

Bachelor Thesis

Presented by Antonia Arfsten, Public Governance across Borders, s1708511

University of Münster, Institute of Political Science

University of Twente, Faculty of Behavioural, Management and Social
Sciences

First Supervisor: Dr. Luisa Marin

Second Supervisor: Dr. Nthabi Mohlakoana

Date: June 29, 2017

EU Readmission Cooperation with Sub-
Saharan African Third States: Multilateralism
or Imposition?

Abstract

Since 2015, the European Union has intensified its cooperation with Sub-Saharan African third states for the purpose of stemming the flow of irregular migrants to Europe. The EU hence emphasises migration cooperation agreements like legally binding readmission agreements and soft law mobility partnerships. This paper set out to elaborate the trade-off between a unilateral European attempt to externalise its restrictive migration policy and a multilateral migration management mutually benefitting the countries of origin as well as of destination. Based on a qualitative document analysis of the contents of different type of agreements, it turned out that mobility partnerships do offer more added values for third states, but not to an extent that they can be regarded fairly multilateral. The general concept of European readmission agreements and mobility partnerships cannot be considered mutually beneficial due to an evident power imbalance during the negotiation process. But considering the experiences of Cape Verde and Senegal, it became obvious that the third country's decision to cooperate is to a much lesser extent related to the perceived power constellation between the EU and the respective TC. Instead, it is rather determined by the resonance with national policy objectives. The third country's subjective perception whether a balance of net benefits was achieved is decisive for the negotiation outcome.

Table of Contents

- 1. Introduction..... 1
 - 1.1. EU External Migration Policy in Sub-Saharan Africa 1
 - 1.2. State of the Art on EU Readmission Agreements and Mobility Partnerships..... 3
 - 1.3. Aim of the Thesis..... 4
- 2. Theoretical Framework 7
 - 2.1. Externalisation..... 7
 - 2.2. Conditionality..... 9
 - 2.3. Fair Multilateralism 10
- 3. Methodology..... 12
 - 3.1. Research Design 12
 - 3.2. Case Selection..... 13
 - 3.3. Data Collection Method 14
- 4. Analysis..... 14
 - 4.1. Readmission Agreements versus Mobility Partnerships 15
 - 4.1.1. European Readmission Agreements 15
 - 4.1.2. Mobility Partnerships..... 19
 - 4.2. Readmission in the Light of Fair Multilateralism 22
- 5. Multiple Case Study and Comparison 24
 - 5.1. The case of Cape Verde..... 24
 - 5.2. The case of Senegal 30
 - 5.3. Comparison 33
- 6. Conclusion 35
 - 6.1. Discussion..... 35
 - 6.2. Limitations..... 38
 - 6.3. Further Research 38
- 7. Bibliography 39

List of Abbreviations:

ACP	African, Caribbean and Pacific states
AFSJ	Area of Freedom, Security and Justice
CAMPO	from Portuguese: <i>Centro de Apoio ao Migrante no Pais de Origem</i> , Centre for Migrant Support in the Country of Origin
EC	European Commission
EU	European Union
EURA	European Union Readmission Agreement
EUROPOL	European Union Agency for Law Enforcement Cooperation
FRONTEX	from French: <i>Frontières extérieures</i> (External borders), European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU
GAMM	Global Approach to Migration and Mobility
GDP	Gross Domestic Product
IEFP	from Portuguese: <i>Instituto do Emprego e Formação Profissional</i> , Institute for Employment and Vocational Training
ICT	Information and Communication Technologies
IOM	International Organisation for Migration
MP	Mobility Partnership
MS	Member State
SSA	Sub-Saharan Africa
TC	Third Country
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TS	Third State
UN	United Nations
USD	United States Dollar
VFA	Visa Facilitation Agreement

1. Introduction

1.1. EU External Migration Policy in Sub-Saharan Africa

Since its foundation, the European Union (EU) has always been a destination for migrants. Yet it has faced a gradual increase of migration flows during the last recent years, with a sudden climax in 2015 with more than 1 million arrivals of refugees and irregular migrants, often referred to as the European refugee crisis.¹ In large part, the refugee inflow is caused by the ongoing war in Syria and military conflicts in Iraq, Afghanistan, Yemen and Somalia. But the irregular migration, which refers to migration taking place beyond the legal and regulatory framework of origin, transit and destination countries, can rather be traced back to political and economic instability in other regions like Sub-Saharan Africa (SSA)². The International Labour Organisation stated in early 2017 that “rising unemployment, inequality and a lack of decent jobs” lead to a rise of social unrest and international migration (Allen, 2017). In fact, “migration [from SSA] to the rest of the world for economic reasons has increased very rapidly; it grew more than six-fold between 1990 and 2013 (from less than 1 million to 6 million)” (Gonzalez-Garcia et al., 2016: 2). While migration for economic purposes from SSA to the rest of the world increased, the SSA proportion of refugee migration has fallen during the last two decades. That explains the region’s relatively small contribution to the refugee crisis in Europe with refugees from Sub-Saharan African states only accounting for approximately 10% of the total amount of refugees arriving in Europe in 2014 (cf. *ibid*: 7).

The vast majority of migrants from that area are so-called economic migrants whose chances to acquire a refugee status and thus a residence permit are virtually zero as they do not fulfill the narrowly defined requirements for international protection by the 1951 UN Refugee Convention. In 2015, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (FRONTEX) published that irregular migration was at the highest level (617,412 irregular border crossings) since the beginning of joint data collection in 2007 (cf. FRONTEX, 2017a). According to the border control agency, the majority of irregular migrants arriving in Italy via the Central Mediterranean route are African country citizens. The list of the top ten nationalities of irregular arrivals in Italy in 2016 comprised nine SSA countries, with Nigeria, Eritrea and Guinea on the top (cf. European Council, 2017a).

¹ The International Organisation for Migration (IOM) announced in late December 2015 that 1.005.504 refugees and irregular migrants have entered the Union within one year, amounting to “the highest migration flow since World War II” (IOM, 2015).

² In this thesis, the term “Sub-Saharan Africa” refers geographically to the area of the African continent that lies south of the Sahara- desert. According to the World Bank Group, it comprises 48 countries (cf. World Bank, n.d.).

In response to this growing influx of irregular migrants, in April 2015 the European Council set out a new migration agenda and announced strategic priorities to prevent further irregular migration flows and to combat human smuggling and trafficking. The European Agenda on Migration, launched in May 2015 by the European Commission (EC), built upon the Council Declaration and introduced focal areas for specific migration policies. Next to a stronger FRONTEX mandate and operations within the Common Security and Defence Policy, one of the identified priorities was a closer cooperation with migrant-sending third states (TSs) in order to counteract further refugee and migrant streams to Europe. The emphasis on border control and the apparent root-causes approach indicate that the “EU external migration policy has the unmistakable aim of reducing migration pressures into the EU” (Wunderlich, 2012: 1414). The current EU migration governance, characterised by an increasingly restrictive border management, mirrors the trend of implementing a security-based approach whereby migrants are linked to security threats (cf. Crépeau & Purkey, 2016). One characteristic feature of this approach can be seen in externalising policies. “The externalization of borders involves a series of extraterritorial activities in sending and in transit countries at the request of the (more powerful) receiving states (e.g. the European Union) for the purpose of controlling the movement of potential migrants” (Menjivar, 2014: 357). It reflects the motivation to “search for policy solutions beyond the territory of the EU” (Lavenex, 2006: 330).

The proposed closer partnership with third countries (TCs) includes the expansion of cooperation concerning the deportation and readmission of irregular migrants. The European Council required in June 2015 “to ensure the swift return of irregular migrants” and demanded that “all tools shall be mobilised to promote readmission” (European Council, 2015). The practice to return migrants that do not qualify for international protection is an essential part of the EU migration policy. However, only 40 per cent of foreign nationals who have been ordered to leave the Union departed to their country of origin, partly due to a “lack of cooperation from some third countries in identifying and readmitting their nationals” (European Commission, 2016). In order to enhance the effectiveness of the EU return system, the EC launched an Action Plan on Return in September 2015. Its primary aim is to enforce common EU rules by duly implementing the EU Return Directive, which entered into force in 2010. The Directive entails the “legal obligation [for] Member States to issue a return decision to any third-country national who stays irregularly on their territory” (European Commission, 2015). Besides the promotion of voluntary return programmes and an intensified information exchange among European member states, the Action Plan lays the focus on cooperation on readmission with countries of origin and transit. Especially Sub-Saharan Africa is an identified region of priority, as the return rates to African states are below average. Under 30 per cent of all illegally in Europe residing

African nationals are sent back to their home countries (cf. European Commission, 2015). Since then, legally binding European Union readmission agreements (EURAs) and soft law migration instruments like mobility partnerships (MPs) with SSA states are at the core of the EU's most recent external migration policy.

1.2. State of the Art on EU Readmission Agreements and Mobility Partnerships

Due to “the sensitivity of the issue for state sovereignty and the deep clash of interests between the countries deemed to cooperate”, there is no coherent international migration regime (Lavenex & Panizzon, 2013). Instead of referring competences to international institutions, states rather rely on a highly fragmented system of multi-layered migration governance, consisting of bilateral, regional and informal agreements. The EU shares the point of view that customary international law imposes the obligation on every state to readmit its own nationals (cf. European Commission, 2011b: 2) and it insists on the readmission paragraph in Article 13 of the Cotonou Partnership Agreement³ with the African, Caribbean and Pacific (ACP) group of states. Nonetheless, the EU still sees a particular need for further readmission cooperation with Sub-Saharan African countries.

Embedding readmission policies in the European legal framework, readmission is part of the Title V policies on border checks, asylum and immigration that in turn belong to the European Area of Freedom, Security and Justice (AFSJ)⁴. The AFSJ, established in 1999 by the Treaty of Amsterdam, is a multidisciplinary policy of the EU, which was created to ensure free movement of persons and to offer a high level of protection to citizens. The Treaty of Amsterdam marked the beginning of the communitarisation of immigration and asylum policies in Europe. Nevertheless, important migration aspects like labour market access and visa issuance remain until today in the power realm of the sovereign member states.

European readmission agreements, being concluded within the AFSJ, are legally binding external instruments. The EU competence to negotiate and conclude readmission agreements with TSS can be derived from the competence-conferring Article 79 (3) TFEU (European Union, 2010). By setting out “clear obligations and procedures for the authorities of the non-EU country and of EU Member States as to when and how to take back people who are irregularly residing”, they

³ The Cotonou – Agreement is a comprehensive partnership agreement between ACP – developing states and the EU. It regulates the ACP-EU relations for twenty years until 2020.

⁴ The Articles 3 (2) TEU and 67 TFEU set out the key objective of the AFSJ, namely the establishment of an area of free and secure movement of people (cf. European Union, 2010).

facilitate and accelerate the return and readmission process of irregular migrants whose asylum seek was denied (European Commission, n.d.). EURAs aim at close cooperation to combatting irregular migration and offer in return rewards for partnering countries such as visa facilitation agreements. However, enhancing mainly the externalisation of restrictive migration policies and thus benefitting primarily the EU, the question arises if the agreements provide sufficient added value for third countries to be regarded fairly multilateral.

Next to legally binding EURAs, the Union offers broader and more flexible types of cooperative arrangements concerning migration. Readmission clauses are often inserted in agreements falling under other policies such as in the European Neighbourhood Policy within Association Agreements and Partnership Cooperation Agreements like the Cotonou Agreement. A rather new concept are mobility partnerships, which were established in 2007. MPs are soft legal instruments and rather imply a political than a legal commitment. They do not only address the topic of readmission, but include especially channels for legal migration, labour migration, development assistance and visa facilitation. In that way, they can offer more incentives for TCS to be engaged with the EU. But despite the broad range of includable topics, issues of security and border control continue to dominate the arrangements. As a consequence, even in regards to mobility partnerships the question remains if the agreements benefit all involved parties or if they are only a means to an end for the EU to impose its own migration policy on third states.

1.3. Aim of the Thesis

This paper aims at elaborating and assessing EU readmission cooperation with Sub-Saharan African third states against the backdrop of fairly multilateral migration governance. The research reviews to what extent the general concept of EURAs and MPs can be considered part of a balanced and mutually beneficial approach. The thesis attempts to reveal the motives underlying the negotiation and conclusion of cooperative agreements regarding readmission by questioning the trade-off between a unilateral European attempt to externalise security and migration control and a multilateral migration management mutually benefitting the countries of origin as well as of destination. Through gaining insights and comparing two contrasting cases (Cape Verde and Senegal), the diverging incentives for third states to conclude migration agreements with the EU are related to the perceived power constellation between the EU and the respective third country. Cape Verde serves as a deviant case since it is the only African country that signed both types of agreements, a mobility partnership in 2008 and a readmission agreement in 2013. As opposed to this, the negotiation with Senegal for a mobility partnership including provisions for readmission failed in 2009. Hence, the thesis provides a comparison

between legally binding readmission agreements and readmission clauses within soft law MPs in order to discover which type of agreement adds the most values for TCs and thus offers the fairest deal.

