervision. This led to the use of illegal fishing techniques and methods, such as trawls on the seabed and enormous by-catches that were thrown dead overboard; non-compliance with closed seasons and catch quotas; holding back license fees through illegal entry; destruction of the nets of small fishermen; and accidents such as the sinking of small boats without compensation; tax evasion and other criminal violations concerning ships' crews by means of reflagging. The black list on which even the ships of large European fishing companies may be found is long. The consequences are visible on every coast, as small fishermen bring in meagre catches or fish that are much too small and have not even spawned. Not only oily fish for the poor (mackerel, sardines) are affected, but also fish varieties in which Europeans have been most interested so far, namely perch, pike, squid, lobster and crab. For every kilo of such fish up to 20 kilos of by-catch are caught, which are thrown dead overboard and thus never reach the tables of the poor. Small fishermen on the coasts and women in West Africa's fishing sector are today among the poorest population groups with the highest illiteracy and sickness rates, including HIV/Aids. Earlier on they were a respected and affluent group in West African societies. In 2010 the EU had to make a clean breast of all this in its fishing policy green paper: the EU promised to make its fishing outside EU waters sustainable and development oriented.

By 2014 an ambitious Commissioner and some representatives on the fisheries committee had managed to bring about a turnaround in EU fishing policy. Although no compensation payments have been paid for previous injustices in future the EU fleet must meet strict environmental and social conditions if they obtain licenses for West Africa and they are to be strictly controlled. On top of that there is to be high transparency for all catch activities. A committee made up of ship owners and civil society representatives are to supervise EU rules and receive complaints and grievances from African small

fishermen or African governments. In the meantime even small fishermen's organisations in Africa, including those demanding compensation for losses, have become satisfied with EU fishing policy. But there are many other ships in their waters that are not subject to EU rules. In future, however, the African coastal states will have to prove to the EU that other states receive licenses subject to the same transparency and sustainability criteria. To this end support will have to be given to African maritime authorities for the surveillance of their waters and to combat illegal fishing effectively. However, thousands of young fishermen have already given up their trade. While up to 2010 they were able to use their nautical skills and places on their boats to flee to Europe Frontex monitoring now makes that difficult. Many take the perilous route across the Mediterranean to get to Europe. Some manage it and ironically find work on Spanish trawlers that fish off their coasts.

A New Beginning for the EU–Africa Partnership

European agricultural and trade policy has to undergo a turnaround – along the lines of fishing policy – in order to make a contribution to poverty reduction. Not too much would be needed to bring that about. Agreements that enable effective protection mechanisms against cheap EU imports and a renunciation of trade agreements that compel market opening and tariff cuts in Africa would be a good new start. The EU should support the African Union's plan to create a free trade zone for the whole continent. The best support would be a unilateral 100 per cent opening up of the EU market to all exports with no obligation for Africa to open up to EU exports. Instead of spending billions on Africa's governments for border security or even development aid for security actors these resources could be used more effectively and sustainably to support agriculture, fisheries and small industry. In this way the EU–Africa partnership could be re-established.

European Trade Policy: Does It Boost or Hinder Migratory Movements?

Dr Evita Schmieg

1. Foreign Trade and Migration

It is usually assumed that an increase in prosperity and a reduction in poverty in the developing countries would combat the causes of flight and stem migration. One argument against this is that the poorest people do not have the means to emigrate. Free trade agreements, which generally speaking lead to rising incomes in the countries concerned, would thus provide people on very low incomes with the financial means they need to emigrate.

Neoclassical foreign trade theory assumes that trade liberalisation – though the alignment of wage costs – could reduce migration; on top of that, productivity would rise and trade contribute to growth and poverty reduction. Reality is shaped by a wide range of factors, however, as well as by the interaction of other policies, especially of the country of origin; overall, in other words, by many more complex connections. Because the neoclassical model is based on unrealistic assumptions – among others, perfect markets – it is not suitable for explaining reality. More recent strands of foreign trade theory have shown that on more complex basic assumptions the simple recipe that one-sided trade liberalisation could reduce migration in every case does not apply. Thus theory conforms better with reality: although it has been shown that a country's economic openness is a key element of long-term economic growth, opening up to other countries by suppressing domestic production leads to a decline in production and employment in many sectors, which triggers or increases migration. For developing countries an aggravating factor is that in the past they protected precisely the sectors with unqualified labour so that trade liberalisation mainly affected the developing countries themselves; in particular in some African countries negative effects on income and employment were observed (World Bank 2005).

