

Incoherence between Migration and Development Policies:

The Case of France

The French Government is increasingly using aid to promote its geopolitical interests. A new ministry, bringing together migration, integration, national identity and development was created in 2007. The French Government clearly intends to gear development policy towards migration control, using part of the Official Development Assistance (ODA) budget. This is the first time that such a link between the fight against illegal migration and development has been made so overtly in France.

Sonia Lokku

La Cimade

Katia Herrgott

Coordination SUD

Coherence upside down: When migration control drives development cooperation

In 2007, a new French Government was formed including a new ministry called the Ministry of Immigration, Integration, National Identity and Co-Development (MIIDS). According to MIIDS, the term 'co-development' refers to all development assistance projects involving migrants living in France, whatever form they take. This term was replaced by the term 'cooperative development'¹ in March 2008, which encompasses both co-development and:

...sectoral development assistance projects in countries of origin where there is a strong emigration towards France. These should contribute to control migration flows. (CICI, 2008, p.172)

This change illustrates the Ministry's ambition to influence French development policy to link migration control to development. MIIDS has three objectives: to place migration at the centre of development policy; to organise migration in a 'concerted' way with countries of origin; and to support migrants' efforts for development in their country of origin.

The Inter-ministerial Committee for International Cooperation and Development (CICID) is responsible for coordinating French development policy. It was co-chaired by the MFA and the Ministry of Economy and Finance, until the decree of 22 November 2007 gave MIIDS a seat in the CICID at the same level as the two other ministries. This allows the MIIDS to weigh in on French development policy. The MIIDS is also a board member of the French Development Agency, which manages a growing part of ODA, and of other bodies involved in development cooperation. Hence, migration is increasingly being mainstreamed in ODA programmes. It is systematically

mentioned in partnership framework documents (which are negotiated with partner countries and define the priorities of French aid for five years), and ODA resources are being mobilised in bilateral agreements for the 'concerted management of migratory flows'.

Whereas MIIDS is becoming more and more important in the planning and management of French ODA, interestingly, the MFA is completely absent from the Inter-ministerial Committee for Immigration Control (CICI), which deals with migration policy issues. While bilateral agreements on the concerted management of migration flows do include a chapter on development policy, the Minister for Foreign Affairs (who is officially responsible for policy coherence) is neither consulted nor involved in the negotiations, except in relation to visa and consular matters. French development policy is, therefore, coherent with short-term migration objectives. This is not in line with France's policy coherence commitment² at the European Union level, which should lead France to reform its migration policy to make it coherent with development objectives (not the other way around). The Organisation for Economic Co-operation and Development/Development Assistance Committee (OECD/DAC), in its 2008 Peer Review of French development policy, recommends:

...to forestall the risk of development assistance policy being used to manage migratory flows, steps should be taken to ensure that the institutions involved in co-operation can assert the matter of the impact on developing countries in the discussion of migration policies. (2008, p.35)

This is absolutely not the case today.

So-called 'cooperative development' programme: Limited resources, wide objectives

In terms of financial resources, the MIIDS does not directly manage significant amounts of ODA. According to the DAC, in 2007/08, these resources

represented one or two per cent of French programmable bilateral aid³. In 2009, 25 million Euros was allocated to the cooperative development programme to implement three actions.

At the multilateral level, France plans to set up a trust fund with the African Development Bank, dedicated to cooperative development, containing 9 million Euros allocated for 3 years. This fund would support projects in Africa only regarding migrant remittances, micro-enterprise projects or migrants' projects. Through this fund, France intends to promote, at the multilateral level, its own approach to the migration and development nexus, which is that development aid should, as a matter of priority, be used to finance development projects in countries of origin. The theoretical basis for this position is that more development leads to less migration. This assumption is not only wrong (in the short and medium term, it is in fact the opposite), but can lead to the use of development aid as an incentive in negotiations with countries of origin on migration control.

At the national level, 3.5 million Euros will be allocated to provide assistance to migrants resettling in their country of origin. These projects are implemented by the French Office for Immigration and Integration and have nothing to do with development policy.

Most of the aid managed by the MIIDS is, in fact, allocated to the 'cooperative development' chapter of agreements on the 'concerted management of migration flows' (CICI, 2008). The geographic priorities include all countries where bilateral agreements on the 'concerted management of migration flows' have been either signed (Gabon, Congo, Benin, Senegal, Tunisia, Mauritius, Cape Verde), planned (Mali, Cameroon, Democratic Republic of Congo, Haiti, Mauritania etc.), or are crucial for migration

³ Country programmable aid (CPA) is the amount of aid that can be programmed at partner country level. CPA is defined by subtracting from total gross ODA aid that is unpredictable by nature, entails no cross-border flows, does not form part of cooperation agreements between governments, or is not country programmable by the donor.

¹ In French: 'développement solidaire'.

² Treaty on the Functioning of the European Union, Article 188d.

control (Algeria and Morocco) (CICI, 2008, p.177). Almost 18 million Euros will be used in 2009 on cooperative development for agreements already signed. MIIDS also intends to use additional resources from the MFA, which should be allocated to development projects planned under partnership framework documents.

Even if MIIDS directly manages only a small proportion of French aid, its influence on overall development policy is increasingly significant. This could lead to development policy being used for migration control objectives. With the negotiation of agreements on the 'concerted management of migratory flows', including the financing of development projects, a dangerous link has been made between migration control and ODA.

