

THE 'CONTAINMENT COMPACT': THE EU MIGRATION 'CRISIS' AND AFRICAN COMPLICITY IN MIGRATION MANAGEMENT

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Cover image: A Libyan coast guardsman stands on a boat during the rescue of 147 illegal immigrants attempting to reach Europe off the coastal town of Zawiyah, 45 kilometres west of the capital Tripoli, on June 27, 2017. More than 8,000 migrants have been rescued in waters off Libya during the past 48 hours in difficult weather conditions, Italy's coastguard said on June 27, 2017.
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ABSTRACT

In 2015 over 1 million people crossed the Mediterranean Sea from Africa in search of refuge and economic security in Europe. Nearly 4 000 died making the treacherous journey. Media images of dangerously overcrowded, rickety boats and dead bodies washed ashore sent shockwaves across the globe. By the end of 2016 the EU had shut down the Mediterranean migration routes, reducing flows to Europe by 70%. The spotlight on the 'EU migration crisis' and escalating fears of the hordes moving to Europe have distracted African and EU policymakers from devising pragmatic ways of addressing the demographic needs of both continents. On the one hand, Africa has a growing youthful population with few prospects of employment. On the other, the EU will face acute labour shortages in the next two decades and will need workers to support its economy and welfare systems. Yet, with African leaders' complicity, the EU policy response has been to invest millions of Euros in aid and arms packages to shut down movement within Africa, and between Africa and Europe. This 'containment compact' may appease short-term European and African political interests, but is unlikely to stop people from moving, or solve Africa's deepening inequality and jobless growth. This paper argues that without pragmatic policy agreements on migration, Africa and the EU are likely to encounter a political and economic backlash that will lead to instability in both regions. Growing uncertainty around the North-South Africa-EU corridor will have far-reaching global consequences. With the US distracted, Russia's destabilising modus operandi and China's growing economic and political influence in Africa, the migration crisis could well result in a major shift in global geopolitics.

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ABBREVIATIONS AND ACRONYMS

AfDB	African Development Bank
AU	African Union
EAC	East African Community
ECOWAS	Economic Community of West African States
EU	European Union
EUTF	European Union Trust Fund
FMP	Free Movement of Persons Protocol
GCM	Global Compact on Migration
GCR	Global Compact on Refugees
MENA	Middle East and North Africa
REC	regional economic community
SADC	Southern African Development Community
UN	United Nations
UNDESA	United Nations Department of Economic and Social Affairs

INTRODUCTION¹

On the morning of 19 April 2015 a boat carrying 850 migrant and refugee men, women and children left the Libyan coast for the southern shores of Italy. A few hours later it capsized, killing over 800 nationals from Syria, Somalia, Sierra Leone, Mali, The Gambia, Côte d'Ivoire, Bangladesh and Ethiopia. This was not the first time many had lost their lives making the perilous journey from Africa to Europe – 400 people had drowned less than a week before when a similar vessel had capsized. By the end of 2015 over 1 million people would cross the Mediterranean, and nearly 4 000 would lose their lives in the process.² The Mediterranean crossings raised a furore around African mobility, and the EU responded by shutting down the Mediterranean routes and developing a combination of policy interventions and development aid packages to incentivise and coerce Africans to stay put, preferably in their country of birth.³

Illegal border crossings were not new to the EU. In fact, the number of African migrants crossing the Mediterranean had been rising since the Arab Spring and the fall of Libyan leader Muammar Gaddafi. But the scale of the 2015 influx, its intensity and the resultant media attention caught governments and policymakers off guard. At the time Europe was still reeling from the 2008 global recession, and was in the midst of a debt crisis that threatened to weaken the union. Terrorist shootings in France and Denmark were fresh in people's minds and these countries were pushing for greater border security, not humanitarianism. Rising unemployment and growing political extremism were fuelling racism and xenophobia.⁴ And EU countries remain divided on who was responsible for migrants and refugees.⁵ By 2017 efforts to close Europe's Mediterranean borders, police the Mediterranean and erect borders in Africa had paid off – the numbers crossing had dropped by more than 80% from the 2015 levels.⁶

1 This paper draws on reports commissioned by the UN Economic Commission on Africa for the Global Compact on Migration and the European Political Strategy Centre.

2 See UNHCR (UN High Commissioner for Refugees), Operational Portal Refugee Situations, 'Mediterranean situation', <https://data2.unhcr.org/en/situations/mediterranean>, accessed 20 May 2018; Squire V *et al.*, *Crossing the Mediterranean Sea by Boat: Mapping and Documenting Migratory Journeys and Experiences*, Final Project Report. Warwick: Warwick University, 2017.

3 Freemantle I, *The Governance of African Mobility: Actors, Agendas and Lessons for Advocacy*, report commissioned by the Open Society Foundation Southern Africa. Johannesburg: ACMS (African Centre for Migration and Society), University of the Witwatersrand, 2017.

4 Milanovic B, 'Five reasons why migration into Europe is a problem with no solution', Social Europe, blog, 24 June 2015, <https://www.socialeurope.eu/five-reasons-why-migration-into-europe-is-a-problem-with-no-solution>, accessed 15 March 2018.

5 Tisdall S, 'Divided Europe seeks a long-term answer to a refugee crisis that needs a solution now', *The Guardian*, 22 July 2017, <https://www.theguardian.com/world/2017/jul/22/divided-europe-refugee-crisis-italy-serbia-greece>, accessed 6 June 2017; Wintour P, 'EU takes action against eastern states for refusing to take refugees', *The Guardian*, 13 June 2017, <https://www.theguardian.com/world/2017/jun/13/eu-takes-action-against-eastern-states-for-refusing-to-take-refugees>, accessed 4 April 2018.