Foreign trade critics take the view that trade liberalisation disrupts markets. This danger exists not only in relation to unilateral trade liberalisation, as took place in the 1980s within the framework of the World Bank's structural adjustment programmes. Because of the loss

of economic prospects people were pushed to seek to improve their chances in other countries. The risk that domestic production will be squeezed out also exists in free trade agreements if the income differences between the countries involved are great. The European Union and regions in Africa, the Caribbean and the Pacific therefore laid down in the Cotonou Agreement in 2000 that they would not negotiate pure free trade agreements, but so-called Economic Partnership Agreements (EPAs) that go beyond mere trade agreements; in particular they contain protection and monitoring mechanisms and take into account the goal of sustainable development in their overall design.

As more recent research shows, trade liberalisation leads above all between richer industrialised and poor developing countries to more migration over the short term, but over the long term to new trade flows that stem migration (the so-called migration hump).¹ The degree of delay depends on how large the technological »lead« of the industrialised country is (for example, in relation to the benefits of mass production) and how high the costs of adjustment are in the developing country with regard to the emerging changed conditions due to the free trade agreement. The extent of migration also depends on the living standards of workers in the developing country, as well as the existence of migrant networks, which make emigration easier.

Highly qualified people are regarded as more prepared for migration than the unqualified. Particularly many have migrated in recent years to industrialised countries with labour shortages, especially in information and communications (World Bank 2004: 92). However, this emigration is particularly problematic for developing countries because it leads to losses in tax revenues and generally worse prospects in the country of origin (brain drain). Sub-Saharan Africa is particularly affected by this; 20 per cent of people who obtained a higher education there now live in OECD countries (OECD 2006).

Not only free trade agreements can influence migration – migration also has effects on trade flows between countries of origin and host countries. As a rule, immigration leads to rising exports and even more imports from the host country. The effect is stronger if migrants are

1. A very good brief overview of the theoretical explanatory models is provided by Mahendra (2014). He also shows in an econometric model for NAFTA that migration initially rose, but fell over the long term.

highly qualified and if country of origin and host country are linguistically and culturally very different. In this case migrants' potential contribution to opening up their complex home markets is greater (Chiswick/Miller 2015), for example, if a rare language is spoken in their home country or corruption, pension insecurity and weak institutions represent high barriers for trade or investment. Migrants thus bring cultural and technological capabilities. That can contribute to a rise in productivity in the host country. For the countries of origin the diaspora often – by means of remittances and investments – proves to be an important source not only of capital, but also of knowledge and technology (Mashayekhi 2009). Labour migration can thus be in the common interest of the host country and the country of origin, although it is politically sensitive.

2. Consequences for the Instruments of (European) Trade Policy

Although trade liberalisation can contribute to rising productivity, competitiveness and growth, it is only under certain conditions and in particular when it is embedded in a larger set of reforms. The instruments of foreign trade policy – the WTO, bilateral and regional free trade agreements, unilateral trade preferences – have to take this into account and be designed in such a way that they promote decent working conditions and living standards. This requires that attention be paid to the goals of sustainable development in trade policy and that people's economic, social and environmental prospects be improved, thereby helping to reduce poverty.

Trade policy as a Contribution to Growth and the Fight against Poverty

Negotiations on free trade agreements between the EU and, in particular, poorer developing countries must be prepared carefully in order to identify the initial situation, as well as possible opportunities and risks. The European Union uses so-called Sustainability Impact Assessments (SIA) for this purpose, studies that seek to evaluate the possible consequences before the agreement is concluded. However, to date this instrument has de facto played no role in the formulation of the negotiation format for the European Commission and in the political discourse accompanying the negotiations. In order to be

able to serve as basis for a sustainable design of free trade agreements it would have to be further improved and its application changed fundamentally.

Trade liberalisation must bring about positive income effects in the relevant countries as quickly as possible and thus facilitate positive effects for the poor. A precondition of this is that industrialised and emerging countries open up their market to poorer countries. In the WTO tariff and quota free access was agreed for the Least Developed Countries (LDC) as early as 2005, but to date it has been fully implemented only by the EU within the framework of the so-called »Everything But Arms« initiative. This is part of the Generalised System of Preferences (GSP) that facilitates access to EU markets for all developing countries. A particular incentive is provided by additional trade preferences for countries that comply with international conventions on labour and the environment (»GSP+« countries). With regard to regional free trade agreements again only the EU has so far conferred completely free market access on other countries, namely the ACP regions within the framework of the EPAs. In the agreements with other, more competitive countries, such as Vietnam or the states of North Africa, however, even the EU has proved to be less generous. Furthermore, the maintenance of agricultural subsidies within the EU – and other industrialised and emerging countries – hinders access to their markets for third countries. Another – at present unfortunately not ongoing – discussion within the WTO on how trade disrupting subsidies can be further restricted, would be a further step in dealing with this fundamental problem.

