# Dialogue in Divergence

## The Impact of EU Migration Policy on West African Integration: The Cases of Nigeria, Mali, and Niger

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# Contents

# Executive summary

This study analyses some aspects of the impact of European Union migration policies on ECOWAS, the West African regional economic integration project, and on the migration policies of three countries in the region, Nigeria, Mali, and Niger. The study focuses in particular on the divergent perceptions of the issue in Europe and West Africa. While, from the point of view of decision-makers in Europe, migration from Sub-Saharan Africa has grown since the early 2000s from a problem into a crisis, in West Africa, it is seen as a new phase in the region's difficult history of socio-economic development. The study revisits the ways in which the EU's relations with the region were, and still are shaped by the migration issue; reviews and discusses the migration policies of ECOWAS in context; analyses the parameters of the migration issue area in Nigeria and Mali, emphasising in particular the historical perspective in which they make sense; discusses the ways in which the EU has sought to influence the policies of these countries in this connection; examines the peculiar case of Niger, a 'transit country' transformed into an immigration officer for the EU; and reviews and discusses the implications for the socio-economic progress of the region and of these three countries. In conclusion, the study emphasises that the EU and West African states have a divergent understanding of what is at stake, with the result that dialogue devolves into ineffective initiatives that reflect both the lack of coherence and the power – in terms of resources – of the EU position. Recommended measures are suggested that may help to establish the balance necessary for dialogue and provide a way out of a questionable – or non-existent - strategy.

# Foreword

After around 1.3 million refugees and migrants came to the EU in 2015 the EU performed a substantial shift in migration policy, declaring it a major priority. Migration is no longer regarded as merely part of development cooperation, but is now its core, in terms of which future development cooperation will be oriented. At the same time, in the course of 2015 European priorities shifted. While initially the main focus was the Balkan route, by which in particular people from the Middle East and South Asia came to Europe, after it was blocked the focus shifted to Africa. A clear sign of this change of emphasis was given by the migration summit hastily organized in Valletta in November 2015. Underlying this shift are prognoses that by 2050 Africa's population will total more than 2 billion.

In order to address migration the Valetta Summit resulted in a new Action Plan and the creation of the EU Emergency Trust Fund for Africa (EUTF), and a bit later, saw the introduction of the so-called Migration Compacts. Four out of the five countries which were initially designated to sign the first Migration Compacts came from West Africa and were all members of the Economic Community of West African States (ECOWAS). The EU defines these compacts as a political framework for continued cooperation pulling together the different work strands and instruments and tools, in order to develop a comprehensive partnership with third countries. Some of these instruments and measures, however, are perceived by many African countries as part of a European-imposed migration agenda that prioritizes EU interests over Africans, which undermines African ownership and neglects local priorities, expertise and capacities. Focusing on ECOWAS also meant that the EU tried to address migration issues in the most developed African region in terms of regional integration. This raised the question about the consequences of this approach for ECOWAS and the already existing frameworks which do not only govern migration and the free movement of people throughout the region but are at the heart of the regional integration and the development process.

The African Union Cooperation Office of the Friedrich-Ebert-Stiftung (FES) works on a number of issues related to European-African affairs and tries to enhance and broaden the – often – lacking genuine political dialog between the relevant stakeholders. In the context of migration observers have characterized it as a "dialog of the deaf". In order to mitigate and enhance this and to ensure an inclusive dialog the FES AU Office carried out a number of conferences on migration, published studies and policy briefs and organized a trip of a high ranking AU delegation to Brussels and Berlin. The delegation was made up of representatives from the AU Commission Departments of Social Affairs, Political Affairs and Citizens and Diaspora, all of which are involved in migration issues. During the trip, which was organized in late 2016, it became clear that the AU is worried about the implications of the new EU approach on migration and its negative consequences for regional integration and therefore ultimately African development. It is with this aim that the FES initiated the study at hand and hopes that it will be able to contribute to a more facts based discourse and to a beneficial partnership between Europe and Africa on migration.

I would like to sincerely thank the author – Dr. Rahmane Idrissa – for his excellent work researching and drafting this study as well as my colleague Nina Fink for her efforts in preparing the terms of reference for this study. Last but not least, I would like to thank my colleague at headquarters, Elisabeth Braune, for her valuable comments on the draft study as well as the FES AU team in Addis Ababa and my successor, Dr. Erfried Adam, for finalizing the draft study.

*Florian Koch, Director FES AU Cooperation (2015-2018)*

# Introduction

In recent years, migration from Africa to Europe has grown from a manageable 'problem' to a much less manageable 'crisis'. The response of the European Union (EU) to the problem was in line with its prevailing policy towards Africa, i.e., development aid through trade partnership. But when the situation that was once seen simply as a problem started to be perceived as a crisis, that response also rapidly started to change. As a result, the evolving EU approach to the issues of African migration is impacting significantly on both its partnership with Africa and on Africa's own migration and development policies. These impacts are as yet ill-understood.

This study looks at the case of the Economic Community of the West African States (ECOWAS) and that of three of its member states – Mali, Niger and Nigeria – in order to analyse some of the impacts of the European approach on the policies of West Africa's countries and, more crucially, on their development prospects. This introduction starts with a background description of the evolution of the EU's approach and goes on to pose the research question that emerges and to define the objectives of the study. The case selection is then justified and the methods used to reach the proposed answers presented. The introduction ends by describing the structure of the study.

## Context: from problem to crisis

There was some irregular migration from Africa to Europe before the 2000s, but the numbers were not significant enough to be considered a problem. In order to understand how migration has impacted on Europe's African policy, starting in the early 2000s, it helps to have an understanding of policies prior to this date.

As early as the 1960s, European states collectively defined their African policy officially as a form of development aid. They set up a financial mechanism known as the European Development Fund (EDF) which supported a succession of agreements (conventions of Yaoundé and of Lomé I, II, III, IV, and IV bis) that integrated sectors of African agriculture into the European economy via trade and the removal of tariff barriers to market entry for so-called tropical products from Africa.

In the late 1990s, this arrangement was challenged at the World Trade Organisation (WTO) by actors from the American continent, including the United States. As a result of WTO rulings, a new compact was signed in Cotonou (Benin) in 2000 between Europe and its southern partners (the so-called ACP – Africa, the Caribbean and the Pacific – countries). This Cotonou Agreement enshrined some of the principles and procedures that would also later determine the development of Europe's approach to the migration issue. These include, inter alia: (1) equality of the partners and ownership of development strategies, (2) dialogue and mutual obligations, and (3) differentiation and regionalisation in cooperation.

In summary, these principles helped the Europeans to put in place a system of selection and a variable level of partnership, by linking cooperation to flexible criteria such as 'level of development', 'need', 'performance', 'development strategy', 'vulnerability and landlocked character of a country', and so on. The Agreement also introduced the concept of 'political dialogue' into the EU's relations with Africa. In addition to promoting 'good governance', this concept was intended to form a mechanism whereby the EU would be able to link development aid to matters of peace and security, arms trade and migration. Finally, trade cooperation was to be overhauled through the Economic Partnership Agreements (EPAs), in which the African states would reciprocate the opening of the EU market by opening their own to EU goods. It must be noted that, alongside these formal schemes of cooperation, the EU has also been seeking to export its regional integration model to Africa by actively supporting integration efforts there, both at continental (African Union – AU) and at regional (ECOWAS, e.g.) levels.

The inclusion of the migration issue into the 'political dialogue' clauses of the Agreement shows that by this time immigration from Africa was already considered a potential problem for EU countries. The principle of equality which inheres in the concept of dialogue meant that this potential problem would be addressed by involving African states and civil society groupings. It is therefore on the bases of equality and dialogue with Africa that the EU sought to secure remedies to the migration problem which grew more serious in the decade between 2000 and 2010, when large numbers of migrants attempted perilous sea voyages to Spain and crossed the Sahara desert in dire conditions. Diplomacy led to the so-called Rabat Process which strove to orient EU development aid towards a 'synergy' with desirable migration policies. In other words, the EU would be ready to provide targeted development aid if African states adopted measures that would help in stemming migration flows towards EU territory. Thus, underlining the connection between migration policy and development aid, the official name of the Rabat Process is 'the Euro-African Dialogue on Migration and Development'.

This dialogue progressed at a slow but steady pace between 2006 and 2015, a period marked by the Paris Cooperation Programme (2008), the Dakar Strategy (2011) and the Rome Declaration and Programme (2014). These successive meetings resulted in the adoption of four 'pillars' that were to support Euro-African cooperation on the issues: (1) organising mobility and legal migration; (2) improving border management and combating irregular migration; (3) strengthening the synergies between migration and development; (4) promoting international protection.

However, by then the context was changing significantly. To 'improve border management', the EU had come to rely on the cooperation of 'transit countries' in North Africa. But in 2011, French and British forces supported an insurgency against the EU's most efficient partner in that regard, the regime of Col. Gaddafi in Libya – which not only prevented migrants from crossing the sea but also offered them alternative economic opportunities in Libya. The Franco-British intervention ensured the collapse of Gaddafi's regime, which then led to the removal of its guarantees. As a result, there was a dramatic increase of migrant flows across the Mediterranean towards the shores of Italy, a development which, quite rapidly, had critical political and humanitarian consequences.

In this new context, migration made for alarming headlines in Europe's mainstream press, with the attendant impact on the political stage. Moreover, a series of shipwrecks in the Mediterranean in the spring of 2015 caused hundreds of fatalities among migrants crossing the sea towards Italy and Greece. Both the influx of the migrants and the disasters at sea changed European perceptions of the issue in ambivalent but fundamental ways. It was now no longer a problem to be managed but a crisis to be urgently dealt with. The EU therefore felt under pressure to give some teeth to a vision that had thus far been essentially declarative. In November 2015, a summit of European and African heads of state and government was organised in Valletta, on the island of Malta, to decide on the concrete measures that needed to be taken to end the crisis. Building on the momentum from the Rabat Process, the Valletta summit led the European side to set up an Emergency Trust Fund designed to pool resources from the EU budget, the EDF, and EU donor countries in order to finance a coordinated response to the crisis, both in departure and in transit countries.

The emergency funding is, however, only one component of a more extensive effort to pursue connections between development aid and migration policy, with a renewed focus on major departure countries – such as Nigeria and Mali – and key transit countries – especially Niger. On a broader level, the EU is seeking to redefine its partnership with African countries within the newly developed framework of the 'Africa-Europe Alliance for sustainable investments and jobs', which intends to significantly expand and diversify European investments in the continent. This new vision is poised to have a strong influence on the EU's migration approach in the coming years.

## Research question and objectives

The question that then needs to be asked is how this renewed emphasis on migration impacts the EU's commitment to the development of Africa. Does it strengthen that commitment – as EU representatives claim – or not? And how does it interact and/or interfere with the Africans' own plans for development? In seeking responses to these questions, the study will address these two main objectives:

(1) Determine if and how the current EU approach affects African migration governance and regional integration efforts, i.e., does it complement and reinforce existing policies or undermines them?

(2) Provide policy recommendations for European and African policymakers.

## Justification and method

The West African region is the ideal case for an exploration of the above-mentioned issues and questions. The bulk of Sub-Saharan migrant flows come from West Africa and the region has a longstanding and quite advanced regional integration project. The study focuses therefore on ECOWAS, the vehicle of that project. Moreover, three countries have been selected as a basis for the research: Nigeria and Mali as major departure countries, and Niger as the main transit country in the region. Within West Africa, Nigeria and Mali have very different levels of economic development, and the comparison between the two provides the variability that bolsters the validity of the responses proffered by the study.

The research method behind the study combines documentary research with stakeholder interviews in the three countries and in ECOWAS. In each of the countries, I have met representatives of the EU, government, international organisations and the civil society, while also consulting local experts on the issues. Interviews were geared in particular towards understanding the dynamics that constrain or stimulate policymaking on the ground, both on the part of the EU and of countries in the region. I have especially attempted to collect information that might be helpful in analysing the existence of or, conversely, the lack of synergy between EU efforts and local/regional policies and measures.

# Study layout

The study is divided into six sections. The first four sections dwell on the cases of ECOWAS and the three countries under study, offering, in each case, first a survey of migration issues and policy in the context of the prevailing socio-economic conditions, and second, an analysis of the impact of the EU approach. The sections address in particular the question of whether the EU approach supports or undermines local and regional policies. The fifth section then draws the lessons of these case studies by summarising and analysing their key implications; it then broadens the perspective by discussing the long-term perspectives on development and migration that emerge from the lessons drawn from the cases studies. The sixth and final section presents policy recommendations both for the countries studied and the EU.

# ECOWAS

In West Africa, regional economic integration is ancient and has always included migration. For many centuries, long-distance trade routes crisscrossed the region and there was a pattern of whole communities moving from one location to another, sometimes quite far away, as a refuge from hardship or war. Although in the past most of the region was sparsely populated, much of it was governed by customs that spelled out rights and obligations, always including rules for receiving and integrating strangers. However, large-scale intra-regional migration did not exist before colonialism.


