

**Partnerships with countries of origin and transit:
A major field of action for ICMPD**

Additional report on the ICMPD Strategy Process 2025

By Steffen Angenendt and Eduard Gnesa

In collaboration with Nadine Knapp

Berlin/Bern December 2020

Content

- 1 Introduction 1**
- 2 Partnerships in the New EU Pact on Migration and Asylum..... 2**
- 3 Partnerships in previous EU migration policy 3**
- 4 Switzerland’s migration partnerships 6**
- 5 ICMPD’s experience with partnerships in North Africa..... 8**
- 6 “Consultancy plus”: A four-part consultancy package for migration partnerships 8**

1 Introduction

At the request of ICMPD, the authors of this report had advised on the development of the ICMPD Strategy 2025 at the beginning of the year and presented supplementary proposals in May 2020. The starting point were the central challenges arising from the changes in the migration policy framework in Europe, which have recently been strongly influenced by the effects of the Covid 19 pandemic. The recommendations related to the questions of how ICMPD could take migration policy developments in the EU as well as the interests and priorities of its Member States into account in the coming years and how this should be reflected in ICMPD's relations with the EU institutions, in ICMPD's enlargement policy and in its relations with other European and international migration actors.

Now that the "Strategy 2025" has been adopted, the question of its implementation arises. With this additional report, the authors would like to point out an area of action that is of greatest importance for the implementation of the strategy and that could represent a key field of action for ICMPD over the next five years: *the strengthening of partnerships with countries of origin and transit*. The importance of partnerships in European migration policy was also made clear in numerous contributions to the Vienna Migration Conference 2020. The need to strengthen partnerships can be considered the most important message of the conference.

The starting point for the following analysis is the proposal for “a New Pact on Migration and Asylum”¹ presented by the European Commission in September 2020. Here again, the issue of partnerships plays a central role, and the EU Commission points out in numerous places that it considers partnership to be the decisive prerequisite for an effective, sustainable, and legitimate EU policy. However, the Commission’s proposal does not yet sufficiently specify the concept of partnership. This poses an opportunity for ICMPD to contribute its experience and expertise to the new EU asylum and migration policy and to support the ICMPD Member States and the EU Commission in implementing this policy.

The present report begins with a brief analysis of the EU Commission’s proposed Pact on Migration and Asylum and the importance of partnerships within it. However, partnerships are not new to EU and Member State policies. The Member States and the Commission have gained manifold experience with this instrument over the past decades. The report therefore takes stock of the EU mobility and migration partnerships to date, supplemented by an analysis of special experiences of Switzerland with partnerships and the more recent experience that ICMPD itself has gained with partnerships with North Africa. From this, a proposal is derived as to how ICMPD could contribute its specific experience and skills regarding partnerships to the policies of the member states and to EU policies and how a four-part “Consultancy plus program“ could be designed: with consultancy offers for (1) national strategy development within the ICMPD Member States interested in a partnership, (2) coordination among the Member States concerned, (3) consultations by these Member States with the third country, and (4) embedding these consultations in regional processes such as the Rabat or Khartoum processes.

2 Partnerships in the New EU Pact on Migration and Asylum

In recent years, attempts to jointly shape European migration and asylum policy have regularly failed due to differing positions among the EU Member States. By proposing A New European Pact on Migration and Asylum in September 2020, the new EU Commission has made a new attempt to overcome this blockade. The proposal, which must now be discussed by the Member States and the Parliament, attempts to bridge the conflicts between the EU Member States. To this end, restrictive and protection-oriented elements are to be coupled and previously separately addressed areas of asylum and migration policy are to be linked.² In the public debate on the Commission proposal, human rights and rule of law concerns have been expressed and it has been criticized that the proposal remains vague in many points. But there are also many voices that welcome the proposal and refer to it as a good basis for negotiating an effective and sustainable EU migration and asylum policy – especially because it emphasizes the opportunities of migration and the importance of legal migration routes and partnerships.

