

Partners in crime?

The impacts of Europe's outsourced migration controls on peace, stability and rights

July 2019

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Ruben Andersson and David Keen

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Cover photo – Turkish soldiers stand guard as Syrian refugees wait behind the border fences to cross into Turkey at Akcakale border gate in Sanliurfa province, Turkey, 15 June 2015.

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Migrants in a detention centre
near Gharyan, outside of Tripoli,
Libya, April 2014.
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Executive summary

Drawing on research by Ruben Andersson, David Keen and Saferworld as well as secondary sources, this report analyses the European Union's (EU) and European governments' externalisation of migration controls in 'partner' countries such as Turkey, Libya and Niger. It highlights the direct negative impact of current EU migration controls on migrants themselves, who are often caught in a vicious cycle of detention and abuse between authorities and security actors in a range of EU-supported 'buffer' countries. It also looks at the broader systemic implications of EU migration policy for instability and conflict at Europe's borders in the longer term.

The report concludes with broad recommendations for a shift in policy towards an approach that: reinforces and delivers the rights of migrants and people in host countries by prioritising their safety over the protection of borders; and reorients EU migration policy away from the current numbers game towards one which is more aligned with existing EU commitments to human rights, conflict prevention and sustainable development.

Migration into Europe has fallen since 2015, when more than one million people attempted maritime crossings. This decrease follows the EU and European governments' narrow focus on reducing migrant numbers and the externalisation of border security measures and migration controls to its borderlands and wider neighbourhood. On numbers alone, the policy could be considered 'effective'.

However, the policy 'outsources' migration controls to a range of state and non-state third parties who are largely unaccountable and often employ coercive methods including arrest, detention and forced returns to contain and control migrants. This puts people at risk in both migrant and host communities and fuels a damaging and ultimately self-defeating system that rewards abusive behaviour and fuels instability on Europe's borders.

The policy is set to continue as part of the EU strategic agenda for 2019 to 2024.¹

When examined more holistically, the current EU approach to migration control has significant and far-reaching negative consequences and is arguably unsustainable in the long term. In the short term, there is a direct human cost in lives and livelihoods – the percentage of people who died or who are missing at sea in the central Mediterranean shot up from 2.6 per cent in 2017 to about 10 per cent in the first few months of 2019.² Abuse, extortion and inhumane conditions for migrants have been widely documented in EU-supported ‘buffer’ states. Chaos at border crossings and entry points into Europe fuels policy panic and adds to a sense of crisis. In the longer term, current EU migration policy neglects the benefits of migration and reinforces a flawed and punitive system that tolerates human suffering and pervasive predatory and abusive behaviour, and sustains the long-term risk of instability and conflict on Europe’s borders.

Migration control is often presented as a response to criminality, but EU policy is actually fuelling predatory and criminal behaviour by generating perverse incentives in ‘partner’ countries. The policy encourages non-EU partners to stoke the threat of migration as a bargaining tool – while failing to address it – fuelling political justification within the EU for yet further securitised interventions to address the ‘crisis’. The short-term political expedience of this approach for European politicians and the economic and political gains on offer for those prepared to exploit Europe’s fear of migration create a vicious circle within which the system reinforces itself.

A security response to the complex drivers of migration

The narrow, security-first approach to migration by the EU and European governments fails to respond holistically to the complex drivers of migration. Border security efforts through naval missions, defence technology, patrols and punitive detentions in countries outside Europe have added to the sense of crisis. The consequences for displacement and migration of other interventions by European governments (such as the military campaign in Libya, piecemeal engagement with the Syria crisis or unequal trade policies) have not been considered adequately.

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The European discourse around the migration ‘crisis’ fails to acknowledge that most migration is regional, rather than oriented to Europe. Roughly nine in ten refugees are hosted by low- and middle-income countries and about 75 per cent of migration in sub-Saharan Africa is regional.³ Distinctions between regular and ‘irregular’ migration and between refugees and non-refugees do not easily apply to the reality of human mobility that includes mixed movements of refugees and other migrants as well as secondary movements. This risks reinforcing damaging assumptions (that some ‘deserve’ protection while others can be readily deported).

The growth of the European border security model

Since the Schengen agreement in 1985, when northern EU Member States put pressure on southern counterparts to increase controls, ‘irregular’ migration and border security have emerged as major European policy preoccupations. The closure of legal pathways through hardened borders and policing crackdowns have increased the use of clandestine and dangerous routes – and led to more frequent migratory ‘emergencies’.

While EU Member States have struggled to agree on sharing responsibilities towards migrants, they have found common cause in the security response to migration. The ‘European border security model’ has evolved through EU Member States’ migration and border policies at bilateral and multilateral levels, from the Council’s High-Level Working Group on Asylum and Migration (set up in 1998), to the 2015 Valletta Agreement and the EU Emergency Trust Fund for Africa. By 2015, the EU as an institution had adopted a security model for controlling migration.

Policy frameworks still include legal migration, protection, rights and ‘root causes’, but in reality they side-step abuses that drive both conflict and migration, and they link the provision of aid to partner states’ cooperation on migration – as in the 2016 EU Partnership Framework on Migration. Likewise, EU military and Common Security and Defence Policy programmes have become increasingly linked to migration and border controls, for which funding could substantially increase under the new EU Multiannual Financial Framework 2021–27.

Another striking feature of EU approaches has been the failure to learn and reform. The seemingly ‘successful’ EU-Turkey statement of 2016, which has informed more recent efforts, rehearsed earlier ‘blueprints’ for externalising border controls. Accountability for the track record of these policies and financial costs is poor.

Incentives, costs and risks of the security approach

Why do these approaches persist? Political factors – such as the mobilisation of public fear to garner political support – loom large within the EU, as do economic benefits, including for the defence and security sector and subcontractors. A border security model also enables the redistribution of legal and reputational risk from more powerful countries towards ‘buffer zones’ (such as poorer countries and communities). ‘Partner’ states get political legitimacy and impunity for abusive behaviour and also receive economic dividends, including for their security apparatuses.

The costs of this approach include: sidelining deeper efforts to address instability; directly or indirectly undermining stability, rights and livelihoods; and making migration routes more dangerous, undermining regional mobility and increasing desperation. Allowing widespread fatalities and abuses to occur on Europe’s doorstep also fundamentally undermines the reputation and values of EU institutions. Likewise, overlooking forced returns in contradiction of United Nations (UN) conventions undermines the rules-based international order, diminishing Europe’s leverage in pushing for human rights to be respected around the world.

The border security approach persists because it frames a complex issue in politically advantageous terms – as a response to fear and to an existential threat. It can claim ‘success’ by citing reductions in migrant numbers to the EU while ignoring the wider costs of the policy. It enrolls a significant number of largely unaccountable third parties who can gain from or manipulate the system. It distributes costs and risks in a politically advantageous way. Assessments of this approach are limited in scope and generally serve to bolster the political narrative that focuses on numbers and short-term ‘security’, to the neglect of broader and longer-term impacts on migrants, host communities and stability at the EU’s southern borderlands.

Turkey

Turkey hosts a staggering four million people from other countries, including 3.6 million Syrians.⁴ But its hospitality for these ‘guests’, who receive only temporary protection, is wearing thin. The March 2016 EU-Turkey statement, designed to limit arrivals from Turkey to Europe, added to this pressure. It enabled Greece to return new arrivals to Turkey, in exchange for visa liberalisation, accession talks, a plan to resettle up to 72,000 Syrian refugees within the EU, and €6 billion to support refugees in Turkey. The agreement contributed to a sharp drop in arrivals into Europe from Turkey, but turned the Greek Islands into ‘processing centres’, where asylum seekers are contained and neglected in overcrowded and inhumane conditions; a situation denounced by non-governmental organisations (NGOs) as an apparent form of deterrence. The EU’s policy of containment in Turkey has also increased tensions between refugees and host communities there, particularly in the low-wage and informal economy, and has undermined social cohesion.

Turkey had threatened to facilitate migration to Europe prior to and following the agreement, while European governments toned down criticism of Turkey’s clampdown on dissent following the failed military coup in July 2016 and in relation to the re-emerging Kurdish conflict. Considering it a ‘safe’ country, the EU has remained silent as Turkey has tightened its refugee policies, closing its border with Syria and forcibly returning refugees. To stem a further influx of refugees and counter the influence of Kurdish forces, Turkey has enhanced its military presence in Syria, with knock-on effects for civilians’ security. The EU’s standing and influence on Turkey and its role in Syria has been undermined by its apparent disregard for the UN Refugee Convention and its failure to deliver on commitments to refugee resettlement, pushing Turkey closer to Russia.

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Libya

Within a few years, Libya has transformed from a major destination for migrants seeking employment into a departure point – and a site where deterrence policies manifest as containment and extreme abuse for migrants. After the North Atlantic Treaty Organization's intervention and the fall of Colonel Muammar Gaddafi – who had enlisted sub-Saharan Africans as mercenaries in his fight against rebels and unarmed protesters – migrants were targeted by the country's warring parties, among others. Evidence has shown increasing and widespread sexual violence, slavery and torture of migrants in detention centres. Competing 'authorities' in Libya – including the Tripoli government, militias and armed groups – have retained Colonel Gaddafi's tactic of creating a hostile environment for sub-Saharan African migrants and of using them as a racialised bargaining chip vis-a-vis Europe.

The EU and its member states have focused more on containing terrorism and migration from Libya than on tackling its instability, ignoring the role Europe played in the country's breakdown. The EU has trained Libyan coastguards, including militias linked to official security institutions who are suspected of ongoing collusion in smuggling and extorting migrants in detention centres. It has outsourced responsibility for intercepting migrants at sea to the Libyan coastguard, while European governments have simultaneously criminalised NGOs' search and rescue operations, increasing deadly risks for migrants. EU funding for 'voluntary humanitarian returns' ignores migrants' lack of choice – between escaping abuse in Libya and going back to abuse or exclusion in countries of return.

Meanwhile, Libyan armed factions instrumentalise the appalling conditions for detained migrants to obtain more EU support, using them as a resource to extort and as a threat they can release on European shores. In this way, the EU's border security approach is contributing to war economies, illicit border trades and instability in the country.

Niger

On the route towards Libya, Niger is the latest hotspot for EU migration – and counter-terrorism – interventions. Niger has experienced multiple coups and is now ruled by a regime with authoritarian tendencies seeking to consolidate power in the face of northern unrest and popular discontent. As European panic grew over migration in 2015, the EU pushed Niger to adopt draconian laws against human smuggling while pouring more security and policing resources into the region. The regime has adeptly used the threat of migration to obtain more funding and political backing. Niger is now the largest recipient of EU aid per capita in the world,⁵ boosting government coffers and strengthening its security apparatus, despite risks of corruption and repression. By contrast, in 2018 the World Food Programme could raise barely a third of the funds it needed to feed a tenth of Niger's people.⁶

EU interventions have also undermined livelihoods dependent on cross-border trade and movement, ignoring their benefits for local economies, income diversification and stability. For example, Agadez – until recently a transit point for intra-regional migrants with a vibrant guesthouse and transport economy – has been stripped of livelihoods, increasing desperation and the inter-ethnic grievances that have fuelled conflict in the past. This approach has also undermined regional mobility – even though free movement is permitted throughout the Economic Community of West African States (ECOWAS). Migrants are increasingly detained in Niger or forced into taking more dangerous desert routes.

While the EU has hailed Niger as a migration control success story, its approach risks fuelling instability by underwriting authoritarianism, corruption and perverse incentives to inflate the migration 'threat' – disregarding wider stabilisation and development priorities.

Key recommendations

A fairer weighing of the costs and benefits of the migration control system in both Europe and its ‘buffer’ zones could lead to a more balanced public debate on the right approach for Europe – one which not only minimises harm and risks, but also humanises and normalises human mobility for the common public good.

This report sets out four broad steps to change this damaging system and move towards an approach that safeguards lives and livelihoods; reframes EU migration policy away from a narrow focus on numbers towards one that ensures a fairer and more sustainable approach to human mobility; and goes some way to addressing the policy contradictions between long-standing EU commitments on human rights, peace and development and its current approach to migration control. This process should not be seen as a ‘silver bullet’ to Europe’s migration ‘problem’ – as seeing migration as only a problem, and not a benefit, is an obstacle to sound analysis and action. A new approach requires looking beyond the current political framing of migration as a security threat, recognising that such politics can change, and proposing alternatives that challenge rather than adapt to the status quo.

1. Comprehensively evaluate the impact of migration-related interventions.

■ Fully assess the systemic costs of European initiatives to address migration and who benefits from them.

Assessments should include political, economic, social and cultural impacts and reflect on any negative or unintended consequences of these policies on peace, conflict and the human security of people within and beyond fragile and conflict-affected countries.

■ Ensure full transparency of policies, funding and programmes.

So that evaluations are thorough and civil society participation is meaningful, make efforts to ensure transparency and public availability of the strategies, objectives, evidence, funding and partnerships underpinning policies and programmes. Information should be made openly available on: migration-related spending across security and development funds; the contributions of member states; the beneficiaries of such funding; and the full consequences and impacts of funded programmes.

■ Use rights and protection criteria to assess progress.

When evaluating relevant EU policies and programmes, rather than focusing on the numbers of migrants reaching Europe, define success as advancing the protection and rights of migrants and host societies – for example, keeping migrants and host communities safe and improving their lives and livelihoods.

■ Scrutinise the costs of migration control partnerships with states and security actors that abuse human rights.

Examine whether partnerships with actors that have problematic human rights records and continue to demonstrate poor behaviour are contributing to repression, abuses and further fuelling the drivers of conflict and migration.

■ Take independent assessments into account.

These include investigations by UN and human rights experts, civil society groups and journalists that expose abusive or destabilising actors who benefit from ‘combating irregular migration’ – whether in Europe or in ‘partner’ countries – and that expose links between the EU and these actors.

■ Include the views of migrants and civil society in countries of intervention.

Make specific efforts to include the views of migrant communities in fragile or conflict-affected contexts in assessing and evaluating the impact of migration controls, as well as the views of independent civil society groups operating in restricted civic spaces.

■ Make evaluations public and debate them.

Evaluations – whether of strategies, programmes or the wider border security system – should be made public and widely shared and debated, including in both national parliaments in European states and in the European parliament.

■ Strengthen civil society monitoring.

Journalists, activists, rights advocates and other civil society groups play a vital role in transforming the present migration control system, and should continue to expose the legal, financial and political costs of the current approach – scrutinising not only European decisions and policymakers but also the defence and security sector.

International civil society actors should reinforce coalitions with migrant communities and civil society groups in partner countries. This will result in more effective monitoring of the downsides of the current approach – and increase pressure to deal with problems – as well as strengthening broader civic oversight.

- **Act on the findings of evaluations.**

Evaluations that find migration-related interventions to be contributing, directly or indirectly, to abuses, undermining development efforts or fuelling conflict dynamics and instability should lead to them being discontinued or overhauled.

- **Hold wrongdoers accountable.**

Actors who commit or facilitate abuses in the context of migration control should be held accountable, through legal channels, stringent vetting procedures and/or targeted sanctions.

2. Re-centre foreign and aid policy on peace and protection.

- **Understand migration holistically.**

To move towards a sustainable response, it is vital to understand how migration and migration controls affect, and are affected by, wider political, social and economic dynamics over the long term – and particularly to recognise how irresponsible short-term approaches can undermine long-term interests in shared security.

- **Prioritise peace and protection objectives in EU strategies and policies.**

Instead of importing domestic objectives for reducing migration into its global strategy, the EU must prioritise policy instruments that seek to reduce conflicts and enhance human security and rights. This should be done through long-term engagement in countries and in full consultation with civil society – including in countries of intervention.

The goals of conflict prevention and resolution, respect for human rights, and redressing social and economic inequalities must be central to EU strategy and programming in relevant contexts. EU commitments to human rights, improved state-society relations and conflict prevention – including under the 2030 Agenda for Sustainable Development and via its integrated approach to conflict and crises – should guide its approach.

- **Ensure that European interventions do not fuel instability or high-risk migration.**

European governments should base their regional and country strategies on systemic analysis of what drives conflict, repression and forced displacement, and prioritise long-term, sustainable responses to these drivers. A holistic approach would involve rethinking the kinds of military and counter-terror interventions, arms trading, and trade and monetary policy approaches that have proven harmful – and placing a higher premium on peace and human rights objectives.

- **Decouple development policies and projects from short-term, security-focused migration control.**

The EU and its member states should not condition development aid on recipient states' cooperation on migration controls. Conditions should instead relate to progress in advancing human rights and improving state-society relations.

For example, they should reform funding instruments, such as the EU Emergency Trust Fund for Africa, to ensure that development funds are delinked from narrow migration control objectives. Funding instruments should focus on the needs of the poorest and most vulnerable groups, on sustainable and long-term engagement to reduce inequalities, and on conflict prevention and maximising the development potential of migration.

- **Ring-fence and expand protection in migration policy.**

The protection of migrants – a stated objective of many EU migration management programmes – should not be compromised due to the intense focus on border control, fighting irregular migration, ensuring returns and readmissions, or tackling crime or 'terrorism'. Ring-fencing protection as the paramount concern would allow it to be expanded to other policy domains rather than be undermined by them.

3. A conflict-sensitive approach to migration and related dynamics.

- **Rigorously assess risks and take them into account.**

Gender-sensitive conflict analyses and human rights risk assessments should be integral to the development, delivery, monitoring and adaptation of strategies and programmes in all migration-related interventions.

These analyses should look beyond economic drivers to consider the complex and gendered drivers of migration, including their political dimensions. They should make links between politics, inequality, discrimination and living conditions, and should look at how exclusion and exploitation are shaped by gender, age, class, race and other factors.

Conflict- and gender-sensitivity expertise and assessment methodologies are available, both within governments and via civil society partners. The EU and member state-funded development agencies, international and non-governmental organisations working on migration should invest further in these capacities to strengthen their ability to uphold conflict- and gender-sensitivity standards.

■ **Proactively challenge abuses – and rethink cooperation with repressive and abusive ‘partners’.**

Instead of attempting to reduce migration by cooperating with states where endemic and systematic abuses occur, the EU and European governments should proactively challenge governments or security forces that play a role in driving repression or conflict.

‘Train and equip’ support to repressive governments or security forces without addressing their behaviour risks fuelling further abuses against migrants and can feed conflict, repression and corruption. Any efforts to improve the behaviour of security forces should be based on sustained engagement to promote rights, genuine and accountable governance and peace in conflict-affected contexts.

Priority should be given to supporting those who can foster positive change on a national level and who demonstrate a genuine desire to champion rights and accountability, including progressive civilian elements of the state machinery, civil society and local communities.

■ **End the criminalisation of migration.**

The EU and its member states should avoid encouraging policies or laws that restrict freedom of movement within a country, or which contradict regional or international agreements on mobility – such as in Niger. Instead, they should prioritise migrants’ and host communities’ access to food, shelter, livelihoods and healthcare, as well as safeguarding against arbitrary detention, deportation and other abuses.

■ **Support positive relations between host and migrant communities.**

The EU should support programmes fostering relations between migrants and host communities in countries that receive large numbers of refugees or where tensions exist, in order to improve social cohesion. Programmes should be designed in consultation with migrant communities and civil society groups, particularly in fragile settings where governments’ and people’s interests may differ.

4. Moving from protecting borders to protecting people.

■ **Adopt a holistic protection and rights framework.**

Western states have increasingly presented border security measures as a solution to the ‘threat of migration’ – with damaging and counterproductive consequences. This approach has instrumentalised the real economic and social anxieties of voters in Europe rather than addressed them. An effective

rights-based protection approach should emphasise how protecting citizens and foreigners must go hand-in-hand. This could shift the current focus away from protecting borders towards safeguarding rights for all.

■ **Expand responsibility-sharing.**

The EU and European governments should not only support countries with large numbers of refugees, but also redistribute costs and share responsibility with them, through existing pathways such as resettlement of refugees, family reunifications and humanitarian visas. They should also encourage and support civil society initiatives such as student placements for refugees in universities, community sponsorship arrangements and humanitarian corridors for safe movement to Europe. This should include sharing responsibility with EU Member States that receive the most refugees. Doing so would improve European governments’ leverage to challenge forced returns, mass expulsions or deficient national asylum procedures in other countries.

■ **Ensure a chain of protection across host countries.**

Guaranteeing the safest possible form of movement and reception for refugees and other vulnerable people could lessen incentives to embark on ever more dangerous journeys. This would help avoid chaos along migratory routes.

■ **Build on positive perspectives on migration from outside Europe, and support initiatives fostering regional mobility.**

Rather than allowing domestic concerns to drive their response, European policymakers should consider the perspectives of civilian authorities, regional institutions and civil society in non-European countries that are working to harness the positive potential of internal and cross-border mobility. Regional free movement initiatives – such as those of ECOWAS, the Intergovernmental Authority on Development in the Horn of Africa and the African Union – have the potential to increase regular migration and benefit livelihoods.

Notes

- 1 See European Council (2019).
- 2 See International Organization for Migration (2019).
- 3 Mercandalli and Losch (2017).
- 4 United Nations High Commissioner for Refugees, ‘UNHCR Turkey Stats’.
- 5 Howden and Zandonini (2018).
- 6 Ibid.



Migrants from Chad return
from Libya, July 2011.
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1

Introduction

A steady stream of reports on irregular migration into Europe have been produced in recent years, particularly since 2015 when migration sharply increased. These reports include studies that show the flaws and failures of attempts to ‘combat’ migration and smuggling in Europe’s African and Asian neighbourhoods. There have also been many well-argued pleas for why local economies, politics and conflict dynamics must be taken more seriously when formulating policy responses. This report takes a different approach, instead arguing that much of the existing policy-relevant research and analysis has avoided confronting the larger, and more disturbing, political and economic incentives that fuel the destructive border security approach to human movement.

In fact, despite years of evidence showing the ‘fight against migration’ in Europe and other wealthy regions to be flawed and dangerous, politicians continue to harden their approach. In these circumstances, it is important to investigate not only why the current approach does not work and who bears the adverse consequences of what is sometimes labelled as ‘failure’, but also to investigate how it *does* work for some and who benefits.

Building on secondary sources as well as our own research, we will consider how attempts to curb migration by the European Union (EU) and European governments have generated a number of perverse dynamics that are detrimental to conflict prevention and human rights.⁷ Since contemporary high-risk migrations are largely driven by instability, these dynamics are likely to prove counterproductive – even in terms of the expressed aim of ‘combating’ migration, especially in the longer term. Rather than focusing on what ‘does not work’, we will focus primarily on the notable gains and ‘successes’ enjoyed by a minority who benefit from the current security-focused approach – a better understanding of these incentive structures is crucial for finding ways to change it. As in the well-documented ‘wars’ on terror and drugs, the escalating ‘fight against irregular migration’ presents large rewards for those who are well positioned to participate in it.⁸ Our political economy perspective on this system of rewards entails looking at who within Europe is seeking to benefit politically from a perception that migrants are a threat. We also look at the vested financial and political interests that have arisen in the past decades owing to Europe’s ‘externalisation’ of migration controls in collaboration with non-EU states. The range of evidence cited in this report suggests that, to a degree, both threats and suffering have been politically instrumentalised, with potentially disturbing consequences for peace, stability and rights.⁹

Our main focus in this report is not on the costs and so-called 'benefits' for European countries in the 'fight against migration', but rather on the dynamics that result from this 'fight' in the countries that 'partner' with the EU and its member states to curb irregular migration. The externalisation of migration controls and border security measures in a range of countries beyond the borders of the EU clearly generates strongly perverse incentives – not least when repressive regimes get funding and legitimacy and when they are encouraged to 'threaten' Europe with increased flows of migrants. Collaborative security initiatives are framed by European funders as a fight against crime, so it is striking how these initiatives are today fuelling predatory, criminal and repressive behaviour by partner state forces, militias and other groups. As a result, while European leaders may wish to see themselves as opponents of crime, through their drive to halt migration at any cost they risk ending up as 'partners in crime'.

1.1 Security games and the outsourcing of violence

In this report, we approach border security as a system. A systemic view allows us to map relationships, risks, costs and benefits for those with a stake in border security. This view draws on analytical perspectives around migration and border control industries and also on 'war systems': perspectives that seek to explain the reasons behind

prolonged violence in situations where there is no clear 'win', or even a desire to win.¹⁰ From this systemic viewpoint, we examine the distribution of risks, costs and benefits involved in border security interventions, as well as looking at how certain actors position themselves to gain from the system by playing on the relevant risks and fears.

There are already many reports and studies on the 'outsourcing' of border controls to partner states, showing its

legal and financial usefulness to EU Member States wishing pre-emptively to crack down on migration before it reaches European shores.¹¹ Building on these findings, we explore a dimension of outsourcing that has become more and more important since 2015 – the 'externalisation' and instrumentalisation of suffering and disaster.

Existing studies of the benefits of disaster have tended to focus on conflict-affected countries (notably in sub-Saharan Africa) and on the use of strategies such as deploying militias or instigating suffering to make money, project power and intimidate potentially rebellious populations.¹² But it is possible that migration initiatives driven by the EU and member states are now benefiting from many of the dubious advantages surrounding the projection of power and the generation of suffering via 'proxy forces' (whether formal military actors or various semi-legitimate or illicit armed groups in 'partner countries'). This is particularly alarming because, by enabling such crackdowns, the EU and many of its member states are signalling that they tolerate repressive politics or some form of human rights abuses from governments in 'partner' countries.

In considering the dynamics among EU instigators and non-EU 'partners' in externalised border security and migration controls, we adopt the notion of a 'game' because of its potential to illuminate the conflictive and sometimes symbiotic relationships among those involved in the border security system.¹³ The notion of game is useful for analysing the costs, risks and benefits of border security in at least three distinct ways.

First, the game metaphor is in tune with how border guards themselves often refer to their work as a futile chase. This is particularly apparent in the lingo of the US Border Patrol (from which European counterparts seem to have learnt all the wrong lessons over recent years).¹⁴

Second, the game metaphor alludes to the theatrical dimension of combating politically 'securitised' problems, including its staging in highly visible geographical spaces such as the Mediterranean Sea.¹⁵ It also points to a clash between the political desire spectacularly and symbolically to 'crack down' on migration on the one hand – with states keen to show that they are tough on fighting migration – and the pragmatic complications in actually curbing it on the other. There may also be a clash between the desire to appear 'tough' – sometimes through largely symbolic interventions – and other less trumpeted goals, like the desire to make use of unprotected migrant labour.¹⁶ Meanwhile, the proclaimed desire to curb migration tends to work well politically – offering to allay the fears of the public that are simultaneously being stoked.

A third dimension to the game metaphor is how it helps illuminate the 'gamesmanship' of various actors involved in border security – such as politicians and security forces – who take up, defend and seek recognition for their positions while safeguarding their interests. Even within the EU and member states, such gamesmanship is extremely

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... we explore a dimension of outsourcing that has become more and more important since 2015 – the 'externalisation' and instrumentalisation of suffering and disaster.

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common – as seen most starkly in the political fallout and ‘not-in-my-backyard approach’ in the wake of the major influx of refugees in 2015. Further down the chain of command, this line of analysis is already familiar from studies of security professionals within border enforcement.¹⁷ Such gamesmanship often characterises the collaboration between Western and ‘partner state’ security actors who often end up undermining the stated rationales and ‘rules’ that are largely set by the dominant players. The games played within this kind of border security system may be called double or duplicitous: alongside a highly visible set of rules and stated policy objectives, we can observe a series of unscripted rules centring on different objectives. This leads to a continuous manipulation or outright subversion of the stated rules.¹⁸

We see many such examples of collusion, subversion and abetting in the fight against migration, as we do in the parallel wars on terror and drugs. In each case, security rationales and funding provisions continuously generate perverse incentives for security ‘partners’ to play up risks while routinely failing to confront the threats they claim to address. This reproduction of risk feeds back into the functioning of the overall system, and into the political rationales for further intervention by the main instigating states, whether in Europe or the US.¹⁹

In outlining these dynamics, our report suggests an urgent need for both systemic and smaller-scale shifts that can help move Europe towards a humane model for mobility – one which gives due consideration to rights and long-term stability, and which draws on a wider range of policy instruments than the current approach. However, we argue that a better systems-level understanding of the costs, risks and gains of the security model for ‘combating’ migration is essential if this much-needed shift is to take place.

Notes

- 7 In this report, we will use European governments to refer to EU Member States, including the UK when it leaves the EU, but excluding non-EU member states such as Albania, Serbia, Iceland, Norway or Switzerland. We will sometimes use the EU as a shorthand for various converging EU Member States and EU institutions’ initiatives in controlling migration, cognisant of tensions, conflict and differing priorities among member states’ governments, as well as between these and Brussels.
- 8 On the ‘war on terror’, for example see Keen (2006); on the war on drugs, for example see LSE IDEAS (2014).
- 9 We draw here on our own research in the so-called ‘jungle’ camp at Calais, in Syria’s neighbourhood, along Europe’s southern borders and in the Sahel, as well as on extensive secondary data by Saferworld and partners, civil society groups, academics and observers including those focusing on Niger and Libya in particular. More specifically, fieldwork was carried out by author Ruben Andersson at the Euro-African borders, including Spain, Morocco, Senegal and Mali in 2010–11 (over 14 months) and for a shorter, one-month period in Italy in 2015, and also shorter field visits throughout the 2010–18 period. Author David Keen conducted a number of interviews and focus group discussions with Syrian refugees on the Turkey-Syria border in the summer of 2013 and around 25 interviews in the ‘jungle’ camp in Calais, France (mostly with refugees) in the summer of 2016.
- 10 On such industries, see Andersson (2014), and Gammeltoft and Sørensen (2013); on war systems, see Keen (2012).
- 11 For an early example, see Lahav and Guiradon (2000); Andersson (2014).
- 12 Keen (1994); Africa Watch (1994).
- 13 In this, we take our cue from the political scientist Peter Andreas, who some years ago treated US-Mexico border enforcement as a ‘border game’ to capture ‘its performative and audience-directed nature’ as well as ‘the strategic interaction between border enforcers and illegal border crossers’. Andreas (2000).
- 14 On the ‘chase’ at the US-Mexico border, see Donato et al. (2008) and Heyman (1995, p 270).
- 15 On the spectacle of migration, for example see De Genova (2012); Andersson (2014).
- 16 For instance, the stated aim to ‘combat migration’ at the US-Mexico border conflicts with the need to ensure a supply of low-skilled migrant labour, with enforcement mechanisms helping to create a ‘deportable’ workforce for US agribusiness in particular. Similar dynamics have been observed in parts of Europe. For example, Cheliotis (2016) on Greece; Calavita (2005) on southern Europe more broadly.
- 17 See especially the work of Didier Bigo: for example, Bigo (2014).
- 18 Keen (2005) observed a similar pattern in the ‘war system’ of Sierra Leone, where civilians used the term ‘sell-game’ – a football match fixed in advance – to describe situations of collusion and extraction among soldiers and rebels. See also Attree (2016) on Yemen.
- 19 For the wider argument on parallels between the fight against migration and the wars on drugs and terror, see Keen and Andersson (2018), which we also draw on in the analytical framing of this report.