Market opening is always linked to the risk that local production will be squeezed out by the more competitive trade partner. The danger can be minimised if the design of trade liberalisation takes into account the activities and competitiveness of the partner countries. Basically, weaker countries should open up their economies to a lesser extent and less rapidly than stronger trade partners (asymmetry). Again the EPAs are a positive example because they demand less market opening from the partner regions – 20 to 25 per cent of tariff lines remain permanently excluded from liberalisation – and market opening takes place gradually (up to 25 years).

Only with the implementation of free trade agreements does it turn out whether their design really meets the needs of the partner countries. Impact monitoring of im-

plementation is thus needed so that emerging problems can be addressed rapidly. The rules of the agreement, including protection clauses and sufficient policy space, must make this possible. Some examples of this can be found in the various EPAs. For example, in the protection clause in the Caribbean EPA which allows, in the case of market disruptions, the reintroduction of tariffs, is very much more flexible to the benefit of Caribbean countries than the WTO's protection clause. It will be absolutely central, however, to build up functional monitoring systems that include the various parts of society. Such systems are provided for in the EPAs and in the Caribbean the discussion of the possible design has already begun. The other EPA regions should commence the development of monitoring mechanisms as soon as possible after the coming into force of the agreement.

Market Opening Must Be Accompanied by Supportive Measures – Including Trade-related Development Policy (Aid for Trade)

Trade liberalisation by no means leads automatically to growth or combating poverty, especially not unilateral trade liberalisation, of the kind implemented in the 1980s within the framework of structural adjustment programmes. In particular in countries with low human capital and few experienced companies, in the past firms have reacted to import competition by reducing production rather than by increasing efficiency and retaining market share, as the World Bank observed in Kenya, Tanzania and Zimbabwe at the turn of the millennium. Taking everything into consideration it came to the view, from its experiences in the 1990s, that market opening must be embedded in a reform package in order to obtain positive outcomes. Even the export boost expected from free trade agreements arises only under certain conditions, as the implementation of the Caribbean EPA showed (Schmieg 2015: 10f). Constricting factors, such as lack of access to credit, too high telecommunications or electricity costs, lack of infrastructure or difficulties in maintaining technological and health care standards often represent more significant problems than tariffs in getting into demanding export markets. Almost all success stories in the past have explicitly or implicitly promoted exports and implemented the requisite economic, political and social reforms, while creating or reinforcing the necessary institutions (World Bank 2005: 147).

Trade liberalisation is successful above all within the framework of a broader reform package, so there is a lot to be said for giving areas of reform equal billing in free trade agreements, such as services, investments, competition policy, public procurement, labour rights and core international labour standards. The European Union takes up all these issues in its free trade agreements. This approach is very controversial with regard to the EPAs, however. Some regions defended themselves against the new topics with reference to their lack of negotiating capacities. Only the Caribbean region, however, actively used the option and addressed the new topics in a comprehensive agreement in 2007. The Caribbean made trade policy concessions only where it was in its own interest, for example, the protection of intellectual property for music, film or geographical indications of origin. Many other chapters of the Caribbean EPA, by contrast, define starting points for trade-related development policy among the new topics or measures to promote regional institutions in these areas. The chapter on public procurement, for example, does not give EU firms special treatment, but foresees the strengthening of transparency and the creation of a regional institution. Some EPAs with other regions contain the intention of negotiating the new topics at a later date. In this context they should take their bearings from the positive example of the Caribbean EPA.

Accompanying policies, such as labour market or social policy, also play a key role in opening up new opportunities for people who lost their jobs due to rising imports as a result of trade liberalisation. Developing countries often lack the know-how to prepare, negotiate and implement free trade agreements. That applies in particular to necessary accompanying policies, whose implementation – for example, in areas such as infrastructure, education and social security – goes together with a substantial financial burden. The opening up of foreign markets is accompanied by additional difficulties. With the beginning of the Doha development round an intensive discussion commenced in the WTO and the OECD on the important role of trade-related development policy. Japan, the EU institutions, the World Bank and, in fourth place, Germany are the largest donors with regard to trade-related development policy (OECD 2016).

Trade Policy Must Include Possibilities for Legal Migration

There is a very direct relationship with migration in the area of trade in services. Within the framework of the WTO services agreement of 1995 (the General Agreement on Trade in Services or GATS) the provision of services by natural persons was defined as one of four methods (mode 4) for exporting services. Since then the liberalisation of services has been a component of the WTO and is generally part of free trade agreements. For the Caribbean countries far-reaching concessions with regard to mode 4 were an important motivation for EPA negotiations.

