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DIASPORA ENGAGEMENT AND CIRCULAR MIGRATION

A State-of-the Art Review of Policies and Practices in Africa and EU-Africa Relations

A Report Submitted to the Expert Council of German
Foundations on Integration and Migration
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1. INTRODUCTION

The Global Compact for Migration underscores participant states' commitment to "create conditions for migrants and diasporas to fully contribute to sustainable development in all countries." Achieving this objective entails, among other things, the promotion of "migration policies that optimize the benefits of diasporas for countries of origin and destination and their communities…"[1] The global commitment to engage with diasporas represents the culmination of two decades of sustained international consultations and policymaking that form the backbone of the emerging global migration regime. The idea of engaging diasporas to promote development first took shape around the 1994 United Nations International Conference on Population and Development (ICPD) in Cairo. Since then, diaspora engagement policies (DEPs) have been adopted by a growing number of countries across the developing world.

In the specific case of African countries, faced with multidimensional development challenges and important emigration flows, the urging to look at their diasporas as development asset and adopt corresponding engagement policies has been particularly strong and sustained on the part of international organizations and donors. Along with diaspora engagement, the migration-development nexus discourse has also been accompanied by a renewed interest in the idea of circular migration, which is supposed to enhance mobility and rebalance migratory relations in a way supposed to benefit sending and receiving states as well as migrant themselves.

This report offers a substantive review of policies and practices underpinning diaspora engagement and circular migration in Africa and EU-Africa relations. It draws significantly on the results of an interdisciplinary research project on Africa and its global diaspora conducted, under my supervision, by an international team of researchers.[2] It also relies on findings from

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[1] Objective 19 (h)
[2] See Mangala, Jack (Ed), *Africa and its Global Diaspora: The Policy and Politics of Emigration*.

a host of other studies that have provided much needed insights into the complexities of state-diaspora relations as well as the promises and pitfalls of circular migration.[3]

This introductory section will be followed by five other sections. Section 2 of the report puts DEPs into a global context and discusses key scholarly insights regarding the global spread, typology and implications of DEPs. Section 3 focuses on the development and implementation of DEPs in Africa through a succinct analysis of regional, interregional and national frameworks as well as the general lack of feedback and assessment of DEPs. Section 4 discusses circular migration into the broader context of diaspora engagement. It highlights definitional ambiguities surrounding circular migration and interrogates the conceptual linkages between circular migration and diaspora engagement before offering an assessment of circular migration in EU-Africa relations through a close examination of two case studies. Section 5 pulls all the above threads together in a summative conclusion. A bibliography is provided in section 6.

2. DIASPORA ENGAGEMENT POLICIES: GLOBAL PERSPECTIVES AND SCHOLARLY INSIGHTS

By underscoring the migration-development nexus, the 1994 ICPD set in motion a powerful phenomenon that has led to the global spread of DEPs. Understanding the drivers of this global policy diffusion, classifying DEPs and reflecting on their implications are the main objectives of this section.

2.1. Global Spread of DEPs

In its final report, the ICPD urged "more effective use…of the potential contribution that expatriate nationals can make to the economic development of countries of origin" as well as "more cooperation between countries of origin and countries of destination in order to maximize the benefits of migration."[4] The call to engage with diasporas only grew stronger in subsequent years. It was espoused, echoed and amplified by a wide range of international development organizations, conferences and actors, thus fostering a shared and mantric sense of optimism about diasporas and development that will profoundly impact the global

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[3] See, *inter alia*, Gamlen, Alan, *Human Geopolitics*; Sarah Langley and Clara Alberola, *Independent Evaluation of the Mobility Partnerships Between the European and Cape Verde*, Georgia and Moldova.
[4] International Conference on Population and Development, *Toolkit for Women*, p. 105.

diffusion of DEPs.[5] It is important to note that only forty-one states had diaspora institutions in 2000. In 2015, this number had jumped to 118 states. From a marginal and isolated practice in the 1990s, engaging with diasporas has become a key policy and normative feature of the emerging international migration regime. What are the factors and particular dynamics and processes that have contributed to the global diffusion of DEPS?

In the absence of a global migration governance and in light of the concerns about migration stemming from the 9/11 terrorist attacks, UN Secretary General Kofi Annan decided to jumpstart a new round of global consultations that culminated in the adoption of the Global Compact for Migration in Marrakesh in 2018. Mr. Annan's decision to put migration on top of the international agenda led to the establishment of the Global Commission on International Migration (GCIM) in 2003.

Following the publication of the GCIM's report in 2005, Mr. Annan's diplomatic and institutional wisdom to adopt a soft strategy and evolutionary approach to the critical and sensitive question of global migration proved to be instrumental in laying the groundwork for a new migration regime.[6] This soft strategy and evolutionary approach entailed the pursuit of international dialogue on migration through an informal, non-binding platform open to all UN members to exchange best practice, build, consensus, and evolve a shared agenda. This has been the core principle that has guided the work of a series of annual Global Forum on Migration and Development (GFMD) following the UN General Assembly first High-level Dialogue (HLD) on Migration and Development in September 2006. The migration-development nexus in general, and the idea of diaspora engagement in particular, have dominated these global fora since the first meeting in 2007 in Belgium. A host of international organizations, chief among them the International Organization of Migration (IOM) and the World Bank, have played a central role in amplifying the migration-development message and stressing the imperative of diaspora engagement policies.[7] The resources allocated by these organizations and others to the promotion of diaspora-led development initiatives has

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[5] Kapur, Devish, "Remittances: The New Development Mantra?"
[6] Gamlen, Alan, *Human Geopolitics*, p.196.
[7] See Dilip, Ratha, and all, *Leveraging Migration in Africa*; Ratha, Sonia, and Dilip, Ratha, *Diaspora for Development in Africa*.

led the growth of a "diaspora engagement industry" which is made of "NGOs, consultants, think tanks, and other professional expert offering technical advice on the issue."[8] Altogether, the various GFMD, international organizations and a burgeoning diaspora engagement industry have been influential in the global spread of diaspora engagement models and best practices through a dual process of benchmarking loops and recursive modeling that reflects UN Secretary General Annan's soft strategy and evolutionary approach.[9] This dual process warrants further explanation.

Benchmarking loops represents a key dynamic underlying the global spread of DEPs by which "Rather than being imposed coercively, the models and best practices of diaspora engagement being traded, adapted, and adapted globally—through international forums and professional consultants—are derived and distilled from specific national experiences, held up as exemplars."[10] Globally, Israel, India and the Philippines are cited as models to emulate. In Africa, the experiences of countries like Ghana, Kenya, Rwanda, Ethiopia and Senegal that have constructive engagements with their nationals are often recommended to countries considering similar policies.[11] Of particular significance in the benchmarking process has been the endorsement of a particular country model of diaspora engagement by an international organization or other recognized expert. India and the Philippines' diaspora engagement policies have thus been endorsed by representatives of international organizations and experts during global consultations on migration and development. [12] According to Gamlen, one benefit of benchmarking loops (recommendation and endorsement of DEPs) is "to provide cover for innovators: policy makers can claim that what they are doing has a successful precedent elsewhere, which then provides a licence for experiment."[13]

Another dynamic that has contributed to the global spread of DEPs is recursive modelling, which refers to the "process of diaspora policy trade and exchange." Whereas benchmarking

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[8] Gamlen, Alan, *Human Geopolitics*, p.212.
[9] Idem, p.229-239.
[10] Idem, p.229.
[11] Mwansa, Gracewell, *The Zambian Diaspora Engagement with the Homeland*.
[12] Comments by Rainer Munz and Irena Omelaniuk, two moderators at the June 2013 Diaspora Ministerial Conference in Geneva. See Gamlen, Alan, *Human Geopolitics*, p.231.
[13] Gamlen, Alan, *Human Geopolitics*, p.235.

loops involves policy recommendation or endorsement on the part of international organizations and experts, recursive modelling entails the shaping of state policy not through recommendation or endorsement but through the use of international fora such as the GFMD that provide a platform for countries to present their experiences as models for other participants to emulate. Recursive modeling underpinned the launching of the GFMD by Secretary General Annan in 2006. The GFMD was intended, among other things, to facilitate the exchange of best practices, including 'engaging diasporas'.[14] Many governments have thus been eager to showcase their diaspora engagement efforts and, in the same process, seek international approval as model states. Supported by international organizations such as the IOM, recursive modelling has proven to be an effective process in the global standardization of DEPs, leading to a constant evolution of diaspora engagement models and best practices adopted and adapted by states to their local conditions. In light of states practices and the evolution of DEPs over the past decade, we will now attempt a typology.

