

How Border Externalisation Became the EU's Migration Strategy

Article by Bianca Carrera Espriu

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The agreement signed in Cairo aims to stop migration flows at a time when Egypt's dire economic situation, the prolonged civil war in Sudan, and Israel's indiscriminate destruction of Gaza are making Egypt a point of departure towards Europe for Egyptians and transit migrants alike. Deal after deal, the EU is outsourcing migration control, with little consideration for human rights.

A delegation of five European prime ministers, led by EU Commission President Ursula von der Leyen, signed a 7.4 billion euro deal in Cairo, Egypt, on 17 March. It was timely: the EU is preparing to finalise its New Pact on Migration and Asylum, one that will see Egypt added to the list of countries serving as fundamental assets of Europe's border offshoring framework.

In recent years, the different crises affecting the Middle East and East Africa have caused a doubling in the number of migrants fleeing from Egypt. The surge in arrivals onto Italian shores back in 2022 led the EU Commission to launch the first phase of an 80 million euro border management programme with Egypt. Since then, the EU's efforts to contain migration from the North African country have only intensified.

On 23 January, Josep Borrell and Egyptian Foreign Minister Sameh Shoukry shook hands in Brussels to commemorate the 20th anniversary of the Association Agreement between the European Union and Egypt. In October 2023, Egyptian officials had visited the headquarters of Frontex, the European Border and Coast Guard Agency. Shortly after, as the Israeli offensive in Gaza forced Palestinians to escape into the south of the Strip near the border with Egypt, Ursula von der Leyen stressed the need to "support Egypt through the current crisis and establish a firm [migration control] partnership."

Since then, scant official details have been released, until the deal was sealed on 17 March. In the past weeks, human rights groups had warned that by signing an agreement with Egypt the EU would "risk complicity in abuses" towards migrants, and that the New Pact on Migration and Asylum – which is complemented by similar border control deals with other third countries – will likely "set back European asylum law for decades to come".

Rising pressure

With a population of around 109 million, Egypt is the largest country in North Africa and the Middle East. Political unrest and deep economic woes over the past decade resulted in record annual inflation of 39.7 per cent in August last year. Although this is projected to drop to 26.7 per cent this year, Egypt's inflation is expected to remain the highest in the region until 2028.

The economic crisis has pushed tens of thousands of Egyptians to seek opportunities in Europe. In 2022, 21,753 Egyptians made it into the Union. According to the International Organization for Migration, that made Egypt the top source country for Europe-bound migrants. This is a new phenomenon, according to the Egyptian demographer Ayman Zohry. "We do not have an established trend of migration

from Egypt to Europe [as we do from] the Maghreb countries”, he says. Instead, Egypt has historically been known as a major hub for transit migrants.

Egypt currently hosts about 9 million migrants, “most of them transit migrants that are stuck here, wanting to go to Europe”, according to Zohry. Most of these are Sudanese who fled the country as it descended into civil war in April 2023. But Egypt is also a transit hub for people fleeing from the Horn of Africa and, more recently, the war in Gaza.

The latest reports from humanitarian organisations such as UNRWA claim that at least 1.7 million people in Gaza have been internally displaced since the start of the Israeli offensive. That equates to more than 80 per cent of the population. Most of them fled to Rafah, the southern area of the Gaza Strip close to the border with Egypt, which Israel had designated a “safe zone”. However, Israel’s repeated threats of a land invasion caused many Gazans who had relocated to Rafah to attempt to cross into Egypt. That prompted Egypt to start building a 21-square-kilometer “walled enclosure” next to the border that would accommodate more than 100,000 people in the event that Israel attacked the south of the Strip. The rising hostilities along Egypt’s border with Israel, coupled with the country’s economic issues, means that “the ability of Egypt to keep these transit migrants is decreasing,” Zohry argues. The EU, however, does not seem eager to welcome them.

Cash for containing departures

Von der Leyen announced in a letter to EU leaders in December that the Union’s top priority in the creation of the new migration and asylum framework was the strengthening of the bloc’s external borders. With regards to Egypt, the two main ways in which the partnership will be implemented are by enhancing surveillance capacity on both the Mediterranean coast of Egypt and its border with Libya, and by cooperating over the return of “irregular” migrants to their home countries.

