



# THE EU TRUST FUND FOR AFRICA

Trapped between aid policy and migration politics

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The 'EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa' (the EUTF for Africa) is the financial instrument at the forefront of the EU's attempts to integrate migration politics, foreign policy and partnerships for development.

Our review of all the project proposals funded by the EUTF for Africa and the circumstances surrounding their adoption expose a new and worrying trajectory for development aid that is more closely linked with donors' migration policies, particularly stopping irregular migration. This poses a risk to development actors' ability to contribute to poverty and inequality reduction.

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This paper was written by Tuuli Raty and Raphael Shilhav, with substantial assistance from Evelien van Roemburg and input from Julie Seghers. Oxfam's regional workshop in Burkina Faso was facilitated by Cristina Fernandez-Duran and Elsa Febles. It is part of a series of papers written to inform public debate on development and humanitarian policy issues.

For further information on the issues raised in this paper please email [advocacy@oxfaminternational.org](mailto:advocacy@oxfaminternational.org)

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Cover photo: A member of an arts and crafts group in the Bermo region in Niger. People in the group learn ways of generating additional income in order to increase their resilience to climate change. Climate change is having a serious impact on pastoralist communities in the region. Photo credit: Tom Saater/Oxfam Novib.

# SUMMARY

In November 2015, European and African heads of state and government met in Valletta to agree on a common approach to addressing migration. Against the backdrop of a surge in anti-migration politics at home, European leaders came into the meeting with the hope of stopping irregular migration to Europe. African leaders, for their part, hoped to leverage the European sense of urgency for investment in their national priorities. In the political declaration that followed the summit, the parties announced that the 'EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa' (the EUTF for Africa) – a European financial instrument – would promote the Action Plan agreed at the meeting.

The EUTF for Africa has been the subject of much controversy. The EU and its member states saw the instrument as a speedy and flexible way to design and implement complex projects to address various aspects of development cooperation. Critics highlighted the risk of focusing on domestic political priorities at the expense of a coherent process of policy development, project design and consultation.

Since its inception in 2015, the EUTF for Africa's ways of working have changed in several respects. In response to the criticism from the European Court of Auditors, the European Commission announced that it would use the instrument for more limited purposes connected more closely with migration governance and displacement response. Public communication and visibility have also been improved significantly. However, the fundamental character of the EUTF for Africa as a flexible instrument has not changed, and it continues to respond to governments' needs and priorities, whether they are crisis-related or political.

Our research into the EUTF for Africa and the projects it funds reveals that spending of Official Development Assistance (ODA) is increasingly being tied to the EU's desire to stop irregular migration and reach agreements with African countries on the return of their nationals. The notes from the EUTF for Africa's Strategic Board meetings record multiple discussions about the need to allocate budgets to specific regions and countries in Africa in accordance with the nationalities of people arriving in the EU after crossing the Mediterranean. European government representatives and EU officials express their desire to use the EUTF for Africa in order to prevent arrivals of irregular migrants and enhance return efforts. They confirm the added value of the instrument in managing migration in and from Africa.

Indeed, the design and adoption of projects has been directly linked to the political migration dialogue between the EU and African countries. In several countries, for example Ethiopia, Niger, the Gambia and Morocco, development projects have been approved in parallel with progress in the negotiations of agreements on returns and readmission. On their side, African diplomats have expressed concerns regarding the European pressure on returns and the long-term implications it will have for sustainable development.

The influence of EU domestic policies is apparent not just in the circumstances surrounding EUTF for Africa projects, but in a number of projects themselves, often in the narrative section or even in the list of objectives and indicators. The success of some projects is measured by their contribution to 'an improved migration management' and 'a reduction to irregular migration flows to Europe'. This is the case

not just in projects directly related to migration governance, but also in some development projects supporting livelihoods opportunities and resilience-building. This raises concerns that donors expect ODA to promote their own interests abroad and, in some cases, this approach could also cause difficulties in project implementation. For example, when the success of resilient development projects is measured by the number of people choosing to remain in their region of origin at the end of a project's implementation period, this does not take into account the possibility of people being displaced by hostilities or environmental degradation. People may move out of harm's way with newly gained skills, but the target of reducing mobility will mean this is wrongly recorded as a failure.

In the period covered by Oxfam's research (November 2015 to May 2019), the EUTF for Africa approved projects worth €3.9bn. According to Oxfam's classifications (see our methodology in the Annex), funding for development cooperation stands at 56% of the instrument (€2.18bn), while spending on migration governance reaches 26% (€1.011bn) and spending on peace and security components reaches 10% (€382m) of the total fund. 2% of the EUTF for Africa (€83.1m) is allocated to research and learning projects, and 6% (€243.8m) is allocated to projects which could not be classified because of insufficient detail. Investment in projects directly connected to migration management and border controls increased in 2018–19 in comparison with 2015–17, at the expense of development cooperation projects. Just €56m is allocated to fund regular migration schemes between African countries or between Africa and the EU. This represents less than 1.5% of the total worth of the EUTF for Africa.

It is impossible to reach conclusions that would apply to all the projects, themes and geographical windows that the EUTF for Africa covers, yet the trends set by the instrument and its management structure are clear. As the European institutions and member states are developing the policies and financial architecture that will determine their actions in the next Multiannual Financial Framework, European development aid and international partnerships will be increasingly linked with European domestic political priorities, as will development finance.

Between 2015 and 2019, the EU and its member states addressed migration-related projects with a crisis response approach, including through the EUTF. European political dynamics dictated that EU leaders committed resources to stopping irregular migration towards Europe and leveraged all tools at their disposal to achieve this.

The EU's future financial instruments should not be based on the same crisis response model and must support a more structural approach to migration governance. While the aim of integrating migration dialogues into foreign policy is a legitimate one, the EU's primary concern should be to maintain its policy coherence for development and ensure that all its actions promote stability, democracy, sustainable development and respect for human rights. The EU should ensure that migration-related projects are developed in partnership with all relevant stakeholders to achieve intended goals with respect for human rights and human dignity, in line with the EU's values and interests.

# RECOMMENDATIONS

## Recommendations for the design of new financial instruments to address migration and development

Lessons learned from the design and implementation of the EUTF Africa include the following:

- **The allocation of aid to partner countries should not be conditional on their cooperation with the EU's demands regarding returns and readmission or border management.** The EU should work with its partners to develop a political environment of democratic accountability, with the participation of communities in decision-making processes regarding the use of funds. Positive rewards for regimes that rely on military interventions to reduce human mobility may undermine respect for human rights, democracy and resilience.
- **The flexibility of the EU's financial instruments should be balanced by a clear structure that ensures their use in line with development and humanitarian objectives and principles.** ODA should support poverty eradication, the reduction of inequality and the meeting of humanitarian needs. It must not be diverted to promote donors' domestic objectives, including foreign policy objectives. As far as possible, migration objectives should be clearly framed within the context of the Global Compact for Safe, Orderly and Regular Migration, national indicative programmes and bilateral agreements, the specific text of which should be made public. Migration-related spending should adhere to clear and mutually-agreed frameworks of cooperation, not to emergency instruments such as the 'Emerging challenges and priorities cushion' of the next European Neighbourhood, Development and International Cooperation Instrument (NDICI), which are potentially open to political manipulation.
- **Migration-related spending should aim to reduce vulnerabilities, address needs and promote resilient development. The amount of spending should be decided according to evidence-based projections, not on political positioning.** Displacement situations resulting from conflicts or climate-related emergencies require the EU's attention and the people affected need support. The EU should allocate enough funding in its next multiannual financial framework for early preparedness, humanitarian responses and development programmes, based on a projection of global needs. Allocating funds disproportionately to needs will result in EU financial resources being stretched or spent unnecessarily.

## Recommendations for the design of new projects under the EUTF for Africa and for actors implementing existing projects

The political attention that migration-related projects have received in recent years has led to notable changes in this field. While funding has increased significantly, new actors are involved in the design of programmes and political interests may be playing a part in project design in ways that were unknown before 2015. Organizations and agencies that apply for funding from the EUTF for Africa and implement its projects must be vigilant to ensure that their work is promoting humanitarian and development objectives and does not have a negative impact overall. Specifically:

- **When designing migration-related projects, the European Commission should ensure that each action document provides information on the projects' ex-ante evaluation (feasibility assessment), and includes a risk assessment, context analysis and, where relevant, conflict analysis.** Where a risk is identified – particularly for projects that may have a negative impact on human rights – a mitigation plan should be in place, including clear decisions on the circumstances that would justify the suspension of the project. In development work, when the level of risk is higher, it is standard practice for the level of due diligence and risk management efforts to also increase. Special attention should be given to a gender-sensitive analysis and consideration of the involvement of women in the design and implementation of projects. Implementers should assess new developments on a regular basis and adapt projects according to changing circumstances. The European Commission and Council should also make publicly available information on the circumstances under which projects were approved, such as informal return agreements.
- **NGOs and development agencies should develop strategies for the design and implementation of development projects in the context of human mobility.** These strategies should take into account both negative and positive impacts that human mobility could have on sustainable development, ranging from the risks associated with forced displacement to the benefits linked with circular labour migration and remittances.
- **NGOs and development agencies, together with other stakeholders such as donors and programme participants, should engage in discussions on how to measure the success of development projects in the context of human mobility.** This includes assessing if and when success should be measured by the number of people choosing to stay in their community, or if success can be measured even after people have left their homes due to external factors – whether positive or negative. Projects and measurements should be flexible enough to adapt to changing circumstances in volatile environments.

## **Recommendations for monitoring, learning from and evaluating the impact of migration-related development assistance**

Given the particular risks attached to migration-related spending, both in terms of unintended consequences on the well-being and rights of people on the move, and in terms of non-compliance with ODA eligibility requirements, enhanced oversight and scrutiny is critical, through proper monitoring, learning and evaluation mechanisms.

- **The ex-post monitoring and evaluation of migration-related funding should increase.** The European Commission should make its monitoring and evaluation documents publicly available. In particular, annual reports on high-risk projects, such as cooperation with partner countries' border agencies and coastguards, should be made public and scrutinised by the European Parliament. In addition, financial instruments that facilitate spending on migration-related projects should be closely monitored by the European Parliament, the European Court of Auditors and the OECD's Development Assistance Committee (through the DAC Peer Reviews of European development cooperation).
- **The monitoring of migration-related funding should increase, both ex-ante and ex-post.** The financial instruments that facilitate spending on migration-related projects should be monitored by the European Parliament, the European Court of

Auditors and the OECD DAC. This monitoring will require insight not only into the logical framework of the approved projects, but also the circumstances under which projects were approved, such as informal returns agreements. The European Commission and European Council should make this information publicly available.

