

# Valletta Summit on Migration

## **A Common Political Basis Cooperation in Migration Between Africa and the European Union**

**Analysis of the political commitments of the Rabat  
Process, the Khartoum Process and the Africa–EU  
Dialogue on Migration**

**September 2015**

## **Aims and objectives of this paper**

Relations between Africa and the European Union aim to strengthen the economic cooperation and the promotion of sustainable development. The Joint Africa-EU Strategy, which was adopted at the Lisbon Summit in 2007, constitutes the overarching long-term framework for Africa-EU relations.

In November 2015, Heads of States and Governments of West, East and North African States and European Member States will meet in Valletta, Malta to create a political framework to more effectively govern migration and mobility between the two continents. Moreover, they will identify initiatives in key areas in order to operationalise the political commitments. In doing so, the Valletta Summit will attempt to effectively and sustainably address the crisis aspects of migration. 5 key areas are considered: (I) The development benefits of migration and addressing root causes; (II) Legal migration and mobility; (III) International protection and Asylum; (IV) The prevention of and fight against migrant smuggling and trafficking in human beings; (V) Making progress on return and readmission agreements. The Summit moreover will establish a Trust Fund for migration in Africa.

The success of the Valletta Summit depends to a large extent on the ability to create a common and shared sense of commitment and direction among the EU and African countries and institutions. Partnership between and commitment of the countries as well as co-ownership of the conclusions of Valletta are prerequisites for achieving tangible and concrete impact on the ground, both with regard to short-term actions addressing the current refugee and migration crisis as well as mid- to long-term initiatives aiming at its root causes. Given the multi-faceted and complex nature of migration and mobility and their drivers, a comprehensive approach will be key to the success of the Valletta Summit.

The preparation process of the Valletta summit, therefore, needs to ensure the engagement of all concerned countries and institutions that can influence and create impact on migration. The question of 'buy-in' of all stakeholders is key to the success of the summit. There is consensus that existing structures and frameworks play a vital role in the preparation as well as in the follow up of the Valletta summit.

The most central frameworks for dialogue and cooperation in migration between African and EU states are the well-established Rabat Process (the Dialogue on Migration and Development (2006)), the newly-established Khartoum Process (the EU-Horn of Africa Migration Route Initiative (2014)) as well as the inter-continental Africa-EU partnership<sup>1</sup>. The Rabat Process has 4 pillars (organising mobility and legal migration; improve border management and combat irregular migration; strengthening synergies between migration and development; promote international protection). 2 areas of priority have been identified: migration and development; border management. The Khartoum Process has identified one area of priority: prevent and tackle the challenges of human trafficking and smuggling of migrants. The EU-Africa Declaration doesn't identify specific areas of priorities but recalls the importance to tackle every aspect on migration.

The EU's Pan-African Programme (2014-2020) provides the programmatic roof and guarantees a comprehensive and coherent approach for these regional platforms. The operationalisation of the outcomes of these processes will be ensured by the so-called MMD Facility, a managing and financing facility for concrete projects.

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<sup>1</sup> Other frameworks, such as the more flexible Euromed Migration framework, should be integrated into the delivery architecture as well.

The Valletta Summit will be based on a foundation of political commitments recently undertaken by African and EU states. In 2014, a set of Ministerial Declarations were adopted in the Rabat Process (Rome Declaration and Programme) and the Khartoum Process (Khartoum Declaration) and the 2014 Africa – EU summit resulted in a Declaration on migration. This shows the level of commitment already undertaken by African and EU states. The point of this paper is to document the existing political commitment on which Valletta can be built.

Therefore, this paper aims to summarise and synthesise the political commitments already undertaken in the Rabat Process, the Khartoum Process and the continental Africa-EU partnership on migration. In doing so, the paper aims to clarify the existing consensus between African and European states in the 5 thematic areas of Valletta. This should support the Valletta preparation in making effective use of the existing policy architecture.

## (I) The development benefits of migration and addressing root causes

**Strong commitments** have been made by the Khartoum Process, the Rabat Process and at the continental level in this area although the Khartoum Process is the only Process which clearly makes the link between the benefits of migration and addressing root causes. The commitments all insist on the **importance to have a comprehensive approach to tackle those issues**. On the concrete level, the comprehensive approach is illustrated by the fact that there is stronger commitment to link migration with other policy areas such as the environment, food security and poverty. To this end, countries have all agreed to mainstream migration into policy planning and development cooperation programmes.

**‘The development benefits of migration’ is a top priority** and refers to ‘maximise the positive impacts of migration and development’. Concrete commitments are not new and have essentially focused on the ‘role of diaspora (contribution to development, transfer of funds, mobility of skills, integration)’ and the ‘need for sustainable development’. The Rabat Process (Rome Declaration) has made migration and development an area of priority and will better involve Diasporas and encourages the contribution of refugees to development processes.