6 UNHCR, *op. cit.*

While the crisis language has enabled the EU to mobilise millions to secure its borders, it has also obscured a deeper analysis of and pragmatic response to Africa's migration and Europe's ageing population

It is this charged and polarised context that has animated what is now known as the migrant 'crisis'. While the crisis language has enabled the EU to mobilise millions to secure its borders, it has also obscured a deeper analysis of and pragmatic response to Africa's migration and Europe's ageing population. The media and political attention on the Mediterranean crossings has obscured a broader understanding of who, how, where and why Africans move.⁷ Although the numbers to Europe increased dramatically in 2015, most Africans – 80% – move within the continent.⁸ As such, intra-African migration remains under-researched and under-prioritised.⁹

Moreover, the focus on the Mediterranean crossings has prevented a broader, more comprehensive analysis of African mobility. African migration is perceived as exceptional, ahistorical and outside of global time.¹⁰ Few analyses contextualise Africa's migration within broader historical movements. Between 1850 and 1914, for example, more than 50 million Europeans moved to North America and Australia to escape famine and poverty.¹¹ Around the same time, many Europeans were moving within the continent – Italians to France, Switzerland and Germany; Irish to England and Scotland; Poles to Germany – in search of economic opportunities.¹² The possibility of migration served as a safety valve for southern Europe and Ireland, which were experiencing demographic transitions.¹³ It was only relatively recently – in the 1970s – that Europe transitioned from a net emigration to a net immigration continent.¹⁴ Delinking Africa's migration patterns from historical and contemporary processes of development and globalisation not only leads to limited understanding of the process but also results in ineffective policy interventions. Indeed, the EU's investments in containment development ignore the continent's integration in global socio-economic circuits. It also blinds policymakers to asking critical questions

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- 7 Berry M, Garcia-Blanco I & K Moore, 'Press Coverage of the Refugee and Migrant Crisis in the EU: A Content Analysis of Five European Countries', Report prepared for the UNHCR, Cardiff School of Journalism, Media and Cultural Studies, 2015, <http://orca.cf.ac.uk/87078/1/UNHCR-%20FINAL%20REPORT.pdf>, accessed 5 October 2017.
- 8 UNDESA (UN Department of Economic and Social Affairs), *International Migration Report 2017*, ST/ESA/SER.A/403, 2017a, <http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017.pdf>, accessed 3 March 2018.
- 9 De Haas H *et al.*, *African Migration: Drivers of Migration in Africa*, UNECA (UN Economic Commission for Africa), October 2017, https://www.uneca.org/sites/default/files/uploaded-documents/SocialDevelopment/Global-Compact-Migration-2017/drivers-of-migration-in-africa_advance-copy.pdf, accessed 13 November 2017.
- 10 Landau L, 'The Containment Chronotope: The European Refugee "Crisis" and Shifting Sovereignties in Sub-Saharan Africa', Paper presented at The Provocations of Contemporary Refugee Migration conference, Gainesville, Florida, 16–17 March 2017.
- 11 Okólski M (ed.), *European Immigrations: Trends, Structures and Policy Implications*. Amsterdam: Amsterdam University Press, 2012.
- 12 *Ibid.*
- 13 Hatton T & J Williamson, *International Migration 1850–1939: Migration and the International Labor Market 1850–1939*. London: Taylor & Francis, 2005.
- 14 Bonifazi C *et al.*, *The Italian Transition from Emigration to Immigration Country*, Working Paper. Rome: IRPPS (Istituto di Ricerche sulla Popolazione e le Politiche Sociali), 2009.

around how responses to Africa's current migration patterns can benefit from experiences elsewhere. Without a built-in safety valve for a burgeoning African population, there is a likelihood of growing insecurity on the continent.

This paper first outlines the key trends and factors shaping contemporary and future African mobility, arguing that the fundamental drivers of migration – Africa's youthful demographic patterns and the income inequalities between the EU and Africa – are unlikely to change in the coming decades. Second, it evaluates what Landau and Kihato call the 'containment compact'¹⁵ – EU policies to restrict African mobility with African leaders' complicity – arguing that these policies are unlikely to prevent people from wanting to migrate. Furthermore, without a significant technological breakthrough Europe's labour shortage will continue, undermining its economic prospects and destabilising its welfare regime. Third, it concludes that the 'containment compact' is bad for Europe and bad for Africa. If Europeans and Africans are unable to develop pragmatic policy agreements on migration, both regions are likely to encounter a political and economic backlash that leads to growing unrest and insecurity in the North–South Euro–Africa geographic corridor. With the US distracted, Russia's destabilising *modus operandi* and China's growing economic and political influence in Africa, the migration crisis could well result in a major shift in global geopolitics.

KEY DRIVERS OF MIGRATION IN AFRICA: THE BIG PICTURE

Migration is a complex social phenomenon. It is shaped by multiple intersecting historical, social, political, economic and climatic factors. In addition, people's mobility is often entangled in personal and communal decision-making frameworks that determine why, where and how people move. Disentangling people's motivations for migration can be a challenging if futile task, because no single factor drives mobility. Aside from people fleeing for their safety because of war and violence, it is often difficult to identify a single factor that compels an individual to migrate.

Contemporary African migration is driven by multiple factors, including poor governance, under-development, conflict, poverty, inequality, unemployment, natural disasters, and economic and political instability.¹⁶ But these are secondary variables that trigger conditions for short- and medium-term movements. Underlying these triggers are deep-rooted structural factors that are either unlikely to change in a generation or two, or that have strong causal links to long-standing, persistent patterns of mobility. This section analyses two of these primary drivers of migration: Africa's demographic dynamics and income inequality within Africa and between Africa and the EU. All things being equal, Africa's and the EU's demographic patterns are unlikely to change in the next 80 years. Additionally, data shows that Africa's economic growth prospects are unlikely to provide employment for the majority of its youthful population. Even if Africa's fertility rates drop,

15 This term is drawn from a report co-authored with Loren Landau and commissioned by the European Political Strategy Centre. It refers to agreements between African states and the EU to control African migration.

