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### EXTERNALISING BORDERS, HAMPERING REGIONAL INTEGRATION?

### THE EU'S INTEREST-DRIVEN APPROACH TO THE SAHEL AND ITS IMPACT ON ECOWAS<sup>1</sup>

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# **Externalising borders, hampering regional integration? The EU's interest-driven approach to the Sahel and its impact on ECOWAS**

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**Abstract:** *This paper examines the effects of the EU's increasing concern with the externalisation of its borders on regional integration in West Africa by analysing how the EU's engagement in the Sahel has been affecting ECOWAS. Based on a desk review of EU documents and the relevant academic and policy-focused literature, the paper situates this trend in the context of a broader re-definition of the EU's international identity as strategic and pragmatic actor, while developing two main arguments. First, the growing insistence on the EU's strategic goals in the area of migration renders logical the establishment of new channels of cooperation with Sahelian actors; both by stepping up the EU's bilateral engagement with priority countries and by increasingly supporting the G5 Sahel, a flexible coalition of states that corresponds with the EU's interest. However, this undermines the privileged position traditionally enjoyed by ECOWAS in the region, threatening to jeopardize the fragile consensus upon which it is built by exacerbating tensions with and between member states. Second, the focus on securitized measures to curb and control irregular migration has transformed the Sahel into a space of contention that effectively criminalizes migration in the region. This has the effect of hindering mobility in the region, thereby jeopardizing one of ECOWAS' key achievements and motors for regional integration, once more undermining the very fundament of the organisation's legitimacy.*

**Keywords:** *European Union foreign policy, ECOWAS, Sahel, mobility, free movement*

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## **Introduction**

The identity of the EU as international actor has traditionally constituted a focal point of scholarly interest (Batora & Hynek, 2014; Diez, 2005; Hyde-Price, 2008; Manners, 2002). In the wake of the adoption of the 2016 EU Global Strategy (EUGS), these debates have gained particular traction, with several researchers identifying a shift in the self-construction of the EU's international actorness. This is widely understood as comprising a more pragmatic and traditional approach to foreign policy that – while not fully abandoning the EU's norms and values – is increasingly inward-looking and centered around the promotion of its own strategic interests (Mälksoo, 2016; Pishchikova & Piras, 2017; Wagner & Anholt, 2016). The trend has arguably become most evident in the aftermath of the 2015 Valletta Summit on Migration and the establishment of the EU Emergency Trust Fund for Africa (EUTF). As numerous observers note, these events have seen a re-definition of the EU's relation with African countries around the former's strategic priority of curbing irregular migration by externalizing its borders and security (Castillejo, 2019; Uzelac, 2019; Venturi, 2017; Zanker, 2019).

These dynamics become perhaps most visible in the case of the Sahel; a key transit region for northward migration routes from West and Central Africa. As such, Lopez Lucia (2017) argues that the adoption of the 2011 Sahel Strategy was a crucial step in the very definition of the EU's international actorness, as it constitutes the first foreign policy strategy of the EU and can be seen as an attempt by the European External Action Services (EEAS) to advance its vision of the EU as strategic foreign policy actor. Similarly, Venturi (2017) notes that the region appears to constitute the first area in which the EU is enacting “the EUGS’ interest-driven doctrine” (p.6), with its engagement seemingly following the overall objective of curbing migration. Against this backdrop, a considerable amount of research has been conducted on the impact of the EU's ‘interest-driven’ approach to externalizing its borders in the Sahel. This has mainly focused on the implications of such policies on historically established migration routes and practices, as well as on economic and political stability in the Sahelo-Saharan space (Boyer, 2019; Boyer & Chappart, 2018; Molenaar, 2017; Tubiana, Warin, & Saeneen, 2018). However, most of the literature has only marginally touched upon the potential impact on regional integration and free movement in the framework of ECOWAS. Indeed, it is only very recently that these issues have become the explicit subject of analysis in pertinent policy-circles (Castillejo, 2019; Uzelac, 2019).

