

Summary of the report

Migration as Foreign Policy?

The External Dimension of EU Action on Migration and Asylum

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As EU's migration and asylum policy has developed, the impact of its external dimension has become increasingly crucial for third countries. Moreover, the 'external' dimension of EU action on migration and asylum has led to a blurring of the distinction between domestic and foreign policy. The increasing weight of migration issues in the EU's relations to non-member countries prompt a set of fundamental questions: what are the reasons behind the emergence of an external dimension of the EU's migration and asylum policy, how should its scope and content be assessed and which are the prospects for its future development and its implications on EU member states as well as third countries?

Obviously, migration is a highly controversial issue in many EU member states. There are clear signs of a tendency to halt the early advances towards 'managed migration' sparked by the ongoing Europe-wide economic recession. This tendency may mark an 'end to immigration' in a similar way to that what incurred during the oil price shocks in the 1970s. The lesson to be learned from that experience is that the economic crisis in the 70s and 80s did not actually spell an 'end to immigration' because, while primary labour flows diminished, family migration and asylum continued throughout the 1990s. Analysis of the root causes of immigration demonstrates that there are migration pressures outside the EU that are unlikely to dissipate. Europe cannot and will not become a 'fortress' and needs therefore to focus on how mobility and openness to the world can facilitate economic recovery and a positive projection of European values and ideals.

The scope and direction of EU policy on migration and asylum have implications for member states, prospective member states and non-member states. The next planned stage of policy development is the so-called Stockholm Programme which is to be adopted by the member states during the Swedish Presidency in the second half of 2009. The content and direction of the Stockholm Programme is formulated and may be implemented largely irrespective of the fate of the Lisbon Treaty because competencies in the field of migration and asylum were laid down already in the treaties of Amsterdam and Nice. A key concern as the EU is poised to take yet another step towards deeper integration in the area of migration and asylum is to make sure that the external impact of the policy strikes the right balance between security, development, trade and aid so

that the interests of third countries are also taken into account.

This report distinguishes between types of borders – territorial, organisational and conceptual – and explores how connections between the domestic, European and international levels underpin the development of EU migration and asylum policy. Deepening integration within the EU has the following consequences: (1) border relationships in Europe have changed; (2) the EU is both a cause and an effect of these changes; (3) there are strong domestic roots for external EU action on migration and asylum; and (4) these domestic roots are linked to the debate about the trade-off between work, welfare and the perceived need for new immigration. However, the 'internal' debates about work, welfare and the costs and benefits of migration can no longer be separated from the external dimension of policy. Considerations also have to be taken to the fact that European integration has given rise to a new kind of distinction between mobility within the EU linked to an EU rights framework and migration from outside the EU. The distinction between mobility and migration is becoming an important aspect of EU migration policy linked both to past and future enlargement of the EU and the Union's relations to countries without membership aspirations.

In order to assess the more specific content of EU external dimension of migration, the report analyses the form and content of the 'migration dialogue' which the EU seeks to establish with third country partners. It identifies the need for dialogue to reflect the interests of all participants and looks at how, through the development of common policies, the EU is at risk of developing a one-sided approach with emphasis on EU priorities, particularly the return and readmission of illegal immigrants. The report argues for a richer and fuller understanding of dialogue by drawing from proposals and agreements between the EU and non-member states that offer the prospect of more effective linkage across issues, such as trade, aid, development, peace and security. To illustrate the kind of relationships that the EU is building with countries in its neighbourhood, the report analyses two specific dialogues, one with the countries in South East Europe and the other with the countries in the Middle East and North Africa. The main conclusion to be drawn is that the EU's leverage on these countries differs depending on whether or not the countries in questions harbour membership aspirations.

Finally, the report analyses a key aspect of recent EU policy development: the European Pact on Immigration proposed by the French government during its EU presidency in the second half of 2008. The Pact furthers the ways in which the external dimension of migration and asylum contributes to the development of European 'international migration relations'. It also seeks to establish closer links with non-member states in order to facilitate EU objectives regarding: admissions policy, border controls, illegal immigration, a common European asylum system, and closer relations with sending and transit states.

In the light of these developments, several recommendations are put forward:

- 1. Striking the right balance in internal policy – admissions:** Policy tends to focus on the ways in which migrants enter particular countries. In fact, migrants move into particular places (often towns and cities) and particular economic sectors (such as construction, agriculture, domestic care etc.). This means that there is a strong sectoral and spatial dimension to European migration policy. There is a need for clearer information about the migration profiles of member states and the sectorally specific need for migrants and attendant spatial consequences.
- 2. Striking the right balance in internal policy – regulation:** Ever tighter immigration controls may induce greater pressure for illegal/irregular entry and the social and political problems associated with it. There is strong demand for entry into EU states that is not likely to dissipate. Restrictive policies may serve only to increase the sum of human misery by making it more and more difficult to find legal routes into the EU and driving people into the hands of smugglers and traffickers. Restriction alone has not worked in the past, does not work now and will not work in the future.
- 3. Striking the right balance in external policy.** Immigration is often represented as a security concern in the domestic debate in EU states as well as in many EU measures. If the EU policy debate centres on narrow security-related conceptualisation of the migration issue it risks neglecting other important dimensions. This is very relevant when the external dimension of migration is analysed and it becomes clear that trade, aid, development and security are all salient and relevant concerns. The tone and content of debate is important, but so too is the need to convey the multi-faceted nature of immigration.
- 4. Making issue linkages – enlargement:** The EU has been very successful in promoting domestic change and adaptation in accession states. The issue is the extent to which this marks a profound adaptation resulting in effective policy implementation or a tick the boxes approach which is compliant formally with EU requirements, but does not necessarily lead to implementation.
- 5. Making issue linkages – third countries:** It is highly unlikely that effective agreements can be established with third countries without attention also being paid to a broader range of migration-related issues such as trade, aid and development. A narrow security focus would not be a sound base for the development of stronger relations with third countries.
- 6. Creating new migration possibilities:** One of the most challenging issues for EU member states is to think creatively about migration routes at a time of economic recession. One of the lessons of earlier guest worker migration is that from the point of view of receiving states it 'failed' (in the sense that the guests stayed) because migrants did not have the possibility to leave and re-enter. It may be possible to develop forms of mobility partnership that allow interchange between the EU and developing countries through particular types of migration (e.g. business, high skilled). This may also help address issues of brain drain.
- 7. Working with regional analogues:** The EU is a unique international organisation as no other organisation possesses its law-making powers. This does not mean that there are no other regional organisations with which the EU can work. It is important for the EU to develop strong ties within which migration dialogue and partnership can be developed with other regional organisations, particularly those in Africa, such as the African Union.
- 8. Maintaining the link between migration and integration:** There is a need to maintain strong links between migration and immigrant integration. These are two sides of the same coin: an effective migration policy cannot work without close attention to the domestic structures that deliver integration.

The full report is available at www.sieps.se