



## Outsourcing borders

### Monitoring EU externalisation policy

Bulletin 01  
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*“We will continue to fight for a more just world. We will continue to question our own consciences. We will continue to document what is happening... To document what is happening is a great way of resistance.”*

David Yambo, *Refugees in Libya*

#### About this bulletin

This project, carried out by *Statewatch* and *migration-control.info* and funded by *Bread for the World*, *Misereor*, *Medico* and *Pro Asyl* aims to make the EU's externalisation policies, plans and practices public. In doing so it seeks to highlight their impact on the rights of people on the move, as well as democratic standards of transparency and accountability. It addresses a lack of public information by publishing relevant EU documents, in this phase primarily those produced or discussed by the Council of the EU. It also tackles the overflow of information that results from a variety of EU institutions, working groups and national governments involved in the externalisation agenda by summarising thematic and regional developments, and by analysing key issues in depth.

#### Editorial

Welcome to the first edition of this new bulletin, *Outsourcing borders: Monitoring EU externalisation policy*. With this publication, we aim to shine a light on discussions and negotiations that take place behind closed doors, with little public attention or democratic scrutiny. We are doing so to inform the longstanding political and social struggle for just and humane migration policies – a struggle that is more crucial than ever, in the context of the EU's recently-agreed Pact on Migration and Asylum.

By providing and analysing official documents – many of which have not formally been made public – we hope to support the campaigning, legal and advocacy work of organisations not

just within the EU, but in those states where the EU's migration policies are underpinning human rights abuses and support for undemocratic regimes.

In this first phase of the project, we are focusing our resources on the Council of the EU, and on those working parties and structures that have a particular role in advancing the externalisation agenda. These bodies are explained in more detail in [one of the two analyses included in this bulletin](#), and our [online document archive](#) contains a wealth of primary source material, currently dating back to September 2023, the start of the current political term. You may notice that, so far, we have not published any documents from the Operational Coordination Mechanism for the External Dimension of Migration (MOCADDEM) – but we will have plenty of material produced and discussed by that body in our second issue, due out at the end of June.

The [second analysis](#) in this issue examines a note from the European Commission outlining its rationale for signing an agreement on migration with the Mauritanian authorities. The analysis, by Hassan Ould Moctar, concludes that “migration control cooperation will remain both a central diplomatic issue between the EU and Mauritania as well as a contested one within the country.” It might also be observed that the Mauritanian authorities have clearly understood that migration is a key issue that can be used to extract financial and political support from the EU and its member states – something that the authorities in other countries, such as Turkey and Tunisia, know only too well.

We have [summarised the key issues emerging from the documents published for this bulletin](#), in order to provide pointers to those working on the topic. However, this information should only be seen as a starting point. To dig into the details of the policies, projects and plans under discussion, and their effects, will require dedicated work by journalists, researchers and investigators. Challenging these policies will require further efforts. We hope that with this publication, we can provide information to underpin those challenges.

- Chris Jones, *Statewatch*

## Thematic and regional developments

The summaries below concern documents produced or discussed by five working parties of the Council of the EU:

- External Aspects of Migration Working Party (EMWP)
- Strategic Committee on Frontiers, Immigration and Asylum (SCIFA)
- Visa Working Party
- Working Party on Frontiers
- Working Party on Integration, Migration and Expulsion (IMEX)

All the documents summarised here, and more, are contained in our [document archive](#), which also contains sections on the European Council and the Justice and Home Affairs Council. We will add documents produced or discussed by the Operational Coordination Mechanism for the External Dimension of Migration (MOCADDEM) to coincide with the publication of the next bulletin at the end of June.

## Border management

The **external evaluation of the functioning of the Frontex Regulation** has been a major topic of discussion within Council working parties since it was published at the beginning of February:

- EMWP discussed aspects related to Frontex’s cooperation with third countries on [14 March](#);
- SCIFA held a broader, high-level discussion on [20 February](#);
- the Working Party on Frontiers held a discussion focusing on “situational awareness, the Standing Corps, and capability development” on [20 March](#); and
- the Working Party on Integration, Migration and Expulsion discussed the aspects of the evaluation relating to deportations on [12 March](#).

The general consensus that emerges from the various working papers circulated in the Council – and from the evaluation itself – is that there is currently no need for changes to the law governing Frontex. Instead, significant efforts will go into implementing the current mandate, in particular those issues highlighted in the Commission’s [action plan](#).

