

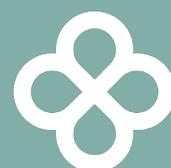
CIVIL SOCIETY INPUT TO EU-AFRICA COOPERATION ON MIGRATION:

THE CASE OF ETHIOPIA

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This paper analyses the cooperation between the European Union (EU) and Ethiopia on migration and refugee issues from the perspective of the Comprehensive Refugee Response Framework (CRRF) and migrant returns and reintegration. The cooperation has brought benefits to Ethiopia, including access to additional sources of finances and contributed to enhancing its international reputation as a 'refugee friendly' country. It has also created different challenges. A negative social reaction to the refugee self-reliance and migrant returns policies is the major one. To improve the situation, the EU should work with its member states to expand legal migration possibilities for Ethiopians.

1. OVERVIEW OF COOPERATION BETWEEN THE EU AND ETHIOPIA ON ASYLUM AND MIGRATION IN THE LAST FIVE YEARS

In 2016, the EU included Ethiopia in its list of 16 'priority' countries that would be given support to reduce the arrival of migrants and refugees in Europe in return for various incentives like development aid and trade.¹ Ethiopia is one of the leading countries of origin and transit of mixed movements of migrants and refugees. By the end of 2018, Ethiopia hosted 903,226 refugees.² Accordingly, Ethiopia is one of the primary focus countries of the European Union Emergency Trust Fund (EUTF), which is a leading migration partnership mechanism of the EU to fight migrant smuggling and trafficking. Ethiopia is the third top recipient of the EUTF's financial support. So far, it received a total of € 270.2 million.³ EUTF's support in Ethiopia focuses on two areas: Socio-economic integration of refugees in Ethiopia (via the CRRF) and Ethiopian migrants return and reintegration in Ethiopia.

COMPREHENSIVE REFUGEE RESPONSE FRAMEWORK (CRRF)

Ethiopia is one of the seven African CRRF pilot countries. The CRRF is an implementation framework for the Global Compact on Refugees (GCR). Ethiopia's CRRF focuses on ensuring self-reliance of refugees and host communities through socio-economic integration. This includes offering refugees the right to work. Supporting the implementation of the CRRF is one of the priorities of the EUTF.⁴ In this respect, the EUTF supports three projects worth € 19.2 million in Ethiopia.

The first project focuses on the institutionalisation of the CRRF.⁵ € 4.2 million is allocated for this project from 2018 to 2022, which is implemented in Addis Ababa and localities most impacted by the arrival of refugees in Ethiopia's Somali and Afar Regional States. This project can support Ethiopia's effort to put in place institutional and normative frameworks to implement the CRRF. In 2018, the country established a CRRF National Coordination Office (NCO) and is drafting the National Comprehensive Refugee Response Strategy. A revised refugee proclamation was also adopted in 2019 which "affords refugees freedom of movement, the

1 Tsion Tadesse Abebe, 'Ethiopia's refugee response Focus on socio-economic integration and self-reliance' in East Africa Report (Institute for Security Studies 19 October 2018), <https://go.aws/2Taf2Fb>.

2 UNHCR, 'Global trends: forced displacement in 2018' Annex Table 1 (2019), <https://bit.ly/2T9jd3l>.

3 Tuuli Raty and Raphael Shilhav, 'The EU trust Fund for Africa: Trapped between aid policy and migration politics' (Oxfam Briefing Paper January 2020), <https://bit.ly/2T8zuWK>.

4 Supra note 3.

5 EU Trust Fund (2019) Capacity Building and Technical Assistance to a Comprehensive Refugee Response Framework (CRRF) Structure and Ethiopian Government Institutions

right to work and documentation."⁶ If properly implemented, the project can address implementation challenges of the CRRF such as the lack of a strong coordination mechanism.⁷

The second project focuses on integrating refugees and host communities in the Urban Productive Safety Net Program (UPSNP) in the Somali Regional State⁸. 7,000 refugees and host communities are expected to benefit from the € 5 million project, which aims to pilot the UPSNP to facilitate self-reliance of vulnerable refugees and host communities. Implementation of this project is highly relevant to the CRRF, which aspires to improve the lives of refugees and host communities "through combining the parallel system of humanitarian support to refugees and host communities...with development planning."⁹