16 De Haas H *et al.*, *op. cit.*

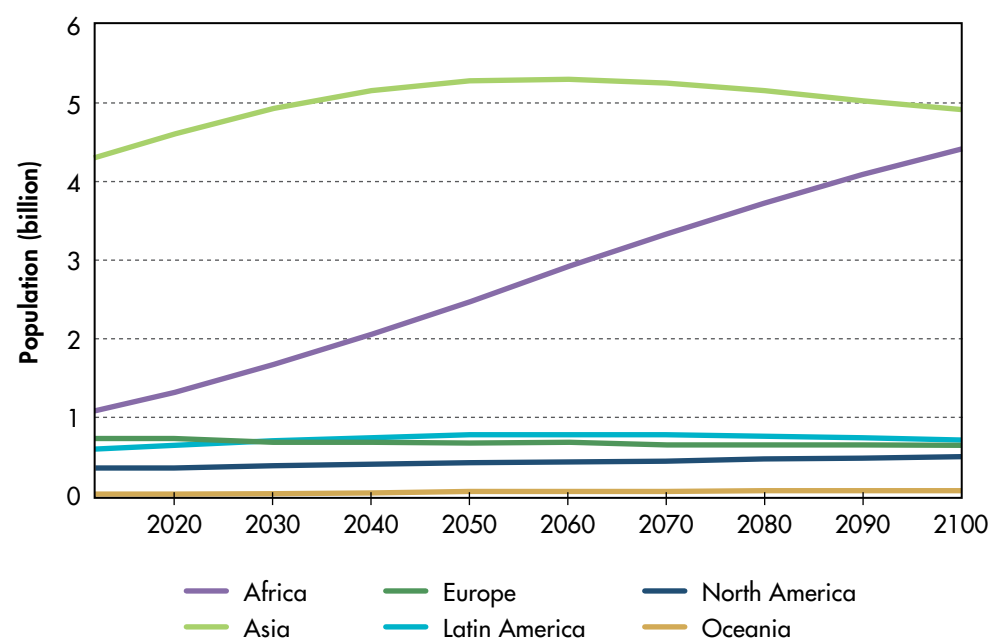
population growth is expected to continue rapidly because the continent's youthful age structure means that children today will soon reach adulthood. Given this, the pressure and need to migrate within and between continents will be significant and unlikely to dissipate soon.

AFRICA'S YOUTH BULGE

'In all plausible scenarios of future trends, Africa will play a central role in shaping the size and distribution of the world's population over the next few decades.'¹⁷

Africa's population is growing fast. The UN Department of Economic and Social Affairs' (UNDESA) forecasts show that the continent's share of global population is projected to grow from 17% in 2017 to 40% in 2100 (see Figure 1).¹⁸

FIGURE 1 UN POPULATION FORECAST IN BILLIONS BY WORLD REGIONS, 2015–2100



Source: UNDESA, *World Population Prospects: 2017 Revision*, 2017, https://esa.un.org/unpd/wpp/Publications/Files/WPP2017_KeyFindings.pdf, accessed 29 March 2018

¹⁷ UNDESA, *World Population Prospects: 2017 Revision*, 2017b, p. 4, https://esa.un.org/unpd/wpp/Publications/Files/WPP2017_KeyFindings.pdf, accessed 29 March 2018.

¹⁸ *Ibid.*

At the same time, declining fertility rates in the Americas, Europe and East Asia and stable rates in the Middle East will result in substantial differences in population growth between world regions.¹⁹ As Table 1 shows, Africa's population is expected to grow to four times the size of its 2015 population by 2100. Conversely, within the same timeframe, Europe's population will decline by 13%. While some regions in Africa (eg, Southern Africa) will experience relatively lower population growth, the continent as a whole is unlikely to undergo a demographic transition in the next 80 years. It is this demographic dynamic, coupled with regional income disparities between Africa and the EU, that will shape intra- and inter-regional migration in Africa for the next two to three generations.

Region	2015 population	2100 population	Population change (absolute)	Percentage change
Africa	1 186 178 282	4 386 591 069	+3 200 412 787	+270
Asia	4 393 296 014	4 888 652 982	+495 356 968	+11
Northern America	357 838 036	500 143 198	+142 305 162	+40
Latin America	634 386 567	721 128 695	+86 837 620	+14
Oceania	39 331 130	71 128 695	+31 797 565	+81
Europe	738 442 070	645 577 351	-92 864 719	-13

Source: UNDESA, *World Population Prospects: 2017 Revision*, 2017, https://esa.un.org/unpd/wpp/Publications/Files/WPP2017_KeyFindings.pdf, accessed 29 March 2018

The consequence of the youth bulge on global labour markets

The surge in Africa's population has potential long-term effects on the global labour market. By 2050 sub-Saharan Africa's labour force will be the biggest in the world – double that of South Asia and India (Table 2). But, rather than seeing this as a crisis, the surplus can offer Africa an opportunity to supply labour to regions such as China, Eastern Europe and the EU, which are projected to experience declining working populations. Africa's geographic proximity to the EU makes it an obvious choice for negotiating labour mobility between the two continents. A recent study showed that 'the EU will experience a prolonged decrease of young and semiskilled workers with secondary education before the year 2020'.²⁰ Further, its current labour pool from MENA (Middle East and North Africa) countries will not be sufficient to fill the labour gap – MENA's population is also ageing

19 Hanson G & C McIntosh, 'Is the Mediterranean the new Rio Grande? US and EU immigration pressures in the long run', *Journal of Economic Perspectives*, 30, 4, November 2016, pp. 1–25.

20 Koettl J, *Prospects for Management of Migration between Europe and the Middle East and North Africa*. Washington DC: World Bank, 2010, p. 34.

and it will have fewer people entering the labour market (see Table 2). Consequently, this imbalance presents an opportunity for Africa and the EU to develop pragmatic policy responses to labour mobility in ways that will benefit both continents. The EU's current policy to restrict people's movements is unlikely to contain their need to move. In the absence of a negotiated agreement on Africa–EU and intra-Africa labour mobility the demographic pressures will intensify people's desire to move or trigger events that force them to move. Either way, as the governing section in this paper points out, the 'containment compact' may result in growing instability in Africa in the long run.