2.2. Typology of DEPs

A broader argument about the nature of DEPs underscores two important points. First, DEPs should not necessarily be seen as part of a unitary, coordinated state strategy. Rather, they often comprise an array of institutional and legislative measures and programs that operate across different levels within home-states. Within this context, the term 'policy' is therefore applied somewhat loosely. Second, and more importantly, these measures and programs are often coordinated so as to (re) produce citizen-sovereign relationships with expatriates as part of an attempt, by the home-state, to transnationalize governmentality through the projection and exercise of power over its citizens living abroad. In the absence of coercive home-state powers over non-resident citizens, a situation referred to as 'thin sovereignty', DEPs seek fundamentally to render governable, through various measures and programs, citizens that have elected to call another state 'home' and are thus, in many respects, beyond the reach of the territorial sovereign.

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[14] Annan, Kofi, Address to the High-Level Dialogue of the United Nations General Assembly on International Migration and Development, New York, 14 September , 2006, p. 965.

In light of this central argument about the transnationalization of governmentality, a comparative review of DEPs identifies three high-level of diaspora engagement policy that seek respectively to build capacity, extend rights to the diaspora, and extract obligations from the diaspora.

2.2.1. Capacity Building

The capacity of a home-state to fully engage with the diaspora is contingent upon the existence of a cohesive transnational community and the nurturing, by the home state, of a common and state-centric national identity among this community. It is also contingent upon the institutional capacity of the home-state to engage in transnational governmentality. Capacity building therefore includes a range of initiatives, measures and policies aimed at symbolic nation-building and institutional building. The former is comprised of measures and policies intended to "increase emigrants' sense of belonging to a transnational community of co-nationals, and to boost the profile of the state within this community."[15]Establishing or supporting programs to teach national language and history among diaspora populations, supporting the observance of national celebrations and cultural events within diaspora communities, as well as media and other communication strategies aimed at shaping public opinion among and mobilizing the diaspora are among the many measures that contribute towards symbolic nation-building whose ultimate goal is "to produce a communal mentality amongst non-residents; a sense of common belonging to the home-state that renders expatriates governable."[16]

Institutional building, on the other hand, is intended to equip the home-state with the requisite bureaucratic instruments and systems in governing the diaspora. A mapping exercise of the diaspora, the strengthening of consular services, the creation of diaspora consultative organizations, as well as the establishment of dedicated government offices (in the form of diaspora departments and increasingly fully fledged diaspora ministries) are the most common institutional-building measures intended to upscale the home-state diaspora governmentality.

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[15] Gamlen, Alan, *Diaspora Engagement Policies*, p.6
[16] Idem, p.8.

When considering the functions of diaspora institutions, it is possible to distinguish three categories of functions. Embracing functions include, for example, providing legal protection for emigrants, protecting their rights, welfare, and interests; maintaining networks and links, and assisting with cultural education, training and employment for emigrants. Tapping functions are most common in Africa where diaspora engagement has closely been linked to national economic development strategies. They focus, among other things, on remittances, investment and philanthropic donations from the diaspora, skills transfer and the facilitation of return and reintegration. Lastly, governing functions include policy advice, policy development, policy implementation, database registration and maintenance, and support for inter-governmental cooperation.

2.2.2. Rights extension

Extending rights to members of the diaspora represents a key feature of transnational governmentality by the home-state. However, unlike their domestic counterparts that enjoy the full range of civil, political and social rights associated with citizenship, the rights extended to nationals abroad are often very limited in nature and scope. As Gamlen obverses, "States perceive risks in extending…rights to emigrants. Fear of the exile vote deters many home-states from extending political rights, financial costs are a disincentive to extending social rights, and fear of interfering in the domestic matters of sovereign host-states makes home-states reluctant to protect 'their' emigrants' civil rights. These fears and deterrents help to explain why these policies are used less frequently than others."[17] When rights are extended, they seek to achieve either the political incorporation of or the provision of civil and social services to emigrants.

It has been argued that to ensure emigrants' goodwill and protect the steady flows of remittances and investments, they must be politically incorporated through a form of 'upgraded membership' that entails a number of political rights in the home-society. It is important to note that very few states grant unconditional and/or permanent voting rights to emigrants, provide dedicated representation to expatriates in the legislative process, or allow them to run for office. Practices vary greatly across the board when it comes to

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[17] Gamlen, Alan, *Diaspora Engagement Policies*, p.10.

politically incorporating emigrants. Measures adopted by home-states range from issuing emigrants with long-term visas or ID cards, extending dual nationality to forgiving certain duties such as compulsory military service.

The legitimacy of a sovereign depends on its ability to guarantee the civil rights of its citizens. Since the fundamental dynamic underpinning DEPs is about the transnationalization of governmentality, home-states try to provide civil and social services to their diasporas. Practices vary greatly in this area with services ranging from labor export, healthcare, assistance with integration, advocacy in taxation to tourism services for expatriates. The provision of civil and social services to emigrants remains one of the least developed areas of DEPs. One key factor restricting this policy area has to do the fear, on the part of home-states, that the provision of civil and social services to emigrants will be constructed as hostile activities by the host-states.[18]

2.2.3. Obligations extraction

The migration-development discourse underpinning DEPs seeks to leverage the development potential of diasporas for the benefit of their home countries. Through a set of measures cultivating a sense of common belonging to the home-state as well policies extending rights to the diasporas, home-states' goal is to generate goodwill and legitimacy in order to facilitate the extraction of obligations from the diasporas for the purpose of national development. In the diaspora-home county relations, leveraging resources from the former remains the latter's top priority. Extracting obligations from the diaspora is therefore a well-developed area of DEPs. This goal is generally pursued through two sets of measures dealing respectively with investment and lobby promotion.

 Investment policies encompass, for example, measures dealing with taxes on expatriates, fees for emigrant workers recruited and deployed through mandatory government programs, remittances and FDI facilitation, diaspora bonds to support infrastructure projects, import and banking privileges, matching fund programs, expatriate seeded venture funds, specific economic zones to attract expatriate investments and knowledge transfer programs.

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[18] Gamlen, Alan, *Diaspora Engagement Policies*, p.12.

It has been argued that home-states have two main incentives to engage with their diasporas: to contain the impact of diasporas on homeland politics, and to mobilize their support as lobbyists within their host societies. [19] With its networks and relationships and, sometimes, political and economic clout in the host country, the diaspora is in a position to influence the host-state decision makers and advocate on behalf of the home country on a wide range of economic and political issues. Encouraging or co-opting emigrants, especially those who occupy prominent or powerful business or political positions, to engage in lobbying and advocacy represents a potential area of friction between host and home states and underscores the implications of DEPs.

2.3. Implications of DEPs

Given their conceptual location in the realm of transnational governmentality, DEPs carry important implications for emigrants, for home-host states relations, and for international migration governance.

2.3.1. For migrants

DEPs are often interpreted as facets of 'external' or 'extra-territorial citizenship'.[20] By seeking to incorporate the diaspora into the state and assert its power over citizens living beyond territorial borders, DEPs redefine and reconfigure what it means to be a member of 'national society.' While some have argued, in the name of the liberal norm of internal non-interference, that DEPs are intrusive in that they violate the right of emigrants to subtract themselves from the authority of their home state, it is generally accepted that this is an outdated and rather narrow view of emigration that doesn't correspond to the fundamental dynamics shaping modern global migration, a phenomenon marked by extensive transnational networks connecting emigrants with their home and home states.

Most emigrants today are not exiles in the historical and traditional sense, they have not necessarily rejected the government of their homeland and, even if they have, they may not have renounced their role in its politics and institutions. Diaspora groups may be actively involved in politics and seeking incorporation into the state system. It is highly questionable

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[19] See Itzigohn, Jose, "Immigration and the Boundaries of Citizenship".

[20] See Baubock , R., *Transnational Citizenship*; Laguerre, M.S., *Diasporic Citizenship: Haitian Americans in Transnational America*

to portray those who have left the country, for a variety of reasons, as 'outsiders' towards whom the home state must maintain a policy of non-engagement. In the final analysis, the coercive power of any DEP is curtailed by the principle of territorial sovereignty which allows emigrants, if they so wish, to avoid any contact with any institutions connected to their homeland.   Any attempt by the home state to engage with the diaspora must be met by an openness and willingness, on the part of emigrants, to equally engage with their homeland. It takes two to tango.[21] While DEPs carry the potential of transnational governmentality, their ability to interfere with citizens living abroad and coercively dictate their conduct is however limited by the territorial sovereignty of the host state.

