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# The EU's New Migration Partnership with Mali: Shifting towards a Risky Security-Migration-Development Nexus

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# The EU's New Migration Partnership with Mali: Shifting towards a Risky Security-Migration- Development Nexus

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## About the Author

Elise Cuny currently works for the Education & Training Programme of the Egmont Institute in Brussels, designing and organising training courses in diplomacy and communication. After a Bachelor in Politics and International Relations from the University of Kent and a Master in European Affairs from Sciences Po Lille, she obtained in 2017 a Master in EU International Relations and Diplomacy Studies from the College of Europe in Bruges. She co-founded the Migration and Asylum Awareness Society of the College of Europe, a group of students that aims to discuss and to raise awareness on the multi-faceted topic of migration. This paper is based on her Master's thesis at the College of Europe in Bruges (Keynes Promotion).

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## **Abstract**

In 2016, the European Union (EU) entered a new Migration Partnership Framework with certain priority countries. Among those priority countries, Mali is a significant case with an important presence of EU actors and missions. This paper seeks to understand why and how the EU has been redefining its migration strategy regarding Mali. The migratory context of the EU in recent years has exerted a particular political pressure on the institutional level to act. By prioritising migration, the EU is modifying an existing partnership around one element – migration – that did not constitute the primary field of cooperation in the past. This tendency to policy shift from the traditional ‘security-development nexus’ to a ‘security-migration-development nexus’ has implications for the organisation of EU actors and for the perception of Mali. As a result, the EU risks reducing its relationship with Mali to migration. This phenomenon of ‘crisis externalisation’ should not be guiding the EU’s relations with third countries, especially not with partners such as Mali, in a situation of political and territorial disruption.

## Migration under the spotlights: identification of a strategy

Since 2015 significant initiatives tackling migration and security were launched by the European Union (EU) with the countries of the Sahel sub-region, including Mali. Among them, the Emergency Trust Fund for Africa established at the Valetta Summit of November 2015,<sup>1</sup> 20 new actions in Sahel and Chad in mid-April 2016<sup>2</sup>, the new Migration Partnership Framework,<sup>3</sup> and the security action in the Sahel to counter migration in June 2016.<sup>4</sup> This proliferation of measures has been justified both by the challenge that the Sahel region represents for the African continent, by the EU's ambitions there and by the so-called migration crisis calling for European action. This has overall created a rich framework around the European Agenda on Migration and the High-Level Dialogue on Migration adopted at the Valletta Summit as well as the Euro-Africa Dialogue on Migration and Development designed to monitor the implementation of the Valletta Action Plan.

However, since the adoption of those measures, weak results have been observed and a controversy has emerged around the transformation of the EU Trust Fund for Africa into a flexible funding tool.<sup>5</sup> In the case of Mali, discussions started in May 2016 on a 'Standard Operating Procedures for the identification and return of persons without an authorisation to stay', a more flexible cooperation than a readmission agreement but nonetheless engaging (although non legally-binding) the Malian state on returning its citizens. Yet, since the start of the negotiations, no such "practical arrangement"<sup>6</sup> has been found with Mali.

By addressing the latest framework established with priority countries in Africa and the Middle East (Niger, Nigeria, Mali, Ethiopia, Senegal, Tunisia, Libya, Jordan and Lebanon), this paper tries to understand why and how the EU has been redefining its

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<sup>1</sup> European Commission, "Trust Fund for Stability and addressing root causes of irregular migration and displaced persons in Africa", DG DEVCO, 1 March 2017.

<sup>2</sup> European Commission, "New measures approved to improve stability and tackle the root causes of irregular migration", Press release, Brussels, 18 April 2016.

<sup>3</sup> European Commission, "Communication from the Commission to the European Parliament, the European Council, the Council and the European Investment Bank on establishing a new Partnership Framework with third countries under the European Agenda on Migration", COM(2016) 385, Brussels, 7 June 2016.

<sup>4</sup> EEAS, "Strategy for Security and Development in the Sahel", 27 September 2016.

<sup>5</sup> OXFAM, "An Emergency for Whom? The EU Emergency Trust Fund for Africa – Migratory Routes and Development Aid in Africa", *Oxfam Briefing Note*, Oxford, November 2017.

<sup>6</sup> European Commission, DG Home, Director General Matthias Ruete, Letter to Mr. Claude Moraes, MEP Chair of the Committee on Civil Liberties, Justice and Home Affairs, *European Parliament on EU readmission developments – State of play*, October 2017.

migration strategy regarding Mali. The EU's initial ambition was "a coherent and tailored engagement where the Union and its Member States act in a coordinated manner putting together instruments, tools and leverage to reach comprehensive partnerships with third countries to better manage migration in full respect of our humanitarian and human rights obligations".<sup>7</sup> The 2016 Migration Partnership Framework is perceived as a turning point in the EU external strategy for migration.

African states have had different migratory paths and histories. These differences were already addressed in the High-Level Dialogue on Migration by bringing the two parties closer to cooperation.<sup>8</sup> The vision of the EU in its European Agenda of Migration is ambiguous: "to try to halt the human misery created by those who exploit migrants, we need to use the EU's global role and wide range of tools to address the root causes of migration".<sup>9</sup> Subtle differences of interpretation call for a need to understand more in depth what the EU is trying to achieve, especially if the EU is now promoting a new vision on migration, different from the one promoted in its 2005 Global Approach to Migration and Mobility (GAMM).<sup>10</sup> The GAMM had focused on the 'development-security nexus' and identified the following challenges for migration cooperation with African partners:

- better organise legal migration and foster well-managed mobility;
- prevent and combat irregular migration and eradicate trafficking;
- maximise the development impact of migration and mobility;
- promote the international protection and enhance the external dimension of asylum.<sup>11</sup>

The discourse has then gradually changed and put irregular migration at the core. Since the beginning of the migration crisis, the Commission has been reinforcing its ambitions on external policies for migration, with member states expecting results in an area where intergovernmental cooperation remains difficult. The interest of the EU

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<sup>7</sup> European Commission, *op.cit.*, 7 June 2016, p. 6.

