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Valletta 2015: Sharing responsibility for a 'migration crisis'?

The Valletta summit of 11-12th November 2015 was initiated by the European Council in light of an emergent 'migration crisis'. It focuses on developing "existing cooperation processes between Europe and Africa",ⁱ and continues on-going efforts since 2010 toward the EU's Global Approach to Migration and Mobility.ⁱⁱ The 'migration crisis' says much about the failures of such an approach. Rising numbers of deaths across the Mediterranean Sea and increasingly difficult conditions for those crossing Europe have intensified calls for an approach that does not prioritise restrictive measures against unauthorised migrants entering the EU.ⁱⁱⁱ Addressing the underlying causes of the 'migration crisis'^{iv} thus requires careful assessment of the limits of the EU's 'global approach' to migration, particularly in relation to Valletta's emphasis on "shared responsibility" across five areas tabled for discussion at the summit: prevention, management, protection, enforcement and returns.

1. Addressing the root causes [of migration] by working to help create peace, stability and economic development

Valletta's focus on prevention acknowledges that there are multiple causes of migration, including "conflict, political and economic stability, human rights abuses, and poverty".^v Diplomacy and peace keeping, as well as development cooperation and aid are tabled for discussion alongside the launch of a new European Commission Emergency Trust Fund for Africa. This pools resources from the EU Development Fund and Member States, for use by states in regions of the Sahel and Lake Chad, Northern Africa, and the Horn of Africa.^{vi} Preventing forced and irregular migration here induces donor-type relationships between EU and African states. Indeed, prevention risks reproducing long-standing global inequalities by closing opportunities for migration from poor or unstable states to those of relative privilege.

2. Improving work on promoting and organising legal migration channels

Nevertheless, Valletta does emphasise the importance of "promoting and organising legal migration channels" in terms that prevent "brain drain"^{vii} from non-EU states while enabling "brain circulation" between the EU and third countries.^{viii} Yet legal routes are limited to highly skilled workers, to seasonal workers or those skilled workers qualifying for intra-corporate transfer, and to researchers and students. Such channels are designed to meet structural labour market requirements of the EU, while an emphasis on the "circular movement of seasonal workers" is designed to ensure that unskilled migration remains temporary rather than permanent.^{ix} Legal migratory channels for research and education are focused on the facilitation of cooperative relationships between EU states and third countries.^x Overall, "shared responsibility" is thus heavily skewed towards meeting EU concerns.

3. Enhancing the protection of migrants and asylum seekers, particularly vulnerable groups

Valletta nevertheless emphasises EU efforts toward protecting vulnerable migrants. Maritime operations across the Mediterranean, notably joint external border operations coordinated

by the Border Agency, Frontex,^{xi} are highlighted here alongside EU Regional Development and Protection Programmes in North Africa, the Horn of Africa, and the Middle East. The latter link regional development and infrastructural needs with protection measures that are designed to ensure that refugees are able to access rights and legal assistance within the host state.^{xii} In addition to these border security and development measures, Valletta highlights the EU's agreement to resettle over 20,000 people in need of protection at the request of UNHCR, and the commitment to relocate 160,000 of people in need of protection throughout the EU. The privileging of border security and regional development mechanisms nevertheless suggests that "shared responsibility" in the area of protection is primarily orientated toward host regions outside of EU territory.

4. Tackling more effectively the exploitation and trafficking of migrants

Valletta builds on the 2010-2015 EU action plan plan on migrant smuggling, which focuses on cooperation with third countries through actions designed to enhance police and judicial responses to the exploitation of vulnerable migrants.^{xiii} This involves initiatives such as the EUCAP Sahel Niger, a civilian mission designed to support Nigerian authorities to prevent irregular migration and related crimes.^{xiv} Also emphasised are anti-smuggling measures at the external borders of the EU, notably EUNAVFOR MED (Operation Sophia), which operates in the Southern part of the Central Mediterranean.^{xv} Cooperation on enforcement with African states is therefore developed alongside border security measures to restrict unauthorised migration to the EU. Again, this is indicative of a "shared responsibility" weighted in the EU's favour.

5. Working more closely to improve cooperation on return and readmission

Finally, Valletta focuses on improving "cooperation on return and readmission" between EU and African states. Returns work in one direction: from EU to African states. Nevertheless, they are presented as complementary to an open migration policy, and as necessary to the credibility of the EU's efforts in facilitating international protection and legal migration. The EU boasts 17 readmission agreements with several more under negotiation, as well as a readmission clause within the Cotonou agreement between the EU and African, Caribbean and Pacific countries.^{xvi} An "effective and humane return policy" therefore appears as a natural conclusion to a 'global approach' that combines prevention with management, and protection with enforcement.

In sum, a "global approach to migration and mobility" that emphasises "shared responsibility" is highly skewed. Migration management weaves development, security and humanitarian mechanisms in terms that focus on preventing unauthorised migration to the EU. Labour and knowledge exchanges are legalised in limited and largely unidirectional terms. Protection concerns are mobilised to justify enforcement measures against criminal networks, while legal routes to the EU remain closed to the majority. And a range of interventions are combined in terms that culminate in the removal of people of precarious situations from the EU. As a "humane" approach concerned with "shared responsibility", surely Valletta could do better?^{xvii}

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- ⁱ <http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/>
- ⁱⁱ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index_en.htm
- ⁱⁱⁱ Squire, V. et al, "Unauthorised migration to the EU", policy brief, 28 October 2015, <http://www2.warwick.ac.uk/fac/soc/pais/news/?newsItem=094d43f5509003300150aee491f16a51>
- ^{iv} Betts, A. (2015) <https://theconversation.com/to-deal-with-the-refugee-crisis-you-need-to-understand-the-cause-40737>
- ^v <http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/>
- ^{vi} The stated aim of the Trust is to foster stability and contribute to migration management by addressing the "root causes of destabilisation, forced displacement and irregular migration, [and] by promoting economic and equal opportunities, security and development". http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_factsheet_emergency_trust_fund_africa_en.pdf
- ^{vii} http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/legal-migration/work/index_en.htm
- ^{viii} <http://www.consilium.europa.eu/en/policies/legal-migration/>
- ^{ix} http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/legal-migration/work/index_en.htm
- ^x <http://www.consilium.europa.eu/en/policies/legal-migration/>
- ^{xi} Notably, Operation Triton (2014-) in the Central Mediterranean and Operation Poseidon (2006-) in the Aegean. See also <http://frontex.europa.eu/about-frontex/mission-and-tasks/>
- ^{xii} http://europa.eu/rapid/press-release_IP-13-1253_en.htm
- ^{xiii} http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/asylum/general/docs/eu_action_plan_against_migrant_smuggling_en.pdf
- ^{xiv} http://eeas.europa.eu/csdp/missions-and-operations/eucap-sahel-niger/index_en.htm
- ^{xv} This involves, and is designed in three phases. The first phase was launched on 22 June 2015 and involved surveillance and assessment measures. The second phase proceeded from 7 October 2015, allowing for the search and if necessary the diversion of suspicious vessels. The third phase facilitates the disposal of vessels and other assets, as well as the apprehension of smugglers and traffickers. http://www.eeas.europa.eu/csdp/missions-and-operations/eunavfor-med/index_en.htm
- ^{xvi} <http://www.consilium.europa.eu/en/press/press-releases/2015/10/08-ija-return-policy/>
- ^{xvii} See <http://madenetwork.org/fr/latest-news/joint-african-and-european-recommendations-valletta-summit> for proposals from African and European civil society representatives.