2.3.2. For host-home state relations

Being directed towards citizens who have elected to avail themselves of the sovereignty of another state, diaspora policies have the potential to impact relations between the host and home state in profound ways. They can become a source of cooperation or tension between the two states. It has been reported that host states have often welcomed diaspora policies in situation where the resulting effect was the provision of additional resources to help with large inflow of migrants. Local and municipal governments, in particular, have welcomed efforts by sending states to provide social services such as health and education to immigrants.

Even though the emerging consensus is that both emigration and immigration states must engage with the diaspora, we have to be cognizant of the fact that DEPs entail a number of political activities (transnational politics, election, political campaign, lobbying, cultivating national identity and belonging) that have the potential, if not well managed, to poison relations between the home and host states by reproducing and exacerbating in the latter some of the political, social, ethnic, ideological and cultural cleavages present in the former. Political tensions between Germany and Turkey during the lead-up to the April 16th 2017 referendum in Turkey offered a vivid illustration of the difficulties and risks of transnational politics involving the political activities of the home state's government in the diaspora.[22]

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[21] See Mangala, Jack, *Diaspora Engagement Policies: It Takes Two to Tango*.
[22] See Oltermann, Philip, "Turkish diaspora in Germany divided on powers for Erdogan," *The Guardian*, March 10, 2017.

While DEPs can bring home-host states closer in dealing with emigrant/immigrant communities, they can also become a point of serious bilateral conflict. Whether or not they lead to conflict and a feeling by the host-state that its sovereignty is being violated by the activities of the home-state in the diaspora ultimately "depends on a wide range of contextual factors within the bilateral relationship."[23] If bilateral relationships are warm enough in other areas, diaspora activities by the home state are less likely to become a point of serious bilateral conflict.

2.3.3. For international migration governance

Lacking an international regime similar to that which applies to areas such as refugee, trade or nuclear proliferation, migration has been, and by and large still remains, one of the weakest areas of global governance. This realization and the challenges posed by international migration were the impetus behind the establishment of the GCIM by Secretary General Kofi Annan in 2003. In its final report, the GCIM's overarching conclusion was that "the international community has failed to realize the full potential of international migration."[24] While cautiously underscoring the fact that "there cannot be a single model for action by states and other stakeholders," the GCIM report reads nonetheless as a universal framework for policymaking intended to "guide and inspire states and the international community in the formulation of effective migration policies at all levels, and to encourage them to capitalize on the opportunities presented by international migration."[25]

Following the GCIM, successive rounds of GFMD would emphasize the importance of DEPs in strengthening the global governance of migration. The Global Compact for Migration, in its Objective 19, reiterates that imperative. Through a decentralized consultation process that emphasized informality and exchanges, the global diffusion of DEPs over the past decades has added a layer of normative power to international migration regime.

Engaging diasporas is warranted from a global efficiency argument which posits that "cooperation in global migration governance is not possible unless the policies of migrant-

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[23] See Delano, Alexandre, "The Politics of the Migrant-Sending State from an International Perspective".

[24] UN Secretary, *Summary of the Report of the Global Commission on International Migration*, UN/POP/MIG-FCM/2005/09. October 13, 2005, 1

[25] Ibid., 2

sending states are addressed at the same time as those of receiving states."[26] As Gamlen notes, "To focus on immigration policy is to see half the picture of global migration governance: every immigrant is also an emigrant, with ties to a society and state of origin…if global policy makers are serious about improving the way migration is governed at the global level, they must find ways of improving how migrant-sending states relate to their diasporas, and reconciling these relationships with migration policies in receiving states."[27] By inserting the missing emigration perspectives into the migration policy paradigm, diaspora policies bring an element of equilibrium into the global governance of migration.

3. DIASPORA ENGAGEMENT POLICIES IN AFRICA

The global diaspora consultations and policymaking discussed in the preceding section have been matched by equally sustained exchanges and policy activities at the regional (AU) and interregional (Africa-EU) levels, paving the way for the adoption of national frameworks for diaspora engagement in many African states, which suffer from a general lack of monitoring and evaluation.

3.1. Regional and interregional frameworks

Over the past decade, a number of key policy documents dealing with the diaspora have been produced by the AU and in the context of Africa-EU interregional cooperation. This section will succinctly capture the essence of these regional and interregional policy making activities as they relate to diaspora engagement.

3.1.1. AU

Since its inception in 2002, the AU has sought to redefine Pan-Africanism by reserving a special place to the global African diaspora in the development of the continent and the building of the Union. The AU's diaspora initiative has led to the adoption of important policy documents that outline, for the first time, the organization's diaspora doctrine as well as the key policies and institutional components of the partnership between Africa and its diaspora. The organization has also called upon its member states to enact diaspora engagement policies aimed at

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[26] Gamlen, Alan, *Why Engage Diasporas*, p. 9
[27] Ibid.

mainstreaming the diaspora in national development plans and strategies, and harnessing the wealth and talents of the global African diaspora.

The first document *African Common Position on Migration and Development* was intended, among other things, "to enable Africa to ensure that its concerns are properly reflected at the Africa/Europe dialogue and other international fora."[28] After noting that "Of the 150 million migrants in the world, more than 50 million are estimated to be Africans (…) and [that] the management of migration has necessarily become one of the critical challenges for states in the new millennium," the AU stresses "the need for a comprehensive and balanced approach to migration taking into account migration realities and trends as well as linkages between migration and other key economic, social, political and humanitarian issues."[29] Resolutely root-cause oriented, this document outlines a set of priority migration-related policies in the areas of development, human resource and brain drain, labor migration, remittances, diaspora communities, peace, security and stability, human right, gender, children and youth, and elderly.

The second document adopted by the AU, *The Migration Policy Framework for Africa*, was intended to provide member states and regional economic communities (RECs) with concrete guidelines and agreed upon principles for an effective management of migration on the African continent.[30] On the issues pertaining directly to the migration-development nexus (diaspora, remittances, and brain drain), the formulations and recommended strategies are quasi identical to those articulated in the *Migration Policy Framework*. This is not surprising giving the fact that the two policy documents were developed concomitantly.

Besides the two aforementioned documents dealing with the general parameters and implications of the migration phenomenon, the AU also pursued a robust policy agenda targeting the diaspora more specifically, which culminated in the adoption of the *Declaration of the Global African Diaspora* by the Global African Diaspora Summit meeting in Sandton, South Africa, in

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[28] AU Executive Council, *African Common Position on Migration and Development*, Banjul 2006, EX.CL/DEC.305 (IX), Preamble.
[29] Idem, Introduction.
[30] AU Executive Council, *The Migration Policy Framework for Africa,* 29 June 2006, EX. CL/ 276 (IX), 2.

2012. After six years of diaspora diplomacy and policymaking, the Declaration sought to operationalize key diaspora policies and strategies outlined by the AU since 2006. Particularly, the Declaration was a response to the criticism leveled against AU's Diaspora Initiative's lack of focus and the absence of a single and unified document around which the various stakeholders could rally. Against this backdrop, the Declaration has been referred to as "the Magna Carta of the Diaspora Process, a fundamental law that would guide the Diaspora Process…"[31]

The Declaration stands as a single document consisting of four main parts. The first is a political Declaration which reiterates the broad objectives of the Union, while highlighting the reasons for including the Diaspora and underscoring the commitments undertaken within this framework as well as the agenda and purpose. The second reads as a Program of Action which outlines specific areas for joint action as well as a set of concrete measures aimed at supporting or enabling progress. Third part focuses on a range of implementation mechanisms and instruments. The fourth and final part identifies a number of priority projects to be undertaken to underscore the practical relevance of the partnership between Africa and its global diaspora. A further discussion of the Declaration's key outcomes is warranted.

In the area of political cooperation pertaining to the diaspora, the Declaration outlines a set of measures and initiatives dealing respectively with intergovernmental cooperation and the mobilization of support and resources for the development of Africa and its diaspora. The Declaration calls, for example, for the strengthening of "the participation of the African diaspora in the affairs of the African Union" as well as for "the contribution of the African diaspora in the strengthening of international partnerships of the African Union."

