European Union/African Cooperation: the externalisation of Europe's migration policies

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At the European Union-Africa summit in Valetta in 2015 heads of State and government of both continents gathered to address migration in the midst of the humanitarian crisis. A shared awareness of the long-term challenges regarding the effective management of migration emerged, as the pressure on the Union's borders was predicted to last.

Indeed, in southern Europe, the Mediterranean has truly become a "dividing line"[1]. The presence of migration issues in EU relations with African countries is progressively extending to countries of migrant origin and transit across the entire African continent. Although originally limited to internal policy, the external aspect of European migration policy is now becoming a central pillar. It has led to the practice of externalisation, that is, a process through which the European Union outsources a share of the control of its borders beyond its own territory.

Achieving coherence, between community and intergovernmental competence, is a real challenge due to the prominence of migration matters in Europe's external policy, whether this involves defence, development or trade policies, and in line with the Union's commitment to human rights.

For geographic as well as historic, cultural and linguistic reasons, Africa, represented by the African Union (AU), and the European Union are both privileged partners. Europe, with its 28 Member States is still the most important foreign investor on the continent, the primary source of financial transfers and the greatest provider of development and humanitarian aid[2] , not forgetting the many common security and defence missions and operations. The issue of migration flows between the two pervades all aspects of cooperation.

Although there is undeniable cooperation in terms of migration policy between the EU and the AU, the growing trend to externalise implies, to a certain degree, that countries of origin and transit are stakeholders in the implementation of the European migration policy. Hence, we should explore the dynamics and the shape of this partnership. To what extent is Europe forcing some African countries to contribute to its policies? What are the limits of such methods?

Since the 1990's the EU has been convinced that its internal and external migration policies are intrinsically linked and hence, that cooperation with the countries of Africa on those issues is vital. However, the EU and UA's agendas and interests associated with migration issues are far from similar. How therefore can this partnership be re-balanced, with the protection of the migrants as a condition?

I – EUROPE'S REALISATION OF VITAL COOPERATION WITH AFRICAN COUNTRIES ON MIGRATION

Following the abolition of the EU's internal borders, the relationship with the countries of origin and transit quickly appeared vital in the management of migration flows towards the European continent (1.). Although global approach to migration and mobility was framed at European level (2.), the fight to counter irregular migration from the African continent

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finally emerged as the priority area of European policy (3.). Hence, dialogue has been mainly built around this goal (4.).

1. A prerequisite for a more effective management of migration flows

The entry into force of the Schengen Agreement in 1995 marked the advent of a new area of free trade and movement. Yet, the abolition of the internal borders called for a strengthening of the external borders. Since then Europe's migration policy has become a matter of security, and its external dimension a prerequisite for the smooth functioning of internal policy. Hence the Treaty of Amsterdam (1999) defined an area of freedom, security and justice (AFSJ) and thereby communitarised visa, asylum and immigration policies at European level.

In the same year, the European summit of Tampere set an agenda for the creation of this area of freedom, security and justice. The Council recalled "the need to develop a common policy for the European Union regarding questions, which are distinct, but closely related to asylum and immigration."[3], as well as the need for "close cooperation with the countries of origin and transit." A High-Level Working Group on "Asylum and Migration" was created with the aim of defining "a common, integrated cross-pillar approach for the most important countries of origin and transit of asylum seekers and migrants"[4].

In line with the conclusions adopted in Tampere, three years later in 2002, the Council of Europe met in Sevilla to aim for the integration of "immigration policy into the Union's relations with third countries"[5] . This meant designing, with these countries, a partnership in a "spirit of shared responsibility"[6] , according to the terms of The Hague programme, the second stage in the implementation of the AFSJ.