*Image: D-Maps.com; Timo Lowinger*

In part, one can even say that migration was a colonial 'invention' in the sense that local customs were transformed by European practices and ideas with regard to mobility. The concept of migration as understood today derives from the concept of national borders, which did not exist in the region before colonialism. On a less abstract level, in their efforts to cater to the needs of capital and administration, colonialists organised the routine transfer of skilled and unskilled labour from one colony to the other. In general, skilled labour was transferred from the coastal colonies to the interior and unskilled labour from the interior to the coast. Taking advantage of the colonial order, people also migrated of their own free will, especially from the Sahel to the Gulf of Guinea, where the colonial economy of ports and tropical products was more developed. If the colonialists sought to shape migration in line with their economic policies, there were little means to control it effectively due to the vastness of so-called green borders and the longstanding (pre-colonial) relations between communities along the borders. In most cases, this was circular migration, with people coming and going between their home community and their new abode. Eventually, some would return for good, while others would settle permanently in what then would become their new country. Most of these, however, still kept in touch with their home community.

These diverse elements of mass mobility define the model of intra-regional migration that still characterises West Africa today, and they also help to understand the nature and dynamics of emigration out of West Africa.

As the colonial empires retreated, the economic framework on which they were based unravelled. The newly independent states subsequently went their separate ways, each attempting to build a national economy that would benefit its citizens in accordance with the concept of the sovereign nation-state. As a result, they undertook to regulate and restrict the migratory patterns that had developed over the past centuries and decades. Many West African states – especially the coastal ones – went as far as conducting mass deportations of non-nationals at several junctures, in particular in response to the structural crisis of national development that started to grip most African countries in the late 1960s and early 1970s. But such radical measures were also a sign that the idea of self-sufficient national development was questionable. By the mid-1970s, the debate in the Pan-African arena started to focus on the concrete forms of intra-African solidarity and cooperation that would help the African countries cope with their state of structural economic crisis. From this new vantage point, what had seemed a problem – 'migration' – came to be perceived as a potential solution and was conceptualised as 'free movement of people'.

In fact, as will be indicated later, West Africa's French-speaking states had already been dabbling in this for some time. In the mid-1970s, it was the Nigerian state, flush with oil money, which took the lead and expanded such experiments throughout the entire region, mobilising its neighbours towards the founding of ECOWAS. The new organisation conceived of development as regional rather than national, and the 'free movement of persons and goods' was introduced in an agenda that also included plans for integration of trade, economic policy, tariffs, and transports and communication (ECOWAS Treaty, Chap. I, Art. 2, § 2; see also Chap. IV, Art. 27).

How has this idea evolved since then? What is the approach that prevails today in this respect, and what role did the EU play in that evolution? This section looks at these questions as well as discussing the gaps and challenges related to the prevailing approach and exploring the long-term implications for ECOWAS' agenda of development-by-integration, including how it relates to the AU's own agenda concerning these issues.

## Mobility and development: the ECOWAS Protocol

The early ECOWAS approach was about mobility rather than migration. The organisation's brief was to provide an institutional framework that would remove obstacles to the mobility of ECOWAS citizens across the region while preserving border controls and respecting the member states' immigration laws. This resulted, in 1979, in the ECOWAS Protocol relating to the Free Movement of Persons, Residence and Establishment. This framework abolished visas and other entry permits for community citizens but placed some restrictions on residence. For instance, nationals of another ECOWAS country may reside only for 90 days in another ECOWAS country without needing a residence permit. The Protocol was also subject to existing national immigration laws and allowed a member state to deport or expel nationals of another member state in accordance with those laws.

However, since the ambition was to promote mobility, the Protocol also specifies that its provisions do not affect 'more favourable provisions' already existing between some member states. Examples of this include agreements between the French-speaking states of West Africa, which were well ahead of ECOWAS in terms of free movement of persons and goods thanks to the institutional frameworks of the West African Economic and Monetary Union (WAEMU, comprising the eight states that share the Franc CFA currency) and the Conseil de l'Entente ('Entente Council', comprising five states). Border controls between WAEMU states are far laxer, since their own community citizens only require a national ID card to cross the border. Besides the common currency, they also share the same business law. For its part, the Conseil de l'Entente, which was founded in 1959, had put in place the institutional infrastructures for freedom of movement at a quite early stage, some of which were later adopted by ECOWAS. For instance, the Inter-State Road Transit (ISRT) convention adopted by the council in 1975 was signed by all ECOWAS member states in 1982. The Higher Committee for Land Transport, set up by the council in 1970, became an ECOWAS organ in 1984. The high level of policy coordination and juridical harmonisation existing among the French-speaking states of West Africa thus forms a general objective of ECOWAS in the development of its own institutional framework.

As the case of the Francophone states shows, the rationale for the free movement of persons and goods is to create a regional market for trade and labour. This means that its success, in terms of contributing to economic development, depends on other measures conducive to the emergence of such a market being opportunely implemented. Thus, free movement is linked to ECOWAS' flagship economic policy programmes in agriculture and industry, which in recent years have been formalised as the ECOWAS Common Agricultural Policy (ECOWAP) and the West Africa Common Industrial Policy (WACIP). These programmes are based on the fact that West Africa is the most populated region in Africa, with growing urbanisation, the spread of modern consumer culture and the relatively rapid emergence of a middle class. By 2020, the region will have a market of over 400 million consumers, and integration policies are needed to organise this market and help it reach its potentials, notably in the domains of trade and agricultural and industrial production. In that regard, the goals of programmes such as ECOWAP and WACIP, which plan to connect regional value and supply chains, improve, expand and integrate infrastructures for communication, transport and production, raise the rate of local raw material processing and increase intra-community trade from less than 12% to over 40% during the 2020s, do require freedom of movement of people and goods. Moreover, regional programmes of road construction are envisioned with a view to boosting commercial exchange. However, since these programmes have not yet taken off, West African mobility patterns remain unchanged and still largely follow the old economic lines that were drawn under the colonial regime.

To be more precise, the mobility patterns have been impacted both by demographic changes – the populations of West African countries are considerably bigger than they were under colonialism – and the crisis of national development. Thus, although the most significant intra-regional mass mobility still flows from the Sahel interior (Niger, Burkina Faso and Mali) to the Gulf of Guinea (Nigeria, Benin, Togo, Ghana and Côte d'Ivoire), there has also been, at least since the 1980s, some mass mobility in the reverse direction. These movements follow the model of semi-circular migration that emerged during the colonial era described above. Moreover, just as in the colonial era, roads and railways generally lead to the ports instead of linking countries across the region, with a negative impact for the intra-regional exchange economy. Trade among ECOWAS countries accounts for only 12% of their total external trade, which is slightly higher than in some other African regions but much lower than in all other world regions.

In this context, the ECOWAS Protocol appears as an orphan policy, in the sense that it applies in isolation from the comprehensive framework to which it is supposed to contribute, and which still suffers from lack of implementation, coordination and harmonisation. Largely thanks to the Protocol, the restrictions and mass deportations of the past have subsided, even though immigration laws are as yet not harmonised across the region, and in some countries, legislation predating and even contradicting the

Trade at the Togo-Benin Border - *Image: USAID West Africa Trade Hub*

Protocol is still in force. Conservative estimates suggest that nearly 3% of the region's population have settled in a West African country different than their own. Therefore, while waiting for the economic integration process to move forward, ECOWAS' Directorate for Freedom of Movement and Tourism – not coincidentally located within the Commission for Trade and Transport – focuses on supporting this mobility by combating residual obstacles. For instance, both free mobility and the transport of goods are still subject to harassment at border crossing points by immigration officers – not to mention multiple checkpoints within countries that raise the costs of trade. There is hope that integrated border infrastructures and the promotion of formal and enhanced (biometric) identification will help to make ECOWAS' writ on freedom of movement and goods more effective as it goes forward.

However, since the early 2000s, ECOWAS' approach to free mobility in West Africa has also altered in some important ways in direct relation to EU efforts to manage the 'migration problem'.

## From mobility to migration: the ECOWAS Common Approach

Given the importance of free mobility in the vision of ECOWAS, migration was not seen as a problem by the organisation before the 2000s. The concept itself was rarely, if ever, used in its discourse and strategies. The EU, on the other hand, viewed migration as a security problem linked to terrorism, drug trafficking and human smuggling. These EU concerns were introduced into Africa via policy dialogue with the AU; ECOWAS, as the 'pillar organisation' of the AU for West Africa, also became involved in this. The International Organisation for Migration (IOM), which is very receptive to EU concerns, was instrumental in pointing ECOWAS toward the conceptual paradigm of migration, despite its more traditional focus on free mobility. (The EU is a main funder of IOM, an organisation whose annual budget grew more than seven times between the late 1990s and today, from just € 240 m. in 1998 to € 1.8 bn. in 2018.) In December 2000, under the aegis of IOM, ECOWAS set up a consultative process known as the Migration Dialogue for West Africa (MIDWA) with the aim of encouraging the region to tackle 'migration issues and concerns' which were not taken into consideration by the individual member states at the time. These issues and concerns were those that preoccupied the EU, and after its launching phase, the MIDWA process suffered from the lack of interest shown by ECOWAS. In 2005, IOM endeavoured to 're-vitalise' the process with a focus on two issues of paramount importance for the EU states: (1) irregular migration within and outside West Africa and (2) Return, readmission and reintegration of migrants.

If, in these ways, the MIDWA process initially seemed to advance the interests and concerns of the EU, later it ostensibly sought to create some of the synergies between migration policy and development which the Rabat Process was calling for at that stage. Moreover, IOM worked to convince ECOWAS and some of its member states – including Nigeria and Mali – to develop migration policies, with much of the funding for these efforts coming from the EU. Thus, in 2008, ECOWAS issued its Common Approach on Migration which was the result of a flurry of meetings, conferences and workshops organised under the aegis of IOM and within the framework of MIDWA. Without mincing words, the Common Approach stated that 'the management of intra-regional migration and migration to Europe in all its dimensions' was a priority for the organisation. It should be noted here that West Africans also migrated to other parts of Africa, and in fact in greater numbers, and yet the official focus as per the Common Approach was only on intra-regional migration and migration to Europe. The latter was the more important point for the agency and shaped the political will behind ECOWAS' Common Approach – as intended by the EU – but given ECOWAS' mission of ensuring free mobility of its community citizens within West Africa, the former point needed to be addressed as well.

The Common Approach reflected an entente between ECOWAS and the EU on a number of points:

- Free mobility as a priority for ECOWAS, a point in which the case was made that not only is free mobility within the ECOWAS zone necessary for regional integration and integration into the global economy, but it also reduces migratory pressure outside ECOWAS zone.
- Legal migration ought to be encouraged on the grounds that migration, when 'well-managed', profits both host and home countries.
- Human trafficking ought to be combated in the name of the protection of migrants' human rights.
- ECOWAS commits itself to the harmonisation of the national migration management policies of its member states while also ex-

pecting the aid policies of EU states to be harmonised with their migration policies.

Other points include respect for conventions protecting migrants, asylum seekers and refugees, and recognizing the 'gender dimension' of migration in designing policies.

The Common Approach means that ECOWAS would commit to the 'management' of migration (i.e. control of legal migration and repression of irregular migration) if the EU commits both to be more open to legal migration and to reward ECOWAS countries in terms of development aid. It is accompanied by action plans to operationalize these propositions. But it also carries the risk that the emphasis on managing migration would overshadow the ECOWAS Protocol, which is about freedom of movement. While the Common Approach claims to be based – in part – on the principles delineated in the Protocol, it also introduces issues and concerns that are foreign and for all intents and purposes contradictory to them.

Thus, the current thematic foci of MIDWA discussions – which are now embedded within the framework of the Common Approach – include 'combatting trans-border organized crime (human trafficking and migrant smuggling)' and 'return and reintegration'. Such language re-legitimizes policy approaches that the ECOWAS Protocol had delegitimized, namely rigid borders and mass deportations. As was explained above, freedom of mobility in West Africa is not 'managed'. It is happening not so much within the rulebook of the ECOWAS Protocol as in the context of the removal of those obstacles to mobility that came from independence era policies and that were rendered obsolete by the ECOWAS project. The removal of obstacles has normalised full freedom of mobility in excess of what the ECOWAS Protocol actually prescribes. But given the West African patterns of intra-regional migration, this outcome appears legitimate from the perspective of West African regional integration, inasmuch as to prevent it would in effect mean to return to the situation which ECOWAS was created to change. As a result, full freedom of mobility means, for instance, that West African citizens are free to organize the transport of other West African citizens. To define some of this transport as 'migrant smuggling' or 'human trafficking' is a way of reintroducing rigid borders; and accepting 'return and reintegration', even if from outside of West Africa implies that the era of mass deportations is back.