A line of Syrian refugees crossing the border of Hungary and Austria on their way to Germany. Hungary, Central Europe, 6 September 2015.
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Migration dynamics, EU responses

Misconceptions and benefits of the security approach

There is a wide gap between the academic understanding of migration drivers and the way migration policy is currently formulated. Migration studies point to the need to understand mobility holistically, rather than as a discrete policy area amenable to simple fixes. This is especially the case with deterrence-based control and security policies, which have been shown to have destructive consequences;²⁰ the European situation since 2015 illustrates this.

Policy at both EU and member-state levels has tended to delimit interventions to (securitised) migration policy alone, while failing to consider the negative consequences of interventions that are not primarily designed to limit migration – for instance, the military campaign by the North Atlantic Treaty Organization (NATO) in Libya – and which have often directly contributed to forced displacement and migration. In terms of securitised migration initiatives, evidence has shown how naval missions, defence technology, third-country patrolling and punitive detention have time and again added to the sense of crisis, as was clear from the trend of the 2000s when European methods for ‘fighting migration’ first took shape. But before delving further into this ‘security fallacy’ – as well as its notable benefits for key politicians and security forces in more recent years – we will provide some background to migratory dynamics as well as to the EU policy response since 2015.

2.1 Background: migration dynamics

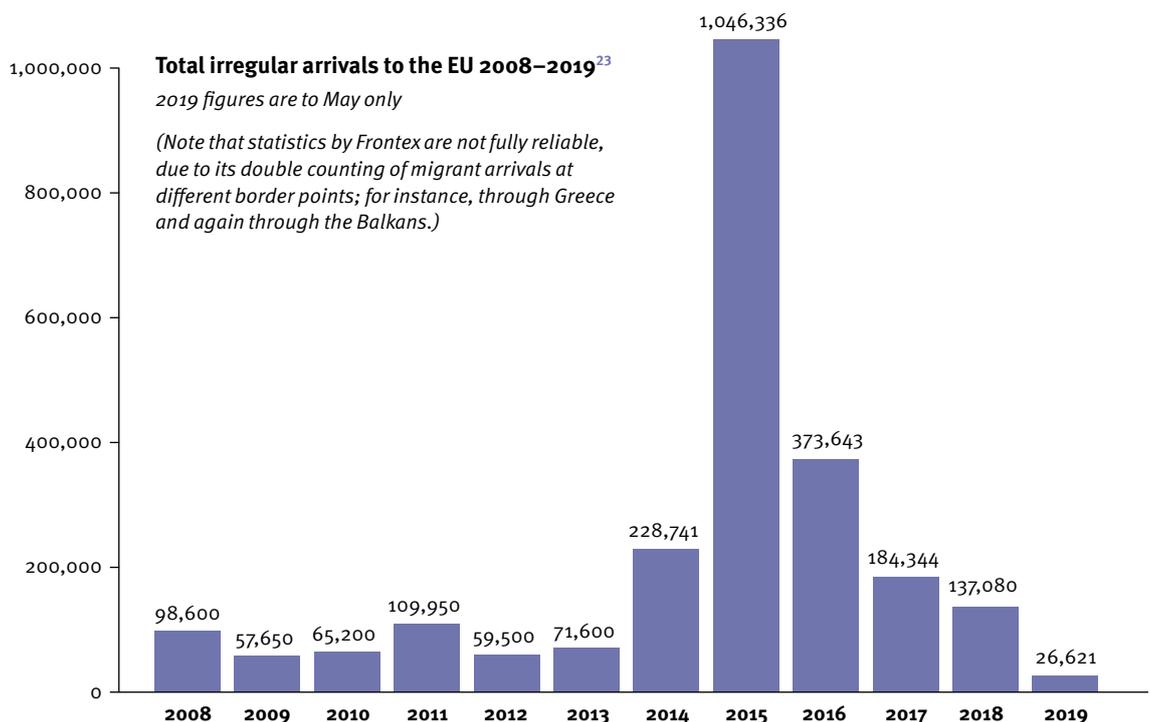
Over the past several decades, 'irregular' migration has emerged as a major policy preoccupation for destination states in Europe and the US.²¹ Most irregular migration into the EU has long been rather unspectacular – notably when visitors overstay their visas, having entered via legal routes. However, this stands in contrast with the political and media importance given to much smaller-scale arrivals across the Mediterranean, where numbers have tended to stay in the low hundreds of thousands (with the exception of the record year of 2015).

Such maritime migration hardly existed in Europe before the 1990s, when a border security model akin to the US model emerged. The reason for this shift towards a border security approach was the Schengen agreement on free movement, which (largely for political and symbolic reasons) resulted in the reinforcement of external borders. At this time, northern member states put pressure on southern counterparts to bolster their migration regimes. As they did (for instance by introducing visa requirements for North Africans in the early 1990s), migrant boats started appearing in growing numbers along their shores and legal pathways began to be replaced by irregular ones.²² New clandestine routes and more policing crackdowns have subsequently grown in parallel – leading to a series of migratory 'emergencies' involving shipwrecks or migrants

attempting to cross border fences. These include the Italian island of Lampedusa in 2004; Spain's North African enclaves (and EU territories) of Ceuta and Melilla in 2005; the Spanish Canary Islands in 2006; the Greek-Turkish land border in 2010; Lampedusa again during the 2011 'Arab Spring'; and the successive crises in the central Mediterranean since.

The drivers of such high-risk migrations are complex. In our own research on migration routes from **West Africa** to Europe, we saw how cuts to legal pathways in recent decades have contributed to migration, together with historical and economic factors – from severe strains on fisheries owing to international (and local) overfishing to the development of maritime migratory routes. Violence besetting countries in the region – such as Nigeria and Mali – adds complexity to the picture. The predominance of regional migratory patterns also plays a part, both for displaced people and other migrants: the migration picture is by no means principally one of routes into Europe (see chapter 5). Across sub-Saharan Africa, some 75 per cent of migration is estimated to take place within the region, while many new routes are opening up to non-European destinations, including the Gulf and China.²⁴

In a related pattern, it is well known that approximately nine out of ten refugees are hosted by poorer nations, not by rich Western states, while internal displacement – much like other forms of internal movement – is often further sidelined in policy (and academic) debates on 'migration'. To give one prominent example, the EU facility for refugees in Turkey – provided as part of the post-2015 EU-Turkey deal – makes up one-fifth of the EU's development budget for the whole of Africa between



2014–20; this leaves, as one policy brief puts it, ‘a bitter aftertaste for the aid community working in less strategic crisis areas’. The policy brief goes on to assert that this problem is likely to worsen amid pressure on EU finances for the upcoming budget period.²⁵

Afghanistan provides us with a similar scenario of skewed focus and budgets, while revealing the direct involvement of ‘destination states’ in the development of high-risk routes towards EU borders. The country has long been a source of refugees, most of whom have gone to Iran and Pakistan, two of the largest refugee hosts in the world: many Afghans deported to Afghanistan from Europe have grown up elsewhere and so are sent back to an unfamiliar, dangerous void. As EU policymakers have started worrying about the influx of Afghans into the continent along maritime and land routes, the backstory to these recent movements is often forgotten. The military invasion and occupation of Afghanistan since 2001 is a good example of what migration scholars have theorised as an emergent ‘migration system’. As goods, people and money flowed into Afghanistan, and as insecurity persisted there partly due to that influx and its chaotic effects (including corruption), new circuits have been created – including human mobility in the other direction. This became evident amid the US drawdown in the 2010s as, besides mounting insecurity, opportunities for work and income dwindled, generating incentives for Afghans to move towards Europe.²⁶

The Afghan case further illustrates a wider argument: categorising migrants simplistically can undermine understanding about what drives migrations. Categories of ‘refugee’, ‘immigrant’, ‘irregular/illegal migrant’ and so forth may make sense to politicians needing simple lines of separation, but they are of little help when defining motivations for movement and displacement. Like Afghans, most **Syrians** are hosted by neighbouring countries including Turkey, Jordan and Lebanon; yet increasing restrictions there (and in Egypt), as well as a lack of prospects and a shortage of international humanitarian assistance in 2015 contributed to the large influx of Syrians into Europe that year (see chapter 3). Similarly, maritime migration from **Libya** has – especially since 2011 – included long-term foreign workers who find staying in Libya, or going back home, increasingly dangerous. Even if their original motivation to travel was to work in Libya, their ‘secondary’ movement is motivated by the need for protection (see chapter 4).²⁷

In the **Horn of Africa**, there are similar interactions between political and conflict dynamics and the complex drivers of migration. Outmigration from Eritrea is driven by forced and prolonged military conscription as well as internal repression; yet this

in turn has been dependent on the persistence of the Ethiopian-Eritrean conflict, driving and justifying the militarisation of Eritrean society. Movement towards Europe has a range of complex drivers, including repression and crackdowns in both regional destinations in the Horn countries and Libya; displacement effects from routes towards Israel; family networks in European countries; and perceived hierarchies among destinations. The EU’s political dialogue with the Eritrean regime in the context of the Khartoum Process (a platform for cooperation with countries along the migration routes from the Horn), which is chaired by Eritrea in 2019,²⁸ risks being viewed as showing support for its repressive practices – adding to motivations for leaving. In April 2019, an Eritrean human rights group threatened legal action against the EU for using its ‘Emergency Trust Fund for Africa’ (EUTF, see page 9), which has the overarching aim of stemming irregular migration, for ‘financing activities in Eritrea for which forced labour is used’. This is ironic, given the major role of forced conscription as a driver of mass flight from the country.²⁹ Conversely, the peace agreement with Ethiopia could present a better, if still tenuous, opportunity as opposed to a ‘migration control policy’ for shifting migratory drivers over time via a push for reforms and a potential change to forced indefinite conscription.³⁰

Given the complex patterns of and motivations for human movement, we will use the term ‘migrant’ most frequently (though not exclusively) as the most generic label for people on the move. When we use this term, we are aware of the legal dimensions attributed to their movements – including, on the one hand, the legitimate claims to international protection as refugees for many such movers, and on the other the legal implications of crossing borders in an irregular manner. In this way, we hope to avoid reinforcing, at least partly, the unhelpful policy binary that has been instrumentalised in political discourse in Europe between refugees and non-refugees (with the latter usually presumed to be deportable). Nor can we assume that most migrants are on the way to Europe, or that they have broken migration laws. Libya has been an important migratory destination, while much legal movement takes place between West African states under the Economic Community of West African States (ECOWAS) free movement provisions. The term ‘migrant’ helps us avoid some common assumptions in how these movements across borders are structured.

2.2 Responses: the EU, its member states and international organisations

Instead of basing their decisions on a solid understanding of migration drivers and dynamics, for many years European politicians and

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policymakers have taken the simpler political option of ‘combating irregular migration’ and human smuggling. This may have been politically successful – at least in the short term – as a way of showing resolve to voters (and towards fellow member states). It may also have sometimes, jarringly, been seen as a way of mobilising ‘humanitarian’ credentials and pre-emptively ‘fighting migration’ – supposedly for migrants’ ‘own good’.³¹ However, this approach has been counterproductive and dangerous in terms of the nature of migration patterns and of the wider politics of intervention in fragile contexts, as this report shows. Below

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we give some brief markers of important policy milestones and developments, focusing on more recent initiatives related to the main topic of the report – the externalisation of migration and border controls.

2.2.1 History of the EU's policy instruments on migration

In the 1990s, a ‘European border security model’ first started emerging as a corollary of the idea of common external borders in need of ‘protection’. Both practical policing initiatives and significant policy developments emerged and were consolidated in this decade, including the formation of a High-Level Working Group on Asylum and Migration (HLWG) at the Council of the EU in 1998, and the making of migration as an issue of shared competence between the EU and its member states via the Amsterdam Treaty – building on the Maastricht Treaty before it. In this gradual (if piecemeal) integration of migration policy across the EU centred on interior ministries, the HLWG became one of the catalysts for the externalisation of migration policies.³² The security model for dealing with irregular migration was not just shaping policy within European countries and at their borders, but

also relationships with ‘third countries’ – as seen at the 2002 Seville summit, where Spain in particular pushed (not altogether successfully) for aid conditionalities as a way of getting African states to collaborate on migration controls.³³

By the mid-2000s, this security agenda was further catalysed by the escalating ‘migration crises’ at the external borders, while combining with the international development agenda in troubling ways. In 2004, the European border agency Frontex was founded, and by 2006 the first full ‘joint operation’ to patrol the external borders was put in place, with collaboration from EU states and third countries. Chapter 5 will discuss the security-development nexus that such policing collaborations involved, but here we note simply the high-level initiatives mixing security and development at this time – initiatives that set a template for more recent years.

In 2005, the Global Approach to Migration (GAM, later including ‘Mobility’ as ‘GAMM’) was launched after the ‘border crisis’ at the Spanish enclaves of Ceuta and Melilla in the same year, where entry attempts across the border fences by sub-Saharan African migrants were violently pushed back, resulting in deaths. GAMM, as the ‘overarching framework of the EU external migration and asylum policy’, comprises four pillars: first, ‘better organising legal migration, and fostering well-managed mobility’; second – and linked to the first – ‘preventing and combatting irregular migration, and eradicating trafficking in human beings’; third, ‘maximising the development impact of migration and mobility’; and fourth, ‘promoting international protection, and enhancing the external dimension of asylum’.³⁴ As other studies have also found, GAMM infused a security-heavy agenda of preventing irregular migration with the language of development and protection, a trend that was to continue in more recent years (as well as in the ‘Rabat process’, the political dialogue on migration and development between Europe and Africa, since 2006: see chapter 5).³⁵ While the development angle might seem a welcome shift from the ‘security’ approach deployed at the Spanish fences in 2005 and in the Mediterranean ever since, it throws up various, and deepening, problems. Not only does the mixing of security and development risk delegitimising genuine aid; it also goes against scientific evidence that more development may initially lead to more migration, given the increased resources and capabilities at people’s disposal.³⁶

As we fast-forward to the post-2015 arrangements, one thing must be noted: the prevalence of member states in the formulation of migration and border policies. As was seen in 2015, in terms of ‘managing migration’ EU-level solidarity has often been limited

to collaboration in the security model, rather than in terms of collectively providing protection or dealing with migration as a whole. This was seen in the stark lack of member states willing to receive asylum seekers arriving from Greece and Italy. Yet while bilateral externalised control initiatives predominated in the 1990s and 2000s (from Spain's collaborations with Morocco to Italy's with Libya), by 2015 the EU as a whole had put its weight behind the security model, building on the smaller-scale initiatives of earlier years on both bilateral and multilateral levels.

By 2014, the EU had already set in motion a 2014–17 Action Plan on Migration and Mobility and, anchored to this, the Khartoum process for addressing migration from the Horn of Africa. This process was, for all its rights-based language and linkages to 'development', clearly oriented towards tackling irregular migration (just as the Rabat process was).

By 2015, the sense of 'crisis' spurred a swift, further expansion of joined-up security-related initiatives. Since this time, the EU-wide response has been loosely organised around the European Agenda on Migration and its four pillars: reducing incentives for irregular migration; improving border control; developing a common EU asylum policy; and strengthening (however tenuously) legal migration. As several reports have noted, the irregular migration pillar includes measures that range from development initiatives targeting 'root causes' to security and 'migration management' measures in collaboration with third states³⁷ – a twin-track approach to 'security and development' that echoes the approach from a decade earlier.

This approach has been pushed particularly hard in relation to sub-Saharan Africa, as was seen in the control-focused outcomes of the 2015 Valletta Agreement and in the EUTF that was set up at that summit. The priorities of the EUTF include 'addressing root causes of irregular migration and displaced persons in Africa', while its strategic objectives include 'improved migration management' in countries of origin, transit and destination. While the fund also has development leanings, such as 'greater economic opportunities' and 'strengthening the resilience' of displaced people and communities, its framing of African migration towards Europe in terms of an 'emergency' – in spite of the relatively small numbers involved – is problematic.³⁸ Its fourth objective, 'improved governance and conflict prevention', is linked to the 'reduction of forced displacement and irregular migration' and involves building capacities in law enforcement and border management. This framing ignores the role that governments and security forces in 'partner' countries can play in repression and conflict, driving

displacement. EUTF-funded interventions may therefore fuel further abuse and, in turn, further distress migration through its security focus. The three priority areas of intervention of the EUTF are the Sahel and Lake Chad region, the Horn of Africa and North Africa. By December 2017, the EUTF pot had reached a value of €3.3 billion, providing substantial financial firepower at the EU level.³⁹

The 'development' element of these initiatives seems prominent, as does – on the face of it – the humanitarian and protection dimensions reproduced in official EU documents and policy statements. This impression is further reinforced by a European External Investment Plan that similarly claims to tackle 'root causes'. Yet as other reports and briefings note, the focus on 'root causes' is not only problematic in assuming that development will halt migration; it also tends to sidestep protection needs and rights-based claims. These are especially acute in regions such as the Horn, where repressive regimes and conflicts have driven migration. As already noted under GAMM and the Rabat process, border and migration controls are a key driver of spending under the EUTF, with the European Commission saying that 'a mix of positive and negative incentives will be integrated into the EU's development and trade policies to reward those countries willing to cooperate effectively with the EU on migration management and ensure there are consequences for those who refuse'.⁴⁰ In other words, conditionality – once left out of the 2002 Seville European Council conclusions – has now come back in force at the EU level, as later chapters will show in some detail.

By June 2016, the EU's Migration Partnership Framework further consolidated the joined-up approach of the European Agenda on Migration, tying financial support for countries in Africa to their control measures on migration and smuggling – with the EU Action Plan against migrant smuggling (2015–2020) further pushing the 'fight against migrant smuggling as an [EU] priority'.⁴¹ The Migration Partnership Framework has again called for 'increasing coherence between migration and development policy and leveraging EU and member states' external cooperation tools to stem migration to Europe'. This strengthens the conditionality aspect over and above the genuine needs of recipient populations.⁴²

The European Agenda on Migration's 2019 progress report confirms the imbalance in the implementation of its pillars: it lists a decrease in irregular arrivals as a major success, while reporting no breakthrough in agreeing reforms to a common asylum system or legal migration pathways. It also highlights further security and containment priorities, including cooperation with Morocco on border management

and readmissions (following increasing arrivals through the Western Mediterranean route), but no progress in temporary disembarkation arrangements, after Italy and Malta's refusal to accept migrants rescued at sea in the final months of 2018.⁴³

2.2.2 The consolidation of a security approach

The shift towards a security and containment approach, exemplified by EU-level initiatives since 2014, can also be seen in the work of international organisations such as the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR). Having been tied up with donor-backed refugee and migration containment agendas for some decades, the role of these international organisations risks being further compromised by the more recent push for so-called humanitarian returns from Libya and for strict controls in the Horn of Africa – to mention just two examples – in a trend we will revisit in coming chapters.⁴⁴

The consolidation of a securitised external dimension of migration policy, tied into development and sometimes into humanitarian language and organisations, has emerged parallel to the growth of the border security model as a whole. As we will see in Libya and elsewhere, Common Security and Defence Policy (CSDP) programming

has become increasingly linked to migration controls, whether in naval patrolling, training of border and coastguards – such as the European Union Naval Force Mediterranean (EUNAVFOR MED) and the European Union Border Assistance Mission in Libya (EUBAM Libya) – or policing deployments into 'transit' areas such as the European Union Capacity Building Mission (EUCAP Sahel). This trend is reaffirmed in the CSDP Civilian Compact, the strategic document adopted by the Council of the EU for

such operations in November 2018, which encourages CSDP missions to tackle 'irregular migration' among other security challenges.⁴⁵

Meanwhile, funding for border security keeps rising. Looking at only EU expenditure (as opposed to the much less transparent member states level), the European Commission's budget proposal for 2021–2027 – the Multiannual Financial Framework (MFF) – includes two funds for migration and border management: the Asylum and Migration Fund and the Integrated Border Management Fund. As one briefing notes, 'the migration and border management area represents a 2.6-fold increase as

compared to the current MFF. Within the proposed overall increase, resources allocated to border management represent a five-fold increase'. The highest increases are for the Integrated Border Management Fund (which has proposed funding of €8 billion, plus €1.3 billion for customs control) and the border agency Frontex. A standing force of around 10,000 border guards will also be put in place (this will be separately funded). The Asylum and Migration Fund, moreover, focuses on 'combatting irregular migration', returning migrants, and on the 'external dimension' discussed here – in other words, its control and security dimension is strong. The new Neighbourhood, Development and International Cooperation Instrument, the funding instrument proposed by the Commission, aims to include a strong emphasis on migration, further strengthening the development-security link discussed earlier.⁴⁶

EU-wide border security funding – not to mention funding provided by member states – has been beset by problems for some time. These include questions over the significant role of member states in managing funding (either on their own or under 'shared management'); the lack of transparency in their spending; questions over the nature and standard of evaluations that sidestep qualitative indicators and full fundamental rights considerations; and the lack of parliamentary scrutiny of new border security systems.⁴⁷

These problems are set to grow now that the already substantial funding for border security available in earlier periods (provided by the existing Internal Security Fund, security research funding and others) is set to expand substantially. The expansion of Frontex highlights this trend: from a €6 million budget in 2004 and an office in a Polish skyscraper, it has ballooned to a budget of €320 million 13 years later. Its remit has widened dramatically as a European border and coastguard agency that plays an increasingly important role at external borders as well as in scaled-up forced returns.⁴⁸

A better sense of the history of the swift rise of border security as a solution to migration is needed to understand its consolidation and consequences. Since 2016, the EU approach is frequently – and to some extent, correctly – attributed to the seemingly successful EU-Turkey agreement of March 2016, as explored in chapter 3. Yet as we will see, this deal echoed earlier blueprints for externalising controls, while in turn informing more recent efforts – creating a spiral of border security reinforcement to the detriment of alternative approaches.

What is striking in these developments is how little has been learnt from earlier periods, with each round of initiatives focused on security plus assumed 'root causes', replicating the structures of earlier rounds

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... the border security model also produces so-called 'gains' in terms of the redistribution of risk from more powerful or richer countries to 'buffer zones' and poorer states and communities.

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only with more funding and political capital attached. The one-track security model has (despite occasional lip service) studiously sidestepped any attempts to think more holistically or laterally about other types of intervention – including the need for more coordinated humanitarian assistance in Syria’s neighbouring countries in 2015; the chaotic aftermath of NATO’s military intervention in Libya; and the piecemeal and counter-productive counter-terrorism campaigns by France and EU-supported regional forces in the Sahel, with their questionable impacts on human security as violence spreads across the region.

The question we are left with is: why does the border security model persist despite such fundamental problems? Three reasons stand out.

First, as seen in the case studies later in the report – and as indicated in the introduction – there are, above all, clear political reasons behind this persistence, both in EU and non-EU (partner) states. In member states, these rationales often centre around a mobilisation of fear, especially when linked to security threat scenarios around terrorism. One reason the EU as a whole has thrown itself headlong into the member state-led border security model is that some political leaders in European governments and EU institutions now see the so-called migration ‘crisis’ and its instrumentalisation by far-right groups as posing a threat to the very existence of the union. But rather than defusing right-wing groups, embracing a security agenda may only encourage them. In this report however, less time will be spent on intra-European politics than on rationales for the persistence of damaging policies in non-European countries, where political benefits often centre around impunity and increased leverage over powerful European ‘partners’.

Second, there are economic benefits of externalised border security for ‘partner states’ and their security apparatuses, as well as for the security and defence sector in Europe. There are also benefits for various other groups in Europe, such as border agencies, subcontractors and international organisations – as well as instigating states, who find ‘fighting migration by proxy’ to be considerably cheaper than doing it at home.

Third, the border security model also produces so-called ‘gains’ in terms of the redistribution of risk from more powerful or richer countries to ‘buffer zones’ and poorer states and communities. This includes a legal and reputational risk of liability and responsibility stemming from mistreatment and violence – a point to which we will return, given the evident human rights abuses occurring across the relevant ‘buffer zones’.

These systemic reasons for why the border security model persists will result in growing costs on its margins. A major goal for changing this system is to push for a full public analysis and understanding of these costs, while also providing the means to address or reform them – or, preferably, to more fundamentally rethink the system that causes them.

The costs may be broadly understood under these headings:

- Politically driven, short-term security policies – presented as a ‘silver bullet’ to tackle and halt migration and smuggling – may sideline deeper efforts to address instability, as we will see in Libya and elsewhere (see chapter 4).
- Such security policies may also contribute to instability and repression. This contribution may be more or less direct, via funding for unaccountable security apparatuses and their semi-official, paramilitary or illicit helpers in poor and fragile countries. Alternatively, it may indirectly undermine livelihood opportunities, especially in border areas dependent on cross-border trade, as is the case in settings such as Niger (see chapter 5).
- This destabilising dimension is also clear in the consequences of migratory dynamics. Border security measures displace travel routes into more dangerous areas, in turn fuelling the professionalisation of smuggling and a stronger sense of political emergency, while ‘hostile environment’ policies in ‘buffer’ countries undermine regional mobility options and fuel desperation.⁴⁹
- For EU and member state actors instigating border security interventions, there are also significant reputational risks in fighting migration by proxy and in allowing extensive fatalities and abuse (including torture, detention and repression) to take place around and beyond Europe’s borders. This may not concern all current member state governments and may be counteracted by the perceived advantages or the redistribution of liability. Yet the dire situation in countries such as Libya does not help the EU’s credibility; nor is it compatible with the values it espouses. The EU’s image in the wider world is important when considering future trade and diplomatic relations as well as when engaging in other areas – such as stability, human rights, peacebuilding and humanitarian assistance. Returning to the threat of EU disintegration, the reputational risk may also affect certain audiences within the union, many of whom already doubt its professed role as a force for good and an embodiment of progressive values.

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... there are also significant reputational risks in fighting migration by proxy and in allowing extensive fatalities and abuse (including torture, detention and repression) to take place around and beyond Europe’s borders.

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- There are concrete political costs to undermining the rules-based international order, which is evident in how European governments and the EU support what many informed observers see as the *de facto* forced return of people to Libya, in contravention of the UN Refugee Convention and the UN Convention against Torture. One major element of this risk is how non-EU states shift their behaviour, in part owing to perceived European disdain for a rights-based order. This is seen in the 'ripple effects' of border security and deterrence as Algeria, Morocco, Tunisia and Kenya talk of building walls against their neighbours, and as major refugee-hosting countries such as Kenya, Lebanon and Jordan step up threats to close refugee camps or tighten their refugee policies.⁵⁰ In turn, this undermines Europe's ability to criticise repression and the deprivation of rights in other regions, while risking further onward displacement – as was already seen in the 2015 'crisis'.

This final point is an especially important one, as it highlights the reflexive nature of border security 'gaming' – how those who are positioned as rule-takers and weaker partners may turn the tables on the official game and undermine or subvert it, generating further risks in the process. In other words, the distribution of risk towards less powerful actors and states is never perfect: the political panic around this kind of irregular migration creates ample opportunity for key 'partner states' to leverage the threat with regards to donor or destination states. This is a perverse incentive that is again comparable to those used by ostensible collaborators in the 'war on terror'. At the same time, the dangers generated by this downward spiral may result in political gains, as 'buffer states' and Western donor states may play up a manufactured migration emergency to strengthen repressive state capacities or rally voter support. It is this spiral that needs to be broken, through a different non-security model.

The coming chapters will consider in more detail three important states that European governments and EU institutions have engaged extensively with as 'partners' in border management and the fight against smuggling and migration: Turkey, Libya and Niger. Each case was chosen for its policy relevance,⁵¹ and each indexes the wider region. Under each region or state subsection, we will consider the development of border security collaborations over time, with lessons for other regions, as well as exploring the development and humanitarian aspect of containment policies. We will also consider in detail the perverse incentives created in the resulting border control 'game', as well as the consequences of its entrenchment for migrants and for society.

Notes

- 20 For example, see Andersson (2016); Castles et al. (2014); De Haas (2011); Massey et al. (2016).
- 21 Relevant studies include Nevins (2001) on the US and Düvell (2008) on Europe.
- 22 One of the very first cases of boat arrivals ending in disaster occurred at the beach of Los Lances in southern Spain in 1988, before Spain introduced its visa requirements for Moroccans. However, arrivals did not take off until post-1991, when the phenomenon of the *pateras* (migrant boats) became an ever-growing area of media and policy attention. For example, see García-Sala and Castellano (2008).
- 23 Source: Frontex. Note that statistics by Frontex are not fully reliable, due to its double counting of migrant arrivals at different border points; for instance, through Greece and again through the Balkans.
- 24 Mercandalli and Losch (2017).
- 25 Walter-Franke (2018).
- 26 On migration systems theory, see Mabogunje (1970).
- 27 On both these regions and the complex drivers at work, see for example Crawley et al. (2016).
- 28 Plaut (2018).
- 29 Foundation Human Rights for Eritreans (2019).
- 30 For an in-depth study of the motivations for migration from Eritrea, see Belloni (2015). This is not to say that Eritrea is to become a 'safe' place for its people: indeed, Eritrean refugees have been fearful of what the peace agreement may mean for their security. Renewed relations with Ethiopia ended Asmara's justification for conscription, but repression continues unabated. See Poole and Rigan (2018), and on Twitter: #QuestionsForIsaias for demands for reform.
- 31 See Andersson (2017) and later notes in this report.
- 32 Carrera et al. (2015), p 10.
- 33 Gabrielli (2011).
- 34 See European Commission, 'Global Approach to Migration and Mobility' (the approach was initially labelled 'Global Approach to Migration').
- 35 For example, Carrera et al. (2015).
- 36 See further discussion, including references, in chapter 5.
- 37 Molenaar and El Kamouni-Janssen (2017).
- 38 European Union Emergency Trust Fund (2016).
- 39 European Union Emergency Trust Fund (2017).
- 40 Molenaar and El Kamouni-Janssen (2017), p 12.
- 41 Ibid, p 15.
- 42 European Commission (2016); Oxfam (2017).
- 43 See progress report on the 'Implementation of the European Agenda on Migration', released in March 2019.
- 44 For a wider critique of humanitarian government and refugee encampment, see Agier (2011); see Malkki (1995) for a historical perspective.
- 45 Montanaro and Venchiarutti (2018).
- 46 Casajuana (2018). On the funds, see European Commission (2018a). See also Tricot O'Farrell and Venchiarutti (2018).
- 47 Casajuana (2018); Bigo and Jeandesboz (2010).
- 48 For example, see Nielsen (2018) and Frontex (2018).
- 49 Andersson (2016).
- 50 Hargrave and Pantuliano (2016).
- 51 Saferworld's operational constraints were also considered when choosing these case studies.