In this regard, the European Union agreed that for the common area to function smoothly, the EU needed to cooperate with the countries of origin and transit of migrants travelling to Europe. Two lines were considered. On the one hand, a preventive measure to act on the "structural causes" of migration, i.e. the introduction of development programmes, trade or direct investment agreements, the creation of job opportunities in the countries of origin and transit. On the other hand, a focus on security measures to prevent the illegal crossing of the borders of partner countries - that is the tightening of controls, the fight to counter illegal entries and trafficking of migrants, undertaken either by European agents posted in those countries or directly by the countries of origin and transit.

The latter became prevalent with the externalisation of the control of the borders as a privileged means of action. One of the reasons explaining this approach is the priority of Member States to make their borders safe, to control migration flows, but also the "politicisation of migration as a question of security"[7].

2. Fostering a global approach for migration and mobility with African countries

The dramatic events in the Spanish enclave of Ceuta in Morocco in 2005 contributed to the need to develop a global strategic approach to managing migration and to having a long-term vision focusing on the relation between migration and development. Amongst the priority actions announced at the European Council was the adoption of a Strategy for Africa, clearly illustrating the aim to strengthen migration cooperation with African countries. Two years later the EU-Africa Partnership for Migration, Mobility and Employment was launched in Lisbon (2007), together with an action plan and a framework for dialogue and cooperation with the African Union as its privileged point of contact.

To improve coherence and efficacy, the global approach was revised in 2011 to include mobility.

3. Conclusions of the Presidency. European Council of Tampere (15-16 October 1999)
4. Mandate of the High-Level Group « Asylum and Migration ». European Council (1999)
5. Communication from the Commission on integration migration issues in the EU's relations with third parties COM (2002) 703 final (3 December 2002)
6. European Council Conclusions (4-5 November 2004).
7. Huysmans, J. (2000). The European Union and the Securitization of Migration. Journal of Common Market Studies. 38(5), pp. 751-77

Four inter-dependent themes were suggested i.e. legal immigration and mobility, irregular immigration and the trafficking of human beings, international protection and political asylum, the maximisation of the impact of migration and mobility on development. Dialogue regarding migration and mobility were created to drive along implementation. They led to the signature of a common migration and mobility agenda[8] and even mobility partnerships[9]. These non-binding and country specific agreements negotiated with the DG Justice and Internal Affairs guarantee European financing. Only partnerships, designed as a priority for neighbouring countries, include the negotiation of visa and readmission agreements. Amongst the African signatories were Cap Verde in 2008, Morocco in 2013 and Tunisia in 2014. In the meantime, Ethiopia and Nigeria signed with the EU the framing of a common agenda, respectively in 2013 and 2014.

Moreover, areas of Euro-African dialogue and cooperation have been established at regional level, such as the Rabat Process, which brings together 27 countries on the migration routes linking Central, Western and Northern Africa to Europe, as well as the Khartoum Process, for the migration route via the Horn of Africa.

However, and despite initiatives launched to create a framework for continuous dialogue and to include the preventive process in the agenda, irregular migration continues to dominate the European agenda. This can be explained in part by the drafting of migration policies at intergovernmental level, aiming to tackle cross-border crime, terrorism and strengthen the protection of borders.

3. The fight to counter irregular migration in Africa in EU foreign policy

The European migration policy has become both "an instrument of external policy and a tool to manage migration"[10]. Not only did the Lisbon Treaty introduce a common asylum policy, it also created the European Service for External Action. This new service helps to strengthen the links between the Commission and the Council in sending a united message from the EU to its external partners.

The situation in the Mediterranean, in May 2015 compelled the European Commission to set out a European Migration Agenda to "provide a European answer by combining both internal and external policies."[11]. In Valett, European and African heads of State and government pursued their on-going dialogue on migration yet enhancing it by placing the related challenges at the heart of their relations. In this regard, the official announcement stated that "all policies and tools will be used to achieve these objectives."[12]

Hence migration policy is in fact at the heart of "all of the Union's policies, tools and resources."[13] States can count, for the management of EU's external borders as well as those of countries of origin and transit, on the support of the agency Frontex and even the support provided by the operation Sophia in the Mediterranean. Via the European external investment plan, Europe has also tried to "address the root causes of instability, forced displacement and irregular migration."[14]