More generally, EU delegations in the region are encouraging ECOWAS to implement the letter of its own law by effectively setting up a 'border management' infrastructure. There is a convergence of interests here between the EU and some ECOWAS states, but this has worked to the disadvantage of the ECOWAS project. Terrorist attacks linked to the 'jihads' centred in Northern Mali and North-eastern Nigeria can be perceived as taking advantage of 'porous borders', and the smuggling of certain goods is a concern for policymakers in several ECOWAS states. Such 'security' issues can be, and are, lumped together with migration and packaged as a set of concerns important to both the EU and ECOWAS, which is then supposed to tackle them together. Efforts to combat international drug trafficking, for which West Africa has been considered a hotspot since 2004, are also partially linked to this. The United Nation's Organisation on Drugs and Crime (UNODC), which listed West Africa as a drug trafficking hotspot that year, also adopted a protocol on human trafficking in 2000 which helped in defining some aspects of West African migration as crimes – supposedly perpetrated by people who were equally involved in terrorism, drug trafficking and migrant smuggling if not human trafficking. The EU funds initiatives are intended to combat such threats through 'Better Border Management' projects carried out in West Africa by organisations such as UNODC and the German Gesellschaft für Internationale Zusammenarbeit (GIZ, 'the International Cooperation Agency'). Policing the borders is also supported in the form of training and provision of equipment and funding for police units, initially from development aid funds (!), and now by the Trust Fund and the Spanish Civil Guard. Several other initiatives – some of which are partly funded by ECOWAS and implemented by IOM – may be mentioned, but the gist of these developments is that they have decisively reoriented the focus of policymaking toward the control and repression of migration, to the detriment of free mobility.

In theory, this outcome should have been matched by commitment by the EU to help with the professional and student mobility of ECOWAS citizens in Europe, for instance within the framework of the Africa-EU Partnership on Migration, Mobility, and Employment (MME). However, efforts in that direction have so far been only declarative. There is, therefore, a strong sense that the EU approach has significantly 'hijacked' the ECOWAS project of free mobility for its own aims. This particular outcome plays out in some clearer ways in the cases especially of Mali and Niger.

One important point in connection with the pressure to reinforce border controls in West Africa is the potential danger that it represents for the mainstay of regional economic integration, namely the rate of trade which is a major wealth creation engine. In all African RECs, this rate is much lower than in other world regions, though it is higher in ECOWAS than in other African regions. The main practical obstacles to the development of regional trade are road and transport infrastructures and border controls. The reduction of such obstacles has been shown to increase trade by multiple percentage points, but much remains to be done. As part of its previous history of supporting regional integration in West Africa, the EU participates in funding efforts to improve this situation. In September 2017, ECOWAS launched a project for the operationalization of its Mechanism for the Free Movement of Inter-State Passenger Vehicles, Persons and Goods within the ECOWAS Region. One objective is to boost exchanges in the Abidjan-Lagos Corridor, the virtual economic locomotive of the region, and the pilot project includes eight countries, including Niger. Nevertheless, as we have seen, the EU is pushing for policies that would result in restricting the free movement that it is also paying to improve. This is especially true in the case of Niger, for reasons that will be presented in the section on that country.

The next three sections examine firstly the cases of Nigeria and Mali as 'departure' countries, and then Niger, as a 'transit' country.

# Nigeria

Large-scale Nigerian emigration started with independence in a changing political economy. The destination of the early flows was almost exclusively other West African countries, primarily Ghana. Outmigration in particular of the Ibos, a sizable ethnic community in south-eastern Nigeria, was amplified by the Biafra War (1967-70). This was, in the main, circular migration. There was also some emigration to English-speaking countries in the North (the UK, the USA, and Canada) by students who sometimes settled permanently there after their studies. In 1969, Nigerians suffered from mass deportations from Ghana where the economy was in deep crisis. Later, the oil crisis of 1973 translated into wealth for Nigeria, and the country started to attract both investments from developed economies as well as migrant labour from across West and Central Africa.

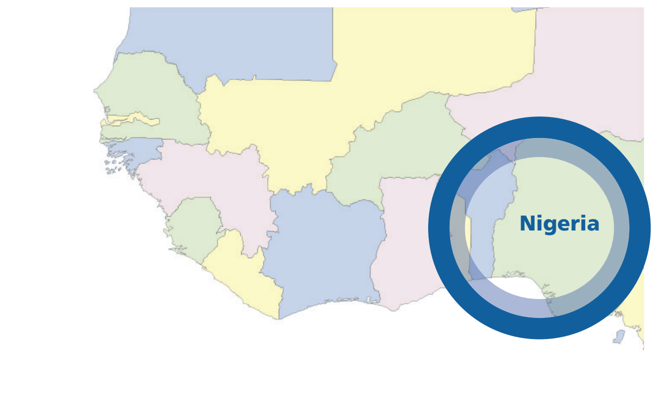


*Image: D-Maps.com; Timo Lowinger*

Emigration decreased significantly. However, with the economic downturn that followed the end of the oil boom in the early 1980s, Nigeria returned to being an emigration country and also deported large numbers of foreigners from other West African countries. The policy did not contravene the letter of the ECOWAS Protocol – West African residents need a residence permit to stay in the country after three months, and the vast majority did not have such a document and were not even aware of the requirement – but it certainly went against the spirit of regional integration. However, many of the deportees returned later and West African immigration into Nigeria eventually persisted without controls. Official figures for recent years suggest that there are upward to a million West African immigrants in Nigeria while, according to the Oxford University International Migration Institute, over 800,000 Nigerians are said to be living abroad. These figures should be treated as estimates that are in reality higher.

Until the 1980s, Nigerian emigration generally followed a pattern of unskilled and business migrants mainly moving to other West African countries while skilled migrants moved to the Anglophone North with a visa. After the 1980s, other countries in the North (including Germany, France, the Netherlands, and Belgium) and – for Northern Nigerians especially –the Gulf states became important destinations. Mostly, this was regular migration. By the 1990s, however, unskilled migrants, most of them of young age, started to move beyond West Africa into the rest of Sub-Saharan Africa but also to Europe, thus engaging in irregular migration. According to the Human Development Report of the United Nations Development Programme, by the early 2000s, this changing pattern of Nigerian emigration resulted in the fact that 62.3% of all Nigerian emigrants were living in other African countries – the majority in West Africa –, 18% were living in Europe, 14.8% in North Africa, and 4.8% in other countries. These patterns have not changed today, and the surge of young, unskilled migrants moving towards Europe has continued, reaching its peak in the early 2010s.

The latest evidence shows a decline of that particular pattern of Nigerian emigration. According to IOM, the number of irregular Nigerian migrants arriving in Europe in the first months of 2018 – mainly via the Niger-Libya-Italy route – was fewer than 1,300 persons. This is a considerable decrease compared with past years, namely 37,551 in 2016, just two years ago. IOM notes that there was an overall 81% decrease in irregular migrants of all nationalities arriving in Italy in 2018, and Italy is virtually the exclusive 'port of entry' for irregular Nigerian migrants to Europe. This is, for the most, the result of measures taken to combat irregular migration in Niger and Libya, not necessarily of changes in the patterns of Nigerian emigration. In the future, irregular migration to Europe from Nigeria might follow different routes leading towards Spain, which has seen a surge of West African migrants in recent months.

What is the context in which we should try to make sense of Nigerian migration? What is the response of the Nigerian state and how is it influenced by the EU approach? Are the ensuing policy developments favourable or unfavourable to Nigeria's socio-economic progress? This section broadly addresses these three questions.

## The political economy of migration in Nigeria: population, governance, urbanisation

Political economic trends and structures are the fundamental factors explaining mass Nigerian emigration, although interviews in Nigeria suggest that culture – notoriously difficult to assess – also plays a certain role. Governance failures are a factor in as much as they have a negative impact on economic progress.

Three political economic factors should be taken into account for their primary significance as regards migration: population growth, governance, and urbanisation. Each of these factors is reviewed in turn.

**Population growth:** With a population estimated at over 195 million people in 2018, Nigeria is Africa's most populous country. It is a young population, with a median age of 17.9, and its tendency toward a high growth rate (2.6% on average) is sustained by the fact that rural culture – often considered the fount of 'traditional' attitudes that prize child-bearing – is still a major aspect of Nigerian life, with half of all Nigerians living in rural areas. Historically, the economic rationale behind a large number of offspring was that this was a guarantee against labour scarcity. However, in modern Nigeria, it is land and capital that is scarce, not labour. Such a structural configuration naturally leads to emigration. Thus, in all of what are today's developed economies, scarcity of land and abundance of labour relative to capital available for creating jobs and other economic opportunities resulted in the past in mass emigration, in particular from the late 18th to the early 20th century (or even later for countries such as Italy or Portugal). Much of Africa is in a similar state today, and Nigeria is a particular case in point. However, it is important to note that mass emigration is not the only response from Nigerians. Two other significant reactions are rural exodus, which is addressed below under 'Urbanisation', and the return to farming, which puts a renewed pressure on land. In recent years, this has led to farmers colonising land erstwhile reserved for grazing and to many herders converting to farming. Fatal clashes have sometimes ensued between farmers and herders, not without damaging political fallout. As a result, the equation of Nigeria's security governance has been greatly complicated.

**Governance:** The evidence suggests that capital may reduce mass emigration, even in contexts of dismal governance. The historical sketch above, for example, indicates that Nigeria's oil boom era was a period of low emigration and high immigration despite the fact that oil contributed significantly to the country's abysmal governance. If bad governance does not prevent Nigerians from making the most of the occasional fat years, then one can surmise that even marginally cleaner and better governance would provide easy fixes for many of the failings that push Nigerians out of their country. But despite a plethora of the skills needed to run a modern economy and much higher public revenue than in any other West African country, poor governance has thus far made it impossible for the country to provide, for example, even basic infrastructure such as a reliable power supply to homes and businesses. The dilemma is that Nigeria has been unable to foster a political and administrative class that attaches greater value to managing efficient governance systems than to investing their energy in power games that allow them to appropriate or divert public resources illegally. Unhappily, this governance quandary is rendered more intractable by deep political rifts that run along confessional (Muslims versus Christians) and ethno-regional lines.

**Urbanisation:** Nigeria gave up agricultural policy as an asset for trade and development at a relatively early stage. While the country's income under colonialism and in the first years of independence depended on agricultural rent, the concept of agriculture-based development was in crisis across Africa in the late 1960s and through the 1970s, to a large extent due to the deterioration of the terms of trade with developed countries. In the context of cheap raw materials that then prevailed, African agriculture could not attract private investment and in many countries – e.g., the Sahel – the priority for public expenditure was often to prevent drought and starvation among poverty-stricken farmers. If, by the mid-1970s, Nigeria had the financial resources to revitalise its agricultural policy, it still did not do so. Instead, the country channelled its newly enlarged financial resources into industrial policy, in a context where its political governance framework – the decisive factor for the success of such a complex and demanding project – was to prove quite unequal to the task. These two moves, the retreat from agricultural policy and the initiating of an industrial policy that ultimately failed, created the current dilemma in Nigeria's political economy. The crisis in agriculture and the lure of industrial work in urban areas triggered a phenomenon of rural exodus in the late 1970s. When Nigeria's industrialisation efforts stalled in the 1980s, this internal migration pattern continued, creating shantytowns in the cities, which were also transformed into springboards for emigration. Many rural migrants do stay in Nigeria's cities, and this accounts for the rapid growth of urbanisation. For instance, in the last ten years, Nigeria's urbanisation rate has risen from 40.8% in 2007 to about 50% in 2018, with an annual rate of change of 4.3% as estimated by the CIA World Factbook – above the already high African average of 3.5% per year. But if the cities thus absorb part of Nigeria's migratory dynamics, they also incubate the culture in which migration to Europe becomes attractive. Indeed, urban life creates expectations and aspirations of modernity which would seek satisfaction in work and business within developed, well-governed economies. This partly explains the difference that exists between southern Nigeria, the origin of most candidates for migration to Europe, and northern Nigeria,


Train Station in Oshodi, Lagos, Nigeria - *Image: Olusola D, Ayibiowu*

where people do not tend to migrate towards Europe. On the one hand northern Nigeria is comparatively less urbanised than the south, and, on the other hand, the kind of culture that brews in its cities does not find Europe attractive. Instead, with a strong accent on Islam, northern Nigerians have a preference for the Gulf countries.

Taken together, structures and processes in these three realms of political economy explain much of Nigerian migration in general, and emigration to Europe in particular. Migration appears in this light a consequence of other variables. How do Nigeria and the EU approach it at the present juncture?

