How To Talk About Migration in Africa: Classic Hurdles and Six Recommendations for European Policymakers

Rietig, Victoria; Fakhry, Alia

Veröffentlichungsversion / Published Version
Kurzbericht / abridged report

DGAP REPORT

How To Talk About Migration in Africa:
Classic Hurdles and Six Recommendations for European Policymakers

Victoria Rietig
Head of the Migration Program

Alia Fakhry
External Consultant to the Migration Program

Authors' Biographies

Victoria Rietig heads the Migration Program of the German Council on Foreign Relations (DGAP). Prior to her current role, she served as an independent expert for migration, asylum, and refugee issues, advising government offices and foundations, including the German development agency GIZ, the US Department of State, the UK Foreign and Commonwealth Office, and the Human Smuggling and Trafficking Center of the US Department of Homeland Security. Before that, she worked at think tanks in Washington, DC, including as a policy analyst for the Migration Policy Institute (MPI), a fellow at the Atlantic Council, and a senior migration fellow at the American Institute for Contemporary German Studies (AICGS) at Johns Hopkins University. She also served as a consultant for the United Nations Institute for Training and Research (UNITAR) in New York. Rietig received a master's degree in public policy from Harvard University with a focus on human trafficking and forced migration, preceded by a master's from Freie Universität Berlin with a focus on migration and integration.

Alia Fakhry is an external consultant supporting DGAP's Migration Program. She coordinates the project "From Here to EU: How to Talk about Migration in Africa? An Awareness Campaign for European Policymakers." Fakhry previously worked for the International Centre for Migration Policy Development (ICMPD) on migration policy dialogues with national and local governments in the Mediterranean region. She has also researched and consulted for the Euro-MeSCo network of the European Institute of the Mediterranean (IEMed), UN-Habitat, and UNICEF Senegal. Prior to that, she supported academic research on forced migration at the French Institute for the Near East (Ifpo–CNRS) in Beirut and Amman. Fakhry holds a master's degree in Middle Eastern studies from Lund University and a bachelor's degree from Sciences Po Bordeaux.

Preface

This paper is published as part of the project "From Here to EU: How to Talk about Migration in Africa? An Awareness Campaign for European Policymakers." The one-year project is led by the Migration Program of the German Council on Foreign Relations (DGAP) and funded by Stiftung Mercator.

GOALS

This project aims to inform German and European policymakers about migration debates and policies in select African countries to inform their present and future communication with representatives from that continent. The results aim to inform the 6th European Union-African Union summit planned for 2022.

Its research provides insights on migration policies and their framing in five significant countries of origin, transit, and destination of migrants in Africa: Egypt, Ethiopia, Ghana, Tunisia, and South Africa. Drawing lessons from these national contexts, the project develops policy recommendations for German and European politicians, policy experts, and practitioners to foster a more constructive debate about future African-European cooperation on migration.

Outputs

1. Two closed-door expert conferences under the Chatham House Rule that brought together policymakers and experts from Brussels and Berlin with African country experts in the fall of 2020
2. Four country case studies, authored by African country experts on migration policies and practices in Egypt, Ghana, Tunisia, and South Africa
3. One summary analysis, authored by DGAP experts, that distills the main lessons from the country case studies and the Chatham House discussions
4. One event to present the main findings of the project and link it to other initiatives in the growing field of migration cooperation between Europe and Africa

This summary analysis concludes the project. It draws on the research of project experts Dina Abdel Fattah,[1] Tasnim Abderrahim,[2] Kwaku Arhin-Sam,[3] Mehari Taddele Maru, and Ottilia Anna Maunganidze,[4] and on conversations with German and European policymakers and migration experts held as part of this project.

1 Dina Abdel Fattah, "Egypt, the EU, and Migration: An Uncomfortable Yet Unavoidable Partnership", *DGAP Report* (September 2021): https://dgap.org/en/research/publications/egypt-eu-and-migration (accessed 26 September 2021).

2 Tasnim Abderrahim, "Walking a Tightrope in Tunisia: The Aspirations and Limitations of Migration Policy Reform," *DGAP Report* (June 2021): https://dgap.org/sites/default/files/article_pdfs/Report-Tunisia_EN_2021_57.pdf (accessed August 8, 2021).

3 Kwaku Arhin-Sam "Ghana as the EU's Migration Partner: Actors, Interests, and Recommendations for European Policymakers," *DGAP Reporta* (April 2021): https://dgap.org/en/research/publications/ghana-eus-migration-partner (accessed August 8, 2021).

4 Ottilia Anna Maunganidze "Migration Policy in South Africa: Lessons from Africa's Migration Magnet for European Policymakers," *DGAP Report* (September 2021): https://dgap.org/en/research/publications/migration-policy-south-africa (accessed 26 September 2021).

DGAP   STIFTUNG MERCATOR

Table of Contents

1 INTRODUCTION

Europeans are entering a decisive period for their relationship with African countries, on migration and beyond. Efforts to renew and strengthen cooperation abound. In 2020 the EU put forward a new strategy to engage with African countries on five core issues that range from migration and mobility to green energy, digital transformation and job growth to peace and stability.[5] Also, the post-Cotonou agreement that the EU and the Organization of African, Caribbean and Pacific States (OACPS) concluded in 2021 is another sign that the relationship has broadened to include migration and other pressing issues such as climate change, expanding from the traditional goals of poverty reduction and development.[6]

European migration policy also shows how Africa's relevance has increased. The European Commission's proposal for a New Pact on Migration and Asylum conveys the prime role the EU wants countries in its southern neighborhood to play in regional migration management. The Pact envisions "mutually beneficial partnerships with key third countries of origin and transit"[7] for which the EU has already identified potential partners among its African neighbors.[8]

To reach this goal, the EU wants to build on the impressive number of initiatives, agreements, and Memoranda of Understanding on migration that have mushroomed in the last decade.[9] These attempts to partner with African countries have gradually shifted over time, from formal agreements such as Mobility Partnerships, to more informal accords, including Common Agendas, Migration Partnership Frameworks and Dialogues. Individual member states have also pushed for more bilateral agreements.

Germany is a case in point: The country has sped up talks with African partners, especially following its 2017 Marshall

Plan with Africa.[10] Migration is a core interest for Germany's Africa policy, as evidenced by the government-wide 2019 guidelines on cooperation with Africa (*Afrikapolitische Leitlinien*),[11] which names migration-related goals — ranging from migration management and fighting of root causes to refugee protection — as one of the five central pillars for Germany's cooperation with the continent.

But many of these migration initiatives (visualized in Figure 1) are plagued by similar problems and frustrations on both sides.

Europeans tend to lament that for all the investments the EU and member states make on the African continent, they perceive a lack of interest from their African counterparts in implementing agreements. A particularly sore point is the concern that African countries knowingly hinder or delay the return of African nationals and that they rarely honor existing readmission agreements or protocols to the extent EU policymakers would like to see. While they are aware that the loss of remittances and fear of domestic criticism are legitimate drivers for their African counterparts, their job is still to advance European interests on migration, and that includes not just the EU's long-term interest in the economic and social development of African countries, but also the immediate interest of reducing irregular migratory movements toward Europe and increasing border controls beyond the EU's own external borders.[12]

Africans on the other hand tend to lament that Europeans, for all their rhetoric about a "relationship on eye-level" and "joint partnerships", do not take their concerns seriously. They say that the EU tends to develop plans *for* Africa, not *with* it. A frequent source of frustration is that Europeans either do not expand legal pathways, or that they promise them but then only create them in small numbers. They also

5   European Parliament, "A new EU-Africa Strategy – A partnership for sustainable and inclusive development," European Parliamentary Research Service (March 2021): https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690516/EPRS_ATA(2021)690516_EN.pdf (accessed August 3, 2020).

6   European Commission, "Post-Cotonou negotiations on new EU/Africa-Caribbean-Pacific Partnership Agreement concluded," (April 15, 2021): https://ec.europa.eu/commission/presscorner/detail/en/IP_21_1552 (accessed August 3, 2020). And https://www.dw.com/en/post-cotonou-eu-reaches-agreement-with-african-caribbean-and-pacific-states/a-57220259

7   European Commission, "Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on A New Pact On Migration And Asylum" (COM/2020/609 final), (September 23, 2020): https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0609 (accessed August 3, 2020).

8   Statewatch, "EU: Tracking the Pact: Tunisia and other North African states targeted for new action on migration, asylum and more," (March 24, 2021): https://www.statewatch.org/news/2021/march/eu-tracking-the-pact-tunisia-and-other-north-african-states-targeted-for-new-action-on-migration-asylum-and-more/ (accessed August 3, 2020).

9   For an overview of current EU migration initiatives with third countries, see Council of the European Union, "Update on the state of play of external cooperation in the field of migration," (July 5, 2021): https://www.statewatch.org/media/2614/eu-council-pact-external-migration-state-of-play-10471-21.pdf Policy (accessed August 3, 2020).

10   Federal Ministry for Economic Development and Cooperation, "A Marshall Plan with Africa," (January 2017): https://www.bmz.de/en/countries_regions/marshall_plan_with_africa/index.html (accessed January 8, 2020).

11   Federal Government, "A Deeper Partnership with Africa. Update and revision of the Africa Policy Guidelines of the German Federal Government," (March 27, 2019) [in German]: https://www.auswaertiges-amt.de/blob/2204146/61736c06103e9a28e328371257ee34f7/afrikaleitlinien-data.pdf (accessed August 3, 2020).

12   Closed-door meetings of the "From here to EU project".

FIG. 1: A CROWDED FIELD: MIGRATION COOPERATION INITIATIVES BETWEEN EUROPE AND AFRICA

TUNISIA

2014: EU-Tunisia
Mobility Partnership

2017: German-Tunisian
accord on deportation

2017: Tunisian-
German Centre for
Jobs, Migration and
Reintegration

GHANA

2019: Ghanaian-
German Centre for
Jobs, Migration and
Reintegration

EGYPT

2017: Egypt-EU
Migration Dialogue

2017: Egypt-Germany
Security Cooperation
Agreement

2017: German-Egyptian
Agreement on Bilateral
Dialogue on Migration

2020: Egyptian-
German Centre for
Jobs, Migration and
Reintegration

ETHIOPIA

2015: Common Agenda
on Migration with
Ethiopia

2016: EU-Ethiopia
Migration Partnership
Framework

2019: German-Ethiopian
Binational Commission

German bilateral initiatives

EU-wide initiatives

Inter-Continental Migration Dialogues

Since 2006: Euro-African Dialogue on Migration and Development (Rabat Process)

Since 2014: EU-Horn of Africa Migration Route Initiative (Khartoum Process)

Since 2015: Joint Valletta Action Plan

Source: Authors' compilation. Ahram Online, "Egypt, Germany sign security cooperation agreement on terrorism, illegal immigration," (July 12, 2016): https://english.ahram.org.eg/News/233039.aspx ; Council of the European Union, "Update on the state of play of external cooperation in the field of migration," (July 5, 2021): https://www.statewatch.org/media/2614/eu-council-pact-external-migration-state-of-play-10471-21.pdf ; Deutsche Welle, "New Tunisian-German immigration deal trades aid for speedier deportation," (March 3, 2017): https://www.dw.com/en/new-tunisian-german-immigration-deal-trades-aid-for-speedier-deportation/a-37798162 ; Federal Foreign Office, "Dialogue on migration – Germany and Egypt sign agreement" (August 28, 2017): https://www.auswaertiges-amt.de/en/aussenpolitik/laenderinformationen/aegypten-node/-/257234 ; Federal Foreign Office "Statement by the Federal Foreign Office on enhanced cooperation with Ethiopia," (June 24, 2019): https://www.auswaertiges-amt.de/en/newsroom/news/cooperation-ethiopia/2229398 ; GIZ, "Allowing people to start over successfully in their country of origin," (June 2021): https://www.giz.de/en/worldwide/62318.html (all accessed August 3, 2021).

complicate access to visas, so that Africans must go through lots of red tape even for short visits to the Schengen zone. Further, critics claim that European policymakers are often Euro-centric, arrogant, or ill-informed about African realities.[13] They point out that the EU still seems to see itself as the navel of the world when it comes to Africa, although in truth, other geopolitical actors (USA, China, Russia, and the Gulf countries) are all more influential and tend to leverage that power more consistently. Europeans, in comparison, are an inconsistent bunch.[14]

One reason for these longstanding frustrations is that, when it comes to migration, the interests of the neighboring continents are indeed often hard to reconcile, even by skillful diplomats and negotiators. In some instances, European or African policymakers themselves may add to the problem, especially when they act obtusely or are unwilling to empathize with their counterparts' points of view. But the bigger contributing factor to the sluggish migration relationship is that not even excellent diplomacy and negotiation skills are able to find a zone of possible agreement where there simply is none (or only a small one).

So how can both sides break through this vicious cycle and improve the unhealthy relationship? Some policy papers try to do so by outlining a grand new vision in which joint interests between the EU and Africa finally trump the well-known disagreements and create greater mutual understanding. These grand visions are certainly useful for keeping an eye on the larger goal of reaching a healthy and beneficial relationship. But equally important are small steps and pragmatic advice that eschew this grand vision and do not try to make the disagreements go away or seem smaller, but instead simply acknowledge them with more honesty and manage them with more empathy.

This approach of small steps is at the heart of the project "From Here to EU: How to Talk About Migration in Africa?". Conducted by the German Council on Foreign Relations (DGAP) and funded by Mercator Stiftung, the project brought together experts from five countries across the continent – **Egypt, Ethiopia, Ghana, South Africa, and Tunisia** – to gain a better understanding of their perspectives, both on their own migration policies and on those of the EU, and to collect concrete answers to the question of how EU policymakers can improve their way of discussing migration and Africa in the future.[15]

These countries were chosen for four reasons:

1. First, because they provide a large geographic scope, going beyond the North and West African countries that EU migration policymaking tends to target to also include countries in the east and south of the African continent.
2. Second, they cover a range of political systems, from democracies to authoritarian regimes and thus present different challenges to European policymakers.
3. Third, the countries clearly show some of Europe's salient approaches to migration in Africa. For instance, in Ghana and Tunisia, Europeans have tried to support comprehensive migration reforms, while in Egypt or Ethiopia, they have attempted to regulate regional migration and displacement crises. In contrast, South Africa was included especially because it has been largely off European policymakers' radar, even though it is another major destination of migration with countless parallels to Europe's challenges and debates.
4. Lastly, while all five countries have different migration profiles, histories, and policies, and they are of different salience to European policymakers, all of them hold lessons for European policymakers, which are presented in this project's individual country case studies.

