



**DEPARTMENT OF POLITICAL
SCIENCE CENTRE FOR
EUROPEAN STUDIES (CES)**

EXTERNALIZING MIGRATION MANAGEMENT

The European Union's Externalization of Migration Management to Niger and Its Challenges for Accountability

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Master's thesis:	30 credits
Program:	Master's Program in European Studies
Level:	Second Cycle
Semester year:	Spring 2021
Supervisor:	Joakim Berndtsson
Word count:	19557

Acknowledgments

I would like to sincerely thank my supervisor, Joakim Berndtsson, for his thorough support since I started to work on this topic. Your advice and patience have helped me in the process of writing my thesis and I am deeply grateful to having had such a supportive supervisor.

Also, I would like to thank my friends, family, and partner for supporting me during the whole time of writing my thesis. Finja Lübben and Jonathan Pasic, thank you for the exchange and feedback this semester. I have especially appreciated talking to you in a time in which we could not meet another.

Bonn, May 2021

Abstract

In response to increased irregular migration to EU territory in 2015, the EU has introduced a range of different policies. Through cooperation with third countries, the EU has managed to externalize migration management to foreign territory, leaving implementation of projects to other actors than the EU itself, raising questions of accountability. This thesis aims to explore how the policy formulation of the EU about externalization of migration management and its reporting reveal how accountability is understood after 2015. Because the EU, represented by the Commission in this thesis, has the power to shape its own understandings in its policy formulation, a thematic qualitative analysis serves to explore how language is used in the policies and what it reveals about the Commission's understanding of accountability. Using the theoretical framework of critical humanitarianism, this enables to shed light on how the Commission presents itself as an actor that is caring for migrants on the one hand but at the same time controlling human mobility through migration management in third countries on the other. This thesis demonstrates that the Commission's understanding of accountability mostly relates to issues of transparency and information and control mechanisms of unelected EU institutions. More importantly, the analysis illustrates that the importance of the Parliament is left aside, strategically circumventing the involvement of a democratically elected forum. Similarly, marginal references to legal aspects indicate challenges to hold the Commission on the European level accountable.

Keywords: European Union; externalization; migration management; accountability; qualitative thematic analysis

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CJEU	Court of Justice of the European Union
CSDP	Common Security and Defense Policy
EASO	European Asylum Support Office
ECA	European Court of Auditors
ECOWAS	Economic Community of West African States
EDF	European Development Fund
EU	European Union
EUCAP	European Union Capacity Building Mission
EUTF	European Union Trust Fund
IGO	Intergovernmental Organization
IO	International Organization
IOM	International Organization for Migration
MFF	Multiannual Financial Framework
NGO	Non-Governmental Organization
ODA	Official Development Assistance
OLAF	European Anti-Fraud Office
UNHCR	United Nations High Commissioner for Refugees

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1 Introduction

1.1 Background

In response to increased irregular migration, the so-called ‘migration crisis’ of 2015, the European Union (EU) has adopted a range of restrictive policies. The “ever-hardening external borders” (Pallister-Wilkins, 2020, p. 992) of the EU have moved beyond its traditional scope and expanded to third countries to curb migration through external measures, highlighting the importance to study this phenomenon. Research essentially indicates that development promotes migration rather than reduces it (de Haas, 2005, 2010; Nijenhuis & Leung, 2017). However, in some cases, this seems to be ignored in EU policy documents, which often focus on development as a tool to provide people in countries receiving development aid with perspectives not to migrate (European Commission, 2017f).

The merging of development cooperation with other policy fields, such as security, plays a crucial role in EU-Africa relations. Scholars have identified a shift from economic and development dimensions to an increasing focus on security and development, underlining the geopolitical importance of African development to the EU (Venturi, 2017). Development aid has increasingly been used for migration control (Trauner & Deimel, 2013). This becomes particularly evident under the EU Emergency Trust Fund for Africa (EUTF), which aims to address the root causes of migration. This instrument combines measures of migration management along with development tools (Castillejo, 2016) and thereby raises questions of the instrumentalization of development aid to control migration movements (Delgado Wise et al., 2013; Geiger & Pécoud, 2013). As a country of origin and transit, Niger plays a crucial role for the EU to meet its overall goal of limiting irregular migration. The Commission has expressed particular satisfaction about the cooperation with Niger regarding the effectiveness of the introduced policies, contributing to decreased irregular migration to Europe (IOM, 2018; Molenaar, 2017). Externalized migration management of the EU to Niger indicates how increased migration to the EU has contributed to linking migration, security, and development in the EU’s external approach to migration. The implemented policies, among which particularly the regional and national projects under the EUTF on migration management in Niger stand out, showcase how the security-development nexus unfolds (European Commission, 2016d, 2017d, 2017c, 2017b).

