

Is the EU lost at sea? The EUGS and the implementation of a joined-up approach to migration

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Abstract

The EU Global Strategy called for the overcoming of the fragmentation of external policies relevant to migration, stated the importance of making different external policies and instruments migration-sensitive, and envisaged an improvement in the consistency between external and internal policies. Indeed, the initiatives launched by the EU in the framework of the Strategy's implementation have sought to increase coherence among EU actions towards the Central and Eastern Mediterranean routes, as well as in diplomatic activities with third countries and in multilateral settings. Nonetheless, the adoption of a joined-up approach to migration has often been hindered by disagreement among member states and by recurrent instability in origin and transit countries. The politically contested nature of migration also impacted negatively on other EU foreign and security policy priorities, such as the improvement of societal resilience in the European Neighbourhood and the promotion of human rights.

When the High Representative and Vice President of the European Commission Federica Mogherini presented the EU Global Strategy (EUGS) in June 2016, there was widespread opinion that the Lisbon Treaty's innovations in the Common Foreign and Security Policy (CFSP) and Freedom Security and Justice (FSJ) areas had not worked as expected. In the post-Lisbon era, the EU's responses to a series of political and military conflicts that arose in the Middle East and in northern and sub-Saharan Africa were belated, or ineffective. Added to this, the ensuing migration emergency highlighted the asymmetries of EU migration and asylum policy frameworks, which inevitably penalise member states whose territories serve as external EU borders.¹ Such lack of a fair sharing of responsibility provided fertile ground for the rise and strengthening of sovereigntist forces across Europe, some of which went so far as to put the Schengen principles into question.²

It is against this background that the EUGS called for the overcoming of the fragmentation of external policies relevant to migration. According to the Strategy, increased coherence would be achieved by deepening the links between humanitarian and development efforts, by employing joint risk analysis, and through multi-annual programming and financing. Furthermore, the EUGS stated the importance of making different external policies and instruments migration-sensitive, and it envisaged an improvement in the consistency between external and internal policies.³ Later on, while the 2016 – 2017 Comprehensive Approach Action Plan (July 2016)⁴ spelled out a series of arrangements connecting policies and internal and external action, the roadmap of the follow-up to the Strategy (October 2016) included the strengthening of the internal–external nexus among its five lines of action.⁵

The European Neighbourhood: The Eastern and Central Mediterranean Routes

Indeed, EUGS implementation has sought to increase the coherence of EU external activities in relation to the Eastern Mediterranean route. By means of the regional trust fund in Syria⁶ and the Compacts concluded with Lebanon⁷ and Jordan,⁸ the EU funded programmes for Syrian refugees and their host countries focusing on education, livelihoods, health, socio-economic support, water and

¹ Florian Trauner, "Asylum policy: the EU's 'crises' and the looming policy regime failure", in *Journal of European Integration*, Vol. 38, No. 3 (2016), pp. 311-325.

² Ferruccio Pastore and Giulia Henry, "Explaining the Crisis of the European Migration and Asylum Regime", in *The International Spectator*, Vol. 51, No. 1 (2016), p. 44-57.

³ European External Action Service (EEAS), *Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy*, Brussels, 24 June 2016, https://europa.eu/globalstrategy/sites/globalstrategy/files/regions/files/eugs_review_web_0.pdf.

⁴ European Commission and High Representative of the Union for Foreign Affairs and Security Policy, *Taking forward the EU's Comprehensive Approach to external conflicts and crises - Action Plan 2016-17*, Brussels, 18 July 2016, <http://data.consilium.europa.eu/doc/document/ST-11408-2016-INIT/en/pdf>.

⁵ European External Action Service (EEAS), *Roadmap on the follow-up to the EU Global Strategy*, Bratislava, 16 September 2016, <https://club.bruxelles2.eu/wp-content/uploads/2016/09/feuilleteroute-strategieglobale@ue160922.pdf>.

⁶ European Commission, *EU regional trust fund in response to the Syrian crisis*, September 2018, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eutf_syria_factsheet-english.pdf.

⁷ European Commission, *EU-Lebanon Partnership. The Compact*, August 2017, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/lebanon-compact.pdf>.

⁸ European Commission, *EU-Jordan Partnership. The Compact*, March 2017, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/jordan-compact.pdf>.

waste-water infrastructure. Moreover, through the EU–Turkey agreement, Brussels tied Ankara’s visa liberalization and accession to the return of new arrivals to Turkey, while deploying a humanitarian package to provide assistance to refugees and host communities.⁹

However, the EU’s near-invisibility in the Syrian war’s peace talks¹⁰ has undermined the effectiveness of the measures deployed in this framework. In addition to this, while the standstill in Turkey’s accession negotiations¹¹ is putting a strain on the coherence of EU external action on migration, the EU–Turkey deal has been sharply criticized by humanitarian organizations.¹² Such criticism is all the more relevant if one considers that the EUGS explicitly mentions the respect for human rights as a guiding principle in the adoption of a joined-up approach to migration.