This paper gives a condensed overview of these lessons. Following this introduction, Chapter 2 describes six trends in African migration policies in recent years and analyzes the factors that contribute to these trends. Chapter 3 then puts forward six recommendations for European policymakers and experts about how to prepare for their next encounter with their African counterparts – be it a friendly and informal chat or a negotiation.

13 Mehari Taddele Maru, "Migration Policy-making in Africa: Determinants and Implications for Cooperation with Europe," European Policy Institute (May 2021) pp.22-23: https://cadmus.eui.eu/bitstream/handle/1814/71355/RSC%202021_54.pdf?sequence=1&isAllowed=y (accessed August 3, 2021).

14 Closed-door meetings of the "From here to EU project". Also see Francis Ghiles, "Why North Africa is slowly decoupling from Europe," *Barcelona Center for International Affairs (CIDOB)* (July 2021): https://www.cidob.org/es/publicaciones/serie_de_publicacion/opinion_cidob/2021/why_north_africa_is_slowly_decoupling_from_europe (accessed August 3, 2021).

15 See Preface p.3.

2 TRENDS IN AFRICAN MIGRATION POLICIES

Trend 1: Migration Policy Overhauls Abound, But Rarely Bring the Desired Results

In recent years, more and more African countries have announced the introduction of comprehensive migration strategies or have updated their migration policies significantly.[16] As Figure 2 shows, the countries studied in this project have achieved significant legislative milestones. Tunisia launched a National Migration Strategy (NMS), Ghana launched a National Migration Policy (NMP) and simultaneously worked toward national labor and diaspora policies, Egypt reinforced its policy on countering irregular migration, while Ethiopia and Tunisia passed laws and strategies against trafficking.

This trend is both a reaction to changing migration flows and challenges in these countries' regions, as well as to the EU's interest in increased migration management on the continent. The EU funded the development of broad national migration strategies in origin and transit countries, for instance in Ghana and Tunisia, and tried to do the same in Egypt and Ethiopia.

But progress has been slow and bumpy. Policy development has often dragged on for years. In Ghana and Tunisia, deliberations for national frameworks started in 2012, and were finally unveiled in 2016 and 2017, respectively. To date, political validation of the new migration strategies remains stalled, with implementation unclear and uneven. For instance, Ghana's National Commission on Migration – the body supposed to pilot the implementation of the NMP – has yet to be created. And although Tunisia's strategy was implicitly adopted in 2017, the document still has not received formal validation by the government.

Three reasons explain the lagging implementation of these migration policy overhauls:

1. The lack of ownership over reform processes;
2. Inadequate governance frameworks or weak state capacity; and
3. Active resistance from partner countries.

Lack of ownership

First, a slew of critical studies argue that the new migration policy frameworks are a direct emanation of the EU externalization agenda.[17] Following the idea that better migration governance would help bring down irregular arrivals, Europeans put together the EU Emergency Trust Fund for Africa (EUTF) "for stability and addressing root causes of irregular migration and displaced persons in Africa" in 2015.[18] EUTF funding reached over 280 million euros in the case of Ethiopia (Figure 3), and likely increased the pace of migration reform.

But with these funds came the question of ownership. In both Ghana and Tunisia, reform processes were criticized for the strong role the EU and implementing partners played. International organizations, mainly the International Organization for Migration (IOM) and the UN High Commissioner for Refugees (UNHCR), and European development agencies, including the Germany Agency for International Cooperation (GIZ), steered policy formulation, to the extent that some Ghanaian officials felt divested of their prerogatives by international staffers. Others argue that EU-funded projects in partner countries are an opportunity for international organizations to channel funds back into their budgets.[19] Ghana expert Kwaku Arhin-Sam writes: "At worst, such initiatives are considered extended job creation opportunities for Europeans."[20]

Another unintended but negative side effect of EU funds for migration policy are increased tensions and turf troubles between government ministries. In Ghana, the Ministries of Interior and Foreign Affairs battled over the attribution

16 Camille Le Coz and Antonio Pietropolli, "Africa Deepens its Approach to Migration Governance, But Are Policies Translating to Action?," *Migration Policy Institute*, (April 02, 2020): https://www.migrationpolicy.org/article/africa-deepens-approach-migration-governance (accessed April 15, 2020).
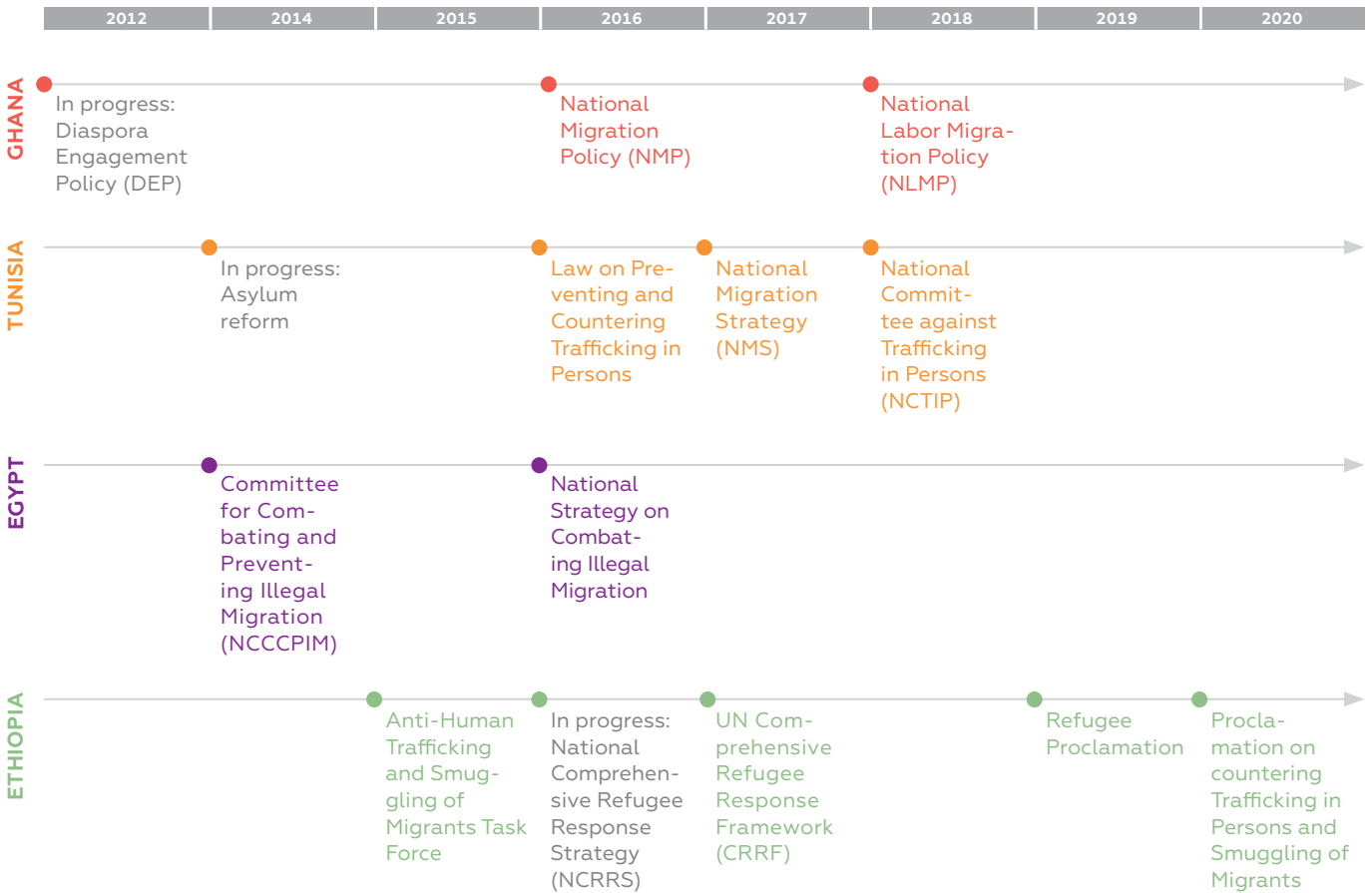
17 Bisong, "Migration Partnership Framework and the Externalization of European Union's (EU) Migration Policy in West Africa: The Case of Mali and Niger," Regional Integration and Migration Governance in the Global South, (August 30, 2020): https://link.springer.com/chapter/10.1007/978-3-030-43942-2_10; Stock et al. "Externalization at work: responses to migration policies from the Global South," Comparative Migration Studies, (December 17, 2019): https://comparativemigrationstudies.springeropen.com/articles/10.1186/s40878-019-0157-z; Trauner et al. "The International Organization for Migration in West Africa: Why its Role is Getting More Contested," UNU-CRIS Working Paper, (2019): https://researchportal.vub.be/en/publications/the-international-organization-for-migration-in-west-africa-why-i (all accessed January 11, 2021).

18 European Commission, "EU Emergency Trust Fund for Africa. Factsheet," 2020: https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/factsheet_eutf-for-africa_october_2020.pdf (accessed January 11, 2021).

19 Jan Claudius Völkel, "Fanning fears, winning praise: Egypt's smart play on Europe's apprehension of more undocumented immigration," *Mediterranean Politics* (May 27, 2020): https://www.tandfonline.com/doi/full/10.1080/13629395.2020.1758450 (accessed November 30, 2020).

20 Kwaku Arhin-Sam "Ghana as the EU's Migration Partner: Actors, Interests, and Recommendations for European Policymakers," DGAP Report (April 2021): https://dgap.org/en/research/publications/ghana-eus-migration-partner

FIG. 2: AMBITIOUS MIGRATION REFORMS, SLUGGISH IMPLEMENTATION

|	2012	2014	2015	2016	2017	2018	2019	2020
GHANA	In progress: Diaspora Engagement Policy (DEP)			National Migration Policy (NMP)		National Labor Migration Policy (NLMP)		
TUNISIA		In progress: Asylum reform		Law on Preventing and Countering Trafficking in Persons	National Migration Strategy (NMS)	National Committee against Trafficking in Persons (NCTIP)		
EGYPT		Committee for Combating and Preventing Illegal Migration (NCCCPIM)		National Strategy on Combating Illegal Migration				
ETHIOPIA			Anti-Human Trafficking and Smuggling of Migrants Task Force	In progress: National Comprehensive Refugee Response Strategy (NCRRS)	UN Comprehensive Refugee Response Framework (CRRF)		Refugee Proclamation	Proclamation on countering Trafficking in Persons and Smuggling of Migrants

Source: Authors' compilation

of the NMP and its budget, which slowed down the process substantially. National migration frameworks, be it in Ghana or Tunisia, are "do-it-all" documents that zoom in on migration and target a wide range of issues. In Ghana, the very concept of migration was previously broken down between urban infrastructure development on the one hand, and public safety and security on the other. In contrast, the new frameworks follow a whole-of-government approach that requires enhanced policy coordination and coherence, which is hard to achieve even under the best of circumstances and is relatively foreign to some African governments. In Egypt, for instance, efforts to introduce inter-ministerial coordination on migration have been unsuccessful for decades, given the top-down and highly politicized nature of migration policymaking. This partly explains why the proposal of a national

migration strategy was rejected. Egyptian leaders prefer to retain control over this policy field and decide on strategic initiatives unilaterally.

Inadequate governance
Second, many African countries, including Ghana, Ethiopia, Egypt, and Tunisia, have weak state capacity to work on migration – despite their longstanding experience. Tunisia is a good example. Since the regime change in 2011, successive governments, including nine different prime ministers, have worked to finalize the country's democratic transition and renew an outdated public administration. But this will be an ongoing process with likely many bumps ahead. The recent political upheaval alone, with Tunisia's president suspending parliament and

FIG. 3: EUTF FUNDING: THE PRICE TAG OF BETTER MIGRATION MANAGEMENT IN AFRICA
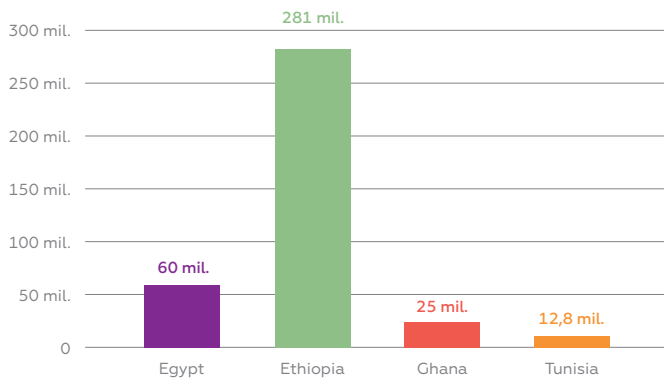
Source: EU Emergency Trust Fund for Africa, European Commission (2020). Includes country-specific and regional projects.

removing the prime minister, shows the fragility of the young democracy.[21] With many competing priorities that are often more fundamental to the survival of the system itself, migration regularly falls well behind higher priority issues. An additional problem is widespread corruption within the administration, which also stands in the way of the full implementation of laws, e.g., in Ethiopia where suspected collusion with traffickers hinders enforcement of anti-trafficking legislation.[22]

Political resistance

The third, and perhaps most important reason why migration policy overhauls fail to deliver declared goals is political resistance within partner countries. Governments are often wary of politically sensitive changes, especially as they are under the scrutiny of political parties and civil society. For instance, in Ghana (as elsewhere in democracies) it is common practice to shelve policies pursued by opposing political parties. When a change of power in Ghana coincided with the launch of the National Migration Policy, the New Patriotic Party (NPP)-led government quickly distanced itself from the Policy after taking over.