Human Rights Watch has led the efforts in denouncing the EU’s strategic partnership with Egypt. In a letter to the Commission’s president, it warned of Egypt’s hostile environment for migrants and refugees. Claudio Francavilla, Human Rights Watch’s EU advocacy associate director, told the *Green European Journal* that “for years, [the organisation] has documented a wide range of abuses by Egyptian authorities and civilians against Black African migrants, asylum seekers, and refugees, including arbitrary detention and physical abuse, sexual violence, racism, [and] lack of access to basic health and education services.” He highlights how, for example, Egypt has created barriers to protection for Sudanese trying to flee the conflict, and committed refoulement by forcibly returning Eritreans without assessing their asylum claims.

However, Egyptians themselves could be among the worst affected by the EU partnership. “Providing a highly abusive government with dual-use surveillance technology and training on how to use it heightens the risk that it may be used for internal surveillance and targeting of opponents,” says Francavilla. The 2022 deal, according to Human Rights Watch, has “contributed to pervasive corruption and mismanagement by the Egyptian government, which in turn has led to a dire economic situation” and produced conditions that are driving Egyptians to leave. The letter from the rights group also claims that instead of “calling out the serious abuses by the Egyptian government, European governments and institutions have decided to reward Egypt’s leaders.”

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affected by the EU partnership.*

These concerns, Francavilla argues, are not limited to the Egypt case. “The list [of EU migrant deals with third countries] is unfortunately likely to grow, as EU governments and institutions insist on concluding ‘cash for containing departures’ deals, with little if any regard for the migrants’ and asylum seekers’ fate.” He adds that it will limit progress on human rights and democracy in countries of origin and transit more broadly.

Outsourcing is the new normal

Over the past decade, efforts by EU member states to prevent migrants and asylum seekers from reaching their borders have intensified, according to Sara Prestianni and Elena Bizzi from EuroMed Rights, a network of human rights groups. “One strategy to reach this goal [is to fund] programs for third countries’ coast guards and border police, and striking untransparent deals with undemocratic countries and authoritarian regimes,” they say.

Libya has served as a laboratory for border externalisation practices in which the EU’s responsibility for handling migration is outsourced. Gaddafi’s overthrow in 2011 culminated in a state of semi-anarchy, and migrants left for Europe in increasing numbers. This prompted the EU to launch Operation Sophia in concert with the Fayed El-Sarraj-led Government of National Accord, in which a naval force was sent to Libya to neutralise attempts by migrants to cross the Mediterranean to Europe.

Admiral Enrico Credendino, commander of Operation Sophia, told journalists in 2017 that the deal with El-Sarraj was intended to “create a Libyan system capable of stopping migrants before they reach international waters”. This would absolve the EU of legal responsibility on pushbacks, he added. “As a result, it will no longer be considered a push-back because it will be the Libyans who will be rescuing the migrants and doing whatever they consider appropriate with the migrants.”

Since the Libyan experiment, the EU has struck numerous other deals with third countries to keep migrants and refugees far from European borders. First came the EU-Turkey deal in 2016, which led to the rise of shootings and beatings of Syrian asylum seekers by Turkish guards.

Then came funding to Morocco, such as the 500 million euros agreed in the wake of the Melilla massacre in 2022, when Spanish and Moroccan border guards shot rubber bullets and teargas at some 1,700 migrants and asylum seekers kettled into a small holding yard on the Morocco-Melilla border, causing a stampede that, according to some estimates, left at least 37 migrants dead. Since the package was announced, organisations such as Walking Borders claim to have witnessed “increasingly militarised and violent migratory controls against migrants” as well as “an increase in the mortality rates of the boats that have left [Morocco]”.