The increased “securitization of migration” (Abebe, 2019) has blurred the lines between the policy fields of security and development as well as between security and humanitarian work, potentially causing contradictory outcomes between development and security. Accordingly, it is relevant to address the merging and the potential contradictions among these policy fields as this could not only lead to policy incoherence, which the Lisbon Treaty was supposed to mitigate (Furness & Gänzle, 2017), but also challenge the standing of the EU as a value-based actor (Ceccorulli & Lucarelli, 2017). The process of externalization has further contributed to a stronger focus on security related to migration management. Externalization can be seen as a part of securitization, meaning that migration is not a security issue per se but instead is discursively constructed as one (Buzan et al., 1998). Thereby, the use of language plays a vital role in the process of securitization and the justification of externalized migration management.

Although research has shown that these externalization policies can have a range of negative consequences, such as increased vulnerability of migrants (Jucker & Garver-Affeldt, 2020)¹, it has become a common approach taken by the EU to meet its goal of limiting irregular arrivals to its territory. This showcases how externalization of migration management circles around issues of accountability. Given that externalized migration management is carried out by actors other than the EU itself (Gálvez, 2019), it is necessary to examine how accountability is understood when other actors become responsible for implementing actions financed by the EU. From a democratic perspective, this is of particular importance because, if EU control mechanisms can be disabled through externalization, democratic oversight and control mechanisms are loosened despite being financed by taxpayer money. Taking this a step further, this indicates that representatives can neither be held accountable on the national nor on the European level. Furthermore, depending on the democratic performance of the country to which migration management is externalized, accountability may be hindered there as well. While cooperation with Niger has contributed “to a significant decrease in migrants entering Libya from the south” (European Commission, 2019b, p. 2), it raises serious questions of accountability. According to Transparency International (2020), the democratic transition in Niger is hampered by high levels of corruption, low levels of the freedom of press, imprisonment of human rights activists and a generally high level of repression by security

¹ The neutral term ‘migrant’ is used to refer to people on the move throughout in this thesis, although many of them might be considered refugees (for further information see Bøås, 2020)

forces against the population. Moreover, former President Mahamadou Issoufou² was considered as an important ally by the EU, but Nigeriens were critical of him since he forged a closer relationship with the EU concerning the restriction of migration (The Economist, 2016). Under Issoufou, human smuggling has been criminalized (Massalaki, 2015), although more than half of Niger's gross domestic product is accumulated through the informal sector, of which the business of human smuggling is a part of (World Bank, 2020). The increased budget for Nigerien security forces financed through migration management projects of the EU also helped Issoufou to maintain his power and to "crack down on the opposition and the popular protests" (Hahonou & Olsen, 2020, p. 8), which arose in response to a lack of political reforms.

Since in the democratic process, accountability is considered as a condition to judge the work of representatives, allowing "to call to account" those actors holding public offices (Bovens, 2007, p. 113), it is crucial to examine how the EU, represented by the Commission in the case of externalized migration management, understands accountability in its policies of externalized migration management.

1.2 Research aim and question

This thesis aims to filling the gap with new knowledge of challenges for accountability arising from externalized migration management. Therefore, I ask the following question: *How can we understand, through the case of Niger, what the EU's externalized migration management policy formulation and policy reporting reveal about how accountability has been understood since 2015?*

To answer the research question, this thesis explores how accountability is framed in the European Agenda on Migration (European Commission, 2016a), the Partnership Framework with third countries (European Commission, 2016a) as well as in the EUTF (European Commission & Member States of the European Union, 2015) including the respective reporting. According to Lascoumes and Le Gales (2007, p. 11), policy instruments are a "condensed and finalized form of knowledge about social control and ways of exercising it". Therefore, analyzing these policies with the background of critical humanitarianism as the theoretical framework allows to deconstruct this knowledge generated through language. The

² Externalized migration management in Niger was implemented when Issoufou served as President from 2011 until 2021. Mohamed Bazoum was elected as the new Nigerien President in February 2021.

understanding of critical humanitarianism as a form of government that enacts forms of care and control and seeks to govern human mobility of people from the Global South (Pallister-Wilkins, 2020) is the fundamental basis for the empirical analysis of this thesis. Using a qualitative approach by conducting a thematic analysis of the policies, which were implemented in response to increased irregular migration, this thesis empirically contributes to critical scholarship on remote migration control and its challenges for accountability. In triangulation with secondary sources, this thesis will identify how the EU frames its understanding of accountability in its policies of externalized migration management.