Another example comes from Tunisia, where the Ministry of Social Affairs, which leads the implementation of the National Migration Strategy, prioritized aspects of the policy focused on diaspora engagement, rather than those

linked to EU urges to tackle irregular migration. The active Tunisian civil society has contributed to the country's political resistance to some migration goals, such as the infamous disembarkation platforms, as civil society organizations (CSOs) closely monitor policy elaboration and exert political pressure on their leaders. The fear held by some Tunisian policymakers of becoming (or being perceived as) the gendarme of Europe is thus a decisive stumbling block to the implementation of the country's long-planned asylum law.

Migration policy overhauls fail to deliver declared goals because of political resistance within partner countries

Combined, these factors explain why migration policy overhauls have been widespread, but the results of overhauls on paper remain patchy to date and have often failed to bring forth the outcomes the EU desired and intended with its investments.

Trend 2: Hesitant Destinations: How African Countries Deal with Newcomers

The countries under study are all, to various extents, destinations of migration on the African continent. As Figure 4 shows, the number of international migrants has grown in all countries covered by this study in the last 20 years. In South Africa, it increased more than four-fold in this period, while it doubled in Ghana, Ethiopia, and Egypt, and increased by half in Tunisia.

21 BBC, "Tunisia's PM sacked after violent Covid protests," July 26, 2021: https://www.bbc.com/news/world-africa-57958555 (accessed August 4, 2021).

22 US Department of State, "2021 Trafficking in Persons Report: Ethiopia," Office to Monitor and Combat Trafficking in Persons": https://www.state.gov/reports/2021-trafficking-in-persons-report-ethiopia/ (accessed August 4, 2021).

FIG. 4: IMMIGRATION LEVELS IN AFRICA ARE ON THE RISE
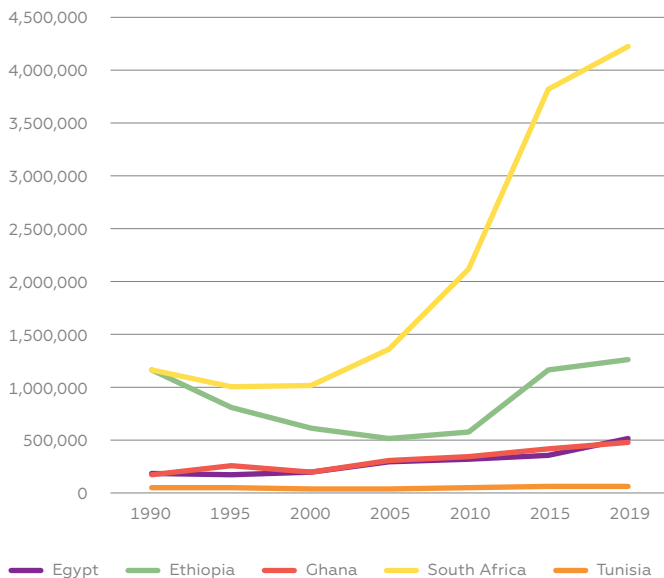
Source: International Migrant Stock 2019. United Nations, Department of Economic and Social Affairs. Population Division, 2019 (United Nations database, POP/DB/MIG/Stock/Rev.2019)

Consequently, these countries are gaining more and more experience in receiving and hosting refugees and migrants. All of them receive mixed migration flows of labor workers, transit migrants, and refugees and asylum seekers, all of whom pose different challenges and require different responses — as European policymakers well know from their own countries. On top of that, Ethiopia also faces high levels of internal displacement due to disasters and conflicts.[23]

These population movements have turned countries into regional migration nodes that have to react nimbly to sudden changes, for instance when mobility peaks during economic booms or when conflict and disasters strike other countries

in their region. But just like in Europe, governments and the public have shown signs of wariness (and sometimes hostility) toward newcomers. Despite some countries' histories as recipients of migration, integration of migrants, especially of different cultural backgrounds and with different languages or colors of skin, is not a given policy goal.

The visible result is two competing trends: Growing integration and protection efforts for some migrants, asylum seekers, and refugees on the one hand, and protectionist tendencies and anti-immigrant sentiments on the other hand.

- **South Africa's** White Paper on International Migration, published in 2017, shows both these trends in parallel. It details integration efforts South Africa needs to make towards some groups of migrants – namely recognized refugees and migrants with legal residency – but it explicitly excludes asylum seekers on the grounds that their stay in the country is only temporary.[24]

Some of South Africa's hesitation to create a more inclusive integration policy lies in its history. The country has been the primary regional migration magnet for over a century, due to its reliance on cheap migrant labor in its extractive industries. To date, it absorbs close to 90 percent of regional migration in Southern Africa.[25] It saw a steep rise in immigration between 2000 and 2010, which doubled the number of international migrants from 1 million to 2 million and was accompanied by strong anti-migrant sentiments and violence, primarily targeting Zimbabweans. This culminated in a series of xenophobic attacks in May 2008.[26] Rights advocates had hoped these attacks would push policymakers to take serious action to combat rampant xenophobia but found that the introduction of the 2014 National Action Plan to combat racism and other forms of discrimination brought about little change.[27] Violent anti-migrant incidents continue to make headlines.[28] Xenophobic platforms have grown steadily ever since, fueled by ill-informed reporting and by some politicians exploit-

23 IDMC, "Ethiopia. Country Information." Internal Displacement Monitoring Centre. December 31, 2019. https://www.internal-displacement.org/countries/ethiopia (accessed January 4, 2021).

24 Department of Home Affairs (DHA), *White Paper on International Migration for South Africa* (July 2017), p.71: http://www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf (accessed December 1, 2020).

25 United Nations, Department of Economic and Social Affairs. Population Division, 2019. International Migrant Stock 2019 (United Nations database, POP/DB/MIG/Stock/ Rev.2019).

26 Amnesty International, Amnesty International Report 2009: The State of the World's Human Rights – South Africa (May 28, 2009): https://www.refworld.org/docid/4a1fadc05f.html (accessed December 1, 2020).

27 Human Rights Watch, "South Africa: Widespread Xenophobic Violence" (September 17, 2020): https://www.hrw.org/news/2020/09/17/south-africa-widespread-xenophobic-violence (accessed December 1, 2020).

28 Global Detention Project, "Immigration Detention in South Africa: Stricter Control of Administrative Detention, Increasing Criminal Enforcement of Migration," (June 28, 2021): https://www.globaldetentionproject.org/immigration-detention-in-south-africa-stricter-control-of-administrative-detention-increasing-criminal-enforcement-of-migration (accessed July 1, 2021).

South Africa's Experience on Restricting Access to Asylum

The year 2008 marks a shift in South Africa's refugee policy, and the years since hold a lesson for Europe. South Africa's relatively open policy of urban integration of refugees was blamed for the growing number of protection claims. The number of applications filed jumped five-fold within just one year, from 45,000 in 2007 to over 200,000 in 2008. Many of the applications came from Ethiopian asylum seekers.

Since then, South Africa has restricted access to protection in efforts to decrease the number of claimants. For instance, the government shut down several Refugee Reception Offices, where refugees must lodge their claims and regularly renew their documents. Since 2011, only three offices have been fully operating, which ended up contributing to creating one of the biggest asylum backlogs in the world. Asylum seekers must often travel great distances to reach an office and remain in the country multiple years with a pending case. Few have a chance of being granted asylum in the end. South Africa's rejec-

tion rate stands at a record high of 90 percent. These high figures have not had any noteworthy impact on the dominant narrative that deterring migration would decrease pressure on the system. In 2017, following the recommendations of the White Paper on International Migration, lawmakers further restricted refugees' right to work and study. In 2020, the Department of Home Affairs began planning refugee-processing centers at the border where refugees would be held for the entire status determination period, creating de facto detention facilities.

South Africa's experience holds a lesson for European policymakers. The heavy-handed measures to restrict access to asylum have so far resulted in greater pressure on the administration, weaker protection guarantees for refugees and asylum seekers, and increased border control costs (both financial and human). But these deterrent policies seem to have done little to decrease irregular flows substantially. This conundrum is unlikely to change while instability across the continent continues to drive many people to seek refuge and legal opportunities to migrate to South Africa remain limited.

ing anti-immigrant sentiment for political gain.[29] This discourse has contributed to the security-oriented turn South Africa's migration policies have taken, which also impacts policymaking on asylum and refugee integration. Today, irregular migration and border management take center stage in the public debate, and successive governments have justified harsher measures by pointing to what they see as overly lax migration policies.

- **Tunisia** also walks a difficult balance between protection and protectionism. The country's new constitution of 2014 enshrined the right to asylum, but paper has yet to change reality, as the draft asylum bill proposed in 2014

has still not passed. One of the five pillars of Tunisia's National Migration Strategy of 2017 is to ensure the rights of migrants, including refugees, and asylum seekers, but in the strategy's implementation, the government has consistently prioritized other pillars, meaning that protection of irregular migrants and asylum seekers remains largely unaddressed, save for ad-hoc and symbolic actions.[30]

Tunisia also made news when it reacted to repeated attacks on black Tunisians and sub-Saharan nationals by criminalizing racism in 2018, becoming the second African country after South Africa to do so.[31] But discriminatory practices prevail, and few cases are brought to

29 Jan Bornman, "Mashaba's xenophobic legacy," *Mail and Guardian* (November 7, 2019): https://mg.co.za/article/2019-11-07-00-mashabas-xenophobic-legacy/ (accessed July 1, 2021).

30 Tasnim Abderrahim, "Walking a Tightrope in Tunisia: The Aspirations and Limitations of Migration Policy Reform," *DGAP Report* (June 2021) pp. 14 and 20: https://dgap.org/sites/default/files/article_pdfs/Report-Tunisia_EN_2021_57.pdf

31 Anna Knoll and Chloe Teevan, "Protecting migrants and refugees in North Africa: challenges and opportunities for reform," Discussion Paper No. 281, ECDPM (October 2020): https://ecdpm.org/wp-content/uploads/Protecting-Migrants-Refugees-North-Africa-Challenges-Opportunities-Reform-Discussion-Paper-281-October-2020-ECDPM.pdf (accessed November 23, 2020).

justice, partly due to the lack of awareness of the law and partly because of language barriers for non-Arabic speakers. Sub-Saharan migrants are also under other pressures in Tunisia's strict immigration regime. Many can travel visa-free to Tunisia, to study or search for work opportunities, but later overstay their visas, or see their demands for renewal blocked by a slow-moving administration and find themselves in an irregular situation. As a result, they face hefty overstay fines and the threat of deportation. The situation runs against Tunisia's objective to attract more students from sub-Saharan Africa, who mostly enroll in fee-paying private universities. In 2020, there were roughly 7,000 students from the rest of the African continent in Tunisia; far from the government's goal of 20,000.[32]

- **Ethiopia** shows a rather proactive attitude towards the integration of its close to 800,000 registered refugees and asylum seekers, mainly from Somalia, Eritrea, and South Sudan.[33] For instance, it pursues an out-of-camp policy as part of the pledges made to the Comprehensive Refugee Response Framework (CRRF) of the UN Global Compact on Refugees.[34] Recent legal changes improve refugees' right to work, access to education and registration, among others. But some critics argue that camp destructions, following the new no-camp policy, also aimed to deter future refugees from Eritrea.[35] Recent clashes in the Tigray region, where more than 10 percent of the country's refugee population lives, have also targeted Eritrean refugees in what appears to be an attempt at driving them back across the border.[36]

- **Egypt** is more of an outlier. Like its Arab neighbors, Egypt pursues a hands-off approach to refugee protection, both on paper and in practice. This approach clashes with the elaborate policy frameworks developed by the other countries under study. Status determination is delegated to the UNHCR, and refugees are often effectively barred from basic rights and services, such as the right to work, to education, and to health. While policies place refugees in a limbo state of informality and invisibility, Egyptian authorities like to be vocal about their role as refugee hosts, especially with their European partners. The country is host to more than 320,000 refugees registered with the UNHCR, almost half of them from Syria, but also from Sudan and South Sudan, Palestine, Iraq, Eritrea, and Ethiopia.[37] Egypt's President Abdel Fattah el-Sisi claimed in 2016 that the total number of asylum seekers could reach 5 million people, in a bid to attract increased attention and funding.[38]

These examples of integration and diversity polices that exist alongside weak protection frameworks and xenophobic sentiments are of course not unique. Among the main reasons that protectionist and exclusionary migration policies persist, be it on the African continent or elsewhere, are the following factors:

1. First, African governments are wary of the negative impact foreign workers can have on already crippled job markets. For instance, in South Africa, the increase in immigration levels coincided with a severe economic downturn, heightening competition for labor.[39] High unemployment rates, especially among the young – reaching between 10 percent in Ethiopia and more than 30 percent in South Africa[40] – provide an incentive for policymakers to tighten entry requirements for foreigners.

2. Second, African governments often struggle to secure social protection frameworks for their own nationals so they fear integration policies that seem to prioritize foreigners over locals. For instance, in Tunisia, most migrants operate in the informal sector, but so does a large part of Tunisian society. An estimated 40 percent of the economic activity originates from the informal sector.[41]

32 Wissal Ayadi, "Étudiants subsahariens : Pourquoi sont-ils moins nombreux en Tunisie ?", GNet News, [in French] January 11, 2021: https://news.gnet.tn/les-etudiants-subsahariens-desertent-la-tunisie/ (accessed July 15, 2020).

33 UNHCR, "Ethiopia Country Profile." UNHCR Operational Portal for Refugee Situations. 2020. https://data2.unhcr.org/en/country/eth (accessed August 15, 2020).

34 UN Global Compact on Refugees, "Summary Overview Document Leaders' Summit on Refugees," (November 10, 2016): https://refugeesmigrants.un.org/sites/default/files/public_summary_document_refugee_summit_final_11-11-2016.pdf (accessed August 15, 2020).

35 Melicherova, K, "Closure of Hitsats refugee camp in Ethiopia." EEPA, (Mach 13, 2020): https://www.eepa.be/?p=3672 (accessed April 21, 2020).