The scientific literature provides sufficient analysis and evaluation of the European Agenda on Migration as a whole. The issue of readmission is therefore predominantly examined only as one element of the EU migration governance in general, as for instance in the case of a CEPS analysis by Carrera, Cassarino, El Quadim, Lahlou and den Hertog (cf. Carrera et al., 2016). There is a shortage of analyses concentrating exclusively on the issue of readmission cooperation. Despite many scholars dealing with the negotiation and conclusion of EURAs and MPs, no comprehensive comparison between the two different instruments has been published yet. And even though the notion of multilateralism is not innovative in the field of migration governance, it has not been directly connected to readmission cooperation since the launch of the new European migration agenda in 2015. The critical review of Europe's migration agreements by Adepoju, van Norloos and Zoomer certainly touched the issue of multilateralism, but since they reported their conclusion already in 2009 it does not cover the recent events (cf. Adepoju et al., 2009).

Focusing on readmission and putting it in the broader context of fair multilateralism therefore fills a research gap. The two opposing case studies allow for a comparison between the different types of readmission agreements regarding mutually advantages, as the case of Cape Verde concerns both types of agreements, while the example of Senegal deals with a mobility partnership. Even though authors addressed in case studies the question why third states conclude readmission agreements, they did not integrate these motives in a context of multilateralism or power relations. In fact, authors like Chou & Gibert only considered the individual reasons for third states to continue or discontinue the negotiation process, without looking at the bigger picture of benefits and profits (cf. Chou & Gibert, 2012).

Another aspect proving the scientific and social relevance of the topic is the emphasis on Sub-Saharan Africa. While most researchers stressed the importance of the Maghreb region and Southern Mediterranean countries as being the major transit zone, a change of perspective can be noticed during the last two years. The SSA region has been consistently identified by the EU as a focal area for migration cooperation, from the launch of the European Agenda on Migration over the Action Plan on Return in 2015 till the Malta Declaration⁵ in 2017. As a consequence, this thesis conducts a comparative analysis of two Sub-Saharan African states.

⁵ The Malta Declaration refers to the official statement of the European Council after its summit in February 2017 on the external aspects of migration and the Central Mediterranean route and Libya (cf. European Council, 2017a).

After having outlined the broader context of the European external migration policy and the recent focus on readmission cooperation with third states, this thesis aims to answer the following research question: *To what extent can readmission agreements, respectively mobility partnerships between the EU and Sub-Saharan African third states be considered part of a mutually beneficial approach to a fairly multilateral governance of migration? Insights of the compared cases Cape Verde and Senegal.*

The question is descriptive as it attempts to explore the underlying framework of different types of readmission agreements. In place of identifying the causal relation between incentives for third states and the conclusion of a legal arrangement with the EU, this study rather scrutinises the legal applications of EURAs and MPs and their implementation in a multilateral governance system. Thus, the thesis provides an assessment of a legal instrument within a context of international relations. The comparison between a successful and a non-successful case serves the purpose to figure out if the third country's decision to conclude an agreement or not is related to the perceived power constellation between the EU and the respective TC. It is also analysed if the legal type of agreement has an impact on the balance of involved interests.

In order to be able to adequately answer the research question, the main question is split up into three sub questions, leading to a clear structure of the analysis.

Sub questions:

1. To what extent do readmission agreements or mobility partnerships offer added value for third states?
2. Do flexible, soft law mobility partnerships provide a fairer deal for partnering countries than legally binding readmission agreements?
3. Is the offered added value for third states sufficient to call readmission cooperation agreements mutually beneficial and fairly multilateral?

The research is structured as follows: after introducing the core topics, the conceptual structure of already existing theories is outlined. In a next step, three hypotheses are extracted from the theories which are tested throughout the analysis. After presenting the methodological foundation of the paper, two distinct types of readmission cooperation agreements are assessed and compared concerning the benefits they offer to third states. The consecutive analysis of general readmission cooperation between the EU and TCs is conducted against the backdrop of fair multilateralism. In the subsequent comparative case study the previously theoretical presumptions are complemented with empirical real-life situations from the cases Cape Verde and Senegal. A final discussion reveals shortcomings and aims at answering the research question by taking into account the outcomes of the previous analysis and comparison.

2. Theoretical Framework

The recent EU external migration policy is embedded in a framework of underlying theoretical assumptions. In order to address the research question in the light of fair multilateralism, the selected theories primarily deal with the power constellation among negotiating parties of readmission agreements. International relations theories form the basis for the theoretical presumptions. The main concepts are discussed in the following passage.

2.1. Externalisation

Externalisation can be defined as the outsourcing of national policies towards neighbouring countries. In regards to the EU migration management, Lavenex (2006: 346) argues that the current EU migration policies aim at “shifting the boundary of migration control further away from the Union’s territory“. This restrictive trend of shifting responsibility outwards “reflects the continuity of a policy frame that emphasises the control, and, therewith, security aspect of migration“(ibid: 330).

In the academic literature, readmission agreements and mobility partnerships are widely regarded as a means of externalisation of EU policies to associated third states, referring to the contemporary EU practice “to enlarge its migration regime/sphere of influence [...] [and] to integrate these countries into the European migration regime” (Brocza & Paulhart, 2015: 6). Based on this tendency to expand EU policies on neighbouring countries by transforming them into a buffer zone for arriving migrants, the concept of the EU external migration governance aims at “expanding [the] scope of EU rules beyond EU borders” (Lavenex & Schimmelfennig, 2009: 791). The externalising governance is founded on the assumption of shared responsibility; speaking of the perception that migration management is a common task for countries of destination, transit and origin. Third states are hence deeply involved in the European external migration governance. They function as “the Gendarme on behalf of the EU” in order to stem the flow of migrants and refugees to Europe by preventing them to reach the Union’s territory (Wolff, 2014: 77). By externalising migration control, the EU is outsourcing its own responsibilities and duties. The mobilisation of neighbouring and partnering countries in migration control has obvious advantages for the EU as it relieves the tensions of border control on its own external borders. Instead of reforming its inadequate internal migration and asylum system, it pushes the migration pressure further to southern countries.

The general notion of “extraterritorialization” (Lavenex, 2006: 337) originated in the area of EU Justice and Home Affairs and has always been visible throughout several different European policies. In the early 1990s, the Union implemented externalising policies through the East enlargement procedures, followed in 1991 by the first readmission agreement concluded with Poland. Scholars thus argue that “the exportation of the EU migration policy was also very much seen as an implicit condition to speed up the enlargement process” (Bouteillet-Paquet, 2003: 364). Since 2002, it is mandatory to integrate readmission clauses in every EU trade, partnership or association agreement. A further intensification of the usage of extraterritorial instruments was marked by the launch of the European Neighbourhood Policy in 2004. Most recently in 2007, the outsourcing trend resulted in the establishment of mobility partnerships. Although the externalising tools have not been implemented exclusively within migration policies, but were rather characteristic for EU activities in general, Lavenex concludes that “the ‘external dimension’ has always been present in EU asylum and immigration policies” (ibid: 335).

However, within the context of the current migrant influx, externalising activities of the EU are uplifted to another level of scrutiny. A migration policy that primarily engages in border security and that only emphasises the security aspects of migration leads to “worrying trends in the use of externalisation techniques” (Crépeau & Purkey, 2016: 10). Crépeau and Purkey claim that due to the conclusion of migration agreements between the Union and TCs, human rights of migrants and refugees are breached, more precisely the principle of non-refoulement⁶ and access to justice, as ruled by the European Court of Human Rights. The possibility for violations of human rights is underlined by Adepoju’s (2009: 46) statement that “the externalisation of migration control to Sub-Saharan Africa [...] may also lead to violations of the ‘non-refoulement’ principle”. As a consequence, by the use of externalisation, the EU is not alone outsourcing its political responsibilities but its legal duties as well by hindering migrants to reach the territory of its jurisdiction.

The Union is only capable of shifting tasks to the neighbourhood as it is politically and economically more powerful than the TCs. The “power based explanation” of Lavenex and Schimmelfennig (2009: 803) clarifies that powerful states have more leverage and thus more bargaining power in international negotiations. Due to a high interdependence and asymmetric power relations for its benefit, the EU is able to “impose hierarchical governance upon third countries” (ibid: 803). Based on this conceptualisation, the first hypothesis is derived:

⁶ Non-refoulement is a fundamental principle of customary international law which refers to the prohibition to return an asylum-seeker to “territories where there is a risk that his or her life or freedom would be threatened on account to race, religion, nationality, membership of a particular social group, or political opinion” (Lauterpacht & Bethlehem, n.d.).

1. Hypothesis: Readmission agreements and mobility partnerships provide the EU with the possibility to impose its own migration system on migrant-sending third states.

2.2. Conditionality

For the purpose of concluding migration agreements, the European Union employs an approach of conditionality. It renders benefits offered by the EU to the partnering country conditional on policy reforms and collaboration. According to the “external incentives model” by Schimmelfennig and Sedelmeier (2004: 663), third states are rational utility-maximisers, who conduct a cost-benefit-analysis and decide to cooperate “if the benefits of EU rewards exceed the domestic adoption costs”. Adoption costs, which are assumed to be always present, can have numerous sources such as opportunity costs of abandoned alternatives and implementation costs. However, they can also be ruled out by EU rewards resulting in a cost-benefit balance or even net profits (cf. *ibid*: 666). Only if the offered external incentives constitute an added value for the TC and are hence regarded beneficial, the TC is likely to comply with the agreement, as otherwise the “cost of no agreement will be high” (Reslow & Vink, 2015: 861). For the third state, “the cost of no agreement depends on whether the policy is expected to bring more benefits than costs” (*ibid*: 861).

Countries of origin that cooperate within the management of migration are rewarded with financial and technical assistance. Adepoju describes this logic of action as the “carrot-and-stick strategy” (Adepoju et al., 2009: 68). Only submissive countries, that accept the shift of responsibility to the south, benefit from development funds provided by the Union, like for instance the EU Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa launched in November 2015 at the European – African Valetta Summit on Migration. In its EU Action Plan on Return, the European Commission stressed this “more-for-more” principle and recommended “the EU should muster adequate leverage in relation with the partner countries” (European Commission, 2015). Releasing development aid in return for migration and readmission cooperation leads to an interconnectedness of migration and development policies. This so-called “migration- and development-nexus” (Brocza & Paulhart, 2015: 2) started in 2003 with the integration of Article 13 in the Cotonou Agreement, a paragraph on migration including a readmission obligation. The underlying idea is that development assistance creates economic growth and employment possibilities in countries of origin, which prevents people from emigrating and thus stops the flow of irregular migrants to Europe. This strategy primarily aims at combatting the root causes of irregular migration. Despite its respectable objective, the nexus can lead to negative

consequences. In regards to the distribution of development funds, Adepoju identifies “a bias in favour of the main emigration countries over the poorest countries” (Adepoju et al., 2009: 62). Instead of allocating funds on the assessment of need, the Union tends to prefer rewarding main countries of origin or transit.

Due to an asymmetry of interests and power, with the Union usually being more interested in readmission cooperation than the partner countries, EURAs and MPs have to provide a considerable number of benefits in order to be attractive for the negotiating partner. In contrast to legally binding readmission agreements, mobility partnerships are registered as political declarations and therefore do not entail any legal obligations. Furthermore, they are described as “living documents” (Broczka & Paulhart, 2015: 2), referring to their flexibility and openness towards new participants. Since they address a broad scope of topics, as migration policy, development policy, security policy and labour policy, they do not only focus on readmission and therewith have more possibilities to offer incentives. By introducing MPs, the Union acknowledged “the need to compensate third countries for their cooperation” (Reslow & Vink, 2015: 863). The core idea is to provide TCs with legal migration opportunities and visa facilitations in exchange for halting the flow of irregular migrants. Accordingly the following hypothesis can be derived:

2. Hypothesis: Broader and more flexible migration agreements such as mobility partnerships entail more advantages for third states than clearly defined, legally binding EURAs.

2.3. Fair Multilateralism

Unequal power relations among negotiating parties raise the question if EURAs and MPs offer sufficient benefits for third states in order to be mutually beneficial and fairly multilateral. Multilateralism in general is defined by the political scientist Keohane as “institutionalized collective action by an inclusively determined set of independent states” (Keohane, 2006). Any international activity between at least two sovereign nation states is hence seen as multilateral, regardless the division of costs and profits. As Keohane is a representative of the theory of Institutional Liberalism, he bases his definition on the assumption that nation states act rationally and cooperate with other states, even though their gains might be less compared to the partnering country. Liberals consider the international system as a positive sum game with absolute gains and thus support international cooperation.