## The EU-Nigeria policy dialogue: incentivising a complex arena

Nigeria's approach to migration was initially determined by decisions taken at the level of the Organisation of African Unity (OAU – now AU). The Abuja Treaty that established the African Economic Community (AEC) in 1991 highlighted the importance of free movement of people across the continent. The idea was that labour – especially skilled manpower – was an economic good that would achieve its potential for Africa's socio-economic development if there was a rational framework for allocating it across the continent's economies, from areas of abundant labour to areas of labour shortage. In 1995-96, further meetings established that such a labour exchange mechanism would be best developed initially within regional forums, such as ECOWAS in the case of West Africa. A number of migration management mechanisms were also formally adopted, including data collection for monitoring purposes and stakeholders' engagement. Finally, Nigeria is party to a number of international conventions that seek to protect migrants – especially women and children – from trafficking and exploitation. Taken together, the ECOWAS Protocol, the Abuja Treaty, diverse subsequent decisions at AU-level, and certain international conventions served to shape Nigeria's migration policy – such as it was – throughout the 1990s.

In the early 2000s, renewed AU commitment to organised or 'managed' migration led to the adoption of the Migration Policy Framework for Africa (MPFA) in 2006. This policy framework revitalises the earlier OAU/AU agenda while also seeking to address many of the EU's concerns on African migration. How does all of this play out in Nigeria's current approach to migration?

We have seen, in the previous section, some of the inconsistencies between principles and realities that prevent the full translation of formal commitments into effective policy at regional level. Such disparities also exist at country level in the case of Nigeria. For instance, if Nigeria does 'export' skilled manpower to some other African countries – especially Anglophone middle-income countries – much skilled labour migration goes to the North. On the other hand, most of Nigerian labour migration to other African countries is of the unskilled or 'informal' kind. Aware of this reality, Nigerian policymakers are keen to establish formal cooperation with countries in the North so that (1) skilled labour migration is channelled in such a way that the resulting Nigerian diaspora become a development asset for their home country, and (2) brain drain of vital manpower is avoided. On the other hand, the migration of unskilled labour follows routes across Nigeria's long and porous land borders, most of which are boundaries with other ECOWAS countries, therefore less subject to official control. Generally speaking, there are no vital incentives to tap scarce government resources in order to invest in the onerous control and policing of such movements. Moreover, Nigerian communities – like others in West Africa – consider that labour and trade migration is a rational economic pursuit that ought to be facilitated, especially since Nigeria itself is also in fact an immigration country, not just an emigration one. In framing a migration policy, a Nigerian government would need to take all of this into consideration.

Like the ECOWAS Common Approach, Nigeria's migration policy was developed at the instigation of the EU. The extensive and expensive process of creating the policy was funded by the EU and supported by the technical services of IOM. However, the policy document that came out in 2015 strongly reflects Nigerian concerns, arguably more so than it does the European ones. The three main objectives are: how to regulate migration in relation to the requirements of economic progress; how to manage migration flows, especially in relation to the issues of irregular migration and national security; how to protect migrants' rights and welfare. These objectives are shaped by the patterns of Nigerian emigration as described above, which present specific challenges to the designers of the policy. Thus, though the emigration of skilled manpower is potentially profitable in terms of attracting foreign investment and receiving social remittances from a well-off diaspora, it is also detrimental in terms of brain drain and loss of much-needed workers in priority sectors


Ghana-Togo border at Aflao - *Image: Enock4seth*

such as healthcare. Similarly, irregular emigration should be reduced, especially in the direction of Europe. But the rather onerous political implication is that substantial resources would need to be spent on law and order measures which, ultimately, would appear to deprive the disadvantaged of the hope of remittances from abroad.

Remittances are indeed a major factor underlying Nigeria's caution in its approach to migration. The country is the largest recipient of remittances from migrants in Sub-Saharan Africa, with receipts of about 65% of officially recorded remittances into the region and a significant 2% of global flows. Moreover, the income from remittances is on the increase. While it stood at just \$5.8 bn. in 2005, it had more than tripled less than a decade later, reaching \$20.7 bn. by 2013. The positive impact on the socio-economic well-being of Nigerians, with no demand on the public purse, works as a development asset which the Nigerian state is not keen on impairing. This is all the more the case since remittances represent a greater financial contribution to the Nigerian economy than all official development assistance. However, the national migration policy requires Nigeria to combat irregular migration – a concept that essentially means migration towards Europe – and to accept return and readmission of migrants from Europe.

In Nigeria, the EU is helping to create the conditions for the enforcement of these commitments by offering a cooperation which, according to the EU Delegation in Abuja, includes the principle of reciprocity and, as one EU official (who wishes to remain un-named) put it, a 'holistic approach'. The latter phrase means that EU cooperation with Nigeria will come in a package that includes pro-growth investment, migration and mobility, and security. The thinking is that since the 'root causes' of irregular migration are economic, Nigeria should be expected to cooperate on controlling and stemming it if the EU demonstrates a commitment to tackle these root causes. Thus, the European

Investment Bank (EIB) and other European financial institutions are providing loans to the Nigerian financial state in a bid to stimulate borrowing and financing in the private sector.

Such financial backing targets not only private banking institutions, but has also contributed to the founding of a Nigerian Development Bank – with further support coming from the African Development Bank (AfDB), the Agence Française de Développement (AFD) and other international lenders. Within the new and ambitious framework of the Africa-Europe Alliance, EIB is preparing bigger investments that would cater for Nigeria's pressing needs for infrastructure and the overhaul of its productive capacities. 'This,' according to the EU official, 'is a big country with big ambitions. We are counting on the fact that it has all these needs, if it wants to move forward'. However, he added, 'the EU isn't China' and any long-term commitment of European capital would require improvements in Nigerian governance systems to avoid the wastage that comes from corruption and mismanagement. More importantly, it is subject to the above-mentioned principle of reciprocity. This means, in particular, that the on-going 'dialogue' between the EU and the Nigerian government on 'return and readmission' (i.e., potentially, mass deportations of Nigerian nationals from Europe) must be successful if the more impactful investments from the EIB are to be deployed.

For a variety of reasons, an accord is not preordained. Nigeria has, by and large, a functioning democratic system, which means that elections are a key factor in decision-making, and sundry stakeholders and civil society groups, not all of whom are favourable to the outcome desired by the EU, are involved in the processes leading to an international agreement of this nature. Moreover, as a leading economy in West Africa, Nigeria is not bereft of options in terms of economic partnership. This is true even in Europe, with the changes that will be brought about by Brexit – a notable point here being that the UK is Nigeria's former colonial master.

In principle, EU investments are not just a 'carrot' to induce Nigeria to implement elements in the European wish list on migration. They are also described as a pro-poor and pro-growth agenda that would address the root causes of emigration in the economy. However, the EU Delegation is also focusing on cultural factors, given the observed variation within Nigeria in terms of regions of origins. While the poorest region of Nigeria is the North, northerners do not tend to migrate to Europe, as noted above. This fact appears to support the theory that it is people from the more 'well-off' regions that migrate the most (at least towards Europe). Other explanations offered at the EU Delegation in Abuja are cultural in nature, especially as regards Edo State, a region of southern Nigeria considered as the national epicentre of migration to Europe. Cultural factors that are alleged to play a key role in Edo State include, for instance, charms used to bind the will of women who then enter prostitution rings in Europe. As a result, particular efforts are deployed in Edo State, both in diplomatic overtures towards the pontiff of Edo culture, the Oba, and in the setting up of organisations such as the IOM-granted Migration Resource Centre of Benin City (the capital of Edo State). Such efforts are illustrative of EU's search for the 'root causes' of migration, which will be analysed in the final section of this report.

The next section examines the case of Mali, another 'departure country', which may, by way of comparison and contrast, help in making sense of some of the observations about Nigeria.

# Mali

Mali belongs to the group of the three land-locked countries of the Sahel region of West Africa – the two others are Burkina Faso and Niger – where migration, often circular rather than permanent, is a necessity in the context of the modern political economy.

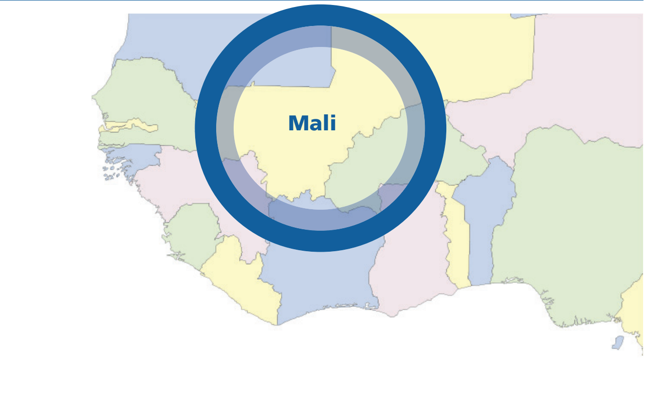


*Image: D-Maps.com; Timo Lowinger*

In the early colonial era, low population densities were considered to be the main reason why the agricultural potential of the Niger valley – the river has its longest course within Malian territory – was not exploited to capacity. The French even attempted to import workers from the neighbouring colony of Upper Volta (Burkina Faso) to make up for the dearth of labour in the French Sudan (Mali). However, by the end of the colonial era, population growth had turned labour into a surplus factor relative to capital in the country. In 1960-68, Mali's first independent government attempted so-called socialist techniques of labour mobilisation that, ideally, would have supervened reliance on capital for the development of a productive economy. But this largely backfired and led to years of severe food shortages, worsened by the great Sahel drought of the early 1970s. In that period, many farmers in the hardest-hit region of Mali, the arid district of Kayes, found a lifeline as labour migrants in France where the so-called trente glorieuses era of full employment was in full swing, although the majority of them migrated to Côte d'Ivoire, closer to home and where the economy was also booming.

The pattern of migration that then developed in Mali is peculiar. Most internal migration in Mali was urban, i.e., from smaller towns to bigger ones, especially Bamako and Segu. Rural migration to urban areas was mostly female, and urban areas were not a springboard for international migration, as often happened elsewhere. Instead, the main destination of Malian (male) rural exodus was a foreign country. Often, this was geographically determined. The main destinations were – and still are – Côte d'Ivoire (440,960), Niger (69,790) and Burkina (68,295) in the country's immediate vicinity, and Nigeria (133,464) and France (68,786) farther afield (these are IOM figures from 2013 and are very probably under-estimates, especially for Côte d'Ivoire). Most rural migrants from Kayes move to Côte d'Ivoire and those from the Gao district move to Niger.

Since the late 1990s, Mali has become a country of both transit and origin for trans-Saharan and trans-Mediterranean migration to Europe. Flows towards Europe tapered off due to Libya's role (under Gaddafi) as a bulwark of the European continent and a provider of jobs to sub-Saharan migrants in the late 2000s. But they were revived after Gaddafi's fall and Libya's descent into chaos in 2012. These fresh flows initially followed the Niger-Libya-Italy route. But with the crackdown on irregular migration in Niger, the ancient route through the Sahara to Morocco and Spain has come back to life. In early assessments for 2018, Malians account for 12% of registered arrivals in Spain, totalling 3227 persons according to IOM.

This section examines the socio-economic context in which those migration patterns have emerged, the response of Malian governance and the ways in which that response is influenced by the EU approach.

## Migration: a short history of the situation to date

In Mali, as elsewhere, emigration is the result of the simple equation of surplus labour and scarce capital. In such a context, but perhaps even more so than in other parts of West Africa, the state itself was the key development asset. In the 1990s, however, its developmental capacities were dismantled under the aegis of the Bretton Woods institution and the Washington Consensus to make way for the market. Not coincidentally, it is during that period that irregular migration flows towards Europe started for good.

Surplus labour in Mali stemmed from population growth. Although Mali's population is comparatively small – standing at about 18 million in 2018 – it is much bigger than in past centuries, when labour was so scarce that slavery was an important form of (coerced) labour mobilisation, and long-distance trade was the only viable means of capital accumulation. Colonialism was in fact a system of capital extraction rather than of capital formation, and in particular, it did not form the basis for industry in the country. From the outset – in the 1960s – Malian political economy was therefore characterised by the predominance of non-productive capital (merchant capital), although this was connected to the production of so-called tropical products, i.e., groundnuts and cotton. These are commodities with volatile prices on the world market, and they were inherently fragile development assets. As a result, Mali attempted voluntarist economic policies based on the notion that the state was the central development asset of the country and ought to wean it from dependence on cash crops. With enhanced developmental capacities – for instance, a state-controlled development bank and a state-controlled retailing network that distributed consumer goods where private business was loathe to operate, etc. – the Malian state sought to form the basis of a modern economy, with a modicum of industrial policy. It also tried to shore up agricultural assets in the Niger valley (rice) and the cotton-producing areas through projects supportive of producers.