36 Reuters, "Ethiopia returning Eritrean refugees to Tigray camps; U.N. concerned over move," December 11, 2020: https://www.reuters.com/article/ethiopia-conflict/ethiopia-returning-eritrean-refugees-to-tigray-camps-u-n-concerned-over-move-idUSKBN28L0XC?il=0 (accessed January 8, 2021).

37 UNHCR, "Refugee Statistics," 2020: https://www.unhcr.org/refugee-statistics/download/?url=Une7R3 (accessed June 17, 2020).

38 Nikolaj Nielsen, "Egypt blames EU-Turkey deal for refugee spike," EU Observer (August 31, 2016): https://euobserver.com/migration/134829 (accessed December 1, 2020).

39 Aurelia Segatti, "Migration to South Africa: Regional Challenges versus National Instruments and Interests," in Contemporary Migration to South Africa: A Regional Development Issue, ed. Aurelia Segatti and Loren Landau (August 2011).

40 World Bank Data, "Share of youth not in education, employment or training, total (% of youth population)," (2021): https://data.worldbank.org/indicator/SL.UEM.NEET.ZS (accessed June 30, 2021).

41 Mohamed Rami Abdelmoula, "Parallel Economy in Tunisia: Is it Really 'Parallel'?" Assafir Al-Arabi (May 22, 2019): http://assafirarabi.com/en/25696/2019/05/22/parallel-economy-in-tunisia-is-it-really-parallel/(accessed September 13, 2020).

African governments often struggle to secure social protection frameworks for their own nationals so they fear integration policies that seem to prioritize foreigners over locals

3. Third, migrants and refugees are also seen as representatives of their origin countries, which are sometimes embroiled in long-lasting conflicts with their host country. This is the case in Egypt, where regional geopolitics largely influence the regime's stance on refugee populations. For instance, Syrian refugees enjoyed lax policies between 2011 and 2013, during the short-lived Morsi era. However, his successor el-Sisi imposed new administrative restrictions on Syrian refugees as part of the regime's security policy and fight against the Muslim Brotherhood.[42] It is thus unsurprising that these countries, for all their experience and history with migration, will likely remain hesitant destinations.

Trend 3: An Outsized Role for Diaspora and Emigration, But for Different Reasons

Many African countries have a longstanding policy focus on their diaspora. This is the case for four of the five countries under study that have large groups of their citizens abroad

– Egypt, Ethiopia, Ghana, and Tunisia – but the reasons for this trend vary.

Demographic booms, combined with skills mismatches and a lack of opportunities at home often drive emigration and diaspora engagement policies. Youth unemployment is a particularly pressing issue. This is especially the case in Egypt and Tunisia where youth unemployment rates are as high as 30 percent and 36 percent respectively.[43] Unemployment even reaches up to 30 percent among people with an advanced education.[44] Labor markets that cannot keep up with the pace of educational attainment leave many unemployed or underemployed, meaning they are forced to take up employment below their qualification level. A World Bank study estimates that Ethiopia, for instance, would need to create more than 2 million jobs every year to alleviate unemployment among its young people.[45]

Remittances are a second driver for countries to engage their diaspora. As Figure 5 shows, remittances make up between 5 percent and 9 percent of GDP in Tunisia, Ghana, and Egypt. In Ethiopia, they account for just about 0.5 percent of the GDP,[46] but are nonetheless an important remedy to the country's foreign currency shortage, given that migrants remit about five times more money through unofficial channels.[47] An IOM study of remittances to Egypt estimates that unofficial remittances, such as in-kind contributions or money sent via informal channels, could amount to an additional 20 percent of official transfers.[48]

A third driver for African governments to value diaspora engagement is the leverage it offers to support other foreign and domestic policy objectives. This is clearly the case for three countries under study – Ghana, Egypt, and Tunisia – which have pursued diaspora policies that have a strong political undertone, and that at times reveal an ambiguous relationship with their own nationals abroad.

• In **Ghana**, diaspora policies are strongly driven by the country's Pan-Africanist legacy and the history of slav-

42 Jasmin Fritzsche, "Egypt's Others," Carnegie Endowment for International Peace (November 05, 2013): https://carnegieendowment.org/sada/53501 (accessed November 30, 2020).

43 World Bank Data, "Unemployment, youth total (% of total labor force ages 15-24) (modelled ILO estimate)": https://data.worldbank.org/indicator/SL.UEM.1524.ZS?locations=TN-EG (accessed January 8, 2021).

44 World Bank Data, "Unemployment with advanced education (% of total labor force with advanced education)" (2021): https://data.worldbank.org/indicator/SL.UEM.ADVN.ZS (accessed June 30, 2021).
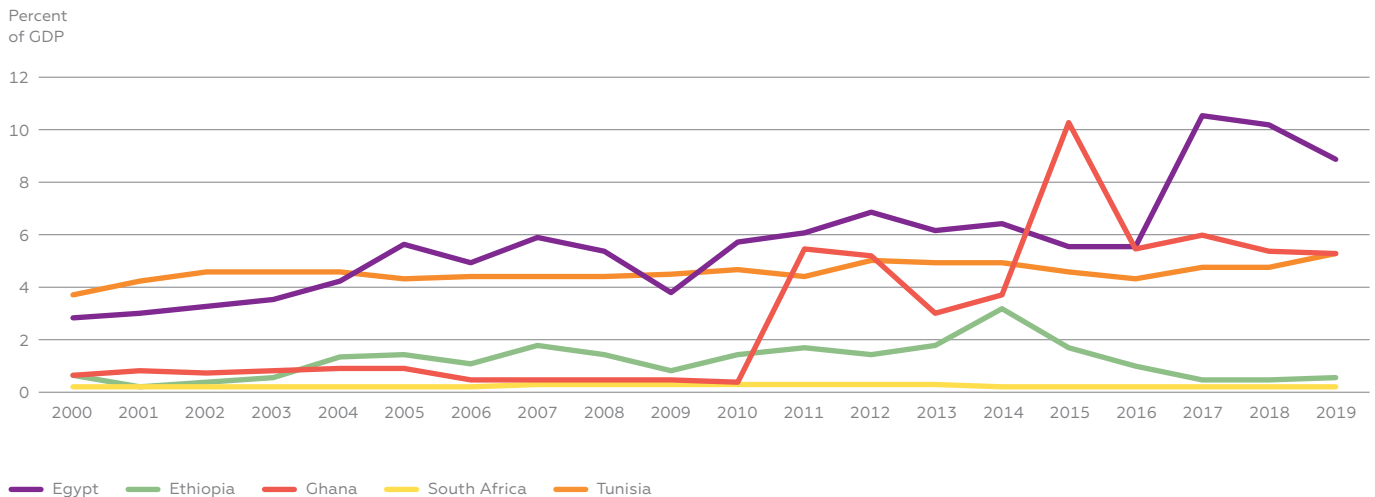
45 Kelly, Lauren, and Carbajo José Martinez (2018) "Can Ethiopia Create 2 Million Jobs Every Year?" *World Bank Group.* https://ieg.worldbankgroup.org/blog/can-ethiopia-create-2-million-jobs-every-year (accessed January 8, 2021).

46 World Bank Data, "Personal remittances, received (% of GDP) – Ethiopia": https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=ET (accessed October 09, 2020).

47 African Union Commission, *Report on Labour Migration Statistics in Africa. Second Edition (2017),* (2020) p.50: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/publication/wcms_761304.pdf (accessed 3 August, 2021).

48 IOM, *A study on Remittances and Investment Opportunities for Egyptian Migrants,* (2010): https://egypt.iom.int/sites/default/files/Remittances%20and%20Investment%20Opportunities%20for%20Egyptian%20Migrants.pdf (accessed November 30, 2020).

FIG. 5: REMITTANCES FUEL MANY AFRICAN ECONOMIES

Percent
of GDP

Egypt   Ethiopia   Ghana   South Africa   Tunisia

Remittances as a share of GDP (percent). Source: World Bank Data, 2020.

ery. Ghana sees itself as a home to a global African diaspora, including not only Ghanaian nationals, but all descendants of the Trans-Atlantic slave trade in the Americas and the Caribbean. Flagship initiatives such as the 2019 "Year of Return" in which the government facilitated access to citizenship for such descendants[49] and created a diaspora investment fund,[50] aim to tap into the human and economic capitals of the global diaspora. These efforts are consolidated in the country's planned Diaspora Engagement Policy, which has been a high priority for the President Nana Akufo-Addo since his first term in 2017. However, this seemingly deep attachment to the diaspora was not enough to allow Ghanaians abroad to vote in the 2020 presidential elections, despite repeated calls to do so during the COVID-19 pandemic.[51]

- To this day **Egypt's** emigration policy bears the mark of former President Sadat's open-door policy of the 1970s, which encouraged Egyptians to work abroad. Today's emigration pattern, especially to oil-rich Arab and Gulf countries, has proven highly profitable for the Egyptian economy. Egyptians abroad are thus a steady pillar of the national economy, but successive governments

have also perceived them as potentially suspicious political subjects. By 2011, Egyptians abroad were allowed to participate in national elections, but the rationale of the el-Sisi government to enshrine this political right in the 2014 constitution can be seen as an attempt to secure the support of the diaspora after taking over the government in a military coup.

- The **Tunisian** government has tried to consolidate its diaspora policies since the 2011 revolution. The situation of Tunisians abroad is the most prominent of its migration-related issues. Tunisia has its own dedicated parliamentary committee on migration, and the Ministry of Foreign Affairs recently changed its name in 2020 to the "Ministry of Foreign Affairs, Migration and Tunisians Abroad". Post-revolution governments have drawn on the pioneering emigration policies of the Ben Ali era. Since 1988, the Office for Tunisians Abroad (OTE) has accompanied emigrants before and during their stay abroad. Emigrants' presence in the country's public debate has only grown since the revolution with the multiplication of diaspora organizations in the country's blooming civil society. But despite this long history, Tunisia's relation-

---

49 Kwasi Gyamfi Asiedu, "Ghana granted citizenship to over 100 African Americans and Afro-Caribbeans as part of Year of Return," *Quartz Africa* (November 28, 2019): https://qz.com/africa/1757853/ghana-gives-citizenship-to-100-african-americans-year-of-return/ (accessed January 4, 2020).

50 Ghana. Ministry of Finance, "Minister for Finance announces the Establishment of African Sankofa Savings Account," *News* (January 04 2020): https://www.mofep.gov.gh/news-and-events/2020-01-04/minister-for-finance-announces-the-establishment-of-african-sankofa-savings-account (accessed on August 20, 2020).

51 Xinhua, "Ghana to register nationals stranded abroad ahead of presidential election" (July 2, 2020): http://www.xinhuanet.com/english/2020-07/03/c_139184265.htm (accessed November 24, 2020).

ship with its diaspora is somewhat tepid. Many in the diaspora demand more attention from the government, and they perceive the work of the OTE and its host – the Ministry for Social Affairs – to be out of steam, due to the lack of resources, innovation, and coordination.[52]

While these countries view emigration of their citizens as a largely positive phenomenon worthy of support, they are also acutely aware of two major adverse effects emigration can have on the development and stability of their countries, and they are working to tackle them.

The first is the dreaded brain drain, especially the large-scale emigration of skilled professionals that leaves gaps at home. For instance, in the early 2000s, Ghana was losing more than half of the doctors and a quarter of the nurses trained in the country to labor markets in the United Kingdom and the United States.[53] So it reacted with initiatives to make it harder for nurses to emigrate, and also provided incentives to stay in Ghana by funding the education of nurses that agreed to stay put for at least five years after graduating.[54] Similarly, Tunisia is trying to decrease the negative effects of brain drain as the country is experiencing staffing gaps in the industrial sector as well as in critical public services such as education and health.[55] This is particularly problematic as Tunisia heavily subsidizes training and education, meaning that these public investments end up benefitting other, often more developed, countries. Yet Tunisia's problem is even more complex. In the absence of emigration, it is facing the problem of brain waste since unemployment among college graduates is particularly high, as the skills and education often do not match the needs of the Tunisian labor market.[56] Tunisia is caught between a rock and a hard place: If people leave, it brings brain drain, but if they stay, it brings brain waste.

Another adverse effect is the heavy economic reliance on remittances because they are by nature volatile and highly dependent on destination countries' policies and politics. Egypt's dependence on the Gulf states is acutely palpable.

Egyptians in Saudi Arabia, Kuwait, and the UAE, represent close to 70 percent of emigrants and contribute half of all remittances sent to Egypt.[57] This asset is, however, subject to security and geopolitical developments. This became obvious during the 1990 Gulf War when many Egyptian workers were forced to return to Egypt and remittances dropped significantly. More recently, the nationalization strategy Gulf countries have been pursuing in the past few years regarding their workforces has led to many migrant workers losing their jobs, which has thrown this challenge into the spotlight for Egypt yet again.

These difficult trade-offs make it likely that diaspora policies will continue to occupy a lot of the migration attention across Africa in the future, especially the (desired but often elusive) goal of shaping them in a way that benefits migrants themselves, as well as host and origin countries.

Trend 4: Uneven Progress on Regional Free Movement in Africa

Free movement across the African continent is a declared goal of the African Union,[58] but progress towards this goal is highly uneven across the continent. Western Africa's Economic Community of West African States (ECOWAS) is the most advanced regional economic community in this regard. In 40 years, it has achieved completely visa-free travel for its citizens in the region. In other regions, regulations around free movement are still in the making. The Southern African Development Community (SADC) only demonstrates some level of free movement between a few member states, in part thanks to bilateral agreements. The Intergovernmental Authority on Development (IGAD) in Eastern Africa also recently endorsed a free movement protocol, but the future shape of its mobility approach is still unclear.[59]

The implementation of the protocols detailed in Figure 6 is fraught with ambiguities. The following examples illustrate

52 Tarek Ben Hiba, "Will Tunisians abroad be (again) forgotten by the future government?" [in French], Kapitalis, February 4, 2020:
    http://kapitalis.com/tunisie/2020/02/04/les-tunisiens-de-letranger-seront-ils-encore-les-oublies-du-futur-gouvernement (accessed November 23, 2020).