A woman walks through
Osmaniye Cevdetiye Camp, Turkey,
February 2016.

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3

Turkey: authoritarianism and abuses in the shadow of the EU deal

We have become accustomed to criticism of Turkey's handling of refugees and of its human rights record more broadly. Yet it is important to note Turkey's willingness to accept refugees and its significant role as a host country, alongside other countries neighbouring conflict such as Lebanon, Jordan, Iran and Pakistan.⁵²

Turkey has hosted refugees from Iran, Iraq, Afghanistan, Somalia and other countries, as well as large numbers from Syria. A 2017 study noted that Turkey was hosting more than three million Syrian refugees and had spent more than US\$25 billion since the beginning of the Syrian war, in contrast with 30 countries in Europe that took in only 1.9 million refugees between them in 2014–15.⁵³ As of January 2019, Turkey was hosting 3.6 million Syrian refugees.⁵⁴

Turkey's generosity has its limits however, and the relatively warm welcome for Syrian refugees has been cooling. The precarious position of Syrians and other non-European refugees within Turkey is underlined by their official status as 'guests' who have only temporary protection. This stems from a geographical limitation that Turkey maintains in relation to the 1951 Refugee Convention, through which Turkey only grants refugee status to people from Europe. On 8 February 2018, Turkey's President Recep Tayyip Erdoğan said: "We are not in a position to continue hosting 3.5 million refugees forever."⁵⁵ Syrian refugees in Turkey have themselves reported an increasing perception that they are burdensome 'overstaying guests'.⁵⁶

Turkey's refugee camps have generally had a good reputation, and Turkey set up a well-run camp at Kilis on the Syrian border in 2013.⁵⁷ However, even before attitudes to refugees began to harden, life in the camps could be extremely demoralising, while those not in camps have faced considerable difficulty in getting access to services.

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In 2017, Laura Batalla Adam, Secretary General of the European Parliament Turkey Forum, noted that 'Refugees who register [with the Turkish government] can enjoy free access to education and basic healthcare, but they are not always able to register or willing to do so.'⁵⁸ Since the right to access public services is limited to the first place of registration (generally near the Syrian border), refugees who move on – often to bigger cities to the west – may lose these rights even as they find increased opportunities for employment.⁵⁹ In 2017, it was reported that some 380,000 refugee children – most of whom were living outside the camps – did not attend school.⁶⁰ A lack of social and economic rights in Turkey was one factor behind a surge of outmigration in 2015 that saw many people leaving refugee camps for Izmir and other Aegean coastal towns, with a view to crossing to Greece.⁶¹

From the point of view of many policymakers in EU Member States, Turkey has performed a useful function in absorbing so many refugees – particularly with the escalation of the Syrian war since it began in 2011. However, the number of refugees and other migrants coming into Europe through Turkey rose sharply in 2015, putting strong pressure on European leaders, who in turn pressured Turkey to cooperate on closing the sea route into the EU. Tensions within the EU deepened as well, with southern European countries such as Greece, Italy and Spain expressing growing anger and frustration that they were taking the brunt of the refugee 'crisis'. The Dublin regulation on EU asylum compounded these pressures by stipulating that asylum claims must be made in the country of first entry.

Under these circumstances, in March 2016 the EU made a deal with Turkey that was designed to limit the flow of migrants and refugees through Turkey into Europe.⁶² Turkey agreed to allow Greece to return to Turkey 'all new irregular migrants' arriving after 20 March 2016, and to step up interceptions of migrants departing from the Turkish coastline. For its part, the EU agreed to accelerate visa liberalisation for Turkish nationals and to 're-energise' previously

stagnant talks on EU membership for Turkey. As its centrepiece in the bid to externalise migration controls, the EU offered large amounts of money – setting up a €3 billion Facility for Refugees in Turkey, 'half of which is dedicated to emergency humanitarian aid, while the other half finances long-term projects', with a further promised €3 billion.⁶³ The EU's commitment on

resettlement was that its member states would accept one Syrian refugee from Turkey for every refugee sent back from Greece to Turkey.⁶⁴

Following the EU-Turkey deal, there was a dramatic decrease in arrivals into Europe from Turkey. A January 2018 investigation in the *Washington Post* noted that 'Arrivals on Lesbos and other Greek islands averaged 2,500 a month last year, compared with the 10,000 who made landfall on Lesbos in just one day at the height of the crisis in October 2015. Drownings in the Aegean Sea have also plummeted, to 45 last year from nearly 800 in 2015.'⁶⁵ A March 2018 National Public Radio (NPR) report noted that the number of asylum seekers crossing from Turkey had dropped by more than 80 per cent since the EU-Turkey deal, with only 29,595 arriving in Greece in 2017.⁶⁶

The EU-Turkey deal was not the only factor causing the sharp drop in numbers moving from Turkey to Greece. A hardening stance towards refugees in various countries (including Hungary, which sealed its borders, and later Germany) also had an effect. The sharp fall in arrivals from Turkey between 2016 and 2019 also appears to have been influenced by a 'rush to the exit' in 2015, as many refugees anticipated tighter restrictions and tried to make the journey to Europe before it became impossible. This was similar to earlier border 'crises', such as those in Spain's enclaves Ceuta and Melilla in 2005 and in the Canary Islands in 2006 – though these were on a much smaller scale.⁶⁷

The EU-Turkey deal, which immediately increased the threat of being returned, clearly had a major impact on the number of arrivals in Greece and helped to relieve some of the political pressures within Germany and Eastern Europe in particular. At the same time, the deal had significant negative consequences. It did not so much 'solve a problem' as contain people, creating the risk of pushing people onto new and more dangerous routes (see chapter 4).⁶⁸ Even if such displacement effects have so far been limited (given the grave situation in Libya), the containment-focused EU-Turkey deal has generated a number of problems. First, it has fuelled overcrowding and inhumane conditions on the Greek islands. Second, it has diminished the EU and its member states' criticism of repression and abuses in Turkey, including against Syrian refugees. Third, the EU-Turkey deal seems to have exacerbated suffering within Syria. Fourth, it has helped undermine the credibility of the EU as an organisation prepared to uphold its values.

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... [the EU-Turkey deal]
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3.1

Greece: a buffer zone within Europe

Overcrowding on the Greek Aegean islands has been particularly severe in the wake of the EU-Turkey deal, with refugees living in terrible conditions and host communities feeling increasingly exasperated. Under the deal, Lesbos and several other Greek islands became processing centres for migrants, who were not allowed to leave these islands until their requests for asylum had been considered. By late 2015, the EU was setting up its first ‘hotspot’ on Lesbos – a facility ‘for initial reception, identification, registration and fingerprinting of asylum-seekers and migrants arriving in the EU by sea’. The hotspot approach was then extended across Greece and Italy. The strong EU push for containing people on the islands through detention and control took some pressure off mainland Greece but stoked the crisis on the islands, while adding new layers of human suffering. Under the EU-Turkey deal, those denied asylum were supposed to be deported to Turkey, while those granted asylum could go on to mainland Greece.⁶⁹

In practice, returning people to Turkey has proven complicated, not least because it is difficult or impossible to reconcile doing so with EU law or with the 1951 UN Refugee Convention.⁷⁰ As of March 2018, only about 1,400 of the more than 46,600 migrants who had arrived on the Greek islands since the deal had been returned to Turkey, according to UNHCR.⁷¹ Similarly, a *Washington Post* article noted in March 2018 that ‘The number of people sent back to Turkey . . . has dropped into the low dozens per month as asylum seekers appeal rejections and rights groups challenge the legality of turning away those in legitimate need of protection.’⁷²

At the same time, the number of successful asylum applications has also been limited. In 2017, Greece received 58,661 asylum requests but awarded protection to only 10,364 people.⁷³ Asylum processes on the islands have been subject to major delays. Together with the low levels of returns to Turkey and the policy of preventing departures towards the Greek mainland, this has led to severe overcrowding. As Griff Witte noted in the *Washington Post* in March 2018, echoing reports by rights advocates at the time, ‘Greece once ferried people off the islands and to the mainland for processing but has sharply cut back. The result is more than 7,000 people stranded in limbo on Lesbos, more than double the island’s capacity to house.’⁷⁴ An NPR report noted that ‘the refugee camps on Greek islands, built to house no

more than 2,000 people each, often hold more than three times that number’.⁷⁵ Lesbos in particular effectively became a detention centre. One 20-year-old Somali woman said that Moria camp on Lesbos “is like a prison, and we are the criminals”.⁷⁶ Fights have been described as common, with police sometimes watching from the sidelines.⁷⁷ The feeling of being imprisoned was widespread, often compounding periods of imprisonment in countries of origin (Syria in particular).⁷⁸ Meanwhile, frustration among the 86,000 residents of Lesbos was reaching critical levels, with residents themselves protesting the creation of ‘island prisons’. While the Greek government responded in December 2017 by transferring several thousand people to the mainland, overcrowding remained severe, particularly since people continued to arrive on the islands.⁷⁹

Significantly, conditions on Lesbos deteriorated even as the numbers of people arriving decreased after the 2015–16 peak. ‘That seeming paradox’, a *Washington Post* investigation noted, ‘has led aid workers, island officials and human rights activists to a disturbing conclusion: The appallingly bad conditions are no accident, but rather the result of a deliberate European strategy to keep people away.’⁸⁰ In March 2016, Médecins Sans Frontières suspended its activities at the Moria camp on Lesbos, as it did not wish to be ‘complicit in an unfair and inhumane system’.⁸¹ Oxfam also suspended its operations, and Save the Children halted all its activities at detention facilities on the Greek islands.⁸² Amnesty International noted in February 2017 that ‘the reality on the Greek islands is that thousands of migrants and asylum seekers are being trapped automatically and indefinitely, in hugely sub-standard conditions, in the pursuit of returns to Turkey that would be unlawful . . . Turkey is manifestly not a safe country’.⁸³ In January 2018, a Lesbos field coordinator for Médecins Sans Frontières said, “There’s no reason why 5,000 people in a camp in Europe cannot have access to basic shelter, healthcare, toilets and hot water. The fact that they have to endure this tells me it’s part of a broader plan.”⁸⁴ Human Rights Watch noted, ‘It’s like the EU is saying “Don’t come here, because if you do, this is what you’re going to suffer”. Overcrowded, very dirty, very unsanitary camps, sleeping literally on the concrete, on the ground. And this is happening in the European Union. It’s unimaginable.’⁸⁵ Meanwhile, Greek Migration Minister Ioannis Mouzalas criticised the EU for failing to provide extra staff to the asylum service and for taking too long to relocate refugees, including many unaccompanied children in Moria camp.⁸⁶ Three years into the EU-Turkey deal, conditions on the Greek islands remain deplorable, with ‘12,000 people . . . exposed to violence, harassment and exploitation, without proper

security or protection', according to Oxfam.⁸⁷ Médecins Sans Frontières said that 'the EU and Greek authorities continue to rob vulnerable people of their dignity and health, seemingly in an effort to deter others from coming'.⁸⁸

Given the apparent determination within the EU to limit migration, it is not clear what incentives exist for relieving this suffering; the incentives for not relieving it are far more obvious. Given the legal difficulties of actually returning people to Turkey, a policy of systematic neglect and of deterrence through suffering does seem to have acquired frightening utility. The situation on the Greek islands underlines the possibility that the functionality of disasters, something that has usually been emphasised in relation to 'faraway' places, has come to the heart of Europe.⁸⁹

As in several other regions, repressive policy practices have been justified in the name of undermining the smugglers' business model. The reviled figure of the 'human smuggler' or 'human trafficker' (with the two often conflated) risks becoming a 'useful enemy' that justifies and distracts from many official abuses, whether in 'sending', 'receiving' or 'transit' countries. In this climate, volunteer rescue workers on Lesvos have been accused of people smuggling,⁹⁰ mirroring Italian politicians' accusations that non-governmental organisations (NGOs) were abetting smugglers by rescuing people in the Mediterranean Sea. The policy of confining people to the Greek islands has also been justified in relation to human smuggling. For example, Migration Minister Mouzalas – commenting on the policy of not transporting people to the mainland – said, "If we relieve the islands, that would play into the hands of the smugglers."⁹¹

The situation on the Greek islands points to a key contention of this report – the instrumentalisation of suffering as a form of deterrence, with severe knock-on effects on migrants' lives as well as on local communities chosen as sites of containment. This provides an internal European parallel to the 'externalised' sites of concern in the sections and chapters that follow.

3.2 Turkey

Although the EU-Turkey deal was reached only a relatively short time ago, some of its negative consequences are already apparent in Turkey. The deal has helped to reinforce an enabling

environment for a variety of abuses by the Turkish authorities. In particular, the Turkish government has been able to use migration (and the threat of facilitating it) as a threat in diplomatic discussions, helping tone down criticism of its own turn towards authoritarianism. Ankara has threatened to renounce the deal several times.⁹² At the same time, the EU-Turkey deal also appears to have stoked tensions between host communities and refugees. This combination of top-down and bottom-up factors has undermined the safety of refugees in Turkey.

3.2.1 An enabling environment for abuses

It is difficult to disentangle the effects of the EU-Turkey deal from other important processes and events. Russia's courting of Turkey, following severe tensions between the two states over Syria, and Turkey's failed military coup in July 2016 have provided impetus for authoritarian measures. However, the EU-Turkey deal has helped reinforce an enabling environment for rights abuses in Turkey, notably by giving support to the Turkish government at a time of increasingly authoritarian measures, including in relation to the re-emerging Kurdish conflict in the country. The deal has sent damaging signals relating to how Turkey treats refugees.

These dynamics were summarised by the International Crisis Group in 2016: 'The low numbers the European Union is willing to accept make Turkish authorities unwilling to engage on refugee rights and give Ankara a sense of occupying the moral high ground in the face of EU requests on issues such as the rule of law agenda.'⁹³ One detailed academic analysis noted, 'with the delicate deal on the table, the Turkish government has freed itself of any critique by European leaders despite the crackdown on media, universities, political parties, and civil society organizations that oppose the government's domestic and international agenda'.⁹⁴ That crackdown has entailed a clampdown on independent media; the arrest and detention of hundreds of journalists, civil society activists and political opponents; the summary dismissal of more than 100,000 police officers, teachers, academics, health professionals and members of the judiciary; and the suspension of elected mayors in the south-east of the country, who are mainly pro-Kurdish.⁹⁵

The EU-Turkey deal was also agreed at a time of rising violence in south-eastern Turkey, following the breakdown of a ceasefire in 2015 and subsequent clashes between government forces and the Kurdistan Workers' Party. The violence included the killing of civilians, the shelling of populated areas with heavy artillery and tanks, mass displacement of

the population and the destruction of their homes.⁹⁶ Several observers have decried the EU's silence on the violence.⁹⁷ Most of the people who were displaced remained without adequate housing or livelihoods in 2018, and people displaced in the Sur district of Diyarbakir were then forcibly evicted in 2017 as part of a redevelopment scheme.⁹⁸

The Turkish government appears to have been well aware of the possible political pay-offs that could be exploited in the context of the EU's desire to stem migration flows. The spike in arrivals of migrants into Europe coincided with the calling of snap elections in Turkey, and the subsequent concessions offered by the EU ended up being politically beneficial to President Erdoğan. In addition, the president acknowledged that he had threatened European Commission President Jean-Claude Juncker at a G20 meeting in November 2015 that Turkey could easily “open the doors to Greece and Bulgaria anytime and put the refugees on buses”. In a February 2016 speech – just before the EU-Turkey deal was agreed – President Erdoğan said, “We do not have the word ‘idiot’ written on our foreheads. We will be patient but we will do what we have to. Don’t think that the planes and the buses are there for nothing.”⁹⁹ Rising European panic seemed to be giving Turkey the upper hand in negotiations, as political scientist Kelly Greenhill noted: ‘Fearing a combination of mounting (domestic and supranational) political costs, EU Member States found themselves increasingly willing to negotiate and ultimately to accede to a number of what had previously been publicly deemed “blackmail” and “outrageous” Turkish demands.’¹⁰⁰ Part of the EU-Turkey deal was indeed the (unrealised) promise of accelerated accession to the EU.

It had become more difficult for European politicians to not only speak strongly against Turkey's rapid drift towards authoritarianism, but also to speak up against the increasing abuses being perpetrated against Kurdish civilians, politicians and activists. A May 2016 *New York Times* investigation of Turkey's Kurdish conflict noted: ‘Europe once had the power to play a moderating role, thanks to Turkey's decades-long quest to join the European Union. But the migrant crisis has reversed that equation. European Union officials are now so desperate for Turkey to stop the flow of refugees that they have made little mention of Turkey's civil rights issues or the Kurds in recent talks. One Kurd who lost his house in Cizre told me bitterly that no one would help, “because the E.U. only cares about stopping the migrants”.’¹⁰¹

In May 2015 (before the EU-Turkey deal), Turkey changed its open-door policy towards Syria – in effect forcing Syrians to pay smugglers and bribe soldiers to cross into Turkey.¹⁰² As the EU-Turkey deal was being agreed, Turkey was already forcibly

returning Syrian refugees to Syria. According to Amnesty International, ‘Turkish authorities have been rounding up and expelling groups of around 100 Syrian men, women and children to Syria on a near-daily basis since mid-January [2016].’ Many of these Syrians were returned to camps inside Syria that had appalling conditions. These actions show that the claim underpinning the EU-Turkey deal – that Turkey was a safe country for refugees – was not actually tenable.¹⁰³ Since the EU-Turkey deal envisaged Turkey as a safe country to which refugees could legitimately be returned, the incentive to portray Turkey as safe has been strong. Yet Greek Asylum Appeal Committees, which were given a major role in implementing the EU-Turkey deal, ruled that Turkey does not fulfil the requirements expected for a safe return.¹⁰⁴

A trend towards increasingly repressive and restrictive refugee policies in Turkey does seem to have been encouraged and accelerated by the EU-Turkey deal, and the EU's growing focus on migration control has made it difficult to criticise Ankara's actions. In the summer of 2017, Turkey completed a 590-kilometre concrete wall along the border with Syria. As Jordan and Lebanon had also closed their borders with Syria to stem movements of Syrians refugees, Turkey's actions further compounded the entrapment of Syrians attempting to escape their country in search of safety.¹⁰⁵ In March 2018, Human Rights Watch noted the lack of pressure on Turkey to allow Syrian refugees into the country, stating that ‘neither the European Commission nor any European member state – or any other country – has publicly pressed Turkey to do so, while UN agencies have also remained publicly silent’.¹⁰⁶ As another study has noted, ‘It seems that the deal gave Turkey immense power over the EU by making it rather dependent on Turkey – and not the other way round.’¹⁰⁷

Two years after the EU-Turkey deal was reached, Human Rights Watch stated that ‘Turkish security forces have routinely intercepted hundreds, and at times thousands, of asylum seekers at the Turkey-Syria border since at least December 2017 and summarily deported them to the war-ravaged Idlib governorate . . . Turkish border guards have shot at asylum seekers trying to enter Turkey using smuggling, killing and wounding them’.¹⁰⁸ Meanwhile, the ongoing crackdown on NGOs in Turkey was making it harder for those returned to Turkey from Greece to access legal aid and pursue asylum applications.¹⁰⁹ Refugees in Turkey also faced official restrictions on movement across the country, which reflects the Turkish government's commitment

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A trend towards increasingly repressive and restrictive refugee policies in Turkey does seem to have been encouraged and accelerated by the EU-Turkey deal . . .

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to stem sea crossings to the Greek islands – a direct consequence of the EU-Turkey deal.¹¹⁰ In several provinces in Turkey, registrations of newly arrived Syrians were reported to have stopped in June 2018, leading to deportations and forced returns to Syria and preventing their access to healthcare and education within Turkey.¹¹¹

Non-Syrian refugees face additional challenges in Turkey: considered as conditional refugees under Turkey's asylum system, they do not benefit from the 'temporary protection' status afforded to Syrian refugees and are excluded from most humanitarian and livelihood assistance, as well as from the EU resettlement scheme designed for Syrian refugees under the EU-Turkey deal.¹¹² Afghans in particular have been forcibly returned from Turkey to Afghanistan, including thousands in April 2018.¹¹³

The EU's weak stance in relation to Turkey's authoritarian turn and abuses against refugees illustrates an integrity problem that plagues EU migration interventions more generally: where a government is being courted because its cooperation is sought with stemming migration, abuses by that government are likely to be downplayed and, in effect, encouraged. Yet governments whose cooperation is sought have their own political or economic agendas, which may even be furthered by stoking the threat of more migration into Europe.¹¹⁴ In these circumstances, few

players have an incentive to be honest about what is happening. The principal 'authors' of the relevant 'war' or 'struggle' often insist that it is working and that the human rights cost is either minimal or worth paying. The EU-Turkey deal has been hailed as a success for having reduced the number of migrants arriving in Europe, but European leaders have looked the other way when it comes to its negative impact on the lives of Syrian refugees or on stability in Turkey.

With the 'fight against illegal migration', the integrity problem is particularly severe, since it provides incentives to portray sending or transit countries as safe enough to return refugees to. In 2018 – two years after the EU-Turkey deal – the European Commission approved a second share of €3 billion to support Syrian refugees in Turkey.¹¹⁵ The commission did not mention how it would address the deficiencies in Turkey's asylum system or in its treatment of those seeking asylum – apart from a small acknowledgement of expulsions and forced returns of Syrian refugees in a report assessing Turkey's progress for accession to the EU.¹¹⁶

The EU's silence may also reflect a certain 'usefulness' of Turkey's hardening stance towards Syrian refugees. Deterring international migration has tended to involve the creation of 'hostile environments' in receiving and transit countries, as seen in Lebanon (as well as in North Africa, as the



Refugees and migrants arrive on an overcrowded dinghy on the Greek island of Lesbos, after crossing a part of the Aegean Sea from the Turkish coast, 2 October 2015.
© Reuters/Dimitris Michalakis

next chapter shows).¹¹⁷ The incentive to aggravate these hostile environments may be particularly acute if the exit route from the transit country to Europe has been effectively sealed. From a deterrence perspective, it could be seen as convenient if transit countries are labelled as safe (to legitimise restrictions on refugees proceeding further and to legitimise returns) but are not actually safe (to deter arrivals from ‘sending’ countries). This situation – while complicated by the fact that hostile environments may push people into secondary movements – seems to apply well to both Libya (as seen in the next chapter) and Turkey.

3.2.2 The fuelling of social tensions within Turkey

Violence against refugees in Turkey has also been stoked by tensions between host communities and refugees – not least because of the economic and social pressures arising from very large numbers of refugees. To state the obvious, refugees can bring benefits to host communities and local economies – such as skills and enterprise – and are not just a ‘burden’ as they are often portrayed to be.¹¹⁸ But given the numbers arriving into Turkey, the pressures have been significant. The EU policy of containing refugees within Turkey only adds to these pressures.

In December 2015, a series of Saferworld-supported workshops highlighted challenges to Syrian refugees’ social integration in Turkey, as the need for long-term solutions became clear.¹¹⁹ Syrian refugees’ uncertainty about their future in Turkey stems from their unclear long-term legal status. Although they benefit from temporary protection under Turkey’s asylum law, this does not confer them the status of refugee under international law, nor is it a pathway to citizenship. This uncertainty has been compounded by a lack of clear channels to access the authorities and a lack of coordination between local and national institutions responsible for different aspects of assistance to refugees, although the Turkish government was already taking steps to address these problems in 2016.

The vulnerability of Syrian refugees also stems from their difficulties in accessing work permits and from language barriers.¹²⁰ Even though the Turkish government enacted legislation in January 2016 to grant work permits to Syrian refugees,¹²¹ many Syrians in Turkey work in the informal economy and in low-paid jobs, in a context of high unemployment and a lack of decently paid work. This makes them vulnerable to exploitation, including child labour, and heightens competition with Turkish nationals who also work in the low-wage and informal economy – fuelling the risks of social tensions.¹²²

Since 2015, reports have pointed to growing tensions in communities that have taken in many refugees, while attacks against Syrian refugees in Gaziantep were already reported in 2014.¹²³ Anti-immigrant sentiments have been rising in Turkey and racist hashtags aimed at Syrian refugees went viral on Twitter in 2017.¹²⁴ Opinion polls suggest that negative perceptions of foreigners, including Syrians, have been increasing significantly in Turkey over the past decade.¹²⁵ In July 2016, Syrians' shops and homes were attacked in Ankara. A January 2018 International Crisis Group report noted that 'Incidents of intercommunal violence increased threefold in the second half of 2017 compared to the same period in 2016. At least 35 people died in these incidents during 2017, including 24 Syrians.'¹²⁶

Social tensions have been higher in the urban areas of Istanbul, Ankara and Izmir, particularly in low-income areas and in the informal sector. Perceptions that Syrians benefit from preferential access to services and assistance have fuelled tensions. The International Crisis Group observed how, for lower-skilled Turkish citizens, 'the massive presence of Syrians has created a zero-sum dynamic, forcing them to compete for a limited number of jobs or accept lower wages'. It also highlighted a heightened risk of tensions between Syrians and marginalised minority groups, such as the Kurds, themselves displaced from conflict in the south-east: 'Izmir employers appear to prefer Syrian Turkmens over Turkish citizens of Kurdish origin, who are considered hard to manage in comparison to "obedient" Syrians'.¹²⁷

Political polarisation in Turkey, in a context of increasing repression and pressures on civil society, has brought additional challenges to the integration of Syrian refugees and to maintaining social cohesion. The vast majority of Syrian refugees are Sunni Arabs, and some minority communities in Turkey – already historically marginalised and distrustful of the government – are susceptible to perceptions that the government uses refugees to reframe national identity and its role in the region.¹²⁸ The Turkish government's announcement in 2016 that it would open a route to citizenship for Syrian refugees was met negatively by Turkish groups that have suffered discrimination.¹²⁹

Pressures on social cohesion in Turkey are also exacerbated by the limited numbers of refugees resettled from Turkey to EU Member States, despite this being a commitment in the EU-Turkey deal. Three years into the deal, the number of Syrians resettled from Turkey to EU Member States came to 20,292.¹³⁰ EU funding for Syrian refugees in Turkey is important and has helped extend refugees' access to education and healthcare and has supported particularly vulnerable Syrians' livelihoods.

However, it should not be seen as replacing the need to share responsibility for hosting refugees more equitably with Turkey – which would extend protection to a wider number of Syrians and demonstrate international solidarity, particularly given the ramifications of Syria's armed conflict on international peace and security and the pressures generated within Turkey by hosting such large numbers of refugees.

3.3 Knock-on effects inside Syria

While the impact of the EU-Turkey deal on the situation inside Syria is hard to separate from other factors, a number of issues are concerning. First, a policy of what Amnesty International called 'Fortress Turkey' – for which the EU-Turkey deal created certain incentives – is helping to lock Syrians into a country where conflict is still ongoing, jeopardising their safety. In September 2018, Turkey and Russia agreed to a demilitarised zone within the armed opposition-held Idlib region, which at the time avoided an expected military offensive by Syrian regime forces. But since April 2019, renewed fighting between the warring parties – after months of continuous shelling by the Syrian regime – has all but shattered the agreement. This recent round of fighting killed 223 civilians and displaced more than 200,000 between 20 April and 23 May.¹³¹ This has compounded a deteriorating security situation in the Idlib region, aggravated by sporadic infighting between the Turkish-backed National Liberation Front and the al-Qaeda-linked Hay'at Tahrir el-Sham, as well as the latter's continuous repression of civic space as demonstrated by its assassination of the influential Syrian activist Raed Fares in November 2018. Civilians have been trapped and squeezed between the Syrian regime's military offensive, backed by Russia and Iran in the south, and a Turkish blockade in the north.

Second, just as the EU-Turkey deal has diminished diplomatic leverage on Ankara's human rights abuses against the Kurds in Turkey, it appears also to have had knock-on effects in Syria. Renewed Turkish government fears around Kurdish mobilisation encouraged Turkey to take a tough line in countering the growing influence of US-backed Kurdish People's Protection Unit (YPG) forces within Syria.¹³² This has involved Turkish military intervention in Syria, particularly in Afrin where Turkey's military operations resulted in hundreds being killed and

more than 100,000 from the local Kurdish population displaced.¹³³ Turkey's intervention also allowed for its allied Syrian armed opposition groups to commit abuses against local civilians,¹³⁴ and as a consequence aggravated Arab and Kurdish ethnic tensions. Turkey also moved closer to Russia, partly to counter the growing strength of the US-backed Kurds in Syria.¹³⁵ Turkey's rapprochement with Russia helped set the context for the virtual abandonment of eastern Aleppo by the international community to a joint assault from Russia and from Iranian and Assad regime forces in 2016.¹³⁶

Third, a growing determination in Turkey to limit or reverse migration from Syria has also contributed to its military intervention in Syria. As the International Crisis Group noted in January 2018, 'Preventing any further refugee exodus is one of the strategic objectives behind Ankara's military involvement in Idlib.'¹³⁷ While setting up military observation points in Idlib and cooperating with Russia on maintaining the demilitarisation buffer zone attempted to avoid a military offensive by the Syrian regime, it also reinforced Turkey's interests and dominant presence in northern Syria. In 2019, as the Syrian regime was increasing attacks in Idlib, Turkey reiterated its objective to set up a 'safe zone' within the YPG-controlled areas of north-eastern Syria to contain refugees, as well as create a buffer against the YPG.¹³⁸

Fourth, if the EU has 'gone easy' on Ankara's domestic agenda, then Turkey's actions in Syria may have attracted a soft response from the EU for similar reasons.¹³⁹ Turkey tried to obtain EU support for its own actions in Syria as part of the EU-Turkey negotiations: it wanted no-fly zones along the Syrian border, though this particular request was not granted.¹⁴⁰ Turkey's increased influence and intervention in the local affairs of areas under its control in northern Aleppo and Afrin have undermined the legitimacy of local governance structures there and marginalised forms of opposition to its presence.¹⁴¹ Its expected major role in these areas' reconstruction threatens to consolidate social tensions created by its presence and further weaken the social, economic and cultural ties between these and other areas in the rest of the country that are under the control of different conflict actors.