These ambitions faltered in the face of extreme capital scarcity, in particular the fact that (1) Mali was not attractive to foreign investments, (2) the tax income was paltry given the poverty of the population, and (3) at the time, there were no alternative sources of revenue in mining. Migration therefore remained a necessity for a majority of the population. A study conducted in the early 1990s found a slight decline in emigration in the late 1980s, but this was against a background where close to a million Malians were involved in forms of circular migration in neighbouring countries. For instance, in 1993, 10.5% of Mali's total population – a staggering 735,000 people – was residing in Côte d'Ivoire. This considerably reduced pressure on Mali's faltering economic structure while also transferring wealth through remittances and diaspora investments (mostly informal or small-scale).

The economic crisis that gripped much of the region in the 1990s rapidly put paid to this equilibrium. Structural adjustment compelled countries to renounce the concept of the state as a development asset and to reduce its capacities

– which were deemed wasteful and uneconomical – so that they could repay the debt they had incurred in their earlier efforts to finance development. Given the importance of the state in the regional economies, its rapid and extensive retrenchment led to social crisis everywhere, including in Côte d'Ivoire. This country, the biggest recipient of Malian migration, gradually moved from social to political crisis, especially as the leader who had ruled it since independence, and who had built the Ivoirian economic model on the basis of openness to immigration, died in 1993. The new leaders stoked xenophobia against Sahelian migrants in order to score points in the political struggles that ensued, causing tens of thousands of harassed Malians to leave the country. Even those who chose to remain were later forced to flee as Côte d'Ivoire eventually descended into a full-blown civil war in the early 2000s. Meanwhile, the economic position of Mali was also deteriorating. The fiscal crisis was racking the state, which was compelled to accept structural adjustment, terminating thousands of jobs and drastically scaling down its administrative capacities, including those in social sectors. The country had just adopted a democratic constitution – the first in its history – in 1992, but the violence of the economic reforms unleashed waves of social protest movements on the fledgling regime. In April 1993, the National Assembly was set on fire, as well as the residence of the newly elected head of state, and crowds threatened to attack the embassies of donor countries, seen to be supporting the reforms. To make things worse, in 1994, the French Treasury and the West African States' Central Bank slashed in half the value of the common currency CFA Franc. Mali had acceded to the currency about a decade before at the cost of significantly reducing the pay rates of salaried personnel. Now, wage incomes were virtually ground to dust.

It is in this context that Malians, cut off from their major traditional destination – Côte d'Ivoire – and facing acute social and economic crisis at home, started to look in new directions. This included other parts of Africa, and also Europe.

## The EU-Mali policy dialogue: amenable state, adverse civil society

The Malian state has long recognised the importance of emigration in the country. It is the only West African country to have a ministry dedicated to its diaspora, the Ministry of Malians Abroad, created in 2004. In the post-structural adjustment era, migration had come to be considered a development asset, albeit one that was perceived to be lacking a proper governance structure. In 2018, Mali was ranked tenth among Sub-Saharan African countries in terms of remittances from abroad, with about 1 bn. USD in officially recorded receipts according to the World Bank. However, until 2015, Mali did not have a national migration policy. Just as Nigeria, it relied on largely out-dated immigration laws, regional integration pacts (ECOWAS and WAEMU), the AU migration policy framework, and international conventions as its general policy.

The Ministry of Malians Abroad – which also has 'African integration' within its remit – offered a compact to the Malian diaspora in the name of the state. The ministry expects the diaspora to be involved in national development policies and offers in return a number of services. Some of these services aim at helping the diaspora to remain invested in national life and development, while others would support migrants in their projects, as well as in the fai-

Displaced people crossing the border - *Image: UK Department for International Development*

lure of such projects. Thus, for instance, the ministry would help in the recruitment of Malian workers for labour migration schemes but would also provide humanitarian assistance to stranded migrants or repatriation to migrants from troubled countries. The ministry has acted on some of these promises. It has recently built a large centre in Bamako intended as temporary accommodation for returnees while also serving as the headquarters of the High Council of Malians Abroad, a stakeholder's organ that dates back to 1991, is present in 62 countries worldwide and has a significant financial and electoral weight. On the other hand, the diaspora from Kayes in particular has invested heavily in the region's development by building schools and hospitals as well as mosques, and injecting capital into productive activities. The ministry offers institutional support that helps explain the remarkable success of these ventures. But if the Malian diaspora is to become a real development asset, much remains to be done, as is shown by the achievements in that regard of countries such as Israel and India.

However, Malian views on migration as a development asset soon had to take into account the European view of African migration as a problem. In the spirit of the Rabat Process, attempts were made to transform this divergence into some kind of synergy. In 2008, the European Commission (EC) earmarked € 10 m. from the 9th EDF for the creation of a Centre d'Information et de Gestion des Migrations (CIGEM – Migration Information and Management Centre), a pilot organ that was to collect data and offer guidance and support to potential and returning migrants as well as to Malians residing abroad, and generally work to promote legal migration and discourage irregular migration. The EC funding was intended as seed money for an institution that was to become a Malian institution attached to the Ministry of Malians Abroad, and that would also pave the way for the development of a national migration policy. Moreover, CIGEM was intended to be a pioneer project for similar institutions to be installed in other ECOWAS countries. Mali, in the view of the EC, was an ideal ground for the experiment given 'the evolution of the relations between Mali and the EU through the Cotonou Agreement, dialogue in the framework of the Franco-Malian Committee and the robust experience in matters of co-development' (to quote from CIGEM's operational note).

Although CIGEM was intended as an independent organ, it received a three-year financing of €10 m. from the EC. That sum was six times higher than the annual budget of the Ministry of Malians Abroad and made CIGEM accountable to the EC. As such, its main mission was to help stem irregular migration rather than to help migration work for development. Whereas the Malian idea of migration as a development asset is to establish the institutional and regulatory mechanisms that would enable diaspora Malians to invest productively in their country's economy with the cooperation of host countries, CIGEM essentially worked to deter potential migrants from undertaking the journey to Europe, notably by sensitizing them about the perils of migration and offering support with finding jobs or gainful occupation in Mali. In the Malian context, this initiative has proven unrealistic given the fact that there is a scarcity of jobs and credit to finance enterprise and the institutional environment of the country lacks the technical sophistication and resources to relay CIGEM's actions. When European financing ended, CIGEM lost most of its staff and is now turning into a department of the Ministry of Malians Abroad, burdening its already overstretched budget with new financial responsibilities.

CIGEM did provide an institutional base for the implementation of at least one proactive European policy. In 2007, a year before the creation of the organ, Spain had signed an agreement with Mali on the basis of the principles that had emerged from the Rabat Process, such as equality in partnership and the linking of migration and development. The agreement, which highlighted that Mali and Spain would reciprocally encourage the lawful employment of their nationals in each other's countries based on the analysis of labour markets complementarities, enabled Spain to propose a guest workers programme to Mali. The programme was implemented by CIGEM. However, the agreement also included clauses that allowed Spain to repatriate Malian migrants with the cooperation of the Malian government. It ultimately proved unpopular in Mali because the guest workers programme rapidly stalled, while Spain was able to expel a much greater number of Malian migrants than France and Italy in the years following its signing. In interviews in Mali, it appeared that episodes such as this had alerted Malian civil society to what was perceived as European deceit and an undue zeal from Mali's governments to cooperate with their cash-wielding European counterparts. Malian officials responded at the time that Spain had not been deceitful, but had to renege on its commitments due to the post-2008 European economic crisis that hit it harder than countries to the north of the Pyrenean Mountains. But the spat that had ensued shows that, unlike in Niger for instance, a strong network of civil society organisations and activists exists in Mali that supports migration and migrants and that includes advocacy groups such as the polemically-named Association Malienne des Expulsés (AME – 'Malian Association of the Expelled') and influential public voices such as former cabinet minister and African nationalist intellectual Aminata Dramane Traoré. It also suggests that, while the Mali government is ready to cooperate with the EU along lines favourable to EU views and concerns, the civil society groupings have succeeded in promoting Mali's own views and concerns in the public square. For instance, in 2016, a public outcry forced the Malian government to refuse entry for two migrants that were being deported from France with a European laissez-passer (but no Malian passports). The episode demonstrated how sensitive the issue of 'return and readmission' is in Mali, instilling caution in the government.

In 2014, Mali eventually adopted a migration policy, the Politique Nationale de Migration (PONAM), at about the same time as Nigeria. Like Nigeria's policy document, the PONAM attempts to combine the country's optimistic views on migration with European concerns. PONAM achieves this rather unlikely synergy by aiming to manage migration in Mali within the framework of international norms while also addressing the root causes of migration through development. This language reflects the discourse of the Rabat Process, but what is important is how it is interpreted and implemented. Two European initiatives may be flagged in that regard.

First, building on an earlier Spanish experiment in the policing of irregular migration which focussed on the targeting of so-called human trafficking in the Sahel, the EU earmarked €41.6 m. to set up a multi-country project to train gendarmerie units across the Sahel region. The project, given the acronym GAR-SI (Groupes d'Action Rapide – Surveillance Intervention), includes the participant countries of the G5 Sahel (Burkina Faso, Chad, Mali, Mauritania, Niger) plus Senegal. It is presented as a means to implement the section of the Valletta Action Plan that seeks to 'prevent irregular migration, migrants trafficking and the trade in human beings'. Mali's GAR-SI unit was created in 2017.

Second, on the 'development' side, in the same year the EU emergency trust fund awarded a € 20 m. funding to the Dutch cooperation agency SNV for the design and implementation of projects aimed at creating economic opportunities and jobs in high emigration zones – namely, the districts of Bamako, Gao, Kayes, and Koulikoro.

However, on the all-important issue of return and readmission, Mali remains reticent, with a civil society that is suspicious of European policies. More generally, Malian civil society is highly critical of European conceptualisations of migration, which they accuse of making light of structural causes, conflating migration with criminal activity in a somewhat indiscriminate way, blithely overlooking the negative impact of restrictive European policies on the potential benefits of migration, harming the regional compacts on free mobility and residence, and creating tensions between ECOWAS member states. These complaints are listed in a study published by AME in April 2018.

The next section focuses on the very different case of Niger, which is a transit rather than an origin country for migration to Europe, and which exemplifies those tensions.

# Niger

Niger is the Sahel country par excellence. Located farther east than Mali, it is a more arid country where communal migration in search of fertile land and security had been part of life for centuries as there were no empires and very few states in the area in historical times. Nevertheless, mobility did not mean rootlessness; it often took place within a very circumscribed geographic area. Even in pre-colonial times, there was a strong dynamism pushing Nigerien populations southward, especially when they could rely on military force. In the 19th century, for example, the kingdom of Zinder conquered fertile land in Daura, inside what is now Northern Nigeria (the kings of Zinder were consequently very dissatisfied with the early 20th century Franco-British agreements on the border between Niger and Nigeria that stripped them of their conquest).

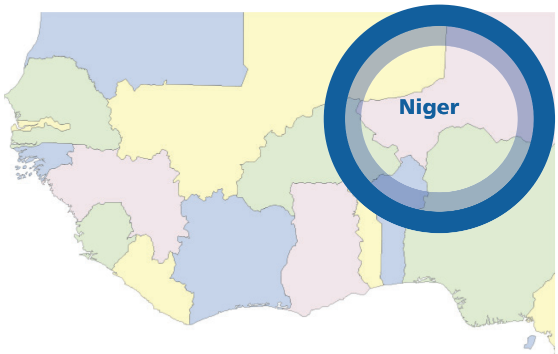


*Image: D-Maps.com; Timo Lowinger*

The Zarma, inhabiting the parched Zarmaganda region of what is now western Niger, took over the Dallol Bosso valley more to the south and then, in the late 19th century, created by force of arms a colony much further south, in what is now northern Ghana, where they were expelled only by the advancing British colonial forces. They later managed to secure an entente with another colonial power, Germany, and settled an area in what was then the budding German colony of Togoland.

This southward movement continued and expanded during the colonial era, when it developed into a circular migration of labour and trade, fanning across the Gulf of Guinea. It included the southern regions of Nigeria, Benin, Togo, Ghana, and Côte d'Ivoire. Some of this migration was fuelled by the oppressive taxation regime installed by the French in their impoverished colony, but most of it was determined by geography, as in Mali. In effect, most Nigerien emigration originated, then as today, from the more arid Sahel/Sahara band that includes the Zarmaganda and Ader districts. Nigeriens from the comparatively more fertile south-central districts either preferred internal migration towards the capital (Niamey) or seasonal/temporary emigration into northern Nigeria, closer to home. Later, in the early 2000s, with Côte d'Ivoire collapsing in a civil war, labour migration from Ader in particular found an alternative major destination in Libya. In that period too, a phenomenon of mendicant migration towards Algeria developed from the south-central regions of the country. In the early 2010s, with the collapse of Libya into chaos but a reviving Côte d'Ivoire, that country was restored to its status of main host country, together with its Gulf of Guinea neighbours.