**Frontex’s working arrangements with African states** were discussed by the EMWP on [14 March](#). A discussion paper circulated by the Belgian Council Presidency notes that “the issue of national sovereignty and the reputation of Frontex are factors that could explained the reluctance of cooperating with the Agency.” Nevertheless, the paper says that negotiations on a working arrangement with **Morocco** were due to start in March, and are also planned with **Jordan**. There was a text agreed with **the Nigerien authorities** prior to the July coup, though cooperation has since been paused. The EU is also set to conclude a new Frontex status agreement with **Serbia**, discussed by the Working Party on Frontiers on [20 March](#).

A planned working arrangement with **Mauritania** has been superseded by the broader agreement signed with the country, though may still be in the works. However, the discussion paper on Frontex’s cooperation with African states notes with regard to **Mauritania** and

**Senegal:** “Neither country showed great interest in hosting Frontex joint operations on their territories.”

An extensive overview of **Frontex’s cooperation with non-EU states** is provided in the agency’s report on the topic covering 2022, discussed by the [Working Party on Frontiers in September](#). Amongst many other things, the report notes that:

- the agency “organised at the Police Academy in **Cairo** a workshop on human rights at the borders”;
- three new Risk Analysis Cells were set up in the framework of the **Africa-Frontex Intelligence Community (AFIC)** in 2022, in **Ivory Coast, Togo** and **Mauritania**;
- the Commission funded a “technical assistance project... to support the risk analysis capacities of AFIC participants,” of which there are now around 30 countries;
- **Kosovo** and **North Macedonia** “introduced basic requirements for the future [EUROSUR] Coordination Centres in the region”; and
- Frontex has developed “**a comprehensive programme for capacity building**” for **third countries** “**in the field of Return, Readmission, and Reintegration.**”

The topic of **immigration liaison officers** was discussed by IMEX on [8 February](#) (focusing on their role in deportations and readmission, see below) and in EMWP on [14 March](#). A Presidency discussion paper for the latter meeting notes the “need to closely coordinate on the priority countries for their deployments to ensure adequate coverage of relevant migration areas in some third countries.”

The document contains a table setting out where the EU and its member states have liaison officers deployed. The paper notes that there have been attempts to improve coordination and cooperation between immigration liaison officers, but with little success, and sought the views of member states on how to deal with the situation.

Improving information sharing with third countries on migrant smuggling and trafficking is also discussed in the Commission’s recent “[analytical document](#)” on the proposed amendments to the Europol Regulation, which indicates that they could be used to provide information on countries in “the **Middle East** and **North Africa, Sahel** and **West Africa,**” with which Europol does not have formal agreements. The document is examined in more detail [here](#).

The functioning of the **European Border Surveillance System (EUROSUR)** was discussed by the Working Party on Frontiers on [23 November](#), where Frontex gave a presentation based on its bi-annual report to the Parliament and the Council. The presentation is heavily censored, with almost its entire content redacted. However, it does demonstrate the extensive range of information that is processed in the system:

- analysis of information derived from large-scale information systems (such as the Schengen Information System, the Visa Information System, and Eurodac, a topic discussed in [a Statewatch report published last year](#));
- monitoring of designated third-country ports and coasts;
- monitoring of areas in the maritime domain;
- monitoring migratory flows towards and [within the Union](#);

- open source and social media intelligence;
- monitoring of designated pre-frontier areas;
- environmental assessment;
- tracking of aircraft and vessels; and
- monitoring of designated areas of air borders.

## Deportation and readmission

The [Visa Working Party](#) discussed **Article 25a of the Visa Code** at each of its meetings since September. Article 25a allows the introduction of punitive measures against third countries that do not cooperate with EU deportations (for example, by refusing to issue travel documents for returnees).

[IMEX](#) discussed the same topic at each of its meeting since December. A paper on the agenda of the January meeting examines the results of threatening or employing visa sanctions against **Iraq** ("unprecedented"), **Bangladesh** ("a significant decrease in the quality of the cooperation"), **The Gambia** ("positive steps"), **Senegal** ("mixed") and **Ethiopia** (discussions ongoing). IMEX is also now to be the main forum for member states to discuss proposals under Article 25a, with the Visa Working Party taking a secondary role.

The Commission's annual report on the implementation of Article 25a was also discussed by the EMWP on 8 September. *Statewatch* covered that report [here](#).

The [Visa Working Party](#) has also been negotiating the Council's position on a **proposal to revise the EU visa suspension mechanism**, which aims to make it easier to use, and to increase the number of grounds for which it can be invoked. While the Council's intention was to complete negotiations by the end of the legislative term, the Parliament was slow to make progress with the file and so it will not be completed until later in the year at the earliest. This provided the opportunity for the Council to discuss various provisions in-depth, and to add new provisions to the text.