In order to tackle **the ‘root causes’ of irregular migration (push and pull factors) and forced displacement**, new and strong commitments have been made and are reflected in the different Ministerial Declarations. They recognise the importance of providing innovative and legal alternative to irregular migration such as employment opportunities for the youth at the regional level (EU-Africa Declaration) and to promote sustainable development, stability and peace. The Rabat Process (Rome Declaration) is looking for more **effective regulatory frameworks or systems** and drawing up suitable strategies and policies by associating African universities, strengthening South-South cooperation and promoting innovative ideas coming from the experience of the South countries.

## (I) Table 1. Key political commitments in the area of the development benefits of migration and addressing root causes

<b>The Rabat Process- (Rome Declaration/ Programme)</b>	<ul style="list-style-type: none"> <li>• <u>Diaspora</u></li> </ul> <p>Draw up <b>regional strategy</b> aimed at encouraging diaspora’s involvement</p> <p>Assess the <b>impact of initiatives</b> in the area of diaspora engagement on development</p> <p>Support <b>evidence-based policy-making</b> that target diaspora issues</p> <p>Enhance capacities and <b>entrepreneurship</b> of the diaspora</p> <p>Recognise the contribution that the diaspora can make to the <b>integration of</b></p>
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	<p><b>migrants</b> in the societies of countries of destination</p> <p>Consult migrants and foster their access to <b>social networks</b></p> <p>Channel, simplify and optimise <b>fund transfers</b></p> <ul style="list-style-type: none"> <li>• <u>Build a comprehensive approach</u></li> </ul> <p>Analyse <b>the root causes</b> of migration to draw up suitable strategies and policies</p> <p>Take into account the consequences of <b>environmental degradation, poverty, political instability, and food insecurity</b></p> <p><b>Integrate migration in public policies</b> on development</p> <p>Create synergies between <b>private sector</b> initiatives and development policies</p>
<b>The Khartoum Process (Khartoum Declaration)</b>	<ul style="list-style-type: none"> <li>• <u>Build a comprehensive and balanced approach</u></li> </ul> <p>Promote <b>sustainable development</b>, in line with the global development agenda</p> <p>Acknowledge the potential <b>mutual benefits</b> of migration and development</p>
<b>EU-Africa Declaration</b>	<p>Provide <b>employment opportunities</b> for the youth at regional level</p> <p>Build a <b>comprehensive</b>, global, concerted and efficient <b>cooperation</b></p> <p>Role of <b>migrants as agents of innovation and development</b> (sustainable economic, social and environmental development)</p> <p><b>Fight all forms of discrimination</b>, racism and xenophobia</p>

## (II) Legal migration and mobility

Both regional dialogues (Rabat Process and Khartoum Process) as well as the EU-Africa Declaration acknowledge that efforts should be made to better organise legal migration, to foster well-managed mobility and facilitate labour migration but the **level of commitment differs from one framework to another**. Admission schemes require flexibility, needs and numbers are defined by each Member State in compliance with the Lisbon Treaty, recognition of competences is still in progress, and measures such as seasonal workers and transfers of multinational company employees must be evaluated and discussed. All those factors impact the level of commitment. Visa facilitation for instance is not tackled by the Rabat Process, the Khartoum Process or the EU-Africa Declaration.

**For the Rabat Process, labour migration and mobility has always been central.** It has already been dealing with this topic, especially in terms of social rights of migrants and the improvement of civil registration systems. It is the only framework which mentions circular migration and which **offers a wide range of initiatives in this area**. **The Rabat Process tackles regional mobility, education and employment policies, and also the respect of migrants' rights and civil registry.**

The EU-Africa Declaration recalls the importance of employment and higher education and the Khartoum Process only commits partially to this issue.

The regional level, understood as intra-regional labour mobility, seems to create a consensus among the Khartoum Process, the Rabat Process or the EU-Africa Declaration. The Rabat Process is offering a wide range of initiatives on this topic, from free movement initiatives to the greater involvement of the private sector or social partners.

Although **cooperation agreement or partnerships** are often the basis to cooperate on legal migration issues such as Mobility Partnerships (MP) or Common Agenda on Migration and Mobility (CAMP), they are **not mentioned in the political frameworks (Khartoum, Rabat or EU-Africa)**.

