

## 2. Executive Summary

### *Research Plan*

Although states all over the world are increasingly recognizing the pressure for cooperative approaches to the management of migration flows, attempts to promote such approaches at the global level have received only lukewarm support at best. The absence of an international regime regulating states' responses to economic migration has thus been often mentioned and sometimes deplored (e.g. Bhagwati 2003, Ghosh 2000, Helton 2003, Hollifield 1998, Trachtman 2009). In contrast to the flow of goods and finance, where states have established strong international institutions to coordinate their market-based policies, no parallel development has taken place with regard to the international mobility of persons. With the exception of the international regimes for labour rights and refugees, which have their origins in the inter-war period, and the more recent multilateral framework for liberalizing the temporary movement of a narrowly defined segment of migrant workers in the World Trade Organization/General Agreement on Trade in Services (WTO/GATS), states have been very reluctant to regulate and liberalize international migration through multilaterally binding norms.

The fact that states have circumvented, or at least moved away from, the internationalist model of formal multilateral cooperation based on binding international norms does not mean, however, that international migration today is free of international governance. On the contrary, a multitude of international norms and cooperation arrangements have proliferated over recent years. These islands of migration governance have evolved at different levels of government, with different scopes. At the multilateral level, some normative evolution has taken place embedded in other sectoral regimes, such as for example the rules on the mobility of service providers in the General Agreement on Trade in Services (GATS) or on the rights of migrant workers in the International Labour Organisation and the 1990 UN Convention on the Rights of Migrant Workers and their Families. A more dynamic evolution has occurred at the regional level within regional economic cooperation frameworks (apart from the EU for example NAFTA, Ecowas, Comesa, Mercosur etc.) and in trans-regional cooperation between regions of immigration and regions of emigration and transit, institutionalised in so-called Regional Consultative Processes (RCPs). While some of these arrangements are more narrowly focused on either trade-related migration issues or matters relating to security and migration control, there is an increasing trend towards linking the various aspects of immigration policy in comprehensive packages comprising trade, labour, security and development aspects. This trend is most pronounced at the bilateral level where innovative forms of migration governance have been devised under the label of 'migration partnerships' between receiving and sending countries of migrants. The notion of 'partnership' is thereby an expression of a new approach towards international migration governance which promises to find 'win-win-win' solutions that benefit all parties, the sending and receiving countries and the migrants alike.

The emergence of these new frameworks of cooperation is embedded in broader trends promoting the notion of ‘partnership’ in international relations discourses, also beyond the area of migration. At the international level, the Global Commission on International Migration (GCIM 2005) and the Berne Initiative and the International Agenda for Migration Management (IAMM 2004) were at the forefront of promoting the notion of partnership, as illustrated in the following statement from the IAMM Chairman’s Report, which states that the goal ‘is to work effectively together in partnership to manage migration so as to reduce its negative impacts and maximize its beneficial impacts’ (International Agenda for Migration Management 2004). The notion of partnership has also been promoted through EU Mobility Partnerships, Swiss Migration Partnerships, or US-Mexico Border Partnerships.

The objective of this research project was to examine the role of bilateral migration partnerships in international migration governance. The main question that this project addressed was: How is the concept of partnership deployed in discourse and realised in practice in the field of migration governance, particularly in the context of EU, Swiss and US migration policies? Given the pre-eminence of mainly unilateral and repressive migration policy approaches in the past, our main purpose was to understand how far the turn towards migration partnerships represents a genuine change in the governance of international migration in the sense of a more balanced and truly cooperative approach, and how these bilateral instruments fit into the broader architecture of global migration governance. Moreover, we also analysed the different types of migration partnerships in different contexts, regarding actors and scope.

To address these questions, we first investigated the global context of migration governance and carried out three case studies of bilateral migration partnerships: EU Mobility Partnerships with Cape Verde, Georgia and Moldova; Swiss Migration Partnerships with Bosnia and Herzegovina and Serbia; and US migration cooperation with Mexico. For each case, we first conducted a frame analysis of the ways in which the notion of partnership is being used in the official discourse on migration cooperation. For this purpose, we selected relevant official documents for each case and coded them using the software ATLAS.ti. Secondly, using policy documentation and expert-interviews, we examined the ways in which ‘partnerships’ are being implemented in each case, how far the actual contents of this cooperation matches the ideas set out in official discourse, and what the implications are in terms of the ways in which migrants and migration processes are being governed and of the interaction and power relations between the participating ‘partners’.

### *Results*

The overall finding of our research is that while there has been a general move

towards adopting the notion of ‘partnership’ in the field of international migration governance, the ways in which this notion is used varies strongly according to the context and has led to various institutional forms of implementation. Notwithstanding differences between the case studies, a ‘partnership discourse’ has emerged that is based on the assumption that migration can be addressed in a spirit of cooperation between all affected countries, based on a belief in win–win approaches to international migration, and the notion of shared responsibility for migration management. This discourse has often been denounced as empty rhetoric or business as usual. Yet, our research finds that regardless of its ‘truthfulness’, this discourse has a powerful influence on migration management, through the socialisation of sending countries to manage migration. Thereby, these countries reform their migration legislation and establish new institutions in order to take their share of the responsibility to better manage migration and borders.