This cursory description of Niger's migration patterns shows that they have a historical depth that seems to have entrenched them in a certain direction in West Africa, towards the broader Gulf of Guinea area. Only once was there a swerve in another direction, namely, Libya, and this was brief – although it would certainly have become entrenched were it not for the fall of Col. Gaddafi's regime and its aftermath. Indeed, as recently as 2017, IOM helped in the repatriation from Libya of over 3,500 Nigerien migrants and many still live in the Libyan towns of Sebha, Tripoli and Benghazi. Very few Nigeriens crossed or attempted to cross the Mediterranean to Europe. For all practical purposes, Niger is not an origin country for migration to Europe.

In the early 2000s, the main migrant routes from West Africa to Europe transited through Mali. However, there was already then a migrant route that went through Niger and ended in Libya. Most of the migrants who took that route were seeking, or eventually found opportunities in Libya. As an outcome of this, a migrant transport industry developed, especially after 2009 (with the end of a Tuareg rebellion that broke out in northern Niger two years earlier), that centred on the city of Agadez and the town of Dirkou, in northern Niger. Although there were already then strong European concerns about irregular migration, this transport industry was ignored by the EU because the Gaddafi regime offered a bulwark against trans-Mediterranean migration and Libya accepted the migrants in a bid to use their labour for the many development projects that were then underway in the country.

After the fall of Gaddafi in 2011, this rapidly changed. In the chaotic situation that then developed in Libya, migrants either returned, or dug in, or decided to cross the sea towards Europe. Most Nigerien migrants chose the two former options, but many migrants from other West African countries preferred the latter one. The transport industry that went through Agadez and that was organised by people from Niger's northern communities (the Tuareg and Tubu) therefore not only survived, but in fact grew more profitable given the fact that the Malian route to Europe had been shuttered by the rebellion and Jihad that gripped northern Mali in 2012-13 (another consequence of the fall of Gaddafi).

As a result, the EU started to focus on 'migrant smuggling' and 'human trafficking' in Niger – new tag names for a migrant transport industry that was now in a process of becoming criminalised. It is in this context that we should make sense of the policies pursued by the EU in Niger, and of the response of Niger's government to such policies. This section starts with the EU policies which, in Niger more than in the two other countries studied in this report, have played an agenda-setting role; and it ends with the Nigerien response to these policies.

## 'Border externalisation': Niger as Europe's immigration officer

In the case of Niger, the EU approach draws from a different toolbox of European policies, the one that is defined by so-called borders externalisation and that was developed in the past with Libya or in more recent times with Turkey, in connection with migration from troubled spots in the Near East.

Niger was initially a country of interest for the EU as it seemed an ideal place in which to headquarter EU efforts to tackle security problems in the Sahel. These were defined principally at this time by the post-Gaddafi chaos in the Sahel and the apparent rise of terrorism. In 2012, the EU set up a 'mission', EUCAP Sahel Niger, which was to reinforce the capacities of Nigerien security forces, and which was due to cease work sometimes in 2013. EUCAP's lease of life was, however, extended and its mission expanded to include migration control as the Nigerien route started to grow in importance. Between 2012 and 2017, EUCAP's budget grew from less than €10 m. to €26 m. This evolution took a decisive turn when migration was defined as a crisis in 2015. The gatherings that ensued led to the formulation of the Valletta Action Plan in which Niger was the only West African country to be specifically mentioned – three times – as a key partner in the design of EU strategies in the region.

The Valletta Action Plan is a smorgasbord of projected initiatives covering anything from job creation and support for private investment to Erasmus scholarships for African students and projects bringing aid to refugee camps. It also stresses the need to 'establish and upgrade national and regional anti-smuggling and anti-trafficking legislation' through policies and action plans tailored to countries in terms of whether they are transit or origin countries. Such policies and action plans were designed to train or 'reinforce the capacities' of local security forces and jurists in the repression of 'human smuggling and trafficking', i.e., migrant transport. To move the policies forward, the EU planned to resort to 'effective incentives' with a view to creating the legislative framework in which such policies could be securely developed and implemented. In Mali and Nigeria, the result was the adoption of migration policy documents with an essentially declarative – rather than performative – significance. In Niger, however, the EU successfully pressured the country into adopting legislation that criminalised migrant transport in late 2015. Niger quite rapidly started to implement this law in 2016, a remarkable feat in a country with a proverbially lethargic rule of law apparatus. That uncharacteristic vigour was the result of massive funding from the EU.

Until 2014, only 1/3rd of EU aid to Niger went into direct budget support. In the new cycle that started after 2014, 75% of EU aid was injected straight into state coffers. The EDF awarded approximately € 640 m. to Niger for the period 2014-2020 and, after further review, supplemented this with an additional € 95 m. Segments of the Niger border control apparatus – security forces in the north and judges tasked with hearing human smuggling cases under the new law – received equipment and well-paid training sessions. Remote border posts that did not even have electricity in the past were connected to the Internet through the agency of the German GIZ. Donations of flatbed trucks, off-road vehicles, motorcycles and satellite phones dramatically improved the working conditions of Niger's gendarmerie and military in the hitherto challenging northern wastes. Between 2016 and early 2018, Nigerien military personnel in the country's desert bases increased from 200 soldiers to 450.

Despite these improvements, controlling all points along border of 350 km in a sand desert remained impossible and new routes were able to cross through to Algeria, with which Niger has a much longer border. Other measures were therefore introduced. In October 2017, Italy signed a memorandum of understanding with Libyan militias, whereby the latter agreed to intercept migrants on the Libyan coastline and at sea and keep them in detention centres on their territory prior to returning them to their home countries. At about the same period, the EU opened a Frontex liaison office – only the third outside of Europe, and the first in Africa – in Niger in order to beef up control of the border with Libya.

The results are not easy to interpret. Arrivals to Italy have dramatically decreased in 2018, but arrivals in Libya have not. If many known routes have been shut down by the Niger-Frontex efforts at border control, new or old and non-monitored routes and tracks are now being used.


IOM in Agadez, Niger - *Image: Ministerie van Buitenlandse Zaken*

According to IOM, the number of migrants in Libya grew from 432,574 in October 2017 to 704,142 in February 2018, meaning that 271,568 new arrivals were recorded. Not all of these were Sub-Saharan Africans, but that group represented 93% of new arrivals. Some of the migrants came from the Sudan and crossed through areas controlled by Tubu militias across Niger, Libya and Chad, therefore in areas that fell outside of the remit of Niger's security personnel. And, even if many (most?) of the migrants travel with the intention of crossing the sea to Europe, a fraction – especially those from Niger itself – aim in fact at staying in Libya. For the EU, however, what counts ultimately is the decrease in the numbers of those crossing the Mediterranean, even if that decrease is perhaps temporary.

The compact that was offered to Niger for its cooperation included aid destined to offer new economic opportunities for those whose livelihood was tied to the migrant industry in the northern desert. The migrant industry that had developed in northern Niger since 2009 approximately was not defined solely by transport. People in Agadez organised accommodation, food and many other services for migrants, rekindling a prosperity that had deserted the town since the demise of tourism following the Tuareg rebellion of 2007 and the later rise of Saharan terrorism. Niger's state workers – executive elected officials, security personnel – also levied forced contributions and bribes on migrants. To suppress migration meant to dismantle an economy that profited the region in many ways, at the risk of fostering social instability within traditionally restive communities. To limit those risks, the Trust Fund is financing a project, the Plan d'Actions à Impact Economique Rapide à Agadez (PAIERA, 'Actions Plan with Rapid Economic Impact in Agadez') through a government-sponsored institution, the Haut Conseil à la Consolidation de la Paix (HACP). PAIERA aims at sensitising migrant transport workers to the policy of the state, to the risks they will be taking in pursuing their activities, and to the 'reconversion' opportunities that are on offer. Just as the Trust Fund itself, the PAIERA is a stopgap project that does not aim at addressing structural economic issues in the region. While the EU promises more wide-ranging support, the facts on the ground still beg the question as to why Niger chose to cooperate with the EU in the repression of migration to this extent.

This question is explored in the next subsection in relation to the impact of this cooperation on the country's socio-economic well-being and to the ways in which it is shaping both the Nigerien context and Niger's relations with its neighbours in West Africa.

## The impact for Niger: empty rewards and hidden dangers

In this subsection, the three aspects mentioned at the end of the previous one are examined in turn.

***Niger's reasons for cooperating in the repression of migration:*** Interviews with Nigerien officials both at HACP and at the Ministry of the Interior stress that Niger agreed to cooperate with the EU on the repression of migration for two reasons. The first reason is humanitarian. Migrants were dying in the Sahara and on the Mediterranean and were falling prey to brutal exploiters in Libya, and there was a case for stopping flows that were leading to such outcomes. The second reason is financial. The EU offered funding to Niger, IOM and the United Nations High Commission for Refugees (UNHCR) to reduce the flows and return migrants; in the words of HACP's chairman, Col. Abou Tarka, 'in the best possible conditions given the circumstances'. Moreover – officials at the Ministry of the Interior who wish to remain un-named acknowledged quite frankly that the EU dangled the prize of development aid, which Niger needs more than ever at the present juncture. Due to wars and terrorism in surrounding countries, Niger has been compelled to devote a significant portion of its tight resources to security, at the expense of priority social sectors such as health and education. The country also hosts hundreds of thousands of refugees from neighbouring Mali and Nigeria. It is therefore now in a state of chronic economic crisis.

There is also a third reason in addition to these two. Unlike Mali and Nigeria, Niger is not a significant origin country of migration to Europe. The government does not, therefore, face the counter-pressures from public opinion and the civil society that are evident in Nigeria and Mali. Only one major civil society group – Alternative Espace Citoyen – is critical of the conduct of the government on the grounds that it is imperilling regional integration, treating migrants with indignity and disrupting fragile economic networks in the north. Other civil society groups in fact work with both the government and IOM in migration control and in the social reintegration of returnees. A government official admitted in an interview that 'we obviously do not include groups that are critical of our policies in our decision-making process'. This attitude, for all its 'obviousness', is possible only because, in Niger, public opinion would not mobilise against these policies, as is the case in Mali. (IOM also shuns civil society groups that are averse to the current policies, as was explained by Hassane Boukar of Alternative). Government officials do recognise that they face criticism from their peers in regional arenas, but so far this has not translated into threats that might easily target the large Nigerien diaspora communities across the Gulf of Guinea. More worryingly, Niger's security personnel have internalised the notion that a migrant – and not just the so-called human trafficker – is a criminal, leading to routine violations of the ECOWAS Protocol at Niger's border, even at times, according to anecdotal evidence from Mali, involving individuals who have no intention of migrating to Europe. Migrants whose destination is Libya and Algeria, not Europe, also get caught in the nets. In general, these are Nigeriens from the impoverished rural areas in the centre-east regions of the country. These people form a disenfranchised group whose plight is typically not covered in Nigerien national media and can be safely ignored by the government.

In the spring of 2018, the government was thus able to adopt a national strategy for the repression of irregular migration with no reaction from public opinion.

***Impact on socio-economic conditions and the configuring of the Nigerien (political) context:*** In interviews at the EU Delegation, it was said that EU aid to Niger is not, nor will be limited to the emergency funding provided by the Trust Fund. EU representatives interviewed in Niamey appeared convinced that migration to Europe will not abate – the current decline being, in their view, just a temporary lull – and that, as a consequence of this presumably, support for Niger was long-term.

International media reports also stress that Niger has become the single largest recipient of EU aid in the whole of Africa. The European Commission forecast that EU assistance to Niger would reach the unprecedented sum of €1 bn. by 2020. Significant portions of these funds will directly support the state's 2017-21 Social and Economic Development Plan.

The impact, so far, is unnoticeable in the country. Officials at the Ministry of the Interior complained in interviews of the fact (hard to verify) that the Europeans were dragging their feet in providing the funding for social sector initiatives that had been discussed in the negotiations leading up to the compact. More generally, Niger is currently facing the most radical austerity policies of its history since those that came with the structural adjustment programmes of the 1980s and 1990s. While the government has spent lavishly on grands travaux (big works) projects (building of interchanges, hotels, a thermal power plant, and a third bridge in the capital), it has passed an unpopular appropriation bill that created a host of new taxes and raised the price of electricity and water to levels barely affordable to the country's small middle class, let alone the underprivileged majority. It has also struggled to pay salaries on time for several months since the last elections (2016). Citing the imperatives of security and the needs of the military, it has reneged on earlier commitments to improve conditions in the social sectors. Predicable protests are met with heavy-handed reactions, with civil society leaders being jailed and media that are critical of the government being shut down or subjected to judicial harassment in order to effectively silence them. Many in the Nigerien commentariat see this behaviour as an attempt to establish the dictatorship of one party in the country with the collusion of Western powers, including the EU. If the Nigeriens have so far not tasted the benefits of cooperation with the EU, they have observed the advantage accruing to the ruling party from the high level show of support that the Niger government is receiving from European leaders such as Emmanuel Macron and Angela Merkel. In a country where the rhetoric of struggle against neo-colonialism is still alive, this is seen as a loss of independence that further undermines the fragile legitimacy of the state.