TABLE 2 CHANGE IN THE SIZE OF LABOUR FORCE IN SELECTED REGIONS OF THE WORLD, 2010–2050 (IN MILLIONS OF PEOPLE)

Age group	Sub-Saharan Africa	North Africa	South Asia	India	China	Europe	North America
15–24	163.4	-10	25	-7.8	-67.6	-18.1	-10.8
25–39	261.6	-4	130	92.3	-85.8	-36.7	-7.4
40–64	274.0	-4	150	299.0	77.0	-33.4	1.2
Total	699.0	-18	305	383.5	-76.4	-88.2	-17.0

Source: Koettl J, *Prospects for Management of Migration between Europe and the Middle East and North Africa*. Washington DC: World Bank, 2010

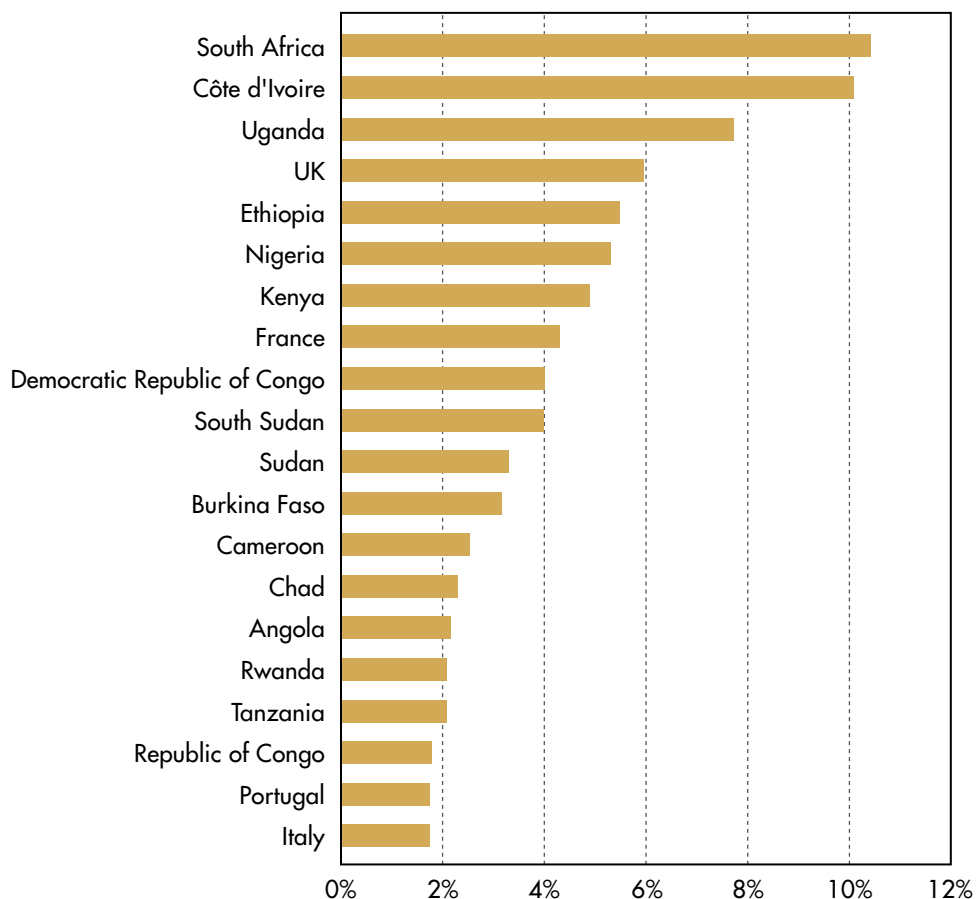
AFRICA'S MIGRATION TRENDS

Although the EU may have managed to reduce the movement of migrants to Europe (which peaked in 2015), pressure into Europe from Africa will continue as long as the structural economic and demographic disparities remain the same. However, most of the pressure will be felt on the African continent, as UNDESA estimates that 80% of Africans move within sub-Saharan Africa (see Figure 2 and Table 3). With this demographic pressure, Africa is likely to see intensified migration within regional economic communities (RECs), with people moving from relatively poor to relatively wealthy countries within their region (see Figure 2 and Table 3). That the majority of Africans move within their economic blocs is consistent with the gravitational migration model, which predicts that distance plays an important role in shaping migration patterns. North Africa's movements vary slightly – there, migrants are more likely to move towards Europe and the Middle East than within the region.

But regional differences are stark and these will skew migratory patterns as demographic pressures intensify. As Table 3 shows, West and East Africa, which represent the ECOWAS and the East African Community (EAC) regions, have a far greater circulation of people within the region than Central and Southern Africa. This is explained by regional policies on free movement and residency. North, Central and Southern Africa have no signed agreements on free movement; consequently, they tend to have comparatively lower levels of mobility than ECOWAS and the EAC. A recent study undertaken by the African

Development Bank (AfDB) on visa openness among African countries shows that Africans need visas to travel to 55% of other African countries – in fact, North Americans have easier access to the continent than Africans.²¹

FIGURE 2 MAJOR DESTINATIONS FOR AFRICAN EMIGRANTS, PER CENT OF 2017 TOTAL



Source: UNDESA, *World Population Prospects: 2017 Revision*, 2017, https://esa.un.org/unpd/wpp/Publications/Files/WPP2017_KeyFindings.pdf, accessed 29 March 2018

21 AfDB (African Development Bank), *Africa Visa Openness Report 2016*, 2016, https://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Africa_Visa_Openness_Report_2016.pdf, accessed 23 August 2017 .

TABLE 3 MIGRATION WITHIN SUB-SAHARAN AFRICA, 2017

Origin 2017 estimates	Destination (%)			
	East Africa	Central Africa	Southern Africa	West Africa
East Africa	82.00	15.10	59.96	0.07
Central Africa	17.00	66.39	8.30	2.59
Southern Africa	1.00	1.87	29.65	0.03
West Africa	0.21	16.63	2.10	97.32

Source: UNDESA, *World Population Prospects: 2017 Revision*, 2017, https://esa.un.org/unpd/wpp/Publications/Files/WPP2017_KeyFindings.pdf, accessed 29 March 2018

With no agreements to facilitate region-to-region mobility, we are likely to see pressure on labour markets and growing inequality within and between regions. Countries that have relatively wealthy and stable economies will continue to attract migrants. But labour and residency restrictions in regions with poor economies will only increase social and economic pressures. A growing young population without prospects for work, social mobility or self-realisation could result in political instability.

These patterns are likely to continue if visa regimes remain unchanged. The AU has mooted a Free Movement of Persons Protocol (FMP), viewing this as part of its *Agenda 2063* on Africa's development. Its predecessor, the Organization for African Unity, had urged member states to 'achieve progressively the free movement of persons to ensure the enjoyment of the right of residence and the right of establishment by their nationals within the Community'.²² In addition,²³

[t]he big aspiration on the free movement of people across the continent is clearly set out in *Agenda 2063's* Call to Action, which calls upon leaders to 'Introduce an African Passport, issued by Member states, capitalising on the global migration towards e-passports, and with the abolishment of visa requirements for all African citizens in all African countries by 2018'.