But focusing on fair multilateralism, a more appropriate definition is offered by John Ruggie, a Harvard professor for human rights and international affairs. According to him, multilateralism is characterised by action among several states “on the basis of generalized principles of conduct” (Ruggie, 1993). These principles also refer to reciprocity, which can be described as “the responsiveness of parties to each other’s concessions” (Albin, n.d.: 5), and mutual benefits which imply fairness and balance between the negotiating parties. Therefore, the conceptualisation of fair multilateralism used in this thesis is based on Ruggie’s definition. To be able to further illustrate the concept, three characteristics of fair multilateralism are identified: 1. it involves more than two states; 2. it includes international coordination of national policies and 3. the coordinated action is based on generalised principles of conduct.

Examining the term fairness, it has to be noticed that fairness refers to specific applications of the more general principle of justice. While justice can be seen as a universal indicator of what is right or wrong, fairness alludes to particular circumstances. Fairness is thus applied justice in a definite context (cf. Albin, n.d.). What can be regarded fair or unfair depends on the unique situation. Applying fairness to international negotiations, it reveals two conditions: mutual advantages and reciprocity. Touching on the former, Cecilia Albin, a professor of peace and conflict research specialised in multilateralism and international negotiations, declares that “successful negotiations and agreements depend to a large extent on their ability to deliver net benefits to all those whose participation and cooperation are needed” (ibid: 5). And attributing to the notion of reciprocity, she states that nation states “aim for an overall balance of reciprocal benefits, which requires parties to contribute and concede as far as they are able rather than exactly to the same extent or in equal amounts” (ibid: 5). Therefore, fairness neither implies general justice nor equality. An agreement can be just if it includes equal treatment of the parties but it does not necessarily have to be fair in the specific case. Ultimately during the negotiation, “‘adequate’ reciprocity and mutual advantage are whatever the parties themselves define them to be” (ibid: 5). But despite this subjective interpretation of reciprocity and mutual benefits, according to the political philosopher Brian Barry at least one condition needs to be met in order for an international agreement to be considered fair. Fairness is “what can freely be agreed on by equally well-placed parties” (Barry, 1995). The agreement must be concluded voluntarily by equal actors, without any force or coercion. Equality among the parties especially implies equivalent rights, notably in the sense of being able to initiate, amend and reject an accord.

Albin (n.d.) introduced criteria to achieve fairness in international negotiations. The aim is “to achieve a balanced settlement of conflicting claims” by assuring that all parties and their various interests are sufficiently represented and are fully taken into account during the bargaining process (Albin, ibid: 8). Her framework for fair negotiation practice is divided into three

sections: a fair structure, a fair process and a fair outcome. While the structure addresses the general set-up of the negotiation and the process deals with the bargaining procedure as such, the most relevant criteria for this paper at hand are the ones responsible for a fair outcome. Albin (ibid.) lists four conditions for a negotiation outcome to be considered fair: 1. Voluntary agreement (obligation entered into freely); 2. Balanced settlement of conflicting claims (with a balance of net benefits); 3. Implementation and compliance by all parties and 4. Accepted as legitimate and balanced by parties and outside observers.

The application of these conceptualisations of multilateralism and fairness to the European migration governance leads to the third hypothesis:

3. Hypothesis: European readmission agreements or mobility partnerships with Sub-Saharan African third states can only be considered fairly multilateral if the EU and the respective third state enjoy equal rights and if the arrangements comply with the principles of mutual benefits and reciprocity, meaning that they offer sufficient added value for every participant to enable a balance of net benefits. The outcome, more precisely the final agreement, needs to be agreed on voluntarily and accepted as legitimate by all stakeholders.

3. Methodology

3.1. Research Design

The descriptive research question is addressed within a correlational research design by solely using observation. A multiple case study allows for an in-depth analysis that takes the specific features of Cape Verde and Senegal into consideration. A case study narrows down a complex issue to a detailed contextual analysis of a limited number of cases. Thus, the research is based on qualitative research methods. As three hypotheses were derived from the theoretical framework, which are going to be examined and tested throughout the analysis, the study makes use of deductive reasoning by testing theoretical assumptions on specific empirical data.

The case study research, defined as a method “try[ing] to illuminate a decision or set of decisions” (Schramm, 1971), is the most suitable approach for examining readmission cooperation agreements since they are tailor-made for each respective third state. A quantitative research design would be ineligible based on the limited numbers of already concluded agreements, especially in the region of Sub-Saharan Africa.

The case study design is highly contested among scholars (cf. Gerring, 2012; Yin, 2009). The major shortcoming for this research method can be seen in the limited number of cases that are studied which provides low reliability. According to critics, a potential threat is that case studies do not allow for generalisation and therefore only contain low external validity. As the results are based on the characteristics of the chosen cases, they claim that drawing conclusions on a wider scope of settings and units is hazardous (cf. Gerring, 2012: 88). Due to the fact that no general conclusions can be drawn, the case study method is often dismissed as merely useful as an exploratory or descriptive tool instead of an instrument explaining relations. As opposed to this, the social scientist Robert Yin (2009: 6) argues that “case studies are far from being only an exploratory strategy” and that “case studies, like experiments, are generalizable to theoretical propositions and not to populations or universes”. While indeed the outcomes may not be directly applied to different cases and settings, the underlying theories may nevertheless be expanded and generalised. Yin (2009: 43) calls this “analytical generalization”. Hence, it is important to recognise the advantages of this type of research. It is applicable to real-life situations and facilitates the understanding of complex concepts by focusing on a detailed analysis of a few specific cases (cf. Soy, 1997). The insights from Cape Verde and Senegal can be indicative for the prospects of further EU migration cooperation with Sub-Saharan African third states since the EU Commission has identified this region as a priority area for readmission cooperation (cf. European Commission, 2015).

3.2. Case Selection

The units of analysis, in this event the cases of Cape Verde and Senegal, are selected due to several reasons. A ‘positive’ and a ‘negative’ case have been chosen in order to enable a thorough comparison. Cape Verde is a deviant case being the only African country to conclude both agreements, first a mobility partnership in 2008 and later on a legally binding readmission agreement with the European Union in 2013. In contrast, Senegal terminated the negotiation for a mobility partnership with the EU in 2009. These differences offer the opportunity not alone to compare the incentives for the TC’s respective decision, but also to compare the different types of migration agreements.

Next to the fact that the two states are located in West Africa, both share the history of a European Union member state being a former colonial power and one and the other are countries of origin of migrants heading to Europe. Due to these prevailing similarities, the comparative analysis is based on the most similar system design, established by the English philosopher John Stuart Mill. His theory claims that it is much easier to focus only on the variable

of interest provided that the other surrounding conditions are alike or are kept constant (cf. Mill, 2002). Despite similar background situations, Cape Verde and Senegal differ concerning their decision if a migration cooperation agreement is perceived beneficial or not. This allows the study to concentrate on the extent to what migration agreements are embedded in a fairly multilateral system.

3.3. Data Collection Method

To acquire high construct validity, it must be ensured that the right data is collected for answering the research question. The construct of interest at hand is the relation between the European Union and Sub-Saharan African third states, observable in the conclusion of migration agreements. As a consequence, the study is built upon qualitative data, collected through document analysis. The focus is laid on legislation and official documents of the EU and the Cape Verdean and Senegalese government, especially the readmission agreement and mobility partnership between the EU and Cape Verde. The EU policy documents concerning the European Agenda on Migration, the Global Approach to Migration and Mobility and the Action Plan for Return are crucial in order to comprehend the motives of the Union. But in order to avoid a Eurocentric bias and to comprehend the perspective of the third states, special attention is paid to the statements and articles published in and about Cape Verde and Senegal, like the article of Chou & Gibert (2012). Other important information is derived from legal texts applicable to the context of readmission, as for instance the Cotonou Agreement with the ACP group of countries. Several academic secondary sources and think-tank analyses serve as a basis for the theoretical framework. The study of press materials complements the data collection. This qualitative data collection method fulfils the requirements for a case study as it takes into account the individual conditions of each case and consequently enables an in-depth analysis.

4. Analysis

In the following chapter, the two distinct types of readmission cooperation agreements are presented, assessed and compared concerning the benefits they offer to third states. The consecutive analysis of the general readmission cooperation between the EU and TCs is conducted against the backdrop of fair multilateralism.

4.1. Readmission Agreements versus Mobility Partnerships

4.1.1. European Readmission Agreements

European readmission agreements “impose reciprocal obligations on the contracting parties to readmit their nationals and [...] set out in detail the operational and technical criteria for this process” (European Commission, 2011b: 2). They are the only external hard law instruments within the tool set of the European Union in regards to readmission. Being an instrument of the EU external action, it needs to be based on a specific EU treaty provision. In order to conclude international agreements with TCs, the Union has to be authorised by the member states. The EU competence to negotiate and conclude readmission agreements with third states can be derived from the competence-conferring Article 79 (3) TFEU (European Union, 2010).⁷

The legal basis of the EU competence indicates that EURAs are legally binding for the EU and the member states. Although the MSs are not a party to the international agreement, they are bound by the principle of supremacy of EU law (cf. European Union, 2010: Article 216 (2) TFEU). The Council of the EU can launch the negotiation procedure and assign the negotiation mandate to the Commission. But even though the EU takes the responsibility for the negotiation of readmission agreements, it does not take part in their implementation. “The actual decision to return an individual and request readmission rests entirely with the individual country” (Strik, 2010: 9). Moreover, MSs can still conclude migration agreements, as long as they do not include readmission obligations. Already existing bilateral agreements between an individual member state and a third country “may only be applied so far as they are compatible with the EU readmission agreements” (Panizzon, 2012: 128). EURAs take precedence over any bilateral readmission cooperation. However, the European Commission’s evaluation of EURAs revealed that many member states still make use of their bilateral agreements. The EC thus stated that “the inconsistent application of EURAs undermines greatly the credibility of the EU Readmission Policy towards the third countries” (European Commission, 2011b: 4).

So far, a total of seventeen EURAs have been concluded with Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Cape Verde, Georgia, Hong Kong, Macao, Macedonia, Moldova, Montenegro, Pakistan, Russia, Serbia, Sri Lanka, Turkey and Ukraine. The effectiveness of EURAs is highly contested. Admitting the fact that no reliable data about actual returns exists, the EC

⁷ But even though the Union has expressed competence, it is not exclusive but shared. In the case of AFSJ policies, the Articles 2 (2) and 4 (2) j) TFEU clarify that readmission policies fall under shared pre-emptive competences (ibid). Through pre-emption member states are precluded from exercising their own power to preserve the effectiveness of European Law. This leads to an EU competence of conditional exclusivity, wherefore EURAs “are not so-called ‘mixed agreements’ and consequently do not require separate ratification by member states’ governments or parliaments” (Strik, 2010: 9).

published that citizens of EURAs countries added up to 40% of the third country nationals that were returned from the EU's territory in 2009. Yet, EURAs countries' citizens were only involved in 20% of all return decisions, leaving the majority of returned people to be originated from TCs without any readmission agreement (cf. *ibid*: 5). This allows the conclusion that EURAs have not yet been concluded with the major migrant sending countries. The Union, within its root-causes approach, focuses increasingly on important countries of origin instead of transit, which explains the latest rush for readmission agreements with countries of origin in Sub-Saharan Africa. As an example, the negotiation for a EURA between the EU and Nigeria just started in October 2016 and is ambitiously aimed to be already completed in June 2017.

Considering the fact that most countries of origin of irregular migration are not located on the European continent, the EU lacks the leverage power to offer a prospect for membership. The attraction of EU membership was identified as one of the main incentives for third states to conclude EURAs. Without this lure of membership, TCs have proven to be even "less responsive to [...] [migration] policy export by conditional rewards" (Lavenex & Wichmann, 2009: 92). In order to convince third countries to still participate in a negotiation process, the Commission recommended to abolish stand-alone readmission agreements and to rather introduce so-called package deals whereby readmission negotiations are opened in parallel with other partnership agreements. This marked a paradigm shift within the Union's external migration policy as "the initial EU approach was to invite third countries to negotiate a readmission agreement, without the EU offering anything in return" (European Commission, 2011b: 6). The EU has gradually acknowledged the need to make concessions and the necessity to offer more attractive packages.