Yet, an in-depth analysis thereof merits particular attention for two main reasons. First, while several problems and challenges persist, ECOWAS has established the farthest reaching and most effective free movement regime in Africa, meaning that there is a significant degree of progress that may be undermined (Adepoju, Boulton, & Levin, 2010; Okunade & Ogunnubi, 2018). Second, heightened awareness on the issue becomes particularly expedient, as negotiations about the post-Cotonou agreement and the next Multiannual Financial Framework – the EU’s long-term budget – are currently ongoing and will significantly shape the EU’s engagement with African actors (Castillejo, 2019). Based on a desk review of EU policy documents and the relevant academic and policy-based literature, this paper hence seeks to contribute to this nascent strand of research by providing a more comprehensive picture of the manifold ways through which the re-definition of the EU’s international identity and the associated shifts in its external action are affecting free movement and regional integration in West Africa.

The paper proceeds as follows. The first section concisely analyses the EU’s external migration agenda since the Valletta Summit, arguing that the last years have seen the institutionalization of a logic that focuses on the EU’s priority of curbing irregular migration by externalizing the EU’s border controls. The rest of the paper then examines the implications of this approach on regional integration and free movement in West Africa. First, the paper considers the institutional dimension, by maintaining that the EU’s insistence on its strategic interest in the region renders logical the establishment of new channels of cooperation with Sahelian and West African actors that side-line ECOWAS’ traditionally privileged role in the region. Subsequently, it focuses on the case of Niger to examine the impacts for mobility on the ground, considering how the implementation of securitized measures to control illicit migration has transformed the Sahel into a space of contention in which migration is controlled throughout the territory, thereby effectively hindering individuals’ enjoyment of the right to free movement.

### **1. The EU’s migration agenda in the post-Valletta era**

The re-definition of the EU’s international agency is clearly reflected in the way the EU has represented its relations with African actors from the Valletta Summit onward. As such, the last decades’ emphasis on a partnership for development in Africa, highlighting mutual benefits and common interests, has made way to a narrative that reframes the relations around the EU’s strategic priority of curbing irregular migration (Lopez Lucia, 2017; Uzelac, 2019). While this

discursive shift is relatively new, it is embedded in a wider re-configuration of how global, and to this end African, (in)security and underdevelopment are understood. Since the end of the Cold War and in particular after 9/11, these are no longer seen as solely affecting the individuals concerned. Much more, they are conceived of as impacting global stability and prosperity by potentially spilling over to the rest of the world, for instance in the form of irregular migration or transnational terrorism (Duffield, 2007). In this light, the EU's understanding of, and response to, African underdevelopment and insecurity has become primarily defined in terms of the alleged threat posed to its interests (Gibert, 2009).

Indeed, there seems to be a consensus that the EU's migration agenda in the post-Valletta era is heavily biased in favor of the EU's focus on restricting irregular migration by externalizing the control of EU's borders; an approach widely understood as entailing the outsourcing of this responsibility to countries of origin and transit (Tubiana et al., 2018; Zoomers, van Noorloos, & van Liept, 2018). As such, numerous observers note that most funding through the EUTF is directed at border and migration management or other securitized measures, while arguing that also the implementation of the Migration Partnership Framework (MPF) since 2016 focuses almost exclusively on these EU priorities (Castillejo, 2019; Molenaar, 2017; Venturi, 2017; Zanker, 2019). This is certainly no new approach but as Boyer (2019) notes, has become institutionalized through Valletta and the EUTF, which provide the legal and political framework for the externalization of the EU's borders. Thereby, it has been elevated to a higher level, with some observers speaking of an EU 'obsession' with migration (Castillejo, 2019; Venturi, 2017) and others warning of a subordination of other objectives of EU external action under its migration agenda (Boyer & Chappart, 2018; Castillejo, 2017; European Parliament, 2016). This comes despite the approach's obvious disconnect with the African agenda on migration that largely prioritizes the facilitation of intra-African mobility, as well as the bigger picture of African migration that is overwhelmingly directed toward other African countries (Flahaux & De Haas, 2016).