But with regional protocols still unsigned, it is unlikely that the AU will achieve its *FMP vision* any time soon. Consequently, it is improbable that Africa will experience a significant shift in the nature and direction of the current population movements. Continued restrictions on intra-continental labour movements will prevent African workers from moving to regions that need labour. Africa is a vast continent and its regions are differently endowed. It is unlikely that all regions can grow wealth at the same rate. Easing labour restrictions can allow the circulation of wealth within the continent in ways

22 OAU (Organization of African Unity), 'Treaty Establishing the African Economic Community', 3 June 1991, Chapter 6, Article 43, https://au.int/sites/default/files/treaties/7775-treaty-0016_-_treaty_establishing_the_african_economic_community_e.pdf, accessed 15 September 2018.

23 AfDB., *op. cit.*, p. 23.

It is improbable that Africa will experience a significant shift in the nature and direction of the current population movements. Continued restrictions on intra-continental labour movements will prevent African workers from moving to regions that need labour

that address some of the deep economic inequalities. Greater economic integration can allow different regions to develop their comparative advantage, increase productivity and absorb excess labour. A more integrated economic vision for the continent, coupled with free movement, will go some way towards addressing the youth bulge.

AFRICA'S ECONOMIC TRENDS AND PROSPECTS

There is the question of whether, even with sustained economic growth, Africa can resolve its labour surplus without negotiating labour movement to other regions. An analysis of economic trends between 2013 and 2016 paints a bleak picture. Overall, although the continent's gross domestic product (GDP) growth is higher than that of many regions in the world (with the exception of East and South Asia), its GDP has declined significantly (see Figure 3). The data is clear – the continent's current poor economic performance is unlikely to provide jobs for the growing youth bulge. Even an upturn in markets is unlikely to result in masses of jobs because Africa's growth patterns are associated with 'jobless growth'. Typically, Africa's growth sectors are driven by primary commodities (oil and minerals), which have become increasingly mechanised and do not employ a large workforce.

A look at sub-regional variations paints a bleak picture – all subregions faced lower growth rates between 2014 and 2016 (see Figure 4). West Africa experienced the sharpest decline in that period, caused largely by the recession in Nigeria as a result of declining oil prices. In fact, both of the continent's largest economies, Nigeria and South Africa – which combined contribute almost half (48.4%) of Africa's GDP – experienced declines in 2016.²⁴ South Africa is a major migration destination on the continent (Figure 2) and has historically played an important role in facilitating regional labour migration to work in mines and manufacturing.²⁵ Its declining growth and deepening levels of poverty and inequality only intensify the pressures in the region's labour market. Indeed, with sub-Saharan Africa's large economies contracting, their ability to absorb their own growing populations and labour from poorer neighbouring nations is decreasing markedly.

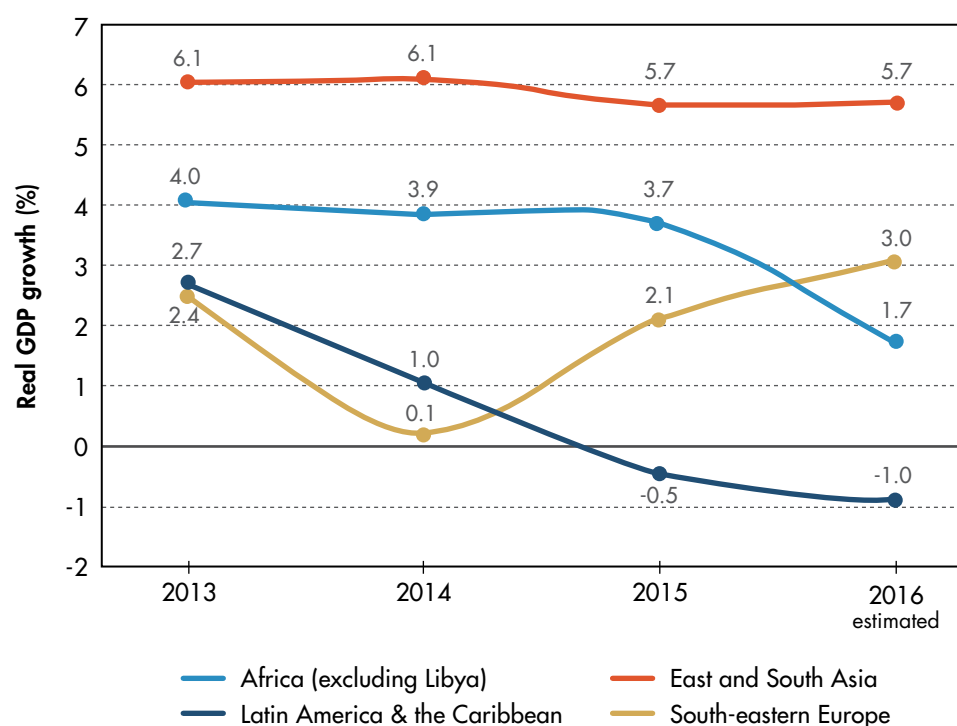
Achieving the scale of growth required to absorb the continent's youth surplus would require rallying immense resources. The closest efforts the world has seen were the result of the Marshall Plan following the Second World War, or in countries such as Rwanda following the genocide. However, these were targeted, expensive and contingent on favourable political and economic conditions that are unlikely to be replicated vis-à-vis Africa within the coming decades, given current economic projections. With the

24 AfDB, OECD (Organisation for Economic Co-operation and Development) & UNDP (UN Development Programme), *African Economic Outlook 2017*, 2002, <https://doi.org/10.1787/aeo-2002-en>, accessed 12 March 2018.

25 Whiteside A, 'Labour Migration in Southern Africa', SAIIA (South African Institute for International Affairs) Africa Portal, 1 November 1988, <https://www.africaportal.org/publications/labour-migration-in-southern-africa/>, accessed 15 June 2017; Crush J & V Williams, *Labour Migration Trends and Policies in Southern Africa*, Policy Brief, 23. Pretoria: SAMP (Southern African Migration Project), 2010.

continent's economic fortunes unlikely to change dramatically, the pressure for people to migrate will continue. Without legal pathways to move both within Africa and between Africa and Europe, there is likely to be a proliferation of smuggling attempts and illegal crossings by those who can pay the costs and take the risks. Unable to move, many will be stuck without economic opportunities – becoming increasingly frustrated and desperate.