Therefore, EURAs go nowadays usually hand-in-hand with visa facilitation agreements (VFAs). From the TCs' perspective, the benefits earned by VFAs exceed the adaption costs caused by the readmission of returned nationals. Scholars claim that visa agreements are "the most successful compensation in the package approach", since they constitute the strongest added value for TCs (Roig & Huddleston, 2007: 376). They primarily offer facilitation and acceleration of visa application processes, reduced visa fees, simplified conditions for multiple - entry visas with a long validity and easier access to student visas. In sum, they provide visa facilitations that apply to certain categories of people like students, researchers and business professionals. So far, twelve VFAs have been concluded with Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Cape Verde, Georgia, Macedonia, Moldova, Montenegro, Russia, Serbia and Ukraine. The table below illustrates the linkage between readmission agreements and visa facilitation agreements.

Table 4.1: Linkage between Readmission Agreements and Visa Facilitation Agreements⁸

Country	Type of Agreement	Negotiation Mandate	Start of Negotiations	Date of Signature	Entering into Force
Albania	EURA	Nov 2002	March 2003	April 2005	May 2006
	VFA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
Armenia	EURA	Dec 2011	Feb 2012	Dec 2012	Jan 2014
	VFA	Dec 2011	Feb 2012	Dec 2012	Jan 2014
Azerbaijan	EURA	Dec 2011	Feb 2012	Feb 2014	Sep 2014
	VFA	Dec 2011	Feb 2012	Nov 2013	Sep 2014
Bosnia & Herzegovina	EURA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
	VFA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
Cape Verde	EURA	June 2009	Jan 2010	April 2013	Dec 2014
	VFA	June 2009	Jan 2010	Oct 2012	Dec 2014
Georgia	EURA	Nov 2008	April 2009	Nov 2010	March 2011
	VFA	Nov 2008	April 2009	June 2010	March 2011
Hong Kong	EURA	May 2001	June 2001	Nov 2002	March 2004
	VFA*	-	-	-	-
Macao	EURA	May 2001	July 2001	Oct 2003	June 2004
	VFA*	-	-	-	-
Macedonia	EURA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
	VFA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
Moldova	EURA	Dec 2006	Feb 2007	Oct 2007	Jan 2008
	VFA	Dec 2006	Feb 2007	Oct 2007	Jan 2008
Montenegro	EURA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
	VFA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
Pakistan	EURA	Sept 2000	April 2001	Oct 2009	Dec 2010
	VFA	-	-	-	-
Russia	EURA	Sept 2000	April 2001	May 2006	June 2007
	VFA	July 2004	June 2005	May 2006	June 2007
Serbia	EURA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
	VFA	Nov 2006	Nov 2006	Sep 2007	Jan 2008
Sri Lanka	EURA	Sept 2000	April 2001	Feb 2002	May 2005
	VFA	-	-	-	-
Turkey	EURA	Nov 2002	March 2003	Dec 2013	Oct 2014
	VFA	-	-	-	-
Ukraine	EURA	Feb 2002	Aug 2002	Oct 2006	Jan 2008
	VFA	Nov 2005	Nov 2005	Oct 2006	Jan 2008

⁸ The table was compiled by data derived from the European Commission Press Release Database, retrieved from <http://europa.eu/rapid/search.htm> and the European Council Press Release Database, retrieved from <http://www.consilium.europa.eu/en/press/>.

* Hong Kong and Macao were exempted from any visa requirements in December 2000.

The most impressive example for the effective link between readmission and visa facilitation can be seen in the case of Russia. The negotiation process for a EURA was stagnating for more than three years and could only be successfully concluded after the launch of visa agreement negotiations (cf. Trauner & Kruse, 2008: 11). Being aware of this effectiveness, the EU Commission demanded that “the potential to use [VFAs] as leverage should be further explored” (European Commission, 2015: 14).

Notwithstanding visa agreements appeal to TCs and thus speed up the negotiation procedure, member states are reluctant to hand over competences in this sensitive policy domain. Visa regulations and legal migration channels including labour market access remain in the power realm of the sovereign nation states (cf. European Union, 2010: Article 79 (5) TFEU). Member states do not only hold the competence to determine volumes of admission for third state nationals seeking employment, but they are also “still fully in control of who is and is not issued with a visa” (European Commission, 2011b: 7). As visa access can only be granted by the member states, the Union faces great challenges in negotiating VFAs. Lavenex and Stucky (2011: 117) describe the problem that “those issues that would interest partner countries most [...] are in the competence of the MS, and the Commission has no leverage”. The circumstance that the EU cannot negotiate on topics of interest, and is hence dependent on the cooperation of the member states, is based on an incomplete communitarisation concerning migration policies.

Especially in regards to major countries of transit or origin of irregular migrants, the European states hesitate and most likely deny the offering of visa facilitation, as they are concerned about mass migration. This issue of “‘problem countries’ for irregular migration” (Roig & Huddleston, 2007: 377) can be seen in Table 4.1 in the cases of Pakistan and Turkey, whereby in both cases the member states turned down the call for visa facilitation. Even the Union itself admitted that EURA negotiations do not offer sufficient incentives for these third states. As a result, up until now, the majority of EURAs have only been concluded with potential candidate countries in Eastern Europe and Western Balkan. Negotiations with major countries of transit or origin failed, like in the case of Morocco (cf. Carrera et al., 2016). Roig and Huddleston (2007: 363) conclude that because neither the prospect for EU membership nor visa facilitations are available for “immigration problem countries”, the negotiation procedures “with these countries are likely to remain stalled”. In these cases, EURAs do not constitute any added value for third states, as they exclusively focus on the combat of irregular migration and readmission. Countries of transit or origin decide not to cooperate, since for them the cost of no agreement is low. The Union is solely aimed at expanding its migration control regime and thereby neglects the interests of TCs.

4.1.2. Mobility Partnerships

Based on the insight that third states need to be compensated for their cooperation in migration control policies, in 2007 the European Commission introduced a new external tool called mobility partnerships to “better manage migration flows, and in particular to fight illegal migration, [...] in exchange for enhanced possibilities of mobility” (European Commission, 2007a). These partnerships are soft legal instruments and rather imply a political than a legal commitment. They are embedded in the EU policy framework Global Approach to Migration and Mobility (GAMM). Since 2005⁹, GAMM is the overarching framework for the EU external migration and asylum policy, especially focusing on operational cooperation with third countries. It defines priorities and strategic objectives how the Union shall manage its migration governance, including the provision “to develop mutually beneficial partnerships” (European Commission, 2011a).

The underlying concept of MPs is based on the more-for-more approach by offering legal migration opportunities to third states in return for enhanced prevention of illegal migration. Hence, MPs do not only address the topic of readmission, but include especially channels for legal migration, labour migration, development assistance and visa facilitation. The idea is to create a “win-win-win” situation which benefits all participating parties: European Union member states, third countries and migrants (Broczka and Paulhart, 2015: 1). The partnerships are allegedly mutual beneficial to all three involved actors:

1. The EU and its member states especially benefit from improved border control that hinders further irregular migration flows to the Union’s territory. A selective immigration policy matching the specific needs of the MS’s labour market is in the EU’s favour as well as economic growth in the TS due to development assistance leading to lower emigration rates to the Union.
2. Third states are mostly interested in increased legal mobility for their citizens through labour market access and short visa offers. They can even expect economic growth and development via the return of highly skilled workers and remittances.
3. Migrants are supposed to profit from visa facilitations, labour market access and enhanced circular mobility.

Up to this date, nine mobility partnerships have been signed with Armenia, Azerbaijan, Belarus, Cape Verde, Georgia, Jordan, Moldova, Morocco and Tunisia.

⁹ In 2005, the EU launched the „Global Approach to Migration“(GAM) as the overall migration policy framework. It was revised and extended in 2011 to the “Global Approach to Migration and Mobility”.

Table 4.2: Linkage between Mobility Partnerships and Readmission Agreements¹⁰

Country	Start of Negotiation	Date of Joint Declaration	Existence of EURA
Armenia	2010	Oct 2011	Yes: since Jan 2014
Azerbaijan	Feb 2012	Dec 2013	Yes: since Sep 2014
Belarus	2015	Oct 2016	on-going negotiations
Cape Verde	Dec 2007	May 2008	Yes: since Dec 2014
Georgia	June 2008	Nov 2009	Yes: since March 2011
Jordan	Dec 2012	Oct 2014	No
Moldova	Jan 2008	June 2008	Yes: since Jan 2008
Morocco	Oct 2011	June 2013	No
Tunisia	Oct 2011	March 2014	on-going negotiations

Looking at Table 4.2, which lists up the existing MPs, it becomes clear that each country (with the exemption of Moldova) firstly signed a mobility partnership and only subsequently concluded a readmission agreement with the EU. This implies that MPs are more attractive for third countries and thus can be concluded in easier and faster negotiations. Adepoju (2009: 46) found out that also “many EU member states have shown a preference for informal and flexible agreements”. But the increasing number of legally uncertain partnerships poses the risk of being “less transparent and less controllable by parliaments” (ibid: 46). Parliaments and courts are excluded from the negotiation procedure.

After the Commission obtains the mandate from the Council, the EC negotiates mobility partnerships on behalf of interested member states. Owing to the soft-legal character of the agreements, European countries can decide if they want to participate or not. The participation rate ranges from five MSs cooperating in the MP with Cape Verde to 16 MSs participating in the MP with Georgia. In fact, the member states have a powerful position in the setting of MPs in general. Reslow and Vink (2015: 864) claim that they “have ultimately controlled the shape and progress of the mobility partnership instrument”, as they did not only “determine[d] the voluntary and non-legally binding nature” of the tool, but also “the content of each partnership”. The Commission functions merely as a mediator between member and third states.

According to Brocza and Paulhart (2015), flexibility is the most characteristic feature of MPs, which can be seen in the optional participation of member states and the broad variety of

¹⁰ The table was compiled by data derived from the European Commission Press Release Database, retrieved from <http://europa.eu/rapid/search.htm> and the European Council Press Release Database, retrieved from <http://www.consilium.europa.eu/en/press/>.

possible contents. Agreed on commitments are formulated in a number of precise projects listed in the annex of the agreement, resulting in a tailor-made arrangement for each TC. But although TCs have in theory the opportunity to initiate and propose projects such as the promotion of circular migration and student visas, Lavenex and Stucky (2011: 131) state that the process of concluding a MP can be more accurately described as “consultations rather than negotiations”. This is mostly visible in the lists of proposed projects. Reslow and Vink (2015: 864) found “the absence of projects promoting opportunities for legal migration to the EU” characteristic for the new type of partnership. The majority of proposals aim at intensified border management and readmission obligations. Indeed, the most attractive incentives for TCs, namely visa facilitation and labour market access, are only rarely mentioned and if they are included then are still heavily restricted. The initiatives solely provide visa facilitations that apply to certain categories of people like students, researchers and business professionals and thus “offer only limited mobility opportunities” for third country’s citizens (Carrera et al., 2016: 7). What cooperating countries actually demand are visa liberalisations that would allow long-term residence and working permission in the EU. But mobility partnerships ease “temporary movement rather than more permanent forms of migration” (Carrera et al., 2012: 13), wherefore there is hardly any chance for visa liberalisation.

As visa facilitation and legal migration channels are often denied or only offered in a limited version, the EU member states rather try to allure third countries with development assistance. But rephrasing already existing development programmes and paying financial assistance cannot cover up the unequal division of duties and responsibilities that MPs imply. As Carrera et al. put it (2016: 7): “The current EU approach of ‘throwing money at the problem’ [...] cannot resolve the deep differences”, because inequity “cannot be compensated for with money”. The primary interest of TCs lies in enhanced mobility, not in foreign aid, which they can also obtain from other actors and programmes like the United Nations Development Programme.

The EU makes usage of incentives and presents them in a win-win-win situation since its approach is based on conditionality. The Commission announced in 2011 that “the implementation [of MPs] will be conditional upon a genuine commitment from the third-countries concerned to readmit irregular migrants [...] and take effective action aimed at preventing irregular migration” (European Commission, 2011c). So even though the EC claims that MPs represent “mutual beneficial” cooperation among equal partners (ibid), it still depends on conditionality to conclude the agreements. The term partnership plays a crucial role in this context. Partnership originally indicates equality among parties, common interests, voluntariness and reciprocal duties and rights. However, scholars assessed mobility

partnerships¹¹ and came to the conclusion that “the set-up of MPs amounts less to a horizontal negotiation setting among equal partners than to a unilaterally crafted consultation process on the part of the EU” (Lavenex & Panizzon, 2013: 12). The Union employs “top-down conditionality” (ibid: 6) to enforce its own interests and uses visa facilitation and legal mobility as bargaining chips. By that, it turns MPs in “conditional partnerships whose institutionalization clearly vindicates the pre-eminence of EU member states’ priorities over those of the partner countries” (ibid: 6). Hence, although a MP has more incentives for third states at its disposal than a EURA and despite its new framing as a partnership between equal players, it cannot hide the fact that security aspects and irregular migration issues still dominate the discourse.