- **The European Commission and other donors should make use of the OECD DAC migration reporting code where relevant** to ensure appropriate monitoring by peers and civil society. In 2018, the OECD's Development Assistance Committee approved a new reporting code by which donors can identify and report ODA that is designed for 'facilitation of orderly, safe, regular and responsible migration and mobility'. The practice of allocating large amounts of resources for this purpose is still developing and most DAC donors, including the EU, have not yet started to report against the OECD's code. Yet this reporting is key to enhancing transparency and scrutiny of donor support for migration-related activities.
- **The OECD DAC should follow through on its 2018 commitment<sup>1</sup> to conduct a review of projects reported by donors under the new migration code to verify their ODA eligibility.** The review should give specific attention and scrutiny to projects focusing on the capacity building of immigration services and border management assistance, repatriation assistance and awareness-raising to combat irregular migration, given the particular risks attached to such projects. The DAC should publicly share the detailed results of the review.

# 1 INTRODUCTION

In November 2015, African and European heads of state and government met in Valletta to agree a common approach to addressing migration. The meeting took place at the end of a challenging political year, with more than 1 million people seeking asylum in European member states – an unprecedented number of arrivals in the EU’s history. European leaders were struggling to develop a common approach to managing the EU’s own responsibility-sharing mechanisms, and instead they hoped to shift more of this responsibility to their African partners. They convened the Valletta Summit on Migration, and following negotiations agreed the Valletta Action Plan. The plan was designed to:

1. address the root causes of irregular migration and forced displacement;
2. enhance cooperation on legal migration and mobility;
3. reinforce the protection of migrants and asylum seekers;
4. prevent and fight irregular migration, migrant smuggling and human trafficking; and
5. work more closely to improve cooperation on return, readmission and reintegration.<sup>2</sup>

At the summit, the leaders also officially launched a new European financial instrument, the ‘EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa’ (EUTF for Africa). The EUTF for Africa pooled financial resources from member states, the European Development Fund, and from across the EU budget to create a flexible funding mechanism focused around the Valletta Summit priorities. The Directorate Generals that contribute to the EUTF for Africa are the DG for International Cooperation and Development (DEVCO), the DG for Migration and Home Affairs (HOME), the DG for Neighbourhood and Enlargement Negotiations (NEAR) and the DG for European Civil Protection and Humanitarian Aid Operations (ECHO). The vast majority of projects funded by the EUTF for Africa are reported as Official Development Assistance (ODA).

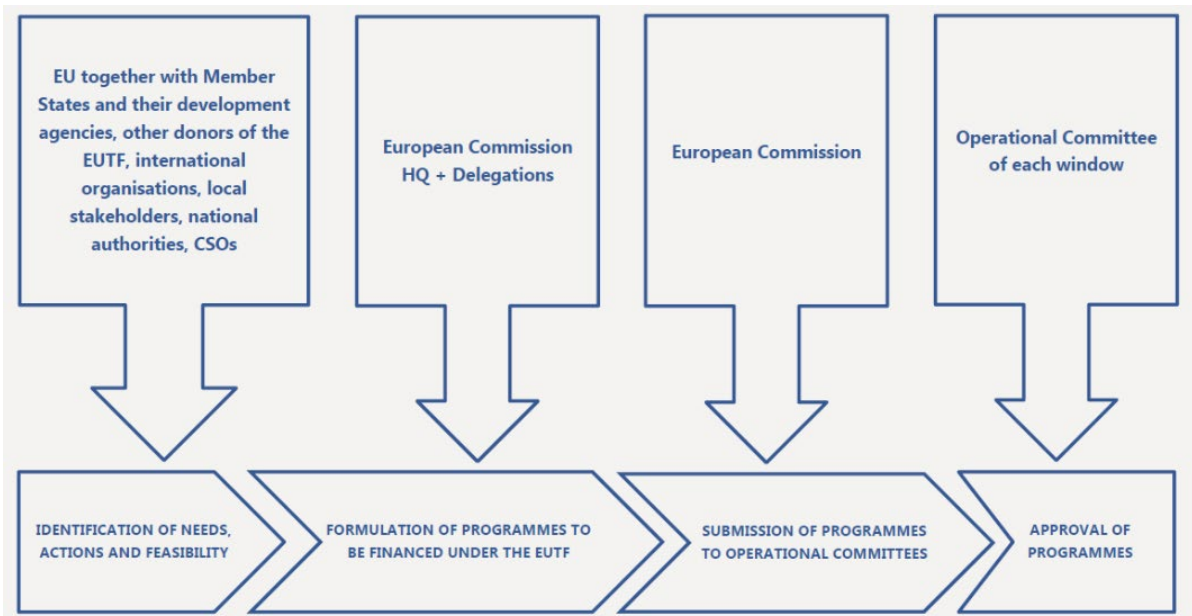
## 1.1 THE POLITICAL CONTEXT

As a financial instrument, the EUTF for Africa does not follow a programme of action that is agreed in advance. Rather, it follows flexible processes that adapt to the context and needs that are identified ‘on the spot’ – which both donors and implementing partners see as the instrument’s most prominent feature.<sup>3</sup> Based on meetings with European Commission representatives, it seems that most projects are proposed and designed by member state embassies and EU delegations in partner countries, often in coordination with the partner governments.

The final decisions on project funding are made by the regional Operational Committees which manage each of the EUTF for Africa’s three geographic regions, or ‘windows’: the Horn of Africa, the Sahel and Lake Chad, and North Africa – under the guidance of the EUTF for Africa Strategic Board. The Strategic Board and the regional Operational Committees are all chaired by the European Commission and include representatives from the European External Action Service, member states and other donors that have contributed more than €3m to the EUTF for Africa.<sup>4</sup>



**Figure 1: How are programmes identified and formulated?**



Source: European Commission, EU Trust Fund for Africa website: [https://ec.europa.eu/trustfundforafrica/content/how-does-it-work\\_en](https://ec.europa.eu/trustfundforafrica/content/how-does-it-work_en)

In November 2017, Oxfam published the paper *An Emergency for Whom? The EU Emergency Trust Fund for Africa*, an analysis of the EUTF for Africa’s ways of working and objectives. The report demonstrated that, given the convoluted nature of the Valletta Action Plan, the EUTF for Africa was not governed by a clear and coherent policy. We also concluded that the flexible nature of the EUTF for Africa is a double-edged sword, as it provides an opportunity for donors to promote their own domestic political priorities rather than follow a coherent process of policy development, project design and consultation.<sup>5</sup> The concerns raised in the report resonated with the findings of others, including the European Court of Auditors.<sup>6</sup>

Since then, the EUTF for Africa’s ways of working have changed in several respects. In response to the criticism from the Court of Auditors, the European Commission announced that the Strategic Board had agreed on a narrowly defined list of priority criteria to direct the Operational Committees’ decisions on projects for their respective windows. These criteria were defined around issues concerning the returns process, migration governance, EU-African migration dialogue, comprehensive refugee response, securitisation and stabilisation.<sup>7</sup> Public communication and visibility around the EUTF for Africa have been improved significantly, and a consultancy firm was contracted to monitor the instrument’s performance.

However, the fundamental character of the EUTF for Africa as a flexible instrument has not changed, and it continues to respond to the needs and priorities identified by European and African governments, whether they are crisis-related or political. For example, the notes from the fifth Strategic Board meeting in September 2018 include a statement by the Spanish representative, highlighting ‘the recent increasing trends in terms of migration flows (Western African route)’ and calling for ‘additional support to the North of Africa region, and in particular Morocco, in order to prevent arrivals to Spain of irregular migrants’.<sup>8</sup> At the same meeting, the German representative stated ‘that migration governance remains a priority area aiming at reducing arrivals in Europe and enhancing return and reintegration efforts’.<sup>9</sup>

The political motivations behind the EUTF for Africa were also evident in the sixth Board meeting in July 2019, in which the Chair, Stefano Manservigi, Director-General of DEVCO, stated that the EUTF for Africa has ‘confirmed its added value in [*inter alia*] reinforcing political and policy dialogue with partner countries’.<sup>10</sup> The Director-General of DG NEAR, Christian Danielsson, added that the EUTF for Africa has also ‘confirmed its added-value in supporting an effective management of migration flows from, to and within the [North Africa] region’.<sup>11</sup>

As this analysis will show, there are clear links between the EUTF for Africa and the EU’s Migration Partnership Framework, which aims to ‘fully integrate migration in the European Union’s foreign policy’.<sup>12</sup> Under this framework, the EU and its member states have negotiated a number of – mostly informal – agreements with third countries to reduce the numbers of people arriving irregularly at European borders.<sup>13</sup> Across EU policy documents, the ‘strategic use of the Trust Fund’ is encouraged to ensure ‘full coherence between cooperation actions devoted to migration issues and the High-Level Dialogues [on migration]’.<sup>14</sup> In practice, this means that Justice and Home Affairs objectives are increasingly directing the allocation of funds for development aid and emergency responses.

Importantly, the political steer from the EUTF for Africa’s governance structure does not necessarily manifest in every project. Organizations that implement EUTF for Africa-funded projects (including Oxfam, which implements projects in the Sahel and Horn of Africa regions) report mixed levels of confidence in the objectives and ways of working that were chosen for their area of intervention. In many cases, projects are designed to promote the rights and resilience of refugees, people affected by conflict, or people at risk of being displaced from their home. However, all NGOs indicated the need to be prudent about the political environment in which EUTF for Africa projects are proposed and designed, due to the involvement of political actors in the design of the instrument’s overall approach.

Our review of the projects approved under the EUTF for Africa and the circumstances around their adoption confirms these concerns. The evidence shows that development aid is increasingly used as leverage to pressure countries in Africa to cooperate with European demands to combat irregular migration or accelerate the return of migrants. While this may increase the integration of migration management into the EU’s external action, in many cases it undermines coherence within this action, especially between its foreign policy and development objectives.

One of the earliest tests for the EU’s approach was its pressure on Mali to sign an agreement on the readmission and return of Malian nationals from Europe. The Dutch Foreign Ministry announced the agreement in December 2016, but days later the Malian Ministry of Foreign Affairs issued a denial that any agreement had been reached. Reportedly, this was because of mounting concern among the Malian population that the government was reducing its compatriots’ ways of making a living and sending remittances home.<sup>15</sup>

In meetings held by Oxfam during 2019, African diplomats explained that EU pressure on them to facilitate the return of failed asylum seekers is undermining their government’s relationship with its citizens, who expect it to promote sustainable and safe development options.<sup>16</sup> One diplomat said that people are returned from the EU with no money and are ashamed to go back to their villages, so they stay on the streets of the capital city. The diplomat went on to say that, if the EU allowed their

citizens to work or learn some skills while they waited for decisions on their asylum cases, the country would have something to show for its willingness to cooperate.

In other meetings, European Commission officials confirmed that the EU leaders' pressure on North African countries to take in asylum seekers who try to reach Europe via the Mediterranean has caused North African governments to delay the adoption of national legislation that protects the rights of refugees. According to these officials, their North African counterparts were worried that if they adopt laws protecting the rights of refugees, the EU will use this to turn their countries into asylum processing centres.<sup>17</sup>

Several think tanks and research centres have pointed out that the integration of migration politics into the EU's foreign policy has also had a negative effect on stability and security in key countries. Most notoriously, the EU's cooperation with, and funding for, the Libyan coastguard has been criticised for reinforcing trafficking and the arbitrary detention of refugees in 'hellish' conditions.<sup>18</sup> Similar concerns have been raised around the EU's interventions in Niger, where EU pressure to change laws and policies led to a reduction in the community's access to livelihoods and its trust in local government.<sup>19</sup>

Our analysis, detailed below, calls for a continued examination of the added value of the EUTF for Africa and constant monitoring of the unintended negative impacts. The final section of this report proposes ways in which this can be carried out effectively.