FIGURE 3 ECONOMIC GROWTH IN AFRICA AND EMERGING AND DEVELOPING COUNTRIES, 2013–2016



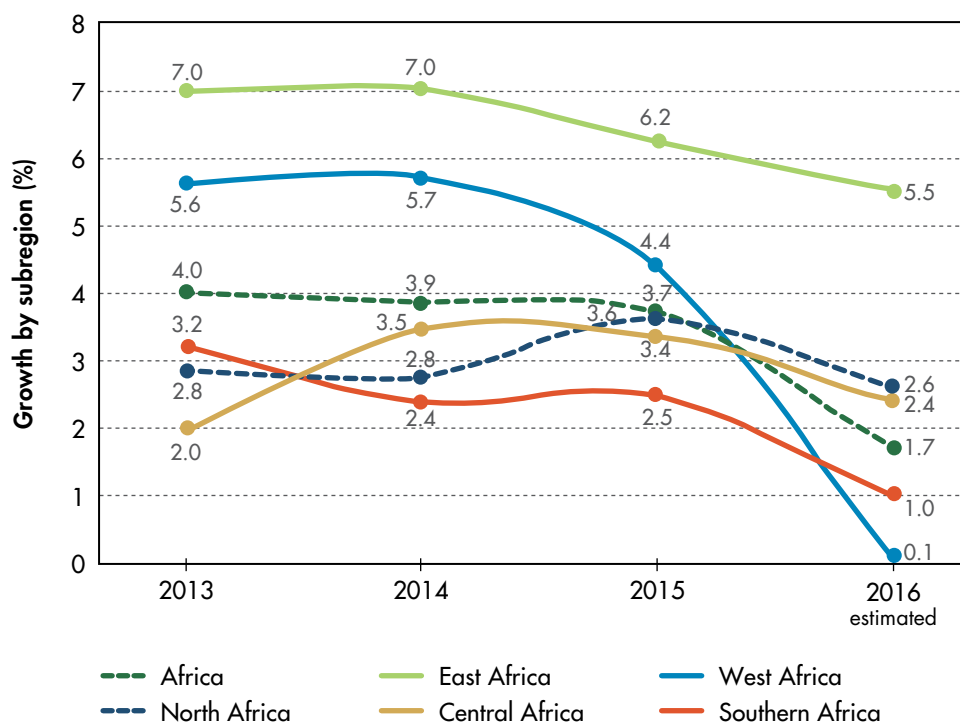
Source: UNECA (UN Economic Commission for Africa), Economic Report on Africa 2017: Urbanisation and Industrialisation. Addis Ababa: UNECA, 2017, p. 27

THE 'CONTAINMENT COMPACT': MIGRATION GOVERNANCE AND POLICY RESPONSES

This raises the question: what have been the policy responses to the migration question in Africa? How do they address the continent's demographic dynamics? What are their likely consequences? This section looks at the governance responses to African mobility from an African and EU perspective. A full account of immigration and migration governance requires a holistic analysis of legal, socio-economic, institutional, bilateral and multilateral migration frameworks that is beyond the scope of this paper. Rather than list the legal instruments in detail, the section identifies four key factors that impact migration

governance on the continent, and their likely long-term consequences for migration and development in Africa.

FIGURE 4 AFRICA'S GROWTH BY SUB-REGION (%) 2013–2016



Source: UNECA, *Economic Report on Africa 2017: Urbanisation and Industrialisation*. Addis Ababa: UNECA, 2017, p. 30

No continent-wide agreement on addressing migration in Africa

One of the challenges facing the design and implementation of a coherent migration governance framework across the continent is the competing and at times contradictory interests at national, regional and AU levels. Governance of mobility within Africa is the product of a dynamic set of intersecting and overlapping initiatives and frameworks. Each of the RECs has its own initiatives, which are sandwiched between domestic policies on displaced people and migrant labour and the AU's continental campaigns to promote safe and free movement across its member states. While the AU has long offered overt policy proposals for establishing a continent-wide FMP, these efforts have been far less effective than those of the RECs and states in shaping mobility on the continent. SADC, for example, has a draft free movement protocol that gives citizens of member states free movement and residency within the region. But this protocol has yet to gain political

support from all SADC countries, particularly the wealthier economies of Botswana, Namibia and South Africa, which worry about the impact that open borders will have on their economies and security.²⁶

Although the AU's free movement proposal is weak in providing guidance on how to protect migrants' rights or ensuring state compliance, it is a flexible migration framework that could be moulded to diverse socio-economic and political landscapes. However, currently RECs and AU member states are far more important than the AU in shaping migration policies and practices. Therefore, at this level, progress on free movement has been uneven. RECs such as ECOWAS and the EAC have made the most progress in developing mechanisms that facilitate the movement of people with relative ease within the subregions. In late 2017, six francophone states in the Central African Economic and Monetary Community – Cameroon, the Central African Republic, Chad, Equatorial Guinea, Gabon and the Republic of Congo – ratified an agreement to allow visa-free movement. Within sub-Saharan Africa, SADC is perhaps the least advanced in developing a coherent subregional migration framework. Here, South Africa has pushed for bilateral rather than multilateral agreements, with Botswana and Namibia also resisting free movement within the subregion.

At the domestic level, many African countries have adopted relatively open policies towards refugees and displaced persons, but have made neither migration policy nor free movement a priority. When comparing visa requirements between regions, Central and North Africa are the most closed, while East and West Africa have the most open inter-regional visa regimes.²⁷ In recent years – particularly since 2015 – many African states have reasserted their sovereignty through more restrictive immigration regimes. South Africa, the continent's foremost migrant destination, has become more restrictive in terms of labour mobility, asylum and residency applications. In addition, there are signs of hardening policies against asylum seekers and refugees in Angola and Botswana.²⁸ With foreign aid dedicated to strengthening border mechanisms and limiting movement, such patterns are likely to outpace efforts to facilitate sub-regional movement.

European policies may weaken African migrant rights, development and democratic institutions

'Managed migration' is the 21st century migration governance mantra. Adopted by the EU in the 1980s, the concept has gained steady currency amid the alarm over Europe's refugee crisis.²⁹ Migration has always been an important aspect of public, policy and political discourse, but the urgency to manage mobility has escalated in the last decade. Contained

26 Mudungwe P, *Promoting Free Movement of People in Southern Africa*. The Hague: African Diaspora Policy Centre, 2015; Carr L & V Williams, *The Draft Protocol on the Facilitation of Movement of Persons in SADC: Implications for State Parties*. Pretoria: SAMP, 2006.