<sup>8</sup> "Dialogues at ministerial level were held with the authorities of several countries. Most Dialogues were carried out by the High Representative/Vice President and the Commission, and in some cases by Member States on behalf of the EU as a whole. German, French and Dutch ministers have visited third countries in this context", cited in European Commission, *ibid.*

<sup>9</sup> European Commission, "Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration", Brussels, COM(2015) 240 final, 13 May 2015, p. 2.

<sup>10</sup> A. Knoll, "Understanding African and European Perspectives on Migration: Towards a Better Partnership for Regional Migration Governance?", *Discussion Paper*, no. 203, Maastricht, European Centre for Development Policy Management (ECDPM), November 2016, p. 11.

<sup>11</sup> European Commission, "The European Union's Cooperation with Africa on Migration: Questions and Answers", *Factsheet*, Brussels, 22 April 2015, p. 5.

institutions in the external aspects of migration can be understood as an attempt to make up for the internal difficulties to manage the crisis and to overcome the image of a divided actor.

This paper will try to link the communication of the migration strategy to its implementation in order to assess the coherence between the two. This includes internal institutional adjustments within the Commission and between the Commission and the European External Action Service (EEAS). The paper not only aims at underlining the importance of the internal construction of a strategy being impacted by diverging interests, but also aims at revealing the importance of taking the external local level into account. This has been seen along the debate on a readmission agreement with Mali, a country with a very active diaspora.

Hence, the paper first presents the case of Mali through the EU's active presence in the humanitarian, development and security fields to grasp the underlying motivations to extend cooperation. It then looks at the development of the European external migration strategy and the new vision on return policy in order to better understand the objectives of the new Migration Partnership Framework. The subsequent sections analyse its implementation in the case of Mali and add a Malian perspective as well before concluding.

### **The case of Mali: a demonstration of the EU's capabilities**

Mali offers a complete picture of the EU's mechanisms at work. Indeed, Mali has for a few years already seen Common Security and Defence Policy (CSDP) missions – an EU Training Mission (EUTM) since February 2013 and an EU Capacity Building Mission (EUCAP) since January 2015. Moreover, the EEAS, the Directorate General (DG) for European Civil Protection and Humanitarian Aid Operations (ECHO), the DG for Development Cooperation (DEVCO) and now the DG for Migration and Home Affairs (HOME) have engaged in Mali. Mali is directly involved in a dialogue on migration with the EU, having chaired the Steering Committee of the Rabat Process in the preparations of the Valletta Senior Official Meeting in February 2017.<sup>12</sup> The budget for EUTM Mali was doubled between 2018 and 2020, reaching 79 million euro.<sup>13</sup>

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<sup>12</sup> European Commission, "Commission reports on progress under the migration partnership framework and increased action along the Central Mediterranean Route", *Factsheet*, Brussels, 2 March 2017.

<sup>13</sup> N. Gros-Verheyde, "La mission EUTM Mali prolongée, son mandat élargi", *Bruxelles 2*, 18 May 2018.

Mali is a strategic partner to fight trafficking and jihadist groups, and it rallies the interests and actions of key member states. The former French Minister of Defence spoke of European engagement in Mali in November 2012 as supporting “a global response – political, humanitarian, military – to the Malian problem”.<sup>14</sup> The German government also supported the stabilisation of Mali and raised a new fund for humanitarian aid in 2013.<sup>15</sup> The German interest in the EUCAP mission was moreover confirmed in 2017 by the visit of the Deputy President of the Bundestag to Mali to discuss a future collaborative framework with the Minister for Internal Security and Civil Protection, General Salif Traoré.<sup>16</sup> Mali has been portrayed in various terms: as a state in deep humanitarian need,<sup>17</sup> as a state in reform trying to implement its control over the territory,<sup>18</sup> and as a partner for migration.<sup>19</sup>

The case study of Mali also offers a possibility to question the evolving relationship of the EU with the region of Sahel and even more broadly with the African states on migration. Indeed, although the cooperation on migration is not new, it was not a priority. The focus of cooperation was on development and security, before it began to revolve more around migration and development. In 2006, the EU and Mali signed a first migration control and development aid agreement of 426 million euro for the period from 2008 to 2013.<sup>20</sup> One of the EU’s goals was sensitising “African countries to the importance of the migration phenomenon for the EU and for the countries’ development”.<sup>21</sup>

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<sup>14</sup> “Les pays africains veulent ‘aller vite’ sur le Mali, selon Le Drian”, *Libération*, 13 November 2012, cited in K. Derderian, A. Ponthieu & A. Pontiroli, “Losing Principles in the Search for Coherence? A Field-based Viewpoint on the EU and Humanitarian Aid”, *The Journal of Humanitarian Assistance*, 29 May 2013.

<sup>15</sup> “Kampf gegen Islamisten: Westerville stockt Hilfe für Mali auf”, *Spiegel Online*, 1 November 2012, cited in Derderian, Ponthieu & Pontiroli, *op.cit.*

<sup>16</sup> EEAS, EUCAP Sahel Mali, “The Vice-President of the Federal Assembly of the Federal Republic of Germany and the German police leaders are enthralled in the activities of the mission”, *Press release*, 20 February 2017, <http://eucap-sahel-mali.eu/en/vice-president-federal-assembly-federal-republic-germany-enthralled-activities-of-the-mission> (accessed June 2018).