The proposal contains three key elements: (1) *Robust external border management*: asylum seekers should be registered and must undergo security, health and identity checks as early as at the EU's external borders, and asylum applications should be speeded up by using fast-track procedures; (2) *Strong solidarity mechanism*: a multi-stage solidarity concept should enable all EU Member States to share the burden through various and in some cases selectable options for action and funding – including so-called return sponsorships; (3) *Intensifying partnerships with countries of origin and transit*: Partnerships with third countries should be strengthened through comprehensive, balanced and tailored cooperation in order to create legal access routes, reduce the smuggling of migrants, implement return agreements more effectively and diminish the causes of irregular migration.³

In its proposal, the EU Commission emphasizes the importance of the external dimension of European migration policy and stresses that the interests of the countries of origin and transit must be given greater consideration in order to achieve “mutually beneficial partnership[s]”⁴. Political engagement is to be intensified at the bilateral, regional and multilateral level⁵ and the partnerships are to cover a broad range of topics (including development, education, visa policy, trade, jobs and climate change).⁶ To this end, the EU is to cooperate closely with partner countries, particularly in five key areas: (1) hosting refugees, (2) improving economic opportunities in the countries of origin, (3) fighting migrant smuggling, (4) developing orderly channels for legal migration and (5) strengthening (voluntary) return and reintegration.⁷

An “EU Talent Pool”, a network at the EU level that brings together initiatives on legal migration, education, and the recruitment of skilled workers, will contribute to the implementation of these goals.⁸ This platform is to be open for different qualifications, geared to economic needs and also enable small and medium-sized companies to recruit skilled workers internationally. By involving the private sector, a “triple win” shall be achieved: The countries of origin and transit countries are to be relieved, demand in the EU Member States is to be met flexibly in view of demographic and economic developments and the shortage of skilled workers, and migrants are to be enabled to migrate in a regulated, legal and secure manner. It is to be expected, however, that numerous bilateral agreements will continue to exist alongside this EU framework. Moreover, the model already illustrates how important and at the same time challenging it is to involve such a large number of actors at an early stage, to recognize their interests and to enable synergies.⁹

At the heart of the Commission proposal is the desire for better cooperation between countries of origin in the readmission and reintegration of their citizens. Although the Commission still

considers the EU Member States to be responsible for the implementation of existing and future readmission agreements, it proposes that, in the event of “substantial and persistent practical problems” and “increased visa abuse”, the Commission can recommend to the Member States a more restrictive visa issuance policy and, conversely, visa facilitations in cases of good cooperation.¹⁰ In addition to visa policy, the EU Commission also regards conditionality as a useful lever to persuade countries of origin to cooperate better¹¹ – even if experience shows that the effects of both negative and positive conditionality are limited.¹²

The Commission’s new proposal emphasizes the importance of a close partnership with third countries for an effective, sustainable, and legitimate migration and asylum policy. Moreover, it proposes a paradigm shift in cooperation with partner countries.¹³ In addition, the proposal underlines the importance of legal labour migration in shaping partnerships.¹⁴ The subsequent Portuguese Council Presidency has already announced that it intends to make this approach a central topic.

Nonetheless, the Commission’s proposal remains vague in many points regarding the concrete design of the partnerships, and the implementation proposals are still primarily limited to migration management and cooperation on return and reintegration. This is simply not enough for “mutually beneficial partnerships”¹⁵. Additional topics that are also in the interest of the partner countries must be addressed. Besides creating legal migration routes, these include cooperation in the areas of reducing the root causes of forced displacement and of fostering capacity building. Moreover, it is still unclear how cooperation with third countries can be strengthened in concrete terms and how the interests of the partner countries can be better taken into account. After all, the proposed new EU Pact was drawn up without the formal involvement of countries of origin and transit. This would require additional dialogues with the partner countries.

3 Partnerships in previous EU migration policy

The partnerships proposed by the EU Commission are not a new element of EU migration policy. As early as 2005, the EU heads of state and government presented the “Global Approach to Migration and Mobility” (GAMM), a model for a coherent, comprehensive, and sustainable migration policy. The central concept were so-called Mobility Partnerships, which the EU Commission believed should represent “the most innovative and sophisticated tool”¹⁶ of EU migration policy. They were intended to link migration and development policy goals with each other and to enable a fair balance of interests with the partner countries.

Subsequently, pilot partnerships were signed with Cape Verde, Moldova, Georgia, Armenia, Azerbaijan, Morocco, Tunisia, and Jordan. Moreover (additional and less ambitious) partnerships in the form of “Common Agendas for Migration and Mobility” (CAMM) were agreed upon with Nigeria, among others. Proponents of the programs promised a “triple win” that would offer migrants a legal migration perspective, support the countries of origin in terms of development policy and provide the EU Member States with urgently needed skilled workers. The contents of the individual agreements differed. However, the focus was always on the goal of promoting legal migration and restricting irregular migration. The instruments envisaged included visa facilitation, the promotion of circular migration, vocational training programs, university partnerships, and agreements on readmission and improved border control. The mobility partnerships should also have explicitly included development policy projects.