27 AfDB, *op. cit.*

28 Freemantle I, *op. cit.*

29 Dünwald S, 'Remote control? Europäisches migrationsmanagement in Mauretanien und Mali', *Movements. Journal für Kritische Migrations und Grenzregimeforschung*, 1, 1, 29 May 2015, pp. 1–39.

in the notion of managed migration is a variety of concepts, including the enforcement of human rights, prevention of human trafficking and development of investment in sending countries.

However, at its heart is the prevention of irregular migration through Africa and to the EU.³⁰ This was the policy focus of the Valetta Summit in November 2015, where the EU established the [Emergency Trust Fund for Africa \(EUTF\)](#).³¹ The trust, to which the EU has pledged EUR³² 3.3 billion (approximately \$3.83 billion), is aimed at African countries located on major migration routes to Europe³³ – primarily the Sahel region, Lake Chad, the Horn of Africa, North Africa and neighbouring countries that act as transit routes. The EUTF strategies aim to address youth unemployment and strengthen resilience, development and governance. Critics have argued that despite claiming to address African states' development priorities, the Valetta policies pathologise and criminalise human mobility, casting it as a threat to both Europe and Africa. An EU publication asserts that Africa's demographic 'time bomb threatens Europe's welfare and Africa's economic expansion'.³⁴ Indeed, migrants leaving the continent are vilified as sell-outs at home and freeloaders in receiving countries.³⁵

With formidable European investment and the complicity of African leaders, migration management has received a powerful boost across the continent, as European resources are utilised to stem the flow of African migrants both within Africa's borders and onto European shores. There are three dimensions to the EU's migration management policy:³⁶

- containing African migration by fortifying internal and external borders (there is a fear that irregular migration within Africa leads to African migration to Europe);
- promoting development to remove incentives to migrate; and
- selecting a few suitable candidates to enter Europe.³⁷

30 Guild E & S Grant, *Migration Governance in the UN: What Is the Global Compact and What Does It Mean?*, Legal Studies Research Paper, 252/2017. London: Queen Mary University of London, School of Law, 2017.

31 EU, 'EU Emergency Trust Fund for Africa: Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa', 2015, p. 1, https://ec.europa.eu/europeaid/sites/devco/files/factsheet-eu-emergency-trust-fund-africa-2017-update-0606_en.pdf, accessed 20 March 2018.

32 Currency code for the EU euro.

33 Parshotam A, 'Valetta 2015 to Abidjan 2017: Recent Trends in AU–EU Migration Relations', Policy Briefing, 168. Johannesburg: SAIIA, 2017.

34 Trouille J-M, 'From Mass Migrations to Sustainable Development: Re-Thinking the EU–Africa Partnership as a Win–Win Co-Development Strategy', EU, 2016, <https://bradscholars.brad.ac.uk/handle/10454/10892>, accessed 13 March 2017.

35 Flahaux M-L & H de Haas, 'African migration: Trends, patterns, drivers', *Comparative Migration Studies*, 4, 22 January 2016, p. 1; De Haas H, 'The myth of invasion: The inconvenient realities of African migration to Europe', *Third World Quarterly*, 29, 7, 1 October 2008, pp. 1305–22.

36 See Freemantle I, *op. cit.*

37 *Ibid.*, p. 29; EU, 2015, *op. cit.*; EU, 'Migration Partnership Framework in June 2016', 2016, https://eeas.europa.eu/sites/eeas/files/factsheet_ec_format_migration_partnership_framework_update_2.pdf, accessed 25 August 2017.

With technical assistance, development aid and arms as incentives (see Table 4),³⁸ African countries seen as transit zones to Europe are encouraged into bilateral agreements with the EU aimed at discouraging mobility.³⁹ One of the key features of this bilateralism is the provision of technical assistance from the International Organization of Migration and Migration EU Expertise, both of which are EU funded. These organisations offer a range of migration services to African countries.

The EU's heightened involvement in African migration policy has raised concerns among some scholars and policymakers:⁴⁰

Despite the existence of fair laws and decision-making structures, politics never occurs on an even playing field. Behind-the-scenes, political, economic, social, and cultural forces operate to shape who gets to sit at the decision-making table and whose issues get addressed.

While bilateral agreements with African states are often couched in the language of cooperation and win-win outcomes for both continents, they are at their core aimed at curtailing Africans' movement to Europe

While bilateral agreements with African states are often couched in the language of cooperation and win-win outcomes for both continents, they are at their core aimed at curtailing Africans' movement to Europe. For example, the EU has focused on forging 'compacts' with Ethiopia, Lebanon, Jordan, Mali, Niger, Nigeria and Senegal that tie development aid to preventing migration to Europe.⁴¹ Preliminary analysis of the compacts highlights an imbalance between migration management and development, with migration management strategies receiving the majority of funds.⁴² There are concerns about the way funds are spent in-country, how they are distributed and whether they are effective in achieving the expected development impact. A recent report that tracks EU funding in Libya, Niger and Ethiopia highlights the challenges and potential consequences of EUTF implementation.⁴³ In Libya, state capacity-building partnerships may undermine migrant and human rights. In Niger, the bulk of the funding is directed at local authorities to reduce migrant transit, but this strategy provides fertile ground for the proliferation of corrupt smuggling networks. Of the three countries, Ethiopia receives the largest portion

38 Conteh-Morgan E, 'The danger of supplementing aid to Africa with weapons', IPI (International Peace Institute) Global Observatory, 15 August 2017, <https://theglobalobservatory.org/2017/08/aid-weapons-merkel-ecowas-g-20/>, accessed 12 December 2017; Shalal A, 'Merkel urges greater security role in Africa development policy', *Reuters*, 12 June 2017.

39 Landau L, *op. cit.*

40 VeneKlasen L *et al.*, 'Rights-Based Approaches and Beyond: Challenges of Linking Rights and Participation', IDS (Institute of Development Studies) Working Paper 235, 2004, 48, <https://opendocs.ids.ac.uk/opendocs/handle/123456789/4084>, accessed 20 August 2017.