The share of global trade in services provided by natural persons, however, is below 5 per cent in contrast to 55 to 60 per cent for mode 3, commercial presence within the framework of foreign direct investments (Panizzon 2010). In addition, trade under mode 4 is strongly concentrated among highly qualified services and services related to investments (over 60 per cent). That means, however, that less developed countries have virtually no chance of exporting under mode 4 because they have practically no involvement in international direct investment. In particular for LDCs, however, workers are often the factor that they want to use in international trade. Furthermore, the provision of services by natural persons often entails major practical problems with regard to visas because visa rules are generally not harmonised or changed in line with free trade agreements. This criticism was also levelled by the Caribbean countries against the EU with regard to the EPA.

A sustainable trade policy must therefore include legal options for migration in particular for poorer countries and thereby balance the existing preference for foreign direct investments as against labour in world trade. Free trade agreements could be particularly appropriate means of promoting this problematic area in the parties' mutual interest because migration is a politically sensitive and economically difficult issue not only in the EU member states, but also in developing countries. It is difficult to achieve an opening at WTO level, because it applies in relation to all countries. It would be easier in free trade agreements that link a liberalisation of mode 4 with regulations from successful bilateral migration agreements

on voluntary repatriation and visa issuance.² »Circular migration«, when (labour) migrants at least once immigrate to the host country, return to their country of origin and then immigrate to the host country once more could contribute to the transfer of know-how to developing countries without leading to a brain drain and at the same time meet the labour needs of ageing societies in the EU.

The World Trade System Must Generally Do More to Address the Interests of Poor Countries

Trade policy must eliminate the deep-lying injustices in the structures of the world trade system and open up economic prospects for people in developing countries. Only in this way can it be avoided that people feel compelled to leave their homeland to ensure the survival of their families. The regulations are at present oriented towards the interests of industrialised countries, from the exemptions for subsidies in agriculture to the regulations of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which lead to a considerable transfer of resources from South to North. However, even the WTO's exemption clauses for LDCs, which were introduced to protect developing countries, contribute to these inequalities. This is because they resulted in LDCs in particular for a long time not articulating their interests in the WTO because they assumed that they were not affected by the outcome in any case. The negotiations passed them by with the result that in particular the products of the poorest – agricultural products and textiles – are subject to particularly high tariffs and rich countries take in twice as much revenues from duties from trade with developing countries as from trade with other industrialised countries (World Bank 2005: 152). The lack of personnel and financial resources also makes it difficult for poorer countries to participate actively in negotiations. As a result the share of LDCs in international trade has barely changed, rising from 0.5 per cent in 1995 to 1.1 per cent in 2014 (WTO 2015).

These structural problems can be solved only if the developing countries play a stronger role in negotiations – which is already manifest in the Doha round – if free trade negotiations take into account sustainable development and if there is a readiness on all sides to tackle

2. For specific proposals on this see Panizzon (2010).

pending topics of the future in the interests of all countries. Developing countries must step up their assertion of their interests in the WTO so that the world trade system better reflects them. The agreement on trade facilitation concluded in Bali in 2013 could serve as a model for future agreements that make it easier for countries with weak capacities to be actively involved in the design and implementation of agreements. For the first time the scope and speed of agreement implementation is being aligned with the administrative and financial capacities of developing countries and, at the same time, implementation is being made dependent on support from development cooperation resources. There is a danger that countries unwilling to reform are using this flexibility to delay implementation; for countries willing to reform but lacking capacities, however, this is making this possible for the first time, under certain circumstances.³ A strengthening of the WTO is necessary, however, in the face of the numerous pending regional free trade agreements, such as TTIP or TPP, whose implementation would further marginalise the poorest countries in particular.

policy, deriving from the long-standing special relationship between the EU and ACP states. The EPAs have to show themselves, particularly in their implementation, to be able to contribute to the sustainable development of the partner countries.

In relation to countries that may be more competitive than the ACP states the EU – especially with regard to access to its markets – will have to show more goodwill if it would like to afford their people more prospects. For example, in relation to the countries of North Africa a serious opening up of markets for – to them – important products such as olive oil or tomatoes would be helpful. However, such concessions would come at the expense in particular of the southern European countries, whose economies are already in turmoil. Such decisions would thus require compensation within the framework of European solidarity.

Conclusions and Recommendations

The relations between trade policy and migration are very complex and generally speaking do not permit mono-causal explanations of migration movements, especially because the internal politics of the sending countries play a role in both trade and migration movements. However, there are many ways of better avoiding in the future the negative effects of trade liberalisation that lead people to migrate. At the same time, more use must be made of the options available to boost the positive effects of agreements in order to increase exports and employment in the partner countries. Aid for trade is one starting point for this; others include the substantive provisions of free trade agreements themselves, as described above. All these efforts must be integrated in the basic efforts to orient the international trade system to the UN sustainable development goals (SDGs).

The design of economic partnership agreements between the EU and ACP countries shows unusual concern for the conditions in the partner countries and gives them totally free market access. They represent an exception among all North–South agreements, but also in EU trade

3. For more details on this see Schmieg (2016).



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