The Sahel has been one of the main loci in which this interest-driven approach to externalizing the EU's borders has been implemented. As such, the EU has advanced a broad range of measures that span the full breadth of its external action instruments and seem to follow an overall logic of curbing irregular migration (Venturi, 2017). Indeed, the Sahel is also by far the largest beneficiary of the EUTF, with almost half of the currently EUR 4.6 billion allocated to the Trust Fund being destined for the region (European Commission, 2019). The EU's focus

on the region may be attributed to two key factors. First, in the field of migration, the EU has a pronounced geopolitical interest in the region, with almost all northwards migration routes from West and Central Africa crossing the Sahel (Venturi, 2017). This is reflected in the two key EU strategy documents for the region, the 2011 Sahel Strategy and the 2015 Regional Action Plan, that are permeated with references to the danger of instability and insecurity impacting Europe in the form of irregular migration or terrorism (Council of the European Union, 2015; EEAS, 2011). Moreover, the Sahel constitutes one of the few, if not the only, region(s) in which the EU enjoys sufficient internal coherence to formulate common priorities, and enough political weight to pursue those; for instance by being the largest donor of development aid (EEAS, 2019b). The rest of this paper will analyze the impact of the externalization of EU borders in the Sahel, while focusing on its effect on regional integration within ECOWAS.

## **2. An institutional side-lining of ECOWAS?**

On an institutional level, the EU's increasing insistence on its own interests and the externalization of its borders has rendered logical the establishment of new channels of cooperation with Sahelian actors, designed to allow the EU to further its strategic priorities. This trend has been characterized by a dual shift in the EU's engagement with regional actors; one that increasingly favors bilateral engagement with chosen priority countries, as well as support for the flexible, *ad hoc* alliances of states in the form of the G5 Sahel. However, this development comes at the expense of the EU's traditional support for ECOWAS, undermining its central role in West African security and development affairs and by extension the promotion of regional integration embodied by the organization.

### *2.1 Cherry-picking priority countries*

As Castillejo (2019) argues, the Valletta summit and Joint Valletta Action Plan, as well as the establishment of the EUTF, triggered a general move away from multilateral engagement on a continental and regional level in the field of migration. In turn, the focus of EU external migration policy largely shifted toward bilateral support for specific countries, considered as essential for advancing the EU's priority of stemming irregular migration. These trends were further sustained by the implementation of the MPR, as these bilateral partnerships focus almost exclusively on the EU priorities of forceful border control and management (Castillejo, 2017). Indeed, the case of the Sahel is representative for these dynamics. As such, the EU's attention has largely focused on promoting its interest in key countries of transit, with Niger being the main beneficiary of the Sahel and Lake Chad regional window of the EUTF and the bilateral

migration partnership with Niger emphasizing the EU's concern with securitizing borders and restricting mobility (Castillejo, 2017; Kipp, 2018).

On a policy-level, this increasing focus on cherry-picking countries of interest to bilaterally promoting the EU's migration priorities has had implications on the free movement ambitions of ECOWAS. In the aftermath of the Valletta summit, the EUTF has emerged as main funding instrument for migration and mobility in the Sahel and West Africa. Yet, its focus on curbing irregular migration leaves little place for the priorities and objectives of African actors, including the promotion of regional free movement. Indeed, as Castillejo (2017) argues, no project funded through the EUTF in the region involves ECOWAS, with the main effort for strengthening free movement, the Free Movement of Persons & Migration project, set to end in 2020; a development that becomes particularly worrisome in light of ECOWAS' significant dependence on EU funding (Castillejo, 2019).

More fundamentally, however, there are valid concerns that this trend may undermine ECOWAS' considerable level of regional coherence and consensus on regional integration. Indeed, the financial incentives created for certain countries may re-configure their national priorities; giving rise to conflicting interests, whereby compliance with EU interests and subsequent access to EUTF funds may come to oppose the regional free movement agenda (Bisong, 2019; Uzelac, 2019). This becomes all the more important as regional coherence within ECOWAS is by no means ideal and has traditionally been challenged by several member states on grounds of perceived security and economic risks, as well what is understood as ECOWAS interfering in internal affairs (Okunade & Ogunnubi, 2018). It is also against this backdrop that certain African governments have been eager to adopt the EU discourse of restricting movement and securitizing borders to advance their own agenda (Castillejo, 2019). Consequently, the EU's shift toward bilateral engagement may exacerbate long-standing tensions within ECOWAS and between its member states. Thereby, its impact seems to go far beyond the policy-level by undermining the fragile legitimacy of an organization whose very identity is primarily centered around the facilitation of free movement.