***Regional relations:*** As mentioned above, Niger has come under the criticism of its ECOWAS peers at regional meetings for the treatment of their nationals on its territory. Niger's uneasy defence hinges on the humanitarian reasons referred to above, but its position is protected by the fact that ECOWAS itself cooperates, on a different level, with the EU.

In theory, Niger must allow the free circulation of ECOWAS nationals across its territory and the interception of such individuals in the desert north are violations of the ECOWAS Protocol. In practice, Niger's agreements with the EU, deriving as they do from the wider framework of the Rabat Process and the Valletta Action Plans, supersede ECOWAS' writ in two ways. First, ECOWAS member states participated in the Rabat Process and have thus individually agreed to the implementation of policy measures that derive from it. And second, ECOWAS rules offer opportunities for the EU to configure them in ways that are favourable to their own approach. Unlike the Schengen zone, ECOWAS – though not WAEMU – implements border controls for community nationals. However, it has created a status quo in which, while waiting for member states to establish the infrastructure for border control, the region has become effectively borderless. Now, the EU is pushing for ECOWAS to respect the letter of its rules in terms of border controls, thereby imperilling the status quo which constitutes an important stage in the region's integration process. Given the current capacities of ECOWAS (and of most individual member states) on the one hand, and the migration patterns within West Africa on the other, installing by-the-book border controls is both impractical and a potential source of a regional crisis. In Niger, however, the European conception of ECOWAS' borders can be used to make life more difficult for migrants and their 'smugglers' in conformity with the letter of ECOWAS' rules. The case of Niger is thus evidence that the migration rules of ECOWAS now exist, in the Sahel at least, under a regime largely defined by the concerns and interests of the EU.

# Conclusions and implications

This section draws some conclusions from the case studies and analyses the longer-term implications of these conclusions.

## On synergy: bridging incompatibilities

The case studies show a dramatic evolution of European development aid policy in Africa in line with the EU's migration approach. Alongside this, the AU has also been developing a Migration Policy Framework for Africa (MPFA) which, though it cannot be defined as an 'approach' in the same way as the EU's, forms the basis for such an approach.

Adopted first in 2006 and recently revised in view of an action plan for 2018-2027, the MPFA serves as a guideline for regional economic communities and member states in preparing their own policies. ECOWAS explicitly referred to the MPFA in the design of its Common Approach, and both Nigeria and Mali took inspiration from it in their own national migration policies. Together, these various African instruments form a discourse on migration that is profoundly different from the one coming from Europe. While they all have sections emphasising the need to combat irregular/illegal migration and human smuggling/trafficking, they also offer a longer-term vision in which migration could contribute in a variety of ways to development and should therefore be organised and promoted in ways that best realise that potential. Both the EU's discourse and approach lack such a long-term perspective on migration. While reflection on migration started in the AU in the 1990s with the question of how to harness that opportunity, reflection on migration in the EU started almost a decade later with the question of how to manage that problem.

Achieving synergy between such incompatible perspectives was, from the beginning, a tall order. The outcome would be either a feat of leadership whereby 'political dialogue' genuinely occurred and AU and EU jointly shaped a new reality out of the conundrum, or one vision submerging the other to all intents and purposes. The case studies suggest that, at it is juncture, it is the latter outcome that is prevailing. The ECOWAS Common Approach reflects the attempt to achieve synergy, while the national migration policies of Mali and Nigeria give pride of place to Malian and Nigerian perspectives. Only Niger's national migration strategy is exclusively inspired by the EU's approach. However, the EU largely ignores the agenda in the policy documents of ECOWAS, Mali and Nigeria, and pursues objectives defined by the repression of irregular migration and the targeting of the 'root causes' of such irregular migration. It seeks to integrate individual West African states into this process through a 'political dialogue' which, in essence, means the provision of development aid in exchange for active cooperation in stemming irregular migration. With a more complex and comparatively more developed economy, Nigeria is generally unforthcoming, prompting the EU to step up its efforts and offer more attractive deals through the EIB. Less developed Mali has agreed to implement the EU approach in the hope of increased aid, but this has proved so far to be high expenditure for little results, as the case of CIGEM demonstrates. Moreover, if the penurious Malian state shows readiness to enter into agreements with the EU and its member states on the successive projects that they propose, the potentially more effective cooperation of Mali's civil society will remain unforthcoming given their commitment to an agenda that is spurned by the EU. In contrast, Niger, where the civil society is by and large indifferent to the issue, is more zealously embracing the EU approach. But as the case study on this country shows, geography defeats much of the goodwill of its state agents.

As mentioned in the introduction, migration is now shaping the entire EU approach to development in Africa, evidenced by the newly launched Africa-Europe Alliance for sustainable investments and jobs. This policy framework seems to denote a shift toward taking into account the African discourse, which is about structural issues of development – whereas the European discourse has essentially been about 'the root causes of migration'. In the next section, this distinction is reviewed and discussed, since the case studies prompt us to wonder whether, in the long-term, African concerns about the structural issues of development in the age of globalisation will be recognised by the EU through a genuine partnership, or whether the EU concerns about migration will continue to overshadow its development policy on the continent.

## On divergent positions: structural issues and root causes

Official instruments – such as the MPFA and other migration policy documents – show that African discourse on migration links the phenomenon to structural issues of development, whereas European discourse relates it to root causes having to do with culture and poverty. Moreover, and partly for this reason, the African position appears more coherent, albeit weaker in terms of resources capable of supporting an executive approach, while the European position lacks coherence but is strong in terms of resources, allowing the EU to develop a more aggressive approach. In this subsection these two points are discussed in turn.

***'Structural issues' versus 'root causes':*** African and European policy-makers have divergent understanding of the underlying causes of migration. This divergence can be heard in their discourse as it transpires both in interviews and in policy documents. African policy-makers emphasise the structural issues of development while their European counterparts seek the root causes of migration. For African policy-makers, the primary issue is development, with migration being a factor in that issue – a factor that can be negative or positive, depending on whether it promotes or obstructs development. For European policy-makers on the other hand, migration is the primary issue, and is overwhelmingly negative. In this discourse, development appears only as a possible solution to migration.

This divergence of understanding can be illustrated using elements in the case studies. For instance, as was shown in the first section of this study, ECOWAS' conception of free movement made sense in the framework of an agenda for the structural transformation of the West African economies. This agenda aims at streamlining agricultural policy and developing a regional industrial policy. The West African project of structural transformation planned to invest in what is potentially the biggest labour and consumer market in Africa. However, and regardless of the daunting governance issues inherent in the member states' political systems, West Africa lacks both fluid capital – especially credit – and the social safety nets that are essential for risk-taking. In this context, migration is seen as one way to help jumpstart what may be called a 'primitive accumulation' process at the societal level. In this scenario, migration would ideally be a win-win partnership, whereby the host country would benefit from the labour and taxable income of the migrant, while the origin country would benefit from capital influx. However, for such a partnership to work, forms of legal migration need to be set up in agreements between European and African states. Proposals for this do in fact exist in the various policy documents stemming from the Rabat Process, but have not, as yet, been taken up by the states – apart from isolated attempts such as the failed agreement between Mali and Spain described in the Mali case study. This West African vision is not without its pitfalls, some of which are delineated in Nigeria's national migration policy document – for instance an exodus of development-sensitive skilled labour. However, it corresponds to the perception of Africa's difficult development equation of abundant labour and penury of capital.

Such a perception is certainly shared by organisations in Europe's civil society, but does not seem to prevail at the European decision-making level, where African emigration tends to be defined in terms of poverty and culture, in addition to war and bad governance. In order to address these 'root causes', poverty-reduction solutions, and culture-impacting sensitisation campaigns are being developed and implemented, while political dialogue seeks to address bad governance. Both types of intervention are 'targeted' (to specific regions and groups) instead of being holistic as would be the case if structures were taken into account. From an analytical point of view, these perspectives are not contradictory. Poverty can be considered as less of a 'cause' than a symptom of structural problems of development, and culture adapts to contexts, which, in turn, are shaped by economic structures. Therefore, this is a divergence on where the emphasis is put, and which solutions are envisioned as a result.

Despite this divergence of understanding, there are areas in which a convergence of interests may create some synergy. Both European and African decision-makers are opposed to 'irregular migration' –defined in terms of its underlying meaning of migration toward Europe (as opposed to other African countries) – albeit for different reasons. Niger's reference to humanitarian reasons is not just self-serving hypocrisy. Migration to other African countries, though more significant in numbers than migration to Europe, has never resulted in the humanitarian disaster represented by the large numbers of deaths in the Sahara and the Mediterranean and for that reason, 'irregular migration' appears problematic to state agents both in Europe and in Africa. In Mali, the Ministry of Malians Abroad defends the Malian state's cooperation with the EU on the grounds that most 'irregular migrants' lack the skills needed to enter the labour market in Europe, which would turn their projects into a burden for European societies, and be a failure for the migrants themselves. Admittedly, however, African reasons for opposing 'irregular migration' are weaker than the European ones. This emerges in particular in the reluctance of African states to agree to the mass return agreements proposed by the EU.

The point here seems to be that as long as states in Africa and Europe have not reached a consensus about what needs to be emphasised as the macro-level cause of African emigration – i.e., structural issues of development or root causes – synergy will elude them. This explains the present situation, where formal agreements mask disagreements that are ultimately shaped by the different positions and resources of states in Africa and Europe.

***Active and passive approach:*** It became clear during fieldwork on this paper that EU delegations in individual countries are territorial and executive agencies with no regional perspective, especially in the realm of political economy. At the centre, in Brussels, decision-making depends on agreements between states and countries that are deeply divided on the issue of migration. 'Frontline' countries such as Italy, Greece, and

Spain feel the full brunt of what some describe as an invasion, while a minimal consensus on a pan-European management of arrivals appears impossible, especially after the failure of Germany's proposal in that direction. Unsurprisingly, frontline states are more active than other European states. Italy has adopted agreements with militias in the Sahara and in Libya, and Spain tried importing labour from Mali before initiating the training of border agents and paramilitary personnel in the Sahel. Meanwhile, the failure and/or incapacity to devise a pan-European policy on arrivals has further stoked fears of 'invasion' amongst the European public and imbued European national politics with a degree of passion that renders the development of a rational and coherent approach across nation-states even more arduous.

The current European approach reflects these difficulties. The level of engagement and partnership which African states request from the EU, including the terms of the Rabat Process, is unforthcoming because the EU member states disagree so much on how to respond to something which would, otherwise, might not have turned into a crisis. The EU is therefore only able to mobilise resources for intervention in Africa, and only in line with the view – defined by the European context – that migration is a problem.

This lack of coherence in the European position explains the contradictions in its agenda in West Africa. We have seen, for instance, that the EU claims to support the free movement of people in the ECOWAS region, sometimes with funding, while, again with significant funding, also pushing for policies that restrict such free movement. More generally, there are contradictions between ambitious partnership pledges – better development aid, investments for job creations, openness to provision of more legal channels of migration – and subpar on-the-ground policies – repression, 'targeted' projects, and sensitisation campaigns. In order to be able to act on the pledges, EU member states need a consensus on migration that does not currently exist. While the Africa-Europe Alliance has announced a move in that direction, it remains to be seen whether the EU can actually mobilise resources and political will beyond those that are needed for repression, control and tackling the 'root causes'.

By contrast, the African position appears more coherent and rational. The concept of migration which it incorporates is based on the balanced view that migration could be valuable or adverse, depending both on circumstances, and on how one manages to harness it for socio-economic progress. The kind of passion and subjective animus that plays a key role in Europe exists in some of the host countries in Africa, but its political significance is far more limited. In West Africa, ECOWAS may be credited for helping to contain xenophobia – even if it did have explosive consequences in Côte d'Ivoire in the late 1990s and early 2000s. The MPFA, the ECOWAS Common Approach and the national migration policies of Nigeria and Mali all reflect this position in a significant measure, even though they try to conciliate it with European concerns. However, African states and integration bodies have proved incapable of mobilising the resources that would turn their position into an active approach to migration – meaning, an approach which would produce results. Consequently, it is the European approach that has played the decisive role in this issue so far, though not without some adverse impact on the prospects for economic progress in West Africa, as well as in the countries of Nigeria, Mali, and Niger.

# Recommendations

The EU approach to migration has had at least two significant impacts on West African regional integration.

First, the issue area of migration is now the key driver of EU development policy in the region. As we have seen, Europe has historically linked development aid with trade. Since the end of the 1990s, it had been pushing for new economic partnership agreements that included support for African RECs but also greater opening of the African markets to European goods. According to the EC, West Africa is Europe's largest trading partner in Sub-Saharan Africa while the EU is West Africa's biggest trading partner overall. But despite signing interim agreements with Côte d'Ivoire and Ghana, the EU has not been able to convince ECOWAS to accept the EPAs, owing to the refusal of the region's biggest economy, Nigeria, to get on board with the proposal. Given this outcome, the policy approach in which partnership is based on development and migration now defines the EU relations with the ECOWAS states. Increasingly, the EU is subordinating support for regional integration to cooperation in the issue area of migration, despite the fact that such cooperation is viewed by ECOWAS states as detrimental to regional integration. To achieve its aims, the EU has been able to play the weaker states of the Sahel against the leading players, especially Nigeria.