The third project focuses on strengthening socio-economic development and enhancing economic opportunities through small and medium-sized enterprises (SMEs) in the Somali Regional State.¹⁰ Both refugees and host communities are expected to benefit from the € 10 million project, implemented between 2019 and 2023. This project has a big potential to boost the successful implementation of the CRRF since SMEs can create more employment opportunities than most other sectors.¹¹

Construction of three industrial parks worth USD 500 million (coined by the EU as Ethiopia's Job Compact)¹² is also part of the CRRF project. This is expected to create 100,000 jobs: 70,000 for host communities and 30,000 for refugees. The European Investment Bank (EIB) is one of financiers of the parks. Following Ethiopia's September 2016 pledge to build the parks, the EIB¹³ expressed its interest to finance it with other partners. Ultimately, € 20 million was allocated for it¹⁴. However, construction of the parks is yet to start. Considering the job creation potential of the parks, this is not an encouraging development.¹⁵

RETURN AND REINTEGRATION

Return and reintegration of irregular migrants is one of the key objectives of the EU's 2016 Partnership Framework as per the objectives of the European Agenda on Migration.¹⁶ Ethiopia was one of the five sub-Saharan African countries initially included in the Partnerships Framework. Between December 2015 and October 2016, EUTF allocated € 119.5 million for Ethiopia.¹⁷ However, the EU did not approve additional funding to Ethiopia between November 2016 and November 2017. The decision might have been influenced by the September 2017 progress report on the Partnership Framework with Third Countries that stated cooperation with Ethiopia was "unsatisfactory, and the return rate is one of the lowest in the region."¹⁸

6 TSION TADESSE ABEBE AND SELAM TADESSE, 'The Global Refugees Forum should support Ethiopia to create more jobs to address its high unemployment rate' (Refugee Law Initiative, RLI Blog on Refugee Law and Forced Migration 10 December 2019), <https://bit.ly/2vRAZAJ>.

7 Supra note 1.

8 Supra note 5.

9 Supra note 1.

10 Supra note 5.

11 JOSÉ FILOMENO DE SOUSA DOS SANTOS, 'Why SMEs are key to growth in Africa' (World Economic Forum 4 August 2015), <https://bit.ly/38Rj7Vi>.

12 EUROPEAN INVESTMENT BANK, 'EIB President pledges support for "Jobs Compact" in Ethiopia tackling migration and refugee challenge' (21 September 2016), <https://bit.ly/37OQqH6>.

13 Ibid.

14 TSION TADESSE ABEBE, 'Policy Brief: Promises and challenges of Ethiopia's refugee policy reform' (Institute for Security Studies October 2018), <https://go.aws/2T6nFjV>.

15 Supra note 6.

16 HELIODORO TEMPRANO ARROYO, Using EU Aid to Address the Root Causes of Migration and Refugee Flows (European University Institute, Robert Schuman Center for Advance Studies 2019).

17 Supra note 3.

18 JONATHAN SLAGTE, 'An "Informal" Turn in the European Union's Migrant Returns Policy towards Sub-Saharan Africa' (Migration Policy Institute 10 January 2019) <https://bit.ly/38L12JP>.

Subsequently, in December 2017, the EU and Ethiopia agreed on readmission procedures for Ethiopians¹⁹. This was approved by the European Council on 29th of January 2018.²⁰ The draft agreement indicates that the arrangement applies to Ethiopians that do not fulfil the conditions for entry, stay or residence of the concerned EU Member States.²¹ Both voluntary and non-voluntary returns will be facilitated. The Government of Ethiopia is expected to facilitate travel documents, while the EU supports Ethiopian authorities on reintegration of the returnees.

Two major concerns are raised in relation to this agreement. The first concern relates to the facilitation of forced returns.²² The EU argues that the agreement does not have the status of an international agreement, which means it is 'informal'.²³ This can help EU Member States to avoid transparency and accountability for their responsibilities under human rights and refugee law, including the principle of non-refoulement. The EU resorted to informal agreements as it has failed to conclude formal return and readmission agreements with any sub-Saharan African countries, with the exception of Cape Verde in 2014. It is difficult for African countries to conclude a formal agreement on returns due to the strong political sensitivity.