## *2.2 Transforming the EU's multilateral engagement*

The re-positioning of the EU as traditional foreign policy actor has not only facilitated a shift toward bilateral engagement but also transformed the nature of the EU's multilateral relations with (West) African and Sahelian states. As such, Lopez Lucia (2017) argues in her analysis of the Sahel Strategy that it constitutes a shift from the EU's traditional focus on advancing



regional integration to a ‘pragmatic regional approach’. This latter entails the support for flexible alliances or groups of states that correspond to the strategic interests of the EU.

As a matter of fact, this shift is clearly illustrated by the EU’s large-scale support for the G5 Sahel, an inter-governmental body established 2014 with the goal of acting across the security-development nexus by cooperating on development issues and enabling collective action against transnational security threats (G5 Sahel, 2015; Rupesinghe, 2018). Consisting of Mauritania, Mali, Niger, Chad and Burkina Faso, its membership neatly coincides with the EU’s definition of the Sahel, laid out in its strategy documents for the region (EEAS, 2011; Council of the European Union, 2015). Indeed, the EU has provided extensive, multidimensional support to the G5 Sahel since its inception. This includes a strong political component, with annual meetings between the High Representative and the foreign ministers of the G5 Sahel, as well as a substantial material element, including the provision of €147 million for the establishment of the G5 Sahel Joint Force, which has started cross-border operations since 2017 (EEAS, 2019b). Beyond that, the EU has also bolstered the G5 Sahel on a rhetorical level, with references to a ‘strong partnership’ or even ‘friendship’ taking a prominent role in policy documents and speeches (EEAS, 2019b; EEAS, 2019c).

The G5 Sahel has widely been critiqued for overly relying on military solutions, while largely dismissing the developmental side of its mandate (Dieng, 2019; Rupesinghe, 2018; Venturi, 2017). However, the creation of what may be understood as a rival multilateral body has also affected ECOWAS’ role in the region. Indeed, the EU’s support for the G5 Sahel stands in stark contrast to, and is premised on, a rhetorical and discursive shift in EU policy documents that downplays the centrality of ECOWAS. As such, it hardly appears in the Sahel Strategy and the Regional Action Plan, where it is mainly referred to alongside other international or regional players (EEAS, 2011; Council of the European Union, 2015). As Lopez Lucia (2017) argues, this trend puts into question and jeopardizes the privileged standing in the region traditionally enjoyed by ECOWAS. Similar to the EU’s increasing bilateral engagement, the ‘new regional approach’ may hence open up potential avenues for member states to challenge ECOWAS, deepening existing tensions and threatening the fragile legitimacy upon which its advanced level of integration is built. Once more, this is all the more worrisome in light of the crucial importance that EU support for ECOWAS has played in promoting the agency of the latter, as well as its general material dependence on funding by the EU (Castillejo, 2019; Lopez Lucia, 2017).

### **3. Controlling mobility in the Sahel**

The EU's focus on pursuing its interest in stemming irregular migration is not only felt on an institutional level. Much more, it has also significantly impacted mobility and free movement in the region. To better understand these effects, the following focuses on the case of Niger, the primary transit country for West and Central African migrations and primary target of EU border externalization policies in the Sahel. After shortly reviewing the historical migration dynamics in Niger, it is argued that the EU's support for forceful border management and control has created a space of contention in which migration is controlled and criminalized and mobility undermined.