Compared to the policy discourse implementation of the corresponding bilateral migration or mobility partnerships has taken longer to materialise. The fact that the EU concluded the corresponding Memoranda of Understanding with its partners only in 2008/2009 and Switzerland in 2009 constituted the challenge of ‘moving targets’ for our research. In the case of the US, the turn towards partnerships manifested itself in a series of more specific and partial initiatives towards Mexico starting in 2001. As a consequence, our assessment of the actual change involved in the practice of migration governance due to the conclusion of migration partnerships is necessarily limited to the early phases of implementation. In sum, our findings suggest the prevalence of basic asymmetries in migration policies in all the three cases, with a continuity of the repressive focus, the near absence of new opportunities for legal immigration and only tentative progress in ‘nexing’ migration management with development goals. In terms of the substantive scope of partnerships expected in our research proposal, this points at the predominance of so-called ‘*focused partnerships*’ that were defined as concentrating on limited aspects of mutual interest such as the link between return and the management of migrant remittances. In terms of our second aspect of comprehensiveness, the diversity of actors involved in migration partnerships and the horizontality of relations, we find true efforts to widen the number of participating departments in particular in Switzerland and the EU. On the sending countries’ side, the implementation of migration partnerships tends to empower certain sections of the administration, in particular those dealing with EU affairs and internal security, over others. While in the US – Mexican case, we find considerable involvement of private actors, non-state actors are nearly absent from the Swiss and EU migration partnerships. The exception for the non-state actors is the IOM, which has been contracted to support the implementation of migration partnerships, but which hardly operates as an independent non-state actor.

In some respects, the adoption of migration partnerships may thus appear as a strategy for destination countries to widen the bargaining agenda in an effort to mobilise leverage for inciting sending countries’ participation in fighting irregular

migration. But there is also evidence for institutional dynamics within the framework of migration partnerships. Given their process-orientation, the establishment of regular platforms for dialogue and exchange and the openness for new projects for cooperation, once institutionalised, migration partnerships may develop a momentum of their own, eventually evolving into a more co-owned and hence more symmetric mode of cooperation. Yet, the power implications of migration partnerships are very complex.

In the final part of our project, we interpreted the role of bilateral migration partnerships in the broader context of international migration governance and the fragmented architecture of multilateral, regional and trans-regional cooperation processes. Our findings show that migration partnerships interact in multiple ways with other elements of this architecture. In some respects, all our three cases show that dialogue within mobility or migration partnerships serves as a trust-building exercise designed to socialize participants in a common perception of the challenges imposed by international migration. This trust basis then offers fertile ground for the adoption of more far-reaching and legally binding commitments, such as readmission agreements.

The rhetoric of ‘partnership’ in this context acts to mask the profound asymmetry of interaction between the receiving, sending and transit countries. While the ‘partnership’ discourse sustains a widening of the agenda of cooperation with a view to creating potential ‘win–win–win’ solutions benefiting all countries and the migrants alike, this discourse suggests a commonality between ‘north’ and ‘south’ that masks and reproduces deep underlying antagonisms. Alongside the institutionalization of transgovernmental cooperation between homogeneous professional groups such as border guards in regional or bilateral cooperation frameworks, the partnership discourse thus helps to de-politicize the question of international migration regulation and reframes it in more technocratic terms as a question of joint migration management.

We also find that migration partnerships – intentionally or not – fulfil other purposes than those associated with bilateral cooperation proper. In both the Swiss and the EU case, these instruments yield or are used to yield significant reorganisations of the internal administrative apparatus dealing with migration policy. In Switzerland, migration partnerships are at the core of the attempt to ensure coordination of all relevant public offices and departments through the so-called ‘whole of government’ approach. In the EU, mobility partnerships constitute platforms for the greater vertical coordination between member states’ and EU external migration policies as well as horizontally between relevant Directorates General of the Commission and the Council of Ministers. In both cases, these internal reorganisations seem to go along with a greater foreign policy influence for the offices dealing with justice and the interior, and, in the EU, the respective Directorate General in the Commission.

*Practical applications, policy recommendations and further research*

The findings of our research suggest a number of recommendations:

- The coordination effort required for realising the comprehensive potential associated with migration partnerships is considerable, both internally for the participating partners and in their mutual relations. A successful implementation of the 'win-win-win' agenda envisaged thus relies on very significant administrative and financial resources. The decision not to do so is likely to yield 'capabilities-expectations gaps', with negative consequences for mutual relations and the governance of international migration.
- Although the 'win-win-win' agenda suggests that diasporas and migrant organisations are involved in migration partnerships and benefit from migration management, they seem to be largely missing in the initiatives we analysed. Existing efforts under way to include migrants often tend to instrumentalise migrants for migration management purposes. There is a need for more research on innovative ways of approaching and including migrant organisations in migration policy making.
- Linked to the previous point, we observe the absence of a migrant rights perspective in the discourse on migration partnerships.
- Our project has mainly focused on the perspective of destination countries. Yet, as mentioned above, migration partnerships have led to numerous legislative and institutional transformations in the sending countries. Hence, future research should focus more strongly on the perspective of the sending countries, their expectations from such cooperation frameworks as well as the implications of such partnerships on their own approach towards international migration.