Nevertheless, the flagship instrument in tackling the "root causes of irregular migration and of the phenomenon of displaced people in Africa"[15], is the emergency Trust Fund (EUTF), with an initial budget of 1.8 billion euros from the European budget and from the European Development Fund (EDF). In December 2017 an additional 274.2 million euros were pledged for the development of new support programmes in the Sahel and in the Lake Chad basin. The specificity of the EUTF lies in making collective funds more flexible, thereby easing the rules surrounding development aid to provide a "rapid, common, complementary, flexible response to the various dimensions of an emergency situation."[16]

8. *Common Agenda on Migration and Mobility*
9. *Mobility Partnerships*
10. *Van Selm J. (2002). Immigration and Asylum of Foreign Policy: The EU's Approach to Migrants and their Countries of Origin. in Lavenex S. et Uçarer E. M. (dirs), Migration and the Externalities of European Integration, Lanham, Lexington Books, pp. 143-160.*
11. *European Agenda on Migration. (2015). European Commission*
12. *Commission announces New Migration Partnership Framework: reinforced cooperation with third countries to better manage migration. (June 2016)*
13. *Idem.*
14. *An initial progress report on the partnership framework with third countries as part of the European Agenda on Migration. (October 2016). COM(2016) 700 final.*
15. *An EU emergency trust fund for Africa. (12 November 2015)*
16. *Idem.*
17. *Idem.*

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A "series of African countries that lie on the main migration routes to Europe"[17] are eligible for the programmes whose aims are to support the provision of basic services, governance or preventing and countering radicalisation and the rise of violent extremism programmes. However, in the envelope of the 400 million euros affected to the management of migration, "most projects are designed to restrict and discourage irregular migration through migration containment and control (55% of the budget allocated to migration management); raising awareness about the dangers of irregular migration (4%) and implementing policy reforms for returns (25%); and improving the identification of countries' nationals (13%). Only a meagre 3% of the budget is allocated to developing safe and regular routes."[18]

The priority given to countering irregular migration can also be highlighted in the Migration Partnerships[19]. As part of the European Global Strategy, these agreements aim to achieve a 'win-win' partnership, by strengthening cooperation regarding a number of programmes bespoke to countries of origin or transit's priorities and European outlooks. For now, priority partnerships have been established with Nigeria, Senegal, Ethiopia, Niger and Mali. In this regard, in Mali EUCAP and EUTM missions cover migration related projects, in Niger training schemes are in place in Agadez and support is provided by Europol and Eurojust in the fight to counter migrant trafficking, and in Ethiopia projects are in place to collect data on migration flows.

4. Political dialogue between the African Union and the EU

Since 2007 the Common EU-Africa Strategy frames the basis of a political dialogue by defining "values, interests and goals that are common"[20] to the two institutions. The re-integration of Morocco into the AU in 2017 helped established a parallel, at least in appearance, when speaking of the EU and the AU.

However, the institutional limits of the AU restrict the reciprocity of political dialogue. In the absence of the relinquishment of any sovereignty to the AU by its Member States, the latter often tend to withdraw in exercising their national sovereignty. Common position taking is all the more complicated on sensitive issues such as migration policy.

In its report on relations between the African Union and the European Union on the eve of the joint summit in November 2017, the International Crisis Group noted that "their relationship is essentially that of donor and recipient, but both are reluctant to characterise it as such."[21] Despite the mention of "partnerships" and even "Euro-African" dialogue, the representatives of African countries suffer a lack of transparency in terms of Europe's modus operandi. They are rarely involved in the drafting of EU external policies which will be, via the externalisation process, implemented within their borders. Despite the EU's frequent participation, along with that of its Member States, in the AU's summit, there is no reciprocity.

Moreover, Euro-African dialogue is often led by certain European Member States, notably by France and Germany. The system is still dominated by historic bilateralism which has even grown stronger. Although attempts are made by the High Representative, EU Member States are often at the helm of political dialogue.