At the Visa Working Party meeting on [26 March](#), there was a discussion on **"the future of visa policy," in particular as visa policy relates to asylum policy**. We have not yet obtained the discussion paper on this topic, but in March 2023 [the Swedish Presidency proposed](#) relating asylum applications to the visa suspension mechanism, as "citizens of visa-liberalised countries lodged a near-record number of asylum applications in 2022."

**Frontex's role in deportations** has been a frequent topic for the IMEX working party. On [19 September](#), Frontex gave a presentation offering a general update on its activities. The presentation offers a useful overview of numbers, but little detail. An update was presented by Frontex at the meeting on [20 December](#), where a discussion was also held on **"innovative approaches to return."** This was based on a Spanish Council Presidency discussion paper outlining a pilot project to include "mixed voluntary and non-voluntary returns on the same charter flight," which may become a standard part of Frontex's return "portfolio".

Frontex gave another update on its return activities at the IMEX meeting on [16 January](#), with one general presentation and one on its **priorities for 2024 with regard to deportations**.

These are set out with regard to pre-return activities, the implementation of removal operations, post-return activities, and digitalisation. The overall objective is for Frontex to support and organise more deportation flights, to increase and improve its services to member states and cooperation with non-EU states, and to ensure the establishment and interconnection of digital case management systems across the EU. The latter will include a “return data warehouse pilot” and a “mobile app for reintegration (RAPP).”

The document also notes that Frontex aims “to become a [member state] partner in implementing operational activities (not just a supplier).” As [previously reported by Statewatch](#), Frontex has already begun organising its own deportation flights, rather than just coordinating those organised by the member states, and as of November last year there had been flights to **Albania, Nigeria, Bangladesh** and most recently, to **Georgia and Albania.**”

A separate Presidency paper discussed at the [IMEX January](#) meeting examines ways to “make the returns system more effective,” focusing on the “internal dimension [of returns]... in particular prioritising effective returns of third country nationals posing a security threat and advancing towards a **European return decision.**”

It is likely that a legislative proposal for a European return decision, which would harmonise certain procedures and increase the mutual recognition of return decisions, will be forthcoming some time after September. A separate discussion paper with the same title was on the agenda of [the SCIFA meeting in November](#), which *Statewatch* reported on [here](#). A further paper on the topic was circulated for the [IMEX meeting on 12 March](#), looking at harmonization; “creative solutions”; and horizontal issues, with some detail provided under each heading.

The [March IMEX meeting](#) also discussed a **detailed Commission “non-paper” analysing the outcome of Schengen evaluations on return from 2020 to 2023**. This outlines a number of barriers to increasing the number of deportations from the EU, with limited detention capacity and limitations on the duration of detention both described as “a significant obstacle for the majority” of member states. It covers a wide range of issues that are likely to be focus of EU efforts to step up deportations in the coming years, in particular in the context of implementing the Migration Pact, which allows accelerated procedures for examining asylum claims and processing deportation cases.

**The role of immigration liaison officers in supporting deportation operations** was discussed at the IMEX meeting on [8 February](#), backed by a presentation from Frontex and a discussion paper from the Belgian Council Presidency. The former looks at the work of **EU Return Liaison Officers (EURLOs)** while the latter explains the different types of national and EU liaison officer and notes: “To this day, around 500 national liaison officers are deployed around the world,” mainly in **Europe, Asia and Africa**. It discusses where and how the work of liaison officers could better-coordinated in order to improve their role in deportations and readmission.

Reintegration has been a key discussion topic within IMEX. At the [19 September meeting](#), the **International Organization for Migration** was present for a discussion on its reintegration activities. The presentation is more heavily-censored than the one produced by Frontex for the same meeting; it notes that IOM’s return counselling services are: “Aimed at



empowering individuals and increase their agency to make their own decision instead of trying to influence it." The Spanish organisation **San Ezequiel Moreno Foundation** was also present at the meeting to give a presentation on its reintegration work.

It is evident that **Frontex's role in reintegration** – through its Joint Reintegration Services (JRS) – has expanded significantly in the last couple of years, and will continue to do so. General information on its work in this area is included in the presentations to the IMEX working party referred to above. A Spanish Council Presidency discussion paper for the [September meeting](#) notes that “it is essential to continue with the expansion of the Frontex JRS geographical scope, devoting special attention to the inclusion of those third countries that are currently readmitting a growing number of returnees.”