Fifth – in an ironic twist given the promises of rapprochement in the 2016 deal – tensions between the EU and Turkey arising from the EU's perceived unwillingness to fulfil its part of the bargain risks pushing Turkey further outside the European sphere of influence and towards Russia in particular, with concerning consequences for the protection of civilians trapped in Syria's armed conflict and for a change in the political status quo in Damascus.

Sixth, the EU-Turkey deal's objective of stemming refugee flows has shifted the EU's approach to resolving the Syrian conflict from one of conflict transformation to one of stabilisation and mitigation. The EU, as part of the Action Group for Syria formed in 2012, supported the Geneva Communiqué – which laid out steps and guidelines for 'a Syrian-led political process, leading to a transition that meets the legitimate aspirations of the Syrian people'.¹⁴² It is notable that UN Security Council Resolution 2254, adopted in December 2015 after an International Syria Support Group meeting (which includes the EU), was agreed only after the 2015 'migration crisis' – and became the reference point for a political process.

It contained a softened approach compared to the political transition envisioned in the 2012 Geneva Communiqué. UN Security Council Resolution 2254 significantly backtracked on the Geneva Communiqué's envisioned political transition by placing the formation of 'credible, inclusive and non-sectarian governance' at the start of a potential roadmap – leaving it open as to whether it meant a transitional governing body as stated in the Geneva Communiqué or a national unity government (of which the Syrian regime, Russia and Iran were more in favour). The sequence of this roadmap was changed further after Russia's holding of the Syrian National Dialogue Congress in Sochi in 2018 pushed for the formation of a constitutional committee as an entry point to the UN's facilitated political process, which it recently gave its support to.

All of this has limited the EU's leverage on the political process and facilitated an outcome in which the Syrian regime retains impunity for massive violations of international human rights and humanitarian law, and in which the legitimate aspirations of the 2011 Syrian uprising have failed to materialise.

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... the EU-Turkey deal's objective of stemming refugee flows has shifted the EU's approach to resolving the Syrian conflict from one of conflict transformation to one of stabilisation and mitigation.

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3.4 The EU's credibility issue

The EU-Turkey deal represents a considerable threat to the credibility of the EU as an institution that embodies human rights norms and values, particularly since it involved the promise of re-energising Turkish admission to the EU at a point when Turkey was conforming less and less to the

democratic norms the EU holds as being at its foundation.

This dimension has been neglected by politicians and analysts who suggest that 'excessive' migration into Europe represents a threat to the coherence and even the existence of the EU, even as countries like Turkey and Lebanon have absorbed much larger numbers of refugees than Europe in proportion to their populations.¹⁴³ The sustainability of the EU also depends on its credibility, as does the EU's ability to exert positive influence on the rights and security of people outside its borders and support sustainable conflict resolution policies. Yet the EU's credibility is radically undermined if it cannot defend or embody its founding values. In such circumstances, the many critics of the EU can point to the 'hypocrisy' of EU officials who say one thing and yet do another.

The EU, through its controversial agreement with Turkey, has also contributed to eroding the rules-based international order – particularly the norms embodied in the UN Refugee Convention. By endorsing the containment of refugees in Turkey and Greece in difficult conditions, implicitly accepting forced returns of people in need of protection to unsafe countries, and subverting the (already problematic) 'safe country' concept, the EU-Turkey deal is eroding the principles prescribed by international norms. While it is true that the plan to enact large-scale returns to Turkey was thwarted by the difficulties in legally returning refugees in this way, the simultaneous obstruction of movement between Greek islands and the Greek mainland effectively created a humanitarian disaster that served a major deterrence function.

The EU-Turkey deal stated that, 'For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU'.¹⁴⁴ But by linking the resettlement of Syrian refugees in Europe to returns of refugees from Greece, the EU-Turkey deal has devalued resettlement as an essential tool of refugee protection. The 'one-for-one' policy deal might reasonably be seen as using a humanitarian promise to 'sugar the pill' of blocking refugees from reaching Europe. In this sense, the policy of containment has been 'laundered'. Significantly, the European Council's statement accompanying the 2016 deal noted that this resettlement would take place, 'in the first instance, by honouring the commitments taken by Member States meeting within the Council on 20 July 2015 [on the internal relocation mechanism within the EU], of which 18,000 places for resettlement remain'.¹⁴⁵ In other words, these would not be new resettlement allocations – the EU would simply be honouring existing ones. The statement also said that if more than an additional 54,000 people were resettled under the 'one-for-one' scheme, 'this mechanism will be discontinued'.¹⁴⁶ Even if resettlements have

become contingent on the pledges of EU Member States rather than on the 'one-for-one' policy, the low numbers resettled so far¹⁴⁷ and the disagreements between EU Member States on this issue paint the EU as unwilling to fulfil its international responsibilities. A March 2018 report for the Jacques Delors Institute in Berlin noted that 'member states have been slow to resettle from Turkey: Bulgaria, Cyprus, the Czech Republic, Denmark, Greece, Hungary, Ireland, Poland, Romania, Slovakia, Slovenia and Great Britain have not yet welcomed a single refugee under the EU-Turkey deal'.¹⁴⁸

Problems around the implementation of the EU-Turkey deal have also undermined the EU's credibility in the eyes of many Turkish politicians. Batalla Adam noted in 2017: 'the deal has pushed the EU and Turkey further apart. In recent months there has been growing resentment between the EU and Turkey, respectively over the steady deterioration of Turkish democracy and the unkept promises made under the deal. After years of stalled negotiations, the unexpected re-energisation of accession talks has still not been able to deliver on its promises, further undermining an already fragile bond'.¹⁴⁹

Another source of tension is the delays and difficulties in granting visa-free travel for Turks, as envisioned in the EU-Turkey deal.¹⁵⁰ This further illustrates the dangers of the EU not taking a stronger stand earlier against Turkey's authoritarian turn, since increased repression in Turkey has increased European unwillingness to grant visa-free travel. With growing asylum requests from Turkish people because of the political situation in Turkey, 'the EU has adopted an emergency break or "suspension mechanism" that allows member states to suspend the visa-free regime for six months if there is a rise in Turkish nationals staying illegally in Europe or an increase in asylum applications'.¹⁵¹ Meanwhile, the backlash following Turkey's failed coup in July 2016 has also made it more difficult for Europe to move towards EU accession for Turkey, further contributing to tensions between them. Some EU Member States have pushed for revisions to Turkey's anti-terror laws, a demand that Turkey is unlikely to meet.

Tensions have also stemmed from the disbursement of funds from the EU Facility for Refugees. Discussing the EU-Turkey deal in January 2018, International Crisis Group wrote: 'Ankara complains that EU assistance is disbursed too slowly and riddled with too many conditions while the EU finds Turkey's bureaucracy ill prepared to absorb funding and develop projects effectively'.¹⁵²

As Amnesty International noted in February 2017, the EU-Turkey deal has stemmed the flow of migrants across the Aegean Sea 'at considerable cost to Europe's commitment to upholding the basic

principles of refugee protection and the lives of the tens of thousands it has trapped on Greek islands'.¹⁵³

The deal also has wider implications. It has involved a large EU budget allocation for refugees within Turkey, dwarfing most EU programmes in Africa.¹⁵⁴ Amnesty International stated that European leaders were 'touting its success, closing their eyes to its flaws, and seeing in it a blueprint for new migration deals with countries like Libya, Sudan, Niger and

many others'.¹⁵⁵ The deal also raises the possibility that gatekeepers other than Turkey will demand similar support, as the rising arrivals on the western Mediterranean route and increased diplomacy towards Morocco since 2018 already seem to suggest.¹⁵⁶ This 'gamesmanship' is a consistent feature of how 'partner' states deal with the EU and its member states, as we will see next in another example of a key 'buffer' zone for migration today – Libya.

Notes

- 52 United Nations High Commissioner for Refugees, 'Figures at a Glance'.
- 53 While most of the money was going to some 250,000 people in 26 government-run refugee camps, this population has amounted to less than ten per cent of Syrian refugees in the country. See Batalla Adam (2017).
- 54 United Nations High Commissioner for Refugees, 'UNHCR Turkey Stats'.
- 55 Walter-Franke (2018).
- 56 Saferworld (2016).
- 57 Ibid.
- 58 Batalla Adam (2017), p 53.
- 59 Ibid.
- 60 Ibid.
- 61 Atac et al. (2017).
- 62 European Council (2016).
- 63 Alfred and Howden (2018).
- 64 Greenhill (2016).
- 65 Witte (2018).
- 66 Kakisis (2018).
- 67 Andersson (2016).
- 68 Kakisis (2018).
- 69 Ibid; citation on hotspots from European parliament briefing ([http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI\(2018\)623563_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/623563/EPRS_BRI(2018)623563_EN.pdf)). There is by now extensive academic literature on the 'hotspot' system, considering its inhuman consequences and how it has offloaded responsibilities onto Greece while generating economies of deterrence, containment and care. For example, see Tazzioli and Garelli (2018); Karlsson Franck (2018).
- 70 Collett (2016).
- 71 Kakisis (2018).
- 72 Witte (2018).
- 73 Kakisis (2018).
- 74 Witte (2018).
- 75 Kakisis (2018).
- 76 Ibid.
- 77 Leghtas (2017).
- 78 For example, see Leghtas (2017); Amnesty International (2017a).
- 79 Witte (2018).
- 80 Ibid.
- 81 Amnesty International (2017a), p 8.
- 82 Ibid.
- 83 Ibid, p 10.
- 84 Witte (2018).
- 85 Kakisis (2018).
- 86 Ibid. Spending on asylum applications in Greece as a whole does seem to have been significant. EU Migration Commissioner Dimitris Avramopoulos said Brussels has provided well over \$1 billion to deal with asylum seekers in Greece. See Witte (2018).
- 87 Oxfam (2019).
- 88 Médecins Sans Frontières (2019).
- 89 We should note that this idea has been embraced in the US government to a significant degree. See Greenhill (2010).
- 90 Al Jazeera (2016).
- 91 Witte (2018).
- 92 For example, see Walter-Franke (2018).
- 93 International Crisis Group (2016).
- 94 Atac et al. (2017), p 14.
- 95 Human Rights Watch (2017a).
- 96 Office of the United Nations High Commissioner for Human Rights (2017).
- 97 For example, see Worth (2016).
- 98 Amnesty International (2018a).
- 99 Greenhill (2016), who in her analysis builds on a wider observation around the 'weaponisation' of migration by nominally weaker states, relevant to our other cases later in the report.
- 100 Ibid, p 327.
- 101 Worth (2016).
- 102 Atac et al. (2017).
- 103 Amnesty International (2016).
- 104 Atac et al. (2017), p 16.
- 105 Lebanon closed its border with Syria in 2014; see Saferworld (2018). Jordan also closed its borders progressively, with the last north-eastern point of entry closed in June 2016, trapping tens of thousands of Syrians in the Berm.
- 106 Human Rights Watch (2018).
- 107 Atac et al. (2017), p 16.
- 108 Human Rights Watch (2018).
- 109 Atac et al. (2017).
- 110 Batalla Adam (2017).
- 111 Human Rights Watch (2018).
- 112 Refugees International (2017).
- 113 Amnesty International (2018c).
- 114 Keen (2008, 2012); Andersson (2014); Keen and Andersson (2018); Saferworld (various).
- 115 European Commission (2018b).
- 116 European Commission (2018c).
- 117 Overseas Development Institute (2016).
- 118 Increasing academic analysis of refugee economies, while facing valid criticisms around some of its assumptions, has helped highlight these positive economic potentials. For example, see Betts et al. (2014).
- 119 Saferworld (2016).
- 120 Ibid.
- 121 'Regulation on Work Permit of Refugees Under Temporary Protection', Official Journal No. 2016/8375, 15 January 2016.
- 122 Saferworld (2016).
- 123 Ibid.
- 124 Atac et al. (2017).
- 125 International Crisis Group (2018).
- 126 Ibid.
- 127 International Crisis Group (2018).
- 128 Ibid.
- 129 Ibid.
- 130 European Commission (2019b).
- 131 Guardian (2019).
- 132 For example, see Keen (2017).
- 133 United Nations Office for the Coordination of Humanitarian Affairs (2018).
- 134 Amnesty International (2018d).
- 135 Keen (2017).
- 136 Ibid.
- 137 International Crisis Group (2018).
- 138 TRT World (2019).
- 139 For example, see Walter-Franke (2018).
- 140 Greenhill (2016).
- 141 Haid (2017).
- 142 Action Group for Syria (2012).
- 143 Betts and Collier have called for refugees to be absorbed by countries near to the country of origin, stressing that this will be less costly and will minimise the risk of social disruption in Europe. See Betts and Collier (2017).
- 144 European Council (2016).
- 145 Ibid.
- 146 Ibid.
- 147 12,126 as of January 2018; see Walter-Franke (2018).
- 148 Ibid.
- 149 Batalla Adam (2017), p 56.
- 150 Ibid.
- 151 Ibid, p 52.
- 152 International Crisis Group (2018).
- 153 Amnesty International (2017a).
- 154 Walter-Franke (2018).
- 155 Amnesty International (2017a).
- 156 Walter-Franke (2018).



African migrants are transferred to a detention centre after being detained in Zawiya, northern Libya, 1 June 2014.
© Reuters/Ahmed Jadallah

4

Libya and threat mobilisation in the Maghreb

Long before Turkey emerged as a contemporary blueprint for externalised controls, countries in the Maghreb had become closely tied to European security policies on borders and migration. Consider Morocco – in many ways a template for later attempts at ‘externalising’ border controls. Before Spain fully joined Schengen with its common external borders, Spain had already developed a close border policing relationship with Morocco, with Madrid and Rabat signing a readmissions agreement for third-country nationals in 1992.

This agreement, while slow to enter into force, did set the parameters for how Moroccan security forces have collaborated with their Spanish counterparts in more recent years, including the Spanish Civil Guard. This has included informal actions on the boundaries of legality; notably when Moroccan security forces have engaged in frequent (and legally contested) mass expulsions of undocumented sub-Saharan migrants attempting to enter Spain’s enclaves – and EU territories – of Ceuta and Melilla along the North African coast.

Since the 1990s and early 2000s, the trend towards security-based collaboration has been region-wide. In parallel with the Moroccan-Spanish securitisation of borders and of migration, Italian collaboration with Tunisia and Libya shifted priorities on migration towards a security model. Countries in the Maghreb have also hardened their laws and their internal policing responses. In 2003, through Law 02/03, Morocco criminalised irregular migration. Soon afterwards, the authorities stepped up arbitrary raids and informal mass expulsions of sub-Saharan African migrants over the closed Algeria-Morocco border.¹⁵⁷ Around the same time, irregular migration was similarly criminalised in all other Maghreb countries: in Tunisia, a 2004 law targeted irregular entry and exit; in Algeria, similar legal shifts occurred in 2008/9; and in Libya, a shift was initiated in 2004, culminating in a 2010 law on combating irregular migration.¹⁵⁸ Given its salience and extreme outcomes, Libya will be our focus in this chapter. It highlights many of the broader problems with the border security model that has expanded outwards from North Africa to the Sahel and the Middle East in the past three decades.

4.1 Libya: migrants as merchandise

In the 1990s, it was migrants from the Maghreb – rather than from sub-Saharan Africa – who pioneered the sea route into southern Europe.

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... an emboldened Colonel Gaddafi threatened that Europe would “turn black” unless the EU handed his regime some €5 billion a year.

In other words, Morocco, Algeria and Tunisia were origin countries for this kind of migration before they were redefined as ‘transit’ countries – and they remain origin countries today. Libya was a somewhat different case: given its small native population and its relative wealth, it was never much of an origin country for emigrants – rather, it was a large migrant destination. Under international embargo, Colonel

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Muammar Gaddafi started courting African states under his pan-African policy, importing labour from sub-Saharan countries on a large scale in the 1990s and 2000s and allowing visa-free travel between 1998 and 2007.¹⁵⁹ Yet it was in Libya, amid anti-migrant riots in the year 2000, that the first significant departures of sub-Saharan migrants across the Mediterranean routes towards Europe occurred. In this way, one emerging migration system (irregular routes between the Maghreb and southern Europe) began linking up with another (routes between North Africa and sub-Saharan countries).¹⁶⁰

Domestic discontent around migration in Libya – evident in the riots in 2000 – fuelled crackdowns on sub-Saharan African migrants in subsequent years. However, the main impetus for a tougher approach was not domestic, but rather the political framing of migrants’ potential onward movement as a threat to Europe. With the moral panic around maritime migration in European capitals – particularly in Rome – Colonel Gaddafi saw his chance to reframe Libya as a ‘transit country’, and to reap the resultant rewards.¹⁶¹ The Libyan leader soon started to use the threat of irregular sub-Saharan migration as a bargaining tool in his attempts to get the international arms embargo and international sanctions lifted. When he eventually succeeded in getting the sanctions lifted with some Italian support, a joint security response to migration followed; over time, this involved both EU and Italian funds as well as the bilateral 2008 Italy-Libya ‘Friendship Pact’, together with some \$5 billion in infrastructure projects (which was cut short by the war and by the fall of Colonel Gaddafi).¹⁶² Though the pact – signed under Prime Minister Silvio Berlusconi’s government – was purportedly about reparations for Italy’s colonisation of Libya, it was

instead fundamentally focused on migration controls and Italian industrial expansion into Libya, including via the export of Italian border security hardware.¹⁶³

While the strategic leverage provided by migration at times seemed to benefit both Colonel Gaddafi and his European partners, it began to take on a more menacing hue. Colonel Gaddafi’s regime started deploying what one political scientist has called ‘weapons of mass migration’.¹⁶⁴ In 2010, an emboldened Colonel Gaddafi threatened that Europe would “turn black” unless the EU handed his regime some €5 billion a year.¹⁶⁵ Approximately one year later, as NATO launched its military campaign, he tried to fulfil his promise – forcibly embarking migrants on rickety boats while attempting to ‘unleash an unprecedented wave of illegal immigration on southern Europe’.¹⁶⁶

It is difficult to summarise the disturbing developments in Libya since the 2011 conflict and the killing of Colonel Gaddafi. The following sections will try to do so by highlighting some of the more salient aspects of the fate of migrants in the country since, starting with the wider human rights implications before moving on to the violent crackdowns on migration and smugglers.

4.2 Repression amid conflict: the EU’s response

The prospects of sub-Saharan migrants fell again once Colonel Gaddafi enlisted sub-Saharan Africans as mercenaries in his fight with rebels and unarmed protesters. After his fall, sub-Saharan migrants were targeted by militias, civilians and security forces. Some were lynched; others were detained indefinitely, robbed at gunpoint or attacked with guns or knives.¹⁶⁷ In 2016, one report found that three-quarters of migrants interviewed after their escape from Libya had experienced violence there, with women reporting widespread sexual violence.¹⁶⁸ In 2017, further reports said migrants were being captured and sold to the highest bidder for lucrative detention and extortion of their families, or slavery.¹⁶⁹ Amid this escalating violence, the boats that Colonel Gaddafi had warned Europe about were setting off again, bringing foreign worker escapees from Libya towards European shores, as well as migrants and refugees from further afield – who now saw their chance to flee as chaos engulfed Libya.

As different ‘authorities’ in Libya started competing for supremacy, the post-Gaddafi era saw an extension of his tactic of fabricating a hostile environment for sub-Saharan African migrants and of using them as a racialised bargaining chip and threat *vis-a-vis* Europe. The unrecognised Tripoli government used the same racial threat idioms as Colonel Gaddafi when asking for more European cooperation. Meanwhile, Colonel Gaddafi’s migrant detention centres, where migrants had languished indefinitely under appalling conditions throughout the previous decade, were also kept in use, with some centres appropriated by militias.

At this time of conflict and confusion, as militias and powerful factions vied for power, the EU and its member states launched several security initiatives that, rather than aiming to resolve the country’s crisis in itself, attempted to deal with ‘the repercussions that this crisis has in Europe, namely in terms of terrorism and migration’, as one official put it.¹⁷⁰ The framing of Libya as the heart of a ‘migration crisis’ has involved a shift to often piecemeal containment policies that, as reports have shown, tend to sideline wider conflict- and stability-related interventions – while ignoring European responsibility for Libya’s descent into chaos following NATO’s intervention.¹⁷¹

One of these security missions is EUNAVFOR Med/ Operation Sophia, launched in 2015 to disrupt the smugglers’ so-called business model in the central Mediterranean, following a disastrous shipwreck that spring. However, as critics noted even before the onset of the mission, while attempts to destroy smuggling infrastructure (essentially, wooden Libyan vessels) would put pressure on smugglers, they were likely to lead to a transfer of additional risk onto their customers. Soon, unseaworthy rubber boats replaced the sturdier vessels of earlier times, and shipwrecks and fatalities increased. This happened without a notable ‘disruption of the business model’, as one UK House of Lords report made clear in labelling it a ‘failed mission’.¹⁷² In March 2019, leaked internal documents emerged showing that the EU knew this policy was increasing dangers for migrants.¹⁷³

Another salient initiative has been the training of Libyan border and coastguards, which has similarly been beset by serious problems. EUBAM Libya was launched in 2013 with the aim of exporting the EU’s notion of ‘integrated border management’ to Libyan soil, while a specific training of the Libyan coastguard and navy for ‘search and rescue’ at sea was added to EUNAVFOR Med’s mandate in 2016. EUBAM Libya had a contorted mandate to begin with: as its former chief told us in an interview, the mandate was to train and support Libyan border agencies “in stabilising their country, and this way maybe reduce this flow of immigrants leaving

Tripoli”. Yet this would prove to be mission impossible. With Libyans wary of EUBAM stepping onto their turf, Brussels had reassured them that EUBAM’s initial focus would be Libya’s desert south. But this area turned out to be out of bounds because of insecurity. Even in northern Libya, trips to train border guards were “extraordinarily difficult”, the EUBAM chief said – strict security protocols, ongoing conflict and cancellation of trips by the Libyan authorities made it hard to get anything done, especially as EUBAM officials were ensconced in high-security compounds and with little context or support for their mission. “Frontex never even visited during our presence in Libya, not a single time”, the EUBAM Libya chief said, while few experienced and high-level officials joined his mission.¹⁷⁴

From the Libyan point of view, it was clear that the European priorities on migration were at odds with the more immediate local needs. Politically, different militias and authorities were jockeying for position in the post-Gaddafi power vacuum; socially, the population faced hardship, insecurity and uncertainty; and institutionally, the EU focus on ‘capacity building’ clashed with the Libyan forces’ need for basic equipment, some of which had been taken out during the NATO air campaign. “It’s stupid to train something which you can’t implement”, said the EUBAM chief. As his team finally managed to escape Tripoli for training sessions at Libyan border crossing points, he recalled, “the only technical equipment [they had] was the [rubber] stamp. They didn’t even have screwdrivers. It was unbelievable!”

Reports have detailed discontent in Libya over ‘misalignment between national and international priorities’, the lack of context and conflict sensitivity in the EU’s security interventions, and the lack of oversight and transparency in ‘remote management’ operations owing to security risks (EUBAM ended up working remotely from Tunisia and Malta, as did many other international initiatives).¹⁷⁵ Yet this aspect of security interventions in Libya – what we may label the technocratic, apolitical side of priorities and *modus operandi* – is secondary to the more disturbing political picture, which we shall now consider.

IN 2016, ONE REPORT FOUND THAT

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OF MIGRANTS INTERVIEWED AFTER THEIR ESCAPE FROM LIBYA HAD EXPERIENCED VIOLENCE THERE, WITH WOMEN REPORTING WIDESPREAD SEXUAL VIOLENCE

4.3 Political gains from suffering in Libya

The decision to launch EUNAVFOR Med itself was politically effective, even if it proved practically unworkable: it shifted attention away from the EU's failures at a crucial moment – amid the widely reported deaths of hundreds of people in the Mediterranean. These deaths occurred after the Europeans decided not to fund a rescue mission on the model of the previous Italian Mare Nostrum operation, arguing that such a mission constituted a 'pull effect' and thus led to more deaths. In effect, the naval mission transferred focus – and, most importantly, blame – onto the smugglers

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Mediterranean border controls were effective as spectacle, while proving operationally disastrous.

(erroneously labelled 'traffickers'). As before, Mediterranean border controls were effective as spectacle, while proving operationally disastrous.¹⁷⁶

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Migrant suffering worsened following the roll-out of the new missions. In December 2016, a UN human rights report condemned the EU's border security approach to Libya, calling for a shift and for a decriminalisation of migration in the country. The UN High Commissioner for Human Rights called the containment strategy 'catastrophic' and 'inhuman', saying that 'The international community cannot continue to turn a blind eye to the unimaginable horrors endured by migrants in Libya, and pretend that the situation can be remedied only by improving conditions in detention.'¹⁷⁷

Yet instead of changing tack, European governments entrenched their security response. In January 2017, the EU unveiled a €200 million plan aimed at stopping migration from Libya, using funds from the EUTF.¹⁷⁸ In February 2017, border collaboration was stepped up between Italy and Libya's Government of National Accord through a memorandum of understanding that revived the 'friendship pact' of the Colonel Gaddafi years 'to combat illegal immigration, human trafficking and contraband . . . [as well as] reinforcing the border security', through collaborative measures and funding. This included promises of funding for development programmes in Libya besides border security resources.¹⁷⁹ The agreement garnered immediate support from European leaders, and the subsequent Malta Declaration was made during an informal meeting of EU heads of state and government, reinforcing the resolve to further securitise Libyan migration controls.¹⁸⁰ Although the Libyan Supreme Court blocked the memorandum, saying Libya's

Government of National Accord did not have legal authority, the memorandum's provisions have been enacted via Italian funding, training and even a navy ship deployment in support of the Libyan coastguard. EUNAVFOR Med training of the coastguards has been stepped up in parallel, despite the evident political and oversight difficulties in a country that is racked by conflicting militias and which has little EU ground presence.¹⁸¹ Again, these initiatives have been politically effective both in relation to domestic audiences in Europe (who have been presented with an escalating crackdown) and in terms of incentivising Libyans to collaborate on European priorities.

Since early 2017 and building on earlier initiatives from the Colonel Gaddafi years, European assistance has been three-pronged: first, via training, funding and equipment for the coastguard; second, via technical support and assistance to the Department for Combating Illegal Migration (which in theory manages Libya's migrant detention centres); and third – in a new development – via bartering with local leaders and militia groups to crack down on migratory routes across both departure and transit points, including in the Fezzan region in the south.¹⁸² The EU has also funded initiatives by international organisations such as UNHCR and IOM – including the highly publicised, so-called 'voluntary humanitarian returns' taking tens of thousands of migrants out of Libya. Critics say that these 'voluntary' programmes have often proved to be a misnomer (especially under the guise of the IOM), given how little choice seems to be available for those mistreated in detention – who are forced to choose between facing human rights violations in detention or risk being returned to countries where they face further human rights violations.¹⁸³

In 2017, Libyan coastal forces stepped up crackdowns on migrant vessels as well as on NGO sea rescues, and increasingly intervened in international waters.¹⁸⁴ Squeezed between the European-supported Libyan coastguards and a new draconian 'code of conduct', and also the risk of criminalisation on the European side, NGOs increasingly suspended their operations.¹⁸⁵ With far-right politician Matteo Salvini serving as deputy prime minister from June 2018, Italy's new government proceeded with further crackdowns and refusals to allow boats to dock in port, alongside attempts to criminalise rescues as 'abetting illegal immigration'. By February 2019, there were no NGO sea rescue ships allowed in the Mediterranean.¹⁸⁶

Instead – as EUNAVFOR Med retreated from a seaborne presence and Italian state operations were disincentivised to engage by Deputy Prime Minister Salvini's interior ministry – the task of 'rescues' (or rather, interceptions) fell fully on Libyan

shoulders.¹⁸⁷ Again, this helped European leaders politically: Libyan deterrence helped remove irritating witnesses in the central Mediterranean, while Libyan pushbacks of migrants and refugees allowed EU Member States to deal with accusations of *refoulement* (directly sending people back to countries where they may face torture or ill-treatment). Yet many people were still being sent back to Libya, where they were at risk of torture: after departing from the Libyan coastline, they were intercepted by Libyan coastguards acting with the support and blessing of the EU. Torture, violent extortion, rape and arbitrary detention are endemic in Libyan detention centres, which is well known to EU officials and member states' governments. These detention centres, while notionally under the control of Libya's Department for Combating Illegal Migration, have in practice been run with heavy militia involvement.¹⁸⁸

Militia involvement is significant when it comes to migration controls. For example, the 'coastguard of Zawiya' was, for some time, run by a young warlord, Commander Al Bija, while in Sabratha (to the west of Tripoli), a new armed group sprang up to fight migration and push people back to detention centres. Reports suggested in 2017 that the aim of the armed group was to gain legitimacy in Tripoli and to tap into lucrative European deals. As central authorities struggled to make themselves heard in Tripoli, the threat mobilisation that was familiar from earlier years was taken up by warlords-turned-coastguards, using migration as leverage. In the words of Commander Al Bija, "We do not need to be trained – we know how to navigate, fight and kill . . . (but) if we are going to do Europe's dirty work then Europe will have to pay us with a boat that can hold up to 1,000 people, speed boats, spare parts, fuel and wages."¹⁸⁹

European politicians were once again able to tap into this strategising around migration. In earlier years, Prime Minister Berlusconi in particular had played the political 'game' with Colonel Gaddafi over the migratory 'threat', increasing migrant suffering in the process; now, the symbiosis became much more severe, with the help of unchecked armed factions. Apart from some lip service to fundamental rights and protection for migrants and refugees, the EU-Italian containment strategy was now set to trump similar strategies seen at other borders of Western states (including the US and Australia) in its maximisation of deterrence through human suffering. The desert and sea had long been used as, in the jargon of the US, an 'optimisation of natural obstacles' in migration control.¹⁹⁰ Now, the dangers of detention and violence by numerous armed groups and by the coastguard could be used to optimise deterrence even further. In the summer of 2017, the then Italian Interior Minister Marco Minniti

began haggling with conflicting Libyan tribes and militias. Minister Minniti's 'desert diplomacy', together with the push to equip, train and coordinate with the Libyan coastguards, did result in dwindling refugee numbers – as well as more suffering for those pushed back to or contained in what the Italian foreign ministry itself called the 'hell' of Libya.¹⁹¹ Meanwhile, there have been numerous reports of Libyan forces putting migrants in peril on the open seas, at times leaving them to perish.¹⁹²

Both European actors and their Libyan counterparts knew what game they were playing: one where the weaker Libyan side could mobilise threats to gain individual, institutional or state-level leverage and funding from EU partners (or from human smuggling on the side), while Europeans willingly looked the other way to get the job done at any cost, as long as the political results in the short term were favourable.