41 Squire V *et al.*, *op. cit.*

42 CINI (Coordinamento Italiano NGO Internazionali) & CONCORD (European NGO Confederation for Relief and Development), *Partnership or Conditionality? Monitoring the Migration Compacts and the EU Trust Fund for Africa*, 2018, https://concordeurope.org/wp-content/uploads/2018/01/CONCORD_EUTrustFundReport_2018_online.pdf?86d384&86d384, accessed 12 December 2018.

43 *Ibid.*

of development aid, but this is conditional on increasing returns and readmissions of Ethiopians already in the EU.⁴⁴ The authors conclude:⁴⁵

There is an increasing concern that the EUTF is being used as a political tool focussing on quick-fix projects with the aim to stem migratory flows to Europe which is not the purpose of ODA according to the EU's own Lisbon Treaty. There is also concern that some funding from the EUTF contributes unintentionally to inhumane treatment of migrants and refugees, as in the case of Libya. In addition, the EU strategy of 'quick-fixes' is very likely to fail since addressing the drivers of forced migration requires a long term, coherent and sustainable approach, respecting the basic principles of development aid.

Yet Europe's agenda *can* be beneficial for both Africa and the EU if African leaders can negotiate better development terms for their citizens. Indeed, the goals of reducing brain drain, increasing security and investing in development are critical. However, Africa risks ignoring its own migration priorities if it allows migration reform to be dominated by the EU. There seems to be little resistance from states receiving EU funding. Wittingly or unwittingly the continent's leaders are complicit in EU containment development. Furthermore, without a continental migration agreement, or a strong AU to rally behind an integrated migration agenda, the bilateral agreements with the EU will compel countries to restrict labour mobility in ways that are likely to create greater instability, insecurity and frustration on the continent. Moreover, there are concerns that bilateral EU agreements are providing arms and aid to regimes with authoritarian leaders and poor human rights records. Without strong checks and balances, these forms of aid will erode democratic institutions in ways that heighten insecurity and instability on the continent – ironically leading to greater pressure on people to move.⁴⁶

It is unclear what the next half-century holds for Africa's youth. The EUTF claims to have created 46 111 jobs, provided basic services to 3 200 000, and protected and assisted 95 232 migrants.⁴⁷ These efforts are commendable. But the scale required to meet Africa's future demographic demands will require longer-term sustainable solutions. Furthermore, without the possibility of safe, legal migration to ease the population burden in Africa (a process that has historically addressed demographic transitions in Europe, Latin America and the Caribbean), the future seems uncertain and likely difficult. As Hanson and McIntosh warn, '[g]iven an African continent expected to contain almost four billion people by 2100, the presence or absence of a migration safety valve would have profound implications'.⁴⁸

Africa risks ignoring its own migration priorities if it allows migration reform to be dominated by the EU

44 *Ibid.*

45 *Ibid.*, p. 6.

46 Kihato CW & LB Landau, 'Securitising Africa's borders is bad for migrants, democracy, and development', IRIN, 5 July 2017, <https://www.irinnews.org/opinion/2017/07/05/securing-africa-s-borders-bad-migrants-democracy-and-development>, accessed 6 July 2017; Conteh-Morgan E, *op. cit.*; Shalal A, *op. cit.*

47 See European Commission, 'EU Emergency Trust Fund for Africa', <https://ec.europa.eu/trustfundforafrica/>, accessed 12 June 2018.

48 Hanson G & C McIntosh, *op. cit.*, p. 23.

TABLE 4 TRACKING THE MONEY: ESTIMATES OF THE EU'S BUDGET ON CONTAINMENT DEVELOPMENT IN AFRICA*

Country	Amount (EUR)
Turkey	6 billion
European Commission	63 billion
Niger	100 million
Ethiopia	97 million
Mali	91.5 million
Libya	200 million
Sudan	112 million

* These amounts are indicative; a forensic financial tracking process is outside the scope of this paper.

Note: EUR 1 = \$1,16

Source: Landau L, 'The Containment Chronotope: The European Refugee "Crisis" and Shifting Sovereignties in Sub-Saharan Africa', Paper presented at The Provocations of Contemporary Refugee Migration conference, Gainesville, Florida, 16–17 March 2017

The GCM unlikely to transform the governance of African mobility

The Global Compact on Migration (GCM) provides an opportunity for states to address the critical demographic and labour challenges that will shape 21st century global markets. For Africa, this is a chance to negotiate better terms for labour migration and develop an integrated, pragmatic solution to the labour surplus. At least, that is the theory. In practice, there has been limited involvement by African states and civil society in the drafting of these documents. Compared to the overt aid conditionalities placed by the EU, the GCM and Global Compact on Refugees provisions will have only indirect influence on Africa's policy frameworks. Furthermore, the GCM is not binding and cannot mandate states' compliance.⁴⁹ With the withdrawal of the US from the GCM, and disagreements between Latin American countries, the EU and Australia on guiding principles, the impact of these global processes is unlikely to shift the dynamics of migration governance in Africa.⁵⁰ In the face of a formidable population challenge, a determined EU, and disagreement on migration policy in Africa, the likelihood of turning the migration crisis into an opportunity remains slim.

49 Parshotam A, 'The UN Global Compacts on Migration and Refugees: A New Solution to Migration Management, or More of the Same?', Occasional Paper, 273. Johannesburg: SAIIA, 2017, p. 36.

50 Parshotam A, 'The Tortured Path of Global Migration Reforms', Council of Councils, 23 February 2018, https://www.cfr.org/councilofcouncils/global_memos/p39176, accessed 20 August 2018.

CONCLUSION

This paper has explored the migration challenges and opportunities facing Africa and the EU. It argues that current EU and African leaders' efforts to contain migration within the continent are likely to result in growing instability and mounting pressure on Africans to move. Even with sustained economic growth and development aid, the continent's economies are unlikely to absorb the youthful population entering the labour market. With few opportunities in sight, those unable to move will remain poor and disgruntled, and become increasingly frustrated – creating an economic and political backlash that could lead to growing unrest and insecurity. Africa's chances of growth and prosperity are diminished without the migration safety valve that has historically attenuated burgeoning populations in Europe, Latin America and the Caribbean.

Even with sustained economic growth and development aid, the continent's economies are unlikely to absorb the youthful population entering the labour market

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