The partnerships thus represented an attempt to link migration and development policy approaches and to bridge the gap between the two policy areas. Until then, development cooperation had tended to view migration with scepticism; frequent warnings were issued regarding brain drain and an instrumentalization of development policy for migration policy purposes. It was often argued that development policy should under no circumstances be misused to recruit workers (in the interests of the private sector). Migration policy, on the other hand, has always been influenced primarily by economic and security considerations. Development policy aspects were secondary, and particularly domestic political actors were convinced that their responsibilities in migration management should not be impaired by development policy considerations.

The Commission's proposals within the framework of the mobility partnerships arose at a time when these basic attitudes were being challenged by two developments. On the one hand, global migration and migration policy were undergoing long-term processes of change: Temporary and circular migration increased at the expense of permanent emigration and immigration, and migration policy was increasingly concerned with mobility management. However, the receiving countries were less and less able to handle this on their own and solely at the national level. Thus, in view of the increasingly mixed nature of migration, migration management caused increasing difficulties, in part because of the growing difficulties in persuading countries of origin to take back their citizens who were obliged to leave. The EU states therefore had to work more closely and in a spirit of partnership with the countries of origin and transit.

On the other hand, given the sharp increase in remittances, knowledge on the importance of the developmental contribution migrants made to the host countries and countries of origin also grew through the transfer of know-how by Diasporas and returnees. This also increased the interest of development policymakers in making better use of the potential of migrants for development purposes. In many industrialized countries, migrants were increasingly perceived as development actors and bridge builders.

From the very beginning, the concept of mobility partnerships was therefore essentially concerned with promoting development through migration and mobility. The central questions here were whether and how the development contribution of migration and mobility could be promoted within the framework of European policy through concrete programs.

However, the initial euphoria of the EU Commission and many governmental as well as non-governmental actors about the new instrument waned in the course of the following years and in view of the EU Member States' reluctant use of the instrument, and assessments became more sceptical. Even after evaluating the first pilot projects, the EU Commission still took the view that the mobility partnerships would represent a central and indispensable element of European migration and development policy. At the same time, however, it criticized that (1) development policy aspects were being neglected, (2) the partnerships were too strongly oriented toward reducing irregular migration and too little toward promoting regulated migration and mobility, (3) the efforts of the Member States lacked coordination and coherence, and (4) the balancing of interests between the EU Member States and the partner countries was insufficient. Overall, according to the EU Commission's own assessment, the mobility partnerships fell short of expectations.

The EU Commission's enthusiasm for the regional dialogue formats that were set up to flank the GAMM were also replaced by cautious assessments over time. This applies to the Rabat process initiated in 2006, which now involves 55 African and European countries as well as the EU

Commission and ECOWAS. Here, the focus was to be on four thematic areas: legal migration and mobility, irregular migration, migration and development, and international protection. However, in practice, the focus was then on cooperation to reduce irregular migration. The same applies to the Khartoum Process, which was launched in November 2014, but which from the outset focused more strongly on combating human trafficking and smuggling, involving the EU Commission, the European External Action Service (EEAS), the AU Commission, EU Member States and African states along the migration routes in the Horn of Africa. Both dialogue processes are being implemented through programs such as the Better Migration Management (BMM) and the Regional Development Protection Programme (RDPP) for the Horn of Africa.

Despite the limited successes, the EU Commission took up the partnership idea again in the “European Agenda for Migration” of May 2015. In view of the increasing irregular migration across the Mediterranean, the agenda provided for more resources for Frontex and Europol operations, for Member States on Europe’s external borders and for the Regional Development and Protection Programmes (RDPP) with North Africa and the Horn of Africa. There were also plans to strengthen border management in Niger and Mali and to establish a multifunctional centre in Niger with IOM and UNHCR.

At the peak of the strong immigration to Europe in November 2015, the European Council adopted the Valletta Action Plan. These measures were also based on the GAMM proposals and did not conceptually go beyond them. However, the EU Emergency Trust Fund (EUTF) for Africa was set up to provide financial support for the Action Plan. The fund currently comprises more than 5 billion euros, 88% of which come from various financial instruments of the EU budget, such as the Development Cooperation Instrument (DCI) and the European Neighbourhood Instrument (ENI). In addition, extra-budgetary funds from the European Development Fund flow into the EUTF. So far, 254 projects have been financed in 26 African states particularly affected by instability, displacement, and irregular migration.

In June 2016, the EU Commission presented the “Migration Partnership Framework”, a further approach to improving cooperation on migration policy. This also, follows the tradition of the GAMM and ties in with the Valletta Action Plan. Ethiopia, Senegal, Mali, Niger, and Nigeria were selected as priority countries for these migration partnerships. With these countries’ compacts are to be concluded, which will be adapted to the respective situation in the country and will include cooperation on trade, mobility, energy, security, and digitization. These partnerships are primarily financed by the EUTF.