1.3 Delimitations and limitations

This study is limited to the aspect of accountability in the context of the EU's externalized migration management in Niger since 2015. Although this is not a new phenomenon, only policies that had been implemented in response to increased irregular immigration to the EU after or in 2015 were collected for the analysis. This indicates that this thesis will not be able to identify significant changes in the Commission's understanding of accountability within this time frame because the overall aim of the policies remains the same. The results are thus primarily limited to the context of Niger, meaning that the information in the data referring to other countries located in a different region were not studied and could potentially reveal a different understanding of accountability. Nevertheless, it is assumed that given the existing knowledge about the negative impacts of externalization in the implementing countries, generalizations to a certain extent should be possible. Particularly lack of previous research concerning accountability issues and understandings arising from externalized migration management allowed for analyzing these issues together.

1.4 Thesis outline

The thesis proceeds as follows. First, the security-development nexus is outlined in more detail to explain why it is of importance in the context of the externalized migration management of the EU to Niger. Followed by the theoretical framework of critical humanitarianism and its understanding as a form of government, this will support the analysis of how ideas of humanitarianism and protection are created in EU policies and how care and control are enacted in migration management. Then, a chapter follows that outlines the underlying concepts of

migration management and externalization, including previous research about the EU's externalization practice. Moreover, the fundamental forms of accountability are described which serve as subthemes for the empirical analysis. The third chapter deals with the migration management of the EU in Niger. In the fourth chapter, the methodology of the thesis is presented, including the research design, the chosen method as well as its strengths and limitations, the material and evaluation of data, and the underlying research ethics. This is followed by the operationalization of all used concepts. The fifth chapter presents the empirical analysis of the thesis and discusses the results including its insights. The final chapter summarizes the findings of this thesis and presents ideas for future research.

2 Theoretical framework and concepts

This chapter provides a short introduction to the security-development nexus and outlines the theoretical framework of critical humanitarianism. Then, the central concepts of this thesis are defined and explained in relation to the aim of this study.

2.1 Security-development nexus

The security-development nexus refers to how these two fields can be linked in external relations and how this can potentially lead to problems in one area not being dealt with separately (Keukeleire & Raube, 2013). Not only has this nexus “become commonplace in national and global policymaking” (Stern & Öjendal, 2010, p. 5), but due to “self-referential” and “inward-looking” (Chandler, 2007, p. 379) policies of Western actors, local needs of the receiving populations have often been overlooked. As a result, many studies indicate that the interlinkage has contributed to policy incoherence with adverse consequences (Bøås, 2020; Carbone, 2017).

Practices of externalization illustrate how the nexus unfolds. Particularly linking migration with security aspects helps to justify externalized migration control through the association of migration from African states to Europe with a potential threat of “international crime, trafficking and terrorism” (Flahaux & de Haas, 2016, p. 2). In the name of the “doctrine of national security” (Delgado Wise et al., 2013, p. 437), emphasis is placed on aspects such as border controls and readmission in the context of migration management (Wunderlich, 2013). Building upon the Copenhagen School that has shaped critical scholarship about how migration has increasingly been shaped as a security issue, William and Mountz (2018) view externalization as a part of securitization. Following this thought, migration is not a security issue but instead constructed as one in political discourses surrounding migration (Buzan et al., 1998). Similarly, external measures show how the positioning of the EU as a geopolitical foreign policy actor is illustrated in several policies such as the EU Global Strategy or the EU Sahel Strategy, with a particular emphasis on strategic interests of security and migration control (Lopez Lucia, 2017). This also becomes evident under the EUTF in Niger through the position of the EU “to adopt a comprehensive approach encompassing migration, development and security” (European Commission, 2017a, p. 24).