## Migration partnerships

The EMWP has discussed relations with a number of countries since the start of the legislative term. Follow-up to the action plans on **Niger** and **Nigeria** was discussed on 8 September; **Tunisia** and **Mauritania** were on the agenda on [6 October](#). The discussion document on Mauritania for that meeting indicated that cooperation with the country should be stepped up, it was reported on by *Migration-Control.info* [here](#). Since then, the EU and Mauritania signed an agreement covering a range of matters, including migration; a note that preceded the signing of that agreement is analysed [in this issue of the bulletin](#). The migratory situation in **Niger** was discussed on [12 February](#), along with relations with **Mauritania** on migration; a document for that meeting is analysed [here](#). Follow-up to the EU action plans on **Pakistan**, **Afghanistan** and **Libya** was on the agenda on [14 March](#), though documents from this meeting have not yet been obtained.

On [6 October](#), the External Aspects of Migration Working Party discussed the conflict in **Sudan** and the impact “on the displacement situation in the region.” A presentation outlined the causes of the conflict, the current situation, and the situation for displaced people and refugees. Noting the EU’s support for projects intended to support displaced persons in Sudan and neighbouring states, the document also the need to monitor “whether the Sudanese hosted in neighbouring countries are considering engaging in secondary movement or the newly displaced within Sudan will also decide to flee to neighbouring countries.”

## Budgets and funding

At its meeting on [28 November](#), the External Aspects of Migration Working Party discussed the Commission’s **Annual Report on the implementation of the European Union's External Action Instruments in 2022**, which mainly covers the **Neighbourhood, Development and International Cooperation Instrument (NDICI)** budget and the **Instrument for Pre-Accession Assistance III (IPA III)**. The report provides an overview of spending and on the number of migration-related projects in different regions, but no substantive detail on the content of those projects. The report’s two annexes run to a total over 400 pages in length.

One key figure contained in the reports concerns the amount of the NDICI budget spent on migration-related projects, which for the 2021-22 period was 13.6% of the total. This so far exceeds by one-third the overall aim of 10% for the 2021-27 period, which should amount to €3.364 billion. It also appears that **the EU's Global Gateway initiative** – designed to rival China's Belt and Road Initiative – is being used to implement migration-related projects, so far in 13 countries in **Africa**.

In the period covered by the report, €231.9 million from the IPA III budget was spent, as well as an “additional regional programme” worth €7m to help support the implementation of **Frontex's status agreements with countries in the Western Balkans**. The report notes that a new programme “to fight the smuggling of migrants” worth €30 million was adopted at the end of 2022, but it is unclear if this contributes to the €231.9 million total for 2022. The report notes the EU's support for the Lipa detention centre in **Bosnia and Herzegovina**, **Albania's** acquisition of “modern equipment, renewal of maritime fleets” and the “construction of two radar stations,” and support for **North Macedonia** to “help upgrade national technological and institutional capacities to identify, register, screen and treat the information on migrants and refugees in line with EU and international standards.”

The question of funding externalisation was raised explicitly by the Spanish Council Presidency, and a discussion paper for the [SCIFA meeting in November](#) notes the need for increased funds for externalisation “to maintain our credibility vis-à-vis our partner countries of origin and transit”. It says that the numerous different budgets available for externalisation make monitoring and analysis difficult, and calls for investment in the Spanish Presidency's proposed “preventive model”, [reported on previously by Statewatch](#).



## **Analysis: Charting a course through the externalisation labyrinth**

Chris Jones (*Statewatch*), *migration-control.info* collective

“Migration is a European challenge which requires a European response” has become a favoured refrain of EU officials and communiques. While the slogan is supposed to reinforce the need for a unified EU migration policy, it also masks the reality of the situation. The EU’s response to migration – in particular, irregular migration – is increasingly dependent on non-EU, and non-European states. Billions of euros and huge diplomatic efforts have been expended over the last three decades to rope non-EU states into this migration control agenda, and the process of externalisation is accelerating and expanding. Understanding the institutions and agencies involved is a crucial first step for anyone working for humane EU asylum and migration policies.

### **Externalisation: a long-term agenda**

The EU’s externalisation agenda has developed over the past three decades and consists of all the policies, practices and projects to outsource (or externalise) border and migration controls to non-EU states. Most of these policies are designed and implemented by the EU bureaucracy far from the public eye. The technical character of cooperation is often used as [a shield to conceal information](#) on the underlying objectives of the policies. Implementation far from EU territory makes democratic scrutiny difficult, even though it results in routine breaches of EU and international law.