However, in spite of these significant constraints, the European Union would like to believe that in the last ten years dialogue has become "much less ideological and much more concrete."[22] The European Parliament's report on the revised strategy in 2017 indeed notes that "the development of an equal, long lasting, mutually beneficial relationship."[23] This is notably reflected in the central idea of the Abidjan Summit, i.e. to move from development inputs towards private investment stimulation[24] towards the continent of Africa. The underlying goal is to

18. *The EU Emergency Trust Fund for Africa – migration routes (November 2017), OXFAM Briefing Note.*
19. *Migration Partnership Framework*
20. *The strategic E–Africa partnership (2007). Council of the* **European Union.**
21. *New start for African Union European Union relations. 17 October 2017. International Crisis Group. Report 255.*
22. *Jean-François Valette, EU Ambassador in Côte d'Ivoire, (November 2017). Dounia Ben Mohamed, Afrique Magazine.*
23. *Report on the EU-Africa partnership: boost to development (2017). European Parliament, Development Committee.*
24. *"The EU and Africa have a unique opportunity to start shaping a common future," (28 November 2017) by Jean-Claude Juncker (President of the European Commission) and Moussa Faki (President of the Commission of the African Union). Le Monde.*

create opportunities for young people, thereby reducing the structural causes of migration.

The African Union is also aware of the excessive dependency that persists regarding external aid and of the impediments that this represents for its bargaining power in political negotiations. Hence, AU Member States have made a commitment to increase their contributions to the AU regarding activities related to peace and security[25]. African States are still often silent partners, despite African civil society's frequent calls for its leaders to assume their responsibilities in migration related tragedies. No joint proposals on the part of the States have been drafted to implement a joint response to these challenges.

II – DIVERGENT INTERESTS BUT BALANCED COOPERATION?

Despite European declarations advocating shared cooperation and responsibility on migration, there is fundamental political divergence between the European Union and the African Union and within these institutions themselves (1.) Especially given the EU and AU's divergent views of those issues. The EU has notably introduced migration conditionality (3.) which challenges the balance of the partnership as well as the ability of African countries to have a say in the management of migration flows towards Europe.

1. Political divergence

From the European Union's perspective, Africa is often still considered to be "a massive reservoir of migrants, in view of which Europeans should have policies to control the borders and development."[26] Indeed, during the 2015 crisis, which exacerbated European fears, the Dutch Prime Minister, who was leading the Presidency of the Council, announced the goal of making significant reductions in migration flows to Europe.

Despite the objectives set out during the Summit of 2017 in Abidjan, an Ivorian MP recalled that "mutual

misunderstanding of dynamics and internal problems specific to each geographical area" persists[27]. The lack of understanding and the plurality of goals are often quoted in both institutions.

Coming to agreement is especially difficult given the internal disagreements. Indeed, each European State has its own foreign policy regarding each African country. Whilst priorities frequently vary between Member States regarding AU States, bilateral relations are often favoured. Hence the Mobility Partnerships with an African country are signed not only with the EU, but also with EU States on a voluntary basis. The weakness of the AU's institutional structure enhances this aspect even more. At North African level alone, there is no "regional agreement and cooperation policy."[28]

2. Two perspectives of migration

These political differences are fueled by the EU's determination to avoid irregular migration, whilst the AU attempts to increase the possibility of regular flows.

Firstly, although most of the States in both institutions recognise the need and the opportunities of humane, orderly migration, the divide is especially to be found in the link between migration and security. Indeed, since the 1990's from a European point of view, the migration-security nexus has been predominant in European migration policy. Many authors agree that the external dimension of Europe's migration policy is based on the initial idea that the EU's Member States aim to secure their external borders and to limit migration flows[29]. In October 2017, the conclusions of the European Council on migration recall that this approach is still on the agenda as the objective of "ensuring total control of the external borders."