<sup>17</sup> European Commission, DG ECHO, *ECHO Factsheet – Mali*, updated 14 July 2016, [http://ec.europa.eu/echo/where/sub-saharan-africa/mali\\_fr](http://ec.europa.eu/echo/where/sub-saharan-africa/mali_fr) (accessed June 2018).

<sup>18</sup> European Commission, *National Indicative Programme for Mali: 2014-2020*, 6 March 2015, [http://ec.europa.eu/europeaid/programme-indicatif-national-ue-mali-2014-2020\\_fr](http://ec.europa.eu/europeaid/programme-indicatif-national-ue-mali-2014-2020_fr) (accessed June 2018).

<sup>19</sup> European Council, “Mali: action and progress under the migration partnership framework”, *Factsheet*, June-October 2016.

<sup>20</sup> F. Trauner & S. Deimel, “The Impact of EU Migration Policies in African Countries: The Case of Mali”, *International Migration Review*, vol. 51, no. 4, 2015, p. 24.

<sup>21</sup> T. Van Criekinge, “The EU-Africa Migration Partnership: The Limits of the EU’s External Dimension of Migration in Africa”, in M. Carbone (ed.), *The European Union in Africa: Incoherent Policies, Asymmetrical Partnership, Declining Relevance?*, Manchester: Manchester University Press, 2013, p. 259.

The new cooperation with Mali on migration poses a challenge to the coherence of EU action in a key country of the Sahel region, and the multiplication of policies risks creating confusion. Through the transposition of the migration crisis in Europe to its partner countries and through the gradual reinforcement of their qualification as priority countries, the EU is inevitably undermining the importance of its development and humanitarian policies there.

### **The EU's recent turn in migration policy**

In order to grasp the major changes brought about by the new Migration Partnership Framework that the European Commission concluded with Mali in June 2016, it is necessary to be aware of the background. The first 'Return Action Programme' was approved by the Council on 28 November 2002, promoting "country-specific return programmes".<sup>22</sup> Since then, the link between migration and development in this form of cooperation has been kept. Indeed, migration is currently and commonly portrayed as being "at the heart of the overall relations with the priority partners – alongside other key foreign policy issues such as security, trade and poverty reduction".<sup>23</sup>

It seems that the latest crises in the neighbourhood have been a wake-up call for the EU in terms of migration, seizing the opportunity to work more closely with its partners. This was notably the case of the Arab Spring when the Commission quickly stated that "migration is now firmly at the top of the EU's political agenda".<sup>24</sup> With the re-evaluation of the migration policy along particular interests, the new strategy changes the 'security-development nexus' traditionally used to analyse EU-Africa relations. It is gradually replaced by a prioritisation of migration, and especially irregular migration, linked extensively to the other elements of the strategy.

The change of nexus into a hybrid 'security-migration-development' one shows the prioritisation of migration in the EU's strategies and documents, including those that do not primarily focus on that, as the Sahel Regional Action Plan or the initiatives 'Security

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<sup>22</sup> Council of the European Union, 2406th Council meeting, General Affairs, 28 November 2002.

<sup>23</sup> European Commission, *op.cit.*, 18 April 2016, p. 3.

<sup>24</sup> European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "The Global Approach to Migration and Mobility", COM(2011) 743, Brussels, 18 November 2011, p. 1.

and Development in Northern Mali'<sup>25</sup> and 'Support the Malian diaspora's investments in regions of origin'.<sup>26</sup> These projects, along with the security action in Sahel to counter migration of 18 June 2016 gradually place migration at the core of EU ambitions in the region. The prioritisation of migration thereby emanates both from an external relations perspective and from the EU's internal situation.

The internal political context in return influences the way the strategy is built. In 2011, following the impetus to deepen the cooperation between migration and development, the role of the EEAS was strengthened in order to address the strategies of "migration and mobility and development objectives [...] in a coherent and integrated way".<sup>27</sup> With the influx of migrants to the European territory and the EU's internal migration crisis, the priorities in the communication have changed. The GAMM had adopted a *migrant-centred approach*, quite balanced in the objectives, and separating irregular migration from the need for development and mobility. Yet, the EU is now turning to a *migration-centred approach* which moves away from the focus on humanitarian and development issues.

At the Valletta Summit of November 2015, the EU announced that it will address "specific migratory challenges and long-term drivers of migration"<sup>28</sup> and lay the "foundations of an enhanced cooperation with countries of origin, transit and destination with a well-managed migration and mobility policy at its core".<sup>29</sup> The message was sent that "migration issues are now at the top of the EU's external relations priorities".<sup>30</sup> The new Migration Partnership defines Western Africa as key region of origin for irregular migrants and Mali as a "key country of origin of irregular migration towards Europe and a partner in the broader European engagement in the Sahel region".<sup>31</sup>

The European Agenda on Migration had a broader vocation to tackle every challenge, including the root causes of migration. Whereas the interest in irregular migration is not new, it is once again the context and the frequency of using the term that is meaningful to appraise the strategy of the EU. Indeed, in 2014, prior to the

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<sup>25</sup> European Commission, DG DEVCO, "Programme Summary: Security and Development in Northern Mali", Brussels, 3 October 2016.

<sup>26</sup> *Ibid.*

<sup>27</sup> European Commission, *op.cit.*, 18 November 2011, p. 4.

<sup>28</sup> European Commission, *op.cit.*, 7 June 2016, p. 3.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*, p. 14.