Portrayed by the EU and its member states as an attempt to prevent “illegal” movement and save lives, the externalisation of border controls does the opposite: it produces illegality and puts peoples’ lives in danger. For those seeking to travel to the EU, mass deportations, racist violence, internment in camps, torture and abuse, and the diversion of journeys to more dangerous routes are some of the most prominent effects of the externalisation of migration controls. The agenda has so far failed to achieve its goal of reducing “irregular” arrivals on EU territory. Undeterred, the EU and its member states are seeking to intensify their efforts, through means and methods that prevent meaningful democratic scrutiny – let alone democratic control – over public policy choices.

To work towards migration policies that prioritise human rights, and which are subject to meaningful democratic control, layers of secrecy, opacity and bureaucratic jargon must be peeled back to clarify what EU and member state officials have been discussing and what they intend to do. Obtaining a clear picture of the plans, policies and projects under discussion is vital for informing the legal, political and social response by civil society organisations aiming to challenge the externalisation agenda. That is precisely the aim of this bulletin.

### **Political priorities**

While externalisation has always been part of EU migration policies, it emerged more prominently under the Juncker Commission (2014-2019), when the word “migration” was added to the job title of the head of the Directorate-General for home affairs (DG HOME). It then became an integral part of the response to so-called “migration crisis” of 2015, and further expanded with the von der Leyen Commission (2019-2024).

A series of action plans adopted by the European Commission in 2022 and 2023, covering the main routes for irregular journeys to the EU, frame current efforts to externalise the EU's borders: the Western Balkans and the Central, Western and Eastern Mediterranean plans. These plans are based on the “whole-of-route-approach”. Described by the Commission as a “major innovation”, it aims to increase cooperation with countries of origin and transit to address “the entire spectrum of situations people may find themselves in”.

Such an approach has in fact been integral to the EU's external migration control agenda since the [adoption](#) of its first comprehensive framework in 2005. Its refurbishing as a novelty [echoes](#) the oft-used critique of the EU serving up “old wine in new bottles”, but attention to detail remains crucial for understanding the unfolding nature of this policy agenda. While route-specific plans might differ, a common overall approach can be discerned. It is one that emphasises repressive measures: increased border control and surveillance, accelerated procedures (for example, for asylum or deportation), improved police cooperation against migrant smuggling, agreements with Frontex, and so on. This will make the dangerous and, all too often, deadly migration routes to Europe even more so.

### **Institutions, agencies and agendas**

A range of different EU and member state institutions, bodies and agencies help to develop and implement the EU's externalisation agenda. The principal focus of this bulletin is the **Council of the EU**, which we have chosen to focus on for a number of resources: as the “home” of the member states, it sets political priorities for other institutions and agencies to follow; it is one of the EU's two official co-legislators (alongside the European Parliament); it serves as a site for discussions about the work of other institutions and agencies; and, with limited resources, it is currently impossible to focus on the full range of entities involved in the externalisation agenda. Nevertheless, before looking more closely at the Council, we will highlight here some of the other key players.

Within the European Commission, other than the presidency, the department for Migration and Home Affairs (**DG HOME**) and the department for International Partnerships (**DG INTPA**) are key actors. Commission officials are responsible for negotiating agreements with non-EU states, based on mandates approved by the Council of the EU. These include the recent swathe of non-binding partnerships with countries such as [Tunisia](#), [Mauritania](#) and [Egypt](#), which encompass a wide range of policy areas, including migration.

In addition, EU diplomacy has developed tremendously since the Lisbon Treaty entered into force in 2009. There are now EU delegations and offices in more than one hundred states around the globe, tasked with representing the EU's interests, including with regard to migration policy. In 2022, the **European External Action Service**, which oversees the EU delegations, appointed the first **Principal Adviser for External Aspects of Migration**. The holder of this post – currently [Luigi Soreca](#) – is tasked with reinforcing the role of EU delegations on migration-related matters while maintaining close contacts with EU member states, third countries and other EU institutions.

**EU development institutions** play a central role in both the financing and implementation of projects rolled out in non-EU countries beyond fostering direct “cooperation” with non-EU states. Most of the externalisation strategy is implemented through “migration management

capacity-building projects”, such as the building of migration control infrastructures, the provision of training and equipment, as well as advice on how to reform legal and policy frameworks in non-EU countries. For this purpose, the Neighbourhood, Development and International Cooperation Instrument – Global Europe (NDICI) budget, worth almost €80 billion, is crucial. 10% of the total is supposed to be spent on migration-related projects, alongside funds from [a range of other EU budgets](#). As noted [elsewhere in this bulletin](#), it appears that the EU’s Global Gateway programme – intended to counter China’s Belt and Road Initiative – is also providing an umbrella for migration-related projects.