These efforts were supplemented by the “EU External Investment Plan” proposed by the EU Commission at the end of 2016 to strengthen the partnerships. The offensive is designed to boost investment in Africa and the EU’s neighbourhood by removing barriers to private investment. With a contribution of 3.35 billion Euros from the EU budget and the European Development Fund, the aim was to mobilize investments totalling 44 billion Euros (“leverage”).

Looking at the last 15 years of EU migration policy as a whole, it becomes clear that all of the EU Commission’s proposals and initiatives to date have been based on the principles of partnership-based cooperation with countries of origin and transit, which were already formulated in 2005, and that the more recent approaches have also primarily sought to compensate for the weaknesses of the original proposals. As the evaluations of the first mobility partnerships have already shown, these weaknesses are primarily due to the poor design of the partnerships and their inadequate implementation. The previous partnerships generally suffer from the fact that they primarily serve

the interests of the EU states and that they focus on issues of migration control and the readmission of own nationals. Although this reflects the asymmetrical power relations between the EU states and the partner countries, it offers little incentive for the partner countries to implement the agreements consistently and permanently. The partner countries' frequent complaints about insufficient consideration of their interests and their demands for more legal migration opportunities and more generous visa issuance illustrate this.

This assessment suggests a twofold conclusion: First, partnerships remain the conceptual core of European policy. However, if the EU Commission and the Member States were unable to develop better concepts in view of the weaknesses of the previous partnerships, despite the immense pressure to act, especially in and after the strong immigration of 2015/16, this also suggests that the original approaches were not wrong. The reactions of many partner countries show that, from their point of view, offers for legal (permanent, temporary, or circular) migration of skilled workers, but also of low-skilled workers and workers still to be qualified, are particularly desired. The organization of labour migration and cross-border mobility is therefore a core element of any effective and sustainable migration partnership. On the other hand, it should be noted that the development and implementation of partnerships can only take place within the framework of a structured process, in which experience with previous partnerships and practical expertise must be incorporated at all stages. The effectiveness of partnerships depends crucially on whether such expertise is used systematically. At this point, ICMPD's experience from the conceptual and organizational support of numerous processes and measures within the framework of previous partnerships opens opportunities for action, both in terms of advising the governments involved and in organizational terms.

4 Switzerland's migration partnerships

The experience of various ICMPD Member States can be used to determine what offers ICMPD could make to its Member States regarding the development of partnerships and what elements such advice should contain. Here, especially, the Swiss experience with partnerships can offer valuable insights.

Cooperation with countries of origin and transit: In view of the large migratory movements towards Europe – especially since 2010, triggered by the Arab spring, the civil war in Syria, the conflicts in Iraq, Iran, and Afghanistan – the Swiss Federal Council decided to intensify cooperation on migration issues with countries of origin and transit of asylum seekers and migrants and to find solutions in mutual interest. This included regional strategies relating to the protection of human rights, assistance on the ground, prevention of irregular migration, return and reintegration, capacity building and development. These issues continue to be at the forefront, both for states with which migration partnerships exist and for other countries of origin of asylum seekers and migrants.

Instrument of migration partnership: Migration partnerships play an important role in Swiss external migration policy.¹⁷ Such partnerships had been introduced with Serbia and Bosnia-Herzegovina since 2009, with Nigeria since 2011, with Tunisia and Kosovo since 2012 and with Sri Lanka since 2018. They institutionalise and legitimise long-term cooperation, including regular and irregular migration and return. The partnerships are based on reciprocity, they are flexible and create trust-based relationships. Their focus is on long-term, holistic solutions. According to the Swiss Federal Council, the following prerequisites must be met for the implementation of a

migration partnership: substantial migration policy interests of Switzerland, a mutual willingness to intensify cooperation in the field of migration, a considerable density of relations, and a certain degree of stability and good governance in the partner country.

Fields of action: The holistic approach of the migration partnership is formalized either through a binding instrument under international law or through a “Memorandum of Understanding” (MoU). The migration partnership represents the most intensive form of cooperation in migration policy and, above all, serves to balance the interests of states linked by migration. Key components or fields of action of a migration partnership are assistance and protection in the partner state, protection of the human rights of migrants, visa policy, return, return assistance and reintegration, prevention of irregular migration and human trafficking, capacity building, and projects in the field of migration and development or in education and training.

