



Viewpoint

Migration, EU cooperation and authoritarianism

The EU is actively cooperating with authoritarian regimes to control international movement while ignoring the disastrous human rights records of these regimes.

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On 18 October 2016 the European Commission released its [first progress report for its new Partnership Framework](#) with third countries under the [European Agenda on Migration](#). According to the key themes of the framework, the EU will create tailor-made ‘compacts’ with key countries of origin, transit, or hosting of international migrants and refugees. Through the framework the EU wants to enhance cooperation on security and development in order to prevent international movement towards Europe. The [main aims](#) of the compacts will be: “saving lives at sea, increasing returns, enabling migrants and refugees to stay closer to home and, in the long term, helping third countries’ development in order to address root causes of irregular migration.”

Leaving the question of whether such compacts will be effective in curbing international mobility, the question of cooperation with whom looms large. When scrutinizing the countries of cooperation listed in the Partnership Framework – countries in the Sahel, East Africa, and the Middle East – it is clear that the EU is continuing its [legacy of working with authoritarian elites](#) to prevent international movement. In the past [bilateral cooperation](#) between Italy and Libya, for example, has had extremely harmful consequences.

Nowhere in the new [Partnership Framework](#) is there recognition that the main countries of cooperation are ruled by authoritarian or hybrid governments actively undermining human rights. The main countries of cooperation – Niger, Nigeria, Senegal, Mali, Ethiopia, Jordan, Lebanon, Egypt, and Tunisia – have either authoritarian or hybrid regimes according to [The Economist Intelligence Unit’s Democracy Index 2015](#) (with the exceptions of Senegal and Tunisia, which are flawed democracies). According to the CIRI Human Rights Data Project [Empowerment Rights Index](#), scores remain low across most of the countries, with the

exceptions of Mali and Senegal. The [CIRI Human Rights Data Project](#) also scores countries on freedom of domestic and foreign movement, and the record is spotty: for most countries domestic movement is severely or somewhat restricted (with the exception of Mali, which has unrestricted domestic movement) and foreign movement and travel is unrestricted for most, but severely restricted in Nigeria and somewhat restricted in Niger and Lebanon. In Egypt and Lebanon, furthermore, there has been an overall [negative shift](#) in human rights protections. In other words, respect for fundamental rights are constrained in almost all of the cooperation countries in different ways, and in most of the cooperation countries fundamental rights are severely constrained or actively abused.

Table: Record of Political Regime and Human Rights in the Cooperation Countries

| Country | 2015 Democracy Index (Ranking out of 167 countries and territories) | Empowerment Rights Index (in 2011) | CIRI Freedom of Foreign Movement and Travel (in 2011) | CIRI Freedom of Domestic Movement (in 2011) |
|----------|---|------------------------------------|---|---|
| Niger | Authoritarian (121) | 8 | 1 | 1 |
| Nigeria | Hybrid regime (108) | 3 | 0 | 1 |
| Senegal | Flawed democracy (75) | 9 | 2 | 1 |
| Mali | Hybrid regime (88) | 12 | 2 | 2 |
| Ethiopia | Authoritarian (128) | 3 | 2 | 1 |
| Jordan | Authoritarian (120) | 2 | 2 | 0 |
| Lebanon | Hybrid regime (102) | 6 | 1 | 1 |
| Egypt | Authoritarian (134) | 3 | 2 | 0 |
| Tunisia | Flawed democracy (57) | 7 | 2 | 0 |

Note: [CIRI codes](#) are: Freedom of Movement: 0=severely restricted, 1=somewhat restricted, 2=unrestricted; [Empowerment Rights Index](#): “This is an additive index constructed from the Foreign Movement, Domestic Movement, Freedom of Speech, Freedom of Assembly & Association, Workers’ Rights, Electoral Self-Determination, and Freedom of Religion indicators. It ranges from 0 (no government respect for these seven rights) to 14 (full government respect for these seven rights).”