The increasing centrality of aid and development to the externalisation agenda is also apparent in the so-called “**Team Europe**” **approach**, one of the latest additions to the externalisation toolbox. This aims to coordinate collective action by EU and member state institutions and agencies by combining funding, diplomacy and political pressure, and was first introduced as part of the response to the COVID-19 pandemic, and was then [adopted for development cooperation](#). The accountability and transparency of EU and member state action through this approach has raised [questions from MEPs](#), with Spanish MEP for The Left, Sira Rego, [highlighting](#) that “civil society has not been involved in the initiatives.”

[A range of immigration liaison officers](#) also contribute to EU border externalisation with their work. As representatives of the EU, Frontex or the EU member states, they are posted in non-EU countries and maintain close contact with the authorities of the host country. There has been little detailed scrutiny of their work by civil society organisations, yet their geographical coverage is increasing, as are attempts to improve EU-level coordination of their work. The Belgian Council Presidency is pushing for closer coordination “the priority countries for their deployments.”

EU agencies also have a role to play in the externalisation agenda – in particular **Frontex, the European Border and Coastguard Agency**. The agency deploys its own liaison officers in non-EU states, along with a range of other activities: the coordination of networks (for example on risk analysis, or on a variety of migration-related topics through the Africa-Frontex Intelligence Community), and also engages in bilateral discussions through fora such as the Frontex-Morocco Mixed Committee. One of the agency’s [nine official working groups](#) deals with “External Cooperation and Technical Assistance,” though there is little public information available on the activities of this entity. Perhaps most well-known are Frontex’s operations in third states. Previously restricted to countries bordering an EU state, the agency is now able to deploy border guards in any country with which a status agreement has been concluded with the EU. As this bulletin’s [article on Mauritania](#) highlights, reach such agreements is not necessarily straightforward.

### **Inside the Council**

As noted above, the Council of the EU – home to representatives of the member states as well as a sizeable bureaucracy of its own, the General Secretariat – is currently the primary focus of this bulletin. High-level strategic guidance, political direction and legal approval for EU migration policy come from the European Council (where heads of state and government meet, and a separate institution to the Council of the EU) and the Justice and Home Affairs (JHA) Council (where justice and interior ministers meet to approve legislation and policy).

For example, the Council is responsible for approving mandates for negotiations with non-EU states, with negotiations undertaken by Commission officials. Decisions in the JHA Council are prepared by the Committee of Permanent Representatives (Coreper), whose work is in turn informed by discussion and decision-making in a host of different working parties.

In the Council, representatives of each EU member state take part in each working party meeting, along with others: for example, Frontex, the Commission, the EU Asylum Agency, or even representatives of external bodies such as the International Organization for Migration (IOM) or the International Centre for Migration Policy Development (ICMPD). The roles of these representatives, and the seniority of the posts they hold, depends on which working party they participate in.

One of the newest structures in the Council for dealing with externalisation is the [Working Party on External Aspects of Asylum and Migration \(EMWP\)](#). The EMWP received its mandate in mid-2021, although it is considered to be a successor to High Level Working Group on Asylum and Migration, which started functioning in 1998.

The EMWP is responsible for taking forward discussions on the “tailor-made and mutually beneficial EU approach towards countries and regions of origin,” providing general guidance on improving the externalisation agenda, examining ways to improve cooperation between the EU and member states, and developing EU positions with regard to particular countries. It is tasked to cooperate with SCIFA, IMEX and the Visa Working Party, as well as those dealing with finance and international development. It comes under the remit of the General Affairs Council.

The [Strategic Committee on Immigration, Frontiers and Asylum \(SCIFA\)](#) was set up following the entry into force of the Amsterdam Treaty in 1999. In 2011 it was [described](#) by the Council’s General Secretariat as “an invaluable network for senior officials acting in politically sensitive and fast-developing EU policy field to find solutions to interrelated problems.” In 2015 [it was granted](#) a role in overseeing plans “to promote coherence between internal and external aspects of migration.”

As the name suggests, it hold high-level, strategic discussions. At its most recent meeting the agenda covered the evaluation of Frontex, an overview of the “migration and asylum situation” and secondary movements, and the results of a pilot project on the convergence of asylum decision-making.

The [Working Party on Integration, Migration and Expulsion \(IMEX\)](#) is one of 16 official justice and home affairs working parties in the Council, though it is unclear when and why its mandate was granted. According to the Council it “deals with issues related to entry to, exit from and integration in the EU.” For those purposes, it meets in different formats – for example, IMEX (Admission) or IMEX (Expulsion), the latter being most relevant for this project. At the most recent meeting of the IMEX Expulsion working party, discussions were held on “making the returns system more effective,” the official evaluation of Frontex, and the repeal or imposition of visa sanctions on countries deemed insufficiently cooperative with deportations from the EU.