Whole of Government approach: To ensure that the various facets of migration interact, the Federal Council implemented the overall government approach in 2011 with the “Interdepartmental Structure for International Cooperation on Migration” (ICM). This institutionalized cooperation between the various federal agencies (including the State Secretariat for Migration, the State Secretariat for Foreign Affairs, the State Secretariat for Economic Affairs, and the Swiss Agency for Development Cooperation). The most important goal was to achieve the greatest possible coherence in migration policy. The overall governance approach has proven its worth: The effectiveness, efficiency and coherence of migration foreign policy have been strengthened and intensified.¹⁸

Commitment of the partner governments: An important indication of the effectiveness of the projects is that the governments of partner states or their ministries were fully behind the numerous projects that have been implemented. They often came to Switzerland with the request to support follow-up projects or similar projects. The projects also have a positive impact on cooperation regarding returns (smooth procedures). In the case of more extensive projects, effectiveness could be increased if the Swiss projects were part of or complementary to EU projects with the same objectives and the same implementing organisations. Reliable implementation partners, such as ICMPD with experience on the ground and good relations with government agencies, have also contributed to effectiveness. The experience to date is positive. This has been confirmed by evaluations of both the migration partnerships and the overall government approach.¹⁹

Linking migration and international cooperation: Switzerland thus already has a successful instrument at its disposal, which according to the Federal Council is to be further expanded on a regional and thematic basis. In the future, Switzerland will cooperate even more intensively with countries of origin and transit in order to help prevent further destabilization of countries of origin and transit, stop irregular migration to developed countries and improve protection on the ground. As part of the strategic linkage between migration and international cooperation, the Federal Council and Parliament decided in 2020 to expand cooperation on economic, development and health policy issues related to migration.²⁰ According to the Federal Council, the successfully tested instrument of the migration partnership lends itself to this purpose. Other topics could be flexibly integrated into the already broad field of application, e.g. health policy aspects, money transfers, legal temporary migration routes, internships and training and further education opportunities.²¹

Sharing experiences: From the Swiss perspective, migration partnerships play a central role in coping with the changing challenges of migration policy. Switzerland could also make the positive experiences with the existing migration partnerships available to the ICMPD Member States.

Experienced partner organizations such as ICMPD are needed to implement projects. In ICMPD, Switzerland has found a reliable partner in numerous projects, one that not only has the necessary know-how in topics such as capacity building and border protection, but also has good relations with government agencies on the ground.

5 ICMPD's experience with partnerships in North Africa

ICMPD itself has gained valuable experience in the past years and especially recently in accompanying partnerships in various forms. An example shall be emphasized here: Since 2019, ICMPD has been conducting EU-funded pilot projects with North Africa on legal migration, among other things under the Mobility Partnership Facility (MPF). ICMPD can draw important lessons from these experiences for the future design of migration partnerships. These pilot projects have tested different approaches in terms of conceptualizing the partnerships, recording qualifications, searching for and selecting candidates, matching candidates with employment or training opportunities, and organising mobility and reintegration activities.²²

In a first evaluation of these activities, ICMPD identified the following experiences as particularly relevant: Sufficient time and flexibility in the conceptualisation and implementation of the partnerships is of central importance. In addition, thorough and research-based preparation (especially with regard to the identification of competencies) and a favourable environment in which the participants can come together to develop cooperation are indispensable.

The cooperation between public and private actors has repeatedly proved to be a particular challenge. The coordination of precisely these, but also of the other actors involved, requires time and resources. Flexibility and constant adaptation of the programs to changing economic conditions are other important long-term tasks. In the view of ICMPD, it is particularly important here to understand the motives of companies to participate in mobility programs. One particular problem is the insufficient contribution of the private sector to the organisation of mobility programs. Nevertheless, there is an immense potential to learn from the implementation of the pilot projects and to recognize their importance as systemic diagnostic tools for cooperation in the area of legal migration. The lessons learned can help decision-makers to develop and successfully implement mobility projects for the benefit of ICMPD Member States, partner countries and migrants.²³

6 “Consultancy plus”: A four-part consultancy package for migration partnerships

The New Pact on Migration and Asylum shows how important effective and sustainable partnerships are for the EU Commission and that these should play a central role in European asylum and migration policy. So far, however, the attempts of the Commission and individual Member States to conceive and implement such partnerships have not been very successful. All previous mobility and migration partnerships had conceptual weaknesses that were only systematically addressed in the most recent partnerships – for example, in the projects managed by the EU Mobility Partnership Facility and ICMPD. The greatest deficit was that the partnerships focused on fields of action that were only relevant to the EU states, especially limiting and preventing migration and the withdrawal of persons subject to emigration. In contrast, the partner countries' interests in a more generous visa policy, more legal migration opportunities and an improvement in the living situation of their citizens already living in the EU were not sufficiently taken into account. The second deficit of the partnerships to date is closely related to this: Precisely because they did not see their interests sufficiently appreciated, the partner countries' willingness

to implement the partnerships was in many cases only low, a situation exacerbated by insufficient institutional capacities in these countries.