Studies examining externalization have used a range of different theories. Approaches of critical border studies (Carrera & Hernanz, 2015; Cobarrubias, 2019) point out crucial aspects such as the extension of borders, issues of sovereignty and extra-territoriality. Postcolonial theories applied to externalization come to the conclusion that externalization reproduces colonial patterns of power, suppressing people from the Global South by preventing mobility (Lemberg-Pedersen, 2019). Van Dessel's (2019) study on the relationship between the European Commission and the implementing organizations of migration management projects in Niger demonstrates, based on the principal-agent theory, how the EU manages to achieve its objectives of curbing irregular migration through cooperation with these organizations. Other scholars point out how international and European law provides insights into the exacerbation of global inequalities in the global mobility infrastructure through externalization and how people are excluded from EU jurisprudence through the interdiction of mobility due to externalization (Frelick et al., 2016; Spijkerboer, 2018, 2018). As such, individuals are prevented from filing a case at the CJEU against an EU body that violated the person's fundamental rights or "to sue an EU institution or body for compensatory damages" (Carrera et al., 2013, p. 352). Under the pressure of the EU to curb irregular migration, such as policy was introduced with the criminalization of human smuggling in Niger (Massalaki, 2015). From previous research on externalization practice, one can conclude that it can have a range of different impacts on local contexts and raises questions of accountability through outsourcing migration management to third countries.

Whereas these theoretical angles all provide important insights into the impact of externalization, the chosen theoretical framework of critical humanitarianism offers a broader perspective due to its incorporation of many aspects which are the focus of the afore mentioned theories. As will be outlined in the following section, power asymmetries, as well as postcolonial structures enforced through humanitarian practice as a form of government are critically reflected (Lester & Dussart, 2014a). Moreover, the role of borders, particularly highlighted by critical border studies and critical geopolitics, are also key to critical humanitarianism through the dynamics of humanitarian practice and how borders can shift through externalization (Pallister-Wilkins, 2020). Using critical humanitarianism as the fundamental theoretical framework and the concepts of migration management and

externalization further allows the investigation to incorporate the notions of migration as a securitized issue.

2.1.1 Critical humanitarianism

Humanitarianism has been studied in many disciplines. Particularly International Relations (e.g. Moore, 2013; Pallister-Wilkins, 2015) will be considered in this thesis. Furthermore, research of anthropology (e.g. Ticktin, 2014) and sociology (e.g. Lohne & Sandvik, 2017) provide important insights for understanding the approach.

With its origins in the modern nation state of the 18th century, the idea of humanitarianism follows the Westphalian ideal, which describes that the state protects its state territory and its population (Pallister-Wilkins, 2020).³ This origin is crucial in understanding the logic of how humanitarianism is employed today. While not easily defined, humanitarianism includes, among other things, “an ethos, a cluster of sentiments, a set of laws, a moral imperative to intervene, a form of government (...) in its dominant characterization humanitarianism is one way to “do good” or to improve aspects of the human condition by focusing on suffering and saving lives in times of crisis or emergency” (Ticktin, 2014, p. 274). The mainstream understanding of humanitarianism and its fundamental principles of humanity, impartiality, neutrality and independence (Barnett & Weiss, 2008) have been criticized for depoliticizing structural problems, manifesting issues of domination and inequality as well as creating forms of colonial government (Lester & Dussart, 2014a).

Opposed to the understanding of humanitarianism outlined by Ticktin (2014), humanitarianism can also be understood as a form of government to “distinguish and frame solutions” for those who are disadvantaged (Reid-Henry, 2014, p. 425). For this form of government, Pallister-Wilkins (2020, p. 991) points out that humanitarianism is designed to “both effectively manage disaster and to secure (...) imminently mobile populations for the maintenance of the liberal order alongside through the securing of life”. This notion exemplifies that, although humanitarianism could easily be understood as apolitical, neither its mainstream nor the understanding of humanitarianism as a form of government are “value-neutral but based

³ For a discussion about the origins of humanitarianism, see Stamatov, P. (2013). *The Origins of Global Humanitarianism. Religions, Empires and Advocacy*. Cambridge University Press.

on hierarchies and relations of power for the governance of populations” (Pallister-Wilkins, 2015, p. 59). This critical understanding of humanitarianism as a form of government is the main line of argument underlying this thesis. Reflecting its basis on Westphalian ideals allows “to deconstruct the universal reason of the Enlightenment as the particularistic posture of Eurocentric rationality” (Agger, 1991, p. 121). This relates to the aim of this thesis to study the use of language in policy documents and how these shape understandings of accountability in externalized migration management. To investigate this empirically, it is therefore vital to study the language used in policy documents which allows to observe the underlying understandings. The need for more order in controlling migration movements abroad (European Commission, 2016a, p. 2) highlights how critical humanitarianism can be used as a tool to explore the Commission’s understanding of accountability.

