



POLITICAL ECONOMY DYNAMICS OF REGIONAL ORGANISATIONS IN AFRICA

PEDRO

AU migration governance: non-aligned views on migration governance in Africa¹

This paper sets out to better inform stakeholders about the approaches of the African Union (AU) and national level stakeholders to migration governance and related challenges. It concludes with implications for support.²

Main findings

African migration predominantly takes place within the continent and is often regional in nature. Therefore, the AU and most Regional Economic Communities (RECs) have adopted comprehensive agendas on migration and labour mobility. The AU tries to play the roles of norm-setter, coordinator and bridge-builder between national, regional and continental approaches to migration governance. The Regional Economic Communities try to adopt similar roles at their level.

In essence, the continental and regional agendas are fairly comprehensive on migration requiring different aspects of the agenda to be dealt with separately. Focusing in particular on labour mobility and the free movement of people, challenges persist in the implementation of comprehensive and inclusive migration governance as well as integration towards free regional or continental labour mobility. These challenges take on different forms according to region and country. Differences stem from the diversity of incentive structures and institutions, and how these shape vested interests of key national actors. This can result in national level migration policies that fall short of continental policies or impede their implementation. While there is progress in some areas, the AU faces constraints in coordinating or otherwise stimulating the implementation of a common and comprehensive agenda on migration.

Issues related to international migration require a regional, continental or at least cross-border approach. Therefore, the AU, and increasingly the RECs, have developed legal and normative frameworks in a wide array of migration-related issues. The AU also acts as facilitator of national and regional regulatory processes and coordinates joint positions among member states. It has also supported capacity building of RECs and member states on migration governance. Yet these member states firmly hold on to sovereignty on migration issues. Hence, the overall institutional makeup in the AU Commission to promote compliance with or implementation of continental and regional agreements remains relatively weak.

¹ Based on a March 2017 background paper by ECDPM, available at www.ecdpm.org/pedro/backgroundpapers. The Policy Brief and background paper were prepared under the BMZ-financed project on the *Political Economy Dynamics of Regional Organisations (PEDRO)*. Authors: Anna Knöll (ak@ecdpm.org). Project team leader: Bruce Byiers (bby@ecdpm.org).

² The other AU related papers deal with promoting governance, with peace and security, transnational infrastructure development and food security.

Further, these implementation challenges of the continental and regional migration agendas are complicated by the influence of a powerful external player, the European Union (EU). The EU is the largest donor of the AU. The EU member states have multiple - and often differing - short and long-term interests in migration governance, and different priorities in addressing underlying migration drivers. The EU short-term policies and actions predominantly focus on reducing the number of irregular arrivals in Europe and increasing the return of migrants not authorised to stay within the EU. Yet, despite the lack of alignment between the EU and AU on the broader migration agenda, some EU support strategies and programmes have enabled the AU to further its own continental policies and its coordination efforts with RECs and member states.

Besides its engagement with the AU, the EU also engages directly with AU member states on migration. The EU often attempts to leverage aid and conditionalities in support of European concerns and policy priorities about irregular migration. As migration is tied up with powerful interests and monetary gains, some African countries may signal cooperation in response to offers by the EU or other donors. However, this does not imply a credible commitment to implementation of agreed measures or policies. On the other hand, implementation of some of the EU priorities may be problematic from a migrants' rights perspective, and risks playing into the hands of vested interest groups in poor migration governance. Overall, the AU does not perceive this narrow short-term focus on curbing irregular migration and the bilateralisation by the EU of the migration agenda to be in line with its emerging migration agenda. These non-aligned views between Africa and Europe have led to some degree of distrust by the AU and RECs towards the EU.

RECs as well as country groupings within RECs have agreed on measures to improve particular aspects of mobility or migration policy. Bilateral or trilateral agreements on labour migration - such as those of the East African Community (EAC) or the Southern African Development Community (SADC) - potentially provide building blocks for a regional and continental agenda. It is unsure yet, whether such measures will prove to be stepping stones or hindrances for such continental migration agenda and further integration.

