

## Roundtable migration deals 24<sup>th</sup> of April 2024 - Justice & Home Affairs committee

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During this roundtable, I will share 1) conclusions of research<sup>1</sup> conducted for Oxfam EU on the (mis)use of EU development funds for migration control purposes in Libya, Tunisia and Niger and 2) observations of a recent visit to Egypt with Save the Children NL, with a focus on the implementation of EU-Egypt cooperation on migration and its impact on children fleeing the conflict in Sudan.

### 1. Migration related projects in Libya, Tunisia and Niger funded by EU development funds

On 14 June 2021, the EU Neighbourhood, Development and International Cooperation Instrument (NDICI) was adopted, with an overall allocation of €79.5bn in EU development funding. For the first time, the EU allocated 10% of this development funding to 'migration-related activities'. Amid concerns over the misuse of development aid to address donor countries' domestic migration concerns, the OECD published criteria to assess the eligibility of migration-related activities.<sup>2</sup> Over the course of six months, we analyzed migration-related projects classified as Official Development Assistance (ODA) in Libya, Tunisia and Niger to assess whether these projects comply with EU legal obligations, increase transparency and enhance democratic scrutiny.

#### Key observations

- **Over one-third of the migration-related activities risk breaching EU legal requirements.** Moreover, the European Union funds actions that the OECD considers a particular risk to the integrity of ODA, including:
  - Support to border management authorities in Libya and Tunisia
  - Enhancement of international police cooperation against migrant smuggling in North Africa
  - Support for the territorial network of internal security forces in Niger
- The findings further reveal the **EU's prioritization of specific types of migration programming**, with border management and return receiving significantly more funding than, for example, protection programs or support for regular pathways. **In Niger, 75% of the examined activities focus on migration and border security**, which sometimes have a direct negative impact on development objectives by disregarding the local economic benefits of regional mobility.
- The formulation and evaluation of projects under the NDICI 10% migration component **remains highly untransparent** for the public, as well as for the Parliament as co-legislator, obstructing effective monitoring to mitigate risks.

#### Key recommendations

- The Commission and Member States should conduct appropriate human rights assessments and develop a framework for suspension of activities in cases of persistent human rights violations.
- Development aid that is misused to fund activities to intercept migrants, such as support for the Libyan and Tunisian Coastguard, has to be redirected to development objectives.
- The Commission should provide Parliaments with an equal level and detail of information regarding migration spending as provided to the Council.

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<sup>1</sup> Z. Weisner, S. Pope, J. Verheul, September 2023, *From Development to Deterrence? Migration Spending Under the Neighbourhood, Development and International Cooperation Instrument (NDICI)*.

<sup>2</sup> OECD DAC. (2022). Clarifying the ODA Eligibility of Migration-related Activities. Accessed 6 June 2023. [https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC\(2022\)53/FIN&docLanguage=en](https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DCD/DAC(2022)53/FIN&docLanguage=en)

## 2. EU-Egypt cooperation and the Sudanese crisis

Recently, the EU has intensified its cooperation with Egypt to “*tackle the root causes of irregular migration, combat smuggling of migrants and trafficking in persons, strengthen border management, and ensuring dignified and sustainable return and reintegration*”. Approximately €200 million in additional support for migration management has been made available in this regard. Save the Children NL recently visited Egypt in order to assess the situation of minors seeking international protection. During this roundtable, I aim to focus on the situation at the Egyptian-Sudanese border and EU support for migration control activities that pose severe risks to the protection of minors fleeing the conflict in Sudan.

A war has raged in Sudan for over one year now. Sudanese children have suffered unimaginably in the last year – they have seen killings, massacres, bullet-littered streets, dead bodies and shelled homes while they live with the all-too-real fear that they themselves could be killed, recruited by armed actors or subject to sexual violence. The war in Sudan has forced over 1.7 million people to flee to neighboring countries, including over 450.000 persons to Egypt.

### EU-involvement

The EU has funded and implemented migration management projects in both Sudan and Egypt for many years. The current EU-Egypt “migration deal” has to be seen in this context: it is additional funding for ongoing policies and activities, ranging from technical equipment, the provision of trainings for border guards and law enforcement activities. A relatively minor part of EU-funding for migration cooperation has so far been spent on activities focused on the protection of asylum seekers and/or legal pathways.

### Key observations on protection risks

- At this time **the humanitarian aid** for lifesaving services urgently needed for Sudan is **only 5% funded**, meaning there is a shocking 95% shortfall in needed funding.
- The border crossing between Sudan and Egypt, which was open for people to flee at the start of the conflict, has been closed. Thus, the only pathways available to flee Sudan are irregular. These routes are very dangerous and take 10-30 days.
- In the case that Sudanese refugees do arrive in the South of Egypt, there is **no possibility to register as a refugee** at UNHCR and no access to essential services such as healthcare and food.
- According to documented testimonies, refugees live in a **constant fear of being arrested, detained and forcibly deported to Sudan**. Children are detained together with adults without access to legal assistance. People are asked for registration papers that they cannot acquire.<sup>3</sup>
- To gain insight into the experiences of Sudanese children fleeing the conflict and seeking refuge in Egypt, Save the Children, together with the Mixed Migration Centre (MMC), documented **firsthand accounts** of experiences on their way to Egypt<sup>4</sup>, such as:
  - “I came with my neighbors and brother. We had initially planned to come with my family, but got separated in Khartoum because of the war. My brother & I went to our neighbor’s place and they asked us if we could communicate with my parents, but we couldn’t, so when our neighbors decided to leave we followed them. We lost contact with our family”
  - “When we reached the border, there were many border guards. They asked us to provide our identification documents. We explained that we did not have documentation from Sudan. They told us we have to come off the train. My aunt had her identification card, and then they let me too pass through. The rest were denied access and were stuck.”

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<sup>3</sup> Refugee Platform in Egypt, March 27th 2024, <https://rpegy.org/en/editions/joint-statement-egyptian-authorities-must-end-arbitrary-detentions-and-forced-deportations-of-sudanese-refugees-and-asylum-seekers/>;

<sup>4</sup> Mixed Migration Center (MMC) and Save the Children, Journeys of Sudanese children and youth, fleeing the Sudan conflict – Migrant stories, November 2023.