The mandate of the EUNAVFOR Med mission was renewed on 30 March 2019, at a scaled-down level, amid disputes between EU Member States about disembarkation arrangements. Its fate illustrates the political function of deterring migration. Naval patrols stopped, but aerial missions and training of the Libyan coastguards were stepped up, allowing the EU to show its determination in the fight against smugglers. According to one EU diplomat, "It is awkward, but this was the only way forward given Italy's position, because nobody wanted the Sophia mission completely shut down." Meanwhile, the removal of naval patrols leaves migrants in distress at sea and at the mercy of the Libyan coastguards.¹⁹³ As the European Council on Refugees and Exiles affirmed: 'the strategy of supporting third country's coastguard agencies while cutting or preventing Search and Rescue (SAR) by European (EU, state and non-state) actors is a deliberate attempt to avoid responsibility for rescued persons and to get other countries to take actions that lead to human rights violations and that would be illegal under international, EU and national law with consequences if carried out by Europeans'.¹⁹⁴

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Libyan deterrence helped remove irritating witnesses in the central Mediterranean, while Libyan pushbacks of migrants and refugees allowed EU Member States to deal with accusations of *refoulement*.

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4.4 The 'double game': migrants as leverage and resource

Underneath the 'official' game described earlier, a duplicitous one was also being played out – where major Libyan political and militia leaders actively stoked the threat of migration, whether for financial or political reasons (as Colonel Gaddafi did during

the NATO bombings). The coastguards benefitted greatly from human smuggling. 'Far from being partners in ending the trade, state actors are key facilitators', one report said.¹⁹⁵ 'Armed groups, which were party to larger political-military coalitions, have specialised in illegal smuggling activities, notably human smuggling and trafficking', reported experts to the UN Security Council in a 2018 report, adding that most of these armed groups 'were nominally affiliated to official security institutions'.¹⁹⁶

Reports suggest that those who benefitted from EUNAVFOR MED training included 'individuals accused by the Final Report of the UN Panel of

Experts on Libya of being responsible for smuggling oil and trafficking human beings'.¹⁹⁷ Leaked EU internal documents in March 2019 also mentioned that 'officials acknowledge internally that some members of the Libyan coastguard that the EU funds, equips and trains are collaborating with smuggling networks'.¹⁹⁸ In addition, while smugglers were branded as 'slave traders' and 'traffickers' by European leaders – blamed (sometimes correctly) for violence and exploitation – Libya's militias and armed forces themselves benefitted heavily from extortion in the detention camps they ran, with rape and sexual abuse a frequent alternative or complement to 'liberation fees'.¹⁹⁹

Following Italy's change in government, the security and deterrence approach became harsher and the situation in Libya kept worsening. A UN human rights report in December 2018 detailed gang rape, starvation, beatings, burnings and electrocution as ways used to extort money from migrants' families (not a new phenomenon in Libya by any means), as well as 'the complicity of some state actors, including local officials, members of armed groups formally integrated into state institutions, and representatives of the Ministry of Interior and

Ministry of Defence, in the smuggling or trafficking of migrants and refugees'. Another report noted horrific levels of sexual violence against women and men in Libya, with armed groups, guards and traffickers abusing men and boys for extortion fees or punishment.²⁰⁰

For these armed groups, a virtuous circle had set in: as one perceptive reporter put it when visiting a 'miserable' women's camp under Commander Al Bija's coastguard command, 'the more Africans were herded together in these camps and the worse the conditions, the stronger the basis of negotiation for the militia with Europe was'. Commander Al Bija himself was one of six individuals designated for targeted sanctions by the UN Security Council in June 2018, on account of beating migrants during an alleged sea 'rescue' operation.²⁰¹

In places such as that of Zawiya, suffering was instrumentalised in an extreme fashion. Migrants detained in warehouses were a triple resource to armed factions – as inmates to extort and abuse, as leverage that could at any time be unleashed on European coasts, and as victims whose conditions the EU had to improve by disbursing more funding to the forces.

Various authors have warned about the major risks associated with the EU's containment strategy, as funding benefits militias and unchecked armed groups and as various perverse incentives increase to inflict suffering on migrants and to stoke the 'threat' against Europe while competing for smuggling-cum-patrolling turfs. As one study concludes, 'the short-sighted containment of migration flows, perceived as threatening by Europe, may run counter to the achievement of Europe's declared strategic objective of building a viable state and solid institutions in Libya'.²⁰² The EU is implementing projects to empower civil society – in mediation and the delivery of basic services – and to support municipalities in Libya, but its containment strategy risks undermining these efforts. The European External Action Service has kept insisting that the EU is contributing to a stable and democratic political arrangement in Libya, while publicising its funding for UN agencies and for 'voluntary returns'.²⁰³ While the latter initiatives raise troubling questions of their own, such statements still fail to mask how Libya now stands as an example of what some authors have called a 'post-humanitarian' border: a site of multiple deterrence measures in which human suffering has become functional to the various actors engaged in the 'game' of border security, including those that both play the system and feed it.²⁰⁴ As Amnesty International said in May 2018, the 'EU is turning a blind eye to the suffering caused by its callous immigration policies that outsource border control to Libya... When European

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Migrants detained in warehouses were a triple resource to armed factions – as inmates to extort and abuse, as leverage that could at any time be unleashed on European coasts, and as victims whose conditions the EU had to improve by disbursing more funding to the forces.

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Migrants in a detention centre near Gharyan, outside of Tripoli, Libya, April 2014.
© Karim Haddad

leaders spare no effort to ensure the Libyan Coast Guard intercepts as many people as possible, they are sending those migrants and refugees straight back to Libya's detention centres which are notorious for abuse and torture.²⁰⁵

4.5 Unpredictable side effects of deterrence

A final note on Libya concerns the limits of even the most heavy-handed policies, which for now seem to have 'solved the migration crisis' politically. Libya is an example of how – over just two decades – a large civilian population of foreign workers has been mobilised as a threat for strategic and domestic purposes. The gains from doing so have only grown, while the means for doing so have also widened. This does not mean that people can be indefinitely 'contained', as border guards themselves are often well aware: new routes open up via smuggler-guard networks in combination with migrants' own skills and perseverance and depending on the fluctuations in the political double game being played at each

moment. This was seen with the sharp rise in arrivals into Spain in 2018, combined with very limited attempts by Moroccan authorities to rescue people during this time, even in their own search and rescue areas.²⁰⁶

The Libya case also highlights how a short-sighted security approach can have destructive, long-term consequences for regional labour migration. Well before the current conflict, the migration crackdowns that escalated since the Colonel Gaddafi era have managed to undermine Libya's status as a very significant migration destination, which in turn has had knock-on effects on routes towards other destinations, including Europe.

In our interviews in Sicily and Lampedusa in 2015, we heard stories of onward movement from many West African workers who were formerly based in Libya. One interviewee, Songho from The Gambia, related how he had spent six months in prison in Libya, where the guards beat him. Yet in his view, life outside prison was almost more dangerous: on one occasion, 'bandits' attacked him with knives as he gathered with other jobseekers on a street corner, leaving him with a big scar across his stomach.

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Libya now stands as an example of what some authors have called a 'post-humanitarian' border: a site of multiple deterrence measures in which human suffering has become functional to the various actors engaged in the 'game' of border security, including those that both play the system and feed it.

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Eventually he found work laying floor tiles. One of his clients – a police chief – organised his boat trip for the relatively cheap price of \$350. Songho made it to Italy on the second attempt. Reflecting on this experience, he said: “I never wanted to go to Italy. I came to work in Libya.” Yet returning to The Gambia via the no-man’s-land of southern Libya was not an option: “It’s better to continue by boat than to go back home – to go back is too dangerous.”²⁰⁷

Besides this practical problem of shifting migratory drivers, the border security approach achieved something equally, if not more, disturbing: it helped entrench economies of conflict and of illicit and cross-border trades, further destabilising the country – as seen in reports of fighting over the closure and opening of particular smuggling routes. In late 2017, clashes took place in Sabratha between forces associated with a well-known smuggler, Ahmed Dabashi – who had been approached

directly by the Italians to join the crackdowns on migration rather than profiting from it – and his former smuggling partners and rival militias who wanted to continue the trade. Migrants were forced to join the escalating conflict. According to one report, ‘More than 40 people were killed and almost 350 injured in the fierce urban fighting that displaced more than 15,000 people from around 3,000 households.’²⁰⁸ As the authors state, ‘The strategy of co-opting certain parts of the region’s syndicates and not all, not only robbed the militia groups that were left out of a revenue stream but, in the context of end-game positioning, also presented an unacceptable existential threat.’

This stoking of conflict among competing armed groups – and with it, an entrenchment of war economies via border security collaboration – makes any alternative all the more expensive in the political and financial ‘marketplace’ of Libya, as seen not only on the coast but also in the southern Fezzan region.²⁰⁹

The deeper problem is political. The more the crisis narrative is stoked in Europe – as seen already in the manufactured ‘emergencies’ of the 2000s and early 2010s – the bigger the leverage for ‘partners’.²¹⁰ As panic sets in, funding grows and actors multiply, and the risk of political missteps increases as well. In one interview, the former head of EUBAM Libya had a warning for the European strategists who were launching their navy campaign in mid-2015: “It’s not very realistic”, he said. “When you are dealing with the Libyans you need to remember that if you don’t have approval, if you are not able to cooperate with the Libyans in this kind of operation, then you should never do it because later on when this conflict is over, how to set up this cooperation [on borders] if you manage to get them angry now? Their behaviour is like that, they will remember this kind of thing.”²¹¹ For now, it seems that the biggest gains are made from playing the official game and from imposing border security via militias and armed forces, with little concern for the human or political consequences. But there is no reason why this should continue indefinitely. Meanwhile, as European politicians revive old dreams of ‘humane’ processing centres on North African soil, replacing Libya’s hellish detention facilities, they face yet another political problem of their own making: there is little reason why Libyan forces and authorities would agree to ‘humanise’ their facilities as long as their main tool and source of leverage remains suffering and desperate migrants under their control.²¹²

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... there is little reason why Libyan forces and authorities would agree to ‘humanise’ their facilities as long as their main tool and source of leverage remains suffering and desperate migrants under their control.

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Notes

- 157 Human Rights Watch (2014).
- 158 On the legal shifts across the region, see Perrin (2016).
- 159 Molenaar and El Kamouni-Janssen (2017), p 14.
- 160 Collyer (2007).
- 161 De Haas (2007a), p 16.
- 162 Rinelli (2016).
- 163 For example, see Lucht (2011).
- 164 Greenhill (2010).
- 165 Squires (2010).
- 166 Andersson (2014), p 2.
- 167 For more on mercenaries and lynching, see Engelbrekt et al. (2014) and Hilsum (2013).
- 168 Crawley et al. (2016), p 8.
- 169 International Organization for Migration (IOM, 2017). IOM reports from the region often need to be treated with caution however, given its long-standing role as a 'service provider' for Western donor governments: see Brachet (2015). Moreover, the brutal conditions in Libya were well known long before IOM's 'slave trade' intervention. On the inhumane conditions in Libyan detention, see Human Rights Watch (2017) and Amnesty International (2015).
- 170 Cited in Ivaschenko-Stadnik et al. (2017), p 29; also Loschi et al. (2018).
- 171 Loschi et al. (2018), p 3.
- 172 For a critique of smuggling crackdowns, see Andersson (2016); House of Lords (2017).
- 173 Campbell (2019).
- 174 As related in Andersson (2019).
- 175 Loschi et al. (2018), p 5.
- 176 For example, Andersson (2014). Trafficking involves the transport of people by force, deception or fraud for the purpose of exploitation, which is distinct from human smuggling as a 'service' of transporting people across borders.
- 177 Office of the United Nations Commissioner for Human Rights (2016); Loschi et al. (2018).
- 178 European Commission (2017a).
- 179 Associazione Studi Giuridici Immigrazione (2017).
- 180 European Council (2017).
- 181 Tory-Murphy (2017); European External Action Service (2018).
- 182 Amnesty International (2017b), p 8; on initiatives in Fezzan, see International Crisis Group (2017).
- 183 Amnesty International (2018b); for International Organization for Migration's own perspective on returns, see IOM (2018); an earlier academic critique is offered by Brachet (2015). See also Andersson (2014) for similar (if smaller-scale) problems besetting 'voluntary' return programmes in Morocco.
- 184 Human Rights Watch (2018c).
- 185 Ministry of the Interior, Italy (2017).
- 186 Serrano-Conde (2019). In March, Italian Minister of the Interior Matteo Salvini ordered the seizure of a ship that had tried to defy his orders, saying it 'abetted' migration, in words cited by Tondo (2019).
- 187 European Council on Refugees and Exiles (2019).
- 188 Refugees International (2017).
- 189 See Obert (2017) on the coastguard, including this quote; see Reuters (2017) on Sabratha.
- 190 See Andersson (2014), p 10.
- 191 Reuters (2018b).
- 192 A recent alleged case is reported by Reuters (2018c).
- 193 Reuters (2019); Council of Europe (2019a).
- 194 European Council on Refugees and Exiles (2019).
- 195 Micallef and Reitano (2017), p 52; also Loschi et al. (2018).
- 196 Reuters (2018a).
- 197 Loschi et al. (2018), p 7, citing UN and Amnesty International reports.
- 198 Campbell (2019).
- 199 Obert (2017).
- 200 OHCHR (2018); Women's Refugee Commission (2019).
- 201 Following the sanctions, 'Bija was removed from his post as head' of the Libyan coastguard in Zawiya, which was 'confirmed to UNSMIL in a meeting with LCG in October 2018'. See Office of the High Commissioner for Human Rights (2018).
- 202 Loschi et al. (2018), p 22.
- 203 European External Action Service (2018).
- 204 Cuttitta (2018).
- 205 Amnesty International (2018b).
- 206 Spain saw some 57,000 arrivals in 2018. While displacement of routes is likely to have played a role to some extent, the political tradeoffs between Rabat and Madrid have been at least as important. Spanish rescue operations in Moroccan waters rose sharply from 16.7 per cent to 33.4 per cent of all rescues between 2017 and 2018. This trend came to a halt after the January 2019 announcement of the Spanish king's February visit to Rabat, in which further efforts were made to placate Morocco. See El País (2019).
- 207 This example is used for illustrative purposes, as the wider dynamics of the complex drivers – and varied destinations of these kinds of migration – are well reported elsewhere: for example, Crawley et al. (2016). See also Andersson (2019), where the wider findings are discussed.
- 208 Citations from Micallef and Reitano (2017), pp 13–15. The incident is also discussed by Tubiana and Warin (2019), who cite the report.
- 209 These economies were seen in the Fezzan region, which has long depended on cross-border trade and travel: see International Crisis Group (2017); see also Brachet (2009). On the political marketplace and risks of strengthening the wrong incentives, see De Waal (2015). Besides border security, we must – as in the earlier Colonel Gaddafi years – also remember the strong economic interests by conflictive EU Member States in Libya, with France and Italy in particular vying for lucrative deals for their respective oil giants, Total and Eni. In other words, and as alluded to in the report, EU actors are not always aligned on Libya (or indeed on other countries considered here). For example, see The Economist (2018).
- 210 Such 'emergencies' include one announced by Prime Minister Berlusconi in 2011 in response to a relatively small number of Tunisian migrants forcibly kept on Lampedusa in front of the media: see Andersson (2016).
- 211 Cited in Andersson (2019).
- 212 Notably, other governments in the region – including Tunisia and Algeria – have similarly refused to contemplate setting up such centres, while the African Union (AU) has suggested similar AU-wide refusal: see Boffey D (2019).



Migrants sit in the back of a truck at a local immigration transit centre in the desert town of Agadez, Niger, 25 May 2015.

© Reuters/Joe Penney

5

Niger and the securitisation of the Sahel

Over time, the focus in Libya has gradually shifted south, to where EUBAM Libya once feared to tread – the southern border regions of the country, where the Sahara merges with the Sahel. Here we come full circle, for this political and operational shift over recent times brings us back to the early days of Europe’s fight against migration. It was in this West African region where, more than a decade ago, many of the punitive and pre-emptive forms of deterrence and collaboration were first tested to the full, expanding on the Maghreb experiments traced in the previous chapter. In this chapter we will retrace some of these historical steps before focusing on the latest hotspot for European interventions – Niger, on the route towards Libya.

Early on, West Africa became a laboratory of outsourced European border control in a reactive rather than proactive way, in response to shifting migratory routes. As Spanish and Moroccan forces closed the route into the enclaves of Ceuta and Melilla in 2005 in response to a ‘border crisis’ at the enclaves’ fences that year, migrants sought new pathways, in a well-known displacement effect. Migrants from the Maghreb had in earlier years set out by sea towards the easterly Spanish Canary Islands off the African coast. In 2006, a route from further south – Mauritania, Senegal and The Gambia – opened up to the central Canary Islands of Gran Canaria and Tenerife, leading to what came to be known in the Spanish media as *la crisis de los cayucos* – the boat crisis. One year before, the Ceuta and Melilla ‘border crisis’ had acted as a catalyst not just for intensified border security collaboration with Morocco and new border fences, but also for the launch of the EU’s Global Agenda on Migration and Mobility. The 2006 ‘boat crisis’ spurred a new set of border control and development aid ‘innovations’ that have lingered ever since as a blueprint for externalised border controls.

5.1 Security, development and migration: The West African experiment

In response to the opening of the Canary Islands route, Spain suddenly went into diplomatic

overdrive, opening embassies across West Africa. It also set up an 'Africa Plan' channelling development aid to the region, which reports showed (and our own research confirms) was tightly linked to migration control priorities.²¹³ Madrid outsourced migration controls to West African forces via extra pay, new equipment, and generous international trips and missions, with some of this funding stemming from Spanish development aid. Joining these police

on patrol during our research, we saw for ourselves the absurdity – and the disturbing implications for fundamental rights – of attempts to pre-emptively control supposed irregular migrants bound for Europe in a region where travellers can move freely under the ECOWAS free movement rules.

Besides efforts to strengthen inland patrols, Madrid signed memorandums of understanding for coastal patrolling with states such as Mauritania and Senegal. Soon, Spanish civil guard vessels and other European assets under Frontex Joint Operation HERA – the EU sea patrol operation in the coastal areas of Senegal, Mauritania, Cape Verde and the Canary Islands – scoured African territorial waters and open seas in a further pre-emptive search for boat migrants. Spain also set up mass deportation deals with these states, using development aid to win over leaders such as Senegal's President Abdoulaye Wade, who was widely rumoured to have used the funds to finance his re-election campaign.²¹⁴ Besides official disbursements, Spain also paid off smaller players in an underhand and opaque way. Recent reports have shown that the Spanish national intelligence agency was directly involved in paying boat builders in Senegal to prevent migration.²¹⁵

As these examples suggest, development aid was used as a large element of the security response in West Africa – more than in the richer Maghreb. Besides Spain's Africa Plan and the provisions and promises of the EU's GAMM, this development lens

was perhaps most evident in the inter-regional Rabat process which, starting in 2006 under Spanish, French and Moroccan leadership, linked development and border management (see introduction on page 8).

Given the poverty and aid dependency of West African countries, the 'securitisation of development'²¹⁶ has had significant consequences for the funding of national law enforcement, security forces and civil society organisations, as we saw ourselves during fieldwork in Senegal and Mali. The focus on 'fighting irregular migration' via incentives for political and security actors clashes directly with the long-established regional migration context. Across West Africa, intra-regional migration has long outstripped inter-regional and intercontinental migration, and cross-border flows of goods and people have long been the lifeblood of local economies, including of underpaid state officers. Regional – as well as inter-regional – migration has not just been a livelihood strategy, but also a stabilising influence in that it diversifies risks and sources of income for families while allowing for political 'escape valves' and for both informal and formal economic productivity. From the time of the earliest panic regarding outmigration from this region in 2006, this is a reality that European policymakers have studiously ignored, and even undermined.²¹⁷

Consider Mauritania, which has, like Libya, long been a large labour importer rather than simply a so-called 'transit state' for West African migrants. First – from 2005 onwards – the migratory 'threat' facilitated political recognition for the security state and a repressive regime. Conveniently, the 2006 'boat crisis' in the Canaries, in which boats had largely set off from Mauritanian coasts, came right after a *coup d'état* in the country – and so forced European leaders to engage with the new unelected regime. Second, the collaboration involved large disbursements for Mauritania's ailing law enforcement agencies and security forces. Besides the European and IOM-facilitated building of border posts, Spain funded a deportation centre in the northern city of Nouadhibou while providing equipment and pay to migration-focused patrols, as elsewhere in the region. The result was a numbers game (*la politique du chiffre*), as one NGO report called it. In our interviews, Senegalese border police working on the Mauritanian border distinguished between *raflés* ('raided' foreigners) and *clandestins* ('illegals') deported from Mauritania. The former, they said, were simply foreign workers picked up to make up numbers, not individuals intent on migrating clandestinely to Europe. Several sub-Saharan Africans were detained in Nouadhibou for carrying two pairs of jeans, which 'proved' they were on their way to Europe. Once numbers of departing

“ ... the 'securitisation of development' has had significant consequences for the funding of national law enforcement, security forces and civil society organisations ...

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migrants dropped, even this was not needed as an indication of illegality: skin colour was enough. The Spanish Red Cross, which collected the only systematic data available on those detained, came to similar conclusions on the numbers game. The ‘reception’ (or detention) centre set up with Spanish development aid in the northern city of Nouadhibou was first a “welcoming centre in citation marks”, said one Spanish Red Cross officer, before being “converted into a detention centre for anyone suspected of wanting to migrate”. The European drive to ‘fight migration’ here risked negatively affecting Mauritania’s already tense domestic racial politics, as well as its relations with southern neighbours – not to mention the impact on the rights of migrants or residents deported on false grounds.²¹⁸

In neighbouring Mali, the new funding streams allowed underfunded border security forces to position themselves as key interlocutors for the Europeans – as we saw in fieldwork and interviews with the *gendarmerie* and the border police. In this ‘securitisation’ of migration, threats of terrorism and of unauthorised migratory movements intermixed. To the Malian *gendarmes*, interviewed in 2010, Central and West African migrants stranded in Mali after expulsion from Algeria incarnated the dangers. The *gendarmerie* told us that if they did not get funds to set up ‘transit centres’ for the migrants, the consequences would be dire: “They’ll steal, rob, even kill, or they can be recruited by AQIM [Al Qaeda in the Islamic Maghreb]. It’s a big problem.”²¹⁹

We have dwelt lengthily on this historical context in order to emphasise that it is impossible to understand more recent trends in border security collaboration without a better view of how certain so-called templates – especially Spanish aid and security in West Africa – have been held up as successful and as models to emulate in Turkey, as well as in Africa’s Horn. Similarly, the ways in which threat narratives are used as leverage for ‘development’ aid in this region are somewhat more subtle than in Libya, though they still generate disturbing dynamics among ‘partners’ in the ‘fight against migration’. The country that best exemplifies this securitisation trend and its perverse consequences is situated on the central route towards North Africa: Niger, which we will now discuss in some depth.

5.2 Niger: Mobilising the assets of (in)security

Niger, like the other West African countries we have already discussed, has long been embedded in regional routes, both for seasonal movements within West Africa and cross-border trade and mobility into and back from Libya (and Algeria).²²⁰ As one report put it, ‘an estimated 20 percent of migrants travelling on this route ultimately take the boat to Europe, with the remainder of trans-Saharan migration constituting a circular and temporary intra-African livelihood protection strategy’.²²¹ Again ignoring these regional and historical trends, European governments and the EU have stepped up their migration control measures significantly in Niger, at the same time as the US and France are using the country as a base for regional counter-terror operations. Niger, in short, has found itself sitting on a prized asset – the twinned threats of migration and terrorism – and has become extremely adept at mobilising the threat discourse to get larger political and financial rewards. Yet the risks for Niger are also adding up. It has gone through various coups since independence. It has managed to keep a lid on northern unrest for some years, yet the risks of new rebellions remain. It has also seen a strongman president, Mahamadou Issoufou, consolidate his power, even as popular unrest and discontent have grown.²²²

In 2016, the regime saw its chance to take advantage of Europe’s migration panic and upped its demands, in line with what President Erdoğan had just achieved and with what Colonel Gaddafi had tried a few years earlier. The sums offered by Spain to West African states only a few years before were now seen as unacceptable. “Niger needs a billion euros to fight against clandestine migration”, the foreign minister said in May 2016, as President Issoufou continued to position himself as an indispensable interlocutor for the Europeans (and for the Americans on terrorism). The gamble paid off: in December 2017, the EU announced it would support Niger with assistance of €1 billion by 2020. Meanwhile, France’s President Emmanuel Macron landed in Niamey and began praising President Issoufou as a paragon of democracy – despite the country’s disputed elections. He also brought further offers of some €400 million in aid. The reasons are clear: Niger was in everyone’s crosshairs, because of the incipient

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Niger, in short, has found itself sitting on a prized asset – the twinned threats of migration and terrorism – and has become extremely adept at mobilising the threat discourse to get larger political and financial rewards.

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... scientific evidence suggests that more 'development' would not 'halt' migration in the short run, but may instead increase it as people's aspirations and capabilities increase.

G-5 Sahel counter-terror force organised by five regional states with strong French support, as well as the escalating drive towards tougher migration controls – which also involved Italian postings of soldiers to crack down on smugglers.²²³

Donor priorities on migration and insecurity, in short, have given a boost to the Nigerien regime – a development they have welcomed. This is also the case across other African 'partner states' in the fight against migration, as already noted in Libya, Senegal and Mauritania.²²⁴



The gains were both political and financial. One estimate by the Overseas Development Institute put a price tag of €15 billion on European spending between December 2014 and September 2016 on convincing non-EU states to crack down on migration, including via trust funds and bilateral deals covering Turkey, Syria and a range of countries in sub-Saharan Africa (although this is a very loose estimate, given the lack of transparency in such security-tied financing).²²⁵ As for the political gains, these can be substantial – whether propping up strongmen, as with Niger's President Issoufou or Libya's Colonel Gaddafi; ensuring that the Europeans stay out of contentious 'internal' affairs, as in Morocco's occupation of Western Sahara; or facilitating recognition of a junta, as in Mauritania after its 2005 coup.²²⁶

5.3 Securitized aid: negative impacts on stability and development

It is worth lingering on the 'development' side of these incentives, given the salience of this in West Africa in particular. Spain, as we have noted, had set the tone with its Africa Plan in 2006, which built on earlier attempts at addressing the 'root causes' of migration or encouraging returns (including via so-called 'co-development' initiatives of the kind spearheaded by France). The EU and some member states, including Italy, France and now Germany, have since followed suit: of the national 'migration compacts' (or formal agreements) under the Migration Partnership Framework, four out of five are in the West African region (Niger, Mali, Senegal and

Nigeria; the fifth is Ethiopia).²²⁷ Yet this 'development' focus faces several problems that are rarely recognised in official circles.

First, even if development aid was on the scale of an 'African Marshall Plan' or was massive and effective (which it is not), scientific evidence suggests that more 'development' would not 'halt' migration in the short run, but may instead increase it as people's aspirations and capabilities increase.²²⁸ Some nuance is needed here, however: besides being worthwhile in itself as an antidote to the economic and political injustices faced by African people over time, such large-scale assistance may also provide much-needed employment which could counteract the trend towards more international migration observed in other world regions. The nature of mobility would also likely change to less desperate forms.

Second, much of the relevant funding is misdirected in ways that undermine development. The EU announced in 2018 that it was bolstering its spending in Africa by more than 20 per cent over the next seven years to a minimum of €36 billion. But this funding remains tied to the 'fight against migration' and is therefore restricted by the 'misdirected finances, lack of accountability and repeated breaches of basic human rights' that critics have identified, including in both the Libyan and Sahelian cases. As development aid is instrumentalised for short-term political ends of combating migration, it fuels corruption. We have already noted the criticism that, in 2006, Spanish development aid served as backhand payment to political leaders, helping to undermine trust in the democratic system. In our fieldwork in 2010, young Senegalese men deported back from the Canary Islands recounted how much money President Wade had "made" per deportee, asserting with justified bitterness that "there's lots of money in illegal migration".²²⁹ On a much larger scale, a decade later Niger has become the largest recipient of EU aid per capita in the world, and (in a shift from previous good practice) increasing amounts of this aid (75 per cent) now go straight to government coffers despite the rampant corruption risk.²³⁰

A significant element of misdirection occurs when development funds are diverted to security measures (as has increasingly been the case since the Spanish experiments around 2006 onwards), eroding both the value and the legitimacy of the development aid. In Niger, expanding on the earlier Spanish experiments discussed previously, development funding has been used for connecting remote border posts to the internet; for hiring judges to hear smuggling and trafficking cases; and for 'hundreds of flatbed trucks, off-road vehicles, motorcycles and satellite phones for Niger's security forces'.²³¹

Stepping momentarily out of the migration field, we note that – given the corruption risk and the politically driven nature of the funding streams, even when large-scale funding (whether out of development ‘pots’ or from other sources including defence and interior) is disbursed to security sectors in poor Sahelian countries – spending does not equal results, or at least not positive results for the recipient country. This can be seen in the short-termism and problems of the EU military training mission for Mali (EUTM Mali); the US counter-terror missions preceding it (involving the training of a captain who went on to stage a coup in Bamako in 2012, unravelling the country’s thin democratic fabric); or in the EUCAP Sahel capacity-building missions in Mali and Niger more recently, which unsurprisingly have shown ‘little sustainability’ and ‘limited and slow progress’ according to the European Court of Auditors.²³² In 2015, the EU made its CSDP missions part of its policy of externalisation of migration and border controls in the Sahel, tasking EUCAP Sahel Niger to support the capability of the security forces ‘to better control migration flows and to combat irregular migration and associated criminal activity’.