#### **Box 1: EUTF for Africa allocations by region**

The EUTF for Africa is worth more than €4.5 billion, with over 89% of the contributions coming from the EU and around 11% from EU member states and other donors.

**Since 2015, the EC has reported the following allocations to each window (region):<sup>20</sup>**

**North of Africa: €659.2m**

Eligible Countries: Morocco, Algeria, Tunisia, Libya and Egypt.

**The Sahel and Lake Chad: €1.95bn**

Eligible Countries: Burkina Faso, Cameroon, Chad, Côte d'Ivoire, the Gambia, Ghana, Guinea, Mali, Mauritania, Niger, Nigeria and Senegal.

**Horn of Africa: €1.41bn**

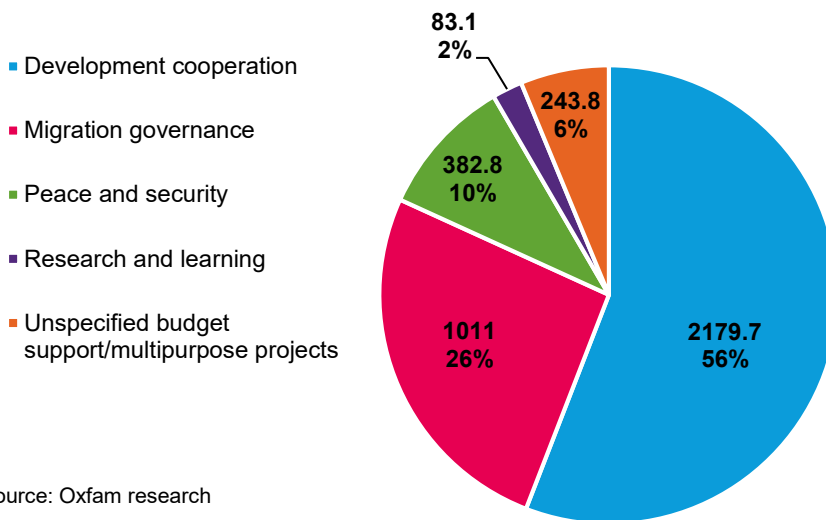
Eligible countries: Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan, Tanzania and Uganda.

## 2 REGIONAL ANALYSIS

Our report in November 2017 found that two-thirds of the EUTF for Africa was allocated to development-focused projects. Most of them were approved with the objective of ‘addressing the root causes of migration’, a narrative which our report rejected.<sup>21</sup> Since then, the share of projects focusing on development cooperation has reduced significantly, to 48%. When reviewing all projects since the inception of the EUTF for Africa in 2015, the total amount of development cooperation projects reaches 56% (€2.18bn), compared with 63% in our last report. Only €56m is allocated to fund regular migration schemes between African countries or between Africa and the EU. This represents less than 1.5% of the total worth of the EUTF for Africa.

Since our report, there has been an increase in funding for migration governance projects (a rise from 22% before the end of 2017 to 29% in the period since). In the same period, there has also been an increase in the approval of direct budget support for partner countries which was not earmarked for a specific objective, and projects addressing multiple sectors.

**Figure 2: Budget allocations across all windows between November 2015 and August 2019**



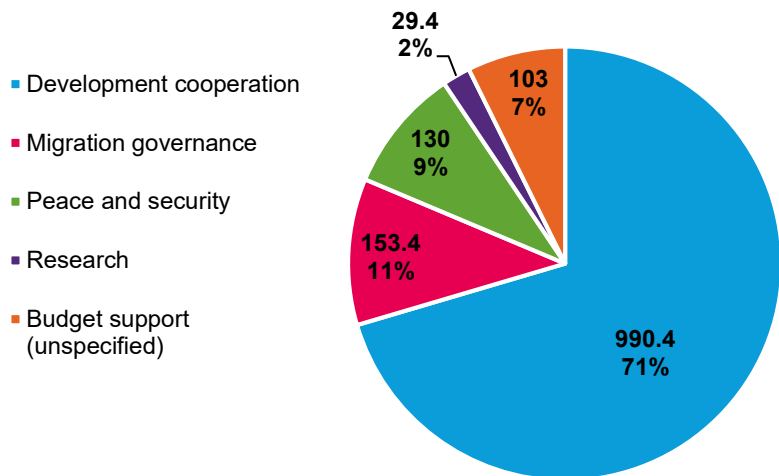
Source: Oxfam research

The EUTF for Africa has also increased its funding for projects implemented in more than one country, which the EC refers to as ‘regional’. There are 22 regional projects approved for the Sahel, worth nearly €440m, and 16 regional projects in the Horn of Africa, worth €272.3m. North Africa, the smallest of the windows, implements only eight regional projects worth €115.7m. The EUTF for Africa also includes six cross-window projects worth €158.5m, most of which support research and learning programmes. One cross-window project (€115m) supports the evacuation, return and reintegration of migrants from Libya to Niger.<sup>22</sup>

The top recipient countries in the EUTF for Africa are Somalia (€307.5m), Libya (€282.2m), Ethiopia (€270.2m), Niger (€253m) and Mali (€214.6m).

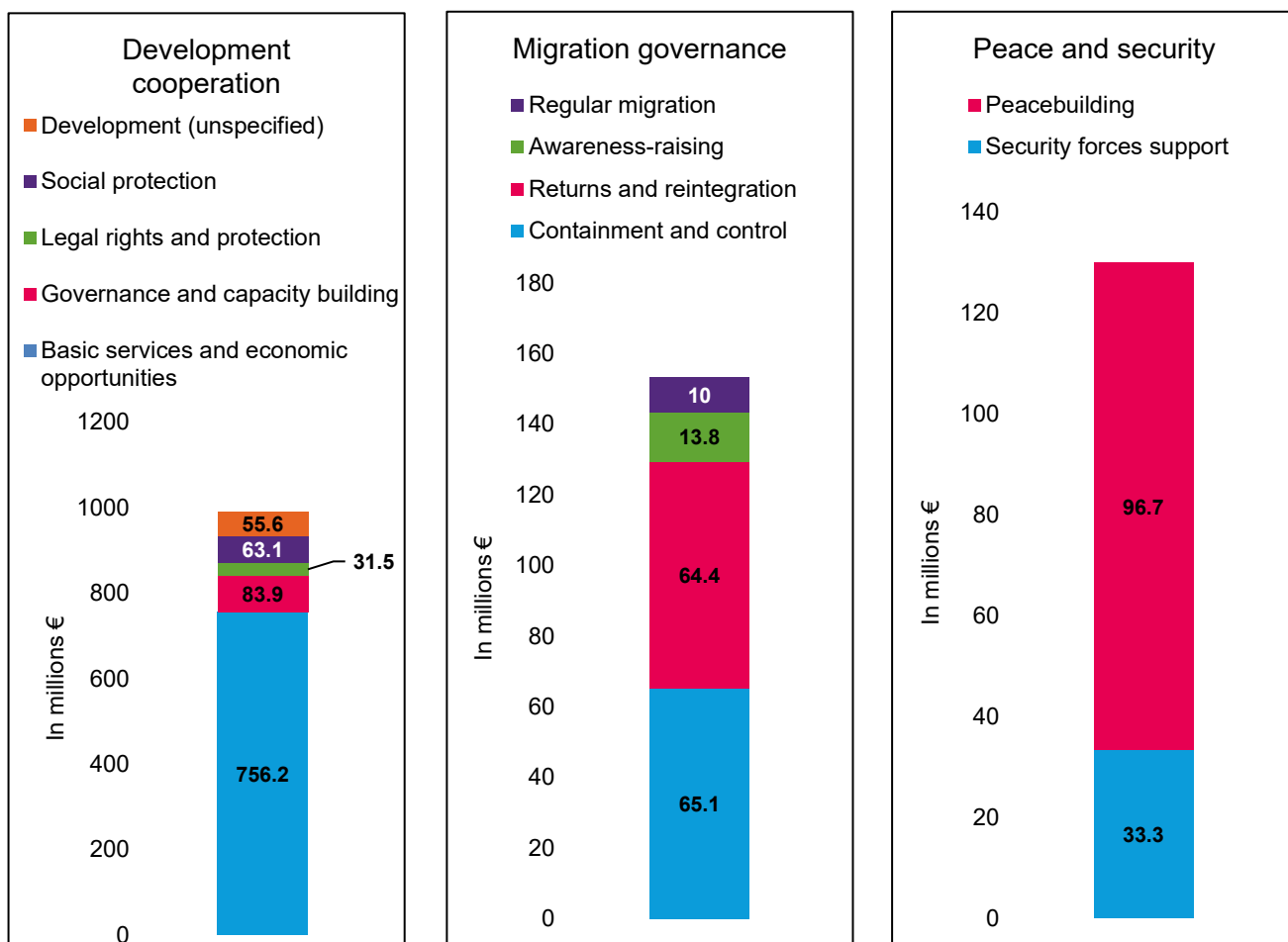
## 2.1 THE HORN OF AFRICA WINDOW

**Figure 3: Budget allocations to the Horn of Africa window between November 2015 and August 2019**



Source: Oxfam research

**Figure 4: Allocations by subcategory**



Source: Oxfam research

Out of the three EUTF for Africa regions, the Horn of Africa window is the most development-focused, with 71% of funding going to development programmes. This focus, and specifically an increase in funding for social protection,<sup>23</sup> are linked to the implementation of the Comprehensive Refugee Response Framework (CRRF), which seeks to increase refugee protection and self-reliance. Implementation of the CRRF was identified as a priority at the Board meeting of April 2018, and a total of €265m has been committed to supporting the implementation of the CRRF, according to the EUTF for Africa 2018 Annual Report.<sup>24</sup>

Another policy process influencing the funding decisions for the Horn of Africa window is the Khartoum Process, which facilitates political cooperation between African and European countries, with the primary focus on fighting human trafficking and smuggling, discussing cooperation on human mobility and facilitating returns. The process was initiated by Italy in 2014 under its EU Council presidency. In recent years, Germany has taken a leading role as the implementer and co-financer of the EUTF-funded Better Migration Management (BMM) programme, the first key project under the Khartoum Process.<sup>25</sup> Additional EUTF for Africa support for returns consists of €15.15m in support to Ethiopia<sup>26</sup> and €14.3m for the regional Facility on Sustainable and Dignified Return and Reintegration that supports the Khartoum Process.<sup>27</sup>

## 2.1.1 Ethiopia

Ethiopia hosts one of the largest refugee populations in Africa. At the end of September 2017, it hosted more than 883,000 refugees, mainly from neighbouring countries.<sup>28</sup> As the second-most populous country in Africa after Nigeria, Ethiopia also accounts for the largest numbers of migrant and refugee movements in the Horn of Africa. It is therefore one of the priority countries in the EU's external migration policy and, in 2016, was designated as one of the six focus countries in the Migration Partnership Framework. Ethiopia's importance to the EU's external migration policy is reflected in the EUTF for Africa funding allocations, from which it has received €150.7m since December 2017, and €270.2m in total.