The only mention of human rights in [the report](#) is with regard to EU policy only, not with regard to countries of cooperation: “In all cases, the humanitarian and human rights imperatives of EU policy need to stay at the core of the approach” (p. 2). Nowhere in the report is mention of the human rights records of the cooperation countries. Neither is there mention of improving or

strengthening human rights conditions in these countries. The only mentions of improvement have to do with improving security or development cooperation with relation to:

- return and readmission procedures and agreements (p. 4, p. 7, p. 11)
- identifying and pursuing migrant smuggling groups (p. 4, p. 7, p. 8)
- cooperation with the European Border and Coast Guard (p. 4, p. 8)
- improving migration management, security and border management (pp. 5-6)
- biometrics, identification procedures, strengthening of the civil registry/identity documents (p. 7, p. 8, p. 9, p. 10)
- bilateral cooperation opportunities (p. 8)
- cooperation with consulates and migration authorities (p. 9)
- EU agencies' involvement in third countries (p. 9)
- financial support (p. 10)
- assistance for projects improving the livelihood and job opportunities for refugees (p. 10, p. 11)

Page after page we see examples of improving and strengthening transnational security cooperation, cooperation on returning and readmission, cooperation on identity documents and biometrics, improving border management, stopping smuggling and trafficking, and increasing investment. In no place in the document is mention of improving and strengthening cooperation on human rights in countries with clear records of failing to uphold fundamental rights.

This overt disregard for human rights improvements in authoritarian and hybrid countries is likely to have harmful effects, but the side-effects are not acknowledged in the progress report, even while these measures are purported to be effective. Given [the deadly history of EU border controls](#) and cooperation on migration management, there is increased risk of harms and abuses of citizens and non-citizens in countries of origin and transit and the enhanced possibilities for loss of life due to difficult and challenging circumstances of migrating.

Geopolitically these countries are located in conflict regions or regions of instability in the Sahel, East Africa, and the Middle East. While there is occasional recognition of regional instability in the report (with regard to Mali (p. 8), and reference to the [Instrument contributing to Stability and Peace](#) (IcSP, p. 13)), it is unclear how cooperation on border management, biometrics, and return and readmission will contribute to peace in these regions. Furthermore there is no recognition that governments in Africa and the Middle East may be contributing to violence against their own citizens. The only mention is of the violent crackdown of protests in Ethiopia (p. 9), but largely brushes the issue aside when actively pursuing cooperation on return and readmission and allowing Ethiopia to be the future chair of [the Khartoum Process](#), one of many [regional consultative processes aiming for regional cooperation on migration](#). When the EU is actively cooperating with countries who are engaging in persecution, there is a real risk that people fleeing from these countries will have limited opportunities to seek protection.

By entering into cooperation with authoritarian or hybrid regimes, the EU is potentially sidelining civil society and domestic actors seeking fundamental rights reforms in these countries. Civil

society is not mentioned once in the Framework. Authoritarian regimes tend to stifle critical debate and lack transparency, making it difficult to challenge such authorities when abuses do occur. The EU is playing a dangerous game by sidelining civil society, as there are serious practical difficulties in holding such regimes accountable when there are no ways to enforce fundamental rights norms in a binding way. Certain actors, in attempting to reform or modify current authoritarian practices for the benefit of fundamental rights, may be undermined by EU cooperation that potentially legitimizes harsh treatment of the regimes' critics.

Finally, countries located in the Sahel, the Middle East, and East Africa are impacted by various climatic and environmental problems which have important effects on the propensity to migrate, [such as Niger](#). The new progress report makes no mention of environmental cooperation or the ways in which climate change may impact protection. It is an open question regarding the efficacy of cooperation to prevent international mobility when environmental change may be adversely impacting livelihoods and well-being.

In sum, the Partnership Framework is built upon a ['haphazard' approach to regional cooperation](#) involving contradictory and even potentially harmful initiatives. The Partnership, [like other forms of EU externalized cooperation](#), undermines the EU's own goals of democratic legitimacy and promotion of liberal democratic norms, through its cooperation with authoritarian and hybrid regimes. Working with countries that may not strive to guarantee fundamental human rights raises serious concerns, especially when EU cooperation is coupled with improving the security apparatuses of authoritarian countries or countries with hybrid regimes. EU cooperation may lead to increasing authoritarian tendencies, rather than increasing adherence to democratic and fundamental rights norms. Such a process could unfold under the new Partnership Framework – rather than improving fundamental rights norms in cooperation countries, EU cooperation may actively exacerbate the abuse of fundamental rights in violation of EU and international laws, gambling with lives and externalizing abuse.

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