53 Phyllis Asare, "Labour Migration in Ghana," Friedrich Ebert Stiftung, October 2012, p. 6: https://library.fes.de/pdf-files/bueros/ghana/10511.pdf (accessed November 23, 2020).

54 Sammy Darko, "How Ghana has reversed exodus of nurses," February 27, 2015: https://www.bbc.com/news/world-africa-31637774 (accessed November 23, 2020).

55 Lassaad Labidi, "Brain drain of Tunisian competencies: The case of health professionals," European Journal of Public Health (September 2020): https://academic.oup.com/
    eurpub/article-abstract/30/Supplement_5/ckaa165.493/5914275 (accessed March 8, 2021).
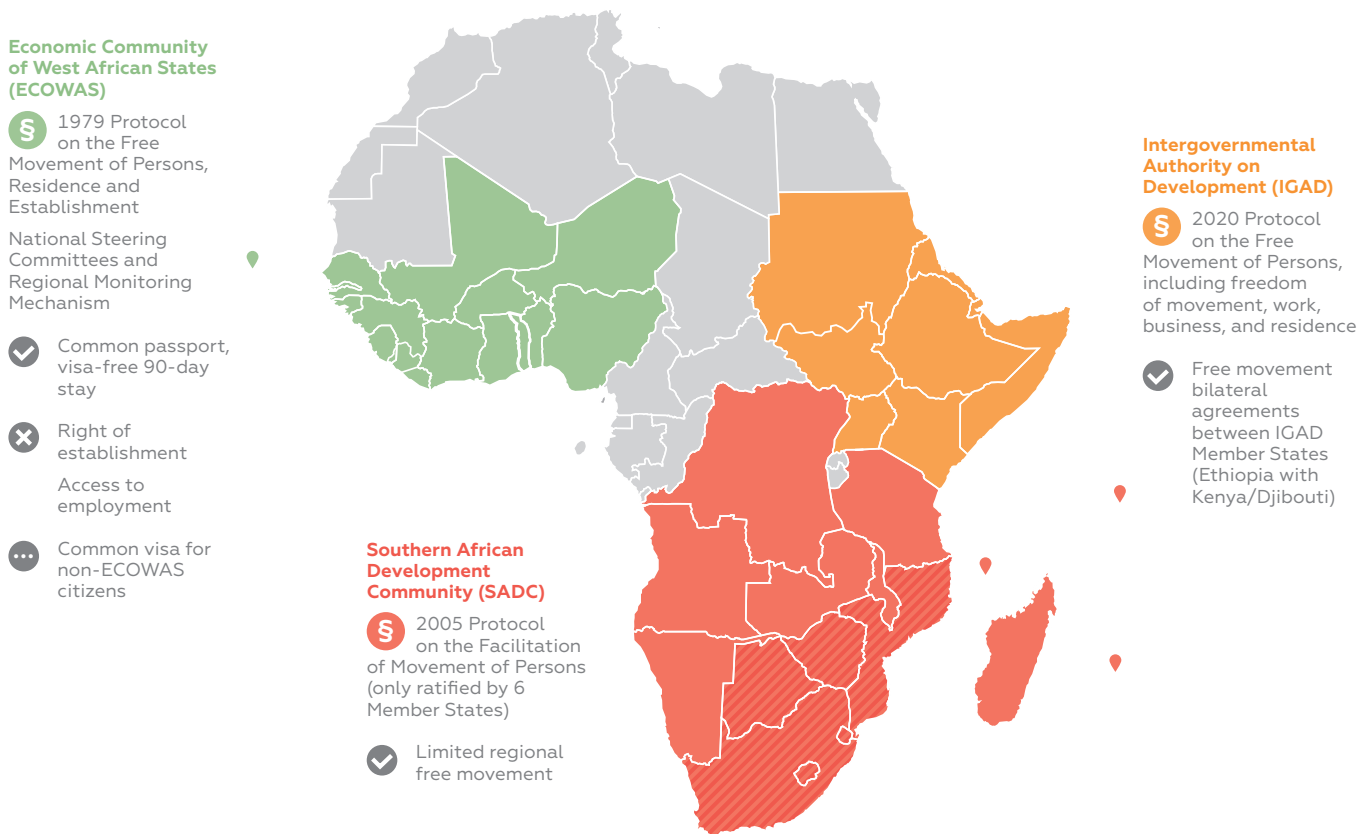
56 World Bank Data, "Unemployment with advanced education (% of total labor force with advanced education) – Tunisia," (2021):
    https://data.worldbank.org/indicator/SL.UEM.ADVN.ZS?locations=TN (accessed March 8, 2021).

57 Dina Abdel Fattah, "Egypt, the EU, and Migration: An Uncomfortable Yet Unavoidable Partnership", DGAP Report (September 2021):
    https://dgap.org/en/research/publications/egypt-eu-and-migration (accessed 26 September 2021).

58 Samuel Okunade, "Africa Moves Towards Intracontinental Free Movement for Its Booming Population," Migration Policy Institute, (January 21, 2021):
    https://www.migrationpolicy.org/article/africa-intracontinental-free-movement (accessed March 8, 2021).

59 Julius Barigaba, "IGAD legal and policy experts now validate visa-free movement," The East Africa (November 23, 2020):
    https://www.theeastafrican.co.ke/tea/news/east-africa/igad-legal-and-policy-experts-now-validate-visa-free-movement-3207040 (accessed January 8, 2021).

FIG. 6: AFRICAN ECONOMIC REGIONS SCORE UNEVENLY ON REGIONAL FREE MOVEMENT

Economic Community of West African States (ECOWAS)

§ 1979 Protocol on the Free Movement of Persons, Residence and Establishment

National Steering Committees and Regional Monitoring Mechanism

✓ Common passport, visa-free 90-day stay

✗ Right of establishment

Access to employment

••• Common visa for non-ECOWAS citizens

Intergovernmental Authority on Development (IGAD)

§ 2020 Protocol on the Free Movement of Persons, including freedom of movement, work, business, and residence

✓ Free movement bilateral agreements between IGAD Member States (Ethiopia with Kenya/Djibouti)

Southern African Development Community (SADC)

§ 2005 Protocol on the Facilitation of Movement of Persons (only ratified by 6 Member States)

✓ Limited regional free movement

Main legislative and implementation tools: §
State of implementation: ✓ achieved   ✗ missing   ••• in progress

Source: Authors' compilation. Tamara Wood, "The Role of Free Movement of Persons Agreements in Addressing Disaster Displacement. A Study of Africa," Platform on Disaster Displacement (May 2019).

the large gap between the rhetoric praising free movement and the reality of countless actions curtailing it.

• **Ghana** is the third most important country of immigration for ECOWAS nationals, after Nigeria and Côte d'Ivoire.[60] Vice versa, more than 75 percent of all Ghanaian migrants are found in only ten ECOWAS countries.[61] As ECOWAS chairman, Ghanaian President Akufo-Addo regularly encourages fellow heads of states to ratify the African Union's free trade agreement (AfCFTA), to increase regional trade, and to multiply opportunities for African youths in Africa.[62] Yet legislation in his own country contradicts ECOWAS's free movement objectives. This is the case with the revised so-called Ghana Investment Promotion Centre (GIPC) Act of 2013, which increased minimum foreign investments to $1 million

---

60 Aderanti Adepoju, "Operationalizing the ECOWAS Protocol on Free Movement of Persons: Prospects for Sub-Regional Trade and Development." *The Palgrave Handbook of International Labour Migration: Law and Policy Perspectives* (2016), p.441.

61 United Nations, Department of Economic and Social Affairs. Population Division, 2019. International Migrant Stock 2019 (United Nations database, POP/DB/MIG/Stock/Rev.2019).

62 "In Ghana, preventing illegal migration is no match for unemployment", *Jeune Afrique*, June 3, 2018 [in French]: https://www.jeuneafrique.com/depeches/565105/politique/au-ghana-la-prevention-contre-la-migration-illegale-ne-fait-pas-le-poids-face-au-chomage/ (accessed February 20, 2020).

and barred foreigners from certain trade activities.[63] This measure led traders' unions of Nigerians, one of the largest migrant communities in Ghana, to bring Ghana repeatedly in front of the ECOWAS court for breaching the right of establishment guaranteed by the Free Movement Protocol.[64] This dispute continues to place strain on diplomatic relationships between the two countries, and it was exacerbated recently when Nigeria closed its border unilaterally in 2019, which many perceived as an effort to limit foreign imports and stimulate national demand.[65]

- Similarly, **South Africa's** leadership within the SADC is infused with the country's own security focus (as described in Trend 2 above), which has hindered further progress on regional mobility.[66] Overall, the SADC Protocol remains cautious and allows states to severely limit free movement for reasons of public order, security, and health.[67] The Protocol also retreats behind bilateral agreements that are widespread and allow 80 percent of SADC citizens to travel visa-free to other countries in the region.[68] But this movement is limited to short-term travel up to 90 days and only guarantees residency and establishment to migrants that have a job or study offer and the capacity to support themselves financially.

South African policymakers are wary of removing these obstacles to free movement in fear of attracting more irregular and low-skilled migration. The 2017 White Paper on International Migration, published by the Department of Home Affairs, encapsulates this ambivalence. It proposes the creation of an SADC visa for low- and medium-skilled migration, but also puts forward a point-based immigration system that would benefit higher-skilled migrants. This double strategy effectively excludes many SADC nationals at the border.[69]

The reasons behind these countries' ambivalent stances towards free movement are familiar: jobs, security, capacity, and political will all play their part. First, a lot of regional mobility is labor-motivated: More than 60 percent of people moving within Western and Central Africa do so for employment.[70] This has nudged governments in the region, particularly in upper-middle-income countries,[71] to enforce protectionist policies at odds with their commitment to regional integration.

Second, African governments are cautious to loosen their borders when their neighborhood is marked by high levels of insecurity. The eruption of violence in Northern Mozambique, military coups and violence in the Sahel, and border tensions in the Horn of Africa, all limit progress on regional free movement. External actors also share these fears. The EU expressly supports Africa's regional free movement efforts, but the high political pressure to curb irregular migration to Europe along with fears of terrorism and instability have countered progress on free movement and hampered the political leadership of regional economic communities, particularly in the ECOWAS region.[72]

Third, limited capacity for implementation is another common challenge to regional free movement in Africa, be it in shaping the legislation to allow for easier movement or in training personnel at the borders to convert intent into reality.

But the last and arguably the most important factor is the obvious lack of political will. Regional economic communities contend with limited support on the part of national politicians. Leading economies – like Ghana, Ethiopia, and South Africa – tend to have more weight in regional debates, but they are often reticent to lead by example. This is a stumbling block for instance in the IGAD region where

63 Ghana Investment Promotion Centre Act (2013): https://www.gipcghana.com/press-and-media/downloads/promotional-materials/3-gipc-act-2013-act-865/file.html

64 Maxwell Adombila, "Nigerian traders drag Ghana to ECOWAS Court," *Graphic Online News* (November 18, 2013): https://www.graphic.com.gh/business/business-news/nigerian-traders-drag-ghana-to-ecowas-court.html (accessed June 10, 2020).

65 Cristina Krippahl, "Ghana and Nigeria's historic spat flares," Deutsche Welle (September 1, 2020): https://www.dw.com/en/ghana-and-nigerias-historic-spat-flares/a-54784094 (accessed January 8, 2020).

66 Ottilia Anna Maunganidze and Julian Formica, "Freedom of movement in Southern Africa: A SADC (pipe)dream?" *Institute for Security Studies (ISS)* (November 2018): https://issafrica.s3.amazonaws.com/site/uploads/sar-17.pdf (accessed December 1, 2020).

67 Tamara Wood, "The Role of Free Movement of Persons Agreements in Addressing Disaster Displacement. A Study of Africa," *Platform on Disaster Displacement* (May 2019) (p.36): https://disasterdisplacement.org/wp-content/uploads/2019/06/52846_PDD_FreeMovement_web-single_compressed.pdf (accessed October 14, 2020).

68 Ottilia Anna Maunganidze "Migration Policy in South Africa: Lessons from Africa's Migration Magnet for European Policymakers," DGAP Report (September 2021): https://dgap.org/en/research/publications/migration-policy-south-africa (accessed 26 September 2021).

69 Department of Home Affairs (DHA), *White Paper on International Migration for South Africa* (July 2017): http://www.dha.gov.za/WhitePaperonInternationalMigration-20170602.pdf (accessed December 1, 2020).

70 IOM, "Migration Flows in West and Central Africa. Overview 2017-2018," *Displacement Tracking Matrix (DTM)*: https://migration.iom.int/sites/all/themes/fmp/pages/data-story/index.html (accessed January 8, 2020).

71 Tsion Tadesse Abebe and John Mugabo, "Migration and Security in Africa: Implications for the Free Movement of Persons Agenda," in *Africa Migration Report: Challenging the Narrative*, ed. Aderanti Adepoju, Corrado Fumagalli, and Nanjala Nyabola (2020): https://publications.iom.int/system/files/pdf/africa-migration-report.pdf (accessed January 8, 2021).

72 "ECOWAS and Germany reiterate commitment to curb illegal migration in West Africa," *ECOWAS News* (June 27, 2018): https://www.ecowas.int/ecowas-and-germany-reiterate-commitment-to-curb-illegal-migration-in-west-africa/ (accessed January 8, 2021).

national governments – Ethiopia chief among them – have long underestimated the value of free movement and end up stalling progress.[73] This hesitation towards free movement is not just held by the continent's governments, but also by its peoples, especially in North Africa. An Afrobarometer survey shows that only 31 percent of Egyptians and 40 percent of Tunisians support regional free movement, agreeing with the statement that people living in their region "should be able to move freely across international borders in order to trade or work in other countries." In contrast, Western and Southern Africans are more open (but still divided) towards free movement, with 57 percent of Ghanaians and 49 per-cent of South Africans supporting it.[74]

Trend 5: Regional Migration Magnets Drive African Migration – Perhaps More Than EU Policies

Europe is an important destination region for African migrants, but it is neither the most important nor the only one. Africa itself and its eastern neighbors have three main migration magnets that attract large-scale flows of African migrants - Libya in the north, South Africa in the south, and Gulf and Middle Eastern countries in the east. As Figure 7 shows, these migration flows have created large African communities in the three magnets. The overall number of Africans in these three destinations is much lower than those in Europe (it ranges between half a million in Libya and 3 million in the Gulf states), but that is partly explained by the fact that a lot of the migration to these three mag-nets is circular in nature.