In 2017, the EU reached an agreement with the Ethiopian authorities on readmission procedures for Ethiopian nationals going back to Ethiopia. The negotiations took place in private and no documentation was shared with the European Parliament. The resulting arrangements apply to both voluntary and forced returns, but the EU insists that the arrangement does not have the status of an international agreement. When a draft of the arrangement was leaked,<sup>29</sup> civil society organizations and MEPs raised concerns that, under the agreement, the EU could share the personal data of Ethiopian nationals with the Ethiopian National Intelligence and Security Services (NISS) which – under the previous government – have been accused of killing and detaining protestors.<sup>30</sup> Nonetheless, returns of Ethiopian nationals have almost doubled from 2016 (210 people returned) to 2018 (400 people returned).<sup>31</sup>

There is a close link between the periods when the EUTF for Africa approved projects for Ethiopia and progress in the negotiations on readmission procedures. Between the establishment of the EUTF in December 2015 and October 2016, the EUTF allocated €119.5m of funding to Ethiopia, focusing on the provision of basic services. After November, no additional funding was approved for Ethiopia. In June 2018, Simon Mordue, then-Deputy Director General for Migration at DG HOME, told members of the European Parliament that 'solutions at EU-level can add real value' compared to readmission agreements at member state-level. He explained that in some cases, readmission agreements are politically sensitive for the country of origin, which is why

'sometimes practical arrangements are necessary, particularly ... where our partners do not want to conclude formal readmission agreements.'<sup>32</sup> Mordue also specifically mentioned Ethiopia as one of the 'less cooperative countries in the past [that] are now finally taking full responsibility for their own nationals who have no right staying in the EU and are now implementing the procedures which have been agreed for their identification and documentation.' The links between the EUTF for Africa and the European political agenda on migration were also apparent in the response to MEP Judith Sargentini's written question on the EU's cooperation with Ethiopian authorities, in which the European Council pointed to the EU's engagement with Ethiopia 'through the financial instruments aimed at promoting and facilitating the implementation of the Partnership Framework, in particular the EU Trust Fund'.<sup>33</sup>

The arrangement between the EU and Ethiopia was finally agreed in December 2017 and approved by the European Council in January 2018. It included a European commitment to 'support the Ethiopian authorities in the reintegration of Ethiopians ... through appropriate dedicated projects.'<sup>34</sup> Also in December 2017, the EUTF for Africa resumed funding for projects in Ethiopia, with €150.7m of funding, including €50m of budget support to the Ethiopian government<sup>35</sup> and €81m of development funding. In February 2018, the EU announced €15.15m of funding for the Ethiopian authorities to facilitate the return of Ethiopian nationals from Europe to Ethiopia.<sup>36</sup> The EU is also supporting return and reintegration in Ethiopia through a €20m regional action<sup>37</sup> implemented by the International Organization for Migration (IOM), as well as supporting the Ethiopian migration management authorities through the €30m BMM Programme (Phase II).<sup>38</sup>

## 2.1.2. Sudan

Sudan is host to nearly 2 million internally displaced persons and 1 million refugees; it is also a country of transit for migrants from Eritrea, Ethiopia and Somalia. The country-specific actions in Sudan launched by the EUTF since August 2017 have all been development-focused, with €39.9m for basic services, economic opportunities and resilience building; €42.5m for protection; and €3.9m for governance. However, migration management dominates EU-Sudan relations through the regional BMM programme that was launched with €40m of funding in 2015, covering Djibouti, Eritrea, Kenya, South Sudan, Sudan, Somalia, Uganda and Ethiopia.<sup>39</sup> The project aims to strengthen the capacities of national governments in the Horn of Africa to control their borders and implement tighter migration management measures.

In April 2017, the Enough Project raised concerns about the risk of the EU training and providing equipment to repressive tribal militias allied with the previous government as part of the BMM project, and warned against funding and legitimising forces that are known for their violence and violations of human rights.<sup>40</sup>

In June 2017, the European Commission and the German Society for International Cooperation (GIZ) authored a concept note on the Sudan part of the BMM programme and responded – indirectly – to the concerns raised. According to the note, the BMM activities 'need to include security personnel to successfully achieve the main objective' of improving migration management.<sup>41</sup> The document also notes the need to engage different federal, state and local actors and to provide equipment. Yet it recognises that cooperation with Sudan is implemented in a 'highly challenging environment' and that special attention must be focused on the possibility of unwittingly including militia members in projects, 'as well as a strong concern for corruption or involvement of government structures in smuggling and trafficking activities and the

potential detrimental effect this could have on project activities and results.’<sup>42</sup> To avoid this risk, the note proposes risk management measures and a checklist which included restrictions on the areas of intervention and strict participation criteria for every police training activity.

In 2019, it was reported that the EU and GIZ suspended the implementation of the BMM project in Sudan after the wave of demonstrations which swept the country in December 2018 and the ousting of President Omar al-Bashir the following April.<sup>43</sup> Another EUTF for Africa project, funding the establishment of an intelligence centre for information sharing between governments in the Khartoum Process, was also suspended as the plan had been for it to be hosted by the Sudanese police. Its operation has reportedly shifted to Nairobi.<sup>44</sup>

A lack of public communications on this from the European Commission or any of the participating member states (France, Germany, Italy, the Netherlands and the United Kingdom) makes it difficult to assess whether the BMM funding in Sudan was suspended in time to prevent its use by security forces suppressing demonstrations. Similarly, the European Commission’s EUTF for Africa website includes many indicators that measure the impact of the BMM project in terms of the number of institutions assisted, or migrants impacted or reached by information campaigns, but does not have a more holistic assessment of the project’s impact on the resources, standing and actions of the security forces it has been supporting in the region. Nonetheless, phase II of the BMM programme was launched in May 2019 with €30m of additional funding available for the countries covered in the first phase, as well as Egypt, Libya and Tunisia.<sup>45</sup>

### **2.1.3 Somalia**

Somalia receives the largest amount of EUTF funding (€244.5m since December 2017 and €307.5m in total), with almost half of this in the form of direct budget support. Under the Somalia State Building and Resilience Contract,<sup>46</sup> the EUTF for Africa allocated €103m as budget support for the provision of basic services and improving financial management. This support enables the government to improve its systems and build a track record of managing its finances. This is essential for Somalia’s debt relief efforts – particularly as most donors remain cautious about supporting the Somali government. Similarly, the €83m Inclusive Local Economic Development programme<sup>47</sup> provides much-needed support for stabilisation, governance, economic opportunities and basic services.

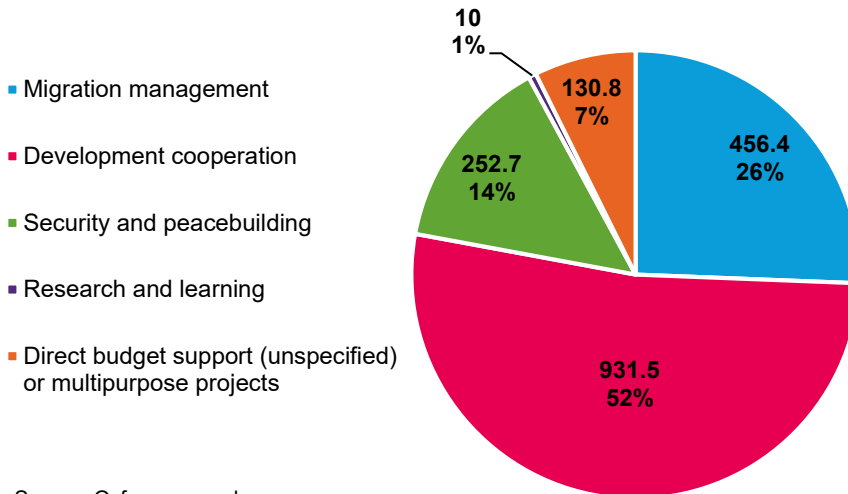
The EUTF for Africa has also provided €40m of funding to security sector governance and the judicial system in Somalia,<sup>48</sup> in a joint project focused on increasing the police force presence and people’s access to the judicial system. Notably, the project aims to increase accountability but, at the same time, EU involvement in Somali affairs. The expected results include ‘improving political and civilian oversight and accountability so that the relevant security-related line ministries [...] are capacitated to carry-out their full spectrum of responsibilities’ and ‘enabling legislative and other relevant bodies to exercise an increased control over the security forces’ while simultaneously aiming to strengthen the ‘EU’s ability to understand and engage with senior Somali governmental officials’.<sup>49</sup> The project also includes payment of police salaries and procurement of non-lethal equipment. This project entails high levels of risk, including lack of local ownership, risk of the security situation worsening, and violations of human rights committed by recipients of EU support. The project documentation commits it to continuous monitoring against corruption, investing in advocacy on human rights



issues and remaining politically engaged in support of the Somali federal project. We were unable to obtain the outcomes of this monitoring.