Up until now, EU efforts to overcome fragmentation of its policies on migration focused on the Central Mediterranean route have delivered mixed results as well. Soon after the EUGS was launched Brussels intensified multi-annual programming and financing relating to northern and sub-Saharan Africa. In particular, EU member states and institutions began to deepen their cooperation with five African priority countries (Ethiopia, Mali, Niger, Nigeria and Senegal).¹³ Within the Partnership Framework on Migration, as envisaged by the 2017 joint communication on the Central Mediterranean route,¹⁴ the Union continued to address irregular migration and sustaining migration management in origin and transit countries through the EU Emergency Trust Fund for Africa¹⁵ and through the adoption of the External Investment Plan.¹⁶ Furthermore, in its response to the crisis in Northern Nigeria, Brussels has adopted joint analysis and joint strategic planning with the World Bank and the UN, while trying to enhance links between humanitarian and development aid.¹⁷

⁹ Council of the EU, *EU-Turkey Statement*. Brussels, 18 March 2016, <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/pdf>; Judy Dempsey “Judy asks: is the EU-Turkey refugee deal on the ropes?”, in *Carnegie*, 26 July 2017, <http://carnegieeurope.eu/strategieurope/72634>.

¹⁰ William Oosterveld, “Does the EU have a Syria strategy”, in *EUobserver*, 8 March 2018, <https://euobserver.com/opinion/141249>.

¹¹ Council of the EU, General Affairs Council, *Council Conclusions on Enlargement and Stabilisation and Association Process*, Brussels, 26 June 2018, <https://www.consilium.europa.eu/media/35863/st10555-en18.pdf>.

¹² Amnesty International, “EU: Misery of migration deal with Turkey must end”, 15 March 2018, <http://www.amnesty.eu/en/news/press-releases/eu/asylum-and-migration/eu-misery-of-migration-deal-with-turkey-must-end-1108/#.W8yTRkszZPY>.

¹³ European Commission, *Partnership Framework on Migration: Commission reports on results and lessons learnt one year on*, Strasbourg, 13 June 2017, http://europa.eu/rapid/press-release_IP-17-1595_en.htm.

¹⁴ High Representative and European Commission, *Migration on the Central Mediterranean route Managing flows, saving lives*, Brussels, 25 January 2017, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20170125_migration_on_the_central_mediterranean_route_-_managing_flows_saving_lives_en.pdf.

¹⁵ European Commission, *EU Emergency Trust Fund for Africa*, 11 September 2018, https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/eu_emergency_trust_fund_for_africa_11-09-2018.pdf.

¹⁶ European Commission, *What is the EU’s External Investment Plan*, https://ec.europa.eu/commission/eu-external-investment-plan/what-eus-external-investment-plan_en.

¹⁷ European External Action Service (EEAS), *From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1*, 19 June 2017, <http://europa.eu/globalstrategy/en/global-strategy-foreign-and-security-policy-european-union>.

As the Common Security and Defence Policy (CSDP) Operation Sophia's training of the Libyan coast-guard demonstrates, the EU has also strived to implement a joined-up approach to migration by enhancing coherence with national foreign policies. For instance, while at the February 2017 European Council in Malta, EU leaders pledged funds, technical assistance and training to enhance the control of the Libyan borders,¹⁸ in March 2017 several member states' interior ministers offered Libya economic and technical support to curb the influx of migrants.¹⁹ Not long afterwards, in April 2017 Rome mediated talks between rival Saharan tribal authorities, which resulted in a deal to secure Libyan southern borders in exchange for aid and development.²⁰ Nonetheless, divisions among EU member states over the political transition in Libya, the persistent weaknesses of Libyan institutions and the penetration of criminal groups involved in migrant smuggling in the country continually hamper the consistency of the EU approach. In particular, abuses in Libyan detention centres and the continuing high death toll in the Mediterranean cast a shadow over the EUGS improvement of societal resilience in the European Neighbourhood and over its promotion of human rights.²¹

Even though the adoption of a joined-up approach to migration has often been marred by disagreement among member states and by recurrent instability in origin and transit countries, one may argue that the launch of the European Border and Coast Guard Agency (October 2016) represents a major step towards consistency between external and internal policies. In fact, the new agency was attributed shared responsibility with member states in controlling borders, in conducting search and rescue operations and in assessing risks for both the external and internal security of the EU.²² Nevertheless, divisions among member states, often fuelled by sovereigntist governments and forces, are likely to overshadow the Strategy's current and future implementation in this case as well. Although EU leaders reiterated the relevance of adopting a comprehensive approach to migration in June 2018,²³ as highlighted by the cases involving the *Aquarius* and *Diciotti* rescue ships,²⁴ disputes among national governments over burden-sharing have continued to characterize the reception of refugees within the EU over the past few months. Thus, notwithstanding the EU Court of Justice's

¹⁸ European Council, *Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route*, Brussels, 3 February 2017, <http://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/pdf>.

¹⁹ Euractiv, "Italy brokers deal with Libyan tribes to curb migrant influx", 3 April 2017, <https://www.euractiv.com/section/politics/news/italy-brokers-deal-with-libyan-tribes-to-curb-migrant-influx/>.