The routes to these magnets are all characterized by high levels of irregular migration, smuggling, and trafficking. But the policies and stances of these three magnets differ, and changes can trigger large shifts in migration flows across Africa:

- **Gulf countries** mostly attract low-skilled migrants from Ethiopia and Ghana, and a mix of low- and high-skilled

FIG. 7: THE THREE MAGNETS OF AFRICAN MIGRATION
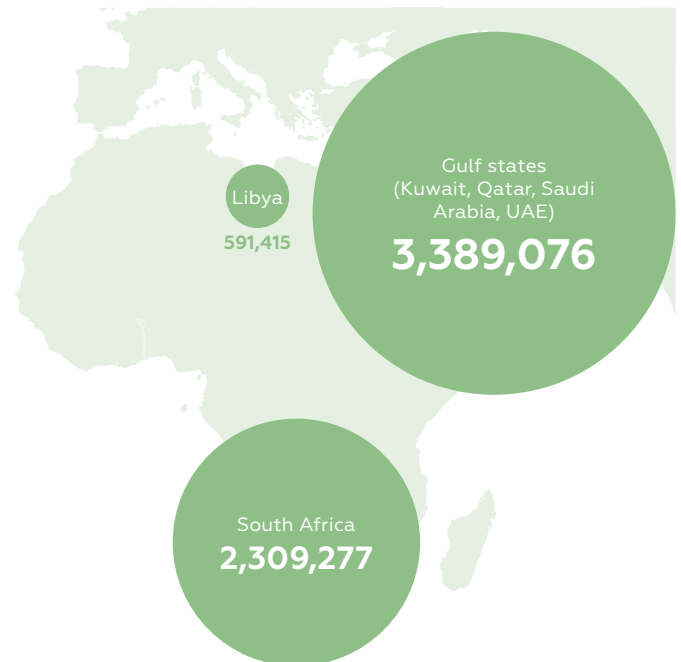
Source: International Migrant Stock. United Nations, Department of Economic and Social Affairs, Population Division (2019). / Source for Libya: IOM Libya, "Migrant Report," (March-April 2021).

migrants from Egypt and Tunisia. For instance, there are more Egyptian emigrants in Saudi Arabia alone than in all other countries outside of the Arabic-speaking countries.[75] Few labor market regulations in most Gulf countries mean greater chances for migrant workers to find employment, but also an increased risk of abuse, exploitation, and mass deportations. Ever since Saudi Arabia stepped up returns, an astonishing 380,000 Ethi-opians have been returned to their country of origin since 2017 alone – a huge return flow that, remarkably, even increased during the pandemic.[76] The situation draws attention at home and often pushes governments to take symbolic action. For instance, when reports of

---

73 Clare Castillejo, "The Influence of EU Migration Policy on Regional Free Movement in the IGAD and ECOWAS Regions," *German Development Institute (DIE)* (2019): https://www.die-gdi.de/en/discussion-paper/article/the-influence-of-eu-migration-policy-on-regional-free-movement-in-the-igad-and-ecowas-regions/ (accessed May 15, 2020).

74 Markus Olapade, Edem E. Selormey, and Horace Gninafon, "Regional integration for Africa: Could stronger public support turn 'rhetoric into reality'?" (May 25, 2016): https://afrobarometer.org/sites/default/files/publications/Dispatches/ab_r6_dispatchno91_regional_integration_in_africa_en.pdf (accessed May 15, 2020). For an overview of the progress and challenges of regional economic communities in Africa, also see Samuel Okunade, "Africa Moves Towards Intracontinental Free Movement for Its Booming Population," Migration Policy Institute, (January 21, 2021): https://www.migrationpolicy.org/article/africa-intracontinental-free-movement (accessed March 8, 2021).

75 CAPMAS 2019 based on estimates of the Egyptian Ministry of Foreign Affairs. For more details, see Dina Abdel Fattah, "Egypt, the EU, and Migration: An Uncomfortable Yet Unavoidable Partnership", DGAP Report (September 2021): https://dgap.org/en/research/publications/egypt-eu-and-migration (accessed 26 September 2021).

76 Mixed Migration Centre, "Quarterly Mixed Migration Update: East Africa & Yemen." (Quarter 1 2019): http://www.mixedmigration.org/wp-content/uploads/2019/05/qmmu-eay-q1-2019.pdf (accessed February 20, 2020) and IOM, "Return of Ethiopian migrants from the Kingdom of Saudi Arabia" (April 2020): https://reliefweb.int/sites/reliefweb.int/files/resources/KSA%20Factsheet_April%202020_Regional%20Data%20Hub.pdf (accessed October 14, 2020).

abuse and mistreatment surfaced in 2017, Ghanaian authorities stopped issuing work visas to the Gulf, but labor migration persists through irregular channels.

- On the African continent, **South Africa** stands out as the main migrant receiving country. About one-fifth of all 23 million migrants in sub-Saharan Africa reside in South Africa.[77] Along the corridor from Eastern to Southern Africa, Ethiopians make up a sizable share of migrants (roughly 15,000 in 2017),[78] and Ethiopia is the country with most pending asylum cases in the country.[79] This may explain South Africa's urgent call for regional mediation efforts during the 2020 Tigray crisis.[80] But the 2008 anti-migrant attacks in South Africa tainted the attractiveness of this destination, and (along with stringent migration policy changes in Israel starting in 2012) meant that more migrants from the Horn of Africa started taking the western route to the "third migration magnet: Libya."

- Amidst a fierce civil war, **Libya** still remains an important migration destination in its own right. Europe's media attention focuses mostly on migrants that are detained or abused in Libya, or seek to cross the Mediterranean. But most migrants in this country continue to work their jobs, filling the unshaken demand for foreign labor in the country's profitable oil industry (the proceeds of which, coincidentally, fund both sides of the conflict).[81] In 2021, more than half a million migrants lived in Libya. In comparison, IOM estimates that in the first five months of 2021, around 9,000 people crossed the Mediterranean from Libya.[82] For those who remain in the country, about 70 percent originate from nearby countries, with smaller numbers coming from countries further afield, like Nigeria and Ghana in Western Africa, and Eritrea and Ethiopia in Eastern Africa.[83] They are often exposed to harsh working conditions and the threat of detention. Human

Rights Watch estimates that 8,000 to 10,000 migrants are held in official detention centers, with an unknown number of migrants held at unofficial sites.[84] Since 2015, the IOM (with the support of the European Union) has assisted in returning of over 50,000 migrants, mainly to other African countries.[85] Yet many returnees find themselves in precarious situations back home and are willing to make the journey to Libya once again.[86]

The EU and its member states often weigh their policies toward Africa in terms of their potential impact on migration flows, but EU policies are just one factor that influences actual migration flows within and out of the continent. The policies of these migration hubs may be equally (or perhaps even more) important factors that shape African migration flows of the future.

Trend 6: Migration Cooperation Fails to Budge Return Numbers

The declared goal of the EU to return citizens without the legal right to remain in Europe to their home countries has brought about sustained efforts to increase return numbers and cooperation with most of the countries under study. But as Figure 8 shows, the numerical results are small, with return rates hovering around 30 percent for Egypt, Ghana, and Tunisia, and even lower in the case of Ethiopia.

One well-known and central reason for the continued low return rates is the low interest of countries to engage in returns of their citizens, be it due to economic concerns and loss of remittances, political worries such as popular discontent of migrants abroad and their families, or security issues when citizens with a criminal record return. But there are additional pitfalls that vary by country.

77 International Migrant Stock 2019. United Nations, Department of Economic and Social Affairs. Population Division, 2019 (United Nations database, POP/DB/MIG/Stock/Rev.2019).

78 Bram Frouws and Christopher Horwood, "Smuggled South: An updated overview of mixed migration from the Horn of Africa to southern Africa with specific focus on protections risks, human smuggling and trafficking." Mixed Migration Centre. March 2017. http://www.mixedmigration.org/wp-content/uploads/2018/05/016_smuggled_south.pdf (accessed February 27, 2020).

79 Yordanos Estifanos and Tanya Zack, "Migration barriers and migration momentum: Ethiopian irregular migrants in the Ethiopia-South Africa migration corridor," *Research and Evidence Facility (REF)* (July 2020): https://blogs.soas.ac.uk/ref-hornresearch/files/2020/07/Working-paper_Estifanos-and-Zack_Migration-Barriers-and-Migration-Momentum_July-2020.pdf (accessed January 14, 2020).

80 Reuters, "Ethiopia war destabilising east Africa, warns EU," (November 25, 2020): https://www.reuters.com/article/us-ethiopia-conflict-idUSKBN2850HM (accessed November 25, 2020).

81 https://www.reuters.com/article/us-libya-oil-factbox-idUSKBN1ZN23A

82 IOM Libya, "Migrant Report," (March-April 2021), p. 29: https://dtm.iom.int/reports/libya-%E2%80%94-migrant-report-36-march-april-2021 (accessed August 4, 2020). https://libya.iom.int/sites/default/files/news/September%202020%20Monthly%20Update.pdf (accessed October 13, 2020).

83 IOM Libya, "Migrant Report," (March-April 2021), pp.7 and 23

84 Human Rights Watch, "No Escape from Hell EU Policies Contribute to Abuse of Migrants in Libya," (January 2019), p.6: https://ffm-online.org/wp-content/uploads/2019/01/eu0119_web_0.pdf ((accessed October 13, 2020).

85 IOM, "More than 50,000 Migrants Benefited from Voluntary Humanitarian Return Assistance from Libya Since 2015," (February 2, 2020): https://www.iom.int/news/more-50000-migrants-benefited-voluntary-humanitarian-return-assistance-libya-2015 (accessed on August 20, 2020).

86 Brot für die Welt and Medico International, *Emergency returns by IOM from Libya and Niger: A protection response or a source of protection concerns?* (July 2020): https://www.medico.de/fileadmin/user_upload/media/rueckkehr-studie-en.pdf (accessed October 13, 2020).

- In the case of **Ghana**, credibility and international reputation plays a role. The 2016 Joint Declaration on EU-Ghana cooperation on migration signaled a commitment by both parties to counter irregular migration and step up returns.[87] But in practice, return numbers have remained flat, in part because Ghana wants to remain credible in its role as a home to the global African diaspora. The government sees more value in global diaspora members that are likely to make investments or return to Ghana than in the return of its nationals in an irregular situation in Europe, which (at about 4,000 nationals in 2019, many of them low-skilled workers[88]) are a less urgent issue.

- In **Tunisia**, there is the fear of a slippery slope between admission of the country's own nationals and that of other nationals. With the launch of negotiations on a Mobility Partnership with the EU in 2014, Tunisia indicated an interest in deeper cooperation on a range of issues, including returns. But after several rounds of negotiations, progress is currently stalled, as the parties cannot agree on the terms of the Partnership. Tunisia refuses to concede two main points. One is the use of so-called laissez-passers documents, meaning documents EU countries could issue instead of Tunisia, which could make returns of Tunisian nationals a lot easier and quicker. The other is the return of third country nationals that have transited through Tunisia before reaching the EU. Tunisian policymakers are especially wary of having to engage in likely fruitless talks with origin countries, which then might result in Tunisia becoming the unwilling long-term host to migrants that their governments are unwilling to repatriate.[89]

The lack of progress on returns has not diminished the EU's determination in this area. New efforts are underway, most notably coordinated visa sanctions toward countries that EU members deem to not cooperate sufficiently on returns and readmissions. Following adaptations to the EU's Visa Code in 2020, the EU Commission polled all member states to assess the level of cooperation of different countries, including the African countries under study. In the final report that details the findings and was leaked in early 2021,

Tunisia, Ethiopia, and Egypt all receive mixed reviews, while Ghana's cooperation is rated as good, improved, or at least stable by most member states.

Many member states judged the cooperation with Tunisia as taxing. They lamented that their counterparts did not respect deadlines and processes were time-consuming, especially regarding ID procedures and the issuance of travel documents. Some also criticized that the country organized insufficient consular interviews. Cooperation with Ethiopia was reported to suffer from similar troubles. Although the country agreed in 2017 to joint admissions procedures for returnees from the EU, member states claim that they are rarely respected. In particular, they rated the ID process as poor, and noted that travel documents are issued with great delays.

Cooperation with Egypt was viewed as largely stable, even though no formal readmission agreement is in place. However, travel documents were pointed out as problematic, as was the fact that Egyptian counterparts requested interviews to identify nationals, even though member states deemed the available evidence, for instance in the form of expired passports, sufficient.[90]

These assessments show the common frustrations of EU member states, but when the European Commission issued its recommendations in July 2021, naming the countries that should be prioritized for visa sanctions going forward, the countries under study were not among them. Instead, the Commission proposed sanctions towards the Gambia, Iraq, and Bangladesh – all of which had received far more damning evaluations by member states. The sanctions range from visa fees for diplomats and increased visa processing times, to the elimination of multiple entry visas.[91]

It remains to be seen to what extent these proposed visa sanctions will be implemented, what their effect on return cooperation will be in practice, and whether EU member states will expand the use of sanctions to other African countries in the future. One thing is certain: The EU will keep trying to budge the longstanding trend of low return numbers.

87   Joint Declaration on Ghana-EU Cooperation on Migration (16 April 2016): https://www.government.nl/documents/publications/2016/04/16/joint-declaration-on-ghana-eu-cooperation-on-migration (accessed on November 20, 2020).

88   Tine Van Criekinge, "The EU-Africa migration partnership: A case study of the EU's migration dialogue with Senegal and Ghana," Conference Paper, EUI Migration Working Group (2010), p.8: https://www.eui.eu/Documents/RSCAS/Research/MWG/200910/MWG2010-02-24VanCriekinge.pdf (accessed August 4, 2020).