European Agenda on Migration, the EU already grasped the importance of irregular migration, but linking it to the humanitarian aspect of the migrants, declared: “We are appalled by the loss of life caused by irregular migration and remain more than ever committed to further action to avoid such tragedies”.<sup>32</sup> Instead, the new Partnership Framework takes a clearer stance on irregular migration determined to “tackle the root causes of irregular migration [...] discourage irregular and dangerous journeys [and] creating a coherent, credible and effective policy with regard to the return of illegally staying third country nationals, which full respects human rights and the dignity of the persons”.<sup>33</sup>

The 2016 strategy then takes a path different from the 2015 Valletta Summit, where the High Representative had stated that “Europe will not close its doors”<sup>34</sup>, that migration was needed “for our economies and for the maintenance of our welfare system” and the need for “a shared responsibility”.<sup>35</sup> Irregular migration is used to justify a new framework with “specific funding provided by the EU Emergency Trust Fund for Africa [...] mobilised to support agreed projects and activities that allow tackling the root causes of irregular migration in the long term”.<sup>36</sup> The annex and progress reports of the framework contribute to reinforce the prioritisation of Mali through the prism of irregular migration, for instance putting forward the number of 6.500 irregular border crossings in 2015<sup>37</sup> and of 9.305 persons arriving irregularly to Europe from Mali on the Central Mediterranean route in 2016.<sup>38</sup>

## **A new vision on return policy guided by irregular migration**

The insistence on return policy in the discourse on Mali is a key element in understanding how the EU, and especially the Commission, want to improve their influence in the field of migration. The internal aspect of return policy – identification

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<sup>32</sup> EU-Africa Summit, Fourth EU-Africa Summit, *Declaration*, Brussels, 2-3 April 2014, p. 9.

<sup>33</sup> European Commission, *op.cit.*, 7 June 2016, p. 2.

<sup>34</sup> EEAS, Remarks by Federica Mogherini at the Valletta Joint Action Plan 2017 Senior Officials Meeting, Brussels, 8 February 2017.

<sup>35</sup> *Ibid.*

<sup>36</sup> European Commission, *op.cit.*, 7 June 2016, p. 14.

<sup>37</sup> European Commission, Communication from the Commission to the European Parliament, the European Council and the Council, “First Progress Report on the Partnership Framework with third countries under the European Agenda on Migration”, COM(2016) 700, Brussels, 18 October 2016, p. 8.

<sup>38</sup> European Commission, Communication from the Commission to the European Parliament, the European Council and the Council, “Second Progress Report: First Deliverables on the Partnership Framework with third countries under the European Agenda on Migration”, COM(2016) 960 final, Brussels, 14 December 2016, p. 6.

missions – and the external aspects – readmission procedures – are both tackled in the communication and focus on one internal actor: DG HOME, with its dedicated unit ‘Return and readmission’.<sup>39</sup>

The exceptional context of the migration crisis resulting from a previous lack of cooperation in the legal system of the Common European Asylum System has led the EU member states to turn to the supranational level to ask for solutions. The summit on migration which took place in Brussels on 24 June 2018 proved again the limits in national cooperation, with countries standing firm or going backwards.<sup>40</sup> As a shared policy of the EU, the Commission has tried to enhance its capacity over the area of return policy in order to exercise its influence on migration policy. The EU has experienced a gap between the expectations and the results regarding unsatisfying rates of return.<sup>41</sup> DG HOME is now charged with the tasks of reforming the return policy.

Hence, DG HOME’s mandate embodies the interest of return policy in the communication on the new Migration Partnership Framework, as to satisfying an internal need of efficiency along with an external need of cooperation. The construction of the discourse around irregular migration and the interest in returning migrants justify other measures. Indeed, the competence of DG HOME includes identification missions within the EU.<sup>42</sup> New measures taken in the field of return policy comprise identification missions, readmission negotiations “about to start with important partners, after years of stalemate”,<sup>43</sup> discussions on ‘Standard Operating Procedures for the identification and return of persons without an authorisation to stay’,<sup>44</sup> and a Migration Liaison Officer in Mali<sup>45</sup> who has the task to help coordinate EU cooperation on migrant smuggling.<sup>46</sup>

The portfolio of DG HOME that was mainly internal has become more and more external,<sup>47</sup> in a field that was primarily held by member states negotiating bilateral readmission agreements with third countries. Thus, to understand the way the strategy

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<sup>39</sup> European Commission, DG HOME, “Return & readmission”, [https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en)

<sup>40</sup> E. Stroesser, “Mini-sommet ‘migrations’. Une réunion ‘utile’ ... en attendant jeudi”, *Bruxelles 2*, 25 juin 2018.

<sup>41</sup> European Commission, *op.cit.*, 7 June 2016, p. 7.

<sup>42</sup> Interview with an official, DG HOME, European Commission, via telephone, 3 February 2017.

<sup>43</sup> European Commission, *op.cit.*, 18 October 2016, p. 4.

<sup>44</sup> *Ibid.*, Annex 3, p. 5.

<sup>45</sup> Interview with an official, EEAS, via telephone, 5 April 2017.

<sup>46</sup> European Commission, *op.cit.*, 7 June 2016, p. 8.

<sup>47</sup> Interview with an official, DG HOME, European Commission, via telephone, 3 February 2017.

is constructed, it has to be kept in mind that a few years ago, “migration was focusing mainly on security and internal dimensions”.<sup>48</sup> This has implications for the type of expertise developed by DG HOME, which now has to prove its capacity in this domain, notably to the member states asking for results from the Commission.