The tools which gauge the efficacy of migration policies are in line with such an approach. The number of returns to the countries of

25. Declaration on self-centred development. (2015). Assembly of African Union.
26. A. Antil et al. (2016). Politique étrangère 2016/1 (Spring). p. 11-23.
27. Vers un nouveau paradigme des relations UE-Afrique (29 November 2017). Yasmina Ouegnin La Tribune Afrique.
28. E. Kerkeni. (2018). La coopération Europe/Sahel-Maghreb au défi de la crise migratoire. Les Cahiers de l'Orient 2018/1 (n° 129). p. 59-64.
29. Lavenex, S. (2008) A Governance Perspective on the European Neighbourhood Policy: Integration beyond Conditionality? Journal of European Public Policy 15(6): 938-955.

origin serves as an indicator to measure the success of migration partnerships and the fight to counter irregular migration. However, countries of origin and transit tend to want to privilege European action that focuses on the structural causes and calls for a redirection of funds towards projects that stimulate the local economy.

It should also be noted that the link often put forward between migration and development is challenged by some authors, who highlight in their work that on the contrary, migration flows are enhanced as the level of development increases[30]. Moreover, the emigration model is deemed a success in many African countries.

It is even more important as emigration is a source of significant revenues, exceeding by far the amount of public development aid. In Sub-Saharan Africa, transfers of money to families in the countries of migrant origin were estimated at nearly 34 billion US dollars in 2017. In Mali, 10% of the GDP comes from such funds. Hence, limiting emigration would be a considerable impediment to the country's economy.

The cooperation partnership between Mali and the European Union signed in 2016 on migration management and the conclusion of readmission agreements illustrates how such arrangements are criticised by populations who view their dependence on Europe as something that is growing. Indeed, representatives of Malian civil society have been virulent and have threatened to disrupt the conclusion of the partnership. And so, whilst readmission agreements concluded with Central and Eastern Europe countries were a prerequisite upon EU membership, the situation is fundamentally different for African countries. Indeed, convincing these States to accept the return of nationals is more difficult, since emigrants often contribute more to the country's economy outside of its borders, and governments fear that potential political contestation will grow as this is fueled from abroad.

3. The introduction by the European Union of migration conditionality

Migration management has become a conditionality imposed by the EU, not only through the introduction of all types of economic agreements with African countries, but also through the grant of development aid. Access to the European labour market, whether through the delivery of a "blue card", circular migration agreements, seasonal work opportunities but also the facilitation of visas as part of the Migration Partnerships, are only guaranteed to an African country in exchange for its active participation in the fight to counter irregular migration and an agreement on the return of its nationals whose administrative situation is irregular in the EU.

Whilst the so-called first generation of readmission agreements provided only for the readmission of migrants from the signatory country, the second generation also provides for the readmission of migrants from other third countries who have transited via the signatory country just before entering Europe.

This conditionality is not new and already featured in article 13 of the Cotonou Agreements, which are incidentally due to be renegotiated by 2020. The Migration Partnerships have confirmed it to a greater degree. However, the implementation of these agreements depends on the partner countries' will and ability to act. According to the Commission, in practice, "third States do not want to commit to negotiations that focus on readmission agreements, which are highly sensitive in terms of public opinion"[31].

Negotiations launched in 2016 with Nigeria and Tunisia and ongoing for a long time with Morocco and Algeria have not yet been finalised. The refusal of those priority States, given their geographical position on the migration routes towards Europe, is problematic for the EU. As an example, Morocco is extremely reluctant to sign an agreement providing for the readmission of sub-Saharan migrants transiting through its territory, which would impact the country's relations with its African partners quite significantly.