In the area of economic cooperation, the Declaration lays down a number of actionable items regarding government action to foster increased economic partnership, mobilization of capital, partnership in business, science and technology, knowledge transfer and skills mobilization, infrastructure development, information gathering and dissemination capacity, and climate

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[31] African Union, *Report of the Global Diaspora Summit*, 1; also see Conyeani, "Global African Diaspora Summit: A Monumental Historic Event," The Africa Sun Times, June 1, 2012, http://africansuntimes.com/2012/06/global-african-diaspora-summit-a-monumental-historic-event/

change. Among these items is, for example, the possibility of creating a Development Fund and /or African Diaspora Investment Fund to address development challenges confronting Africans in the continent and the diaspora.

Cooperation in the social area centers around a host of initiatives and ideas addressing issues related to knowledge and education, arts and culture, media and image branding, immigration and human and people's rights. Of particular interest are, for example, ideas regarding the coordination and funding of cultural exchange programs between Africa and the diaspora, and the possibility of establishing an African news network service to enhance image branding and imaging of Africa. This represents, to say the least, a very ambitious program of action.

Cognizant of the imperative of operationalizing AU's diaspora agenda and of "giving practical meaning to the diaspora program and in order to facilitate the post-Summit implementation program", the Declaration identifies five deliverables. These are legacy projects that have been discussed at various stages of the Diaspora Initiative. They include: a) the production of a skills database of African professionals in the diaspora; b) the establishment of the African diaspora volunteer corps; c) the African diaspora investment fund; d) a program on the development marketplace for the diaspora, as a framework for facilitating innovation and entrepreneurship among African and diaspora; and e) the African remittances institute.

Seven years after the adoption of the Declaration, these specific projects are at various stages of implementation. The intent here is not to discuss the implementation process, but simply to identify the policy recommendations and projects that are part of AU's diaspora agenda. Since 2006, the diaspora has also figured prominently on the agenda of a series of migration dialogues within various fora and frameworks that form the complex tapestry of Africa-EU interregional relations.

3.1.2. Africa-EU

Following the Rabat Euro-African Ministerial Conference on Migration and Development and the Tripoli Africa-EU Ministerial Conference on Migration and Development in 2006, Africa-EU interregional consultations on migration reached a watershed moment with the Partnership for Migration, Mobility and Employment (PMME) adopted in the framework of the Joint Africa-EU

Strategy (JAES) at the EU-Africa Summit in Lisbon in 2007. The main impact of this multi-level migration dialogue was a paradigm shift from a security to a root cause approach whose center of gravity is on the migration-development nexus. As noted by the OECD, "By furthering dialogue and co-operation with African partners to implement the global approach, a consensus has emerged—theoretically, if not for the moment practically—on the strategy linking 'migration and development'."[32]

The JAES promotes a set of new approaches intended, *inter alia*, "to encourage the full integration of members of migrant communities/diasporas in their countries of residence, while at the same time promoting and facilitating links with their countries of origin, with a view to providing concrete contributions to the development process."[33] It endorses the concept of "circular migration" as a policy tool in migration management. JAES's vision has been carried out through successive action plans (2008-2010; 2011-2013; 2014-2017) which have emphasized different levels of ambition and outlined various priority actions in the implementation of the PMME.[34] Other important documents, such as the Political Declaration and Action Plan adopted by the Valletta Summit on Migration in 2015 have also contributed to this implementation as well as the emergence of a normative aspect to an otherwise informal policy process.

With particular reference to the diaspora and the question of circular migration, it suffices to mention the commitment, reiterated in various policy documents, to: facilitate mobility and free movement of people in Africa and the EU and better manage legal migration; address the problems of migrants residing in EU and African countries; seek a better integration of African migrants in their respective EU and African countries of residence; enhance mechanisms to facilitate circular migration between Africa and the EU; integrate relevant issues concerning migration, mobility and employment into poverty reduction strategies and country strategy

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[32] OECD, *International Migration Outlook 2008* (Paris: OECD, 2008).

[33] Idem, § 9 i).

[34] Since its adoption in 2007, the JAES has been the subject of number of official progress reports and independent reviews. See, inter alia, Africa-EU Ministerial Troika, *Joint Progress Report on the Implementation of the Africa-EU Joint Strategy and its first Action Plan* (21 November, 2008); *Africa-EU Partnership on Migration, Mobility and Employment: Roadmap-October 2009*; Joint AUC-EC Task Force, *JAES Assessment Report* (9 October 2009); Joint AUC-EC Task Force, *Report of the 10th Meeting* (18-19 March 2010).

papers; facilitate safer, faster, and cheaper remittances; facilitate the mobility of members of the diasporas and/or migrant communities to allow them to act as agents of development; support the establishment of the African remittances institute; support the development and implementation of a diaspora outreach initiative; strengthen policy frameworks for enhancing diaspora engagement [35]

An analysis of the PMME implementation process is beyond the purview of this report. For an account of the implementation of activities and initiatives included in the three aforementioned Action Plans adopted since 2007, the reader may refer to the review reports produced by various JAES structures and other independent organizations, all of which point to key implementation challenges related chiefly to the lack of synergies between various actors and levels of action as well as a growing "political dilution", an institutional dynamic that underscores the fact that the partnership has become, for the most part, subject to a technical and bureaucratic management under the responsibility of various levels of officials and experts while contentious and sensitive issues that must be dealt with in order to strengthen the migration-development nexus in Africa-EU relations remain off the table.[36]

To respond to these concerns and in light of the "sharp increase of refugees, asylum seekers and irregular migrants" to Europe, the 2015 Africa-EU Valletta Summit on Migration sought to revive and refocus the PMME's vision of a co-management of migration flows by adopting a new Joint Action Plan that calls, among other things, for the promotion of diaspora engagement in countries of origin. To achieve this objective, participant states are called on to: develop country specific actions aiming at enhancing the development impact of migrant diasporas, develop diaspora investment models aimed at leveraging migrants' savings for local business

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[35] *JAES Action Plan 2008-2010-Partnership on Migration, Mobility and Employment*, Priority Action 1, Objectives; Fourth EU-Africa Summit, *EU-Africa Declaration on Migration and Mobility*, Brussels, 2-3 April 2014.

[36] See, inter alia, Africa-EU Ministerial Troika, *Joint Progress Report on the Implementation of the Africa-EU Joint Strategy and its first Action Plan* (21 November, 2008); Joint AUC-EC Task Force, *JAES Assessment Report* (9 October 2009); Joint AUC-EC Task Force, *Report of the 10th Meeting* (18-19 March 2010); European Parliament, Directorate-General for External Policy of the Union, *The Implementation of the Joint Africa Europe Strategy: Rebuilding Confidence and Commitments*, EXPO/B/AFET/2013/42.

development as well as a means for boosting local economic development, and enhance their countries' outreach to and knowledge of their diasporas. [37]

3.2.   National frameworks

From the work of the UN GCMD to the High-Level Dialogue on Migration and Development as well as the various rounds of the GFMD that culminated in the adoption of the Global Compact for Migration in 2018, a body of principles, policy recommendations and best practices has emerged on how best to engage with diasporas and leverage them in national development plans and strategies. These principles, recommendations and best practices have been echoed in a number of migration policy documents adopted by the AU and by various consultation frameworks that form the complex tapestry of Africa-EU interregional relations.

This global, regional and interregional policymaking activity outlines a four-step interrelated diaspora engagement process that underscores four major strategic elements to be pursued, at various degrees, by governments of both origin and destination countries. In order to facilitate stronger diaspora involvement in national development, governments must first identify their goals and capacities in relation to the diaspora. Second, governments must endeavor to know the diaspora by mapping its location and characteristics. Third, governments ought to build trust with the diaspora and not simply look it as cash cow. Building trust is predicated on a number of measures such as dual citizenship, active consular networks, explanation of and feedback on government's diaspora policy, and the provision of various services to the diaspora. The fourth and final strategic element is aimed at effectively mobilizing the diaspora as partners for development once the government has undertaken steps 1-3. A set of policy measures has been recommended for effective diaspora mobilization. They range from institutional overhaul, high-profile events involving the diaspora to facilitation of investment.[38]

Against the backdrop of the migration-development mantra espoused by international organizations and donors, every single African country has unveiled some sort of diaspora outreach program over the past decade with various degree of seriousness and focus. The quality

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[37] See 2015 Valletta Summit on Migration, Declaration and Action Plan
[38] See Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*.

and level of diaspora engagement varies greatly across the landscape. When reviewing diaspora engagement in Africa against the aforementioned benchmarks, national frameworks are generally characterized by policy fragmentation, institutional variety, and a lack of monitoring and evaluation.[39]

3.2.1. Policy fragmentation

Policy fragmentation refers to a situation in which a particular policy (in this case diaspora engagement) is dealt with in a dispersed way through a variety of parts each dealing only with an aspect of the policy, thus creating a diluted framework for addressing the problem. Fragmentation tends to lead to a blurred policy as well as incoherencies and contradictions in its implementation. Policy fragmentation seems to be a common thread in African countries' efforts to engage with their diasporas. Diaspora engagement measures are usually scattered across the policy spectrum and tend to be deployed à la carte, outside of any clearly articulated strategic vision on the part of governments. Very few states have produced a unified and comprehensive policy outlining, in a single document, their vision, strategic goals and related actions in engaging with their diaspora. Kenya and Ethiopia are two outliers.