With the concept of “constitutive patterning of order and sovereignty within International Relations” (Moore, 2013, p. 928), characterized by the idea of the Westphalian state, the liberal values “can be liberating as well as oppressive” (Pallister-Wilkins, 2015, p. 59). Considering the manifestation of asymmetrical power positions of those capable of acting and how they shape language (Lester & Dussart, 2014a), it is argued that these hegemonic discourses contribute to cementing the status quo (Fassin, 2012; Lester & Dussart, 2014b). Accordingly, discourses of humanitarianism are “embedded in deep forms of agency” (Moore, 2013, p. 939). Building upon the critical reflections of Mouffe and Laclau (1985) on power dynamics, Moore (2013) argues in favor of understanding humanitarianism in terms of social logics inherent in the discourses surrounding humanitarianism. Accordingly, humanitarianism should be understood as a political discourse “involving the constitutive patterning of political subjects and establishing levels of agency which speak to specific geopolitical constructions of identity and action” (ibid., p. 926).

Due to its roots in liberal and ethical ideas of disadvantaged individuals and human dignity, humanitarianism is connected to crisis (Hopgood 2013; Redfield, 2013). Especially humanitarianism concerning disaster management and mobile populations manifests the principles of the Westphalian state “through the securing of life” (Pallister-Wilkins, 2020, p. 993). The intersection of the logics of displaced people being at risk and displaced people allegedly posing a risk creates new dynamics and practices at borders (Pallister-Wilkins, 2018).

Following this understanding, humanitarianism should be considered as a form of security. Accordingly, humanitarianism “enacts mechanisms of care and control in management of populations at risk as humanitarians attempt to alleviate suffering and provide the necessary conditions for life” (Pallister-Wilkins, 2017, p. 21). Following Reid-Henry (2014), the provision of care and the instrumentalization of humanitarianism should be considered co-constitutive of a modern state seeking to provide security and govern.

Fassin’s (2007) understanding of humanitarian interventions as ‘politics of life’ provides important insights into the contradictions surrounding actions of Western states concerning humanitarianism. Not only do interventions produce categories of which lives to save and which ones to put at risk but they also create “public representations of human beings to be defended” (ibid, p. 501). While it could be argued that the construction of humanitarian aid directions may be necessary to justify humanitarianism in general, the portrayal of people as victims rather than “rights-bearing citizens” in particular is a central point of criticism (Armstrong, 2008, p. 1). Therefore, the financial dependency of humanitarian organizations on either states or other donors manifests the ongoing representation of this narrative to maintain influence. Recommendations concerning increased support to international organizations by states instead of investing in externalization of migration controls (Frelick et al., 2016) therefore miss the point, if they fail to acknowledge that these organizations can be part of supporting the prevention of mobility. Contrary to the common notion, politics are not replaced by humanitarianism, but instead the two are intertwined “in governmental, intergovernmental, and nongovernmental spheres” (Fassin, 2007, p. 509).

Hence, not only organizations are involved in humanitarian interventions but also states themselves, as will be pointed out in the empirical analysis. Besides traditional humanitarian organizations, a wide range of additional actors have become involved in the field of humanitarianism through the adoption of describing their work as such as the International Organization for Migration (IOM) (Pécoud, 2018) or Frontex (Pallister-Wilkins, 2015). These actors have become agents of states’ policies in carrying out migration projects designed by nation states. As contractors, organizations are financially dependent on their donors, which often becomes evident in the ambiguity of different projects that are carried out by the same organization (Lavenex, 2016). While for example the IOM is involved in monitoring deaths at

sea, the organization also assists its donors in border surveillance and returns as well (Pécoud, 2018). Cooperation between states and other actors such as international organizations (IO) and non-governmental organizations (NGO) indicates that humanitarianism circles around issues of accountability. Because actions are delegated from states to the implementing actor, it can be questioned who should be held accountable in cases where fundamental human rights may be violated. The involvement of several actors and especially those that are not democratically elected as implementors, enables the Commission to circumvent accountability by shifting responsibilities to these actors.