#### *3.1 Migration dynamics and patterns in Niger*

The EU's migration policies in the Sahel are situated in long-standing and complex migration practices and dynamics, with African migration to Europe through the Sahel only constituting a relatively minor part of total movements (Molenaar, 2017). Indeed, migration in Niger is deeply embedded in a historical pattern of intra-African, largely temporal and circular migration, that responds to seasonal demands and livelihood scarcities associated with the constraints of the Sahelian geographic space (Boyer, 2019; Tubiana et al., 2018). In this context, Nigerien agricultural workers have, for instance, historically migrated to neighboring countries during the dry seasons, while returning for the rainy season and the concomitant harvests (Molenaar, 2017). At the same time, Niger has also constituted a key country of transit for mainly economic West African migrations toward Libya and, to a lower extent, on to the EU (Boyer, 2019; Tubiana et al., 2018). Mainly originating from ECOWAS member states, most migrants entering Niger from West Africa theoretically are covered by the ECOWAS Protocol on Free Movement and have the right enter and reside freely in Niger. In practice, however, many are unable or unwilling to present valid travel documentation, consequently choosing to circumvent the official border posts in a variety of ways. Reasons therefore are manifold, relating to historical patterns of cross-border movements by seasonal workers, traders or herders irrespective of official border posts, fear of losing documents when presenting them to border guards or a sheer lack of education on the rights under the free movement regime of ECOWAS (Molenaar, 2017).

From 2011-12 onward, changes in the regional geopolitical context affected the migration dynamics and patterns in Niger. First, the fall of the Gaddafi regime resulted in the

repatriation of thousands of West Africans, including a significant number of Nigeriens, temporarily settled in Libya. Moreover, the EU's engagement in Senegal, Mauritania and Morocco in 2011 progressively closed down this migration route, while the outbreak of the Malian Civil War in 2012 effectively put an end to movements across Mali toward North Africa. These developments impacted Niger's migration system in a number of ways, including the reconfiguration of circular migration patterns, the emergence of important numbers of returnees, expulsions and repatriations, as well as of refugee and IDP populations. At the same time, they resulted in Niger becoming the virtually only transit country for migration movements toward Libya and Europe (Boyer, 2019; Boyer & Chappart, 2018).

### *3.2 The creation of a space of contention*

It is against this backdrop that, since 2013-14, the EU turned increasingly toward Niger in its efforts to control its Southern border, making it the primary target of the EU's approach to externalizing its border controls and curbing irregular migration in the region (Boyer & Chappart, 2018). Indeed, the Valletta Summit and the subsequent focus of the EUTF on Niger have to be understood in this context. As such, in 2018, EUR 230 million had been allocated to Niger, making it the largest beneficiary in the Sahel and Lake Chad window, with another EUR 600 million in conventional development assistance foreseen for the period between 2016 and 2020. Yet, these funds are largely focused on supporting the Nigerien government in reinforcing security forces and border controls, serving the EU's securitized approach to preventing mobility (Tubiana et al., 2018).

The adoption of law 2015-36 on 'illegal trafficking of migrants' constituted an important development in this respect (République du Niger, 2015) This came as response to pressure by the EU but also by the United Nations Office on Drugs and Crime (UNODC) to comply with the United Nations Convention against Transnational Organized Crime (Palermo Convention) and a public outcry after the discovery in the Sahara of almost 100 bodies of women and children on their way to Algeria (Boyer & Chappart, 2018; Molenaar, 2017). While not penalizing migrants themselves, who instead are treated as victims, the law prohibits assistance to any migrant considered as irregular; defined in terms of the intention to illegally cross a border. Implemented from mid-2016 onward, the law was eventually enforced from Agadez to the north, with all migrants from this point onward being treated as irregular. While it is unclear in how far the implementation of the law succeeded in reducing migrant flows from Agadez to the north, it did lead to a diversification to more dangerous routes and an associated

rise in the number of migrants missing or dead. At the same time, it also had devastating effects on the local economy of the region of Agadez that was primarily centered around migration (Boyer & Chappart, 2018; Tubiana et al., 2018). For the purposes of regional integration more pertinently, however, law 2015-36 established a legal framework that enables repressive measures against the transit of migrants and *de facto* suspends the right of ECOWAS residents to travel to the northern edge of Niger (Boyer & Chappart, 2018). Beyond that, some also claim that it violates the right to enter Niger (Tubiana et al., 2018), with reports of a rise in expulsions of West African citizens at the southern Nigerien border pointing at least to increasing complications when entering the country (Boyer, 2019).