4.2. Readmission in the Light of Fair Multilateralism

In the interest of assessing EURAs and MPs, the general notion of readmission cooperation between the European Union and third states has to be analysed against the backdrop of fair multilateralism. In the theory section, criteria were identified which need to be met in order to consider the agreements fairly multilateral. The basic requirement is a negotiation between “equally well-placed parties” (Barry, 1995), implying equivalent rights in the sense of being able to initiate, amend and reject an accord. Building on this, the agreement needs to be agreed on voluntarily and accepted as legitimate by all stakeholders. It has to honour the principles of mutual benefits and reciprocity by offering sufficient added value for every participant to enable a balance of net benefits.

For a better understanding it needs to be noticed that the terms reciprocity and mutual benefits depend on the subjective interpretation of participating states (cf. Albin, n.d: 5), and therefore will be dealt with in subsequent case studies. Based on this, the following analysis puts its focus on the equality and equivalence of actors within negotiating procedures and actual outcomes.

In theory, the negotiating parties of migration agreements, on the one hand the European Union and its member states and on the other hand third countries, enjoy equal rights. They are regarded as sovereign actors holding the competence to negotiate international agreements according to their specific interests. The cooperation is supposed to enable an “open structure of dialogue and iterated horizontal interaction” (Lavenex & Panizzon, 2013: 5). The accords are established in a reciprocal framework that implies mutual obligations and rights, meaning that each party is obliged to readmit its nationals. By stressing the universal gains of migration

¹¹ Originally, the agreements were called “mobility packages” and were renamed into “mobility partnerships” after a Commission’s proposal (cf. European Commission, 2007b).

collaboration in a globalising world, the idea of shared responsibility and common interests are promoted and spread.

In spite of these alleged intentions, scholars discovered in empirical studies that the bargaining situation can be still described as unbalanced and “inherently asymmetrical” (Lavenex and Panizzon, 2013: 12). Instead of a horizontal dialogue at eye level, the EU is aware of its more powerful position and thus uses its greater leverage for its own advantages. It applies a “top-down, hierarchical” negotiation strategy (ibid: 7). Its dominant standing even affects the Union’s appearance and behaviour during the negotiation procedure. This Eurocentric attitude manifests in unilaterally prepared and directed meetings and EU monologues showing little interest for the other side (cf. Roig & Huddleston, 2007: 374). That leads to a one-size-fits-all approach by offering a standard scheme and text to every partner country without individual adjustments.

The power imbalance becomes mostly obvious in the lists of proposed projects. Adepoju et al. (2009: 65) reviewed several European migration agreements and concluded that “European interests such as migration control and readmission still dominate [...], while southern interests such as labour migration opportunities and development aid are often peripheral or even non-existent”. As third states lack the economic and political power to exert substantial pressure on its counterpart, the final agreements do not adequately reflect their concerns. In fact, the official evaluation report of the mobility partnership between the EU and the Republic of Moldova in 2012 admitted that “there is still a predominance of security-centred policies aiming at fighting irregular migration” (Ministry of Foreign Affairs and European Integration of the Republic of Moldova, 2012).

Whereas the EU member states, as the destination countries, have a strong interest in concluding migration cooperation agreements and thence pursue a straight-line agenda, third states often miss a concrete migration policy. Basically, TCs are torn between internal political factors with readmission agreements being very unpopular in the domestic population and foreign affairs trying to establish solid relations with the wealthy European Union responsible for significant development aid. Without an evident interest and clear objectives, the role of third states can be described as “not providing much critical input in the negotiations” (Adepoju, 2009: 68).

In the case of Morocco, the country’s officials terminated the proceedings for a European readmission agreement due to “arguments of fairness” and “an inequitable responsibility division” (Carrera et al., 2016: 6). Morocco shared the point of view that the European states

instrumentalise EURAs to outsource their duty to accept refugees and migrants. The country hence refused to be transformed into “Europe’s border police abroad” (ibid: 13). Researchers claim that the offered incentives for TCs do not compensate for the additional responsibilities, which are imposed on them through the agreements. It can be even argued that the actual purpose of providing rewards in exchange for collaboration is just to further legitimise migration control and prevention policies (cf. Adepoju, 2009: 67).

As a result, a clear discrepancy can be observed between the theoretical assertions and the actual outcomes in reality. Migration agreement negotiations are rather characterised by asymmetry and unequal power relations instead of fair multilateralism.

5. Multiple Case Study and Comparison

The following multiple case study enables an in-depth analysis that takes the specific features of Cape Verde and Senegal into consideration. By explicitly looking at the respective migration agreements with these two third states, it is possible to assess the subjective interpretation of the terms reciprocity and mutual benefits.

5.1. The case of Cape Verde

The Republic of Cape Verde is an archipelago of nine islands in the North Atlantic Ocean off the coast of West Africa with a population of about 550.000 inhabitants (cf. The World Factbook). For decades, Cape Verde has been a country of emigration. The diaspora outnumbers the number of domestic residents, with about 700.000 Cape Verdeans living abroad, mainly in the United States (260,000 people) and Europe, especially in Portugal with 100,000 people (cf. IOM, 2014). Due to the fact, that the country does not have any significant natural resources leading to very limited export potentials, it is highly dependent on the diaspora’s contribution to the country’s economic development, like remittances and tourism. National policies aim at strengthening Cape Verde's relationship with its diaspora and facilitating the transfer of the diaspora’s human and financial resources. The relevance and impact of migration makes the country particularly vulnerable to the recent tightening of immigration and border control policies in the European Union. The last years have been marked by declining emigration, increasing population growth, and considerable migration pressure. The government faces an

increasing number of immigrants arriving in Cape Verde from West Africa and addresses the new challenges by enhancing border control and combatting illegal migration.

For these purposes, the country's officials signed a mobility partnership with the EU in May 2008, including the five member states Portugal, France, Spain, Luxembourg and the Netherlands. The partnership, which was explicitly "based on reciprocity", consists of a Joint Declaration of all participating actors and a list of proposed activities in the annex (Council of the EU, 2008). The annex is divided into six sections: 1) Monitoring and awareness of migration flows; 2) Employment, management and facilitation of legal migration and integration; 3) Mobility and short-stay visas; 4) Links between migration and development, diasporas, money transfers; 5) Asylum and immigration; and 6) Cooperation on border management, identity and travel documents, and the fight against illegal migration and trafficking in human beings.

The Table 5.1 lists up all 28 initiated projects. Section 2) and 6) are the two longest sections with ten initiatives each.

Table 5.1: Proposed activities in the EU - Cape Verde (CV) Mobility Partnership in 2008¹²

Section	Proposed Activity	Initiator	Participating Parties	Status
1)	Create and regularly update detailed migration profile of CV	Unclear	CV + EU	New
2)	Support activities of CAMPO, Information centre for migrants	Portugal	CV + Portugal	Existing
2)	Temporary migration; Admission of certain categories of workers	Portugal	CV+ Portugal	Existing
2)	Bilateral cooperation between Portugal's IEFP and CV's counterpart	Portugal	CV + Portugal	New
2)	Workshops to better integrate apprentices in CV's labour market; Support business initiatives by women	Spain	CV + Spain (EU +MSs)	New
2)	Bilateral opening of certain professional activities to CV's migrants	France	CV + France	New
2)	Promote academic exchange and partnership between universities	All MSs	All	Existing
2)	Initiate dialogue on integration/ treatment of third states nationals	CV + MSs	CV+ MSs	New
2)	Explore possibilities for bilateral, temporary circular migration	Luxembourg	CV + Luxembourg	New
2)	Develop and strengthen "Migrating with open eyes" - programme	Luxembourg	CV + Luxembourg	Existing
2)	Enhanced bilateral cooperation between partner universities	Luxembourg	CV + Luxembourg	New
3)	Recommendation to Council to obtain negotiating mandate for a VFA with CV	EC	CV + EU	New

¹² This table was compiled by data derived from the "Joint Declaration on a Mobility Partnership between the European Union and the Republic of Cape Verde" (Council of the EU, 2008).

3)	Set up a Common Visa Application Centre for short-term visas in Praia	Portugal	CV + Portugal + MSs	New
4)	Continue to foster circular migration of highly qualified migrants	Portugal	CV + EU Portugal + Spain+	Existing
4)	Foster cooperation between health institutions; Strengthen CV's health institutions	CV + MSs	CV + Spain + Portugal	New
4)	Establish a bilateral co-development programme for CV	France	CV+ France	Existing
5)	CV shall ratify and implement the UN Convention on Refugees 1951	Unclear	CV	New
5)	Technical assistance to build up asylum system	Portugal	CV + Portugal	New
6)	CV shall effectively implement UN Convention on organised crime and smuggling of migrants	Unclear	CV	New
6)	Extend cooperation with FRONTEX, information exchange, risk analysis, training, joint return operations	Unclear	CV + FRONTEX	Existing
6)	CV National Police to implement FRONTEX training programme	FRONTEX + CV	CV+ FRONTEX	Existing
6)	Facilitate police cooperation between CV and EUROPOL	EU + MSs	CV+ EUROPOL	New
6)	Recommendation to Council to obtain negotiating mandate for a EURA	EC	CV + EU	New
6)	Strengthening CV's capacities at border control and document control	Portugal	CV + Portugal	New
6)	Continue "Seahorse" project; Enhance maritime security; Improve telecommunication capacities	Spain	CV + Spain	Mixed
6)	Strengthening National Red Cross Society in CV	Spain	CV + Spain	New
6)	Reinforce the capacity of CV's Ministry of Defence concerning ICT	Spain	CV + Spain	New
6)	Cooperation against drug/ people trafficking, document control, FRONTEX border management	France	CV + France + FRONTEX	Existing

It becomes clear that the overwhelming majority of the activities was proposed by the EU or a member state. Cape Verde did not introduce one single project on its own; it was only involved in three proposals together with other actors. Another striking feature is the fact that ten out of 28 programmes already existed before the launch of the MP. These proposals solely aim at an extended scale or prolonged duration, but do not recommend new ideas.

Having a closer look at the specific sections, it can be seen that section 2), 3) and 4) mostly represent Cape Verde's concerns, since they deal with legal migration, visa facilitation and development. The Union's and member states' interests are primarily reflected in section 6) that entails border control management, readmission and the enhanced combat against irregular migration. In contrast to section 2), which is dominated by bilateral cooperation and under

which the projects are often limited to specific institutions or programmes, the activities in section 6) have a much broader scope and even include EU agencies like FRONTEX and EUROPOL. Besides, the proposals under section 2) mainly provide information for prospective migrants and primarily address highly skilled categories of people like students or researchers, instead of providing real opportunities for long-term legal migration. In addition, the choice of words implies a strategic focus on the Union's priorities. While the formulation of activities in the field of legal migration indicates weak commitment ("to explore the possibility" and "to study the possibility"), proposals to prevent further irregular migration are expressed in a more concrete way ("it will contribute") (Council of the EU, 2008; Chou & Gibert, 2012).

Despite this apparent unbalanced prioritisation, the government of Cape Verde, more precisely the Ministry of Foreign Affairs, regarded the agreement as mutually beneficial and hence concluded the MP. In regards to Cape Verde's national policy objectives, it becomes clear that the content of the partnership is very much compatible and consistent with the national political strategy. Considering the significant size of the Cape Verdean diaspora, the government is strongly interested in improving the diaspora's living and working conditions by pursuing any possibilities for legal migration, labour market access and visa facilitation. Proposals such as the opening of certain profession fields to Cape Verdean migrants by the Portuguese and French Republic, as well as the suggested co-development programme with France including easier money and skill transfers from the diaspora to the domestic population and the prospect for a visa facilitation agreement are highly appreciated by the Cape Verdean government. Therefore, the MP is a balanced trade-off between the EU's and Cape Verde's interests and constitutes a substantial added value for the country. The Cape Verdean embassy in Brussels, accredited for several European states and the EU itself, published the official statement that the established MP "shows the will of both Parties to set a strengthened dialog and cooperation political framework in the areas of migration" (Embassy of the Republic of Cape Verde in Brussels, n.d.).