30. Efionayi-Mäder, D., Perroulaz, G., Schümperli Younossian, C., 2008. Migration et développement : les enjeux d'une relation controversée. In Annuaire suisse de politique de développement : Migration et développement ; un mariage arrangé. Institut de hautes études internationales et du développement. Vol. 27, no 2, pp. 11-20.
31. Euractiv. 14 November 2017

During the Sevilla summit in 2002, the introduction of negative sanctions was mentioned in the event of non-cooperation, before this was rejected by the majority of Member States. The common migration and mobility agenda in 2016 introduced the idea of "more for more". Hence the more the third countries effectively cooperate in the implementation of the European migration policy, by preventing irregular flows towards Europe, the more the delivery of visas to its nationals is facilitated. As such, although the readmission agreements are non-binding they do condition cooperation and aid to African countries of Africa.

4. What room for manœuvre for Africa countries?

Some African countries, aware of their key role in migration management, reverse the pre-existing power relations between the EU and the AU and try to orient aid towards their interests. In this regard Ethiopia called for investments towards the private sector and Sudan has asked for security cooperation to be stepped up, notably due to its difficulties in managing the porosity of its border with Libya. By playing on the lack of coordination between EU Member States, Ghana and Senegal have succeeded in reorienting funds to rebalance the security focus to the benefit of their local economic and social structure.

The case of Libya illustrates the difficult position in which the European Union finds itself. Indeed, an agreement, somewhat similar to the EU –Turkey model, has been reached with Italy, and with the EU's support, to curb migration flows towards Europe. The Valetta Action Plan granted 200 million euros for the so-called government of "national accord" (GNA) established in Tripoli for its help in monitoring the coastline and bringing Libyan migrants back to shore as they try to cross the sea. European missions, such as Operation Sophia or EUBAM Libya are also involved. Indeed, aware of its role as a platform for Euro-African migration, Libya is using its position to call for European aid.

However, such agreements have been accused of fostering security ambitions on the Union's external borders, at the expense of the protection of migrants. The European Union's ability to introduce a coherent migration policy, both internally and in its external relations, and in line with its principles and values, is one of the major challenges that it now faces.

III – HOW TO REBALANCE COOPERATION WITH MIGRANT PROTECTION AS A PREREQUISITE?

Despite growing pressure and criticism after the 2015 crisis, the European Union is still struggling to introduce a new European migration policy (1.). Nevertheless the EU must respect its commitments in terms of international law to guarantee the international protection of migrants, the first victims of trafficking and of smugglers (2.). Moreover, it seems appropriate to meet the expectations and promises made to the countries of origin to foster legal paths of migration (3.). Thus, the European Union must rethink its role in the governance of migration.

1. A new European migration policy

The legal categories of European migration policies are struggling to grasp the complexity of the African migration phenomenon. Indeed, the flows towards Europe are mixed and the reasons for departure are often numerous. This is especially true given the lack of proper legal paths. Hence, the dichotomy between refugees and economic migrants seems to be poorly adapted to the variety of situations.

The massive arrival of migrants on the coasts of Europe in 2015 illustrates the limits of European policies and the "crisis of confidence, the crisis of responsibility and the crisis of solidarity"[32] that Europe is now facing.

Greece and Italy were the first to suffer from the complex implementation of European asylum law,

32. *C. Wihtol de Wenden (2015). Politique étrangère 3.2015. p. 95-106.*

built on the principle of "one stop, one shop"[33], putting the burden of asking asylum in countries where fingerprints had first been taken. Due to pressure, notably by their public opinion, some European States called for the closure - or quasi closure - of their borders, whether in Ventimiglia between France and Italy, between Bulgaria and Greece, between Germany and Austria or between Hungary and its neighbours.

The inability of some European States to show solidarity can partially be explained by the heterogeneity of the migration pressure, by the difficulty to harmonise asylum law[34] in the absence of a coherent common foreign policy, as well as by the reluctance of some States to uropeanise their domestic asylum law . Despite the progress made in negotiations over the revision of the European asylum law and an agreement concluded in 2017, many States are preventing the creation of a more flexible solidarity mechanism.

Hence, the lack of solidarity between the Member States increases the dependency on the externalised management of the borders. The creation of "hot spots" in Italy and Greece is an example. These have been highly criticised for being "detention centres"[35] in which the assessment of the asylum request is mainly based on the nationality of the applicants in contradiction with obligations under international law.