However, the partnerships to date also provide indications of how these must be designed and implemented in order to achieve sustainable effects. First of all, it is of central importance that all phases of a partnership – from design to implementation – take place within the framework of a structured process. In addition, partnerships should always be designed for a longer period of time and continuity, be based on mutual trust and take due account of the interests of both sides in an exchange. It should be noted that partnerships can be formed in different ways and have different focuses and objectives. For this reason alone, each partnership is unique; there can be no such thing as a One Size Fits All recipe. Rather, flexible solutions tailored to the actors involved are required. This requires early identification of the diverse interests of the partner countries, but also certain conditions in the Member States. For example, a common and coherent national migration policy requires the involvement of all relevant actors (civil society, private sector, regional and local actors), and policy coordination must take place within the framework of a Whole of Government approach that enables the coordination of domestic, foreign, security, economic and development policy objectives and cooperation between the relevant departments and subordinate authorities. Furthermore, the financial and organisational design of the processes must be clarified as early as the planning stage of the partnership.

For ICMPD, the Strategy 2025 offers numerous starting points for the design, monitoring and implementation of partnerships. As part of this strategy, ICMPD should offer interested Member States and possibly the EU Commission an advisory package for the development and implementation of partnerships (“Consultancy plus”) consisting of four elements: (1) Support for national strategy processes of Member States interested in the partnership in question, (2) Support for coordination between Member States, (3) Assistance for consultations of Member States with the third country and support for the implementation of the partnerships, and (4) embedding these elements in existing regional consultation processes. For all four consultation services, ICMPD can draw on its own experience, expertise, local knowledge and contacts and can provide tailor-made offers.

Consultancy offer 1: Advice and organizational support for strategy development in individual ICMPD Member States

As a first element, ICMPD could offer individual ICMPD Member States interested in a partnership the organisation of national consultation processes to agree on their national interests in the specific partnership. Experience shows that many EU governments are already struggling to organise inter-ministerial consultations on refugee and migration policy issues and a Whole of Government approach in this policy area. ICMPD could provide organisational support for such a strategy and exchange process, especially meetings between the participating departments of the partner states at the working level, where the participants can exchange views on progress and problem areas and, if necessary, take corrective action. This promotes the continuity of cooperation, which is essential for sustainable success. The ICMPD could also offer the service of organizing a structured and targeted exchange with other migration policy actors, particularly the private sector and civil society. This is also something that some Member States are successful in doing, but overall this is an area where ICMPD can offer good services based on its experience in organizing such multi-stakeholder consultations.

Consultancy offer 2: Supporting understanding among ICMPD Member States interested in a partnership

As a second element, ICMPD could help those Member States interested in a specific partnership to agree on common objectives and organise the necessary consultation process. Here, too, ICMPD services could be helpful, especially with regard to involving private sector, civil society, and local actors at EU level, such as a consultation process with representatives of European employers' associations, trade unions and human rights organizations. The aim of this process would have to be to define realistic requirements and expectations of the partnerships, taking into account implementation possibilities and costs. If the process succeeds, the end result could be a strategy for a migration partnership based on a broader political consensus and covering department-specific, private-sector and civil-society goals.

Consultancy offer 3: Consultations with the third country concerned and support in implementing the partnerships

The ICMPD Member States decide on the legal form and structure of migration partnerships. ICMPD can act in an advisory capacity on the basis of its experience. The fields of cooperation with countries of origin and transit can be agreed upon, for example, in the form of "Memoranda of Understanding" or, depending on the form they take, in migration agreements.

ICMPD could play an active role for the Member States in clarifying the prerequisites for a migration partnership with a particular country of origin, particularly with regard to the question of whether there is willingness to intensify cooperation in the area of migration and whether there is a considerable density of relationships and a degree of stability and good governance. ICMPD could also increasingly assist Member States on clarifying specific issues with regard to a migration partnership. This is all the more important because as a result of Covid-19, numerous governments will probably attempt to pursue "migration policy on their own". However, the experience of the Corona crisis in particular has made it clear that national efforts are not suitable for dealing with transnational challenges.