89   Tasnim Abderrahim, "Pushing the boundaries: How to create more effective migration cooperation across the Mediterranean," *European Council on Foreign Relations (ECFR)* (January 2019): https://www.ecfr.eu/publications/summary/pushing_the_boundaries_effective_migration_cooperation_across_Mediterranean (accessed October 14, 2020).

90   European Commission, "Assessment of third countries' level of cooperation on readmission in 2019," (February 10, 2021): https://www.statewatch.org/media/2297/eu-com-readmission-report-on-cooperation-restricted-com-2021-55-final.pdf (accessed August 8, 2021).

91   European Commission, "Visa Code: The Commission proposes temporary visa measures for Bangladesh, Iraq and The Gambia to improve cooperation on return and readmission," Press release (July 15, 2021): https://ec.europa.eu/commission/presscorner/detail/en/IP_21_3681 (accessed August 8, 2021).

FIG. 8: HIGH ENGAGEMENT, BUT LOW RETURN RATES

Tunisia

Legend:
- Orders to leave
- Returns
- Return rate

Egypt

Ghana

Ethiopia

Source: Third country nationals ordered to leave, and third country nationals returned following an order to leave (data for EU28), Eurostat, 2020.

3 SIX RECOMMENDATIONS FOR EUROPEANS: HOW TO TALK ABOUT MIGRATION IN AFRICA

The first step to reach a partnership at eye-level is to change your own viewpoint. The trends described in this paper show that African countries are migration actors in their own right. Their migration interests and policies are shaped by countless factors. European policies can be an important but rarely a decisive one.

The following recommendations aim to give concrete advice to European policymakers and experts about how to shape their future discussions with African counterparts:

- Recommendations 1 and 2 focus on the **"how"**, i.e., the style of communication;
- Recommendations 3 and 4 on the **"who"** i.e., the actors to communicate with and pay attention to; and
- Recommendations 5 and 6 on the **"what"**, i.e., the substance of the communications and which topics lend themselves to mutually beneficial discussions.

The recommendations do not spell out a grand vision for the Europe-Africa migration partnership. Instead, they suggest concrete small steps to engage in better conversations with African policymakers. Political momentum to relaunch migration negotiations seems to be lacking in both Europe and Africa. Having conversations that are both more honest and more empathetic might be the first step to an improved relationship.

The recommendations are thus guided by a few basic principles: Expectation management (Recommendation 1), showing respect by showing knowledge (Recommendation 2), expanding the horizon to people and developments that will influence African migration in the future (Recommendations 3 and 4), and the focus on shared migration interests, such as certain types of legal migration (Recommendation 5) and lowering the cost of remittances (Recommendation 6).

1. Read Between the Lines: Stated Migration Goals Are Not Always Actual Migration Goals

European policymakers and experts should have a solid understanding of the gap between African countries' stated migration goals and their actual goals as visible in their policies and actions. For instance, Tunisia's stated commitment to developing a full-fledged asylum law is at odds with the fact that the law still has not been passed, in part because of political resistance and the fear of negative consequences, be it public backlash or the EU trying to channel more and more asylum responsibilities away from Europe (see Trend 1). Similarly, South Africa, Ethiopia, and Ghana all are committed to increasing free movement on the African continent, but, in reality, have put in place protectionist policies that reflect their deep skepticism towards certain types of mobility (see Trend 4).

EU experts should acknowledge that there is a similarly gaping abyss between their own rhetoric and the reality of their policies. African policymakers rightfully point out that the EU has been repeating the mantra of legal pathways for years, but only a few member states are actually open to offering them and they tend to prefer high-skilled over low-skilled migrants. In fact, some African countries no longer even mention legal pathways as a migration goal in their conversations with Europeans, because they know the promises they receive will largely be lip service.[92]

The occasional clash of rhetoric and reality is unsurprising. The same is true in other policy areas. But because migration policy is an expression of priorities in other policy areas (development, foreign policy, education, labor market, etc.), the gap between declared and actual goals can be particularly wide. This is true in the African countries under study in this project, but also of the EU. While EU member states have been voicing their commitment to finding solutions for the bloc's jammed migration and asylum system, it remains stuck in part because the dysfunction does serve the interests of some member states very well, especially those that benefit from the EU's or individual member states' actions of deterrence and/or that reject distribution agreements. National interests are served well at the expense of the EU's larger values and goals.

The lesson from this pattern is clear: European policymakers should look behind the policy proclamations, global agreements, and other statements of intent (both of their own negotiation party and their African counterparts) and spend more time looking at the actual migration policies and practices (be it at borders or in the labor market) and use them as indicators of what each country's actual, not just its declared, migration goals are.

---

92 Mehari Taddele Maru, "Migration Policy-making in Africa: Determinants and Implications for Cooperation with Europe," European Policy Institute (May 2021) p.20: https://cadmus.eui.eu/bitstream/handle/1814/71355/RSC%202021_54.pdf?sequence=1&isAllowed=y (accessed August 3, 2021).

2. Learn The Migration Frames of Your African Counterparts

Europeans can be certain that African policymakers understand well how Europe discusses migration, including the terms they use and how Europe's watershed migration moment of 2015 and the large-scale inflows rattled existing structures and beliefs, and redefined migration policy approaches across the continent.[93] The echoes of this watershed year continue to strongly influence Europeans' views about migration today.

Europeans should return the favor by knowing that the watershed years of African migration policies are different and that to many of them, 2015 was just another year:

- For instance, in **South Africa**, a series of xenophobic attacks in 2008 marked the beginning of the country's increased politicization of migration and announced a security shift in South African refugee policy. Seven years before Europe started to tighten its asylum systems, South Africa systemically restricted access to asylum and created border 'hot-spots', triggering a host of new challenges (See Trend 2 and the case study box above on South Africa's tightening of the asylum system).
- In North Africa, the year 2011 is the determining year, as popular movements contributed to regime changes across the region, including in **Tunisia** and **Egypt**. The collapse of the Libyan state reshaped cross-border mobility in the region and the policies governing it. Libya's conflict triggered the return of hundreds of thousands of Egyptians,[94] and up to 1 million migrants crossed into Tunisia[95] from Libya in 2011 alone. Europeans barely noticed these vast population movements at the time. But these events hold a prominent place in these countries' recent memories, and they shape their migration policies today.
- In **Ghana**, migration shifts have come over a longer period. Since 2006, when the African Union's African Common Position on Migration and Development tied migration to development objectives across the conti-

nent, Ghana has been reforming its migration-related legislation, culminating in the launch of a National Migration Policy in 2016.

- In **Ethiopia**, the biggest shifts have occurred since 2017 when the government began to roll out its out-of-camp strategy, which included the systematic destruction of camps hosting Eritrean refugees. Since 2020, Eritreans are no longer granted prima facie refugee status. The year 2020, which saw violent clashes in the Tigray region, and targeted[96] some of the region's 95,000 refugees,[97] may also in hindsight be seen as Ethiopia's latest migration policy watershed year.

Besides knowing about these watershed years and the meaning they hold for Africans, Europeans should also acknowledge (or at least have passive knowledge of) a few migration terms that are used differently in some African countries than in Europe.

For instance, the terms "diaspora" and "return" can carry additional meanings. Ghana, for instance, considers all descendants of people who were forced to leave Africa by slave traders as part of the country's diaspora. This is a much broader definition than that used in Europe, where "diaspora" usually only means the citizens of a specific country who live abroad.

While it would be easy to dismiss this different terminology as a small quirk, it does reflect the legacy of Ghana's Pan-African outlook which was strengthened when the country freed itself from British colonialism. "Return" is also defined much more broadly in Ghana. International migration researcher Kwaku Arhin-Sam explains that "in Ghana, return means three things: the return of all African descendants of the slave trade, including those who might never have been to Ghana before; the voluntary return of Ghanaian nationals who have emigrated; and forced returns, including deportations from Europe or elsewhere." [98] Being aware of such nuances will not solve disagreements about readmission agreements and return rates, but it is one less stumbling block when trying to discuss returns in a productive manner.

93 African Union, "Press Statement on Denmark's Alien Act provision to Externalize Asylum procedures to third countries", *Press Releases,* (August 2, 2021): https://au.int/en/pressreleases/20210802/press-statement-denmarks-alien-act-provision-externalize-asylum-procedures (accessed August 4, 2021).

94 Estimates vary between just over 170,000 for the year 2011, to 800,000 between 2011 and 2014. Sara Sadek, "Understanding the impact of the Libyan conflict on Egyptian Migrants," *The American University in Cairo, School of Global Affairs and Public Policy* (February 2019), p.8: http://schools.aucegypt.edu/GAPP/cmrs/Documents/Egyptian%20Returnees_Libya.pdf (accessed October 05, 2020).

95 ICMPD, *Libya Case Study. An Unending Crisis – Responses of Migrants, States and Organisations to the 2011 Libya Crisis* (2017), p.5: https://micicinitiative.iom.int/sites/default/files/resource_pub/docs/libya_casestudy_final.pdf (accessed October 05, 2020).

96 Reuters, "Major violations of international law at Tigray refugee camps: U.N." (January 14, 2021): https://www.reuters.com/article/us-ethiopia-conflict-un/major-violations-of-international-law-at-tigray-refugee-camps-un-idUSKBN29J2N6 (accessed January 14, 2021).

97 UNHCR, "Ethiopia. Operational Portal. Refugee situations." (November 30, 2020): https://data2.unhcr.org/en/country/eth (accessed January 4, 2021).

98 Kwaku Arhin-Sam "Ghana as the EU's Migration Partner: Actors, Interests, and Recommendations for European Policymakers," DGAP Report (April 2021): https://dgap.org/en/research/publications/ghana-eus-migration-partner

Meanwhile, Egypt uses yet other terms to talk about its citizens abroad. Egypt's government classifies Egyptians outside of Egypt as either "temporary" or "permanent" migrants, but the classification is not linked to the actual length of time migrants stay abroad, but to the place to which they migrate. Egyptians in the Gulf countries, most of them low-skilled workers, are called "temporary migrants", while Egyptians in Europe, the USA, or other Western countries, are called "permanent migrants". The reason for this division is that in most Western destination countries, Egyptian migrants have (at least in principle) the possibility to receive permanent residency status or even naturalize, while Egyptians in Gulf countries tend to lack that option.[99]

Words and language matter. They do not change actions or policies, but they are the first step to changing one's own viewpoint.

3. Get The Right People Around the Table – And Think Ahead Who Might Sit There in The Future

The field of migration governance is crowded. Turf disputes between different government units are commonplace in African administrations and tend to increase with the promise of European funds. It is common that some actors capture the policy development process, while others find themselves in a less prominent position. They might turn indifferent or try to hinder the passing or implementation of policies that are not in line with their preferences.

German and European policymakers cannot break this tendency, which they know from their own countries, but they can and should be familiar with the main actors of migration governance in their African partner country and the tensions between them.[100] An overview of the "who is who" in migration policy making in Egypt, Ghana, Tunisia, and South Africa is available in the country case studies of this project. To avoid making tense situations worse, EU policymakers should make sure that all relevant ministerial actors are consulted, especially when developing new framework migration policies. While it might be more convenient to have one central contact point in another country, it is paramount to invite all relevant ministries, such as those for social affairs, employment, justice, housing, health, and education, to the consultation table. The roles and expectations of each actor should be carefully weighed to avoid creating further tensions or blockades. A whole-of-government approach on migration, as promoted for instance by Germany, cannot work without engaging counterparts across policy fields.

Second, European policymakers should also think ahead about who might be sitting at the negotiation table in the future and – based on their assumptions – work on two parallel tracks, one for the official governmental cooperation, the other a parallel track to consult opposition parties, civil society, academia, private service providers, as well as religious and clan representatives. This is not only essential to ensure that policies reflect the views of all relevant actors, but also to create the conditions for sustainable migration policies. For instance, government changes can mean that policy initiatives pursued by a former administration are shelved by a former opposition party coming into power.[101] Involving non-government actors in policy development from the start can increase their buy-in. While two track negotiations are often praised in theory, in practice they can easily fall by the wayside, especially when time and personnel are limited.

4. Watch the Relevant Countries, Not Just the Obvious Ones

Policies in big magnets for African migrants, including the Gulf countries, South Africa, and Libya, have a large impact on the routes and levels of migration within and from Africa, including to Europe (see Trend 5). The developments of the last decade have shown clearly that the political situation and stance these three magnets have toward migration has ripple effects throughout the continent.[102] But despite this trend, Europeans sometimes tend to navel gaze and prefer to follow well-trodden administrative paths and processes on the EU-level than be up to speed with the developments that matter most for African migration, which might well happen outside of Europe and even outside of Africa.

99 Dina Abdel Fattah, "Egypt, the EU, and Migration: An Uncomfortable Yet Unavoidable Partnership", DGAP Report (September 2021): https://dgap.org/en/research/publications/egypt-eu-and-migration (accessed 26 September 2021).

100 An overview of the who is who in migration policy making in Egypt, Ghana, Tunisia, and South Africa is available in the country case studies of this project. See preface p.3 for references.

101 Kwaku Arhin-Sam "Ghana as the EU's Migration Partner: Actors, Interests, and Recommendations for European Policymakers," DGAP Report (April 2021): https://dgap.org/en/research/publications/ghana-eus-migration-partner

102 Bram Frouws and Christopher Horwood, "Smuggled South: An updated overview of mixed migration from the Horn of Africa to southern Africa with specific focus on protections risks, human smuggling and trafficking." Mixed Migration Centre. March 2017. http://www.mixedmigration.org/wp-content/uploads/2018/05/016_smuggled_south.pdf (accessed February 27, 2020).

Europeans should therefore watch not only the developments in potential countries of origin, but those in other regional migration magnets if they want to assess future migration flows in and from Africa realistically. Developments in these countries might ultimately shape future African migration flows much more than EU policies.