The interest in return has been gradually transformed into concrete actions through internal and external measures. These actions impact the relations that the EU has with Mali, together with the EU’s conditionality policy. The concept of ‘more of more’ means that those countries who cooperate more closely will be ‘rewarded’ by more cooperation.<sup>49</sup> This is notably due to the link made between irregular migration and the fight against smuggling, impacting the CSDP mission, calling for a strengthening of the borders and also to “step up work with Mali on the transit dimension”.<sup>50</sup> Return policy is now directly linked to the fight against smuggling.<sup>51</sup>

### **A complex partnership undermining the EU-Mali relationship**

The fact that migration is seen as a “cross-cutting topic”<sup>52</sup> facilitates the process of transformation of the domain and of the actors influencing it. The linkage between return policy and external migration policy is not new, however the terminology around it reveals a strengthening of the EU’s position. These links create connections between actions and areas around the core notion of irregular migration and return policy. The EU is transforming its relationship with Mali by serving an internal purpose of effectiveness, and increasingly implemented by DG HOME. From a broad relationship based on security, defence, development, humanitarian action and political cooperation, the EU is gradually linking all these elements to the aspect of migration.

One main example for this linkage gradually alienating relations with Mali is found in the first progress report of the European Agenda on Migration: “The ongoing peace process makes very little progress, generating an unstable political and security situation. The developments risk hampering the migration management efforts. The EU and Member States provide extensive political, diplomatic and security support to stabilise the country”.<sup>53</sup> This quote in itself reflects the inversion of the EU’s logic by

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<sup>48</sup> *Ibid.*

<sup>49</sup> *Ibid.*

<sup>50</sup> European Commission, *op.cit.*, 18 October 2016, Annex 3, p. 5.

<sup>51</sup> Interview with an official, DG HOME, European Commission, Brussels, 20 February 2017.

<sup>52</sup> L. den Hertog, “Money Talks: Mapping the Funding for EU External Migration Policy”, *CEPS Paper in Liberty & Security in Europe*, Brussels, 15 November 2016, p. 8.

<sup>53</sup> European Commission, *op.cit.*, 18 October 2016, p. 8.

putting the conflict as a secondary factor influencing migration. The reality is that Malian migration is foremost caused by the conflict, pushing people out of their homes and mainly to the neighbouring states. The focus on return policy in the European Agenda for Migration and its bilateral implementation through the Migration Partnership Framework fails to grasp the complexity of the migration phenomenon emanating from Mali. By reducing the challenge to irregular migration and the solution to return policy, the strategy becomes EU-centred.

Discourses are key to understand the ambitions of a strategy. In the case of the new Migration Partnership Framework, the EU is placing its own priorities at the heart of the justifications, putting forward arguments that engage itself more than the Malian side. This leads to a 'self-legitimation logic' behind the strategy, although EU actors have engaged in multiple discourses on Mali.

#### *A self-legitimation strategy imposing a discourse on Mali*

The discursive construction of the new Migration Partnership Framework and its context question the ambition of the EU to legitimise its actions, not only in the field of migration *per se* but also in its broader strategy in the Sahel. The justification is taking place at several levels and on different topics. Understanding and putting this strategy into perspective questions the turn in the partnership with Mali, despite the internal migration context. As emphasised by the EU announcements, this partnership framework is primarily designed as a cooperation with third countries. Yet the justification is largely centred on the EU's own challenges and situation. The first aspect of this self-legitimation concerns the inclusion of Mali in the list of priority countries.<sup>54</sup> This could provoke confusion on the Malian side. The confusion comes moreover from incoherent discourses presenting Mali in different terms. The second aspect finds its origin in the EU's attempt to translate its internal migration challenge into a dialogue with Mali: "The Partnership Framework has created a new momentum in our dialogue with partner countries, allowing for a better understanding of EU priorities and a greater willingness to cooperate."<sup>55</sup>

Finally, the 'comprehensive approach' offers the opportunity to the EU to link its new ambitions with existing actions, such as the fight against irregular migration through border security and the fight against smuggling. This self-justification is achieved by

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<sup>54</sup> Interview with an official, EEAS, via telephone, 5 April 2017.

<sup>55</sup> European Commission, *op.cit.*, 18 October 2016, p. 4.

portraying Mali according to the strategy and by linking the support of CSDP missions in Mali to the challenge of migration.

### *Multiple discourses on Mali from EU actors*

There is a multiplicity of discourses on Mali. These discourses come from different EU actors justifying their own action there. When DG HOME presents Mali mainly as a migration partner country, DG ECHO portrays it as a “complex humanitarian crisis”.<sup>56</sup>

The number of Malian internally displaced persons and refugees amounted in 2012 more than 500.000 people. Down to 135.000 in 2016, this number is growing again with the destabilisation in the north.<sup>57</sup> These figures are important to know in order to put both the wording and the prioritisation into perspective. The wording of ‘return’ is noticeably not the same for DG HOME and DG ECHO. DG ECHO indeed deals with the return of Malians, but for displaced populations once the area is safe.<sup>58</sup> Associating return policy to the security of the population in this sense is different from ensuring the security of the borders to prevent irregular migration.

Yet, in its announcements, the European Commission links the dimension of border control to smuggled migrants. This opens a door to cooperation with missions of border surveillance. A project of 41.6 million euro targets a coherent management of migration, the fight against trafficking and the identification of persons. The method echoes the ‘train and equip’ programme for civil security forces at the borders,<sup>59</sup> by deploying “robust, flexible, mobile, multi-disciplinary and self-sufficient police troops for a control of territory”.<sup>60</sup> In Mali, a project of 29 million euro was announced for border areas to strengthen the security presence, including the Malian Armed Forces (FAMA).<sup>61</sup>

The first justification, grounded in the necessity to tackle irregular migration in coordination with Malian security forces through the strengthening of borders, leads to the second justification. The latter is based on the comprehensive approach that

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<sup>56</sup> European Commission, *op.cit.*, updated 14 July 2016.