Agreements on 'concerted management of migration flows and cooperative development'

The European Pact on Migration and Asylum, adopted in October 2008, was one of the highest priorities of the French Presidency of the EU. It argues that the effective management of migration must include legal migration, the fight against illegal migration, and economic and social development of countries of origin. It is referred to as a "global approach to migration". The Pact emphasises the need to include migration issues in the definition of development policies. The Pact invites Member States to conclude agreements, at EU and national levels, with countries of origin and transit. It suggests that migration should become an important element in all external relations of Member States. This implies that Member States, in their relations with developing countries, should consider the quality of the dialogue on migration issues. Interestingly, there was not a single consultation with civil society organisations before the adoption of the Pact, not even with migrants and their associations, even though they will be directly impacted by the Pact.

The European Pact on Migration and Asylum was inspired by the French model of bilateral agreements on the 'concerted management of migration flows and cooperative development'. Agreements on the 'concerted management of migration flows' aim at selective migration by facilitating border controls and the repatriation of undocumented migrants, while at the same time selecting the best qualified workers according to French economic needs.

MIIDS has been in charge of negotiating these agreements since its creation. The first agreement, with Senegal, was in fact negotiated in 2006 by Nicolas Sarkozy when he was Interior Minister. There is no coherence between the content of this chapter and the content of the partnership framework documents. On the contrary, MIIDS intends to influence the content of these documents and guide them towards its migration control objectives. According to these agreements, civil society organisations, in France and in the developing

countries, are supposed to implement part of the development chapter.

While civil society organisations, and in particular migrants' organisations, are involved in the negotiations on partnership framework agreements, these organisations are excluded from discussions on agreements for the 'concerted management of migration flows'. The negotiation process for these agreements is definitely not transparent. It is extremely difficult to gain access to draft agreements before they are signed; they are only available once they are sent to Parliament for ratification in France.

In addition to the 'cooperative development' chapter, there are two other chapters. One deals with the conditions for legal migration and a list of jobs open to workers coming from developing countries, the other establishes a commitment to bilateral cooperation in the fight against illegal migration – a key aspect of these agreements. Some cooperation measures are funded by ODA. In the Senegalese agreement, the Senegalese police force is proposed to be modified in order to include the implementation of border patrols along its shores.

The French Government has set ambitious annual targets for the repatriation of undocumented migrants from France (26,000 people in 2008, 27,000 in 2009). In order to reach these targets, France needs to make sure that it receives support from countries of origin or transit in the delivery of the needed 'laissez-passer', to enable repatriation to be effectively carried out. Negotiations are being conducted with some countries considered by French authorities as not very cooperative in this regard, such as Cameroun, Guinea and Mauritania.

Most readmission negotiations not only include the repatriation of undocumented migrants, but also the repatriation of third-country nationals who transit through signatory countries. Most transit countries are reluctant to agree to repatriate such migrants. Readmitting their own nationals is also a very sensitive issue, as public opinion in transit countries is more and more concerned with the fate of their country fellows in France. This could explain the lack of transparency in negotiations, as officials are concerned about the public outcry (and resistance) if negotiations on such sensitive issues are made public. In countries where civil society is aware of what is at stake, such as Mali, negotiations have been more difficult. To achieve its goal, France offers incentives such as visas, regularisation (which is quite difficult as the European Pact now bans large-scale regularisations) and additional development aid.

So far, seven agreements have been signed with: Senegal (September 2006), Gabon (July 2007), Republic of Congo (October 2007), Benin (November 2007), Tunisia (April 2008), Cape Verde (November 2008) and Burkina Faso (January 2009). Agreements are foreseen with Mali (which has so far strongly resisted), Cameroun, Egypt, Haiti, the Philippines, Guinea, Mauritania and the Democratic Republic

of Congo. The target set by MIIDS is to sign seven agreements every year between 2009 and 2011.

Conclusions

The position of French NGOs on this trend is very clear: Using development aid as a tool in the fight against migration is not only dangerous, but also counterproductive.

Migration is part of human history. Instead of a simplistic cause-effect relationship (more development – less migration), the migration-development nexus – needs to be understood from a triple-win perspective, whereby migration benefits the country of origin, the host country and, first and foremost, the migrants themselves. This is not what the European Pact and the French model are proposing. Such Euro-centred, security-based and utilitarian policies will not only fail to stop migration, but, by pressuring countries of origin and transit to better control migration flows, they are opening the door for the widespread violation of migrants rights in the countries they live in, transit through or are forced to return to.

Migration from developing countries is driven by a wide range of causes such as poverty, conflict, lack of democracy, environmental degradation, corruption, unfair trade agreements and so on. Developed countries carry a part of the responsibility for this situation. One would expect developed countries to focus on finding a long-term solution to economic and social exclusion, rather than targeting those who are left with no other option than to migrate irregularly. Moreover, the UN Declaration on the Right to Development, adopted in 1986, clearly reminds us that development is a right and cannot be subjected to any condition.

During the French Presidency of the EU a strong movement originated in France leading to the 'Bridges, not walls!' citizen's summit in October 2008. This summit attracted 1000 civil society representatives from 30 countries. Seventy recommendations were produced during the summit, which called for, among other things, development aid to be disconnected from migration policy⁴. ■

References

- CICI (Comité Interministériel au Contrôle de l'Immigration – Inter-ministerial Committee for Immigration Control) (2008). *Les orientations de la politique de l'immigration*. Rapport au Parlement. Available from: <lesrapports.ladocumentationfrancaise.fr/BRP/09400036/0000.pdf>.
- OECD/DAC (2008). French peer review, May 2008. Paris: Organisation for Economic Co-operation and Development/Development Assistance Committee.

4 In November 2008, MIIDS hosted the Second Euro-African Inter-ministerial Conference on Migration and Development in Paris. Access to the conference was refused to a 'Bridges, not walls!' delegation, and a request to disseminate the summit recommendations to official delegates was denied (see <www.despontspadesmurs.org>).