The mobility partnership also recommended to initiate negotiations for a European readmission agreement and a visa facilitation agreement with Cape Verde. After three years of negotiations, the readmission agreement between the EU and Cape Verde entered into force in December 2014. It contains the reciprocal obligation to readmit own nationals, third-country nationals and stateless persons who do not fulfil the requirements to reside on the territory of the European Union, respectively of Cape Verde. The agreement is legally binding all signatories and the European member states, except for Denmark, United Kingdom and Ireland. Intending to prevent a competition among bilateral and multilateral readmission agreements with Cape Verde, the EURA takes precedence over any other bilateral readmission agreements with a MS. Next to the detailed readmission procedure and administrative requirements, the parties agreed

on the cost absorption by the state requesting the readmission. This arrangement significantly reduces the domestic adoption costs for Cape Verde, as in most cases the European states will request a readmission of a Cape Verdean national and will thus cover transfer and transportation costs.

Parallel to the EURA, Cape Verde and the EU negotiated a visa facilitation agreement that entered into force on the same day in December 2014, even though it was already signed two years prior. The simultaneous entry into force is prescribed in Article 2 (2) of the VFA in order to avoid benefits or disadvantages for one of the participating parties by a unilateral implementation ahead of schedule (cf. European Union, 2013). The agreement reciprocally facilitates the issue of multiple entry visas valid for one, two or five years for short-term residences not exceeding 90 days per period of 180 days. The simplified application procedure and reduced visa fees apply to certain categories of people, like for instance government officials, members of parliaments, business people, exchange students, researchers and journalists. The agreement is legally binding to all signatories and the European member states (except for Denmark, United Kingdom and Ireland) and outweighs other bilateral visa agreements between Cape Verde and a MS.

The Cape Verdean Minister of Foreign Affairs, Luís Filipe Tavares, honours the cooperation by praising the fact that Cape Verde is the only ACP - country enjoying privileges resulting from a VFA with Europe. He affirms that the agreements have been in effect and are properly implemented and executed. However, he also admits a discrepancy between rhetoric and reality as the expectations were created at other times, which have nothing to do with the real situation. (cf. Saponotícias, 2017¹³). By that, the head of Cape Verde's diplomacy refers to the TC's request to liberalise visas instead of merely facilitating them. The EU, represented by the Head of Union Delegation in Cape Verde, José Manuel Pinto Teixeira, rejects Cape Verde's call for visa liberalisations with his comment that "these themes are not subject to negotiation" and that "at this moment no expectations should be created regarding the exemption of visas for entry into the European Union for Cape Verdean citizens" (Agência Lusa, 2017¹⁴). Nevertheless, Cape Verde accepted the VFA since it was taken as the first step towards visa-free travel to the EU.

¹³ My translation from Portuguese; original text: "O diplomata enalteceu o facto de Cabo Verde ser o único país da ACP (África Caraíbas e Pacífico) e africano que desfruta deste acordo de facilitação de vistos, com o argumento que "os acordos estão em execução desde 2013/14 e que estão a ser bem executados com "os benefícios que se previa", tendo entretanto, afirmado que foram criadas expectativas noutras alturas "naquilo que não tem a ver com a situação real"."

¹⁴ My translation from Portuguese; original text: "Estes temas não estão sujeitos a negociação. [...] Ainda assim, considerou que "neste momento não se devem criar expectativas" em relação à isenção de vistos de entrada na União Europeia para cidadãos cabo-verdianos."

The reason why Cape Verde was offered a VFA by the European member states in the first place, despite of MSs being reluctant concerning African countries of origin, can be found in the good long-term relationship between Cape Verde and the EU. The TC is seen as a close partner, who is willing to substantially cooperate. This explains the Union's choice to select Cape Verde as one out of two countries eligible for the mobility partnership pilot phase in 2008 (cf. Lavenex and Panizzon, 2013: 11). Furthermore, the Cape Verdean population only amounts to about half a million people, wherefore the simplified visa applications just apply to very few. The scenario of mass migration to Europe is hence ruled out. Most importantly, the country is not denounced to be a major sending – country of irregular migrants. FRONTEX's monthly statistics have detected exactly seven illegal border-crossings of Cape Verdean nationals into the European Union between January 2009 and March 2017 (cf. FRONTEX, 2017b). This minimal number of incidents proves the actual irrelevance of Cape Verde's proportion on irregular migration. The country is a deviant case in the region of Sub-Saharan Africa which led to the European invitation to negotiate a VFA.

Based on the parallelism of both agreements, rendering the conclusion of the VFA conditional on the conclusion of the EURA, Cape Verde had a strong interest in a successful negotiating process. But not only visa facilitations constituted an added value for the third state. Analysing the Cape Verdean Official Government Programme 2016-2021, one can conclude that the incentives offered in the MP, EURA and VFA resonate with the national policy objectives. One of the most crucial foreign policy aims is to “dynamise the special relationship with the European Union” (República de Cabo Verde, 2016: 31¹⁵). Any further cooperation with the EU is desirable for the country and it is hence open for new dialogues and partnerships. A good relationship with the Union is identified as a cornerstone in Cape Verde's foreign policy. This shows that the migration agreements are not considered as isolated projects, but that they are rather contributing to the bigger context of establishing stabile international relations. Carrera et al (2016: 6) confirm this by stating that “cooperation on readmission constitutes more of a means than an end in itself. Anything else would simply jeopardise diplomatic relations with a strategic partner.”

Furthermore, against the backdrop of its emigration history, the country strives for enhanced relations with its diaspora, since the government acknowledges it as a substantial part of its own population that can contribute to the country's development. In order to support and better include the diaspora, Cape Verde prefers more legal migration channels and labour market access. Accordingly, the Official Government Programme 2016-2021 demands that “the State must assume the emigrant Cape Verdean communities as one of its highest priorities in the

¹⁵ My translation from Portuguese; original text: “Dinamizar melhor a parceria especial com a União Europeia”

development of external relations and a pillar in the economic promotion of the country and the attraction of capacities and investments” (República de Cabo Verde, 2016: 34¹⁶). It is therefore hardly surprising that the country opted for closer migration collaboration through the MP and EURA. In fact, the dominating EU’s interest to fight irregular migration is as well compatible with the Cape Verdean attitude. Facing an increasing number of irregular migrants from West Africa, the government is willing to improve its border and document control capacities.

In the TC’s view, the agreements with the EU enable a balance of net benefits, from which both parties profit. All in all, Cape Verde came to the conclusion that the partnerships are reciprocal and mutual beneficial.

5.2. The case of Senegal

The West African country Senegal has a population of about 14.320.055 inhabitants (cf. The World Factbook, n.d.). The country has historically been a destination country for West African migrants who, during the recent years, increasingly use Senegal as well as a transit spot to the Maghreb region and Europe. Over the years, Senegal has become “a country of emigration and transit migration” (IOM, n.d.). It can be considered a ‘diasporic’ state with a vast migrant population overseas, particularly in France, Italy and Spain. The Senegalese government attempts to maximise the use of the diaspora’s human and economic resources for the development of the country and hence encourages emigrants to be actively committed to the socio-economic progress in the domestic population. For that purpose, the government established “a *Ministère des Sénégalais de l’Extérieur*, a separate ministry dedicated to its diaspora” (Chou & Gibert, 2012: 416). The state officials acknowledge the development potential of Senegalese migrants not least because of the enormous amount of remittances flowing into the economy. According to the United Nations Department for Economic and Social Affairs (UN/DESA), remittances added up to USD 1.6 billion in 2013 (UN/DESA, 2015). By representing around 10% of the total GDP, the cash flows from the diaspora are one of the major sources of income for Senegal.

As a consequence, the country had a general interest in negotiations about a mobility partnership promising more opportunities for legal migration and openings of labour markets. Christophe De Vroey, the Policy and Trade Advisor to the Delegation of the European Union to Senegal, stated that “initially there had been favorable responses from the Senegalese

¹⁶ My translation from Portuguese; original text: “O Estado deve assumir as comunidades cabo-verdianas emigradas como uma das suas mais altas prioridades no desenvolvimento das relações externas e um pilar na promoção económica do País e na atração de capacidades e investimentos.”

authorities” (Plate-forme des acteurs non étatiques, 2009¹⁷). The talks between representatives of Senegal and the EU started in June 2008. Shortly afterwards in 2009, the negotiations had to be declared as failed. “In the end the Commission never received any response from its counterpart. The discussions have not progressed and no non-paper has been submitted nor has any interest been shown by other means” (Lavenex & Panizzon, 2013: 11). Scholars analysed the negotiation procedure and came to the conclusion that Senegal terminated the discussions due to a lack of incentives and rewards in return for enhanced migration cooperation. Apparently, the MP did not resonate with the Senegalese national policy. The country “is not interested in preventing migration of its citizens to the EU because it generally views emigration positively and because the remittances sent by Senegalese abroad form a significant contribution to Senegal’s GDP” (Reslow & Vink, 2015: 867).

As the Senegalese government did not release any official reasoning why it suspended the negotiations for a MP, this case study bases its assumptions on secondary academic literature and Senegalese newspaper articles. The exact composition of the negotiated MP has never been publicly released. Thus, the above described content of the mobility partnership with Cape Verde (cf. Table 5.1) serves as a model since officials from both parties confirmed that “the agreement discussed with Senegal was in many ways similar to the one agreed with Cape Verde [...], [only] minor changes were made to accommodate the Senegalese migration patterns and population ” (Chou & Gibert, 2012: 411).

Even though the EU offered almost the same package deal, there are some decisive differences regarding the migration features of Cape Verde and Senegal. Senegal is identified as one of the major countries of origin of irregular migrants moving into the EU’s territory. FRONTEX published data showing that Senegal was ranked number six of the top nationalities of irregular migrants arriving in Italy in 2016. With 10.329 arrivals it accounted for six per cent of all total arrivals in Italy during the year (cf. European Council, 2017a). This data constitutes a complete different dimension of irregular migration compared to Cape Verde. Being regarded as a migrant-sending third state, the European countries are reluctant to offer Senegal a visa facilitation agreement as they are perturbed by the outlook of mass migration. In their perspective, a VFA would open new possibilities for irregular residence in the EU by overstaying the visa. Hence, Senegal was highly unlikely given a prospect for a VFA during the negotiations in 2008/2009, which reduced the incentives for the country drastically. Reslow and Vink (2015: 868) discovered in their research that “the Senegalese government considered it unlikely that the nature of the Mobility Partnership would provide the benefits necessary to compensate for

¹⁷ My translation from French; original text: “Il fait savoir qu’au début, il y a eu des réponses favorables des autorités sénégalaises [...].”

the costs of the readmission [...] and the Senegalese government was aware that signing a Mobility Partnership would not automatically result in measures for increased mobility, such as a visa facilitation agreement”.

Due to this absence of sufficient rewards, Senegal rather opted for intensified bilateral cooperation on migration with selected European countries. In August 2009, just shortly after the EU negotiation’s suspension, a bilateral agreement entered into force between Senegal and France, which is the main destination country of Senegalese migrants. The *Accord relatif à la gestion concertée des flux migratoires* deals with migration from and through Senegal. It includes programmes on professional migration, illegal migration and development and it opens up 108 professions in France for qualified Senegalese workers. In exchange the African country has to readmit Senegalese visa over stayers (cf. Chou & Gibert, 2012: 419). The accord combines migration control with economic and social development and is therefore desirable for Senegal. Since France has the competence to provide significant labour market access for the diaspora, the advantages of bilateral cooperation prevail.

The preferred bilateral alternatives lowered the cost of no agreement with the EU for the TC. The Senegalese government perceived that the partnership with France was more beneficial than a MP with the European Union. During the negotiation procedure the EU delegation was not able to present any added value compared to the already existing bilateral accords (cf. Chou & Gibert, 2012: 418; Reslow & Vink, 2015: 869). The competition between migration cooperation offered by either a single member state or the EU as a whole provides the third state with the chance to choose the most attractive agreement. In the case of Senegal, this choice “has built the Senegalese government’s confidence to make demands of bilateral partners and say ‘no’ to the EU” (Reslow & Vink, 2015: 868). The officials gained assertiveness and developed an awareness of their country’s own strategic position. The government was less willing to compromise and hence made fewer concessions. The Senegalese newspaper *Sud Quotidien* published in May 2009 that “Senegal does not seem to be interested in the € 4 million package that the European Commission has put at its disposal to finance migration projects. This proposal is considered by some observers to be a bait as long as it is subject to the signing of a ‘Mobility Partnership’ that the country must sign with the European Union” (Dabo, 2009¹⁸).