As Boyer and Chappart (2018) argue, the EU's and other related actors' engagement in Niger has to a large extent focused on ensuring the enforcement of this legal framework. Firstly, this is pursued through capacity building programs of relevant authorities. In this respect, a key role is attributed to the civilian training mission EUCAP-Sahel Niger, one of three CSDP missions in the region next to EUCAP-Sahel Mali and EUTM Mali (EEAS, 2019b). Originally established to support the Internal Nigerien Security Forces in the fight against terrorism, its mandate was later extended to also cover the control of irregular migration flows (EEAS, 2019a). These efforts are complemented by other projects financed under the EUTF that similarly focus on building the capacity of all actors of the judicial and penal system (Boyer & Chappart, 2018). Second, the implementation of law 2015-36 is also advanced through numerous projects by a diverse range of actors that seek to strengthen existing and create new border posts; both at the Nigerien borders but also in the interior of the country along the primary migration routes (Boyer, 2019). Altogether, these efforts have transformed Niger into a space of contention, in which the movement of people is controlled throughout the entire territory (Boyer, 2019); a development manifested by a rise in deportations and voluntary returns, as well as the phenomenon of migrants being blocked and getting stuck on their journey (Boyer & Chappart, 2018). This does not only stand in stark contrast to the historical practices and dynamics of cross-border circulation in the Sahelo-Saharan space. It is also at odds with the idea of an area of free movement and has *de facto* resulted in a criminalization of migration, with the corresponding effects on mobility and free movement being felt far beyond the region of Agadez (Boyer & Chappart, 2018). Similar to the institutional side-lining of ECOWAS, this is ultimately jeopardizing a key motor of regional integration, as well as ECOWAS' very *raison d'être*.

## **Conclusion**

This paper has traced the impact of the EU's increasing insistence on externalizing its border controls and curbing irregular migration on free movement and regional integration in the framework of ECOWAS by situating this trend in a wider re-definition of the EU's international agency as strategic and pragmatic foreign policy actor. To this end, it has advanced two lines of argumentation. On an institutional level, it has maintained that the EU's focus on its strategic interests in the field of migration has led to the development of new channels of cooperation with Sahelian actors that allow for the promotion of its own priorities. This is manifested in an increasing turn toward bilateral engagement with certain countries of interest, as well as a transformation of its multilateral engagement in favor of increasing support for the flexible alliance of states of the G5 Sahel. However, this has side-lined the privileged role traditionally enjoyed by ECOWAS in the region, thereby threatening to exacerbate tensions with and between member states and undermining the fragile legitimacy upon which the organization is built. Focusing on the case of Niger, the paper has then demonstrated how the EU's approach to externalizing its borders has affected the enjoyment of free movement on the ground. As such, it has been argued that the EU's concern on preventing and controlling irregular migration has transformed Niger and the Sahel into a space of contention that controls and criminalizes migration; a trend that is at odds with the historical migration patterns of the region and ECOWAS' ideal of free movement.

Having relied on a desk review of EU documents and the relevant literature, the primary merit and objective of this paper has been to bring together the various insights on the topic hitherto diffusely developed in the literature. While this has naturally limited the article's scope to the empirical knowledge already 'out there', it has also shed light on thus far under-research areas. Firstly, the existing literature has almost exclusively focused on the EU's promotion of its migration agenda while largely ignoring the agency of African actors and the ways in which they have responded to this development; potentially resisting, appropriating or even transforming the EU's approach. Secondly, empirical research on the impacts of the EU's approach to migration in the Sahel has largely centered on the northern Nigerien border region with Algeria and Libya. The dynamics at the southern intra-ECOWAS borders of Niger have, however, only insufficiently been addressed. Yet, they are essential for a better appraisal of EU policies' impact on free movement and regional integration in the Sahel and West Africa.

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