**Table 2. Key political commitments in the area of Legal migration and mobility**

<b>The Rabat Process (Rome Declaration/ Programme)</b>	<ul style="list-style-type: none"> <li>• <u>Regional migration and mobility</u></li> </ul> Support programmes for <b>regional integration</b> and intra-African free movement Promote <b>regional professional mobility</b> <ul style="list-style-type: none"> <li>• <u>Integration of workers</u></li> </ul> Networking, and consultations between <b>social partners</b> Management of <b>demand and supply of employment</b> and vocational training Create <b>opportunities for study and work</b> in the countries of destination Knowledge and <b>information tools</b> Recognition of <b>skills and qualifications</b> Policies aimed at <b>integration</b> and fight against discrimination (equal treatment ) <ul style="list-style-type: none"> <li>• <u>Civil registry</u></li> </ul> <b>Enhance civil status registration</b> (communication, practical frameworks, national registration systems, modernization, exchange of information, network, training sessions)
<b>The Khartoum Process (Khartoum Declaration)</b>	Organise legal migration and well managed mobility, including <b>intra and inter-regional labour mobility</b> Strengthen <b>national capacity building</b>
<b>EU-Africa Declaration</b>	Organise legal migration Well-managed <b>mobility between and within the continents</b> Policies that facilitate labour migration, including at the <b>regional level</b>

### (III) International protection and Asylum

International protection and asylum is a **top priority of the different political frameworks**. Each framework has **strong political statements** such as ‘ensuring effective protection’, ‘promote cooperation on protection’ followed by **concrete propositions**. In this regard, the Rabat Process created a fourth pillar called ‘Promote international Protection’.

**Concrete propositions differ from one framework to another.**

**The Khartoum Process** for instance explicitly tackles the issue of **assistance in establishing and managing reception centres**. In this area, the Rabat Process suggests developing capacities for reception and status determination.

**The Rabat Process** emphasises the **role of host communities** and suggests reinforcing **legal, political and operational frameworks** on national and regional levels. Besides, it is the only framework that includes protection of **unaccompanied minors**.

**In the area of international instruments and laws, commitments differ** from one framework to another:

- The Rabat Process promotes the **ratification** of relevant international instruments and the adoption of national laws

- The EU-Africa Declaration stresses that **fully enforcing** of the international legal instruments on international protection is an urgent need.
- The Khartoum Process refers to the promotion of the cooperation on protection **in accordance with relevant international conventions**.

There is a **common understanding** of the special relevance of the **regional level to ensuring effective protection** and to providing access to asylum processes in line with international law. There is a consensus on the usefulness of employing regional instruments for the protection of refugees, asylum seekers and internally displaced persons.

**Table 3. Key political commitments in the area of International protection and Asylum**

<b>The Rabat Process (Rome Declaration/ Programme)</b>	<p>Strengthen the cooperation</p> <ul style="list-style-type: none"> <li>• <u>Legal instruments</u></li> </ul> <p>Ratify relevant <b>international instruments</b></p> <p>Adopt <b>laws, regulations</b> and necessary structures</p> <p>Promote <b>Unaccompanied minors'</b> rights</p> <ul style="list-style-type: none"> <li>• <u>Policies</u></li> </ul> <p><b>Policy on the integration of persons eligible</b> for international protection in the host country</p> <p><b>Regional action plan</b> to define the modalities for an effective response</p> <p>Promote <b>Regional Development and Protection Programmes</b></p> <p><b>Improve anticipation and management</b> of movements of populations</p> <p>Facilitate <b>durable solutions</b></p> <ul style="list-style-type: none"> <li>• <u>Capacity development</u></li> </ul> <p>Promote <b>training programmes</b> and campaigns</p> <p>Support <b>social and economic structures</b> as well as community services in host communities</p> <p>Strengthen the <b>capacities of national institutions</b></p> <p>Analyse and support the <b>contribution of refugees</b> to the national and local economy of the host country</p>
<b>The Khartoum Process (Khartoum Declaration)</b>	<p><b>Effective protection and assistance:</b> due access to asylum processes in line with international law</p> <p>Promote <b>national strategies</b> to strengthen horizontal <b>coordination</b> among all services</p> <p>Promoting a <b>victim-centered approach</b>, including through involvement of civil society</p>
<b>EU-Africa Declaration</b>	Fully enforce and implement <b>international and regional instruments</b>

#### **(IV) Prevention of and fight against migrant smuggling and trafficking in human beings**

The prevention of and fight against migrant smuggling and trafficking in human beings is often addressed in the broader frameworks of border management or fight against irregular migration. While areas such as legal migration or return and readmission are sensitive and generate different level of commitment, the fight against migrant smuggling and trafficking in human beings **is consensual**. Partners agree on the necessity to **strongly engage** in this

area and **implement concrete initiatives**. Strong commitment at the political and operational level is reflected in all the frameworks (Khartoum Process, Rabat Process, EU-Africa Declaration) even though it is true that the commitment on smuggling is more recent than for trafficking. The fight against trafficking in human beings already benefits from deep knowledge and engagement from several stakeholders. It is important to highlight the fact that this area is the **target priority of the Khartoum Process**. Therefore, the high level of commitment could give the necessary impulse to upscale efforts the prevention, protection and prosecution and build long term partnerships.