In the aftermath of the 2007 post-electoral violence in Kenya and the ensuing economic turmoil for Kenya, its government took a keen interest in developing relationships with the diaspora. First, this interest resulted in the amendment of Articles 16 and 82 of the Constitution in 2008 incorporating Kenyans in the diaspora as citizens of Kenya and granting them the right to participate in the country's political process. Second, this interest was shared across the political spectrum and led to a broad public and political debate and an extensive consultation with Kenyans in the diaspora that paved the way to the adoption of the Kenya Diaspora Policy in 2014. The Policy, which was officially launched by President Uhuru Kenyatta in 2015, comprehensively addresses the whole of the Kenyan government's vision, approaches and strategies toward the

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[39] This review is primarily based on the findings from 10 case studies (Morocco, Senegal, Nigeria, Ghana, Liberia, Ethiopia, Kenya, The Democratic Republic of the Congo, Zambia and South Africa) included in the research project *Africa and its Global Diaspora* that I directed. See Mangala, Jack, *Africa and its Global Diaspora*. A few other cases analyzed elsewhere are also discussed here. See, for example, Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*.

diaspora with the ultimate aim of "harnessing the wealth and expertise of Kenyans in the diaspora to our development efforts."[40]

Similarly, Ethiopia unveiled an ambitious diaspora policy in 2013. The formulation of the policy came after a series of government initiatives, starting in 2002, to harness the development potential of the Ethiopian diaspora. Chief among these initiatives was Proclamation 270/2002 which lifted some of the legal restrictions that had been imposed on Ethiopian emigrants by allowing them to fully engage in trade, investment, and volunteer activities in Ethiopia. The growing diaspora engagement stemming from the proclamation was instrumental in the government's decision to seek a robust and unified policy framework in 2013. This document outlines eight strategic goals, the first of which is to preserve the rights and interests of the diaspora. [41]

One best practice and important contributing factor to the success of DEPs has to do with the need for the government to engage in public consultations with domestic constituencies and the broad spectrum of its diaspora population when formulating such a policy. Because DEP represents a two-way street, a reciprocal relationship between the government and its diaspora, it cannot succeed if the latter doesn't buy-in and takes full ownership of the policy. A DEP is, at its core, a partnership, a horizontal relationship between the state and part of the citizenry located outside of the boundaries of territorial sovereignty. The element of coercion that underpins the relationship between the state and its domestic citizenry is immaterial in engaging with the diaspora.

Regardless of the density of their DEPs, all African states surveyed have engaged, with various levels of intensity and intent, in outreach to and consultation with their diasporas. The best practice requiring consultation with the diaspora in policy formulation seems to be widespread on the continent. For example, in 2013 the Moroccan Commission on National Dialogue and New Constitutional Prerogatives through its sub-committee on Moroccans Residing Abroad organizations launched Virtual and Physical Consultations for Civil Society Organizations of Moroccans Residing Abroad to solicit their input in the proposed constitutional changes.[42] In

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[40] Kinuthia, Bethel, and all, "A Provisional Analysis of Diaspora Engagement Policies in Kenya", p. 260.
[41] Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p.228.
[42] Hanafi, Leila and Hites, Danielle, " Morocco and Diaspora Engagement", p. 71

Senegal, a large symposium was organized in 2001 on the topic of "A new partnership with the Senegalese living abroad," marking a shift in the political and public discourse debate and renewing state-diaspora relations.[43] Ethiopia, Ghana and Liberia have all experienced large public consultations involving domestic constituencies and the diaspora on the latter's role in national development.[44] In some instances, the consultative role of the diaspora has been institutionalized with the establishment of diaspora advisory bodies such as the *Conseil Supérieur des Sénégalais de l'Extérieur* (Superior Council of Senegalese Abroad), which advises the Ministry of External Affairs and Senegalese Living Abroad.[45]

A substantive review of DEPs shows an imbalance in the policies, which are meant primarily to tap resources from the diaspora for the benefit of the home state's economic development. Overall, states have extended fewer rights to the diaspora while deploying considerable measures and initiatives to extract obligations from the diaspora.

In terms of political rights, most states grant to members of diaspora the right to political representation and the right to vote in national elections. However, these rights remain largely symbolic in many states (Ghana, Nigeria, Liberia and Kenya) where their realization has been curtailed due to a host of reasons ranging from limited state capacity to a lack of political will in the implementation process.

Table 1: Countries with external voting provisions

Algeria, Angola, Benin, Botswana, Cape Verde, Central African Republic, Chad, Ivory Coast, Djibouti, Equatorial Guinea, Gabon, Ghana, Guinea, Guinea-Bissau, Lesotho, Mali, Mauritius, Morocco, Mozambique, Namibia, Niger, Rwanda, Sao Tome and Principe, Senegal, South Africa, Sudan, Togo, Tunisia, Zimbabwe

Source: Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development* (Geneva and Washington, DC: IOM and MIP, 2012).

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[43] Toma, Sorana, " Engaging with Its Diaspora: The Case of Senegal", p. 94
[44] See, Mangala, Jack, *Africa and Its Global Diaspora*.
[45] See Toma, Sorana, op. cit., p. 96.

Table 2: Types of external voting procedures

Procedure Type	Number of cases	Countries
Personal voting only	17	Angola, Botswana, Cape Verde, Central African Republic, Ivory Coast, Djibouti, Sudan, Tunisia, Equatorial Guinea, Ghana, Guinea-Bissau, Mozambique, Namibia, Niger, Rwanda, Senegal, South Africa
Proxy voting only	1	Togo
Mixed procedures	5	Benin, Chad, Gabon, Guinea, Mali

Source: Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development* (Geneva and Washington, DC: IOM and MIP, 2012).

Other states (Ethiopia and the DRC) have not granted to the members of the diaspora the right to vote or be elected for office at any level of government. One emblematic issue that has dominated national diaspora debates has been the question of dual citizenship, a key demand from the diaspora. Very few states have accessed to this demand by adopting the principle of dual citizenship. With the exceptions of countries like Ghana and Kenya, African states remain, by and large, attached to a restrictive and exclusive conception of nationality that doesn't accommodate the realities of today's world and the experiences of members of the diaspora. That said, even though laws stipulating that one loses their citizenship if they acquire a foreign nationality are still in the book, dual citizenship seems to be accepted *de facto* by most countries.[46]

Some states have implemented creative solutions to account for the growing reality of dual citizenship among members of their diaspora. For example, the Ethiopian government enacted in 2002 a law that allowed a "Person of Ethiopian Origin" (EO) identification for emigrants who had become citizens of other countries. Although Ethiopia does not recognize dual citizenship,

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[46] See Toma Sorana, " Engaging with Its Diaspora: The Case of Senegal", p. 102

those with EO identification cards (also known as Yellow Cards) have many of the privileges of Ethiopians citizens, including entry into the country without a visa, the ability to own residential real estate, the right to be treated as domestic investor, the right for coverage of pension scheme, and the right to live and work in Ethiopia without additional permits. Inside Ethiopia, the Yellow Card allows members of the diaspora to avail of various services provided by the government and state-owned companies (hotels, airlines, etc.) to Ethiopian nationals to a discounted price.[47] Economic and social rights, like the aforementioned rights and privileges granted to persons of Ethiopian origin, are closely tied to the extractive logic of DEPs which represents their primary raison d'être. To harness the economic and development power of the diaspora, the Ethiopian government extended a number of specific privileges to Ethiopians in the diaspora, such as the right to import duty free: 1) personal and household effect as well as goods and equipment necessary for their livelihood; 2) goods for investment activities including capital goods and raw material adequate up to commissioning stage and for their personal use.[48] These were accompanied by a package of attractive financial incentives, including the right to maintain a foreign currency account and use the deposit account as a collateral to get credit from domestic banks. In addition, the National Bank of Ethiopia issued a directive aimed at improving the formal remittance transfer by reducing remittance costs and increasing access to cost effective, reliable, fast, and safe services.[49] Since 2011, the Ethiopian government's economic diplomacy towards the diaspora has been on full display in its efforts to build the Grand Ethiopian Renaissance Dam (GERD). GERD Diaspora Participation and Coordination Councils were formed in key US and European cities with sizeable diaspora populations to boost mobilization effort and financial contributions toward the successful completion of the gigantic dam. Members of the Ethiopian diaspora were encouraged to assist in the building of the GERD through the purchase of government bonds.[50]

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[47] Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p.236.
[48] These privileges were suspended in July 2006. See Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p. 229
[49] See Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p.229.
[50] The Ethiopian diaspora contributed an estimated US $ 30 million to the massive infrastructure project through the buying of government bonds. See Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p.240-241.