<sup>57</sup> Interview with officials, DG ECHO, European Commission, 10 April 2017.

<sup>58</sup> *Ibid.*

<sup>59</sup> N. Gros-Verheyde, “L’Europe lance un fonds fiduciaire pour l’Afrique afin de prévenir les migrations”, *Bruxelles 2*, 14 September 2015.

<sup>60</sup> Translation from L. Hubaut, “L’UE booste un peu, son action sécuritaire au Sahel... pour contrer la migration”, *Bruxelles 2*, 18 June 2016.

<sup>61</sup> *Ibid.*

the EU is defending in the region of Sahel,<sup>62</sup> as displayed in the Conclusions of the Council of Ministers of July 2015: “Coherence and synergies between different policy fields, such as Common Foreign and Security Policy or Common Security and Defence Policy, justice and home affairs, human rights, development cooperation, trade and employment, is key.”<sup>63</sup>

This comprehensive approach is thus extended to the field of migration: “The EU is committed to enhance work on the links between migration and development while continuing to address human rights abuses and work on conflict resolution in countries of origin and transit.”<sup>64</sup> A practical example of the comprehensive approach is the European Liaison Officer in Mali, a recurrent measure in the priority countries of the new Migration Partnerships. The conditions of this post, detached by DG HOME and also part of the political staff under the responsibility of the EEAS,<sup>65</sup> indicate the aspiration to integrate migration in the existing framework. Originally, the Migration Liaison Officer was described in the GAMM as able to: “follow migration matters from a broader, more comprehensive policy perspective than consular services normally do”<sup>66</sup> and the objective was that “every opportunity to involve EU agencies in such exchanges of information and closer cooperation with non-EU countries should be seized”.<sup>67</sup> This description symbolises the juncture between the legitimization of the new migration strategy and the comprehensive approach. By providing a Migration Liaison Officer, the EU enhances its comprehensive approach in the region while offering a closer cooperation to Mali. In reality, this measure is not so clear-cut, since the EEAS has a competence of providing diplomatic services in Mali whereas DG HOME does not.<sup>68</sup> The logic of the comprehensive approach is useful once the strategy of a new Migration Partnership Framework is implemented in order to link areas that did not work together before.<sup>69</sup> However, it does not mean that the creation of the strategy is tailor-made for Mali nor improving the comprehensive approach *per se*.

The juncture is reinforced by the EU’s presence in Mali through two CSDP operations, EUTM targeting the formation of the FAMA, and EUCAP advising and forming internal

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<sup>62</sup> E. Gross, *EU and the Comprehensive Approach*, DIIS report, no. 13, Copenhagen: Danish Institute for International Studies, 2008.

<sup>63</sup> Council of the EU, “Council Conclusions on Migration”, *Press release*, 606/15, 20 July 2015.

<sup>64</sup> Council of the EU, Foreign Affairs Council (Development), *Press release*, 9240/15, 26 May 2015, Brussels, p. 3.

<sup>65</sup> Interview with an official, EEAS, via telephone, 5 April 2017.

<sup>66</sup> European Commission, *op.cit.*, 18 November 2011, pp. 14-15.

<sup>67</sup> *Ibid.*

<sup>68</sup> Interview with an official, EEAS, via telephone, 5 April 2017.

<sup>69</sup> *Ibid.*

security forces. A convergence of interests can be observed between the strengthening of the FAMA and the prevention of irregular migration through enforcing Malian border surveillance. The current context of operations in Mali, where military actors are reluctant to increase their presence despite a new destabilisation,<sup>70</sup> might represent an occasion for the EU to impose itself in Mali. The EU, whose main presence is not military, could reinforce its ambitions on migration through hybrid missions between military formation (EUTM) and security sector reform (EUCAP).

To sum up, the European relationship with Mali was not primarily based on migration, but rather on security as well as on humanitarian and development cooperation. This has led to an expertise built by the actors of these fields: the EEAS, DG DEVCO and DG ECHO. Lately the EU has reinforced its regional strategy in the Sahel, because of its presence there and because of the greater challenges met in terms of terrorism and states' destabilisation. This corresponds to the 'comprehensive approach' of the EU, implemented both at the national and at the regional levels. With the new Migration Partnership Framework, the EU expresses its ambition to add the dimension of migration to the comprehensive approach. This cooperation results in incorporating structures like the Migration Liaison Officer, connecting the actors' interest to the reality in the field. It also results in an assimilation of the mandates of the CSDP missions, EUCAP and EUTM, to the objectives of the migration strategy presented earlier: the reduction of irregular migration flux.

This policy shift bears the risk of changing the perception of the country, weakening the vision of the development and humanitarian EU actors, while strengthening a new link between security and migration on the ground. The strategy also changes the timeframe by tackling the short-term priorities as well as the long-term goals of progression.

### **Adding the Malian perspective**

After reviewing the new policy tools promoted in Mali in the field of migration, it is also important to know with whom those tools will be implemented. The interpretation and impact of those tools can indeed vary according to the recipient of the funds and the local contacts.

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<sup>70</sup> L. Hubaut, "Il faut que l'Europe continue à penser 'défense'. Attention au Mali, danger" (Arnaud Danjean), *Bruxelles 2 Pro*, 3 March 2017.