As with IMEX, the Council's list of preparatory bodies does not provide a reference for the mandate of the [Working Party on Frontiers](#), but it has been in operation for quite some time. It [deals](#) "in particular with measures relating to the crossing of external and internal borders of the Schengen states," and "questions related to the EU agency for the management of external borders, Frontex."

The working party discusses both legislation and policy. For example, its meeting in March covered the evaluation of Frontex; agreements between the EU, San Marino and Andorra; reports from Frontex on its activities in the second half of 2023; and the state of play of negotiations for more Frontex working arrangements with third states.

The [Visa Working Party](#) "deals with the common visa policy in relation to citizens from non-EU countries subject to a visa requirement." At its meeting in March, it also discussed the proposed imposition or repeal of visa sanctions, as well as "the future of visa policy" in relation to asylum policy, amongst other things. Visa policy is playing [an increasing role in the EU's relations with non-EU states](#), with attempts to introduce restrictions on or delays to visa issuance being used to try to encourage cooperation, in particular with deportations from the EU.

Finally, one key new institution in the externalisation landscape is the [Operational Coordination Mechanism for the External Dimension of Migration](#). Known as MOCADÉM for its initials in French (*mécanisme de coordination opérationnelle pour la dimension extérieure des migrations*), it was put in place under the January-June 2022 French Presidency of the Council, and is supposed to coordinate the operational actions agreed following discussions in other Council working parties.

Unlike other Council working parties, documents produced or handled by MOCADÉM are not routinely made public or even listed in the Council's register of documents. However, papers that have been obtained and published by organisations such as *Statewatch* and *Migration-Control.info* give an indication of the array of activities coordinated through the mechanism. They include, amongst many other things:

- providing vessels or spare parts for vessels, for example for the Tunisian coast guard and so-called Libyan coast guard;
- high-level political and diplomatic outreach to targeted countries in order to emphasise the priority given to EU migration policy;
- negotiation and signature of readmission agreements, facilitating deportations from the EU; and
- providing financial and technical support for border control activities.

## Conclusion

EU externalisation is opaque, highly fragmented and continuously evolving - and most importantly, occurring beyond the EU's borders often far away from public scrutiny. While often portrayed as a "novel" approach within the EU's repertoire of migration control, it has in fact been part and parcel of the Union's migration policies since its outset. With internal

friction among EU member states over migration issues mounting in recent years, the EU's push to outsource border control to non-EU countries regained impetus since 2015. The current efforts of EU institutions – in particular the Council and Commission - as well as [pre-electoral statements](#) indicate that externalisation will remain a crucial point of common interest amongst member states that remain divided on many other issues related to migration policy.

Meanwhile, the costs of externalisation have are well known. Externalized migration control has been seen to reproduce colonial logics in “cooperation” with non-EU states, foster racialized violence and grave human rights violations faced by people on the move. Externalisation has funded authoritarian regimes, and led to a further distortion of EU development objectives. With these consequences in mind, this bulletin hopes to provide a useful overview of developments in the institutions, starting with the Council, to support targeted and strategic campaigning, advocacy and other initiatives for more just and humane migration and asylum policies.



# Analysis: The politics behind the EU-Mauritania migration partnership

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## Introduction

On 7 March, the EU and Mauritania signed a landmark “migration deal.” This January note from the European Commission makes the case for the deal to EU member state representatives in the Council. Dated 26 January, and therefore preceding both the public announcement of the deal on 7 February and its signing one month later, the note offers insight into the politics behind the migration partnership deal between Mauritania and the EU.

## Key takeaways

- The deal replaced a proposed Frontex status agreement, which was deemed too “politically sensitive” by Mauritanian authorities
- Mauritanian authorities feel that there had been insufficient recognition by the EU of their cooperation in preventing irregular departures
- Mauritania appears to exercise leverage over the EU due to its status as one of the few remaining western allies in the region

## Context

The [migration deal](#) envisioned in this note was the latest in a long line of measures taken by Spain and the EU to curb arrivals on the Canary Islands. Dating to 2006, these involve military and security measures as well as “softer” strategies of development aid and youth employment programmes. These have been implemented through a variety of frameworks, such as the 2010 national migration strategy and the EU Trust Fund for Africa’s Sahel and Lake Chad window. The deal itself, [announced at the beginning of March](#), promises a similar package of measures, involving support to the Mauritanian border and security forces in combatting people smuggling and human trafficking and bolstering Mauritanian border management and surveillance capacities. It also promises funds for job creation in the country, strengthening the asylum system and legal migration schemes.