This lesson also holds true outside of Africa. In the Middle East, Iran stepped up deportations of Afghans in 2019, which directly resulted in greater migration pressures on Turkey and, partly, on Europe.[103] Similarly, when food runs out and life becomes a struggle for basic survival in first countries of refuge, as is the case in Lebanon currently, even Syrian refugees that have been trying to eke out a living there for years become more likely to move elsewhere, be it Europe or other places they perceive as promising. Europeans should therefore keep adjusting their horizon beyond the obvious countries of origin or transit, to include other destination countries in Africa, Asia, and beyond.

5. Create Talent Partnerships Not Just with Europe, But Also within Africa

The current EU proposal for a Talent Partnership is likely to attract African governments, but political momentum in Europe so far seems to be lackluster. This is particularly worrisome because legal pathways for students and skilled workers, if designed to reach the triple-win goal, are one of the few long-term interests shared by European and African policymakers. European policymakers should thus put more effort in developing this idea in two ways. The classic way is by creating talent and skills partnerships between European and African countries, the other is by expanding the concept within Africa.

A credible proposal for classic skills partnerships hinges on four main conditions. First, the European Commission needs to secure strong participation from EU member states, ideally beyond the usual suspects (including Germany, France, Belgium, Spain, Ireland, and a few others) who have been open to such schemes in the past. A substantial coalition of willing governments should be ready to offer study and work visas to participants. Sometimes, the

reluctance of national authorities to issue visas limits the scope of migration partnerships, as the experience of several pilot projects shows.[104] Second, member states should commit to welcoming more than anecdotal numbers of participants. Pilot projects have rarely offered more than 100 spots for trainees and workers per year – including Germany's ambitious Triple Win project. Third, the European Commission and member states should consult with all relevant stakeholders, including employers' organizations, universities and training centers in Africa, chambers of commerce, credentialling bodies, and embassies to ensure their buy-in and the visibility of initiatives. Fourth, initiatives should carefully select those sectors of the labor market in which there actually are sufficient job opportunities prior to training. This helps avoid the common trap of creating graduates that are well-trained but not in need in the labor markets of participating countries or regions. For instance, if an initiative trains some people in an "away track" in which they complete their training with the expectation to go abroad, and others in a "home track" in which they expect to stay in their country upon graduation, it needs to ensure that the labor markets of both participating countries offer sufficient job opportunities. Otherwise, the two tracks will be unequally attractive to participants.

Recent studies and experiences can provide practical help to design future skills partnerships that meet these conditions. For instance, a recent study from the Center for Global Development and the World Bank outlines the steps needed to set up Global Skill Partnerships between Nigeria and European countries in different sectors, e.g., with Germany in the construction sector, and with the UK in the health sector. Their study provides a step-by-step agenda that ranges from the formal signing of the Memorandum of Understanding between the countries' governments all the way through to which stakeholders are needed, how curricula should be developed to ensure they meet labor market demands in both countries, and how to evaluate the project in order to scale it up and allow for thousands, not just a few dozen or hundreds, of participants in the future.[105] Further recent experiences that offer valuable lessons are Germany's Triple-Win project for nurses, and the German-Moroccan Partnership for the Training and Recruitment of Skilled Workers in the hospitality sector.[106]

103 Fatemeh Aman, "Afghan migrants: Unwanted in Iran and at home," (May 15, 2020): https://www.atlanticcouncil.org/blogs/iransource/afghan-migrants-unwanted-in-iran-and-at-home/ (accessed June 30, 2021).

104 Lucas Rasche, "EU Talent Partnerships: Fit for Purpose?," Hertie School, Jacques Delors Centre (June 16, 2021): https://hertieschool-f4e6.kxcdn.com/fileadmin/2_Research/1_About_our_research/2_Research_centres/6_Jacques_Delors_Centre/Publications/20210615_Talent_Partnerships_Rasche.pdf (accessed June 30, 2021).

105 Samik Adhikari, Michael Clemens, Helen Dempster, and Nkechi Linda Ekeator, *Expanding Legal Migration Pathways from Nigeria to Europe.* p.34.

106 Expert Council's Research Unit and the Migration Policy Institute Europe, *Legal migration for work and training: Mobility options to Europe for those not in need of protection,* (2019), p.44: https://www.migrationpolicy.org/sites/default/files/publications/SVR-Final%20Report-FINALWEB-Updated.pdf (accessed 3 August, 2021).

Expanding the concept of skills or talent partnerships to the African continent itself means creating schemes that offer training and work opportunities between African countries. Interesting models to build on include the following initiatives on skilled mobility in Africa:

- The project **Towards a Holistic Approach to Labor Migration Governance and Labor Mobility in North Africa (THAMM)**, implemented by the ILO, the IOM and the GIZ under the EUTF (2019-2022), works with governments in Egypt, Morocco, and Tunisia to align national legislations on labor migration, especially with regards to migrant workers' rights and protection. It also seeks to improve national systems for the recognition of migrants' skills and qualifications, and increase the cooperation of public and private actors on labor migration. At a regional level, the project facilitates inter-governmental dialogue on labor mobility, which is open to Algerian and Libyan representatives as well.[107] In addition, the project supports existing labor and study migration schemes between North African and EU countries.[108]

- The **Joint Program on Labor Migration Governance (JPLM)** is a long-term initiative (2015-2030) run by the AU, the IOM, the ILO, and the UN Economic Commission for Africa (UNECA). It works closely with the AU, regional economic communities, and states to increase stakeholder coordination and dialogue, improve capacity for statistical data collection and labor market assessments, and accompany policy development on labor migration, at the regional and national levels.[109] The initiative tries to gather all available data on labor migration on the continent, in collaboration with national statistical offices, which has led to the publication of two editions of the Report on Labor Migration Statistics in Africa.[110] Such data collection efforts are valuable for policymak-

ers and donors to identify labor migration trends, the contribution and needs of migrant workers, and identify data gaps across the continent.

- The **Intra-African Talent Mobility Partnership Program (TMP)** was an initiative to boost labor mobility among African countries, spearheaded by Mauritius and Ghana, funded by the World Bank, and implemented by local NGOs between 2014 and 2017.[111] In West Africa, it led to a Memorandum of Understanding in 2016 between Benin, Côte d'Ivoire, Ghana, and Sierra Leone in which they vowed to remove obstacles to the immigration, establishment, and employment of skilled nationals of other participating states.[112] National authorities did follow up on their commitments: Ghana and Sierra Leone improved and clarified their national systems for recognition of skills and qualifications acquired abroad, and Ghana lowered fees for foreign university students, which resulted in more graduates and students moving to Ghana.[113]

These experiences show that African policymakers are more open to skilled labor migration than they are to free movement overall. Even countries that participate in projects like the Intra-African Talent Mobility Partnership (such as Zambia, the Seychelles, and Mauritius) have not signed the AU's Free Movement Protocol[114] and were late signing its free trade agreement (AfCFTA).[115] This interest in skilled mobility is likely to grow, in line with the increasing share of skilled workers needed in Africa's economies. In 2016, one in five (20 percent) migrant workers in Africa were employed in a high-skilled profession – e.g. directors, managers, and knowledge workers – up from one in six (16 percent) in 2010.[116]

Despite Africa's appetite for skilled mobility, these projects rely heavily on European funds. The EU and its member states should therefore partner with the AU, regional economic communities, and states, to build on these and com-

107 International Labor Organization, "Towards a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM)" (2021): https://www.ilo.org/africa/technical-cooperation/WCMS_741974/lang--en/index.htm, (accessed 3 August, 2021).

108 So far, Germany is the main partner country in this initiative (and also one of the project donors), which follows the country's 2020 Skilled Immigration Act for the recruitment of skilled workers outside of the EU, but other EU states like Belgium are expected to follow. See also Recognition in Germany, "Skilled Immigration Act": https://www.anerkennung-in-deutschland.de/html/en/pro/skilled-immigration-act.php (accessed 3, August 2021).

109 International Labor Organization, "AU/ILO/IOM/UNECA Joint Programme on Labour Migration Governance for Development and Integration in Africa" : https://www.ilo.org/africa/areas-of-work/labour-migration/policy-frameworks/WCMS_671954/lang--en/index.htm; (2021), (accessed 3 August, 2021).

110 African Union Commission, "Report on Labour Migration Statistics in Africa. Second Edition (2017)", (2020): https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/publication/wcms_761304.pdf (accessed 3 August, 2021).

111 Regional Multidisciplinary Centre of Excellence, "Intra-Africa Talent Mobility Partnership Program" (2021): https://rmce.govmu.org/rmce/?page_id=39 (accessed August 3, 2021).

112 African Centre for Economic Transformation, "Long awaited West Africa talent mobility MOU signed" (December 23, 2016): https://acetforafrica.org/highlights/long-awaited-west-africa-talent-mobility-mou-signed/ (accessed 3 August, 2021).

113 MADE West Africa project, "Assessment of the Implementation of the ECOWAS Free Movement Protocol in Ghana and Sierra Leone," (2018): https://www.madenetwork.org/sites/default/files/CMS%20research%20Guinea%20Sierra%20Leone%20WA%202018.pdf (accessed 3 August, 2021).

114 Niklas Mayer and Amanda Bisong, "Connecting people and markets in Africa in 2021," ECDPM Blog (February 2, 2021): https://ecdpm.org/talking-points/connecting-people-markets-africa-2021/ (accessed February 29, 2020).

115 TRACLAC, Status of AfCFTA Ratification (July 13, 2021): https://www.tralac.org/resources/infographic/13795-status-of-afcfta-ratification.html (accessed 3 August, 2021).

116 African Union Commission, "Report on Labour Migration Statistics in Africa. Second Edition (2017)", (2020) p.45: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/documents/publication/wcms_761304.pdf (accessed 3 August, 2021).

parable initiatives.[117] Jointly, they should aim to build up creative but realistic proposals for Talent Partnerships to make them a central tool for breaking the blockade on legal migration between neighbors.

6. Follow the Money: Lower Remittance Costs to Increase the Benefits of Inner-African Mobility

Reducing remittance costs is a long-declared and uncontroversial objective of global migration governance. It is even one of the explicit sub-goals of Sustainable Development Goal No.10 (reducing inequalities). Concretely, SDG 10c states the ambition to "reduce to less than 3% the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5%" by 2030.[118]

But African remittance regimes have a long way to go. The average cost of remitting money to Sub-Saharan African countries stands at 9 percent (compared to a global average of 6.8 percent).[119] Behind this statistic are even greater disparities as transfers from the rest of the world are often cheaper than they are within Africa.[120] For instance, the average cost of a transfer from Germany to Nigeria in 2020 was around 6 percent, but from Ghana to Nigeria the price stood twice as high, at 12 percent.[121] These high remittance costs incentivize migrants to remit their savings via unofficial channels. Lowering remittance costs could lead to larger, more frequent, and more formal money transfers between African countries – thus ensuring contributions to the national fiscus.

European policymakers could support regulatory reforms across the continent to reduce remittance costs, ideally in close cooperation with regional economic communities and the African Union. Three main objectives should guide their work: First, policymakers should support enhanced market competition to reduce the cost of remittance fees. Loosened regulations should allow for new transfer actors to enter the market, which would drive down transfer costs.

Second, they could try to incentivize private and public actors to reform the banking infrastructure. For instance, to increase access to banking services in remote and rural areas, policymakers should help redesign the role of public services in these areas, such as post offices, that would serve as a relay for international money transfers. Third, policymakers should invest in financial literacy, information campaigns, and/or comparative websites on financial services, all of which can help increase the use of formal channels when remitting money back home.

Conclusion

If European policymakers were to follow the six recommendations this chapter outlines, they certainly would not manage to break through every Gordian knot of the tangled and tense migration relationships that have developed over decades or centuries between Europe and Africa. But they might be able to have more honest conversations using less toxic terms. They might have a better sense of who their interlocutors should be today to avoid future initiatives that end in combative deadlock or simply fade out without much trace. Lastly, they might recalibrate the migration topics they bring to the table, or at least be nudged to frame them differently, so talks can tilt towards joint interests rather than the less reconcilable ones that have dominated to date.

The current state of migration relationships between African and European policymakers and experts can – and in fact must – improve. Not just because we need better migration solutions, but also because a more constructive migration dialogue would radiate positively into other policy fields that will determine the lives of people on both continents, be it peace, security, or climate change. But, as always when it comes to migration, change will consist in small steps and a sustained political will on both sides to work towards it.

117 See other labor migration projects: African Union Commission, *Strategic Framework 2020-2030 For The AU/ILO/IOM/UNECA Joint Programme on Labour Migration Governance for Development and Integration in Africa (JLMP)* (June 2020) p.65: https://jlmp.au.int/en/doc-viewer/384 (accessed August 3, 2021).

118 UN Sustainable Development Goals, SGD Indicators. Metadata repository: Goal 10. Reduce inequality within and among countries: https://unstats.un.org/sdgs/metadata/?Text=&Goal=10&Target=10.c (accessed August 3, 2021).

119 Dilip Ratha,Supriyo De, Eung Ju Kim, Sonia Plaza, Ganesh Seshan, and Nadege Desiree Yameogo, "Data release: Remittances to low- and middle-income countries on track to reach \$551 billion in 2019 and \$597 billion by 2021," *World Bank Blogs*, October 16, 2019: https://blogs.worldbank.org/peoplemove/data-release-remittances-low-and-middle-income-countries-track-reach-551-billion-2019 (accessed January 29, 2020)

120 Dilip Ratha, Sanket Mohapatra, Caglar Ozden, Sonia Plaza, William Shaw and Abede Shimeles, *Leveraging Migration for Africa: Remittances, Skills, and Investments,* The World Bank (2011), p.76: https://elibrary.worldbank.org/doi/abs/10.1596/978-0-8213-8257-8 (accessed August 10, 2021)..

121 The World Bank, "Remittance Prices Worldwide" (Fourth Quarter 2020): https://remittanceprices.worldbank.org/en/corridor/Germany/Nigeria?start_date=1601524800&end_date=1609477199 (accessed August 10, 2021). Average cost calculated for a transfer of USD 200.