### *Malian contacts and recipients divided over the strategy*

The question of the EU's interlocutors in Mali is crucial in the analysis of the new Migration Partnership Framework. Direct or indirect involvement of Malians is particularly important to assess the long-term cooperation on migration and to understand the potential interests behind the agreement for Malian counterparts. It seems clear indeed that "no country likes to be put on the priority list".<sup>71</sup> Indeed, in 2001, the Minister of the Malians Abroad, M. Traoré, declared: "for us, the situation of the sans papiers in Europe is the most important".<sup>72</sup> In 2016, the same Ministry, held by M. Sylla, conducted identification missions with EU member states.<sup>73</sup>

What the analysis of the discourses shows is the prevalence of governmental actors in contact with the EU, be it EU member states or institutions. In the communication of its strategy in Mali from 2015 onwards, the EU emphasises its cooperation with the governmental actors in Mali:

- "Dialogues at ministerial level were held with the authorities of several countries. Most Dialogues were carried out by the High Representative/Vice President and the Commission, and in some cases by Member States on behalf of the EU as a whole. German, French and Dutch Ministers have visited third countries in this context"<sup>74</sup>;
- The EU is said to have a "particular responsibility and remains a leading contact for Malian authorities in the process of stabilisation, peace and reform in Mali";<sup>75</sup>
- The EU has agreed to implement and take part in a local structure for consultation under the auspices of the Malian government, to coordinate actions and programmes on migration with national strategic orientations.<sup>76</sup>

However, in the National Indicative Programme (NIP), which is supposed to guide EU development investments for the period 2014-2020, none of the sectors identified refer to migration or the strengthening of border controls. The five key sectors concern state reform and consolidation for the greatest part (46% of the funds), rural development and food security, education, and the road sector.<sup>77</sup> Mali's Governmental Action

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<sup>71</sup> Interview with an official, EEAS, via telephone, 5 April 2017.

<sup>72</sup> Interview of Mamady Traoré, cited in Trauner & Deimel, *op.cit.*, p. 24.

<sup>73</sup> I. Bayo, "Mali/migration: le cadeau empoisonné de l'UE qui a fait vaciller le gouvernement", *La Tribune Afrique*, 22 December 2016.

<sup>74</sup> European Commission, *op.cit.*, 7 June 2016, p. 5.

<sup>75</sup> European Commission, *op.cit.*, 6 March 2015.

<sup>76</sup> European Commission, "Communiqué commun Mali-EU à la suite du Dialogue de Haut Niveau sur la Migration", Bamako, 11 December 2016.

<sup>77</sup> European Commission, *op.cit.*, 6 March 2015.

Programme for the period 2013-2018 does not have the same priorities as the NIP; it makes no reference to migration and only one to “migrants”, linked to their revenues, one to the “diaspora” and one to the “refugees” displaced regionally.<sup>78</sup>

The fact that the National Indicative Programme of the EU with Mali does not correspond to the Malian national priorities for the period 2013-2018 can mean that the changes will be on the next funding plan or that other structures will be financed such as the FAMA through the programme for strengthening the borders. Both interpretations would imply a modification of the funding structures to accompany the new cooperation between EU actors. However, it has been pointed out that the EU Trust Fund for Africa tends to be more flexible and *de facto* more difficult to control.<sup>79</sup> This could result in problems to assess the impact of the new funding, also considering DG HOME’s call for more pragmatic and adaptable solutions.<sup>80</sup>

The attempt to understand the multiplicity and divergences of Malian actors in the framework of this new partnership on migration, quite opaque, cannot ignore the polemic around a readmission agreement with the EU. Following an erroneous communiqué of the Dutch Foreign Affairs Minister Koenders coming back from a visit to Mali in December 2016, the message was spread in the Malian diaspora and media that the government had accepted to sign a readmission agreement with the EU.<sup>81</sup> The turbulent political context led to the proposition of a vote of no confidence against the government of M. Keita.<sup>82</sup>

Even though a readmission agreement is an international obligation and has been reaffirmed in the Cotonou Agreement between the EU and the African, Caribbean and Pacific (ACP) countries, it remains nonetheless a difficult topic. Hitherto, the EU signed 17 readmission agreements, mainly in its neighbourhood, and only one with one ACP country, Cabo Verde. Although the EU has the competence to conclude such agreements on readmission, it is mostly the member states that have concluded bilateral readmission agreements with third countries. Even though the Commission

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<sup>78</sup> Cabinet du Premier Ministre Malien, “Programme d’Actions du Gouvernement (PAG): 2013-2018”, Bamako, novembre 2013.

<sup>79</sup> L. Hertog, “EU Budgetary Responses to the ‘Refugee Crisis’: Reconfiguring the Funding Landscape”, CEPS Paper in *Liberty and Security in Europe*, no. 93, May 2016, p. 14.

<sup>80</sup> Interview with an official, DG HOME, European Commission, Brussels, 20 February 2017.

<sup>81</sup> Bayo, *op.cit.*

<sup>82</sup> *Ibid.*

considers cooperation on readmission as part of migration management, third countries often perceive it as serving the EU's security interests.<sup>83</sup>

### *The missed chance of the Malian diaspora*

The question of readmission shows a strong politicisation and polarisation in Mali. Indeed, the perspective of a readmission agreement with the EU generated indignation in the Malian diaspora, very active on the social networks, and had echo in the Malian press. The diaspora is an actor that has been taken into account to a certain extent by the EU in its new strategy, through the 6 million euro project 'Support the Malian diaspora's investments in regions of origin'.