With labeling European development aid as a ‘bait’, the Senegalese government clarified its position. It was only willing to cooperate if the incentives would outweigh the costs. Through

¹⁸ My translation from French; original text: “Le Sénégal ne semble pas être intéressé par l’enveloppe de 4 millions d’euros que la Commission Européenne a mis à sa disposition pour financier des projets de migration. Cette proposition est considérée par certains observateurs comme un appât du moment qu’elle est assujettie à un la signature d’un « partenariat pour la mobilité » que le pays doit signer avec l’Union européenne.”

that, the third state enjoyed increased negotiating leverage. Being regarded as a priority country of origin, the EU was desperate to cooperate; the cost of no agreement was very high for the Union. Van Crieking (2010: 13) quoted a Senegalese government official stating that “We Senegalese, we are good negotiators. We know what we want, and we negotiate hard to get it. [...] In migration negotiations with the EU, we know now that it is the EU that wants our cooperation, and not the other way around. This means that we need to build a partnership together, but that we are also using our new strategic position to get some increased benefits from our cooperation with the EU.” The knowledge that the EU was more dependent on Senegal’s cooperation than the other way around strengthened the Senegalese strategic position and enabled it to demand a deal more aligned to its national policy objectives concerning migration management. “The negotiation was characterised by increased Senegalese pro-activeness in establishing ownership over its migration phenomenon. As such, the government has keenly focused on enhancing capacity in migration management rather than accepting the unilateral implementation of control mechanisms” (ibid: 12).

It can be concluded that Senegal interpreted the mobility partnership as neither reciprocal nor mutual beneficial and thence suspended the talks. Lavenex and Panizzon (2013: 11) argue that “Senegal’s resistance calls into question some of the taken-for-granted assumptions underlying the partnership approach”. The failure of the negotiation was a severe setback for the Union’s external migration policy as it had to realise and accept the fact that not every country is willing to cooperate at all costs.

5.3. Comparison

As already described above, the terms reciprocity and mutual benefits of an international agreement depend on the subjective interpretation of participating states (cf. Albin, n.d: 5). The multiple case study revealed the different perceptions of Cape Verde and Senegal whether readmission cooperation with the European Union can be viewed as mutual beneficial and reciprocal. The diverging decision to cooperate or not is conditional to three criteria:

First of all, the proposed projects in the agreements have to resonate with the national political strategy of the third country. The third state’s approval is determined by the compatibility and consistency of the EU cooperation with the domestic migration policy. In the case of Cape Verde, the MP as well as the EURA and the linked VFA reflected the governmental programme to a large extent. To begin with, one of the most relevant Cape Verdean foreign policy aims is to establish and maintain a good relationship to the European Union. Being a cornerstone of its foreign

policy, the government is committed to any closer cooperation with the Union. Collaboration is especially desirable for the TC in the field of legal migration. Since Cape Verde is primarily engaged in improving the living and working conditions for its diaspora, it seeks for opportunities to ensure a visa-free entry into the Union and labour market access. The concluded visa facilitation agreement and the offers made by Portugal and France within the mobility partnership to open up certain professional activities for Cape Verdean migrants represent a favourable development. Furthermore, the African state is not reluctant to advance its border control management as it faces a great rise in numbers of arriving irregular migrants. As opposed to this, the Republic of Senegal did not see its own interests and national policy objectives adequately mirrored in the draft paper of the MP. Based on the fact, that the country is dependent on the remittances sent by its - mainly irregular - emigrants, it is not interested in further controlling and preventing the migration flows to the EU. Instead it is desperate to create legal migration channels to and working opportunities in Europe. As the MP did not offer any prospect for a visa facilitation agreement, which is regarded as the first step towards visa liberalisation, the Senegalese government was not given enough attractive incentives to cooperate.

Another aspect influencing the negotiation's outcome is the pattern of the TC's population and migration. In regards to major countries of transit or origin of irregular migrants, the European countries hesitate and most likely deny the offering of visa facilitations because they are concerned about mass migration and visa overstayers. Cape Verde has a very low population size with only half a million inhabitants. Taking this figure into consideration, the Union was willing to provide a VFA as it only applies to few people anyway. Besides Cape Verdean emigrants mainly enter the EU legally with a visa, wherefore its contribution to irregular migration is minimal and irrelevant. In contrast, Senegal is statistically ranked number six of the top nationalities of irregular migrants arriving in Italy via the Central Mediterranean route (cf. European Council, 2017a). With a population over 14 million inhabitants and a status of being a low income country, it classifies as an "immigration problem country" (Roig and Huddleston, 2007: 363). The European countries were thus reluctant to negotiate a VFA which led to even fewer incentives for the TC to conclude an agreement.

The last factor that has an impact on the perception of third states is the existence of other preferable bilateral options and the relation to the former European colonial power as "it is commonly known that the EU member states maintain special relationships with their former colonies and [that] these ties are important determinants in how the Union cooperates with these third countries" (Chou & Gibert, 2012: 414). In regards to Cape Verde, Portugal was highly interested in the conclusion of a mobility partnership which can be seen in its active engagement

during the negotiation process. Portugal turned out to be the most active participant by proposing seven out of 28 activities (cf. Table 5.1). Compared to Portugal, France - Senegal's former colonial power - was rather reserved. Although France did not actively hinder the talks, it applied a "strategy of passively resisting progress" (Chou & Gibert, 2012: 414). France's reluctance can be explained by preferred bilateral alternatives. It already concluded a migration agreement with Senegal including a readmission obligation and therefore did not see any added value in a multilateral cooperation on EU level. Chou and Gibert (2012: 420) conclude that "when a policy is satisfactory at the bilateral level, as seems to be the case for migration cooperation with Senegal, there is no reason, in France's view, for such a multilateralisation to take place".

The comparison shows that the cost of no agreement was very different for Cape Verde and Senegal with the latter facing a much lower cost of no agreement than Cape Verde. The notions of mutual benefits and reciprocity are not generalisable, but rather depend on the specific third state's position. This holds true regardless the type of readmission agreement. Despite its more flexible content, a non-legally binding MP is not more advantageous for a TC than a EURA as can be seen in Senegal's refusal. The type of agreement thence cannot be seen as the determinative factor in the decision whether to cooperate in the field of migration management or not.

6. Conclusion

Having analysed the two distinct types of readmission cooperation agreements against the backdrop of fair multilateralism and having compared the empirical cases of Cape Verde and Senegal, this final chapter aims at answering the research question by taking into account the outcomes of the previous analysis and comparison. Besides, shortcomings of the study will be revealed and recommendations for further research will be given.

6.1. Discussion

Since the launch of the European Agenda on Migration in May 2015, European readmission agreements and mobility partnerships are at the core of the EU's most recent external migration policy. The tendency to externalise migration policies in order to control and prevent migration flows to Europe is a characteristic feature of this security-based approach.

The thesis at hand set out to elaborate the trade-off between a unilateral European attempt to externalise security and migration control and a multilateral migration management mutually benefitting the countries of origin as well as of destination. The research reviewed to what extent the general concept of EURAs and MPs can be considered part of a balanced and mutually beneficial approach.

In general, European readmission agreements offer two strong incentives for third states, in particular a prospect for an EU membership and visa facilitations. The attraction of membership and VFAs were identified as the main motives for third states to complete EURAs. The linkage between EURAs and VFAs becomes clear in their legally prescribed parallel conclusion within package deals (cf. European Union, 2013: Article 2 (2)). However, these rewards are not available for SSA emigration countries that are responsible for considerable flows of irregular migrants. In these cases, the third states can neither expect integration into the EU nor an ease of visa requirements. The Union cannot offer these countries sufficient added value in return for migration cooperation, wherefore EURAs have not yet been concluded with dominant migrant sending states. Countries of transit or origin decide not to cooperate since the agreements are solely aimed at expanding the European migration control regime including an exclusive focus on readmission and the combat of irregular migration. Nevertheless the analysis made clear that the TCs are still able to make a free decision as the EU does not have enough leverage on its disposal with EURA negotiations to exert massive pressure on its counterpart. Owing to the incomplete communitarisation of migration policies and the consequential lack of competences, the EU is not able to impose and enforce its own policy on TCs.

Deviating from EURAs, soft law mobility partnerships theoretically offer more incentives such as legal migration channels, labour market access and development assistance. The circumstance that every participating party can initiate projects shall ensure flexibility and a tailor-made outcome. But the empirical case studies exposed a discrepancy between theory and reality. Although MPs are more attractive for TCs due to the huge variety of included topics, they are not perceived as a fairer deal. Senegal's denial of a mobility partnership indicates the view point that negotiation talks for MPs provide the European Union with greater leverage. The EU, being aware of its more powerful position, makes use of a hierarchical, top-down strategy, wherefore the bargaining situation is sensed as asymmetrical and unbalanced. The analysis showed that it is much easier and faster for the EU to conclude non-legally binding MPs than EURAs (cf. Table 4.2). Adepaju (2009: 46) noticed an enormous rise of "arrangements for repatriation and migration control [that] are increasingly established outside formal agreements". Informal and flexible partnerships are especially preferred by European member states, since the legal

uncertainty of the agreements circumvents “the European Parliament and the Court of Justice as veto-players” (Reslow & Vink, 2015: 866).

In sum, it can be observed that MPs do offer more incentives for third countries than EURAs, but not to an extent that they are considered fairly multilateral. The Union still utilises the incentives to enforce its own interests and uses the manifold proposals such as projects enhancing visa facilitation and mobility as bargaining chips. The new framing as partnerships among equal actors cannot cover up the fact that security aspects and irregular migration issues still dominate the discourse.

The points of mutual benefits and reciprocity can only be dealt with by taking into account the individual interpretation of the third states. Instead of a universally valid explanation, these concepts depend on the TC’s subjectivity. National policy objectives and domestic cost benefit calculations determine the decision to sign a readmission agreement or not. The result is to a much lesser extent related to the perceived power constellation between the EU and the respective TC. It can be concluded that the EU’s unilateral, “top-down conditionality” (Lavenex & Panizzon, 2013: 6) approach only partly explains the different negotiation outcomes in Cape Verde and Senegal. Instead, it is the coherence and compatibility between national and EU policies and the costs and benefits of readmission cooperation which are decisive for the third country’s decision.

Objectively, the general concept of European readmission agreements and mobility partnerships cannot be considered part of a mutually beneficial approach to a fairly multilateral governance of migration. The negotiation procedures and contents are rather characterised by asymmetry and unequal power relations instead of fair multilateralism. However, the TC’s subjective perception whether a balance of net benefits was achieved is more pivotal. Possible bilateral alternatives and the respective migration pattern of the third country are affecting the outcome as well.

For the purpose of increasing the level of fair multilateralism the Union has to abandon its one-size-fits-all approach, which becomes visible in the striking similarity of the MPs offered to Cape Verde and Senegal. Third countries must be included in the negotiation process as equal partners who can co-create the content and structure of accords. Unilateral preparations and mere consultations have to be replaced by discussions on eye level.

6.2. Limitations

Based on the multiple case study design, the outcomes of the research reflect the characteristics of the two analysed cases. Therefore, the study is limited to low external validity as the outcomes may not be directly generalised and applied to other Sub-Saharan African third states. For the reason, that subjective interpretation and national policy objectives play a crucial role in the decision-making process, the drawn conclusion only hold true for the particular characteristics of Cape Verde and Senegal. The underlying theories, like externalisation and top-down conditionality, can nevertheless be expanded and generalised and the insights from Cape Verde and Senegal can be indicative for the prospects of further EU readmission cooperation.

Another aspect restricting the validity can be seen in the data collection method. Even though the document analysis turned out to be the adequate approach to elaborate the specifications of each case by allowing for an in-depth analysis, it has to be noticed that the data collected for the two African countries is limited. Due to a lack of primary data, such as official statements from the Senegalese government, the paper is mainly based on information derived from secondary sources. Interviews with Cape Verdean or Senegalese officials being involved in the negotiation discussion could thus add to the significance of the results.

6.3. Further Research

Owing to the limited scope of this paper, an evaluation of the concluded EURA and MP between the European Union and Cape Verde could not be included. In order to ascertain how the alleged incentives and advantages turned out in reality, it is recommended to analyse the proper compliance and implementation of the agreements in a separate study.

Another interesting research could investigate if the EU learned any lessons from the negotiation failure with Senegal and if it adjusted its approach to the concerns of TCs. This analysis would be particularly fruitful in the context of the on-going talks about a European readmission agreement with Nigeria, the top origin of irregular migrants in the region of Sub-Saharan Africa.

7. Bibliography

Adepoju, A., van Noorloos, F., Zoomers, A. (2009). Europe's Migration Agreements with Migrant-Sending Countries in the Global South: A Critical Review. *International Migration*, 48(3), 42–75.

Agência Lusa. (2017). Cabo Verde. Isenção de vistos para a UE. *Observador*. Retrieved June 19, 2017, from <http://observador.pt/2017/05/05/cabo-verde-isencao-de-vistos-para-a-ue/>

Albin, C. (n.d.). Getting to Fairness: Negotiations over Global Public Goods. Discussion Papers in Diplomacy. *Netherlands Institute of International Relations, Clingendael*.