In this regard, it can be helpful for ICMPD Member States to build on the good experience of ICMPD in many countries of origin and transit, for example in the design of partnerships, the selection of topics or the addition of areas of cooperation. The effectiveness of a partnership can also be enhanced by ICMPD supporting several like-minded ICMPD states on the topic of migration partnerships and taking over the coordination with the countries of origin and transit in their implementation. In addition, ICMPD can – as is already partly the case today – also be an implementation partner on the ground.

Policy coherence and the partnership approach are crucial. ICMPD could therefore also make it clear in an advisory capacity that an overall governmental approach is essential not only on the part of the ICMPD Member States, but that inter-ministerial cooperation must also be promoted in the countries of origin and transit. For example, migration issues can be incorporated into national development strategies. ICMPD could therefore begin by analysing the partners' interests in detail. This would lead to a convergence of interests on both sides.

The concept of partnership must be put into concrete terms in negotiations on equal terms and must be accompanied by a willingness to implement it. A wide range of topics that are in the interests of both sides can be agreed upon: protection and reception of refugees on the ground, reduction of

irregular migration, creation of legal migration opportunities, training and continuing education on the ground, supporting voluntary return and reintegration, border management, registration, resettlement, money transfers, stabilisation of host regions and mitigation of acute causes of displacement (e.g., through conflict management). ICMPD has greatly expanded its capacities on some of these issues in recent years.²⁴ If ICMPD also wants to become more involved in migration partnerships, it will have to focus its cooperation increasingly on labour migration and health policy issues, especially in the wake of the Covid-19 pandemic. Because many new challenges in migration policy can only be mastered through massive investment in automation and digitisation, ICMPD could also play an active role in providing advice on migration partnerships on these issues.²⁵

The ICMPD strategy on partnerships could also include the goal that capacity building should lead to states being able to receive, host and integrate migrants in the medium and long term if the legal requirements are met. This requires more intensive consultation with governments in countries of origin and transit, especially in their strategy development on migration. Through training and the deployment of experts in the institutions, personnel can be given professional training and further education; likewise, the development and implementation of a sustainable migration policy can be promoted.

Consultancy offer 4: Embedding in regional conferences

For ICMPD, a stronger commitment to migration partnerships would open up the possibility of providing more support to Member States in their efforts to cooperate, particularly in the context of regional European consultation processes and their exchange with other regional processes, such as the Budapest, Rabat, Khartoum processes. This could increasingly become a platform for the exchange of experiences on functioning migration partnerships or approaches for pilot projects. The advantage of ICMPD is also that the organisation is well established in North Africa, the Middle East (especially Turkey) and elsewhere.

¹ European Commission: Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a New Pact on Migration and Asylum, COM(2020) 609 final, Brussels, 23.09.2020, URL: https://eur-lex.europa.eu/resource.html?uri=cellar:85ff8b4f-ff13-11ea-b44f-01aa75ed71a1.0002.02/DOC_3&format=PDF; 22.11.2020.

² Angenendt, Steffen/Biehler, Nadine/Bosson, Raphael/Kipp, David/Koch, Anne: The New EU Migration and Asylum Package: Breakthrough or Admission of Defeat?, SWP Comment 2020/C 46, October 2020, URL: <https://www.swp-berlin.org/en/publication/the-new-eu-migration-and-asylum-package-breakthrough-or-admission-of-defeat/>; 21.11.2020.

³ Ibid.; European Commission: New Pact on Migration and Asylum; European Commission: Speech by Vice-President Schinas on the New Pact on Migration and Asylum, 23.09.2020, URL: https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_1736; 22.11.2020.

⁴ European Commission: New Pact on Migration and Asylum, p.17.

⁵ European Commission: Speech by Vice-President Schinas on the New Pact on Migration and Asylum.

⁶ European Commission: New Pact on Migration and Asylum, p.17; European Commission: Acting together to deepen international partnerships, URL: https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/new-pact-migration-and-asylum/acting-together-deepen-international-partnerships_en; 22.11.2020.

⁷ European Commission: Factsheet: New Pact on Migration and Asylum, 23.09.2020, p.16, URL: https://ec.europa.eu/info/sites/info/files/new-pact-on-migration-and-asylum-package_1.pdf; 22.11.2020.