The second concern refers to sharing the personal data of the returning migrants with the Ethiopian National Intelligence and Security Services (NISS), which has been accused of killing and detaining political dissenters under the previous Ethiopian government.²⁴

2. IMPACT OF THOSE PRIORITIES ON ETHIOPIA AND THE RELATIONS BETWEEN THE EU AND ETHIOPIA

The cooperation between the EU and Ethiopia provided benefits to the Ethiopian government. Access to additional funding is one of them. Following the adoption of the 'informal agreement', for example, € 150.7 was allocated to Ethiopia, including € 50 million in budget support and € 81 million in development assistance²⁵. A total of € 65.15 million was also allocated for the return and reintegration of Ethiopian migrants. This includes € 15.15 million to facilitate the return of Ethiopian nationals from Europe; € 20 million for return and reintegration activities in Ethiopia implemented by the International Organization for Migration (IOM); and € 30 million to migration management capacity building activities through the Better Migration Management (BMM) Programme²⁶. The € 19.2 million package for the three CRRF projects, discussed above, was also approved.

Enhancing its international reputation, is the second benefit Ethiopia has gained, especially through implementation of the CRRF.²⁷ Among other things, this led to Ethiopia being selected to co-convene the first Global Refugee Forum (GRF) from 17 to 18 December 2019 in Geneva.²⁸

The EU also benefitted from the cooperation. The enhanced cooperation with Ethiopia, together with its other partner countries such as Libya has led to a major decline in the number of arrivals to Europe. The most significant decline (80 percent) is recorded in the Central Mediterranean Route, which is used by people from the Horn of African. Eritrea and the Sudan are among the top five countries of origin of people using this route, which goes from North Africa to Italy. Consequently, arrivals of Eritreans decreased from

19 Supra note 3.

20 Council of European Union, Outcome Of The Council Meeting, 3593rd Council meeting, Agriculture and Fisheries, 5710/18, 29 January 2018 <https://bit.ly/2SRr86Q>.

21 Ibid.

22 Supra note 3.

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

27 Supra note 1.

28 Supra note 7.

20,718 in 2016²⁹ to 3,300 in 2018³⁰ and arrivals of Sudanese from 9327 in 2016³¹ to 1,600 in 2018.³² Overall arrivals in Europe through the different routes of the Mediterranean was 116,647 in 2018, which shows an 89 percent reduction from the 2015.³³ This led the European Commission to declare in 2019 that the migration crisis is over.³⁴ This is a big achievement for the EU since decreasing the number of migrants is at the heart of its migration policy. In addition, the number of returns of Ethiopian nationals has significantly increased following the conclusion of the informal agreement, from 210 in 2016 to 400 in 2018.³⁵

Apart from the benefits, the cooperation has also created new challenges for Ethiopia.

Negative social reactions to Ethiopia's migrant returns and reintegration policy and refugees' self-reliance are the major ones. Facilitating the return of Ethiopians from Europe impacts the flow of remittances, thereby making the Government of Ethiopia less popular. A 2017 World Bank report indicates that remittances to Ethiopia, including from Europe, are worth USD 742 million.³⁶ As a result, increasing the number of returns of Ethiopian migrants without advocating for the creation of more legal pathways in Europe will have significant political costs. This is despite the fact that the number of Ethiopian returnees from Europe (400) is much lower than those returned from Saudi-Arabia, 340,000 between May 2017 and December 2019.³⁷

Similarly, the promotion of socio-economic opportunities for refugees in Ethiopia under the CRRF, particularly where host communities that are poor, can lead to negative social reaction. The experiences of Gambella, which hosts the biggest number of refugees in Ethiopia, indicates the potential challenge. The region hosts 422,240 of the total refugee population of 905,831.³⁸ Since 2017, the number of refugees has outnumbered the host community of Gambella.³⁹ This has increased the already apparent tension arising out of conflict dynamics in the region.⁴⁰ Driven by this, activists from the region called for rallies to protest the revised refugee proclamation in early 2019.⁴¹ Although the rallies did not happen, it shows the potential negative consequences.