This is particularly obvious in the direction taken by the EU as regards free movement in West Africa. Under the previous conditions, the EU supported free movement by funding the building of roads and the development of trade corridors. In contrast to this, it now pushes for its restriction through the promotion of border controls and the implementation of repression of migration in the Sahel. This new European orientation favours the emergence of a restrictive regime on free mobility that undermines the existing regime based on the ECOWAS Protocol and the developmental agenda described in the section on ECOWAS.

Overall, it appears advisable for the EU to change course, despite the difficult political conditions in Europe. Recommendations to this effect may be offered both in relation to the context in West Africa, and to issues specific to the countries studied in this paper. These recommendations are defined by the fact that while the EU has far more resources than ECOWAS, it is the European states that need the cooperation of ECOWAS' states in this issue area. Moreover, recommendations related to the countries all imply that the EU should abandon its present approach to 'political dialogue', which consists in devising policies and then attempting to 'sell' them to states and friendly civil society groupings in West Africa by fostering 'ownership'. Instead, the EU should take into account the concerns of the West African public as expressed in documents whose production it has funded (national migration policies) and accept the input of voices which it deems to be unsympathetic to its positions.

## (1) Recommendations related to the West African Region

- European leaderships should attempt to sell to their public the need to build a real partnership with African states, one which respects the pledges made in the framework of the Rabat Process. The EU cannot obtain the genuine cooperation of the West African states in controlling irregular migration and return and readmission without giving them in return some of the things which they have requested in the dialogue with the EU and in their national migration policy documents – which should be taken more seriously by the EU than they are at present. This is largely due to the fact that, as the case studies show – and with the Niger case being a proof a contrario – West African states may want the aid of the EU, but they still remain accountable to their civil societies in this issue area.

- Emergency measures – such as the repression of migration –, while perhaps warranted given the political upheavals in Europe, should not overshadow the long-term solutions, which are solutions to issues of development, not to migration. Therefore, such measures should not be a condition for EU development policy in West Africa, as they are at present. This is not, however, a recommendation for the EU to abandon all attempts to control and contain irregular migration.
- Nevertheless, the EU should indeed abandon its attempt to impose a new regime of restricted mobility in West Africa. Given the regional context, this is a futile attempt that will only result in tensions in the region without the expected 'benefit' of a degree of border controls that has never existed in West Africa, even under colonialism.
- The EU should work with the grain of West African economic dynamics, in particular by actively supporting the emergence and organisation of the Lagos-Abidjan Corridor, the best candidate for an alternative to extra-regional migration in West Africa.

## (2) Recommendations related to Nigeria

The EU should negotiate on the broad issue of reducing and stemming irregular migration to Europe on the basis of Nigerian national migration policy. The national migration policy document has identified 'excess manpower' as the defining characteristic of Nigerian emigration, and calls for a 'management' of that excess manpower. The EU should work with Nigeria to achieve such management, which, in the medium and long-term, would be more beneficial than border management. Based on Nigeria's national migration policy document, one can adduce the following key recommendations:

- Developing an information system on the labour force as a basis for understanding and forecasting migration trends.
- Regulating such trends not through repression, but through services (skill development, credit, scholarships and guest workers contracts, etc.) that would lead either to legal circular migration, or to staying at home. Repression leads to evasion and fraud, while services would attract targeted individuals.
- In turn, the focus on services rather than repression requires a form of multi-layered international cooperation that would implicate dedicated European and Nigerian state agencies, civil society actors, and business stakeholders instead of bodies that are specialised only in border management and control and repression of migration.
- Tying EIB support to Nigeria's socio-economic development not to agreement on return and readmission, but to results that effectively and positively impact wealth/job creation.

- Supporting policy discourses and programmes that promise the establishment of social security, since the lack of social safety nets is a major deterrent to risk-taking and local investment by the most vulnerable economic agents. Such discourses and programmes are now part of Nigeria's overall political discourse and take salience in electoral contexts.

## (3) Recommendations related to Mali

The EU should negotiate on the broad issue of reducing and stemming irregular migration to Europe on the basis of Malian national migration policy. Mali's PONAM reflects problems that are somewhat different from those in Nigeria, in particular the centrality of migration in the economy after the end of state-led development and the fact that the bulk of Mali's international migration is a form of rural exodus. Moreover, Malian migration is a large phenomenon in which migration to Europe is only one strand, one which, quantitatively speaking, is quite marginal. The PONAM strongly expresses the desire to protect the assets and investments of the diaspora – including that in Europe – and develop their impact on economic progress in the country. Mali – both the state and the civil state – will be more inclined to genuinely cooperate with the EU if systems of legal mobility conducive to this outcome are on the negotiation table. The EU should also support initiatives – for instance the Bank of Malians Abroad – that could help to reach this outcome from other destinations, especially Côte d'Ivoire, which is the biggest recipient of Malian migrants. Ultimately, as the very existence of national institutions supportive of migration shows, migration is not seen as an end in itself, but as a means to an end, that is, a modicum of home-based prosperity and, in particular, an influx of productive capital in the rural areas. The more rapidly that end is reached, the shorter the means to it would last.

## (4) Recommendations related to Niger

Civil society critical of Niger's involvement in the EU policy in the country should be integrated into policy formation. In the present context, the EU is undermining the legitimacy of the Nigerien state and ignoring alternative voices that can foster the 'ownership' which it claims exists only because Niger's authorities are doing its bidding. In contrast to the two other countries, Niger's problem is how to govern migrant flows, especially in the conditions that persist since 2011-2012. The option followed by the EU-Niger combine is repression of migrants and targeted aid in the northern region. This is not working, and it is hard to see how it can work. In this light, the governance of migration flows must become smarter, both from the EU policy perspective (point 1 below), and on the side of the Nigerien state (point 2 below).

(1) The EU should retain Niger as a partner for the control of Europe-bound migration when the flows persist, but control is in fact more efficient when it is based on services – thus attracting its target – than when it rests on repression – prompting the target to look for escape routes. Partnership with Niger should be broadened to include civil society groups and local businesses capable of organizing accommodation in humane conditions of migrants who reach Agadez, and coordinate with IOM and UNHCR for safe return plans. While this will not prevent many from crossing into Libya, it will change/ improve contacts with migrants and possib-

ly have an impact on their project. This policy should be conducted in combination with:

(2) A Nigerien policy integrating the economy of Agadez Region into that of southern Niger. No amount of development aid to Agadez Region will be able to reorient "smugglers" toward productive activities within the region, because it is not a self-sustaining entity. Agadez Region suffers from limited economic integration both with Algeria/Libya and southern Niger. Greater economic integration with the northern countries would be to its benefit but is not on the cards, given the chaos in Libya and the reluctance of Algeria (and lack of overtures from the Niger government). The only other option is greater integration with southern Niger, a viable option, moreover, in terms of domestic trade for cattle and agricultural produce and jobs – possibly via a temporary affirmative action programme. As things stand now, the road linking Agadez to Tahoua, the next city south, is impassable – an apt metaphor for a region set adrift and grasping for any lifeline it can find. EU aid would be more fruitfully spent on such a structural change than on the stopgap projects that are now the trend.

# List of abbreviations

| | |
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| AEC | African Economic Community |
| AFD | Agence Française de Développement |
| AfDB | African Development Bank |
| AME | Association Malienne des Expulsés |
| AU | African Union |
| CIGEM | Centre d'Information et de Gestion des Migrations |
| EC | European Commission |
| EDF | European Development Fund |
| ECOWAP | ECOWAS Common Agricultural Policy |
| ECOWAS | Economic Community of West African States |
| EIB | European Investment Bank |
| EPA | Economic Partnership Agreements |
| EU | European Union |
| EUCAP | European Union Capacity Building Mission |
| GAR-SI | Groupes d'Action Rapide – Surveillance Intervention |
| GIZ | Gesellschaft für Internationale Zusammenarbeit |
| IOM | International Organisation for Migration |
| ISRT | Inter-State Road Transit |
| HACP | Haute Autorité à la Consolidation de la Paix |
| MIDWA | Migration Dialogue for West Africa |
| MME | Africa-EU Partnership on Migration, Mobility, and Employment |
| MPFA | Migration Policy Framework for Africa |
| OAU | Organisation of African Unity |
| PAIERA | Plan d'Actions à Impact Économique Rapide à Agadez |
| PONAM | Politique Nationale de Migration |
| REC | Regional Economic Communities |
| SNV | Stichting Nederlandse Vrijwilligers |
| UNHCR | United Nations High Commission for Refugees |
| UNODC | United Nations Office on Drugs and Crime |
| WACIP | West Africa Common Industrial Policy |
| WAEMU | West African Economic and Monetary Union |
| WTO | World Trade Organisation |

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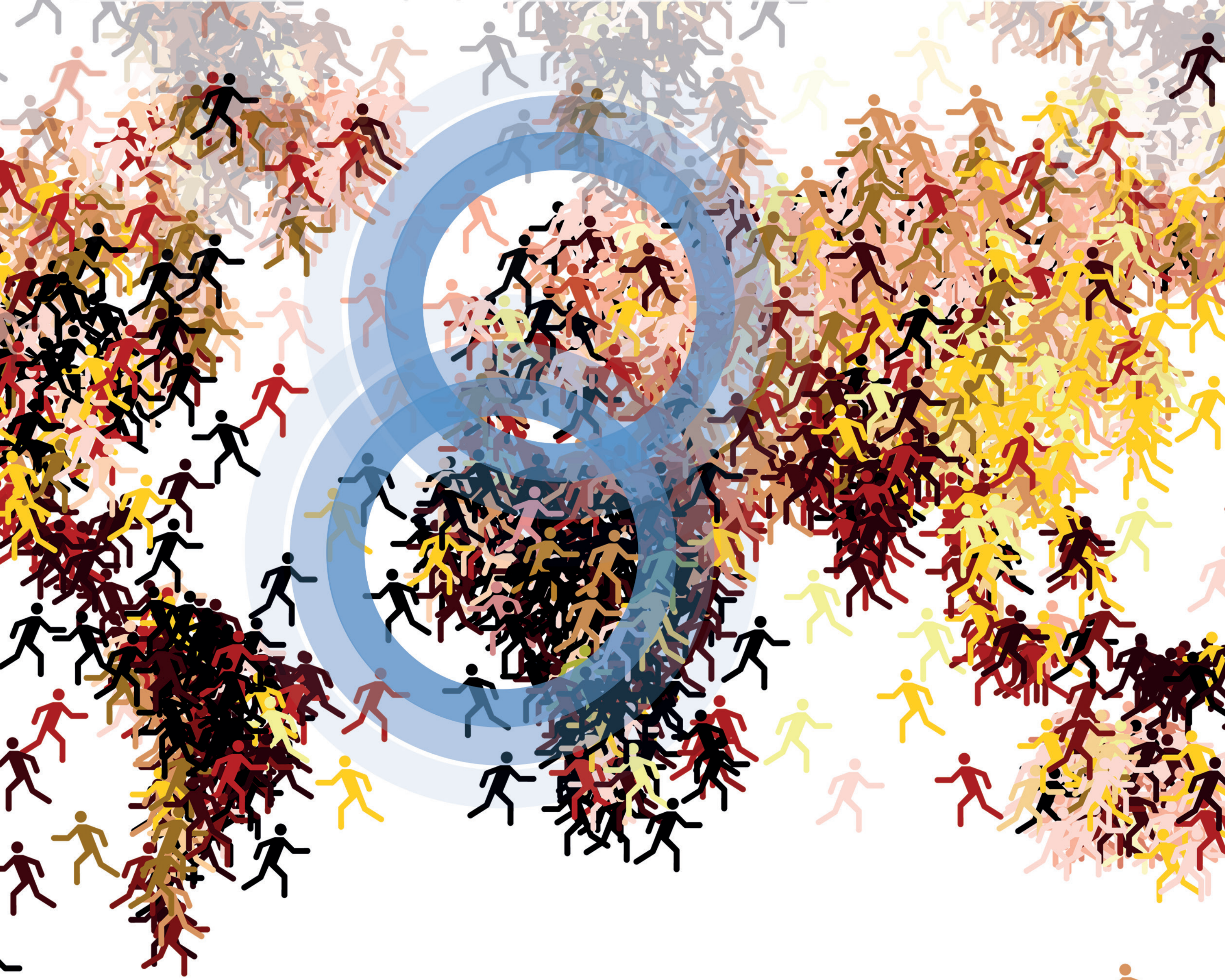

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