Senegal is another country that has extended important financial and investment privileges to the diaspora while deploying a range of initiatives aimed at increasing the diaspora's participation in national development. The Investment Code adopted in 2004 includes several initiatives inciting foreign investors and the Senegalese diaspora to invest in Senegal, including fiscal advantages during the first years of the project and alleviation or exemption of certain taxes. The government has also partnered with national banks to offer incentives, such as the Diaspora Package offered by the *Banque de l'Habitat du Sénégal*, which enables Senegalese living abroad to open a savings account with special interest rates and has a special insurance.[51]

Two trends emerge from the survey of diaspora engagement practice in Africa. First, very few countries have formulated a coherent diaspora policy that clearly articulates, in a unified manner, the country's vision, objectives and engagement activities toward the diaspora. Very few countries have extended significant rights to members of the diaspora. Second, all the countries have deployed, at various degrees, programs and initiatives aimed at increasing remittances and investments from the diaspora. This has often been accompanied by all sorts of fiscal privileges and financial incentives granted to the diaspora as part of national development plans and strategies.

3.2.2. Institutional variety

At the institutional level, diaspora engagement practice in Africa shows a high degree of institutional variety. Taking into account their hierarchy within the government, Agunias and Newland distinguish six types of diaspora institutions depending on whether they operate at the ministry, subministry, national, or local level; are part of a consular network, or are quasi-governmental institutions. As they rightfully note, "Understanding the differences between these types is useful: an institution's position within the government's hierarchy in many ways affects its influence within and outside the government, as well as its mandate and effectiveness."[52]

As shown in the appendix to this report, a number of African countries have established ministry-level diaspora institution. This is generally indicates that diaspora is a top priority for the

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[51] See Toma, Sorana, "Engaging with Its Diaspora: The Case of Senegal", p. 101.
[52] Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*, p. 72.

government. It is also an acknowledgement that traditional ministries such as labor and foreign affairs cannot manage the diaspora portfolio in all its dimensions and complexities. It has been observed that "diaspora ministries generally enjoy more consistent budgetary allocation, more support from the top of the government, and more explicit development-oriented mandate."[53] While a few countries have established separate ministries solely devoted to the diaspora (Ministry of Senegalese Abroad or Somalia's Ministry for Diaspora and Community Affairs), the vast majority of countries with ministerial institution have opted for a hybrid set-up that combines diaspora affairs with other areas of focus, such as labor, tourism or foreign affairs (for example, Mali's Ministry of Malians Abroad and African integration).

In other countries, diaspora affairs have been institutionalized at the subministry level through the creation of special offices that report to a specific ministry such as labor or foreign affairs. This the case with Ethiopia's Diaspora Affairs Directorate General which functions under the Ministry of Foreign Affairs and whose main objectives are, among other things, to encourage "the active involvement of the Ethiopians in diaspora in socioeconomic activities of the country."[54]

In addition to or in lieu of ministries and subministry-level structures, some countries have also established other national government institutions that report directly to the highest executive body. These institutions seem to commend "a fairly influential position within the government."[55] This is the case, for instance, of Sierra Leone's Office of the Diaspora, which is directly under the Office of the President. Part of its mandate is to encourage the return of professionals and experts from the diaspora in order to fill critical human resources gaps within the country's government.[56]

Diaspora engagement is a multidimensional policy that encompasses the local level. Given diaspora members' inclination to engage more forcefully at the local level where they come from and the well-documented impactful role of Diaspora's hometown associations (HTAs) in promoting development in the country of origin, local governments and entities have also established diaspora institutions with specifically local mandate. This is the case, for instance, of

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[53] Ibid., p. 74.
[54] Ethiopian Ministry of Foreign Affairs, General Directorate Responsible for Ethiopian Expatriate Affairs, cited by Agunias, Dovelyn and Newland, *Developing a Road Map for Engaging Diasporas in Development*, p. 79.
[55] Ibid.
[56] Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*, p. 81

Somalia's Office for Development and Partnership with the Puntland Diaspora Community. Local-level institutions are believed to offer many advantages, one of which being that "diaspora members can…more easily monitor their contributions and investments at the local level and more effectively hold their officials accountable, thus increasing the likelihood of successful programs."[57]

In engaging with the diaspora, the critical role of consular services and networks cannot be overstated. Consular services remain key interlocutors for diaspora populations in host countries. They are very instrumental not only in providing help to the diaspora in host countries when needed, but also in nurturing and cultivating the bond between the diaspora and the homeland through the provision of information about the home state and the implementation of cultural, education and economic programs targeting the diaspora. The formulation of DEPs over the past decade has provided a new impetus and purpose to the traditional functions of consulates. For example, the Morroccan embassy in France offers an extensive online list of special programs and universities where Moroccan nationals may study in Morocco. Similarly, the Ethiopian embassy in the USA was instrumental in promoting the country's first diaspora bond, the Ethiopian Electric Power Corporation (EEPCO) Millennium Bond, and in generating the needed financial and political support in the diaspora for building of the Grand Renaissance Dam.[58]

The last type of diaspora engagement institutions are quasi-governmental institutions, which are usually established in the form of foundations or diaspora councils. Agunias and Newland argue that quasi-governmental institutions "blur the usual distinction between official and nongovernmental bodies. Such institutions are especially useful to origin governments that do not want to be seen–for whatever reason–as intervening too much in the affairs of host countries."[59] A good example of a quasi-governmental diaspora institution is the Hassan II Foundation for Moroccans Residing Abroad (FHII). Although established as a "nonprofit institution with a social vocation, endowed with a moral personality and financial autonomy," FHII maintains very close and deep ties with the Moroccan government which sets its mandate

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[57] Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*, p. 83.
[58] See Chacko, Elizabeth, and Gebre, Peter, "Engaging the Ethiopian Diaspora", p.230.
[59] See Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*, p. 87-88

along six areas of intervention: education, cultural exchange, sports and youth, legal assistance, economic development, cooperation and partnership, and communication. To highlight the point made above about shielding the country from criticism of interference in the host country's affairs, the former director-general of FHII is reported to have argued that "a foundation was preferable to a ministry because if it intervened on behalf of immigrants, it would not provoke the same sensibilities…."[60] An example of diaspora advisory council is Mali's High Council of Malians Abroad which serves as the official representative of the diaspora both in Mali and in the diaspora. The Council's mission is to promote solidarity between the diaspora and the homeland, assist consular officials in protecting Malians in the diaspora, identify potential diaspora investors, and promote a positive image of Mali. This mandate clearly blurs the lines between governmental and nongovernmental institutions.[61]

3.2.3. Lack of monitoring and evaluation

The aim of DEPs is to contribute to better engagement with the diaspora. From a policy and conceptual standpoint, the components of a robust diaspora engagement policy are well-documented and have been discussed early in this report (see section 3.2). To recap, it is now a matter of general consensus that a sound DEP should rest on five pillars. First, the government must identify its goals and capacities in relation to the diaspora. Second, the government must endeavor to know the diaspora by mapping its location and characteristics. Third, the government ought to build trust with the diaspora and not simply look it as cash cow. Building trust is predicated on a number of measures such as dual citizenship, active consular networks, explanation of and feedback on government's diaspora policy, and the provision of various services to the diaspora. The fourth and final element is aimed at effectively mobilizing the diaspora as development partner once the government has undertaken steps 1-3. A set of policy measures has been recommended for effective diaspora mobilization. They range from institutional overhaul, high-profile events involving the diaspora to facilitation of investment.

While many African governments have deployed DEPs of various depth and reach along with a host of implementation measures, policy monitoring and evaluation has not been a priority.

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[60] Brand, Laurie, "States and Their Expatriates: Explaining the Development of Tunisian and Moroccan Emigration-Related Institutions".