*Publications and activities*

During the course of this research project, we participated in a number of conferences and workshops in order to discuss preliminary findings and hypotheses. These include the Workshop *Swiss Migration – and the EU Mobility Partnerships: Unveiling the Promise* (12-13 December 2008, World Trade Institute of the University of Bern); *International Studies Association Annual Convention* (15-18 February 2009, New York); *Conference on Preparing the Stockholm Programme: A Strategic Agenda for Freedom, Security and Justice* (4-5 March 2009, Collège d'Europe, Bruges); *ECPR Joint Session* (14-19 April 2009, Lisbon); *IMISCOE Annual Meeting* (9-11 September 2009, Stockholm); *ECPR SGIR 7<sup>th</sup> Pan-European Conference* (9-11 September 2010). A central step in the dissemination of our research and in promoting dialogue with stakeholders was the organisation of a workshop on *Migration Partnerships as an element of international migration governance: Case studies in Switzerland, the European Union and the Americas*, held on 25 September 2009, at the University of Lucerne. Workshop participants included representatives from international organisations (IOM, UNHCR), the

Swiss federal administration, NGOs, as well as leading international academics working on the topic. Funding of this workshop from the Forschungskommission of the University of Lucerne is gratefully acknowledged. Based on the papers presented at this conference, we elaborated a book project for an edited volume entitled *Migration and Mobility Partnerships: Unveiling the Promise?*, to be published by Routledge in spring 2011. Project findings and the book will also be presented at upcoming international conferences, i.a. the European Union Studies Association EUSA in Boston in March 2011. We are also co-organizing with Marion Panizzon a book launch event to take place in Spring 2011 at the World Trade Institute in Berne, bringing together a number of authors of the edited volume. This event will be an opportunity to further disseminate our research findings.

The results of this research project are published in a number of working and journal papers, as well as the forthcoming edited volume and a number of draft papers to be submitted to international scholarly journals (see publication list below). We are also working on a monograph centering on the role of bilateral migration partnerships in the global governance of international migration and a number of articles to be submitted to scholarly journals. Project results also feed into a review article for the Handbook of International Relations that Sandra Lavenex is co-authoring with Gallya Lahav (State University of New York at Stony Brooks), see below.

*List of publications:*

- Kunz, R. (2010) 'Mobilising Diasporas: A governmentality analysis of the case of Mexico', *Glocal Governance and Democracy Series Working Paper 3*, University of Lucerne. Available online: [http://www.unilu.ch/eng/workingpapers\\_287648.aspx](http://www.unilu.ch/eng/workingpapers_287648.aspx). (To be published in 2011 in an edited volume on 'The diffusion of Authority in International Relations', edited by Stefano Guzzini and Iver Neumann, Palgrave.)
- Kunz, R. (forthcoming 2011) 'Depoliticization through partnership in the field of migration: the Mexico–US case', in Kunz, R., Lavenex, S. and Panizzon, M. [eds] *Migration and Mobility Partnerships: Unveiling the Promise?* Routledge.
- Kunz, R. 'The Performative Power of the Partnership Discourse in International Migration Governance', paper to be presented at the ISA Convention in Montreal, March 2011 (and to be submitted to an academic journal)
- Kunz, R., Lavenex, S. und Nellen, R. (August 2009) '*Partnering for Migration*' *The Discursive Construction of 'Migration Partnerships' in the EU, the US and Switzerland*. Working Paper.
- Kunz, R., Lavenex, S. and Panizzon, M. (forthcoming 2011) 'Introduction: Governance through partnerships in international migration', in *ibid* [eds] *Migration and Mobility Partnerships: Unveiling the Promise?* Routledge.

- Lahav, G. and Lavenex, S. (forthcoming 2012), International Migration, in *Walter Carlsnaes, Thomas Risse and Beth Simmons* (eds.), *Handbook of International Relations*, London: Sage.
- Lavenex, S. 'Venue-Shopping in EU external migration policies: multileveling external governance', paper to be presented at the EUSA Biannual Conference, Boston, 2011 (and later submitted for publication to an academic journal).
- Nellen, R. (2008) *Working Paper: EU Mobilitätspartnerschaften: Eine Einführung*. Paper presented at the Workshop on Migration Partnerships in Berne.
- Nellen, R. (September 2009) *Partnering for Migration: The Ambiguous Case of Mobility Partnerships between the EU and selected Third Countries*. Paper presented at the Migration Partnership Workshop in Lucerne.
- Nellen, R. and Lavenex, S. (forthcoming 2011) 'Partnering for migration in EU external relations', in Kunz, R., Lavenex, S. and Panizzon, M. [eds] *Migration and Mobility Partnerships: Unveiling the Promise?* Routledge.