A third problem is that the more European or Western actors focus on fighting supposed threats to themselves – smuggling, migration and terrorism – the more setbacks there are for genuine opportunities for stability. Besides the risks of generating perverse incentives for stoking threat narratives, as already noted, risks include: the dangers of strengthening the security apparatus in countries with authoritarian or fragile regimes; the undermining of livelihoods dependent on cross-border trades and movement; and the undermining, as already noted in Libya, of regional mobility when migration becomes ‘securitised’ and criminalised, as we will see next in some detail from northern Niger’s Agadez.

5.4 Agadez: A lucrative and fragile Saharan crossroads

Northern Niger is a case in point. A decade ago, the renowned desert town of Agadez was not just a hub for border trade but also, briefly, a tourist hotspot, with young men making a living as guides and with hotels and guesthouses plying a good trade. As the terror threat grew, and as risk aversion increased in

Western capitals, travel advice changed – warning against all travel to the area – and tourists disappeared. With the arrival of counter-terror missions – including US special forces and the French operation Barkhane, which extended across the Sahel following an intervention in neighbouring Mali’s conflict in 2013 – a security economy was growing in its stead. Meanwhile, the old guesthouses had been partially refitted to house trans-Saharan migrants, and the migration business grew steadily, reaching a peak as Libya descended into chaos. For a long time, Nigerien forces had extracted bribes from supposed *clandestins* (‘illegals’) making their way through the country, using European border security priorities as the perfect excuse to levy their fees despite West Africans’ freedom to move throughout the ECOWAS region. Police and security forces had gained handsomely by accompanying transport into the north towards Libya, alongside transporters and others facilitating travel themselves (with the two categories, as noted in Libya, often overlapping). As European panic grew over migration in 2015, the EU pushed Niger to enact draconian laws against human smuggling while pouring more security and policing resources into the region. With this large-scale and multi-pronged crackdown, travel north of Agadez in effect became illegal – and so the transport trade and its associated economies started to wither in Agadez.²³³ The law also allows migrants to be detained without clear grounds, which has pushed migrants to move clandestinely, making them vulnerable to further abuses.²³⁴ Engaging with the twin threat narratives of terrorism and migration, some local politicians are now telling donors that the terror threat may grow yet again unless genuine opportunities are created for former smugglers and more funding is poured into the area, since young men may see no other option but to join violent factions.

We will soon return to cast a critical eye on how threats are mobilised in Niger, but first we must highlight the wider stability risks posed by well-funded migration crackdowns (rather than simply seeing such risks through the prism of the war-on-terror narrative). As one report put it, ‘the current dynamics of irregular migration in the region, as well as the policies designed to control migration, may contribute to the process of non-state (armed) actors forming *de facto* authority figures – with severe consequences for stability’.²³⁵

This is partly due to the fragile ‘hybrid’ governance fabric of northern Niger, which is dependent on strong patronage relations between government figures and local elites, some of whom are clearly involved in the smuggling business. As we have noted, security forces have long been dependent on side income from facilitating transport for migrants,

ACCORDING TO AN ODI ESTIMATE, EUROPE SPENT

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ENCOURAGING NON-EU STATES TO CRACK DOWN ON MIGRATION BETWEEN DECEMBER 2014 AND SEPTEMBER 2016

and their opportunities to earn this income are now constrained (unequally so, depending on their level of involvement in and how much they benefit from the border security economy). On top of worsening abuses against migrants, the crackdowns on supposed smugglers since 2015 – including jail without charge – add to people's grievances; they also undermine their livelihoods in both the formal and informal economy, given the range of economic services migrants need. Crackdowns and seizures on smugglers have reportedly targeted one ethnic group, the Tebu, adding to inter-ethnic grievances that once fuelled conflict in this region. All of these tensions and crackdowns on informal economies further undermine the state's legitimacy in an already fragile region.²³⁶

Returning to threat mobilisation, these dynamics in Agadez illustrate the Sahelian version of the wider security game already observed in Libya. In an aid-dependent context where domestic political, institutional and civil society actors know that they will only have the ear of Western donors if they invoke a threat, we will keep hearing the threat narrative in ever louder voices. As these calls are answered, they inevitably lead to a strengthening of the security state, rather than of genuinely civilian sectors. Niger's President Issoufou finds himself again holding all the cards: "The border with Europe, in reality, is Niger and Chad, taking into account the power vacuum, the chaos there is in Libya", he said in 2018. "Whoever holds Africa, holds Europe."²³⁷

In this at least, President Issoufou was playing the same game as the European officials. While the EUCAP Sahel Niger mission has set up a permanent field office in Agadez, the development aid complex is extending its footprint significantly in Niamey. It is easy to see why: as one European ambassador put it, "Niger is now the southern border of Europe".²³⁸ Federica Mogherini, the EU's High Representative for Foreign Affairs and Security Policy, agreed: "If you want to manage migration and if you want to prevent further security threats in particular terrorism, there is one single place where you have to invest all your political, economic and diplomatic efforts and that is the belt of the Sahel and the Horn of Africa," she told *The Guardian* in June 2018. "That is where all our challenges could be solved or could deteriorate into something dangerous."²³⁹

5.5 The EU's risky battle

Let us return to the European side of the border security 'game'. The statements, funding and deployment involved point to a distressing trend – a need for the policy to be seen to be working at all costs, given the escalating stakes. Niger is central to this narrative, as Mogherini knew when repeatedly branding it a 'success story'.²⁴⁰ EU officials have stated at various points that the Niger strategy is working, regardless of the evidence; when Niger was first invoked as an exemplar for further EU-funded interventions, its 'success' was based on erroneous IOM figures on migration through Niger in 2016.²⁴¹ Even as migration numbers have dropped more recently, there remains a strong element of wishful thinking to this assessment – but also an equally strong and more cynical political calculation behind it. By turning the earlier development-dominated 'political marketplace' of Sahelian countries into a security-dominated one, incentives are generated for regional, national and local actors to play their part in the European-defined security game. Meanwhile, the squabbling and conflict among such actors weakens political momentum for a different, non-securitised approach to mobility of the kind some African states (and civil society leaders) have advocated for in settings such as the Valletta summit of 2015.²⁴²

This has dire consequences. Besides the security dynamics and stability implications of the security response, there are repeated migratory displacement effects, which generate larger risks – reports suggest that transport routes have diversified into more dangerous desert areas. When the security state grows, democratic space becomes ever more limited and the scope for repression increases – which is itself one of the factors driving migration from and within this region. When funding focuses on security, the non-securitised needs of the population are ignored. This can be seen in the contrast between the powerful Nigerien interior minister issuing 'shopping lists' of equipment he demands from European donors – while the World Food Programme, which is supporting the one in ten Nigeriens who are facing borderline malnutrition, 'has received only 34 percent of the funding it needs for 2018'.²⁴³ Discontent is growing: citizen protests have been staged in Niamey by people angry at austerity measures enforced despite high levels of donor funding. Meanwhile, former smugglers bristle at their own lack of funding, arguing that the EU scheme to compensate (some of) them is a failure. As one report summarises, 'The bloc has pushed for the mainstay of northern Niger's economy to be

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When the security state grows, democratic space becomes ever more limited and the scope for repression increases – which is itself one of the factors driving migration from and within this region. When funding focuses on security, the non-securitised needs of the population are ignored.

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where all our challenges could be solved or could deteriorate into something dangerous.”²³⁹

criminalized but it remains wary of compensating the individuals and groups it has helped to brand as criminals.²⁴⁴

In the Maghreb and the Sahel, and in Libya and Niger in particular, we have shown how a threat narrative around migration (especially of sub-Saharan Africans) has grown over the past two decades – and how mobility both within and beyond the regions has been ‘securitised’ and put in peril as a result. Military intervention in Libya has destabilised a formerly significant labour importer, generating large-scale distress for workers there. Workers have been turned into an even larger resource and target group for the various outsourced security outfits now plying their trade with the help of EU funding, building on the disastrous legacy of the Gaddafi-Berlusconi experiment. This securitisation of a region and its mobile populations was perhaps most succinctly expressed by one man jailed for human smuggling in Agadez, whose words to *Refugees Deeply* are worth relating in full:²⁴⁵

‘Ali Diallo, the veteran among the inmates, blames Europe for his predicament. Originally from Senegal, he made his way across West Africa to Libya working in construction. His life there fell apart after the Western-backed ouster of the Gadhafi [sic] regime. The steady supply of work became more dangerous and his last Libyan employer shot him in the leg instead of paying him at the end of a job. “In Senegal there are no jobs, in Mali there are no jobs, but there were jobs in Libya and that was all right”, he says. “Then the West killed Gadhafi and now they want to stop migration.” Diallo retreated two years ago to Agadez and found a job as a tout or “coxeur” matching migrants with drivers. This was what he was arrested for. He has a question: “Didn’t the Europeans think about what would happen after Gadhafi?”’

Notes

- 213 See Andersson (2014), chapter 1, for a discussion with full references.
- 214 Andersson (2014).
- 215 On Spanish intelligence, see Hernández (2018).
- 216 Duffield (2001).
- 217 This is a point made by some recent reports, for example Molenaar and El Kamouni-Janssen (2017), but it has been well known by migration scholars for many years – yet never picked up by policymakers: for example, see Andersson (2014); Brachet (2009); Choplin and Lombard (2007).
- 218 On the numbers game, see: Migreurop, La Cimade (2010). See Amnesty International (2008) on the use of clothing as evidence of illegality, and Cruz Roja Española (2008) on Nouadhibou detainees.
- 219 Cited in Andersson (2014).
- 220 Brachet (2009); see Rain (1999) on seasonal movement as a livelihood strategy.
- 221 Molenaar and El Kamouni-Janssen (2017), p 65.
- 222 Ibid.
- 223 On the original Niger bid, see Fick (2016); on the EU aid announcement, see European Commission (2017b); on Macron’s visit, see Fagan (2017). On the Italian deployment, see Kington (2017).
- 224 The parallel with the leverage, funding and recognition given to regimes partnering in the ‘war on terror’ – from Niger itself to Chad and Algeria – is striking: see Andersson (2019), and Keen (2012) and 2017 (on Syria’s leveraging of the terror threat).
- 225 Overseas Development Institute (2016), p 11.
- 226 On Morocco, see Andersson (2014); for a complementary take on how Rabat extracts ‘geographical rent’ from its position on migratory routes, emphasising domestic and regional dimensions, see Natter (2013).
- 227 European Commission, ‘Migration Partnership Framework’.
- 228 De Haas (2007).
- 229 As related in Andersson (2014).
- 230 Howden and Zandonini (2018).
- 231 Ibid.
- 232 European Court of Auditors (2018). See Andersson (2014) and Frowd (2014) on border security as ‘development’. See Andersson (2019) on military training in Mali.
- 233 Howden and Zandonini (2018).
- 234 Morales (2018).
- 235 Molenaar and El Kamouni-Janssen (2017), p 9.
- 236 Ibid, pp 37–38.
- 237 Maclean and Saley (2018).
- 238 Howden and Zandonini (2018).
- 239 Wintour (2018).
- 240 Howden and Zandonini (2018).
- 241 European External Action Service (2017). For the investigation into the erroneous figures, see Siegfried (2017).
- 242 For example, see Haastруп (2016); De Waal (2015).
- 243 Howden and Zandonini (2018).
- 244 Quotes and detail in this paragraph are from Howden and Zandonini (2018).
- 245 Ibid.



A migrant waits to disembark from the Sea-Watch 3 rescue ship in Lampedusa, Italy, 29 June 2019.
© Reuters/Guglielmo Mangiapane

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Conclusions and recommendations

“Will no one rid me of this troublesome priest?” These were the words attributed to Henry II of England in 1170, and four knights – taking up the heavy hint – famously travelled from Normandy to kill Archbishop Thomas Becket in Canterbury Cathedral. Today, the call from European capitals carries echoes of this earlier incitement: “Who will rid us of these troublesome migrants?”

6.1 Outsourcing suffering, violence and responsibility

Of course, the situation is more complex than this. Many departments and policies of European governments and the EU are concerned with mitigating migrants' suffering, and implement initiatives promoting conflict resolution, conflict prevention, development and 'good governance'. Yet the trend within European politics of stirring up hostility and panic over migrants has already had adverse consequences for the welfare of both migrant and non-migrant populations in Europe's borderlands and beyond. Disturbingly, we are now seeing the EU as a whole coalescing around what originally was a security approach by certain member states – as seen in the strategic agenda for the 2019–2024 period, which prioritises border security over other urgent challenges in European societies: 'We must ensure the integrity of our territory. We need to know and be the ones to decide who enters the EU.'²⁴⁶ The proposed solution is precisely the approach discussed and criticised in this report: deepening 'cooperation with countries of origin and transit to fight illegal migration and to ensure effective returns'. In short, the EU is doubling down on its attempts to 'outsource border controls to third-countries with notorious human rights records,' in the words of the Council of Europe.²⁴⁷

By declaring that controlling migration is the overall imperative while at the same time providing the financial and political means to achieve it, European governments and the EU have increasingly been energising a wide range of actors who can help to achieve this goal and who, in the process, contribute strongly to various forms of suffering. In turn, this helps undermine genuine and accountable 'governance' in practice, reinforcing authoritarian tendencies in countries as diverse as Turkey and Niger – in spite of commitments to rights and conflict prevention.

Many would characterise this as policy incoherence, given the increasing tension between rights-related dimensions of EU and member states' policies and elements that are more focused on containment. While such tensions are real, it is important to recognise that the emerging system is in many ways remarkably *coherent*. In fact, the system of migration control that has grown in and around Europe is today having the effect of tolerating, and even facilitating, various kinds of human suffering as part of an attempt to deter migration while simultaneously outsourcing responsibility to third parties and obscuring the violence that this inevitably involves – for instance via humanitarian or legal rhetoric.

Despite the chaos and 'crisis' that this emerging migration control system generates over time, it is also proving 'successful' in many respects, particularly in terms of the political payoffs of being seen to 'combat migration' over the short term and at

particular border sections, while avoiding responsibility for the suffering that it fuels. We are seeing the emergence of a system of 'de-responsibilisation' characterised by uncertain chains of command, an unclear paper trail and limited transparency. A hierarchy of de-responsibilisation is emerging – a system that enables violence on many levels yet remains obscure to outside observers.

By violence, we are referring to all aspects of induced human suffering. This includes prohibiting the saving of lives at sea (as in the hardline approach currently taken by the Italian government, backed in some respects by the EU); confining people under inhumane conditions (as on the Greek islands); knowingly allowing people to be returned against their will to detention sites where torture and abuse are widespread (as in interceptions off the coast of Libya); as well as the direct physical violence enacted by abusive actors within 'transit' and origin countries (including security forces, militias and

criminal actors of various kinds, in Libya and a number of other African countries).

Based on this understanding and on our systems approach set out in the introduction, a brief analytical reflection is necessary. Over the past decade or more, many scholars have approached border security as a form of 'biopower' – or power over life – drawing on Michel Foucault's work in particular, in order to highlight how caring for people and controlling them have become inextricably linked within systematic forms of containment, typically in the form of refugee and migrant camps.²⁴⁸

However, since 2015 – despite the EU's role as the lead provider of humanitarian aid worldwide and its continued humanitarian discourse in relation to migration – a shift has emerged in the parameters of this system, away from the earlier emphasis on humanitarian care and control and towards an emphasis on containment through violence and the withholding of such care. In this emerging context (which still overlaps with earlier modes and rationales), genuine humanitarian action by NGOs and volunteers – including the act of rescue – becomes less a way of controlling through helping and instead begins to resemble a form of subversion.²⁴⁹ Humanitarian aid is increasingly criminalised, even when it simply takes the form of rescue.²⁵⁰ Meanwhile, in European locations such as Lesbos, humanitarian agencies are facing the type of dilemma that has generally been associated with disasters far from Europe – stay and help but risk colluding in an abusive system, or leave and abandon migrants to appalling and inhumane conditions.

Drownings in the Mediterranean illustrate this: Italian Minister of the Interior Salvini has explicitly instructed NGOs not to rescue migrants from the Mediterranean – while recently advocating steep penalties – and he has stopped migrants from disembarking at ports; officials and journalists (notably in the UK) have argued that rescue may only encourage dangerous journeys.²⁵¹ It would seem that within the current system for controlling migration, the drowning migrant – who often has been left to drown – serves two functions: first, as a deterrent, and second, as an opportunity to argue that preventing migration to Europe is humanitarian because it reduces the frequency of drownings. However, deaths as a percentage of attempted crossings on the Central Mediterranean route shot up from 2.6 per cent in 2017 to 10.3 per cent in 2019, according to IOM figures from 3 April 2019. One in ten people embarking on this route are now dying at sea – an astonishing figure.²⁵²

The shift from care towards coercive containment presents both various 'opportunities' and problems for the EU and its member states. The shift is linked

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with the current deployment of ‘externalisation’ mechanisms in disturbing new ways. Licensing or outsourcing violence can be a convenient way of firstly avoiding responsibility and secondly keeping costs low, as seen in civil wars.²⁵³ The same dubious ‘advantages’ seem to apply when migration control is outsourced to security actors in Europe’s borderlands. While in earlier years such outsourcing was, to some extent, formulated within the parameters of a humanitarian-security nexus, since 2015 the instrumentalisation of suffering – rather than of care – has increased, and a range of unsavoury actors has emerged willing to play into this system.²⁵⁴ Militias and semi-official armed groups have begun playing a significant role in the externalisation of migration control in recent years, with some simultaneously playing a violent role in civil wars (as in Libya).

At the same time, this shift involves a likely loss of the legitimacy that the care-control (or humanitarian-security) nexus can sometimes confer on the EU and European governments. This should be highly alarming in terms of longer-term security and sustainable relationships with neighbouring states and other groups. This is due to the erosion of the EU’s ability to influence and curb the problematic behaviour of its ‘partners’, the risks of enhancing their coercive capacities, and how it turns a blind eye to their behaviour while changing priorities away from care-control and towards coercive containment.

To return briefly to our comparison with civil wars, one lesson from the use of militias in such wars is that violence can easily escalate beyond the control of those who incite it. In other words, to encourage proxy violence is to play with fire. Reinforcing authoritarianism and human suffering in Europe’s borderlands radically undermines the prospects of reducing migration into Europe in the longer term. In many ways, this brings us full circle when it comes to ‘coherence’. In the long term, a brutal and ‘coherent’ attempt to deter migration has every chance of becoming incoherent due to the ‘blowback’ from increasing insecurity in the borderlands, and from partners’ own ‘weaponisation’ of migration for short-term financial or political ends.²⁵⁵ For self-interested and also ethical reasons, the EU and European governments should stop passing on responsibility for migration to partner states. They should also ensure adequate and dignified treatment of migrants and refugees and respect for their rights, in collaboration with such states. Doing so would also bolster the moral credibility of the EU, which is already under fire politically.

Yet the chaotic scenarios that result from these dynamics, and from neighbouring states deploying migrants as leverage, serve as perverse justification for the further reinforcement of the border security

approach. The smuggler here emerges as a ‘useful enemy’, and migrant suffering as collateral damage arising from a security approach that has no apparent end.²⁵⁶

6.2 The distribution of risks

Rather than neutralising the risks that are perceived to be associated with migration, the current security approach exacerbates them, especially in the longer term. At the same time, it distributes these risks in an uneven way, concentrating many of the problems (at least in the short term) in so-called ‘buffer regions’. This emerging system both reflects and reinforces the nationalist and fear-based narrative around migration seen in Europe since 2015.²⁵⁷

The system has often been ineffectively challenged – and may be actively reinforced – by analyses promising to be ‘hard-headed’ or ‘realistic’. We see this in influential proposals by academics, including in the 2017 book *Refuge*, in which the overwhelming majority of the risks of hosting refugees are presented as accruing to ‘core’ European countries (most notably, Germany). Influxes into European countries are seen in this analysis as inherently destabilising, and benefits in these regions are hardly acknowledged. In contrast, in countries closer to the ‘sending’ regions, the potential benefits are strongly emphasised (via, for instance, the special economic zone model) while the large risks of political destabilisation that may result from a regional containment approach are all too quickly dismissed.²⁵⁸

By contrast, while recognising the political constraints, we urge a more comprehensive analysis of the costs and benefits for every country. This involves taking proper account of the risks in ‘exporting’ migration controls as well as of the potential benefits of safe migrations for both European and non-European countries. Currently, migration control agendas have deepened the costs within ‘buffer regions’ while selectively conferring substantial benefits on certain leaders and elites within these regions and within European countries instigating intervention. Such benefits arise in large part when leaders and elites in buffer regions ‘game’

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A more level-headed analysis of costs and benefits and their distribution can push discussion and debate away from the anti-immigrant political discourse – rather than reinforcing it – while also reducing the perverse incentives that currently proliferate around the declared priority of stemming migration flows.



directly or indirectly – to a range of dubious security actors, from state forces to paramilitary groups. Where fragile countries are destabilised (as in Niger), there are likely to be many dangerous knock-on effects. While we should acknowledge that political risks and the risk of destabilisation are relevant in relation to EU Member States (as seen in Italy and Greece), such risks are significantly more acute in ‘buffer’ states.

6.3 Migration controls contributing to conflict dynamics and abuses

This report and other studies have identified some key mechanisms through which the emerging system of migration control interventions can feed into conflict and human rights abuses:

- One is through the **EU's narrow focus on fighting migration and its 'integrity problem'**, as identified in this report in relation to Turkey. The EU, as a normative power with significant financial and

the emerging system of migration control, threatening to withdraw their cooperation if they are not offered substantial funding or impunity for actions that might otherwise bring international censure and sanctions. A more level-headed analysis of costs and benefits and their distribution can push discussion and debate away from the anti-immigrant political discourse – rather than reinforcing it – while also reducing the perverse incentives that currently proliferate around the declared priority of stemming migration flows.

Besides the chaos and fear stirred among the public in European countries by hard security measures, there are many risks in ‘buffer regions’ of the current security approach. First, there is the danger of reinforcing authoritarianism, internal repression and human rights abuses (whether directed at migrants or non-migrants). Second, there is the risk of instability or outright military conflict arising from the support and legitimacy accorded –

diplomatic clout at its disposal (as well as at the disposal of member states), can fundamentally alter political behaviour in ‘partner’ states. If the EU wants this influence to have a positive impact – as it has recently affirmed in its strategic agenda – it needs an honest and informed appraisal of conflict dynamics. Yet in practice, many European actors have had a strong incentive to look the other way in the face of escalating abuses. This applies to human rights abuses involving regimes that the EU seeks to cooperate with on migration. It also applies to countries that EU politicians and actors insist are ‘safe’ (often to justify returning migrants to these countries or keeping them from leaving in the first place).

- Treating **human mobility as criminal** incentivises a range of security actors to strengthen their repressive capacities in order to ‘fight crime’, and in turn to step up abuses. Such behaviour is increasingly seen as legitimate given the perceived migratory ‘threat’, and human smugglers often serve as a politically convenient focus for official wrath. Meanwhile, framing mobility as a ‘crime’ tends to position governments as ‘the good guys’ and disguises the important role that authorities (whether outside or inside the EU) are playing in actively fuelling violence, alongside various forms of irregular or semi-legitimate armed groups or forces. A ‘crime’ framework also tends to disguise the existence of war and marginalises the important question of how state authorities can be pressured to rein in violence that they are helping to create. State actors (even highly abusive ones) are likely to be legitimised and praised as saving people from smugglers, even though they may be involved in a variety of criminal activities themselves (including, of course, the facilitation of smuggling itself). Meanwhile, undermining economic activity associated with migration may deepen poverty and create associated risks of violence (as in Niger).
- Besides risks to migrants, there is a risk that authoritarian regimes may use security support for border and migration controls for other purposes, as securitised measures and technologies may also be applied to the domestic population. This is the risk of **‘dual use’**, as highlighted in EU migration partnerships in the Horn of Africa, as well as in the militia-based violence besetting Libya.²⁵⁹
- In each of the three case studies in this report, we saw that there were strong – and sometimes apparently irresistible – incentives for ‘partner’ regimes to play up the migratory threat while claiming to control it. This **‘double gaming’** carries profound human rights consequences. It creates an incentive to stoke dangerous situations at the borders, as well as significantly increasing the risk that migrants will be subjected to violent and

arbitrary treatment both in the ‘facilitation’ and ‘crackdown’ phases, as we have seen in Libya. Both of these consequences may further fuel desperation and desire for onward movement – which is precisely what border security operations were purportedly set up to control.

All of these dynamics are **destabilising**. Chaotic arrival scenes, fuelled by ‘double gaming’ and repression, may act to destabilise border communities, including in Europe (and, by extension, may destabilise national political environments). Containment and ‘hostile environment’ strategies may fuel social tensions, as many migrants and refugees live in defined spaces with highly constrained opportunities.

Despite all of these consequences, a security-based approach to international migration is still perceived as politically worthwhile for those involved – largely because it generates a set of political and financial benefits for ‘core actors’ and collaborators. In fact, the ‘fight against illegal migration’ can be said to ‘succeed’ in some ways for some political leaders, even in the midst of the various failures we have elaborated. First, it frames a nebulous issue in politically advantageous terms, as a search for security in the face of fear and a perceived existential threat. Second, it enrolls a vast array of actors within this securitised approach, setting the ‘rules of the game’ for others to manipulate, follow or appear to follow. Third, it distributes costs and risks in ways that are politically advantageous. Finally, it limits evaluations to those that are piecemeal or politically driven, thereby propping up the system. This last point opens up the possibility of a different approach.

6.4 Recommendations

The following recommendations to the EU and European governments – as well as to advocates and political and civil society actors in Europe and ‘partner countries’ – articulate elements of a more just, peaceful and sustainable approach. Starting from the report’s systems view on border security, we will outline four main steps that may be taken to shift away from the current unsustainable security approach. First, we emphasise the need to **interrogate fully the broader impacts of the current border security system on human security, peace and international stability in the long term**. This could be done through a comprehensive evaluation of its wider consequences, costs and

gains – with a view to limiting the damaging feedback loops in the EU’s borderlands and beyond. Second, we call for the border security approach to be understood and reconnected to the wider social, political and economic parameters that should guide foreign and aid policy. Third, with this wider systemic perspective in mind, we set out how it is possible to limit the negative feedback loops within this system. Fourth, we emphasise the need to reframe the system altogether.

Two important points must be made here. First, the recommendations of sections two to four in this chapter are not simple ‘solutions’ to a given ‘problem’. Our main point remains that both migration itself and systems for ‘managing’ it must be understood holistically: the search for a ‘silver bullet’ is itself part of the problem, while the conceptualisation of migration as (only) a ‘problem’ – and not also as a benefit – is another obstacle to clear thinking and constructive action.

Second, and related to this, we offer a note on ‘realism’ in policy. Contrary to much thinking today, the political parameters around migration are not set in stone – and being ‘realistic’ should not mean conforming to these parameters. Parameters can shift quickly, and not always positively. This can be seen in the German shift from social welcome to containment and camps in the span of just two years, or in Hungary where migration was not considered to be a ‘problem’ four years ago but which is now going so far as to deny food to failed asylum seekers. To take an example from another security field, the unintended consequences of invasive ‘counter-terrorism’ should remind us that what looks like ‘realism’ at one time may soon come to be seen as sowing the seeds for disaster.

In our view, an important task is to challenge existing parameters – and existing perceptions of what is ‘inevitable’ and what is a ‘policy constraint’ – in two parallel ways: first, by analysing and explaining the ‘unrealistic’ and destructive elements of the political ‘realism’ of our day; and second, by pointing the way towards alternative narratives and approaches.²⁶⁰

1. Comprehensively evaluate the impact of migration-related interventions.

Currently, the border security approach is mainly concerned with curtailing and containing migrant and refugee arrivals at EU borders, and its ‘success’ is evaluated against this objective on a short timeframe for public consumption (often measured since the 2015 ‘crisis’ until today, rather than accounting for the longer trend). The idea – crudely put – is that the ‘input’ of more border security leads

to a favourable output of fewer arrivals, even if this does not work out neatly in practice.

Instead of this flawed mechanistic view, a crucial step towards a better approach is for EU institutions and EU Member States to undertake, encourage and take into account transparent evaluations that look

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at the systemic costs of – as well as who benefits from – their initiatives to address migration. In sum, instead of evaluating the ‘success’ of interventions as a simple graph over a given timeframe, and often in a specific geographical area, a systems evaluation puts focus on the feedback loops that sustain the system over time – ranging from the stoking of threats to the generation of suffering – while allowing for a better view of the various ways in which the system may, at the very least, be ‘cooled down’ and its most blatant abuses mitigated.

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Evaluations should not be narrowly focused, politically driven or fail to take into account human rights and other consequences of interventions. Instead, they should investigate any negative impacts of these policies on vulnerable communities and fragile and conflict-affected countries, and assess the long-term consequences for international stability, including for the security of their own populations.

Evaluations should consider the impact of the EU’s outsourcing of migration controls on its other goals to protect human rights, prevent conflict, promote peace, and support genuine and accountable ‘governance’²⁶¹ and sustainable development, particularly in relation to the EU’s diplomatic leverage to advance these goals. The costs of migration partnerships with states and security actors with problematic human rights records should be examined; this should include scrutinising whether they have contributed to generating or exacerbating some combination of conflict, repression and other abuses and whether they have helped to drive further movement. Security cooperation to ‘combat irregular migration’, whether through direct or indirect assistance, should also be fully scrutinised in terms of its impact on conflict dynamics, governance and rights.