Some foundational constraints at country level such as violent conflicts and security-related spillovers as well as the fear for economic competition by vested interest groups can be powerful blockers for deeper integration on migration and labour mobility. These factors have hampered political traction in some AU member states to further the migration policies agreed at continental level. Moreover, the influence of powerful states is important. There have been instances in which countries have used their influence in the region to restrict labour migration. This phenomenon has been linked to outbursts of xenophobia against migrants in a number of African cities, and to pressure from particular non-state actors with an interest in the status quo. In other cases, sustained commitment by these powerful countries to the mobility agendas of RECs has meant that formal commitment by the REC member states has remained constant - even in a context of instability.

Implementation of agreed policies and agendas that aim to reduce irregular migration is in some instances impeded by rent seeking behaviour from government officials, military and police forces, in Africa but also in Europe. The efforts by the EU to substantially alter the incentive environment in its favour are generally ill-directed and ineffective. Yet, European prioritisation of irregular migration has given some African countries of origin and transit an important bargaining chip in international negotiations. So far, there has been little involvement of private sector actors in lobbying for or shaping migration policies.

In sum, the AU has progressed in developing continental policy positions and frameworks on migration governance, including free labour mobility or initiatives such as the African passport. Some policies are acted on, especially when more influential African countries take an interest. Nevertheless, some policies remain aspirational as they are merely driven by pan-African solidarity without institutional arrangements in place for implementation. So the comprehensive migration and development agenda of the AU still faces serious implementation challenges, the more so as its interests in migration governance are poorly aligned with those of its largest backer, the EU.

Implications for support

1. The EU short term concern about irregular migration from Africa needs to be balanced with longer term support for improved migration governance within Africa.

- The AU agenda on improved migration governance enjoys rhetorical support from the member states. Some important areas of AU policy, however, have little political traction in member states due to the broad diversity of country positions in the migration chain and the different interests, types of migration and incentives at play.
- EU bilateral efforts may be partially at odds with continental and regional coordination efforts and initiatives to improve migration governance on the African continent, as well as with other EU objectives such as fostering democracy and inclusive governance. Therefore, the unintended consequences of aid need to be monitored and rectified, and support for migration related institutions at AU and REC level need to be prioritised.
- EU incentive packages and conditionality policies with African governments regarding irregular migration may stimulate them to signal their support to superficial reforms in order to access EU funding without taking effective measures to improve the functions of migration governance.

2. The AU aspirations regarding continental free labour mobility and the African passport should not distract donors from engaging in more down to earth, gradual reforms at cross-country and regional levels.

- In particular, support should build on reform areas that enjoy country and cross-country support and potentially those areas that connect different levels.
- Support should aim to strengthen actors in their efforts to build political traction over the long-run.

3. The complexities of the migration agenda and urgency with which donors engage in this sensitive domain require diagnoses of region-specific challenges and opportunities.

- This is particularly important to identify politically feasible opportunities to combine AU concerns and EU priorities on migration.
- This implies identifying the policy areas with domestic traction, and support for engagement with stakeholders in policy dialogue and implementation, including from the private sector.
- Such diagnoses can help challenge or nuance some of the underlying assumptions about the causal relations between development processes and migration and point to areas for effective cooperation.

Behind the formal structures of regional organisations is a messy world of regional power and politics. This messiness is often difficult to capture in the language of development cooperation and institutional development. Working with regional organisations and their programmes therefore implies engaging with complex, multi-level power and interest dynamics.

PEDRO, the **P**olitical **E**conomy **D**ynamics of **R**egional **O**rganisations, is an ECDPM project that looks at the politics behind regional organisations, and the structural factors, institutions and incentives that ultimately define the way in which countries and different stakeholders engage at a regional level. PEDRO covers 17 African regional organisations and 11 policy areas. For each of these, ECDPM has applied a political economy approach to help understand the dynamics and their effects in different regions and policy areas.

The studies are framed around three key questions: the first relates to the political traction of the regional organisation as this helps assess whether the regional organisation has enabled regional decision making and if it has contributed to implementation. The second focuses on the member state interests in engaging with the regional organisation, especially the more resourceful and powerful ones (the so-called 'swing states'). The third looks at the areas with most traction where regional and national level interests seem to be most aligned for regional outcomes.

The reports aim to present information and insights that can help regional stakeholders navigate the obstacles and better respond to reform opportunities. Rather than providing specific operational recommendations, the political economy approach encourages more reality-based discussions among practitioners and reformers about feasible ways to address regional challenges. It is hoped that this may help tailor the ambitions and approaches of donors and reformers and help identify ways to support national or regional champions or coalitions to take regional cooperation and integration forward.