Allen, K. (2017). ILO warns of rise in social unrest and migration as inequality widens. Retrieved May 03, 2017, from <https://www.theguardian.com/business/2017/jan/12/ilo-warns-of-rise-in-social-unrest-and-migration-as-inequality-widens>

Barry, B. (1995). Justice as impartiality. A treatise on social justice, Volume II. *Oxford University Press Inc*, New York.

Bouteillet-Paquet, D. (2003). Passing the Buck: a critical analysis of the readmission policy implemented by the European Union and its Member States. *European Journal of Migration and Law* 5.

Brocza, S. & Paulhart, K. (2015). EU mobility partnerships: a smart instrument for the externalization of migration control. *European Journal of Futures Research*, 3(15). DOI: 10.1007/s40309-015-0073-x

Carling, J. (2002). Cape Verde: Towards the End of Emigration? *Migration Policy Institute*. Retrieved June 15, 2017, from <http://www.migrationpolicy.org/article/cape-verde-towards-end-emigration>

Carrera, S., den Hertog, L., Parkin, J. (2012). EU Migration Policy in the wake of the Arab Spring. What prospects for EU-Southern Mediterranean Relations? *MEDRO Technical Report, CEPS Paper, No. 15*.

Carrera, S., Cassarino, J.P., El Quadim, N., Lahlou, M., den Hertog, L. (2016). EU-Morocco Cooperation on Readmission, Borders and Protection: A model to follow? *CEPS Paper, No. 8*.

Cassarino, J.P. (2010). Unbalanced Reciprocities: Cooperation on Readmission in the Euro-Mediterranean Area. *The Middle East Institute*. Washington.

Cassarino, J.P. & Lavenex, S. (2012). EU Migration Governance in the Mediterranean Region: The promise of (a balanced) partnership? *IEMed Mediterranean Yearbook, Med.2012*, 9, 284-288.

Cassarino, J.P. (2014). A Reappraisal of the EU's Expanding Readmission System. *The International Spectator: Italian Journal of International Affairs*, 49:4, 130-145. DOI: 10.1080/03932729.2014.954184

Chou, M. & Gibert, M. (2012). The EU-Senegal mobility partnership: from launch to suspension and negotiation failure. *Journal of Contemporary European Research*, 8 (4) 408-427.

Council of the European Union. (2008). Joint Declaration on a Mobility Partnership between the European Union and the Republic of Cape Verde. 9460/08. COAFR 150. COEST 101.

Crépeau, F. & Purkey, A. (2016). Facilitating Mobility and Fostering Diversity. Getting EU Migration Governance to Respect the Human Rights of Migrants. *CEPS Paper, No. 92*.

Dabo, B. (2009). Sénégal: Financement de projets de migrations-Ces 4 millions d'euros de l'UE que le Sénégal ne veut pas. *Sud Quotidien*. Retrieved June 21, 2017, from <http://fr.allafrica.com/stories/200905200504.html>

Embassy of the Republic of Cape Verde in Brussels. (n.d.). Partnership for Mobility. *Official Website*. Retrieved June 19, 2017, from <http://www.embcv.be/fr/cabo-verde/cooperacao-com-a-uniao/a-parceria-para-a-mobilidade>

European Commission. (2007a). Circular migration and mobility partnerships between the European Union and third countries. MEMO/07/197.

European Commission. (2007b). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. On circular migration and mobility partnerships between the European Union and third countries. COM(2007) 248 final.

European Commission. (2011a). The Global Approach to Migration and Mobility. COM(2011) 743.

European Commission. (2011b). Evaluation of EU Readmission Agreements. COM(2011) 76 final, 23.2.2011.

European Commission. (2011c). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. Communication on migration. COM(2011) 248 final.

European Commission. (2015). Communication from the Commission to the European Parliament and to the Council. Action Plan on return. *COM (2015) 453*.

European Commission. (2016). Return & readmission. Retrieved May 03, 2017, from https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en

European Council. (2015). European Council meeting (25 and 26 June 2015) – Conclusions. EUCO 22/15. CO EUR 8. CONCL 3.

European Council. (2017a). Informal meeting of EU heads of state or government. 3 February 2017 in Malta. Press Release. Press office - General Secretariat of the Council. Retrieved May 05, 2017, from http://www.consilium.europa.eu/en/meetings/european-council/2017/02/Background-FINAL_pdf/

European Council. (2017b). Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route. Press Release. *No. 43/17*, (03/02/2017).

European Union. (2010). Consolidated Version of the Treaty on the European Union and the Treaty on the Functioning of the European Union. Retrieved June 28, 2017 from <http://eur-lex.europa.eu/collection/eu-law/treaties.html>

European Union. (2013). Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union. *Official Journal of the European Union*. Document 22013A1024(01).

- FRONTEX. (2017a). Africa- Frontex Intelligence Community Joint Report 2016. *Africa-Frontex Intelligence Community*. Retrieved May 03, 2017, from http://frontex.europa.eu/assets/Publications/Risk_Analysis/AFIC/AFIC_2016.pdf
- FRONTEX. (2017b). Detections of illegal border-crossings statistics download (updated monthly). Retrieved June 19, 2017, from http://frontex.europa.eu/assets/Detections_of_IBC_Press_for_FX_website_20170505.xlsx.
- Gerring, J. (2012). *Social science methodology. A unified framework*. 2nd edition. Cambridge, New York: *Cambridge University Press*.
- Gibert, M. V. (2011). The New European Security Architecture: An Example of “Messy Multilateralism”?, in *T. Chafer & G. Cumming (eds), From Rivalry to Partnership? New Approaches to the Challenges of Africa*, Aldershot: Ashgate, pp. 179-194.
- Gonzalez-Garcia, J., Hitaj, E., Mlachila, M., Viseth, A., Yenice, M. (2016). Sub-Saharan African Migration - Patterns and Spillovers. *International Monetary Fund. Publication Services*.
- IOM. (2014). Cape Verde: Migration Activities. IOM Homepage. Retrieved June 18, 2017 from <https://www.iom.int/countries/cape-verde>
- IOM. (2015). Irregular Migrant, Refugee Arrivals in Europe Top One Million in 2015: IOM. Retrieved May 02, 2017, from <https://www.iom.int/news/irregular-migrant-refugee-arrivals-europe-top-one-million-2015-iom>
- IOM. (n.d.). Senegal: Migration Activities. IOM Homepage. Retrieved June 20, 2017 from <https://www.iom.int/countries/senegal>
- Kehoane, R. (2006). The Contingent Legitimacy of Multilateralism. *Garnet Working Paper, No: 09/06*.
- Lauterpacht, E., Betlehem, D. (n.d.). The scope and content of the principle of non-refoulement: Opinion. *UNHCR. The UN Refugee Agency*. Retrieved on June 27, 2017 from <http://www.unhcr.org/publications/legal/419c75ce4/refugee-protection-international-law-scope-content-principle-non-refoulement.html>
- Lavenex, S. (2006). Shifting up and out: The foreign policy of European immigration control. *West European Politics, 29:2, 329-350*, DOI: 10.1080/01402380500512684
- Lavenex, S., Panizzon, M. (2013). Multilayered Migration Governance: The Partnership Approach in the EU and Beyond. *United Nations Research Institute for Social Development*. Switzerland.
- Lavenex, S., Schimmelfennig, F. (2009). EU rules beyond EU borders: theorizing external governance in European politics. *Journal of European Public Policy, 16:6, 791-812*, DOI: 10.1080/13501760903087696
- Lavenex, S., Stucky, R. (2011). 'Partnering' for migration in EU external relations. In: Kunz, R., Lavenex, S. and Panizzon, M. (eds.): *Multilayered Migration Governance. The promise of partnership*. London: Routledge, pp. 116-142.
- Lavenex, S., Wichmann, N. (2009). The External Governance of EU Internal Security. *Journal of European Integration, Vol. 31(1)*, pp. 83-102.

Migration Policy Institute. (2016). Moving Europe Beyond Crisis. Retrieved May 02, 2017, from <http://www.migrationpolicy.org/programs/moving-europe-beyond-crisis?gclid=CMinmf6e0dMCFU0aGwodnysKJw>

Mill, J. S. (2002). A System of Logic. *University Press of the Pacific*. Honolulu.

Ministry of Foreign Affairs and European Integration of the Republic of Moldova. (2012). The European Union-Republic of Moldova Mobility Partnership 2008–2011: Evaluation Report. Retrieved June 06, 2017, from <http://www.mfa.gov.md/img/docs/eu-moldova-mobility-partnership-evaluation.pdf>

Panizzon, M. (2012). Readmission Agreements of EU member states: A case for EU subsidiarity or dualism? *Refugee Survey Quarterly*, Vol. 31, No. 4, pp. 101–133, DOI: 10.1093/rsq/hds014

Pina-Delgado, J. (2013). The Current Scheme to Manage Migration between Europe and Cape Verde: Promoter of Development or Tool for Border Closure? *Popul. Space Place* 19, 404–414 (2013), DOI: 10.1002/psp.1781

Plate-forme des acteurs non étatiques. (2009). Inertie sur le problème de l'emigration clandestine: L'Union Européenne tance le Sénégal. Retrieved June 20, 2017 from <http://www.plateforme-ane.sn/INERTIE-SUR-LE-PROBLEME-DE-L.html>

República de Cabo Verde. (2016). Programa do governo. IX legislature. Retrieved June 15, 2017, from http://www.governo.cv/images/Programa_do_Governo_da_IX_Legislatura_2016-2021.pdf

Reslow, N. (2010). Migration and Development? An Assessment of Recent EU Initiatives. *Journal of Contemporary European Research*. Volume 6, Issue 1, pp. 3-21.

Reslow, N., Vink, M. (2015). Three-Level Games in EU External Migration Policy: Negotiating Mobility Partnerships in West Africa. *Journal of Common Market Studies*, Volume 53. Number 4, pp. 857 –874, DOI: 10.1111/jcms.12233

Roig, A., Huddleston, T. (2007). EC Readmission Agreements: A Re-evaluation of the Political Impasse. *European Journal of Migration and Law*, Vol 9, pp. 363-387, DOI: 10.1163/138836407X190433

Ruggie, J. (1993). Multilateralism Matters: The Theory and Praxis of an Institutional Form. New York. *Columbia University Press*, 479pp. in *Millennium - Journal of International Studies*, 23:183 (1994), DOI: 10.1177/03058298940230010925

Saponotícias. (2017). Cabo Verde e União Europeia almejam reforçar a parceria especial no domínio da mobilidade. March 08, 2017. Retrieved June 19, 2017 from <http://noticias.sapo.cv/info/artigo/1499278.html>

Schramm, W. (1971). Notes on Case Studies of Instructional Media Projects. Working Paper. *Stanford University, Calif. Inst. for Communication Research*. 43p.

Soy, S. K. (1997). The case study as a research method. *Unpublished paper, University of Texas at Austin*.

Strik, T. (2010). Readmission agreements: a mechanism for returning irregular migrants. Report - Committee on Migration, Refugees and Population. Council of Europe. Doc. 12168.

The World Factbook. (n.d.). Cabo Verde. Central Intelligence Agency. Retrieved June 16, 2017, from <https://www.cia.gov/library/publications/the-world-factbook/geos/cv.html>

The World Factbook. (n.d.). Senegal. Central Intelligence Agency. Retrieved June 19, 2017, from <https://www.cia.gov/library/publications/the-world-factbook/geos/sg.html>

Trauner, F., Kruse, I. (2008). EC Visa Facilitation and Readmission Agreements: Implementing a New EU Security Approach in the Neighbourhood. *CEPS Working Document, No. 290*.

UN/DESA. (2015). Workshop on strengthening the collection and use of international migration data for development. Dakar, Senegal, September 08-11, 2015. Factsheet. Retrieved June 20, 2017, from http://www.un.org/en/development/desa/population/migration/events/other/workshop/2015/docs/Workshop2015_Senegal_Migration_Fact_Sheet.pdf

Van Criekinge, T. (2010). The EU-Africa migration partnership: A case study of the EU's migration dialogue with Senegal and Ghana. EUI Migration Working Group. *European University Institute*, Florence.

Wolff, S. (2014). The Politics of Negotiating EU Readmission Agreements: Insights from Morocco and Turkey. *European Journal of Migration and Law* 16, pp. 69-95, DOI: 1_1163/15718166-00002049

World Bank. (n.d.). Sub-Saharan Africa. Retrieved May 05, 2017, from <http://data.worldbank.org/region/sub-saharan-africa>

Wunderlich, D. (2012). The limits of external governance: implementing EU external migration policy. *Journal of European Public Policy*, 19:9, 1414-1433, DOI: 10.1080/13501763.2012.672106

Yin, R. (2009). Case Study Research. Design and Methods. 4th ed. *SAGE Publications*.