Looking at evaluations more specifically, we believe that they should:

- **pave the way towards accountability**

Full audits and evaluations should aim to provide transparency on the following: migration-related spending across security and development funds; the contributions of member states; the beneficiaries of such funding; and the full

consequences and impacts of the programming that is being funded. Evaluations that find migration-related interventions to be contributing, directly or indirectly, to abuses or to fuelling conflict dynamics should lead to programmes being discontinued or reconfigured. Actors who commit or facilitate abuses or fuel conflict dynamics in the context of migration controls should also be made accountable, through legal channels, stringent vetting procedures or targeted sanctions.

- **question the logic and metrics that underpin the ‘fight’ against irregular migration**

One important part of this task involves setting different metrics for what counts as ‘success’. EU policies and programmes should be evaluated according to benchmarks and success criteria centred around protection and rights, rather than any short-term decrease in the numbers of migrants reaching Europe, as is currently the case. Evaluations should measure progress on the safety of migrants, including at borders and on migratory journeys, and the safety of border communities, as well as the wider effect of containment and ‘hostile environment’ policies on social and economic tensions in countries hosting large numbers of refugees, as in Turkey and Lebanon. EU policies and programmes should be evaluated on the criteria of promoting peace, protection and the observance of human rights.

- **take into account independent assessments**

These include investigations by UN and human rights experts, civil society groups and journalists that expose abusive or conflict actors who benefit from ‘combating irregular migration’ – whether in Europe or in partner countries – and that show links between the EU, its member states and these actors.

- **include the views of migrants and civil society in countries of intervention**

In order to ensure a human security approach as highlighted in the Global Strategy for the European Union’s Foreign and Security Policy,²⁶² specific efforts should be made to include the views of migrants and displaced people in fragile or conflict-affected contexts, as well as the views of independent civil society groups operating in restricted civic spaces. These are some of the very actors that face the risks generated by the border security approach. Importantly, migrants may have knowledge and analysis not just on their own immediate situation but on how the current migration system is operating and in whose interests.

■ ensure transparency and public availability of policies and their implementation

For evaluations to be thorough and civil society participation to be meaningful, more efforts should be made to ensure transparency and public availability of the strategies, objectives, evidence, funding and partnerships with which policies and projects are delivered.

■ publicise evaluations and debate them

Evaluations – whether of strategies, country programmes or the wider border security system – should be made public and widely shared and debated, including in both national parliaments in EU Member States and the European parliament.

Steps towards a fuller evaluation of the current taxpayer-funded security model are not an academic exercise; they are fundamental for retooling advocacy and ensuring political accountability. Given the growing tendency to offload responsibility, this approach is an essential element of pushing responsibility and accountability back ‘up the chain’.

To contribute to this shift towards greater accountability, reflection and policy change, the important efforts by journalists, activists, rights advocates and other civil society actors to challenge decision makers and officials – via the courts and in public debate – have a vital role to play in transforming the present migration control system, and need to be maintained. By making visible the true distribution of costs, risks and gains, such actors may seek to push not just legal but also financial and political costs up the chain – not just to authorities instigating intervention, but also to the defence sector, which may be involved both in conflict-induced migration and in attempts to rein it in.

International civil society should also expand and reinforce existing coalitions with migrant communities and civil society groups in ‘partner countries’, to support them in pushing for the impact of the current approach to be better recognised in their own countries and by European governments.²⁶³

2. Re-centre foreign and aid policy on peace and protection.

If the first step to moving away from a narrowly focused security lens is to ensure reflection on holistic evaluations, the second step would be to reconsider migration and the issues connected to it from a ‘systems’ perspective. Doing so can enable a pivot towards policies that duly prioritise peace and protection – moving to more benign feedback loops and greater sustainability.

The current security system draws its justification from mechanistic economic theories of migratory decision-making: the basic idea being that policymakers may adjust not only the ‘push’ and ‘pull’ factors at origin and destination but – crucially as far as border security is concerned – also increase the obstacles on the journey from A to B to deter further arrivals. Yet again, this mechanistic view is out of sync with the scientific evidence on migratory dynamics.²⁶⁴ Just as complexity and ecological scholars are today pushing for a shift of the understanding of economics from a closed circuit of supply and demand to a wider systemic understanding,²⁶⁵ so must Western understandings of migration be embedded within a wider systemic frame of society, the economy and politics. To neglect this is to create unsustainable systems that reach various ‘tipping points’ – as arguably occurred in 2008 with the financial crisis; with the unsustainability of current growth and energy models in view of ecological constraints; and (as in the field of migration) with the 2015 crisis of European refugee and border politics.

From the wider ‘systems’ perspective, outsourcing of migration controls by the EU and its member states – ostensibly to enhance stability and security – has negatively affected much wider systemic parameters, while interventions on these wider parameters (in terms of trade, military intervention and so on) in turn acutely affect migratory drivers.

Using systems thinking to consider sustainability reveals that the short-term political benefits that politicians in Europe may gain from externalising borders have long-term implications not just for so-called transit and origin countries, but also for their own citizens. Contributing to wider instability abroad can have unforeseen and counterproductive consequences for societies in Europe, making them less secure and more politically exposed and fragile.

What is needed is a much more systemic approach to interventions, involving the following dimensions:

■ Prioritising peace and protection objectives in EU strategies and policies.

The EU maintains commitments to human rights, ‘good governance’ and conflict prevention, including under the 2030 Agenda for Sustainable Development and as part of its integrated approach to conflict and crises, as expressed in its Global Strategy for Foreign and Security Policy. However, these commitments are undermined by a predominance of objectives focused on domestic concerns, such as countering ‘irregular migration’, which is also included in the

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Contributing to wider instability abroad can have unforeseen and counterproductive consequences for societies in Europe, making them less secure and more politically exposed and fragile.

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EU's Global Strategy (and, as noted, its next Strategic Agenda).²⁶⁶

Instead of importing domestic priorities into its global strategy, the EU must prioritise its policy instruments that seek to reduce conflict, enhance human security and rights, and address the needs of the most vulnerable through long-term engagement,

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The goals of conflict prevention and resolution, respect for human rights, and redressing social and economic inequalities must be the mainstay of [the EU's] programming.”

in full consultation with civil society in countries of intervention. The goals of conflict prevention and resolution, respect for human rights, and redressing social and economic inequalities must be the mainstay of its programming – and ideally be delinked from short-term migration outcomes, rather than added as an afterthought. Similarly, Common Security and Defence Policy missions – important tools for the EU's actions on international security – should

concentrate on conflict prevention, the rule of law and human rights and should contribute to sustainable peace, instead of being diverted to tasks such as addressing ‘irregular migration’ and strengthening border management and maritime security.²⁶⁷

- **Acknowledging that military and economic interventions by EU Member States also have an impact on the drivers of migration**, often with destabilising consequences. Economically, this includes unequal trade policies and even – in the case of West Africa – monetary dominance.²⁶⁸ With regards to the military dimension, this includes direct intervention, as in Afghanistan, Iraq and Libya (where the 2011 NATO campaign and removal of Colonel Gaddafi had severe – and ongoing – knock-on effects on ‘distress migration’ out of the country); arms trade policy; and counter-terrorism, which has frequently contributed to provoking conflict or reinforcing repressive capacities of undemocratic states.²⁶⁹ In other words, instead of looking to control specific drivers of migration through damaging migration policies, a more holistic view on systemic impacts of *other* policies is likely to have a more productive effect on changing the scope and nature of high-risk human movement over time. A higher priority for peacebuilding and observance of human rights in Syria and Libya would, for instance, be an important part of such a strategy. Regional and country strategies should be informed by more systemic analyses of what drives conflict, repression and forced displacement, and should prioritise long-term, sustainable responses to these drivers.
- Prioritising peace and protection further involves **decoupling development policies and projects from short-term, security-focused migration control**. Going against the current trend,

development aid should never be made conditional on recipient-state cooperation in such controls, while aid programming should stop trying to address ‘root causes’ in a way that is narrow, ‘short-termist’ or unsupported by evidence. Development aid to state institutions should be conditioned on their progress to fulfil human rights while striving to improve – rather than undermine, as with the security approach – genuine and accountable governance. Funding instruments, such as the EU Emergency Trust Fund for Africa, should be reformed to ensure that development funds are delinked from narrow migration control objectives and from an ‘emergency’ framework. Aid should instead focus on the needs of the poorest and most vulnerable groups, sustainable and long-term engagement to reduce inequalities, and maximising the development potential of migration in collaboration with regional organisations such as the African Union.

- **Ringfencing and expanding protection capabilities in migration policy**. The protection of migrants is one of the stated objectives of many EU migration management programmes. It is important to ensure that protection-related policies are not adversely affected by other policies with objectives such as border control, fighting irregular migration, ensuring returns and readmissions or countering organised crime or ‘terrorism’. Ringfencing this protection framework allows for it to be expanded to other policy domains, a point which ties into our next set of recommendations below.

3. A conflict-sensitive approach to migration and related dynamics.

Migration-related responses should be designed and implemented with a view to mitigating risks of ‘doing harm’ and also, where possible, to preventing and addressing tensions, building peace and strengthening rights. This would be in line with the commitment that policies and technical assistance should further the realisation of human rights.²⁷⁰ Choosing options that avoid harm where possible and that contribute to lessening rather than increasing tensions is crucial.²⁷¹ It is important to consider how interventions could affect the incentives and behaviours of various actors and therefore exacerbate or help reduce drivers of conflict.

- **Rigorously assess risks as a basis for designing migration-related interventions**. The EU and European governments need to take full account of the risks of fuelling conflict, repression and authoritarianism in outsourcing migration controls to other countries. Gender-sensitive conflict

analyses²⁷² and human rights risk assessments that help identify risks of interventions should be integral to strategy, design and programme development. Such analyses should provide a strong understanding of the political and human rights contexts in which the EU seeks to engage, and should be regularly updated to allow responses to adapt to conflict dynamics. They should focus on the complex and gendered drivers of migration, including their political dimensions – as opposed to only the economic drivers. They should make linkages between politics, inequality, discrimination and living conditions, and should explore how exclusion and exploitation are shaped by gender, age, class, race and other factors.

A conflict analysis requires identifying conflict dynamics and those that feed them, including governments, security forces and militias (and their vested interests). It is important to acknowledge the risk that potential partners may appear to be cooperating, but in practice will be benefitting from making borders, migratory routes and the detention of migrants more dangerous (as in Libya). Similarly, the risks of providing legitimacy, training or equipment to security forces that may be used for repressive or abusive purposes should be taken into account from the outset. The risks of assistance for migration purposes being captured or misused for the benefits of certain actors and to the detriment of societies should also be assessed. A gender-sensitive approach requires identifying how gender interacts with migration, recognising how gender norms can shape migration drivers and patterns, understanding the different impacts that migration and displacement have on men and women and on girls and boys – and shaping migration-related interventions accordingly.

■ **Proactively challenge abuses.**

Instead of cooperating to reduce migration with states where endemic and systematic abuses occur, the EU and European governments should proactively challenge those in governments or security forces who play a role in driving repression or conflict. They should not seek to ‘contain’ migrants in countries where they are not protected or are exposed to abuses, but rather use their leverage to improve human rights and genuine and accountable governance while lessening tensions and conflict. This, in turn, will mitigate the distress of migrants and refugees in such countries.

Development agencies, international organisations and NGOs that initiate or receive EU or member state support for their work on migration, which could then affect the dynamics of conflict, should strengthen and calibrate their due diligence policies and uphold conflict- and gender-sensitivity standards. This will help ensure that their assistance

does not get misused or feed into negative dynamics – but instead supports efforts to address impediments to peace, protection and inclusion.

■ **Rethink cooperation with repressive and abusive governments, security forces and militias.**

As noted, capacity building of the security sector – and specifically ‘train and equip’ support to repressive governments or security forces – is hazardous. Such programmes often seek to improve the functioning of security institutions without taking into account why they behave as they do or what they will do with the resources they are given. Such programmes also typically fail to support the reforms needed to address systemic issues such as abuse, inequality, corruption, discrimination, lack of accountability and political disinterest in reform. These programmes can easily fuel further abuses against migrants and feed wider conflict, repression and corruption, as our case studies indicate.

Any efforts to improve the behaviour of security forces should instead be based on sustained engagement to promote rights, genuine and accountable governance and peace in conflict-affected contexts. Priority should be given to supporting those who can foster positive change at the national level – including civilian parts of the state machinery – as well as from the ‘bottom up’ via civil society and communities. This includes migrants and refugees and those assisting them, who all play a vital role in identifying the security issues, the reforms needed, and the mechanisms to improve accountability of security actors. Success should be measured in terms of changes in behaviour and accountability to democratic civilian structures.

■ **Roll back the criminalisation of migration.**

The criminalisation of migration has driven migration underground, whether inside Europe, in its neighbourhood or along border-crossing routes – which is the opposite of what a ‘do no harm’ approach should aim for. This trend towards precarity, in turn, has made migrants more vulnerable to abuses through ‘hostile environment’ policies, and more dependent on smuggling for their increasingly dangerous journeys – in turn fuelling the professionalisation of smuggling as well as the predatory behaviour of smugglers in relation to a ‘captive market’.

At a minimum, the EU and its member states should avoid encouraging policies or laws that restrict freedom of movement within a country, or that contradict regional or international agreements on mobility. This includes laws

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The criminalisation of migration has driven migration underground, whether inside Europe, in its neighbourhood or along border-crossing routes ...

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criminalising migrants and transporters, which may also undermine free movement for the wider population, as in Niger.

Legislation that blurs the lines between transport, smuggling and trafficking is also deeply problematic. Smugglers often provide the only means for migrants to escape repression, conflict or exploitation, particularly when migration is criminalised (but also in a context of repression and conflict, as noted

earlier). While abuses against migrants by smugglers should not be overlooked – and while migrants are often vulnerable to human trafficking in the process of being smuggled – policymakers must recognise how border security and criminalisation have fuelled such abuses.

As we will suggest in the next section, a protection perspective would put people's access to rights first, safeguarding them from arbitrary

detention and deportation as they engage with law enforcement. The priorities of law enforcement should in turn shift from fighting migration and smuggling to prioritising abuses committed against migrants.

■ **Support positive relations between host and migrant communities.**

Looking at relief and development challenges through a conflict lens can highlight important opportunities for addressing social tensions and preventing them from arising in contexts that have seen a large inflow of displaced people (considering that some of the world's largest refugee hosts are African and Middle Eastern countries). In countries hosting large numbers of refugees, or where tensions exist, the EU should support programmes fostering relations between migrants and host communities to improve social cohesion. In contexts such as conflict-affected Mali, a lack of international or national funding did not stop people welcoming internally displaced persons after the 2012 onset of hostilities in the north of the country.

Building on and funding such initiatives while scaling them up is likely to have wider and more sustainable impact. Consulting with migrant communities and civil society groups in countries of origin, transit and destination will help design policies that are better grounded in reality and which have a better chance of a positive impact. This is particularly important in the context of fragile and conflict-affected states where the interests of governments may differ from – or run counter to – the needs and rights of people.

4. Moving from protecting borders to protecting people.

With our wider systemic view as the backdrop, we now return to the task of replacing the current security system with a humane and sustainable alternative. The alternative must steer clear of being a simple 'silver-bullet solution' to migration that is framed as a 'problem'. Instead, it must provide a new narrative involving different (and positive) 'feedback' loops that contribute to humanising and normalising human mobility for the common public good. We suggest, tentatively, that a rights-based protection framework may eventually replace the current security framework – which is based on treating migration as an 'emergency' that must be 'combated'. A protection framework would displace the current understanding of borders as vulnerable objects that must be 'protected' by pushing for the protection of people through the safeguarding of their rights.

Building a protection frame starts with recognising how rich Western states have, over recent decades, increasingly narrated border security measures as a solution to the 'threat' of 'unwanted migration', and how this has entailed some damaging and sometimes counterintuitive consequences – as set out in this report. Yet it also involves recognising the real economic and social anxieties of voters, which are fuelling and in turn are fuelled by the chaos-ridden security approach. This is where a protection frame may be of benefit to citizens and non-citizens alike, by pushing on the one hand for a minimisation of damaging border security and on the other hand for a maximisation of rights.

In other words, a protection frame – in a systemic vein – should not distinguish between protecting citizens and foreigners; instead it should emphasise how protection must be holistic for it to work. On an economic level, this could usefully involve shifting the locus of control away from borders and towards safeguarding rights for all in the labour market. However, given the scope of the current report and the importance of considering displacement and distress migration in light of our three case studies, we will focus on the 'external' dimension of what protection may entail in relations with third countries.

In practice, this would involve the following steps – as well as the conflict-related points already raised in earlier sections:

■ **Expanding responsibility-sharing.**

In tandem with the push for greater responsibility at a political level, as set out under our evaluation section earlier, the EU and European governments should not only support countries with large

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The priorities of law enforcement should in turn shift from fighting migration and smuggling to prioritising abuses committed against migrants.

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numbers of refugees, but also redistribute costs and share responsibility with them, including through existing pathways such as resettlement of refugees, family reunifications and humanitarian visas. They should also encourage and support civil society initiatives such as student places for refugees in universities, community sponsorship arrangements, and humanitarian corridors to guarantee safe travels to Europe. This should include redistributing costs and sharing responsibility with EU Member States that receive the most refugees and migrants, such as Greece and Italy, in line with the proposals made by the European Commission and European Parliament.

□ While this is politically sensitive in several European countries, **an increase in resettlement places and other pathways is needed to extend protection options for those in need and to alleviate pressure on countries hosting large numbers of refugees** – such as Turkey, where containment policies have at times increased social tensions. This would also enhance European governments’ leverage to improve the protection of refugees and other vulnerable people on the move in other countries, including on issues such as *refoulement*, mass expulsions or improving national asylum procedures, thereby reducing the need for onward migration.

□ **Ensuring a chain of protections across different host countries is crucial, not just for human well-being but also for states wishing to avoid chaos along migratory routes.** Conflict-induced mass displacement is always bound to involve a large amount of irregularity, an issue that the ‘managed migration’ narrative of the global compacts on refugees and migration does not recognise. Yet it is within the power of states to guarantee the safest possible form of movement and reception for refugees and other vulnerable people, in a way that lessens incentives to embark on ever more dangerous journeys, as seen in the 2015 ‘crisis’.

■ **Building on positive non-European perspectives and supporting initiatives fostering regional mobility.**

Rather than allowing domestic concerns and problematic assumptions to drive interventions on migration in third countries, including via security-sector cooperation, European policymakers should actively seek out and include the perspectives of civilian authorities, regional institutions and civil society working to implement the benefits of migration in non-European partner countries. Governments in Africa, for instance, are currently incentivised to respond to the EU’s domestic problems at the expense of the needs of their own societies, under what may be called ‘African solutions to European problems’.²⁷³ Regional

mobility agreements, such as ECOWAS, have been undermined by external imperatives. Other initiatives, such as the Intergovernmental Authority on Development’s initiatives towards regional integration and freedom of movement in the Horn of Africa and the African Union’s Free Movement Protocol have the potential to increase regular migration and benefit livelihoods. There has been a trend across many African countries and regional bodies towards a more positive take on the potential of both internal and cross-border mobility – and the opportunity must be seized to shift collaboration towards such positive approaches, replacing the security framework.

To conclude, in this report we have set out how a short-sighted desire to ‘fight’ migration through increasingly violent means has generated large-scale suffering at and beyond EU borders, while increasing the risk of instability, conflict and repression in countries ‘partnering’ in this endeavour. We have emphasised the need to evaluate these full costs of border security while working towards what may best be termed a paradigm shift in how high-risk migrations are treated – moving away from protecting borders to protecting people.

As shown in this report, as long as people are unable to move through safe routes, they will continue to be exposed to abuses. The EU’s policies and programmes on migration often have components to improve legal migration that mostly remain minimal or unimplemented, given the political realities in many European countries that are themselves shaped by security framings.²⁷⁴ EU institutions, European political leaders and policymakers should, as a starting point, recognise the damaging effects of the rhetoric that portrays migration as a security threat, both in partner countries and for their own societies. They should work towards changing the political narrative on migration, rather than reinforce the emergency narrative and security framing for fear of anti-immigration politicians gaining votes. We have suggested that they may do so by approaching migration (and high-risk, politically visible migration in particular) as an issue of protection and rights, for people on the move and for their own societies. This, in turn, may be a way to open political space and public acceptance for alternative policy approaches, both on a wider systemic level as well as in migration-related interventions per se.

“ Governments in Africa . . . are currently incentivised to respond to the EU’s domestic problems at the expense of the needs of their own societies, under what may be called ‘African solutions to European problems’.

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While we have focused on the case studies of Turkey, Libya and Niger, it is important to stress that there are many other countries where many of these dynamics apply with equal force (and in some respects even more so). From West Africa to the Maghreb, and from the Horn of Africa to Syria's neighbourhood, the list of countries caught up in the perverse incentives encouraged by the EU's securitised approach to migration is long and troubling.

A new discourse and normative vision could take hold if it does not distinguish between protecting citizens and foreigners in a zero-sum game, and instead emphasises the need to guarantee protection and rights for all. This would mean recognising that guaranteeing safe movement for refugees and vulnerable people will reduce chaotic and abusive situations at borders, and that improving the rights for all in both European and non-European countries – particularly social and economic rights – can help stem the fears that the now chronic 'crisis' of migration has become indelibly associated with in European politics.

Notes

- 246 See European Council (2019) for the new EU Strategic Agenda for 2019 to 2024.
- 247 Council of Europe (2019b).
- 248 For example, see Agier (2011).
- 249 Cuttitta (2018).
- 250 Ibid.
- 251 British Minister of State for the Foreign Office Joyce Anelay said, "We do not support planned search and rescue operations in the Mediterranean. We believe that they create an unintended 'pull factor', encouraging more migrants to attempt the dangerous sea crossing and thereby leading to more tragic and unnecessary deaths." See Taylor (2015).
- 252 See International Organization for Migration, 'Missing Migrants' and International Organization for Migration (2019).
- 253 Keen (2008, 2012).
- 254 On this earlier phase, see Andersson (2014) and (2017).
- 255 Greenhill (2010); Keen and Andersson (2018).
- 256 See discussion in Keen (2012) on useful enemies in counterterrorism.
- 257 This geographical imagination of danger, and its associated distribution of risk, is discussed in Andersson (2019).
- 258 Betts and Collier (2017).
- 259 Tubiana, Warin and Saneen (2018).
- 260 For a useful general discussion of what is taken to be 'inevitable', see Schaffer and Clay (1985).
- 261 We reference 'governance' here as it is widely used in policymaking, while fully aware of the critique of the term in recent years: see Rothstein and Teorell (2008) on 'quality of government', which better describes the need not just for efficient and impartial administration but also indexes its depth, quality and reinforcement of the wider public good. By genuine and accountable governance we refer to these different dimensions of quality of government.
- 262 European External Action Service (2016).
- 263 Such efforts already exist, for instance in encouraging inter-urban initiatives for a rights-based approach to migration. Civil society can also learn from the effective coalition building against the 'war on drugs' and on climate change, as argued in Keen and Andersson (2018).
- 264 See for example Castles (2010).
- 265 Raworth (2017).
- 266 Saferworld (2016), European Council (2019).
- 267 Saferworld (2018).
- 268 The regional currency – the CFA franc – is still controlled by France, and an early rise in outmigration from the CFA countries came with the devaluation of the currency by Paris in the 1990s.
- 269 On the disastrous effect of the 'war on terror' framework in Syria's war, see Keen (2017).
- 270 United Nations General Assembly Resolution 217; Council of the European Union (2012).
- 271 It is important to note that 'do no harm' can become a cover for doing nothing – especially where counter-terrorism is concerned – which was hardly the original intention; rather, 'do no harm' in this context should be taken to mean avoiding security-linked aid, as it risks causing harm to the target group. See Keen (2013) for a discussion of the damaging impact of 'do no harm' in aid operations.
- 272 The Council of the EU committed to conflict prevention in its conclusions in 2011 – see Council of the European Union (2011). There are several EU guidance notes on conflict analysis and conflict sensitivity.
- 273 To paraphrase de Waal, who talks about 'European solutions to European problems' in relation to transnational organised crime in Africa. See de Waal (2013).
- 274 This is discussed in Andersson (2019).

References

- Action Group for Syria (2012), 'Final Communiqué', June (<https://www.un.org/News/dh/infocus/Syria/FinalCommuniqueActionGroupforSyria.pdf>)
- Africa Watch (1991), 'Evil days: 30 years of famine and war in Ethiopia', September.
- Agier M (2011), *Managing the Undesirables: Refugee Camps and Humanitarian Government* (Cambridge: Polity).
- Al Jazeera (2016), 'NGOs decry charges against volunteers in Greece', 16 January (<https://www.aljazeera.com/news/2016/01/ngos-decry-arrests-volunteer-lifeguards-greece-160116193522648.html>)
- Alfred C, Howden D (2018), 'Expert Views: The E.U.-Turkey Deal After Two Years', *Refugees Deeply*, 20 March (<https://www.newsdeeply.com/refugees/community/2018/03/20/expert-views-the-e-u-turkey-deal-after-two-years>)
- Amnesty International (2008), 'Mauritania: "Nobody wants to have anything to do with us". Arrests and collective expulsions of migrants denied entry into Europe', July.
- Amnesty International (2015), "'Libya is full of cruelty": Stories of abduction, sexual violence and abuse from migrants and refugees', May.
- Amnesty International (2016), 'Turkey: Illegal mass returns of Syrian refugees expose fatal flaws in EU-Turkey Deal', 1 April (<https://www.amnesty.org.uk/press-releases/turkey-illegal-mass-returns-syrian-refugees-expose-fatal-flaws-eu-turkey-deal>)
- Amnesty International (2017a), 'A Blueprint for Despair: Human Rights Impact of the EU-Turkey Deal', February.
- Amnesty International (2017b), 'Libya's dark web of collusion: Abuses against Europe-bound refugees and migrants', December.
- Amnesty International (2018a), 'Amnesty International Annual Report 2017/18', Turkey, pp 367–372.
- Amnesty International (2018b), 'Libya: Shameful EU policies fuel surge in detention of migrants and refugees', 16 May (<https://www.amnesty.org/en/latest/news/2018/05/libya-shameful-eu-policies-fuel-surge-in-detention-of-migrants-and-refugees/>)
- Amnesty International (2018c), 'Turkey: Thousands of Afghans swept up in ruthless deportation drive', 24 April (<https://www.amnesty.org/en/latest/news/2018/04/turkey-thousands-of-afghans-swept-up-in-ruthless-deportation-drive/>)
- Amnesty International (2018d), 'Syria: Turkey must stop serious violations by allied groups and its own forces in Afrin', August (<https://www.amnesty.org/en/latest/news/2018/08/syria-turkey-must-stop-serious-violations-by-allied-groups-and-its-own-forces-in-afrin/>)
- Andersson R (2014), *Illegality, Inc.: Clandestine Migration and the Business of Bordering Europe* (Oakland: University of California Press).
- Andersson R (2016), 'Europe's failed "fight" against irregular migration: Ethnographic notes on a counterproductive industry', *Journal of Ethnic and Migration Studies* **42** (7), pp 1055–1075.
- Andersson R (2017), 'Rescued and caught: The humanitarian-security nexus at Europe's frontiers', in N De Genova (ed.), *The borders of "Europe": Autonomy of migration, tactics of bordering* (Durham: Duke University Press).
- Andersson R (2019), *No Go World: How fear is redrawing our maps and infecting our politics* (Oakland: University of California Press).
- Andreas P (2000), *Border games: Policing the US-Mexico divide* (Ithaca: Cornell University Press).
- Associazione Studi Giuridici Immigrazione (2017), 'Italy-Libya agreement: the Memorandum text' (English translation: <http://www.asgi.it/wp-content/uploads/2017/02/ITALY-LIBYA-MEMORANDUM-02.02.2017.pdf>)
- Atac I, Heck G, Hess S, Kasli Z, Ratfisch P, Soykan C, Yilmaz B (2017), 'Contested B/Orders. Turkey's Changing Migration Regime', *Movements* **3** (2), pp 9–21.
- Attree L (2016), 'Blown back: lessons from counter-terror, stabilisation and statebuilding in Yemen', Saferworld, February (<https://www.saferworld.org.uk/resources/publications/1033-blown-back>)
- Batalla Adam L (2017), 'The EU-Turkey Deal One Year On: A Delicate Balancing Act', *The International Spectator* **52** (4), pp 44–58.
- Belloni M (2015), 'Cosmologies of destinations: roots and routes of Eritrean forced migration toward Europe', PhD thesis, University of Trento.
- Betts A, Bloom L, Kaplan J, Omata N (2014), 'Refugee Economies: Rethinking Popular Assumptions', Humanitarian Innovation Project, University of Oxford, June.
- Betts A, Collier P (2017), *Refuge: Transforming a Broken Refugee System*, Penguin Allen Lane.
- Bigo D, Jeandesboz J (2010), 'The EU and the European Security Industry: Questioning the "Public-Private Dialogue"', INEX policy Brief No. 5, February.
- Bigo D (2014), 'The (in)securitization practices of the three universes of EU border control: Military/Navy – border guards/police – database analysts', *Security Dialogue* **45** (3), pp 209–225.
- Boffey D (2019), 'African Union seeks to kill EU plan to process migrants in Africa', *The Guardian*, February (<https://www.theguardian.com/world/2019/feb/24/african-union-seeks-to-kill-eu-plan-to-process-migrants-in-africa>)
- Brachet J (2009), *Migrations transsahariennes: Vers un désert cosmopolite et morcelé* (Niger) (Paris: Croquant).
- Brachet J (2015), 'Beyond War and Peace: The IOM and International Migration Control in Libya', International Migration Institute, University of Oxford, December.
- Calavita K (2005), *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe* (Cambridge: Cambridge University Press).
- Campbell Z (2019), 'Europe's deadly migration strategy', *Politico*, February (<https://www.politico.eu/article/europe-deadly-migration-strategy-leaked-documents/>)
- Carrera S, Radescu R, Reslow N (2015), 'EU External Migration Policies: A Preliminary Mapping of the Instruments, the Actors and their Priorities', EURA-NET (http://www.uta.fi/edu/en/research/projects/aura-net/publications/TASK%203.1%20REPORT_UM_CEPS_final_v4.pdf)