-
- ⁸ Statement by Laura Corrado, Head of Unit, Legal Pathways and Integration der EU-Commission, at the ICMPD Vienna Conference 2020: „With the EU Talent Partnerships, we want to create a single framework in order to put the initiatives on legal migration, education and skills together – much more than done until.“
- ⁹ ICMPD: Vienna Migration Conference, Day 4 Recap, 19.11.2020, URL: https://eventmaker.at/uploads/21470/downloads/dailyrecap_day4.pdf; 21.11.2020; ICMPD: Visual Recaps, Day 4 - Focus Session Partnerships Reloaded, URL: <https://live.vienna-migration-conference.org/vmc2020/fotogalerie.html#&gid=1&pid=15>; 22.11.2020.
- ¹⁰ European Commission: New Pact on Migration and Asylum, p.21.
- ¹¹ Ibid., p.21-22.
- ¹² Kipp, David/Knapp, Nadine/Meier, Amrei: Negative Sanctions and the EU’s External Migration Policy: “Less for Less” Not Fit for Purpose, SWP Comment 2020/24, June 2020, URL: https://www.swp-berlin.org/fileadmin/contents/products/comments/2020C34_NegativeSanctions.pdf; 22.11.2020.
- ¹³ European Commission: A fresh start on migration: Building confidence and striking a new balance between responsibility and solidarity, Brussels, 23.09.2020, URL: https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1706; 21.11.2020.
- ¹⁴ Stefanescu, Diana: Partnerships for Mobility at the Crossroads. Lessons Learnt from 18 Months of Implementation of EU Pilot Projects on Legal Migration, Policy Brief, ICMPD, 2020, p.2, URL: <https://mobilitypartnershipfacility.eu/news/new-mpf-publication-partnerships-for-mobility-at-the-crossroads-lessons-learnt-from-18-months-of-implementation-of-eu-pilot-projects-on-legal-migration>; 22.11.2020.
- ¹⁵ European Commission: New Pact on Migration and Asylum, p.17.
- ¹⁶ European Commission: Mobility partnerships as a tool of the Global Approach to Migration. Commission Staff Working Document, SEC(2009) 1240, p.4, URL: <https://ec.europa.eu/transparency/regdoc/?fuseaction=list&coted=2&year=2009&number=1240&language=en>; 29.11.2020.
- ¹⁷ Switzerland also has readmission agreements with 58 states and migration agreements with seven states. The latter contain not only a legal framework for the return and reintegration sector, but also for the identification of projects, e.g. in migration management. In terms of content, they include less than migration partnerships.
- ¹⁸ See also the annual reports of the Federal Council on the activities of Switzerland’s foreign policy on migration, e.g. report for 2019, available at URL: <https://www.admin.ch/gov/de/start/dokumentation/medienmitteilungen.msg-id-79567.html>; 24.11.2020.
- ¹⁹ See Siegel, Melissa/Marchand, Katrin/McGregor, Elaine: Independent Evaluation of Swiss Migration Partnerships, Final Report, Maastricht Graduate School of Governance (MGSOG), 01.07.2015, URL: <https://migration.unu.edu/publications/reports/independent-evaluation-of-swiss-migration-partnerships-final-report.html>; 24.11.2020; Eidgenössisches Justiz- und Polizeidepartement - EJPD/Eidgenössisches Departement für auswärtige Angelegenheiten - EDA: Evaluation der interdepartementalen Struktur zur Migrationsausenpolitik, Schlussbericht, econcept AG, 30.11.2016, URL: <https://www.alexandria.unisg.ch/250735/1/16%20econcept%20-%20Migrationspolitik.pdf>; 24.11.2020: The evaluation report also mentions that the Swiss holistic, institutionalised interdepartmental coordination structures in the field of migration foreign policy are exemplary in Europe - both in its nature and in its scope (see p.38).
- ²⁰ Schweizerischer Bundesrat: Botschaft zur Strategie der internationalen Zusammenarbeit 2021–2024 (IZA-Strategie 2021–2024), 19.02.2020, URL: <https://www.news.admin.ch/newsd/message/attachments/60324.pdf>; 24.11.2020.
- ²¹ In addition to goals of economic development, climate change mitigation, commitment to peace and the rule of law, the Federal Council now also wants to tackle the causes of forced and irregular migration. Priority regions include North Africa, the Middle East and sub-Saharan Africa, i.e. regions where poverty is widespread and where there is the greatest potential for migration to Europe. In the short term, according to the Federal Council's Dispatch on Switzerland's Strategy for International Cooperation, the causes of migration and displacement are to be combated, living conditions improved and the protection of refugees in first host countries guaranteed (see Schweizerischer Bundesrat: Botschaft zur Strategie der internationalen Zusammenarbeit 2021–2024).
- ²² Stefanescu 2020.
- ²³ Ibid., p.13-15.
- ²⁴ Particularly regarding border police and security policy cooperation, but also the link between migration and development cooperation, capacity building of migration structures and the integration of migrants.
- ²⁵ See report on “ICMPD in a changed environment. Priority fields of action until 2025”.