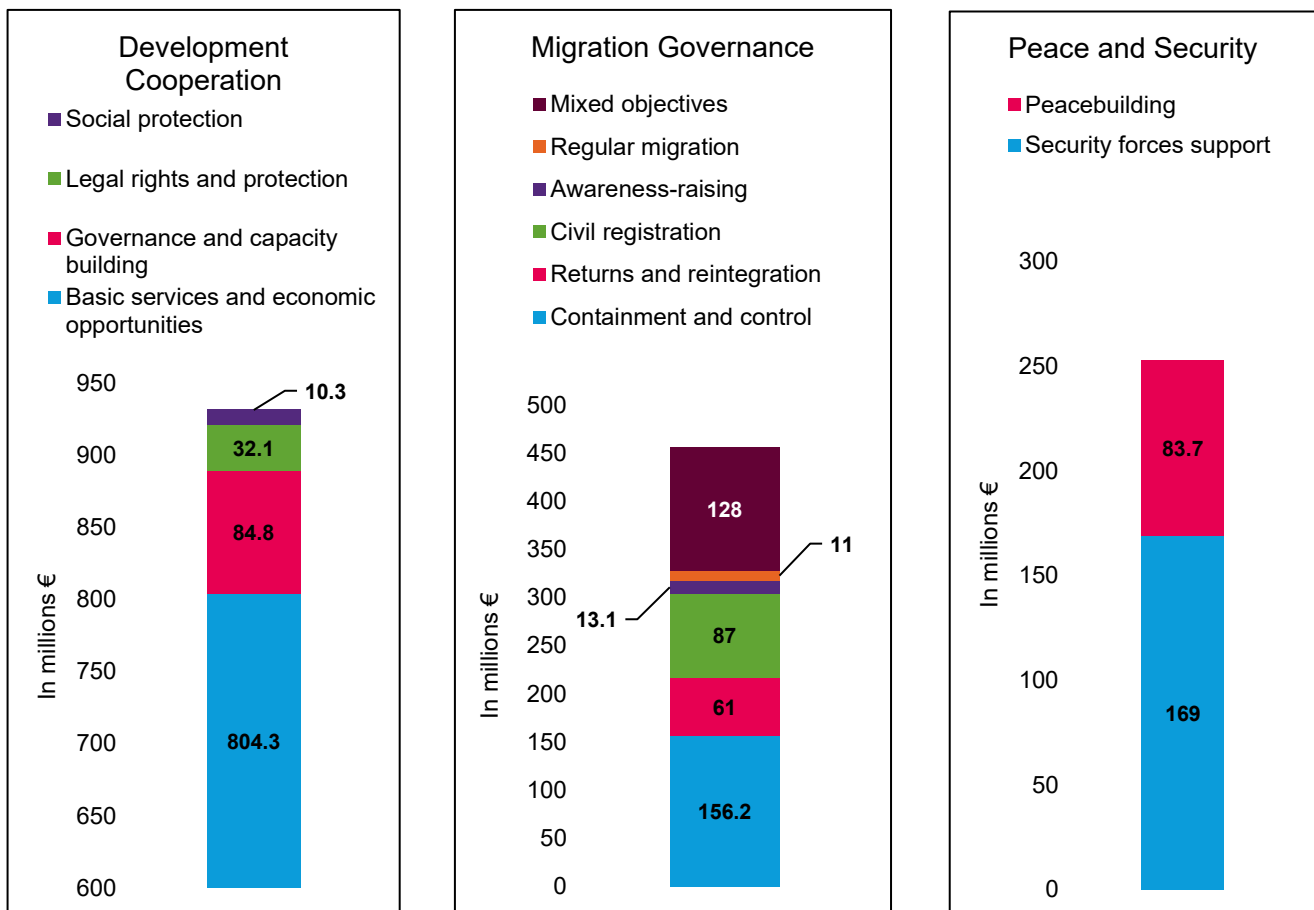
## 2.2 THE SAHEL AND LAKE CHAD WINDOW

**Figure 5: Budget allocations to the Sahel and Lake Chad window between November 2015 and August 2019**



Source: Oxfam research

**Figure 6: Allocations by subcategory**



Source: Oxfam research

The Sahel and Lake Chad window, perhaps more than the other two windows, is implementing a regional approach. Since 2015, the EU has invested €439.4m in regional projects that are implemented in more than one country. This is the largest geographical investment in the entire EUTF for Africa.

The EU views the Sahel through multiple lenses, most of which relate to crises. European strategies towards the Sahel often describe it as a vast area lacking the presence and control of governments in the face of regional insecurity; a region suffering from repeated food crises; and an area facing growth in its youth population. The EU's 'Strategy for Security and Development in the Sahel' of 2011<sup>50</sup> and the Sahel Regional Action Plan (RAP) for 2015-2020<sup>51</sup> characterise its approach, mixing narrow political interests such as the need to fight 'migration pressure' with genuine concern for the people of the region and a desire to invest in partnership with the region's governments.

The EUTF for Africa's Sahel and Lake Chad window largely follows a similar intervention logic, designed to support the EU's approach in the region. For example, one regional project that aims to increase coordination between security and development activities defines the context as a 'multidimensional crisis', in which 'instability is particularly critical in remote, cross-border and historically neglected areas, where the local administration is predominantly missing and basic social services are not secured. This feeds the risk of irregular migration'.<sup>52</sup> Many other projects in the region are designed to facilitate the readmission and return of West African nationals back to their home country, through EUTF for Africa support to the EU-IOM joint initiative for migrant protection and reintegration.<sup>53</sup>

Since our last report in December 2017, €789.6m of funding has been approved in the Sahel and Lake Chad window. Half of this is allocated for development projects, focusing on basic service delivery and creating economic opportunities (€335.2m). A little over a quarter (€207.8m) funds migration management projects and, of this, €77m is allocated for regional return and reintegration projects. This window also includes €100m for the UNHCR-IOM Emergency Transfer Mechanism, which evacuates refugees and migrants out of Libya and then either resettles or returns them, depending on their eligibility.<sup>54</sup>

It is also worth noting that many of the development projects launched in Ghana, the Gambia and Nigeria are linked to the reintegration of refugees from Europe to their countries of origin.

The Sahel and Lake Chad have the highest amount of funding for peace and security across the three windows, with €49.7m for security force support and €46.1m for community-based peacebuilding. Funding for peace and security is focused on the G5 Sahel countries (see below), linked to EU cooperation on security and development. In contrast, there is relatively little investment in projects that focus on governance reforms (€18.1m).

## **2.2.1 Support to the G5 Sahel**

In 2014, the leaders of Burkina Faso, Chad, Mali, Mauritania and Niger created the G5 Sahel, an intergovernmental cooperation framework to fight insecurity, which has been supported by a cross-border Joint Force since 2017. In 2017, the G5 countries and key donors – France, Germany and the EU, along with the African Development Bank and

the UNDP – also established the Sahel Alliance, a forum to increase cooperation in priority areas of development assistance.<sup>55</sup>

The EU has been using the EUTF for Africa to increase its cooperation with the G5 Sahel, its Joint Force and the Sahel Alliance. Half (€373m out of €789.6m) of the funding released through the Sahel and Lake Chad window since December 2017 has been designated for the Sahel G5 countries, with €125.4m provided for basic services, economic resilience and protection of refugees, and €77.5m for migration containment or security forces support. The latter included €5m to increase the state's presence in the border regions of Burkina Faso,<sup>56</sup> €10m to increase the presence of Malian security forces and enforce the Malian authorities' control over their territory,<sup>57</sup> and €10m of budget support to the Chadian security forces to strengthen border control between Chad, Niger and Cameroon.<sup>58</sup>

The EUTF for Africa support to the G5 Sahel countries is one part of a broader partnership that encompasses security, development and migration cooperation,<sup>59</sup> and the level of independence between these three objectives is the subject of debate. As detailed below, many development projects in the Sahel and Lake Chad window are linked to donors' expectations that development opportunities are used to promote more West African nationals returning to their home countries, or to reducing the number of people leaving the region to move towards Europe. In some cases, these expectations have caused friction between the EU and African countries.<sup>60</sup>

The EU recognizes the importance of regional and cross-border mobility for people in the border areas in the region, as a source of development opportunities and resilience against risks.<sup>61</sup> Despite this, it is questionable to what extent the EUTF for Africa is implementing projects that maximize the benefits of mobility. Only two regional programmes fund regional mobility in West Africa and the Horn of Africa, through Erasmus+ student exchange programmes with the EU.<sup>62</sup> However, according to the Sahel and Lake Chad window monitoring report, as of May 2019 only three people have benefitted from legal migration and mobility programmes.<sup>63</sup> At the same time, several project action documents include the expectation that development will reduce human mobility, as shown below. This is inconsistent with the realities and traditions of the region.

## 2.2.2 Burkina Faso

Sharing a border with six countries, Burkina Faso is particularly vulnerable to regional risks, and plays a significant role in regional human mobility. In recent years, the spread of attacks by armed non-state groups has resulted in a sharp increase in the number of internally displaced people. According to EU statements, Burkina Faso is also a transit country for people travelling through the region.<sup>64</sup>

In line with the urgent need to strengthen and stabilise border regions, one of the largest projects in the country funded by the EUTF for Africa is an €80m budgetary support project which aims to improve access to basic services and water, increase the presence of security forces and support the construction of security infrastructure.<sup>65</sup> Along with an additional €5m for the Integrated Management Programme for Border Regions in Burkina Faso (ProGEF)<sup>66</sup> to support the presence of security forces at the borders with Mali and Niger, at least €22m has been allocated since December 2017 to support the Burkina Faso security forces and border authorities. EUTF funding to Burkina Faso also includes €28.8m for basic services, economic opportunities and

resilience-building, and €9m for countering violent extremism through education and community dialogue in 'vulnerable areas'.<sup>67</sup>

Several development projects in the country view employment as a factor that helps people remain in their communities. For example, a few projects measure success with indicators such as the number of young people and women trained and, one year after their training, the number of people who still live in the region and have employment.<sup>68</sup> However, external factors are rapidly changing in Burkina Faso, undermining this narrative. The deteriorating security situation in the country caused a tenfold increase in the number of internally displaced people over the course of 2019, from around 47,000 in January to 486,000 at the end of November. These people made the decision to flee destabilised regions and move out harm's way, but it does not mean that trainings have failed to provide them with important skills.

In a regional workshop Oxfam held in Burkina Faso in November 2019, representatives of NGOs and international organizations discussed the role that human mobility (displacement and voluntary migration) plays in development projects. One of the concerns raised was that indicators for success that relate to people remaining in their place of origin fail to consider the risks that people face if they do not escape ongoing situations of insecurity, and the possibility of providing people with skills that could support them even after displacement. The changing context in Burkina Faso will undoubtedly require new thinking about EUTF for Africa projects and the definitions of their success.

### 2.2.3 Niger

Niger, an important transit country for people travelling from West Africa to Libya and Algeria and back, has been identified by the EU as a priority partner for cooperation on migration control. Accordingly, the EU invested significantly in Niger early in the EUTF for Africa's lifecycle (€253m since 2015), of which Oxfam identified €122.2m as marked for migration control. This approach has been criticised for destabilising the region's economy and stability, by introducing restrictions on movement that have undermined resilience.<sup>69</sup> Furthermore, the EU's migration partnership with Niger has prompted MEPs to raise concerns regarding the inclusion of ODA in political deals and *quid pro quo* purchases of cars, helicopters and planes.<sup>70</sup>

Over 2018 and 2019, EUTF for Africa funding for Niger has decreased significantly to €65.1m, most of which (€48m) has been allocated for development, with €17.5m for migration management. Yet the action documents of the Niger projects still frame Niger in the context of its location on the Central Mediterranean migration route, with 'stronger and stronger migratory pressure posing serious consequences for the region and for the EU'.<sup>71</sup> For example, a €30m project that aims to contribute to the creation of an inclusive and sustainable local economy in Agadez, Tahoua and Zinder is measured by a list of objectives and indicators that include 'an improvement to migration management' and 'a reduction to the (net) irregular migration flows from Niger towards Europe'.<sup>72</sup> Another €7.6m development project provides employment opportunities and basic services – but only for those previously engaged in trafficking or 'illegal activities related to migration', as an attempt to shift the economic focus elsewhere, rather than as a genuine development tool.<sup>73</sup>

This trend is visible throughout the Sahel and Lake Chad window, where not only migration containment activities but also several development actions are measured by reductions in migration flows.<sup>74</sup>

## 2.2.4. Mauritania

Between 2017 and 2018, the greatest recorded increase of irregular arrivals to the EU (131%) was observed on the Western Mediterranean route,<sup>75</sup> with Mauritania a key target country along this route for the EUTF for Africa. The EUTF for Africa portrays Mauritania as a transit country, located between sub-Saharan Africa and the Maghreb, which is subject to 'many security challenges, many of which have direct implications for Europe' including 'drug trafficking and irregular migration channels'.<sup>76</sup>