3. ABILITY OF THE EU TO AFFECT ETHIOPIA'S REFUGEE AND MIGRATION POLICIES

The real impact of the on-going projects is yet to be seen. The current trend shows that the EU has influenced the adoption of Ethiopia's revised refugee policy as well as the signing of the return and reintegration agreement. Funding has been the main channel for influencing the policy and procedure.

29 UNHCR, 'Desperate Journeys', February 2017, <https://bit.ly/2PnLCIC>.

30 UNHCR, 'Desperate Journeys' January 2019, <https://bit.ly/2Vh7p2d>.

31 Ibid.

32 Ibid.

33 Jennifer Rankin, 2019, EU declares migration crisis over as it hits out at 'fake news', The Guardian, <https://bit.ly/37Rs4wj>.

34 Ibid.

35 Supra note 3.

36 Barry Cooper and Antonia Esser, 'Remittances in Ethiopia: Exploring barriers to remittances in sub-Saharan Africa' series Volume 4, November 2018, Centre for Financial Regulation & Inclusion, <https://bit.ly/2umoOeK>.

37 IOM, 2019. Return of Ethiopian Migrants from the Kingdom Of Saudi Arabia., <https://bit.ly/3a1AliY>.

38 UNHCR, Operational Update: Ethiopia (December 2018), <https://bit.ly/39ZfGfa>.

39 ICRC, 'African Union: ICRC delegation meets African Policing Civilians Oversight Forum' (15 February 2017), <https://bit.ly/32my8vY>.

40 Hugo Genest, 'The Impact of the United Nations Comprehensive Refugee Response Framework on Conflict Dynamics: the Case of Gambella in Ethiopia', Conflict Trends, (13 December 2018), <https://bit.ly/2Vlluuu>.

41 Tsion Tadesse Abebe, 'Refugees' Self-reliance: The dilemma of implementing the Global Compact on Refugees in Africa' (Refugee Law Initiative, RLI Blog on Refugee Law and Forced Migration 3 April 2019), <https://bit.ly/32pv0PW>.

Implementation of the refugee proclamation has not started. However, implementation of projects that enhance socio-economic integration of refugees is on-going in different parts of Ethiopia through EUTF funding. On return of Ethiopians from Europe, the number has increased as discussed above.

4. RECOMMENDATIONS FOR THE EU'S FUTURE RELATIONS WITH ETHIOPIA IN RELATION, BUT NOT LIMITED TO MIGRATION

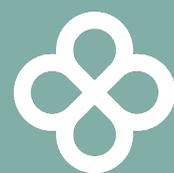
Ethiopia is one of the leading partners of the EU on migration and refugees. Implementation of some of the on-going CRRF projects funded by the EUTF can have positive impacts as they can enhance socio-economic opportunities for refugees and host communities. Facilitating the return of Ethiopians from Europe in the absence of a push for more legal pathways in the EU can, however, have negative effects on the Government of Ethiopia.

Due to this, the EU should factor in the political, economic and social context of Ethiopia and convince its Member States to expand legal pathways for Ethiopian migrants. This is the only effective way for the EU to persuade countries like Ethiopia to strengthen their cooperation on returns.⁴² Thus, Ethiopia should be included in the European Commission's legal migration pilot project, which was launched in 2018. Based on the October 2019 Progress Report of the Commission on the Implementation of the European Agenda on Migration, four African countries (Egypt, Morocco, Nigeria and Tunisia) take part in the project.⁴³ Five EU countries are participating in the project, Germany, Belgium, France, Spain and Lithuania.⁴⁴

42 Heliodoro Temprano Arroyo, 2019, Using EU Aid to Address the Root Causes of Migration and Refugee Flows, European University Institute, Robert Schuman Center for Advance Studies.

43 European Commission, Communication from the Commission to The European Parliament, The European Council and The Council, Progress report on the Implementation of the European Agenda on Migration, final 16.10.2019 COM(2019) 481 <https://bit.ly/2STmXrc>.

44 Based on key informant interview.



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