- Casajuana E (2018), 'Funding for border management in the next EU MFF', unpublished strategy paper.
- Castles S (2010), 'Understanding Global Migration: A Social Transformation Perspective', *Journal of Ethnic and Migration Studies* 36 (10), pp 1565–1586.
- Castles S, de Haas H, Miller MJ (2014), *The Age of Migration: International Population Movements in the Modern World* fifth edition (Basingstoke: MacMillan).
- Chandler C (2018), 'Inside the EU's flawed \$200 million migration deal with Sudan', *The New Humanitarian*, 30 January (<https://www.thenewhumanitarian.org/special-report/2018/01/30/inside-eu-s-flawed-200-million-migration-deal-sudan>)
- Cheliotis L (2016), 'Punitive inclusion: The political economy of irregular migration in the margins of Europe', *European Journal of Criminology* 14 (1), 78–99.
- Choplin A, Lombard J (2007), 'Destination Nouadhibou pour les migrants africains', *Revue Mappemonde* 88 (4).
- Collett E (2016), 'The Paradox of the EU-Turkey Refugee Deal', Migration Policy Institute, March (<https://www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal>)
- Collyer M (2007), 'In-between places: Trans-Saharan transit migrants in Morocco and the fragmented journey to Europe', *Antipode* 39 (4), pp 668–690.
- Council of Europe (2019a), 'Commissioner calls for more rescue capacity in the Mediterranean', March (<https://www.coe.int/en/web/commissioner/-/commissioner-calls-for-more-rescue-capacity-in-the-mediterranean>)
- Council of Europe (2019b) 'Council of Europe member states must assume more responsibility for rescuing migrants at sea and protecting their rights', June (<https://www.coe.int/en/web/commissioner/-/council-of-europe-member-states-must-assume-more-responsibility-for-rescuing-migrants-at-sea-and-protecting-their-rights>)
- Council of the European Union (2011), 'Council conclusions on conflict prevention', June (https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/122911.pdf)
- Council of the European Union (2012), 'Council Conclusions "Increasing the Impact of EU Development policy: an Agenda for Change"', May (https://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/130243.pdf)
- Crawley H, Düvell F, Jones K, McMahon S, Sigona N (2016), 'Destination Europe? Understanding the dynamics and drivers of Mediterranean migration in 2015', MEDMIG, November.
- Cruz Roja Española (2008), 'Migraciones africanas hacia Europa: Estudio cuantitativo y comparativo. Años 2006-2008. Centro no. 6 de Nouadibou, Mauritania'.
- Cuttitta P (2018), 'Pushing Migrants Back to Libya, Persecuting Rescue NGOs: The End of the Humanitarian Turn', University of Oxford Border Criminologies blog, 18 April (<https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2018/04/pushing-migrants>)
- De Genova N (2012), 'Border, scene and obscene', in H Donnan, TM Wilson (eds.), *A Companion to Border Studies* (Oxford: Blackwell Wiley).
- De Haas H (2007a), 'The myth of invasion: irregular migration from West Africa to the Maghreb and the European Union', International Migration Institute, University of Oxford, October.
- De Haas H (2007b), 'Turning the tide? Why development will not stop migration', *Development and Change* 38 (5), pp 819–841.
- De Haas H (2011), 'The determinants of international migration: Conceptualising policy, origin and destination effects', International Migration Institute, University of Oxford.
- De Waal A (2013), 'Trans-national Organized Crime in Africa: Whose problem?', Remarks at the Tana High-Level Forum on Security in Africa, Bahir Dar, Ethiopia, 20 April (<https://sites.tufts.edu/reinventingpeace/2013/04/23/trans-national-organized-crime-in-africa-whose-problem/>)
- De Waal A (2015), *The real politics of the Horn of Africa: Money, war and the business of power* (Cambridge: Polity).
- Donato KM, Wagner B, Patterson E (2008), 'The cat and mouse game at the Mexico-U.S. border: gendered patterns and recent shifts', *International Migration Review* 42 (2), pp 330–359.
- Duffield MR (2001), *Global governance and the new wars: The merging of development and security* (New York: Zed Books).
- Düvell F (2008), 'Clandestine migration in Europe', *Social Science Information* 47 (4), pp 479–497.
- El País (2019), 'España rescata a un tercio de los migrantes en aguas de responsabilidad marroquí' (https://elpais.com/politica/2019/03/26/actualidad/1553613053_040695.html)
- European Commission, 'Global Approach to Migration and Mobility' (https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration_en)
- European Commission, 'Migration Partnership Framework: A new approach to better manage migration' (https://eeas.europa.eu/sites/eeas/files/factsheet_ec_format_migration_partnership_framework_update_2.pdf)
- European Commission (2016), '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', June (<https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-385-EN-F1-1.PDF>)
- European Commission (2017a), 'Joint communication to the European Parliament, the European Council and the Council. Migration on the Central Mediterranean route: Managing flows, saving lives', 25 January (https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20170125_migration_on_the_central_mediterranean_route_-_managing_flows_saving_lives_en.pdf)
- European Commission (2017b), 'EU will support Niger with assistance of €1 billion by 2020', 13 December (https://ec.europa.eu/europeaid/news-and-events/eu-will-support-niger-assistance-eu1-billion-2020_en)
- European Commission (2018a), 'EU budget for the future', May (https://ec.europa.eu/commission/sites/beta-political/files/communication-modern-budget-may_2018_en.pdf)
- European Commission (2018b), 'EU Facility for Refugees in Turkey: the Commission proposes to mobilise additional funds for Syrian refugees', 14 March (http://europa.eu/rapid/press-release_IP-18-1723_en.htm)
- European Commission (2018c), 'Commission Staff Working Document: Turkey 2018 Report', April (<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-turkey-report.pdf>)

- European Commission (2018d), 'EU-Turkey Statement: Two years on', April (https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180314_eu-turkey-two-years-on_en.pdf)
- European Commission (2019), 'Communication from the European Parliament, the European Council and the Council. Progress report on the Implementation of the European Agenda on Migration', 6 March (https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190306_com-2019-126-report_en.pdf)
- EU Commission (2019b), 'EU-Turkey Statement: Three years on', March (https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190318_eu-turkey-three-years-on_en.pdf)
- European Council (2016), 'EU-Turkey statement', 18 March (<https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>)
- European Council (2017), 'Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route', 3 February (<https://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/>)
- European Council (2019), 'A new Strategic Agenda: 2019–2024', 20 June (<https://www.consilium.europa.eu/media/39914/a-new-strategic-agenda-2019-2024.pdf>)
- European Council on Refugees and Exiles (2019), 'Last Breath of Operation Sophia Should Push Coalition of the Willing', 29 March (<https://www.ecre.org/last-breath-of-operation-sophia-should-push-coalition-of-the-willing/>)
- European Court of Auditors (2018), 'Strengthening the capacity of the internal security forces in Niger and Mali: only limited and slow progress', June (<https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=46030>)
- European External Action Service (2016), 'Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy', June (http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf)
- European External Action Service (2017), 'Remarks by HR/VP Federica Mogherini at the press conference following the Foreign Affairs Council', 19 June (https://eeas.europa.eu/headquarters/headquarters-homepage/28430/remarks-hrvp-federica-mogherini-press-conference-following-foreign-affairs-council_en)
- European External Action Service (2018), 'High Representative/Vice-President Federica Mogherini visits Libya', 14 July (https://eeas.europa.eu/headquarters/headquarters-homepage/48409/high-representativevice-president-federica-mogherini-visits-libya_en)
- EU Emergency Trust Fund for Africa (2016), 'Strategic Orientation Document', February (https://ec.europa.eu/europeaid/eu-emergency-trust-fund-strategic-orientation-document_en)
- EU Emergency Trust Fund for Africa (2017), '2017 Annual report EU Trust Fund for Africa', March (https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/2017_tffa_en_web_lowres_final05.pdf)
- Fagan L (2017), 'Macron's Sahel trip spotlights security, migration investments', *Africa Times*, 24 December (<http://africatimes.com/2017/12/24/macrons-sahel-trip-spotlights-security-migration-investments/>)
- García-Sala CF, Castellano Flores N (2008), *Mi nombre es nadie: El viaje más antiguo del mundo* (Barcelona: Icaria).
- Fick M (2016), 'Niger asks EU for €1bn to stem migrant flow', *Financial Times*, 4 May (<https://www.ft.com/content/fd2c92e2-11d0-11e6-91da-096d89bd2173>)
- Foundation Human Rights for Eritreans (2019), 'Foundation Human Rights for Eritreans Summons EU to Stop Supporting Use of Forced Labour in Eritrean Project', 1 April (<https://www.pressclub.be/press-releases/foundation-human-rights-for-eritreans-summons-eu-to-stop-supporting-use-of-forced-labour-in-eritrean-project/>)
- Frontex (2018), 'Frontex reaches milestone in return operations', 9 July (<https://frontex.europa.eu/media-centre/news-release/frontex-reaches-milestone-in-return-operations-CHBRdU>)
- Frowd PM (2014), 'The field of border control in Mauritania', *Security Dialogue* 45 (3), pp 226–241.
- Gabrielli L (2011), 'La construction de la politique d'immigration espagnole: Ambiguïtés et ambivalences à travers le cas des migrations ouest-africaines', PhD dissertation, Université de Bordeaux.
- Gammeltoft-Hansen Y, Nyberg Sørensen N (2013), *The Migration Industry and the Commercialization of International Migration* (Abingdon: Routledge).
- Global Initiative Against Transnational Organised Crime (2017), 'Integrated Responses to Human Smuggling from the Horn of Africa to Europe', May.
- Greenhill KM (2010), *Weapons of mass migration: Forced displacement, coercion, and foreign policy* (Ithaca, N.Y.: Cornell University Press).
- Greenhill KM (2016), 'Open Arms Behind Barred Doors: Fear, Hypocrisy and Policy Schizophrenia in the European Migration Crisis', *European Law Journal* 22 (3) pp 317–332.
- Guardian* (2019), 'Idlib is a bargaining chip: civilians brace as Assad air assault escalates', 23 May.
- Haastrup T (2016), 'Reflections on the Africa-Europe Valletta Summit on Migration and Mobility', Africa at LSE blog, 21 January (<http://blogs.lse.ac.uk/africaatlse/2016/01/21/reflections-on-the-africa-europe-valletta-summit-on-migration-and-mobility/>)
- Haid H (2017), 'Post-ISIS Governance in Jarablus: A Turkish-led Strategy', Chatham House, September (<https://www.chathamhouse.org/publication/post-isis-governance-jarablus-turkish-led-strategy>)
- Hargrave K, Pantuliano S (2016), 'Closing borders: the ripple effects of Australian and European refugee policy. Case studies from Indonesia, Kenya and Jordan', HPG Policy Brief, September.
- Hernández JA (2018), 'El CNI pagó a dueños de cayucos para frenar la inmigración ilegal', *El País*, 14 July (https://elpais.com/politica/2018/07/11/actualidad/1531334265_834789.html)
- Heyman J (1995), 'Putting Power into the Anthropology of Bureaucracy: The Immigration and Naturalization Service at the Mexico-United States border', *Current Anthropology* 36 (2), pp 261–87.
- House of Lords (2017), 'Operation Sophia: A failed mission', European Union Committee, 2nd Report of Session 2017–19, July.
- Howden D, Zandonini G (2018), 'Niger: Europe's Migration Laboratory', *Refugees Deeply*, 22 May (<https://www.newsdeeply.com/refugees/articles/2018/05/22/niger-europes-migration-laboratory>)
- Human Rights Watch (2014), 'Abused and Expelled: Ill-treatment of Sub-Saharan African Migrants in Morocco', February.

- Human Rights Watch (2017a), 'World Report 2017' (<https://www.hrw.org/world-report/2017>)
- Human Rights Watch (2017b), 'EU/Turkey: Make Rights Central to Erdoğan Meeting', 23 May (<https://www.hrw.org/news/2017/05/23/eu/turkey-make-rights-central-erdogan-meeting>)
- Human Rights Watch (2018a), 'Turkey: Mass Deportations of Syrians', 22 March (<https://www.hrw.org/news/2018/03/22/turkey-mass-deportations-syrians>)
- Human Rights Watch (2018b), 'Turkey Stops Registering Syrian Asylum Seekers', 16 July (<https://www.hrw.org/news/2018/07/16/turkey-stops-registering-syrian-asylum-seekers>)
- Human Rights Watch (2018c), 'EU/Italy/Libya: Disputes Over Rescues Put Lives at Risk,' July (<https://www.hrw.org/news/2018/07/25/eu/italy/libya-disputes-over-rescues-put-lives-risk>)
- International Crisis Group (2016), 'Turkey's Refugee Crisis: The Politics of Permanence', Europe Report No. 241, November.
- International Crisis Group (2017), 'How Libya's Fezzan Became Europe's New Border', July.
- International Crisis Group (2018), 'Turkey's Syrian Refugees: Defusing Metropolitan Tensions', Europe Report No. 248, January.
- International Organization for Migration, 'Missing Migrants' (https://missingmigrants.iom.int/region/mediterranean?migrant_route%5B%5D=1376)
- International Organization for Migration (2017), 'IOM Learns of "Slave Market" Conditions Endangering Migrants in North Africa', 4 November (<https://www.iom.int/news/iom-learns-slave-market-conditions-endangering-migrants-north-africa>)
- International Organization for Migration (2018), 'Voluntary Humanitarian Returns from Libya Continue as Reintegration Efforts Step Up', 13 March (<https://www.iom.int/news/voluntary-humanitarian-returns-libya-continue-reintegration-efforts-step>)
- International Organization for Migration (2019), 'Mediterranean Migrant Arrivals Reach 12,174 in 2019; Deaths Reach 356', 4 May (<https://www.iom.int/news/mediterranean-migrant-arrivals-reach-12174-2019-deaths-reach-356>)
- Ivaschenko-Stadnik K, Petrov R, Raineri L, Rieker P, Russo A, Strazzari F (2017), 'How the EU is facing crises in its neighbourhood: evidence from Libya and Ukraine', EUNPACK, March.
- Jaspars S, Buchanan-Smith M (2018), 'Migration and Displacement from Darfur: conflict, livelihoods and food security'.
- Kakissis J (2018), "'Europe Does Not See Us As Human": Stranded Refugees Struggle in Greece', NPR, 9 March.
- Karlsson Franck A (2018), 'The Lesvos Refugee Crisis as Disaster Capitalism', *Peace Review* 30 (2), pp 199–205.
- Keen D (1993), *How Safe is their Haven Now? The Kurds in Iraq* (London: Save the Children Fund).
- Keen D (1994), *The benefits of famine: A political economy of famine and relief in southwestern Sudan, 1983–1989* (Princeton: Princeton University Press).
- Keen D (2005), *Conflict and collusion in Sierra Leone* (Oxford: James Currey).
- Keen D (2006), *Endless war? Hidden functions of the 'war on terror'* (London: Pluto Press).
- Keen D (2008), *Complex emergencies* (Cambridge: Polity).
- Keen D (2012), *Useful enemies: When waging wars is more important than winning them* (New Haven, CT: Yale University Press).
- Keen D (2013), 'When "Do No Harm" Hurts', *The New York Times*, 6 November (<https://www.nytimes.com/2013/11/07/opinion/when-fear-impedes-aid.html>)
- Keen D (2017), 'Syria: playing into their hands', Saferworld, October.
- Keen D, Andersson R (2018), 'Double games: Success, failure and the relocation of risk in fighting terror, drugs and migration', *Political Geography* 67, pp 100–110.
- Kington T (2017), 'Italy sends 500 troops to Niger to tackle traffickers and jihadists', *The Times*, 28 December (<https://www.thetimes.co.uk/article/italy-sends-500-troops-to-niger-to-tackle-traffickers-and-jihadists-kmxx9kzbr>)
- Lahav G, Guiraudon V (2000), 'Comparative perspectives on border control: away from the border and outside the state', in P Andreas, T Snyder (eds.), *The wall around the West: state borders and immigration controls in North America and Europe* (Oxford: Rowman & Littlefield).
- Legrain P (2016), 'Refugees work: A humanitarian investment that yields economic dividends', Tent, May (<http://www.opennetwork.net/refugeeswork/>)
- Leghtas I (2017), "'Like a Prison": Asylum-seekers confined to the Greek islands', Refugees International, August.
- Loschi C, Raineri L, Strazzari F (2018), 'The implementation of EU Crisis Response in Libya: Bridging theory and practice', EUNPACK, January.
- LSE IDEAS (2014), 'Ending the drug wars: Report of the LSE Expert Group on the Economics of Drug Policy', May.
- Lucht H (2011), 'The Killing Seas', *The New York Times*, 18 May (https://www.nytimes.com/2011/05/19/opinion/19lucht.html?_r=0)
- Mabogunje AL (1970), 'Systems approach to a theory of rural-urban migration', *Geographical Analysis* 2 (1) pp 1–18.
- Maclean R, Saley OH (2018), 'New terrorist threat as EU stance on migrants triggers disquiet in Niger', *The Guardian*, 27 June (<https://www.theguardian.com/global-development/2018/jun/27/lost-jobs-rising-extremism-eu-stance-migrants-bodes-ill-niger>)
- Malkki LH (1995), *Purity and Exile: Violence, memory, and national cosmology among Hutu refugees in Tanzania* (Chicago: Chicago University Press).
- Massey DS, Pren KA, Durand J (2016), 'Why border enforcement backfired', *American Journal of Sociology* 121 (5), pp 1557–1600.
- Médecins Sans Frontières (2019), 'EU-Turkey deal continues cycle of containment and despair', 18 March.
- Mercandalli S, Losch B (eds.) (2017), *Rural Africa in motion. Dynamics and drivers of migration South of the Sahara* (Rome: FAO and CIRAD).
- Micallef M, Reitano T (2017), 'The anti-human smuggling business and Libya's political end game', Institute for Security Studies and the Global Initiative against Transnational Organized Crime.
- Migreurop, La Cimade (2010), 'Prisonniers du désert: enquête sur la situation des migrants à la frontière Mali-Mauritanie', December.
- Ministry of the Interior, Italy (2017), 'Code of conduct for NGOs undertaking activities in migrants' rescue operations at sea' (<https://www.avvenire.it/c/attualita/Documents/Codice%20ONG%20migranti%2028%20luglio%202017%20EN.pdf>); original version in Italian: http://www.interno.gov.it/sites/default/files/codice_condotta_ong.pdf)

- Molenaar F, El Kamouni-Janssen F (2017), 'Turning the tide: The politics of irregular migration in the Sahel and Libya', CRU Report, February.
- Montanaro L, Venchiarutti L (2018), 'Panic is not the answer to the EU's security and defence challenges', Saferworld, 19 November (<https://www.saferworld.org.uk/resources/news-and-analysis/post/804-panic-is-not-the-answer-to-the-euas-security-and-defence-challenges>)
- Morales F (2018), 'End of mission statement of the UN Special Rapporteur on the human rights of migrants, Felipe González Morales, on his visit to Niger', October (<https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23698&LangID=E>)
- Natter K (2013), 'The Formation of Morocco's Policy Towards Irregular Migration (2000–2007): Political Rationale and Policy Processes', *International Migration* 52 (5), pp 15–28.
- Neslen A (2017), 'EU urged to end cooperation with Sudan after refugees whipped and deported', *The Guardian*, 27 February (<https://www.theguardian.com/global-development/2017/feb/27/eu-urged-to-end-cooperation-with-sudan-after-refugees-whipped-and-deported>)
- Nevins J (2001), *Operation Gatekeeper: the rise of the 'illegal alien' and the making of the U.S.-Mexico boundary* (London: Routledge).
- Nielsen N (2018), 'Frontex: Europe's new law enforcement agency?', *EJObserver*, 22 February (<https://euobserver.com/justice/141062>)
- Obert M (2017), 'Can A Libyan Warlord Help Europe Solve The Migrant Crisis?' *Suddeutsche Zeitung*, 27 June (English version at <https://www.worldcrunch.com/migrant-lives-1/can-a-libyan-warlord-help-europe-solve-the-migrant-crisis>)
- Office of the High Commissioner for Human Rights (OHCHR) (2016), "'Detained and dehumanised": Report on human rights abuses against migrants in Libya', December.
- Office of the High Commissioner for Human Rights (OHCHR) (2017), 'Report on the human rights situation in South-East Turkey, July 2015 to December 2016', February.
- Office of the High Commissioner for Human Rights (OHCHR) (2018), 'Desperate and Dangerous: Report on the human rights situation of migrants and refugees in Libya', December.
- Oltermann P (2018), 'Germany to roll out mass holding centres for asylum seekers', *The Guardian*, 21 May (<https://www.theguardian.com/world/2018/may/21/germany-to-roll-out-mass-holding-centres-for-asylum-seekers>)
- Overseas Development Institute (2016), 'Closing borders: The ripple effects of Australian and European refugee policy', September.
- Oxfam (2017), 'An emergency for whom? The EU Emergency Trust Fund for Africa migratory routes and development aid in Africa', November.
- Oxfam (2019), 'EU-Turkey Deal leading to short-sighted and dangerous migration policies', open letter to European leaders from Oxfam and 24 other organisations, 14 March.
- Perrin D (2016), 'Regulating migration and asylum in the Maghreb: What inspirations for an accelerated legal development?', in F Ippolito, S Trevisanut (eds.), *Migration in the Mediterranean: Mechanisms of International Cooperation* (Cambridge: Cambridge University Press), pp 192–214.
- Plaut M (2018), 'Concerns over Eritrea's role in efforts by Africa and EU to manage refugees', *The Conversation*, 28 November (<https://theconversation.com/concerns-over-eritreas-role-in-efforts-by-africa-and-eu-to-manage-refugees-107616>)
- Poole A, Rigan J (2018), 'Fear Dampens Hope Among Eritrean Refugees in Ethiopia', *Refugees Deeply*, 16 August (<https://www.newsdeeply.com/refugees/community/2018/08/16/fear-dampens-hope-among-eritrean-refugees-in-ethiopia>)
- Rain D (1999), *Eaters of the dry season: Circular labor migration in the West African Sahel* (Oxford: Westview Press).
- Raworth K (2017), *Doughnut Economics: Seven Ways to Think Like a 21st-century Economist* (London: Penguin).
- Refugees International (2017), "'Hell on Earth": Abuses against migrants and refugees trying to reach Europe from Libya', June.
- Refugees International (2017), "'Except God, we have no one": Lack of durable solutions for non-Syrian refugees in Turkey', February.
- Reuters (2017), 'Armed group stopping migrant boats leaving Libya', 21 August (<https://www.reuters.com/article/us-europe-migrants-libya-italy-exclusive-idUSKCN1B11XC>)
- Reuters (2018a), 'Human smugglers in Libya have links to security services - U.N. report', 7 February (<https://uk.reuters.com/article/uk-europe-migrants-libya-un/human-smugglers-in-libya-have-links-to-security-services-u-n-report-idUKKBN1FR3BW>).
- Reuters (2018b), 'Nigerian migrants sue Italy for aiding Libyan coast guard', 8 May (<https://uk.reuters.com/article/uk-europe-migrants-italy/nigerian-migrants-sue-italy-for-aiding-libyan-coast-guard-idUKKBN193BK>)
- Reuters (2018c), 'Two migrants die on boat left adrift by Libyan coast guard - charity', 17 July (<https://uk.reuters.com/article/uk-europe-migrants/two-migrants-die-on-boat-left-adrift-by-libyan-coast-guard-charity-idUKKBN1K727X>)
- Reuters (2019), 'EU to end ship patrols in scaled down migrant rescue operation - diplomats', March (<https://uk.reuters.com/article/uk-europe-migrants-sophia/eu-to-end-ship-patrols-in-scaled-down-migrant-rescue-operation-diplomats-idUKKCN1R72HK>)
- Rinelli L (2016), *African Migrants and Europe: Managing the Ultimate Frontier* (London: Routledge).
- Rothstein B, Teorell J (2008), 'What Is Quality of Government? A Theory of Impartial Government Institutions', *Governance* 21 (2), pp 165–190.
- Saferworld (2016), 'Syrian refugees in Turkey: challenges to and opportunities for longer-term integration', March (<https://www.saferworld.org.uk/resources/publications/1051-syrian-refugees-in-turkey-challenges-to-and-opportunities-for-longer-term-integration>)
- Saferworld (2018), 'Building peace into refugee responses: Syrian refugees in Lebanon', April.
- Schaffer B, Clay E (eds.) (1985), *Room for Manoeuvre: Exploration of Public Policy Planning in Agriculture and Rural Development* (London: Heinemann).
- Serrano-Conde L (2019), 'No more ships to rescue migrants in the Mediterranean', EURACTIV, 5 February (<https://www.euractiv.com/section/global-europe/news/no-more-ships-to-rescue-migrants-in-the-mediterranean/>)
- Siegfried K (2017), 'EU migrant policy in Africa built on incorrect Niger data', *The New Humanitarian*, 31 January (<https://www.thenewhumanitarian.org/news/2017/01/31/exclusive-eu-migrant-policy-africa-built-incorrect-niger-data>)
- Squires N (2010), 'Gaddafi: Europe will "turn black" unless EU pays Libya £4bn a year', *The Daily Telegraph*, 31 August (<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/7973649/Gaddafi-Europe-will-turn-black-unless-EU-pays-Libya-4bn-a-year.html>)

- Taylor A (2015), 'Italy ran an operation that saved thousands of migrants from drowning in the Mediterranean. Why did it stop?' *The Washington Post*, April (https://www.washingtonpost.com/news/worldviews/wp/2015/04/20/italy-ran-an-operation-that-save-thousands-of-migrants-from-drowning-in-the-mediterranean-why-did-it-stop/?utm_term=.667da7d5ce2a)
- Tazzioli M, Garelli G (2018), 'Containment beyond detention: The hotspot system and disrupted migration movements across Europe', *Environment and Planning D: Society and Space* (<https://doi.org/10.1177/0263775818759335>)
- The Economist* (2018), 'How to bring peace to Libya', November (<https://www.economist.com/middle-east-and-africa/2018/11/11/how-to-bring-peace-to-libya>)
- The Spectator* (2016), 'The EU's deal with Turkey exposes the moral vacuum at its heart', 12 March (<https://www.spectator.co.uk/2016/03/turkey-is-blackmailing-the-eu/>)
- Tondo L (2019), 'Italian authorities order seizure of migrant rescue ship', *The Guardian*, March (<https://www.theguardian.com/world/2019/mar/20/italian-authorities-order-seizure-migrant-rescue-ship-mare-jonio>)
- Tory-Murphy L (2017), 'Dance with the Devil: Europe finances Libyan militias to curb migration', *African Arguments*, 17 August (<http://africanarguments.org/2017/08/17/dance-with-the-devil-europe-finances-libyan-militias-to-curb-migration/>)
- Tricot O'Farrell K, Venchiarutti L (2018), 'The EU's new financial framework must not fortify Europe at the expense of peace', *Saferworld*, 9 May (<https://www.saferworld.org.uk/resources/news-and-analysis/post/770-the-euas-new-financial-framework-must-not-fortify-europe-at-the-expense-of-peace>)
- TRT World* (2019), 'Turkey's proposed safe zone in Syria would address the refugee crisis', February (<https://www.trtworld.com/magazine/turkey-s-proposed-safe-zone-in-syria-would-address-the-refugee-crisis-24326>)
- Tubiana J, Warin C, Saneen G (2018), 'Multilateral Damage: The impact of EU migration policies on central Saharan routes', *Clingendael*, September.
- Tubiana J, Warin C (2019), 'Diary', *London Review of Books* 41 (6), pp 42–43.
- Vuksanovic V (2017), 'The Western Balkans could be the first casualty of a "connectivity war" between the EU and Turkey', LSE EUROPP blog, 25 May (<http://blogs.lse.ac.uk/europpblog/2017/05/25/western-balkans-casualty-connectivity-war-eu-turkey/>)
- United Nations High Commissioner for Refugees, 'Figures at a Glance', figures regularly updated (<https://www.unhcr.org/tr/en/figures-at-a-glance>)
- United Nations High Commissioner for Refugees, 'UNHCR Turkey Stats', figures regularly updated (<https://www.unhcr.org/tr/en/unhcr-turkey-stats>)
- United Nations Office for the Coordination of Humanitarian Affairs (2018), 'Syrian Arab Republic: Humanitarian situation update in Afrin District and for IDPs in surrounding communities (as of 15 June 2018)', June (<https://reliefweb.int/report/syrian-arab-republic/syrian-arab-republic-humanitarian-situation-update-afrin-district-and>)
- United Nations Support Mission in Libya (2018), 'Desperate and Dangerous: Report on the human rights situation of migrants and refugees in Libya', December (<https://unsmil.unmissions.org/sites/default/files/libya-migration-report-18dec2018.pdf>)
- Walter-Franke M (2018), 'Two years into the EU-Turkey "deal" – taking stock', Jacques Delors Institut Berlin, 15 March (<https://www.delorsinstitut.de/en/all-publications/two-years-into-the-eu-turkey-deal-taking-stock/>)
- Wintour P (2018), 'EU rebuked for €36bn refugee pushback gambit', *The Guardian*, 20 June (<https://www.theguardian.com/world/2018/jun/20/eu-increases-africa-spending-as-studies-criticise-anti-migration-efforts>)
- Witte G (2018), 'Conditions are horrific at Greece's "island prisons" for refugees. Is that the point?' *Washington Post*, 15 January (https://www.washingtonpost.com/world/europe/conditions-are-horrific-at-greeces-island-prisons-for-refugees-is-that-the-point/2018/01/15/b93765ac-f546-11e7-9af7-a50bc3300042_story.html?utm_term=.4fb356ec8e50)
- Women's Refugee Commission (2019), "'More Than One Million Pains": Sexual Violence Against Men and Boys on the Central Mediterranean Route to Italy', March.
- Worth R (2016), 'Behind the barricades of Turkey's hidden war', *The New York Times Magazine*, May 24 (<https://www.nytimes.com/2016/05/29/magazine/behind-the-barricades-of-turkeys-hidden-war.html>)

About Saferworld

Saferworld is an independent international organisation working to prevent violent conflict and build safer lives. We work with people affected by conflict to improve their safety and sense of security, and conduct wider research and analysis. We use this evidence and learning to improve local, national and international policies and practices that can help build lasting peace. Our priority is people – we believe in a world where everyone can lead peaceful, fulfilling lives, free from fear and insecurity. We are a not-for-profit organisation working in 12 countries and territories across Africa, Asia and the Middle East.

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