This becomes further evident in the development of humanitarianism and its provision through militarism. The dependency of aid organizations on military forces contributes to an “overlap of humanitarianism with other regimes of security, including biosecurity, humanitarianism and global health” in conflict areas (Ticktin, 2014, p. 283). Humanitarian action is increasingly carried out by security forces and contracting agencies “in various situations for the governance of the ‘problematic peoples’” such as migrants (Pallister-Wilkins, 2015, p. 59). Similarly, Lemberg-Pedersen (2017) argues that externalization is a form of biopolitics and geopolitics through its reterritorialization of borders. Referring back to Moore (2013, p. 941) and his emphasis on critical geopolitics, this relationship illustrates the importance of making sense of the world as spatialized instead of sticking to the classic “territorialized understandings of sovereignty” which do not grasp the complexity of the extension of borderscapes through externalization policies. At a time when it appears that externalized migration management is an ever more prevalent approach to curbing irregular migration, these findings point towards the challenges of accountability in relation to humanitarianism and the need to examine EU policy formulation.

The underlying understanding of critical humanitarianism as a form of government, its relationship with security as enacting mechanisms of care and control and the role of critical geopolitics require further analytical concepts, which support this thesis in exploring the shaped meanings of accountability in externalized migration management. As was pointed out in this chapter IOs, NGOs, and states or state communities, such as the EU, are involved in this practice. Although scholarship within critical humanitarianism focused on the practice of the EU’s management of the so-called ‘migration crisis’, it has often targeted the

role of NGOs (Pallister-Wilkins, 2018; A. Tan & Schreeb, 2015), Frontex (Horii, 2018; Pallister-Wilkins, 2015) or the space of the Mediterranean (Jeandesboz & Pallister-Wilkins, 2016; Perkowski, 2016). Despite the Spanish enclaves of Ceuta and Melilla bordering Morocco (Pallister-Wilkins, 2017), the EU's practice of managing migration externally has so far gained little attention. To get a better understanding of this, the thesis proceeds by outlining the fundamental concepts of migration management, externalization and accountability.

2.2 Concepts

As outlined in the previous section, critical humanitarianism circles around issues of accountability in the context of externalized migration. Therefore, this thesis proceeds by defining and explaining the concepts of migration management, externalization, and accountability. Thereby, these concepts help to support the theoretical framework of critical humanitarianism to guide the analysis and to explore how these concepts can be used to understand the Commission's idea of accountability since the implementation of several policies focusing on externalized migration management since 2015.

2.2.1 Migration management

The term 'migration management' has its origins in the period after the end of the Cold-War, when a regime of rules and norms was created to address the challenges of bigger migration movements, including refugees and human rights protection of all types of migrants (Ghosh, 2000). Accordingly, migration management can be considered as an "umbrella terminology" (Geiger, 2016, p. 265), encompassing a range of practices that deal with migration. This range of different practices related to human mobility has been considered to be the central characteristic of the term (Pécoud & Geiger, 2010). Whereas the term was introduced to ensure better protection and open discussions of more legal pathways for migration from the Global South to the Global North (Ghosh, 2000), the term also includes practices such as remote control, externalization and border management as used in this thesis. Despite its 'neutral' meaning at the beginning of the term's usage, it has increasingly shifted to serve as an umbrella term, particularly referring to restrictive measures in political discourse in countries of the Global North (Pécoud & Geiger, 2010). Moreover, the wording of managing people can be considered problematic because it makes those 'managed' passive subjects and implies that

control needs to be enacted. Moreover, the term can lead to a depoliticization of migration, particularly when referring to border controls, leaving aside discussions on the issue (Agier, 2011). As will be pointed out in the analysis of policy documents, this becomes particularly evident in cases where the Commission showcases the need of “well managed migration” (European Commission, 2016a, p. 2).

As for humanitarianism, neither humanitarian action nor the management of migration can be considered apolitical, but instead raise questions of interests and power asymmetries (Pécoud & Geiger, 2010). According to Delgado Wise et al. (2013), migration management also obfuscates power asymmetries and diverging interests and can lead to avoiding obligations of international law, such as human rights protection. In line with critical humanitarianism, it is important to reflect upon the political dimension of migration management due to its “biopolitical inclusions and exclusions” (Crane, 2020, p. 30).