**All the frameworks have committed to engage politically and operationally on the three traditional steps to prevent and fight these practices:**

- **Prevention:** Improve border management systems / establishment of national strategies and measures on public perception of human trafficking and migrant smuggling and information campaigns are tackled by the Rabat Process and Khartoum Process.
- **Prosecution:** Promoting cooperation to fight criminal networks.
- **Protection:** Assistance to the victims and smuggled migrants.

A **shared political commitment** is noticeable and can therefore be seen as one of the most solid areas in the Euro-African context. Clear and **strong commitments have been made** such as the exchange of good practices and the prosecution of smugglers and traffickers and the dismantling of their criminal networks. The frameworks also highlight the importance to ratify the relevant UN Conventions and Protocols.<sup>2</sup>

**Table 4. Key political commitments in the area of Prevention of and fight against migrant smuggling and trafficking in human beings**

	<b>Trafficking</b>	<b>Smuggling</b>
<b>The Rabat Process (Rome Declaration/ Programme)</b>	<b>Awareness campaigns</b> Improve <b>coordination</b> of services involved Create <b>specialised services</b> and training programmes Development/respect of <b>laws and regulations</b>	
<b>The Khartoum Process (Khartoum Declaration)</b>	Prosecute and dismantle <b>criminal networks</b> (serious crime and violation human rights) Foster the <b>ratification</b> and implementation of the UN Conventions / Improve or establish criminal law frameworks Undertake concrete actions in a spirit of partnership, shared responsibility and <b>cooperation</b> <b>Prevention measures</b> ( information campaigns) Create national strategies to strengthen <b>horizontal coordination</b> Promote a <b>victim-centered approach</b> , including through involvement of civil society	
<b>EU-Africa Declaration</b>	Prosecute and dismantle <b>criminal networks</b> (serious crime) Ensure respect of <b>human rights</b> <b>Upscale efforts</b> prevention, protection and prosecution	Enhance comprehensive and efficient <b>cooperation</b>

<sup>2</sup> UN Convention Against Transnational Organized Crime and the Protocols against Smuggling of Migrants and Trafficking in Persons, supplementing the UN Convention against Transnational Organized Crime, the so-called "Palermo Convention and its Protocols".

## (V) Making progress on return and readmission agreements

Return, readmission and reintegration are tackled by all the political frameworks. However, the level of commitment differs from one framework to another.

**Regarding return, in particular voluntary return there is a consensus on the necessity to develop a solid and comprehensive framework at regional level.** The Rabat Process mentions durable return adapted and tailored to the needs of returnees and in the full respect of human rights.

**The Rabat Process has fully committed to this area and enumerates concrete measures** such as:

- Support of plans of emigrants who wish to return.
- Define the terms of their professional reintegration in their countries of origin through supportive policies and with the help of the diaspora.

**In terms of readmission, only the Rabat process details concrete measures.** The issue of readmission is tackled within a **comprehensive framework** encompassing cooperation agreements, operational cooperation such as capacity building of the administrations, exchange of information, bilateral training programmes, etc.

**Table 5. Key political commitments in the area of Return and readmission**

	<b>Readmission</b>	<b>Return and reintegration</b>
<b>The Rabat Process (Rome Declaration/ Programme)</b>	Build <b>national and regional strategies</b>  Foster/create sound partnerships through <b>cooperation agreements</b> between countries of origin, transit and destination and at the intra-African level  <b>Operationalise the cooperation</b> (capacity building of administrations, information exchange, bilateral training programmes)	Build a comprehensive framework at <b>regional level</b> with networks of contact points  Measures adapted and <b>tailored to the needs of returnees</b> (professional reintegration, etc.)  Strengthen <b>administrative capacities</b> of countries of return  Exchange of good practices and <b>information campaigns</b>
<b>The Khartoum Process (Khartoum Declaration)</b>	Stresses the importance to <b>cooperate</b>	Stresses the importance to <b>cooperate</b>  <b>Regional framework</b> , in the full respect of human rights, while strengthening the national capacities
<b>EU-Africa Declaration</b>	Need to have a <b>comprehensive</b> and efficient <b>cooperation</b>	

## Conclusions

Although the level of commitment differs from one political framework (Khartoum, Rabat and EU-Africa) to another, there is already a good level of political commitment in general. The Valletta summit should take this political basis as the foundation, complement it in areas central to the objective of the Valletta summit and otherwise invest its political capital in finding ways to boosting the actual implementation of the commitments so as to create real impact on the key areas. As the Rabat Process shows, a balanced approach is the key to long-lasting political commitment between European and African States.