Mauritania is an important security ally for the EU, reinforced by its status as a central player in the G5 Sahel, since it hosts its permanent secretariat. In October 2018, DG HOME together with DEVCO and the External Action Service conducted a mission to Mauritania to build relations with the authorities and 'place migration cooperation as part of EU foreign relations with Mauritania'.<sup>77</sup> As a result of this mission, in November 2018, a €25m programme was launched to strengthen the Mauritanian authorities' capacity to control land and sea borders and provide protection to migrants. Of the €25m, €20m is general budget support for social services, border control and security, in response to requests made by the Mauritanian government.<sup>78</sup> According to the programme's action document, the general budget support allows for increased political dialogue on migration with high-level authorities. Furthermore, according to the action document, in August 2018 EU Home Affairs Commissioner Avramopoulos suggested that Spain increase its engagement on migration with Mauritania. Spain and Mauritania share a long history of cooperation on migration controls, which Spain views as successful.<sup>79</sup>

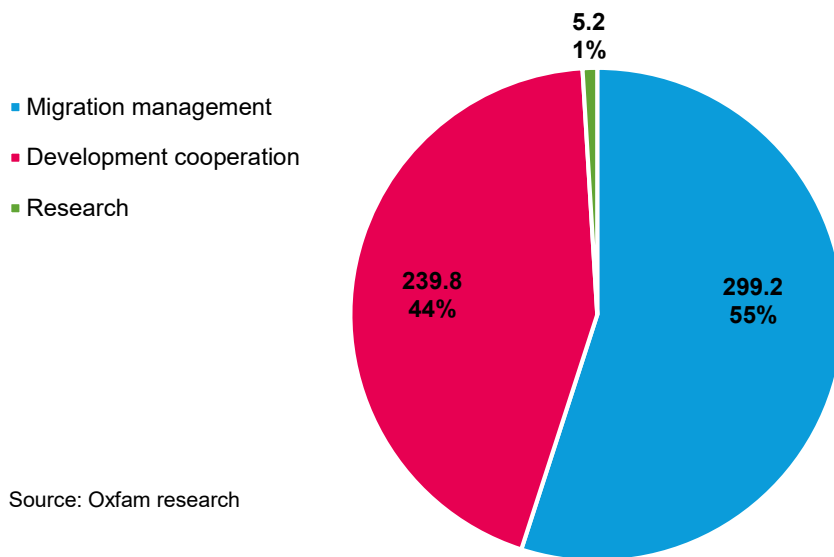
## 2.2.5 Readmission negotiations in the Sahel

The influence of the EU migration agenda as well as Justice and Home Affairs objectives are clearly visible in the Sahel and Lake Chad window. In the past two years, the EU has negotiated agreements on the readmission of migrants with Guinea, the Gambia and Côte d'Ivoire,<sup>80</sup> which are reflected in the funding they receive through the EUTF.<sup>81</sup> In May 2018, the Gambia 'signalled willingness to cooperate' in the framework of an informal arrangement.<sup>82</sup> By the end of the same month, the EUTF for Africa launched a €23m project providing economic opportunities, 'including returning and/or potential migrants' and 'support[ing] the Government in its attempt to nurture perception shift for the Gambian population moving away from a "future through migration" to a "future in The New Gambia"'.<sup>83</sup>

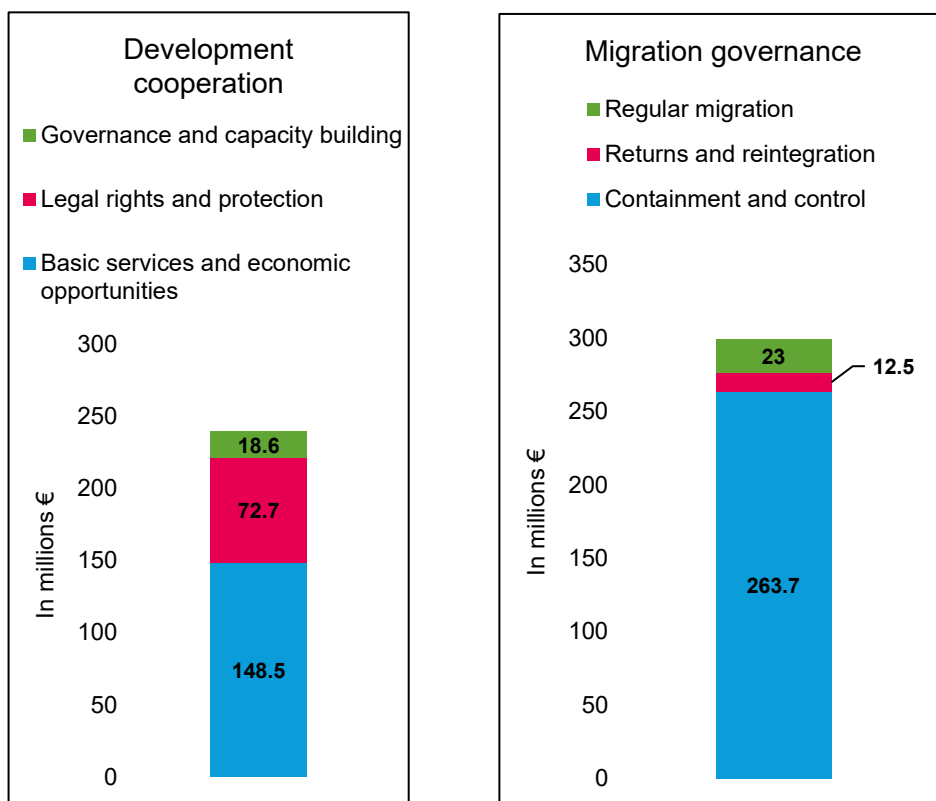
Similarly, Guinea was awarded a €65m employment creation project in July 2017, which occurred shortly after reaching an agreement with the EU on best practices for the identification and return of irregular migrants.<sup>84</sup> Despite promoting a development programme, the project openly states that its objective is a reduction in irregular migration and that it measures its results by the reduction of migrant departures. Other development projects with a migration control objective were announced in Côte d'Ivoire, where the EUTF for Africa launched a €30m project for budget support for civic registration in November 2018, to prevent irregular migration and reinforce cooperation on returns.<sup>85</sup>

## 2.3 NORTH AFRICA WINDOW

**Figure 7: Budget allocations to the North Africa window between November 2015 and August 2019**



**Figure 8: Allocations by subcategory**



Source: Oxfam research

More so than the aforementioned windows, The EUTF for Africa's North Africa window is addressing migration management directly. 55% of the funding is allocated directly to migration governance projects, with the aim of preventing migrants from crossing the

Mediterranean. Since the inception of the EUTF for Africa, €263m has been allocated to migration containment and control in North African countries, of which €201.7m has been allocated since the publication of Oxfam's previous report in November 2017.

Development cooperation projects in the North Africa window also show a strong link with migration governance, as several large projects aim to address and improve the living conditions of refugees and other migrants. The biggest recipients of such funds are Libya (€140.1m) and Morocco (€25.2m). Many of the development projects in North Africa (including in Morocco, Tunisia and regional projects) are aiming to help authorities put in place migration strategies and raise awareness among migrants and refugees of their rights.<sup>86</sup> Such projects are mostly focused on ensuring benefits for aid recipients. However, they often also include components relating to European migration control, such as indicators measuring success according to reductions in irregular migration to Europe, or training and awareness-raising activities aimed at reducing incentives for onward travel. This raises the question to what extent such projects can be labelled as ODA, which should be designed and implemented to promote development and welfare in developing countries.

### **2.3.1 Blocking arrivals to Europe at any cost**

In recent years, migration control has featured prominently in the EU's relations with its North African neighbours, with the issue mainstreamed into association agreements, mutually agreed partnership priorities and informal dialogue. In June 2018, the European Council agreed on the need to prioritise a regional approach to migration management on both sides of the Mediterranean, which would include 'disembarkation platforms' in non-European countries, for people rescued or intercepted in the Mediterranean, and increased investment in Africa, including through the EUTF.<sup>87</sup> Although these plans were quickly terminated due to a lack of interest from third countries to host these platforms, high-level negotiations on migration control, search and rescue, and return have since taken place with Libya, Morocco, Egypt and Tunisia. In parallel, funding for both migration control and development has been released through the EUTF for Africa. For example, in July 2018, the EUTF launched a €55m regional migration management programme to strengthen border control and increase cooperation between Moroccan and Tunisian border authorities.<sup>88</sup> In 2019, the European Commission encouraged EU member states to contribute to the North Africa window, in order to allow for an increase in this investment.<sup>89</sup>

### **2.3.2 Libya**

Libya has been one of the main focus countries for EU migration cooperation due to its role as a point of departure for people attempting to cross the Mediterranean. It is the second-largest recipient of EUTF for Africa funding after Somalia: €282.2m in total, including €166m since December 2017.

Despite a dire humanitarian situation and intensifying conflict across the country, a significant amount of EU funding in Libya is allocated for migration containment and control. The February 2017 Memorandum of Understanding between Libya and Italy provides funding and equipment for Libyan authorities to stop those attempting to flee the conflict-ridden country, with a commitment that the EU will provide the necessary financial means. Since July 2017, nearly €90m has been released through the EUTF for Africa to train, equip and support the capacity of the Libyan coastguard to intercept

migrants at sea and land borders, and €49m has been allocated to address the conditions in which those returnees are detained.<sup>90</sup>

The involvement of the Libyan coastguard in the trafficking of people and violations of international law is well-documented.<sup>91</sup> Moreover, many of the people rescued or intercepted by the coastguard are returned to arbitrary detention in horrendous conditions in Libya – yet the EU views this fundamentally flawed cooperation as a success. In EU documents, EUTF-funded capacity building of the Libyan coastguard is mentioned as a key reason for its increased activity at sea and for ‘preventing dangerous departures’. This cooperation is reported by the EU as ODA contributing to government and civil society, population policies and emergency response.<sup>92</sup>

Other aspects of the EUTF for Africa projects in Libya are increasingly becoming controversial. One project, worth €29m, supports IOM and UNHCR to improve conditions in the detention centres run by the Libyan Directorate for Combatting Illegal Migration (DCIM), including rehabilitation works and infrastructure maintenance.<sup>93</sup> The DCIM centres have been criticised for the arbitrary detention of migrants in dangerous conditions and for being linked to human trafficking and slavery.<sup>94</sup> The EUTF has also funded the Emergency Transit Mechanism (ETM) to evacuate migrants from Libya. The ETM was established as a joint initiative between the EU, the African Union and the UN to take people out of detention centres in Libya, relocate refugees to other countries where they will be safe, and provide a way for migrants to voluntarily return to their home countries. However, recent reports raise concerns that the mechanism is under immense stress due to a lack of political will from receiving countries.<sup>95</sup> NGOs have also raised concerns that it facilitates the return of refugees to countries in which they are not safe, in violation of the 1951 Convention Relating to the Status of Refugees.<sup>96</sup>