As previously pointed out in the chapter about critical humanitarianism, a range of different actors besides states are involved in migration management, including intergovernmental organizations (IGOs), regional organizations (ROs), NGOs, think tanks and private actors. Moreover, migration management often “involves a problematic redistribution of political sovereignty and security activities, and necessarily results in a blurring of responsibilities between state, non-state and private actors” (Geiger, 2016, p. 263). The fragmentation of actors involved in migration management can enable states to pursue their own agendas (Betts, 2008). For example, the EU supports the IOM in returns and at the same time supports the United Nations High Commissioner for Refugees (UNHCR) in the protection of human rights at the same time (Pécoud & Geiger, 2010). It can be summarized that the external migration management of the EU is characterized through “extraterritoriality, multi-actor involvement and informality” (Costello & Mann, 2020, p. 323).

Given that migration management is an umbrella term and encompasses the relevant subfields of migration control and border management in the context of this thesis, use utilizing the term is reasonable. Since this thesis seeks to explore the Commission’s understanding of accountability of externalized migration management, it is important to situate

migration control and border management within the term, which is most usually used to refer to these practices.

2.2.2 Externalization

Externalization can be defined as “the extension of border and migration controls beyond the so-called ‘migration receiving nations’ in the Global North and into neighboring countries or sending states in the Global South. It refers to a wide range of practices from controls of borders, rescue operations, to measures addressing the drivers of migration” (Stock et al., 2019, p. 1). It moreover includes “processes of territorial and administrative expansion” of the receiving state(s) (Casas-Cortes et al., 2016, p. 231). As such, externalization can be part of migration management. It is essential to note that externalization is based on cooperation with third countries on issues of domestic or EU migration control. Third countries are usually countries of origin or transit countries that cooperate with the EU on these issues.

While implementation of externalization measures is often justified as rational behavior by the receiving states to limit economic, political and social costs (Stock et al., 2019; Zaiotti, 2016), this study builds upon the understanding and use of the concept as reinforcing global inequalities and the prevention of mobility (Faist, 2018a). Particularly regarding a growing number of actors involved in this issue and blurred lines between security and development, studying this field within European politics is crucial to explore the interlinkage between security and migration control and challenges for accountability due to the implementation by other actors than the EU itself.

The EU’s use of externalization can be traced back to at least the post-Cold War era (Faist, 2018b) and has gained further attraction due to the so-called ‘migration crisis’ in 2015 (Zaiotti, 2016). It was developed by integrating migration and asylum in the EU’s external policy whereby migration policy was ‘mainstreamed’ in foreign policy (Gaibazzi et al., 2017). This practice illustrates how sending and transit actors are part of externalization through the EU’s use of conditionality (Zaiotti, 2016). Negotiations over externalization and thereby extending EU borders to non-European territory reflect dynamics between involved actors concerning who gains remote control over the territory of the state from which migration is either originating or transiting (Balzacq, 2009). This understanding implies that borders are dynamic and can be extended (Lemberg-Pedersen, 2017), which underlines the importance of

critical geopolitics, highlighting the need to avoid making sense of the world as territorialized but instead as spatialized (Moore, 2013). This perspective allows to critically reflect upon the power asymmetries of humanitarianism, migration management as well as of externalization processes. Following the understanding that the infrastructure of EU border control can transcend European territory, it facilitates the creation of non-arrival policies (Gibney, 2006) or non-exit policies (Lemberg-Pedersen, 2017).

Agreements between the EU and third countries on remote control outside EU territory can condition the EU's partner countries to align with the objectives to curb migration. Power-based explanations regarding the EU's external migration management's implementation success are grounded in asymmetrical governance hierarchies between the EU and third countries (Lavenex & Schimmelfennig, 2009). On the contrary, other scholars stress that because of the priority objective of the EU to reduce irregular migration, this enables the partner country to increase its demands in the negotiations in turn (Lemberg-Pedersen, 2017).

In this context, Oliveira and Verhoeven (2018) emphasize that an essential reason for accepting EU policies is a shift in the perception of governing elites. Whereas conditionality in trade and development aid has often been perceived as imposed policies from the West by the elites of the receiving states (Carbone & Orbie, 2014), it is now often regarded as support for regime consolidation and “as an incentive to avoid domestic reforms” (Hahonou & Olsen, 2020, p. 4). Similar developments can be observed in Niger, as will be pointed out in the following chapter.