[61] See appendix for a complete list of diaspora institutions by country.

Besides anecdotal evidence pointing to an increase of remittances flows and investments from the diaspora, diaspora tourism or participation of members of the diaspora in specific events, it is impossible, in the absence of rigorous monitoring and evaluation, to say with a comfortable degree of certainty which DEPs have been successful.

This weakness is not unique to Africa. After an extensive review of DEPs around the world, Agunias and Newland observe that many diaspora engagement programs "appear to put tremendous resources at the front end while neglecting the feedback loop."[62] Very few governments, they note, "actually evaluate the impact of their programs." This observation is shared by the IOM. After reviewing 130 websites of development agencies and other ministries in charge of diaspora matters in 68 countries, the organization found that only 70 formal evaluations of migration policies, projects, and programs were available. [63] While the IOM itself has evaluated a number of diaspora engagement projects, such as the Return of Qualified African Nationals (RQN) Programs or the Migration for Development in Africa (MIDA) programs, the focus of these evaluations has been on specific projects, not on DEPs as a whole. As such, these evaluations cannot form a basis for deciding which national DEPs are successful and what accounts for success. The general lack of evaluation of DEPs is attributed to a number of barriers, including a lack of "evaluation culture" in many countries, concerns over cost, and the lack of priority among donors.[64] With a focus on temporary or permanent return of diaspora members to their countries of origin, programs such as MIDA or RQN part of the broader discourse on circular mobility.

4.   CIRCULAR MIGRATION AND DIASPORA ENGAGEMENT

In the framework of the discourse on the management of legal migration, the idea of circular migration has emerged as an attractive policy tool capable of reshaping the migration dynamics by encouraging and supporting greater circularity in the movement of people between countries.

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[62] See Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development*, p. 55

[63] Chappell, Laura, Salazar-Ruiz, Orlando, and Laczko Frank, "How to Evaluate Migration and Development Project, Programmes and Policies."

[64] Chappell, Laura, and Laczko, Frank, "What Are We Really Achieving? Building an Evaluation Culture in Migration and Development."

Faced with important irregular migrations on its southern and eastern borders, the EU decided in 2007 to offer the promise of circular migration as part of a grand bargain with a number of countries of origin and transit of migrants. This grand bargain—commitment to fighting irregular migrations in exchange for aid and the promise of greater circular migration— is being pursued in the ambit of Mobility Partnerships (MP) concluded between the EU and a number of countries, including Cape Verde, Morocco and Tunisia.

This section will explore the definitional ambiguities surrounding the notion of circular migration before investigating the conceptual linkages between circular migration and diaspora. It will also assess circular migration in the framework and implementation of MPs between the EU and the aforementioned African countries.

4.1. Definitional ambiguities and conceptual linkages

The Global Forum on Migration and Development refers to circular migration as "The fluid movement of people between countries, including temporary or more permanent movement which, when it occurs voluntarily and is linked to the labour needs of countries of origin and destination, can be beneficial to all involved."[65] In its 2007 Communication, the EU Commission outlined two fundamental aspects of circular migration. The first, outward circular migration, is concerned with third-country nationals settled in the EU who may temporarily return to home countries to engage in a number of professional or development activities while retaining their main residence in one of the EU member states. The second, inward circular migration, is concerned with third-country national wishing to work temporarily in the EU, generally in seasonal sectors, such as agriculture and tourism. The conceptualization of circulation migration by the EU encompasses both aspects.

The first aspect, outward circular migration, is the one which is conceptually linked to the diaspora and diaspora engagement policies. It caters to migrants who have a stable legal status in the host country where they have developed roots. These are the migrants who have been targeted by diaspora engagement programs such as IOM's RQN and MIDA that offer African professionals the possibility of a temporary or permanent (with visa facilitation) return to contribute to the development of their countries of origin. It has been observed that "Migrants

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[65] 2007 Global Forum on Migration and Development.

who have acquired a stable legal status in the receiving country are more likely to engage in such circular migration, as they do not face restrictions in moving between host and home country."[66] Strengthening cooperation in the area of migration and development, with a special role reserved to the diaspora, represents one of the key objectives outlined in MP agreements.

4.2. Circular migration in mobility partnership agreements

The notion of "partnership" has become a central tenet of the new migration governance discourse. The idea of "partnership" encapsulated in the new mobility agreements concluded by the EU is discoursevely meant to highlight a new era in the management of migration that seeks a cooperative approach, a co-ownership and win-win solutions that benefit all involved parties. The new discourse of partnership is however, for the most part, a cosmetic exercise. MPs reflect an asymmetrical relationship. They are "conditional partnerships" that have not lived up to their promise of enhancing legal migration and mobility between the EU and partner countries.

4.2.1. Conditional partnership

It is apparent in the structure and language of MPs that enhance mobility (the core demand of partner countries) is conditional on them demonstrating their commitment to dealing with irregular migration to Europe by taking concrete steps in that direction. As Lavanex and Panizzon note, "The concept of Mobility Partnerships launched in 2007 bears the traces of two decades of European cooperation on immigration…EU policy combines the discursive elements of the partnership turn with a clear legacy of the top-down conditionality approach that was first applied in the context of enlargement negotiations. The result are 'conditional partnerships' whose institutionalization clearly vindicates the pre-eminence of EU member states' priorities over those of the partner countries."[67]   While the conclusion of a partnership is contingent on the potential partner meeting certain conditions (cooperation on illegal migration and effective mechanisms for readmission), the provisions of legal migration and development cooperation remain rather vague and subject to EU Member States' voluntary offers once the partnership is concluded. The promise of greater mobility remains unfilled as illustrated in the case of MPs with Cape Verde and Morocco.

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[66] The Africa-EU Partnership, Mobility and Circular Migration, p.4
[67] Lavenex, Sandra, and Panizzon, Marion, "Multilayered Migration Governance: The Partnership Approach in the EU and Beyond," p. 6.

4.2.2. An unfulfilled promise

The MP with Cape Verde was signed in 2008 during the instrument's pilot phase. Given its historical ties with Portugal, the size of the country and its established population in Europe, Cape Verde was considered an ideal "testing ground" for the MP framework. Moreover, the country had been willing to cooperate with the EU on a whole range of issues, including security. Cape Verde's government played an active role in lobbying the EU to become a candidate for a pilot MP because its perceived interests aligned with the EU's strategic goal of fighting irregular migration. In particular, the country was interested in initiating dialogue on visa facilitation, stimulating regular migration channels and collaborating with the EU on border management and security.[68]

Ten years after the signature of the MP, the tangible impact of the instrument remains difficult to ascertain. While most stakeholders highlight significant advances in terms of legislative and instrumental capacity building, some more pessimistic views have quailed the MP as a "missed opportunity."[69]

When assessing the impact of the MP on mobility of various groups, Langley and Alberola note, "it remains difficult to say whether or not the MP has had a substantial impact on the mobility, particularly of Cape Verdeans."[70] Not much seems to have been done in the area of mobility, legal migration and integration, which was constructed as the first pillar of the MP. This situation was due to a host of factors, including the lack of circular migration activities that could provide a framework for effective professional mobility, and a slow and complex process for obtaining Schengen visas.[71]

Given the considerable size of Cape-Verdean diaspora, all parties in the MP saw the potential to harness development through diaspora engagement activities. However, the second pillar of EU-

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[68] See Reslow, Natasja, and Vink, Maarten, "Three-Level Gams in EU-External Migration Policy: Negotiating Mobility Partnerships in West Africa."
[69] See Sarah Langley and Clara Alberola, *Independent Evaluation of the Mobility Partnerships Between the European and Cape Verde*, Georgia and Moldova, p. 35
[70] See Sarah Langley and Clara Alberola, *Independent Evaluation of the Mobility Partnerships Between the European and Cape Verde*, Georgia and Moldova, p. 36.
[71] Ibid., p. 40.