2. Ensuring the international protection of migrants

The protection of migrants by the European Union's partners in the externalised management of its migration policy is problematic. Accusations focus firstly on the partners of the EU in charge of its implementation. The Libyan case is the clearest illustration of the many mistakes made by national players in the framework of the cooperation agreements for the outsourced management of the borders. Indeed, whilst the

central theme of the African Union-European Union Summit in November 2017 was "Investing in youth for a sustainable future", disclosure of cases of migrant slavery in Libya reoriented discussions.

Yet Libya is not the only problematic partner. Human Rights Watch has also flagged many infringements in Sudan, which has signed agreements with the EU and its Member States. The EU should condition its partnerships subject to safeguards in terms of human rights and the protection of vulnerable migrants.

The European Union has also been accused of not maintaining the principle of non-refoulement and its commitments to guarantee the right to asylum in virtue of the Geneva Convention. The idea of establishing "outsourced hot spots", notably in Agadez, to deter the departure of migrants and to undertake the pre-processing of asylum requests, challenges the respect of migrants' rights. Moreover, the assumption whereby the rejected would be discouraged is weak.

The conclusion of readmission agreements aiming to send irregular migrants back to their countries of origin and transit should adequately take on board the risks that migrants run on their return - especially since these agreements should be planned alongside voluntary migrant return and re-integration programmes. Beyond the violations of human rights, the European Union may lose its credibility and its legitimacy as a normative power if it maintains its policy as it stands.

3. Meeting expectations and promises by encouraging legal paths of migration

Despite the EU's discourse and the promises made in the global approach or in the Migration Partnerships, legal paths of migration remain relatively closed. In its negotiations over the readmission and return agreements, the EU promises to encourage mobility. Yet the opening of the labour market remains a prerogative of the Member States.

33. Regulation 343/2003 of the Council of 18th February 2003 establishing the definition criteria and mechanisms of the Member State responsible for the assessment of an asylum request presented in one of the Member States by a citizen of a third country, the so-called Dublin II Regulation.
34. C. Wihtol de Wenden. (2017) Hermès, La Revue 2017/1 (n° 77). p. 191-197.
35. Declarations made by the spokesperson for the HCR Melissa Fleming at the press conference on 22nd March 2016 in Geneva.

The issue of workers from African countries should be the focus of greater discussion at the European level. A policy would help to meet the expectations of African partners, whilst acknowledging the mutual input on the part of both continents, especially given the ageing European population. In this regard, the European Union should encourage Member States to review their visa policies to address the various migration trajectories and the need for qualified and unqualified immigration - not to mention the necessary ratification of the UN Convention on the protection of all migrant workers and their families by all of EU Member States.

4. Rethinking Europe's role in the governance of migration

On migration governance, as well as in other areas of migration policy, the European Union should clarify its various tools, as well as the goals and ambitions of the Member States – such as the Libyan agreement initially signed by Italy.

Despite the evident need to strengthen the management of its borders, the EU's focus on the migration-security nexus raises growing scepticism from the civil society in certain African countries. Hence, the European Union should find a common understanding with the African Union, notably to discuss the root causes of migration – a theme on which both institutions have expressed their interest.

Thinking together about the structural causes, ensuring the protection of communities and fighting to counter smugglers' networks, which feed on economic and security instability should be set as priorities. Dialogue with the African civil society in each country is a prerequisite, too often neglected, to ensure that local priorities and characteristics are taken on board from the start.

Indeed, the establishment of mutual cooperation and dialogue beyond simple declarations is vital. The African Union and its member countries cannot continue to be those responsible for the implementation of European policies, without their needs and expectations being taken into consideration. The long-term consequences for the European continent would be disastrous. The European Union should advocate for the orderly management of migration, that is respectful of Human Rights. The EU and its Member States should take up the opportunity of the World Pact on Migration to show their commitment and their shared responsibility to strengthen international cooperation on migration and human mobility.

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