By pushing for practical arrangements on return and readmission with the Malian authorities, the EU might damage its own efforts to promote the role of diasporas. Several projects and actions had indeed been launched since 2005:

- In 2005, the Commission praised the cooperation on migration and development as it "allowed a number of developing countries to highlight issues such as the mobilisation of diasporas as priorities that should be the focus of Community assistance in the future";<sup>84</sup>
- In the 2014 framework of the Pan-African Programme, the EU created an action aiming at enhancing the role of African diasporas as development actor;<sup>85</sup>
- The Action Plan for the EU-Africa Summit (2014-2017) focused partly on the diasporas;<sup>86</sup>
- The Sahel Regional Action Plan (2015-2020) also included the promotion of and cooperation with diasporas;<sup>87</sup>
- Finally, the programmes 'Support to Africa – EU Migration and Mobility Dialogue' (2016-2018) and 'European-wide African Diaspora Platform for Development' (2011-2013), followed by the Africa-Europe Diaspora Development Platform (2014-2017), tried to enhance the development role of diasporas.

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<sup>83</sup> Hertog, "EU Budgetary Responses to the 'Refugee Crisis'", *op.cit.*, p. 14.

<sup>84</sup> European Commission, *op.cit.*, 1 September 2005, p.14.

<sup>85</sup> European Commission, *Implementing Decision of 20 November 2014 on the Annual Action Programme 2014 for the Pan-African Programme from the general budget of the European Union*, 20 November 2014, Brussels, p. 3.

<sup>86</sup> European Commission, *op.cit.*, 22 April 2015, p. 1.

<sup>87</sup> *Ibid.*

The gradual disinterest of EU actors for the Malian diaspora when it comes to migration shows a certain degree of incoherence with EU principles and objectives but also a lack of strategy. First, Malian migration management has always been characterised by a “laissez-faire attitude and a lack of capabilities”.<sup>88</sup> Second, the impact of the Malian diaspora is significant: remittances of Malians living abroad have reduced poverty rates by 5 to 11%, according to a household survey of 2006.<sup>89</sup> The interest for the diaspora within the government is moreover made clear with the creation of the Malians Abroad & African Integration Minister in 2006 to “raise awareness about the diaspora’s potential as a development agent”.<sup>90</sup> It therefore seems a risky move for the EU to divide those two actors on the question of migration.

### **Conclusion: the risk of undermining a comprehensive partnership**

This paper asked why and how the EU has been redefining its migration strategy regarding Mali in the wake of Europe’s migration crisis. It has been argued that the previous discourse on the security-development nexus has shifted to a new development-migration-security nexus in an attempt to ‘externalise’ the crisis. The risk for the EU in the long term is to degrade the relationship with Mali, understood through its state, its citizens and the diaspora.

With the new Migration Partnership Framework, the EU actors currently present in Mali – DG ECHO, DG DEVCO and the EEAS – are indirectly bypassed by new actors with competences to address the ‘challenge’ of migration. Among these competences, return policy and readmission managed by DG HOME seem to play a particularly important role for the European Commission. The prism of irregular migration leads to portraying return policy as the core solution to migration from Mali, but also to *de facto* portraying Malians as irregular migrants. This consequence of the discourses is fundamental when assessing the impact of the EU strategy on a partner country like Mali. Not only the discourses and their multiplication are confusing, but they also divide and neglect Malian actors.

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<sup>88</sup> Trauner & Deimel, *op.cit.*, p. 23.

<sup>89</sup> F. Gubert, T. Lassourd & S. Mesple-Soms, “Do remittances affect poverty and inequality? Evidence from Mali”, Document de Travail Université Paris Dauphine, 2010, cited in Trauner & Deimel, *op.cit.*, p. 5.

<sup>90</sup> O. Diarra “Forced returns, the case of Mali”, *European Social Watch Report*, 8 December 2009, Brussels, cited in Trauner & Deimel, *op.cit.*, p. 23.

The EU, trying to tackle its internal crisis, is playing a risky game in securitising the migration in Mali, notably through the indirect funding of the FAMA. This would imply a modification of Mali's tradition of migration, which would mean that the EU prioritises its interests over the Malian ones. For this reason, the EU should choose its partners more carefully and in close concertation with the local actors in order to avoid a polarisation on hot topics such as return and readmission. Knowing that the Malian governmental actors have different priorities in the field of migration and that they are submitted to high political pressure, the question remains who will really cooperate with the EU on irregular migration and at what price. Indeed, if the objectives of the EU disregard their impact on the Malian society, it is hard to recognise the tailored approach of the partnership. Moreover, this could generate a destabilisation of a country in a situation of ongoing war and of rising territorial insecurity.

This ambiguity needs to be questioned since the partnership includes funds for Mali that are being redirected. Malian newspapers have expressed a lack of confidence in the government regarding readmission and fear that the redeployment of EU funds would further empower the government. Those different risks put together lead to think that the EU might be misjudging the type of partnership being built; jeopardising a long-term and comprehensive partnership with Mali for a short-term security-oriented one.

Some authors have in the past stressed that "the EU could use its time and money more effectively by addressing the structural realities of migration".<sup>91</sup> If the EU's strategy is effectively constructed as an answer to an internal migration crisis, and if the internal restructuration plays a role in its design, the EU should be careful not to lose what it has already achieved in Mali. The EU actors present in Mali have developed a network of cooperation in the development and humanitarian sectors that should not be sacrificed to a migration-centred approach. Migration should always be put in perspective with its causes and its consequences to be managed in a *comprehensive* way.

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<sup>91</sup> S. Rich, "Cooperative Migration Policy, Uncooperative Reality: The EU's Impossible 'Management' of West African Migration", *Journal of Public and International Affairs*, vol. 21, 2010, pp. 49-72.

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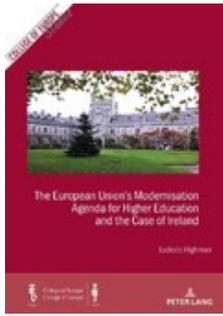
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