### 2.3.3 Morocco

The flexible nature of the EUTF for Africa and the politicised process of project selection<sup>97</sup> mean that EU member states are able to steer funding towards partner countries of priority for them. Spain, for example, has reportedly lobbied for action in Morocco to support its dialogue on migration.<sup>98</sup> According to reports, both Spanish Prime Minister Pedro Sánchez and then-Foreign Minister Josep Borrell have repeatedly called for increased EU funding to Morocco.<sup>99</sup>

In July and December 2018, the EU increased its support to Morocco’s national plan on asylum and migration, including providing €70m for ‘fighting against migrant smuggling’ and €40m to help Morocco develop its border management system.<sup>100</sup> As in many other cases involving the EUTF, migration containment projects are followed by projects that promote protection work, albeit on a smaller scale – totalling less than €20m.<sup>101</sup>

The close relations between Morocco and Spain extend beyond migration containment. In August 2018, Spain returned to Morocco 116 non-Moroccans who crossed the border into Ceuta ‘thanks to good relations’.<sup>102</sup> Three months later, the EU opened up discussions on regular migration pathways for Moroccan nationals and launched an €8m EUTF for Africa pilot mobility programme aimed at enhancing the legal routes for labour migration to the EU.<sup>103</sup>

Civil society organizations have voiced concerns over the risks of outsourcing EU migration control to third countries. Amnesty International, for example, has denounced



Morocco's expulsions of sub-Saharan migrants without due process, and Alarm Phone has claimed that repressive campaigns in Morocco as well as Spain's crackdown on search-and-rescue operations are the reasons behind the decrease in arrivals.<sup>104</sup> Concerns have also been raised regarding violence by the Moroccan coastguard and its unwillingness to fulfil its search-and-rescue obligations.<sup>105</sup> In March 2019, 45 migrants died at sea while waiting to be saved by the Moroccan authorities.<sup>106</sup>

### **2.3.4 Egypt**

On several occasions, the EU has applauded Egypt for its strong control over migrants – the country has seen no departures to Europe via sea routes since 2017.<sup>107</sup> EU high-level officials, member states and agencies are exploring ways to cooperate more closely with the Egyptian authorities on the fight against smuggling. According to internal reports, Egypt has in the past threatened to loosen its cooperation with the EU if it does not receive financial support.<sup>108</sup>

Egypt is due to accept a €60m project involving support for authorities with migration control, infrastructure projects to provide employment opportunities, micro-loans, vocational training and provision of basic services. However, even the development activities in this project contain components on awareness-raising of irregular migration, and the way the results of the project are measured is not disclosed.<sup>109</sup>

Many civil society organizations have raised concerns regarding the use of Egypt as a positive example for cooperation with the EU. For example, in February 2019, Egypt hosted the first EU-League of Arab States Summit, during which migration cooperation was discussed. Civil society organizations were concerned about the lack of discussion on human rights, yet Egyptian President Abdel-Fattah el-Sisi has rejected accusations of human rights violations by his government.<sup>110</sup>

### **2.3.5 Readmission negotiations with North African countries**

Negotiations of new readmission agreements are currently ongoing with Tunisia, and the European Commission is seeking to resume negotiations with Morocco 'as soon as possible'.<sup>111</sup> If reached, the agreement with Tunisia would involve not just Tunisian nationals, but also the possibility of returning third-country nationals to Tunisia.<sup>112</sup> Tunisia currently receives a relatively small amount of support from the EUTF for Africa – €32.8m worth of projects for border management and implementation of its national strategy on migration. Member states have called for increasing EUTF support (including legal migration pilot projects) to Tunisia to allow for closer cooperation and long-term structural efforts to prevent migrant departures.<sup>113</sup>

# 3 CONCLUSIONS AND RECOMMENDATIONS

The future of the EUTF for Africa is currently unclear. As the EU's multiannual financial framework cycle draws to a close at the end of 2020, European institutions and member states are developing the policies and financial architecture that will determine their actions beyond 2021. What is clear, however, is that in the coming years European development aid and international partnerships will be increasingly linked to European domestic political priorities, as will development finance.

The political guidelines for the 2019–2024 Commission led by President Ursula von der Leyen make clear the intention for development cooperation to address migration in countries of origin and transit.<sup>114</sup> This also appears in the mission letter to Jutta Urpilainen, Commissioner for International Partnerships, in which President von der Leyen instructs her to 'support efforts to reach comprehensive partnerships with countries of migration origin and transit, bringing together all instruments, tools and leverage' and to 'be ready to adapt bilateral funding to achieve our objectives on migration management.'<sup>115</sup>

As the European institutions and member states begin a new cycle of work for the coming years, it is crucial to review the implementation of the EUTF for Africa and draw the appropriate lessons.

## 3.1. RECOMMENDATIONS FOR THE DESIGN OF NEW FINANCIAL INSTRUMENTS TO ADDRESS MIGRATION AND DEVELOPMENT

Between 2015 and 2019, the EU and its member states addressed migration-related projects with a crisis response approach, including through the EUTF for Africa. European political dynamics dictated that EU leaders committed resources to stopping irregular migration towards Europe and leverage all tools at their disposal to achieve this.

The EU's future financial instruments should not be based on the same crisis response model, and must support a more structural approach to migration governance, in line with development objectives. While the aim of integrating migration dialogues into foreign policy is a legitimate one, the EU's primary concern should be to maintain its policy coherence for development and ensure that all its actions promote stability, democracy, sustainable development and respect for human rights. The EU should ensure that migration-related projects are developed in partnership with all relevant stakeholders to achieve its intended goals with respect for human rights and human dignity, in line with the EU's values.

Lessons learned from the design and implementation of the EUTF Africa include the following:

- **The allocation of aid to partner countries should not be conditional on their cooperation with the EU's demands regarding returns and readmission or border management.** The EU should work with its partners to develop a political environment of democratic accountability, with the participation of communities in decision-making processes regarding the use of funds. Positive rewards for regimes that rely on military interventions to reduce human mobility may undermine respect for human rights, democracy and resilience.
- **The flexibility of the EU's financial instruments should be balanced by a clear structure that ensures their use in line with development and humanitarian objectives and principles.** ODA should support poverty eradication, the reduction of inequality and the meeting of humanitarian needs. It must not be diverted to promote donors' domestic objectives, including foreign policy objectives. As far as possible, migration objectives should be clearly framed within the context of the Global Compact for Safe, Orderly and Regular Migration, national indicative programmes and bilateral agreements, the specific text of which should be made public. Migration-related spending should adhere to clear and mutually-agreed frameworks of cooperation, not to emergency instruments such as the 'Emerging challenges and priorities cushion' of the next European Neighbourhood, Development and International Cooperation Instrument (NDICI), which are potentially open to political manipulation.
- **Migration-related spending should aim to reduce vulnerabilities, address needs and promote resilient development. The amount of spending should be decided according to evidence-based projections, not on political positioning.** Displacement situations resulting from conflicts or climate-related emergencies require the EU's attention and the people affected need support. The EU should allocate enough funding in its next multiannual financial framework for early preparedness, humanitarian responses and development programmes, based on a projection of global needs. Allocating funds disproportionately to needs will result in EU financial resources being stretched or spent unnecessarily.

## 3.2. RECOMMENDATIONS FOR THE DESIGN OF NEW PROJECTS UNDER THE EUTF FOR AFRICA AND FOR ACTORS IMPLEMENTING EXISTING PROJECTS

The political attention that migration-related projects have received in recent years has led to notable changes in this field. While funding has increased significantly, new actors are involved in the design of programmes and political interests may be playing a part in project design in ways that were unknown before 2015. Organizations and agencies that apply for funding from the EUTF for Africa and implement its projects must be vigilant to ensure that their work is promoting humanitarian and development objectives and does not have a negative impact overall. Specifically:

- **When designing migration-related projects, the European Commission should ensure that each action document provides information on the projects' ex-**

**ante evaluation (feasibility assessment), and includes a risk assessment, context analysis and, where relevant, conflict analysis.** Where a risk is identified – particularly for projects that may have a negative impact on human rights – a mitigation plan should be in place, including clear decisions on the circumstances that would justify the suspension of the project. In development work, when the level of risk is higher, it is standard practice for the level of due diligence and risk management efforts to also increase. Special attention should be given to a gender-sensitive analysis and consideration of the involvement of women in the design and implementation of projects. Implementers should assess new developments on a regular basis and adapt projects according to changing circumstances. The European Commission and Council should also make publicly available information on the circumstances under which projects were approved, such as informal return agreements.

- **NGOs and development agencies should develop strategies for the design and implementation of development projects in the context of human mobility.** These strategies should take into account both negative and positive impacts that human mobility could have on sustainable development, ranging from the risks associated with forced displacement to the benefits linked with circular labour migration and remittances.
- **NGOs and development agencies, together with other stakeholders such as donors and programme participants, should engage in discussions on how to measure the success of development projects in the context of human mobility.** This includes assessing if and when success should be measured by the number of people choosing to stay in their community, or if success can be measured even after people have left their homes due to external factors – whether positive or negative. Projects and measurements should be flexible enough to adapt to changing circumstances in volatile environments.

### 3.3. RECOMMENDATIONS FOR MONITORING, LEARNING FROM AND EVALUATING THE IMPACT OF MIGRATION-RELATED DEVELOPMENT ASSISTANCE

Given the particular risks attached to migration-related spending, both in terms of unintended consequences on the well-being and rights of people on the move, and in terms of non-compliance with ODA eligibility requirements, enhanced oversight and scrutiny is critical, through proper monitoring, learning and evaluation mechanisms.

- **The ex-post monitoring and evaluation of migration-related funding should increase.** The European Commission should make its monitoring and evaluation documents publicly available. In particular, annual reports on high-risk projects, such as cooperation with partner countries' border agencies and coastguards, should be made public and scrutinised by the European Parliament. In addition, financial instruments that facilitate spending on migration-related projects should be closely monitored by the European Parliament, the European Court of Auditors and the OECD's Development Assistance Committee (through the DAC Peer Reviews of European development cooperation).

- **The monitoring of migration-related funding should increase, both *ex-ante* and *ex-post*.** The financial instruments that facilitate spending on migration-related projects should be monitored by the European Parliament, the European Court of Auditors and the OECD DAC. This monitoring will require insight not only into the logical framework of the approved projects, but also the circumstances under which projects were approved, such as informal returns agreements. The European Commission and European Council should make this information publicly available.
- **The European Commission and other donors should make use of the OECD DAC migration reporting code where relevant** to ensure appropriate monitoring by peers and civil society. In 2018, the OECD's Development Assistance Committee approved a new reporting code by which donors can identify and report ODA that is designed for 'facilitation of orderly, safe, regular and responsible migration and mobility'. The practice of allocating large amounts of resources for this purpose is still developing and most DAC donors, including the EU, have not yet started to report against the OECD's code. Yet this reporting is key to enhancing transparency and scrutiny of donor support for migration-related activities.
- **The OECD DAC should follow through on its 2018 commitment<sup>116</sup> to conduct a review of projects reported by donors under the new migration code to verify their ODA eligibility.** The review should give specific attention and scrutiny to projects focusing on the capacity building of immigration services and border management assistance, repatriation assistance and awareness-raising to combat irregular migration, given the particular risks attached to such projects. The DAC should publicly share the detailed results of the review.