## Mauritania: “very good” cooperation on migration

The note starts out with an overview of Mauritania’s strategic significance to the EU. This significance consists firstly in its capacity as a departure point for the Canary Islands. It notes a steep increase in arrivals on the Canary Islands in 2023 from Mauritania compared with 2022. It also emphasises Mauritania’s status as a “transit country”, due to the negligible number of Mauritanian nationals arriving irregularly on EU territory in 2022 and 2023. (This absence of Mauritanian nationals among arrivals on European territory is interesting given the [sharp increase of Mauritians arriving in the US](#) via the Mexico border over the same period.)

Secondly, this strategic significance to the EU is rooted in the wider geopolitical situation in the region. As the document puts it: “In the Sahel, which is experiencing increasing insecurity and instability, Mauritania, at this stage, is the only democratic country that is cooperating with the

EU.” The note refers to cooperation with the country on migration as “very good.” Unlike Mali, Niger, and Burkina Faso, which have ejected French and EU forces from their respective countries and established a regional security alliance to rival the Western-backed G5 Sahel, Mauritania remains a loyal (if ambivalent) EU partner in the Sahel.

Taken together, these two elements of Mauritania’s strategic significance suggest potential leverage over the EU by Mauritanian authorities, or at least an incentive for the EU to take Mauritanian government concerns seriously. Indeed, the note also refers to warnings Mauritania had issued with regard to the security of its eastern border, echoing a September 2023 [document from the Spanish Presidency of the Council of the EU](#).

### **From status agreement to migration partnership**

The note then describes how a proposed status agreement that would have authorised a Frontex deployment on Mauritanian territory was shelved, despite an initial expression of interest and four rounds of negotiations. The reason given is that Mauritania realised “the status agreement was politically too sensitive.” As an alternative, Mauritanian authorities proposed “a legally binding framework of cooperation with the EU on migration, encompassing all areas, along the lines of those that, according to Mauritania, had been concluded with other transit countries.” The agreement that emerged from this proposal - the one that was publicly launched on 7 March - is non-binding, but it appears that this desire was otherwise accommodated.

At first glance, this depiction of the Frontex status agreement as more politically sensitive than the migration partnership deal that was signed in its place appears questionable, given how [controversial](#) this deal has proven to be in Mauritania: the day it was signed, [police dispersed a protest against it](#) in the capital. The status agreement, on the other hand, could have been passed off quietly, compared with the public-facing press statements and joint declaration associated with the migration deal.

However, the political sensitivity of the status agreement may have had less to do with its reception by the Mauritanian public and more by the security forces, whose operational jurisdiction would have arguably been challenged by a direct Frontex presence. Such jurisdictional disputes are already common within European territory, as evidenced in [reported “discrepancies”](#) surrounding competences shared between the Spanish *Policía Nacional* and *Guardia Civil* and a Frontex deployment on the Canary Islands.

In the Mauritanian context, the [joint declaration that announced the migration partnership](#) still envisions “enhanced cooperation between Mauritania and Frontex,” but with the important stipulation that this be “in accordance with the needs identified by Mauritania in this area, in particular in terms of equipment and training, and with due regard for its sovereignty.” This latter clause might be read as an attempt to address the political sensitivity of any Frontex presence in the country.

The note provides further context to this transition from a Frontex status agreement to a more comprehensive migration partnership, detailing the Mauritanian view that the EU has not sufficiently recognised Mauritania’s efforts to support EU migration concerns in the country. These points were already made in the September 2023 Spanish Council

Presidency document, but given that the source is now the European Commission, it suggests that these concerns have been heard. Of the €210 million that was promised in the deal, an EU source indicates that €28 million is destined for development and security projects in the eastern Hodh Ech-Chargui region, where the majority of the 120,000 refugees currently in Mauritania, who are mostly from bordering Mali, reside. This is likely an attempt to address the Mauritanian concerns that migration cooperation has so far reflected EU concerns rather than domestic security ones.

### **The way forward**

The note concludes with an overview of the different exchanges that have taken place at various levels between Mauritania and the EU since September 2023, and with a discussion of the “way forward.” Regarding the latter, the note makes reference to the procedures for a establishing a non-binding instrument, and aims “to launch a regular migration dialogue, to be held once a year at senior official level and yearly or bi-yearly at political level.”

Establishing regular dialogue frameworks with non-EU countries is a [key interest](#) of the EU and a building block of its externalisation architecture. Based on the information made available through the document analysed here, it is likely that the unfolding of migration control cooperation will remain both a central diplomatic issue between the EU and Mauritania as well as a contested one within the country.