²⁰ Nick Squires, "Saharan tribal chiefs pledge to stop flow of migrants heading for Europe via Libya", in *The Telegraph*, 4 April 2017, <https://www.telegraph.co.uk/news/2017/04/04/tribal-chiefs-sahara-pledge-stop-flow-migrants-heading-europe/>.

²¹ International Organization for Migration (IOM) *Missing Migrants Project*, 2018, <https://missingmigrants.iom.int/>.

²² Sergio Carrera, Blockmans Steven, Jean-Pierre Cassarino, Daniel Gros and Elspeth Guild, "The European Border and Coast Guard Addressing migration and asylum challenges in the Mediterranean?", in *CEPS*, Task Force Report., 1 February 2017, https://www.ceps.eu/system/files/TFR%20EU%20Border%20and%20Coast%20Guard%20with%20cover_0.pdf.

²³ European Council, *Main Results*, Brussels, 28-29 June 2018, <https://www.consilium.europa.eu/en/meetings/european-council/2018/06/28-29/>.

²⁴ Jacopo Barigazzi "Aquarius rescue ship to dock in Malta", in *Politico*, 14 August 2018, <https://www.politico.eu/article/aquarius-migrant-rescue-ship-to-dock-in-malta/>; Lorenzo Tondo, "Standoff in Italian port as Salvini refuses to let refugees disembark", in *The Guardian*, 21 August 2018, <https://www.theguardian.com/world/2018/aug/21/italy-refugees-salvini-refuses-coastguard-ship-docks-diciotti>.

2017 sentence on asylum seekers' relocation,²⁵ a group of member states headed by Hungary still strongly opposes the implementation of migration quotas.

Beyond the European Neighbourhood: Bilateral and Multilateral Diplomacy

In the meantime, EU diplomatic initiatives with third countries beyond the Neighbourhood and its activities within multilateral settings have certainly become more migration-sensitive. While political dialogues on migration were established with Afghanistan in October 2016,²⁶ within the UN the EU soon started to sustain the Strategy's idea that countries of origin and transit should be involved in the development of approaches to this phenomenon. In September 2016, EU member states and institutions supported the launch of the UN Declaration for Refugees and Migrants.²⁷ Later on, they also jointly participated in the elaboration of the UN Global Compact on Migration and the Global Compact on Refugees.²⁸ However, the non-collaborative approach of some EU member states to these matters is likely to undermine EU efforts at working with international partners to devise more effective and solidarity-based migration policies. For instance, soon after the launch of the Compact on Migration (July 2018), the Hungarian foreign minister Peter Szijjarto declared that Budapest would pull out from the agreement, calling it a "threat to the world".²⁹

Conclusion: Lost at Sea

Despite the numerous valuable initiatives the EU has put forth in the EUGS framework, managing migration has represented one of the major, and perhaps most complex, challenges for the Union. The adoption of a joined-up approach to migration has often been hindered by disagreement among member states, frequently used by sovereigntist forces for electoral gains and by recurrent instability in origin and transit countries. Moreover, the politically contested nature of migration impacted negatively on other EU foreign and security policy priorities, such as the improvement of societal resilience and the promotion of human rights in the European Neighbourhood.

Being lost at sea is a challenging survival situation. Unfortunately, the factors that hampered EUGS implementation, and that have blown the EU off course, are unlikely to change in the near future. While the multiple crises of the past decade have triggered the emergence of a pro-/anti-EU cleavage

²⁵ Court of Justice of the European Union, *The Court dismisses the actions brought by Slovakia and Hungary against the provisional mechanism for the mandatory relocation of asylum seekers*, Luxembourg, 6 September 2017, <https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-09/cp170091en.pdf>.

²⁶ European External Action Service (EEAS), *The EU and Afghanistan hold a Senior Officials' Dialogue on Migration*, 4 October 2016, https://eeas.europa.eu/headquarters/headquarters-homepage/11108/the-eu-and-afghanistan-hold-a-senior-officials-dialogue-on-migration_en.

²⁷ European Parliament, *A global compact on migration: Placing human rights at the heart of migration management*, 18 December 2017, [http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI\(2017\)614638](http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2017)614638).

²⁸ European External Action Service (EEAS), *Implementing the EU Global Strategy Year 2*, June 2018, https://eeas.europa.eu/sites/eeas/files/eugs_annual_report_year_2.pdf.

²⁹ Reuters, "Hungary to quit U.N. migration pact shunned by Washington", 18 July 2018, <https://www.reuters.com/article/us-europe-migrants-hungary-un/hungary-to-quit-un-migration-pact-shunned-by-washington-idUSKBN1K81BS>.

across Europe, the influx of migrants will not decrease over the next 20 years.³⁰ Continuing to invest in a joined-up Union is an essential priority for the EU in this context. At stake are not only the values and principles of the EU, but also the future of the European integration project.

³⁰ Max Ehrenfreud, “Europe’s immigration crisis is just beginning”, in *The Washington Post*, 1 July 2016, https://www.washingtonpost.com/news/wonk/wp/2016/07/01/europesimmigration-crisis-is-just-beginning/?utm_term=.036813a607e1.

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