# ANNEX

## METHODOLOGY

This research followed the methodology of Oxfam's 2017 report, analysing new EUTF actions and top-ups of old projects announced by the three regional Operational Committees since December 2017. While European Commission reporting on EUTF for Africa projects refers back to the Valletta Action Plan priorities, we opted for more detailed reporting, classifying each project based on its declared objective, results and indicators. Further, the Commission's annual reports on the EUTF for Africa classify each project under one priority, even though many projects contribute to more than one objective. In our research, we broke down allocations of funds per objective, which means that we were able to split each project's allocation across multiple purposes. We also did not include in our reporting additional funds that are included in the action proposal ('fiche') but come from other sources that are not the EUTF for Africa. Information is unavailable for five actions in the North Africa window totalling €61.5m and announced in July 2019,<sup>117</sup> and four actions approved in 2019 totalling €61.4m in the Sahel and Lake Chad window.

We classified each project under one of the following categories:

1. Migration governance;
2. Peace and security;
3. Development cooperation;
4. Research and monitoring.

As some projects allocate funding for more than one objective, we split our counting between the objectives, based on the results and indicators listed in each project. However, we note that EUTF for Africa projects are becoming increasingly complex and multi-purposed and, consequently, included a new category in our reporting, that did not appear in our 2017 report, namely 'unspecified budget support/multipurpose projects'.

Using our methodology could, in some cases, show results different from the European Commission's project classification. This could be because the Commission allocates each project only to one category, while we offer a more nuanced analysis. We also note that the full list of the priorities in the Valletta Action Plan is a result of expedited political negotiations, rather than representing a policy framework for international cooperation. As such, it does not always offer a coherent framework for reporting and monitoring.

## **A specific list of the categories used in this report**

### **Category 1: Migration governance**

Projects relating to migration management can be divided into five subcategories:

- 'Migration containment and control' includes legislation change for better migration management and the fight against the smuggling of migrants. It also comprises

capacity building, such as border control and police training within a migration context as well as collection of data on migration.

- ‘Returns and reintegration’ includes policy reforms to facilitate return, readmission and reintegration as well as the actual implementation of returns. It excludes projects aimed at creating economic opportunities for returnees.
- ‘Population registration systems’ includes projects to strengthen civil registration systems and collect biometric measurements.
- ‘Awareness-raising’ includes projects to raise awareness about the dangers of irregular migration and the alternatives to it.
- ‘Regular migration pathways’ includes projects to create new opportunities for regular migration within Africa or between African countries and Europe.

Furthermore, projects that combine activities from several subcategories of migration management were categorised as ‘Migration management – mixed objectives’.

## **Category 2: Peace and security**

This category includes projects designed to promote peace and security, and fight or counter violent extremism. Projects within this category can have a wide variety of objectives, including reducing tensions between refugees and host communities, demining, and strengthening young people’s conflict management skills. However, they can also have the objective of increasing the capacity of security forces. These projects were divided into two subcategories depending on their approach to peace and security:

- ‘Security forces support’ includes activities support to security forces or national or regional security agencies.
- ‘Peacebuilding’ funds community-based peacebuilding and social cohesion activities in conflict-affected areas. In many cases, these projects support civil society organizations.

Projects that support security forces to manage borders with a declared objective to manage migration were included in the ‘migration management’ category. However, migration management appears in the narratives and justification of some projects assigned to Category 2, even when it is not one of the objectives or results.

## **Category 3: Development cooperation**

This category can be divided into four subcategories, one of which was added to reflect the EU’s investment in social protection activities, linking to the European Commission’s Lives in Dignity approach and Nexus thinking.

- ‘Basic services, economic opportunities’ includes projects aimed at improving access and delivery of basic services (shelter, water and sanitation, education, etc.), strengthening livelihoods and increasing economic opportunities through agricultural support or job creation. It also includes projects to improve individual and community resilience to disasters.
- ‘Protection’ includes projects aimed at improving the protection of people in need against violations of their rights, including by providing access to (informal and formal) justice mechanisms.

- ‘Good governance and capacity building’ includes projects aimed at strengthening the ability of governments and local authorities to develop policies and to provide services in an accountable manner.
- ‘Social protection’ projects are often linked with Nexus approaches to aid and focus on local capacities to reduce poverty and vulnerability.

#### **Category 4: Research and monitoring**

This category includes projects to carry out research into the causes of forced displacement and migration, fund technical cooperation facilities that have the declared aim of monitoring implementation and results, and monitor and evaluate projects aimed at assessing the EUTF for Africa itself.

#### **Category 5: Unspecified budget support/multipurpose projects**

This category includes direct budget support projects which do not specify the purpose for which funds are allocated. It also includes projects that combine purposes without a clear indication of budget lines for specific objectives. Since our last report in December 2017, the number of such projects has increased, requiring a change in our methodology.



# NOTES

- 1 OECD. List of CRS Purpose Codes and Voluntary Budget Identifier Codes; code 15190. <http://www.oecd.org/development/financing-sustainable-development/development-finance-standards/dacandcrscodelists.htm>. See also OECD DAC Working Party on Development Finance Statistics. (2018, May 25). *Proposed New Purpose Code for “Facilitation of Orderly, Safe, Regular and Responsible Migration and Mobility”* (DCD/DAC/STAT(2018)23/REV3). [http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC/STAT\(2018\)23/REV3&docLanguage=En](http://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC/STAT(2018)23/REV3&docLanguage=En)
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- 7 The exact list of criteria varies between the three windows. For more details see: Replies of the Commission to the Special Report of the European Court of Auditors, annexed to the special report, *ibid*.
- 8 Minutes: Fifth Board Meeting of the EU Emergency Trust Fund for Africa (EUTF for Africa) Brussels, 21 September 2018. [https://ec.europa.eu/trustfundforafrica/sites/eutf/files/minutes\\_of\\_the\\_5th\\_board\\_meeting\\_of\\_the\\_eutf\\_africa\\_21\\_09\\_2018.pdf](https://ec.europa.eu/trustfundforafrica/sites/eutf/files/minutes_of_the_5th_board_meeting_of_the_eutf_africa_21_09_2018.pdf)
- 9 *Ibid*.
- 10 Minutes: Sixth Board Meeting of the European Union Emergency Trust Fund for Africa, Brussels, 14 June 2019. [https://ec.europa.eu/trustfundforafrica/sites/eutf/files/minutes\\_6th\\_board\\_meeting\\_eutf\\_africa.pdf](https://ec.europa.eu/trustfundforafrica/sites/eutf/files/minutes_6th_board_meeting_eutf_africa.pdf)
- 11 *Ibid*.
- 12 European Commission. (2016). *Migration Partnership Framework: A new approach to better manage migration*. [https://eeas.europa.eu/sites/eeas/files/factsheet\\_ec\\_format\\_migration\\_partnership\\_framework\\_update\\_2.pdf](https://eeas.europa.eu/sites/eeas/files/factsheet_ec_format_migration_partnership_framework_update_2.pdf)
- 13 An initial focus by the European Union on formal readmission agreements with migrant-origin countries has given way since 2016 to informal ones. See: J. Slagter. (2019, January 10). *An “Informal” Turn in the European Union’s Migrant Returns Policy towards Sub-Saharan Africa*. Migration Information Source online journal, Migration Policy Institute. <https://www.migrationpolicy.org/article/eu-migrant-returns-policy-towards-sub-saharan-africa>
- 14 European Commission, High Representative of the Union for Foreign Affairs and Security Policy. (2016, July 18). *Taking forward the EU’s Comprehensive Approach to external conflicts and crises – Action Plan 2016-17*. <http://data.consilium.europa.eu/doc/document/ST-11408-2016-INIT/en/pdf>
- 15 The Joint Communiqué signed by the two Foreign Affairs Minister was obtained by Statewatch and is available at: <http://www.statewatch.org/news/2016/dec/eu-com-mali-communication-11-12-16.pdf>. For the Malian statement see RFI.fr. (2016, December 17) *Mali : controverse sur la question du retour au pays des Maliens sans papiers*. Retrieved from: <http://www.rfi.fr/afrique/20161217-mali-migrants-migrations-retour-papiers-union-europeenne-ue>. In many African countries, remittances are often a prominent source of income, far beyond Official Development Assistance.

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- 20 European Commission. *EUTF for Africa fact sheet*. Retrieved from: [https://ec.europa.eu/trustfundforafrica/sites/eutf/files/factsheet\\_eutf\\_short\\_22.10.pdf](https://ec.europa.eu/trustfundforafrica/sites/eutf/files/factsheet_eutf_short_22.10.pdf)
- 21 E. Kervyn and R. Shilhav, supra note 5, pp. 14–15.
- 22 Action fiche for EUTF for Africa project REG-REG-04. All Action fiches can be retrieved from <https://eutf.akvoapp.org/en/projects/> or explored according to region and country on <https://ec.europa.eu/trustfundforafrica/navigation/all-projects>.
- 23 See e.g. EUTF for Africa projects HOA-REG-71, HOA-DJ-41, HOA-ET-40, HOA-ET-77, HOA-SD-65.
- 24 €247.55m at the end of 2018 with an additional €17m in 2019. European Commission. (2019). *2018 Annual Report: The EU Emergency Trust Fund for Africa*. [https://ec.europa.eu/trustfundforafrica/all-news-and-stories/2018-annual-report-eu-emergency-trust-fund-africa-available\\_en](https://ec.europa.eu/trustfundforafrica/all-news-and-stories/2018-annual-report-eu-emergency-trust-fund-africa-available_en)
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- 26 EUTF for Africa project HOA-ET-52.
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- 35 EUTF for Africa project HOA-ET-60.

- 36 EUTF for Africa project HOA-ET-52.
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- 38 EUTF for Africa project HOA-REG-78.
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- 46 EUTF for Africa project HOA-SOM-59: [https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/t05-eutf-hoa-so-59\\_-\\_somalia\\_srbc\\_incl\\_rider.pdf](https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/t05-eutf-hoa-so-59_-_somalia_srbc_incl_rider.pdf)
- 47 EUTF for Africa project HOA-SO-57.
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- 53 See EU-IOM Joint Initiative for Migration Protection and Reintegration (Retrieved from: <https://migrationjointinitiative.org/>) and action documents for EUTF for Africa projects SAH-REG-16 (including Amendment document No. 1) and SAH-REG-08.
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- 58 EUTF for Africa project SAH-TD-08.
- 59 Council of the European Union. (2019, May 13). *Council Conclusions on the Sahel*. <https://data.consilium.europa.eu/doc/document/ST-9103-2019-INIT/en/pdf>
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- 64 See, for example, the National Context section of EUTF for Africa project T05-EUTF-SAH-BF-09.
- 65 EUTF for Africa project SAH-BE-09.
- 66 EUTF for Africa project SAH-BF-03-01.
- 67 EUTF for Africa project SAH-BF-07.
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- 84 European Parliament. *Supra* note 32.
- 85 EUTF for Africa project SAH-CI-01.
- 86 For example, see EUTF for Africa projects NOA-TU-01 and NOA-MA-02.
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