In July 2023, Tunisia and the European Union signed a memorandum of understanding on “a strategic and global partnership” that echoes the deal with Egypt. In the months since, EuroMed Rights claims to have recorded multiple forms of abuse by Tunisian authorities against sub-Saharan migrants, including physical violence, firearms use, engine removal and boat collisions. “These kinds of externalisation policies and deals push people on the move to find other, more dangerous migratory routes to escape border controls, thus leading to more violence and deaths,” EuroMed Rights says. “According to official data, since 2014, almost 30,000 people have died or gone missing in the Mediterranean Sea trying to reach Europe.” But the real number, the group says, is likely much higher.

EuroMed Rights is afraid that the next EU Pact on Migration and Asylum will “maintain the dangerous concept of ‘safe third countries’ to enable Member States to return asylum seekers despite the risk of

human rights violations.” In fact, besides Egypt’s onboarding as a strategic partner, the Pact also seeks to prevent migration flows coming from other strategic areas.

As for the Balkans, Albania has agreed to host two migrant processing centres on its territory that will be run by Italy, and Bosnia and Herzegovina is set to receive 6.4 million euros in funding for a project that will focus on improving integrated border management. Meanwhile, the EU and Spain have agreed to pay Mauritania’s government 210 million euros to prevent transit migrants departing the West African country towards Europe.

The proliferation of these offshoring deals led civil society organisations and human rights groups such as EuroMed Rights to cooperatively launch the campaign #NotThisPact in December 2023. More recently, on 14 February 2024, 81 civil society organisations called on MEPs to reject the EU’s Pact on Migration and Asylum at the EU Parliament’s Justice Committee (LIBE) vote.

Migrants as a security threat

The idea for a new Pact on migration first took root almost four years ago following von der Leyen’s claim in September 2020 that “migration is complex. The old system no longer works”. It is expected to see the light before the EU elections in June. This new Pact will differ from the previous one in three fundamental ways. First, border procedures to deal with asylum requests will be accelerated; second, member states will jointly introduce shared-responsibility mechanisms; and third, they will develop mechanisms for regulating “crises”.

The Pact’s drafts contain no explicit references to border externalisation, says Alberto Neidhardt, senior policy analyst at the European Policy Center. “However, you could make the argument that in order to make the Pact sustainable, the number of arrivals will have to be kept low, and member states will, for that reason, seek to outsource responsibility to third countries.”

The change in EU migration policy reflects a broader shift to the right among European governments.

The rhetoric used by von der Leyen to explain the motives for the “comprehensive partnerships” between EU member states and non-members has been cause for concern. In a letter, she wrote: “Those who have no right to come to Europe must know they will not be allowed to stay.” EuroMed Rights has said that the wording of the letter securitises the movement of people. “Migrants are treated as a security threat, with a security/military approach rather than a protection approach.”

This wording is not accidental, the group points out: “It is important to remember that these policies are implemented by member states, with the support of tech and security companies.” A Cambridge University investigation in 2018 found that security advisory groups are “closely linked to companies and institutions that win EU-funded security projects”. Neidhardt argues that “to implement all of these new reforms you need a lot of funding. These lobbies or security companies will likely try to benefit from increased budgeting for border management purposes following the Pact.” Frontex, the largest EU agency, saw its budget skyrocket from 142 million euros in 2015 to 754 million euros in 2022.

Neidhardt is not surprised by the securitisation of EU migration policy and the growth of security agencies and lobbies. “I think it would have been unrealistic to expect policymakers to come up with reforms protective of the right to asylum and protection in Europe. That is just not the political

environment nor the age in which we live.”

Human Rights Watch’s Francavilla echoes this, arguing that the change in EU migration policy reflects a broader shift to the right among European governments. “The EU is de facto implementing the migration policies sought by the far right, contributing to legitimising those groups and arguably helping them to succeed. We have argued that the EU’s migration obsession is shaking the credibility of the bloc’s commitment to its human rights obligations, affecting, in turn, the EU’s credibility as a principled international player.”

Back in Egypt, demography experts know that the EU’s so-called new vision is not the answer. “Migration flows are like water flows, you cannot stop them,” Zohry states. “Even if you try to build fences, migrants fleeing from hardship will not stop trying to reach their destination.”



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