Cape Verde MP, "Migration and Development", has not sufficiently progressed since the conclusion of the MP. Although there have been several flagship projects, their impact remains relatively limited. One of the few notable projects in this area is DIAS, which was implemented by the IOM from 2008 to 2010 and funded by the EU and the Portuguese Development Cooperation. The project aimed to mobilize the skills of Cape Verdean diaspora in the EU. Through this project, 27 Cape Verdeans living abroad were allowed to return to Cape Verde to provide a short-term training course to an institution (either private or public).[72]

For its part, Morocco entered into an MP with the EU and its member states in 2013. Its structure is similar to the one agreed to by Cape Verde. The EU-Moroccan MP outlines four objectives, including fighting illegal and irregular migration, managing legal migration and mobility, supporting the development role of the diaspora, and engaging in international cooperation. The annex to the Joint Declaration includes a host of implementation goals in each of these four areas. With particular reference to the role of the diaspora, it is worth mentioning the following goals: to prevent the brain, including by promoting circular migration, reduce the cost of remittances, encourage migrants to invest productively in Morocco, and help migrants to acquire vocational and academic skills. Goals tied more generally to the management of legal migration and mobility seek, *inter alia*, to improve EU countries' consular services in Morocco, simplify procedures for access and legal stays in Europe, negotiate an agreement on the facilitation of issuing of visas, and cooperate to facilitate the mutual recognition of vocational and academic qualifications.

As with the Cape Verde MP, there is very little evidence to suggest that the MP with Morocco has been accompanied by increased legal mobility and circular migration between EU countries and Morocco. Maybe this was never the true intent of the MP to start with. As Wickramasekara notes, "Despite the rhetoric on mobility and migration and development linkages, the fact remains that there are very limited opportunities for third country nationals, especially low skilled workers, to migrate for employment to EU member states."[73] In the face of limited legal migration channels to the EU, outward circular migration involving the African diaspora in EU countries appears to

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[72] Ibid, p. 42.

[73] Piyasini, Wickramasekara, "Circular Migration: A Triple Win or a Dead End," p.56.

be, for now, the only viable dimension of circular migration that carries a real development potential.

5.   CONCLUSION

Against the backdrop of the migration-development nexus discourse, diaspora engagement has become common practice. Through successive rounds of global, regional and interregional consultations on migration and development, DEPs have spread globally via a double process of benchmarking loops and recursive modelling emphasizing informality and the exchange of best practices. Engaging with the diaspora has become a metric of good governance.

Over the past decade, African states have embraced the migration-development mantra. They have adopted various articulations of DEPs, opening a new era of state-citizens abroad relations that carries the potential to reshape traditional relations between migrant sending and receiving states in the name of transnational governmentality.

While, from a policy standpoint, the components of a robust DEP are well-known, diaspora programs and policies are, however, rarely evaluated, making it difficult to determine, beyond anecdotal evidence, which policies and programs are successful. Countries tend to rely on figures pointing to an increase in the volume of remittances, diaspora tourism, or investment from the diaspora to claim that they are pursuing a successful engagement policy.

The role of the diaspora has also been underscored in the MPs concluded between the EU and Cape Verde, Morocco and Tunisia. MPs represent, at their core, a grand bargain between the EU and its member states on the one hand and partner countries on the other. Partner countries agree to fight illegal migration and conclude readmission agreement in exchange for the promise, on the EU and its member states, of legal migration, including the facilitation of circular migration and aid. An examination of MPs with Cape Verde and Morocco shows that they have not enhance legal migration between these countries and the EU. The promise of circulation migration remains largely unfulfilled. In the final analysis, outward circular migration, which is concerned with members of the diaspora with an already stable legal status in EU countries appears to be the only form of circular migration that migrant sending countries in Africa can legitimately rely on to contribute to their development.

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7. APPENDIX: DIASPORA INSTITUTIONS BY COUNTRY

Country	Institution	Type*
Algeria	Ministry of Foreign Affairs: General Directorate for the National Community Abroad	SL
	Consultative Council for the National Community Abroad	QI
	Secretary of State to MFA for national Community Abroad	NL
	National Advisory Board of the National Community Abroad	QI
Angola	The Ministry of Foreign Affairs: Institute of Angolan Communities Abroad and Consular Services	NL
Benin	Ministry of Foreign Affairs, African Integration, the Francophone Community, and Beninese Abroad	ML
	National Agency of Migration and Beninese Abroad	NL
Burkina Faso	High Council of Burkinabe Abroad	QI
Burundi	Ministry of Foreign Affairs: Directorate of Diaspora	SL
	Inter-Ministerial Committee on Migration	NL
Cameroon	Ministry of Foreign Relations: Cameroonians Abroad Branch	QI
Cape Verde	Ministry of Communities	ML
Comoros	Ministry of External Relations and Cooperation in Charge of the Diaspora, the Francophonie and Arab World	ML
Democratic Republic of Congo	Ministry of Foreign Affairs: House of Congolese Abroad	QI
Egypt	Ministry of Manpower and Immigration: Emigration Sector	SL

Country	Institution	Type
	Ministry of Foreign Affairs: Department of Consular Affairs and Egyptians Abroad	SL
	Higher Committee for Migration	NL
Equatorial Guinea	Ministry of Foreign Affairs and Cooperation: General Directorate of the Diaspora	SL
Eritrea	Ministry of Foreign Affairs: Department of Eritreans Abroad	SL
Ethiopia	Ministry of Foreign Affairs: Diaspora Engagement Affairs General Directorate	SL
	Ministry of Internal Affairs: Diaspora Coordinating Office	SL
Gambia	Ministry of Foreign Affairs: International Cooperation and Gambians Abroad Division	ML
Ghana	Ministry of Foreign Affairs and Regional Cooperation: Diaspora Affairs Bureau	SL
	Ministry of Foreign Affairs and Regional Cooperation: Diaspora Support Unit	SL
	Ministry of Interior: National Migration Unit	SL
Guinea	Ministry of Foreign Affairs and Guineans Abroad: Delegate Minister of Guineans Abroad	ML
Guinea Bissau	Ministry of Foreign Affairs, International Cooperation and Communities	ML
Ivory Coast	Ministry of African Integration and Ivorian's Abroad	ML
Kenya	Ministry of Foreign Affairs and Trade: National Diaspora Council of Kenya	NL

Country	Institution	Type
Madagascar	Ministry of Foreign Affairs: General Department of Economic Promotion and the Diaspora	SL
Malawi	Ministry of Foreign Affairs and International Cooperation: Diaspora Unit	SL
Mali	High Council of Malians Abroad	QI
	Ministry of Malians Abroad and African Integration	ML
	Consultation Framework on Migration	NL
Morocco	Minister Delegate to the Head of Government in Charge of Moroccans Living Abroad	ML
	Hassan II Foundation for Moroccans Resident Abroad Council	QI
	Council on the Moroccan Community Abroad	QI
	Interdepartmental Committees	NL
Mozambique	Ministry of Foreign Affairs and Cooperation: National Institute for Mozambican Communities Abroad	NL
Niger	Ministry of Foreign Affairs, Cooperation, African Integration and Nigeriens Abroad	ML
	Inter-Ministerial Committee in Charge of Migration	NL
Nigeria	Nigerian Government House Committee on Diaspora Affairs: Diaspora Committee	NL
	Technical Working Group and Inter-ministerial Committee on Migration	NL
Rwanda	Ministry of Foreign Affairs and Cooperation: Rwandan Community Abroad	NL
Senegal	Ministry of Senegalese Abroad	ML

Country	Institution	Type
Sierra Leone	Office of the President: Office of the Diaspora	NL
Somalia	Ministry for Diaspora and Investment	ML
	Ministry of Foreign Affairs: Office for Diaspora Affairs	SL
	Office for Development and Partnership with the Puntland Diaspora Community	LL
Tanzania	Prime Minister's Office: Diaspora Office	NL
	Ministry of Foreign Affairs and International Cooperation: Diaspora Department	SL
Togo	Ministry of Foreign Affairs and Cooperation: Togolese Abroad Branch	NL
Tunisia	Ministry of Social Affairs, Solidarity and Tunisians Abroad	ML
	Ministry of Social Affairs: State Secretariat to the Minister of Social Affairs in Charge of the Migration of Tunisians Abroad	SL
Uganda	Ministry of Foreign Affairs: Diaspora Services Department	SL
Zambia	Office of the President (State House), Diaspora Liaison Office	NL
Zimbabwe	Ministry of Macro-Economic Planning and Investment Promotion: Diaspora Unit	SL

Source: Gamlen, Alan, *Human Geopolitics, States, Emigrants, and the Rise of Diaspora Institutions* (Oxford: OUP, 2019); Agunias, Dovelyn and Newland, Kathleen, *Developing a Road Map for Engaging Diasporas in Development* (Geneva and Washington, DC: IOM and MIP, 2012).

*Note on institutional type: diaspora institutions are roughly of six types, depending on whether they function at a ministry (**ML**), subministry (**SL**), national (**NL**), or local level (**LL**); are part of a consular network (**CN**); or are a quasi-governmental institution (**QI**)