Previous case studies have so far mostly focused on the EU's practice of externalization in typical transit countries such as Turkey (Çetin, 2020; Heck & Hess, 2017; Üstübici & İçduygu, 2018), Ukraine (Crane, 2020; Wunderlich, 2013), North African states (Bartels, 2018) such as Libya (Müller & Slominski, 2020; E. Palm, 2020) and Morocco (Tyszler, 2019) as well as the islands of EU member states in the Mediterranean Sea (Casas-Cortes et al., 2016; Godenau, 2014; Triandafyllidou, 2014; Vives, 2017). However, the implemented policies of the last years show how the practice of externalized migration management has shifted to countries further away from EU borders. Studies focusing on the case of Niger have been chiefly conducted by research institutes and think tanks (Abebe, 2019;

Claes & Schmauder, 2020; Jucker & Garver-Affeldt, 2020; Molenaar, 2017; A. Palm, 2016). The record of academic research on the EU's external migration control in Niger so far remains limited and existing studies are rather new (Bøås, 2020; Frowd, 2020; Hahonou & Olsen, 2020; Raineri, 2018; Sylla & Schultz, 2020; van Dessel, 2019).

Externalization can contribute to shifting migration routes, which can be more dangerous than those used before (Zaiotti, 2016). After human smuggling was criminalized in Niger due to pressure of the EU in 2015 (Massalaki, 2015), routes through Niger have changed and become more dangerous (Claes & Schmauder, 2020; Tubiana et al., 2018). At the same time, the budget of the Nigerien security forces, which are heavily funded through EU programs focusing on curbing migration, was increased. While the criminalization of human smuggling in Niger caused job losses for many parts of the population, the business was not eliminated but instead taken over by Nigerien security forces (Raineri, 2018).

In this context, researchers highlight a lack of human rights protection in externalized migration management (Frelick et al., 2016; Mc Namara, 2013; Papagianni, 2013; Zaiotti, 2016). A recent report illustrates increased vulnerability of migrants as well as a heightened risk of human rights incidents in the Sahel zone due to externalization (Jucker & Garver-Affeldt, 2020). Similarly, Hahonou and Olsen (2020) point out that externalization in Niger has contributed to an increased risk of vulnerability for migrants and other negative effects such as increased instability and corruption. Accordingly, these findings may support the increasingly dangerous trend for migrants and shifted routes after smuggling in Niger was criminalized in 2015 (Massalaki, 2015). Under the framework of the EUTF, scholars have illustrated a lack of transparency, follow-ups and control (Zardo, 2020), pointing towards problems of accountability. Therefore, the number of actors, a lack of human rights guarantees and the trend towards more dangerous routes due to criminalization in Niger raise questions of accountability.

By aiming to explore the Commission's understanding of accountability in the context of externalized migration management, the thesis now proceeds to outline the concept of accountability and its different forms.

2.2.3 Accountability

Bovens (2007, p. 107) defines accountability “as a relationship between an actor and a forum, in which the actor has an obligation to explain and justify his or her conduct, the forum can impose questions and pass judgement, and the actor may face consequences”. Accordingly, accountability can be understood as a tool for placing checks on power and responding to the abuse of power, involving at least two actors with one exercising power and the other to hold the former accountable, ensuring a form of control (Mulgan, 2000). The control mechanism of accountability is considered as “an institutional relation or arrangement in which an actor can be held to account by a forum” (Bovens, 2007, p. 106). Thereby, the focus is on the institutional arrangement within which actors operate.

Bovens (ibid.) distinguishes between four forms of accountability which are used for the empirical analysis of this thesis. These are public, political accountability, legal, and quasi-legal accountability. Public accountability is characterized by a classic principal-agent relationship in which the voter as a principal delegates sovereignty to an elected representative who constitutes the agent. In a democratic state, public accountability is considered as an essential condition for democratic elections when voters are capable to judge the conduct of the government (Przeworski et al., 1999). To do so, voters need access to information, requiring transparency of parts of the political process and communication of political decisions (Chang et al., 2010). When actors render account for their actions in front of a democratically elected forum, one can speak of political accountability (Bovens, 2007). In the case of the EU, this forum is constituted by the European Parliament and the Council, as the members of the Council, in turn, are accountable on the national level (Horii, 2018). However, in certain policy fields, such as foreign and security policy, the European Parliament cannot scrutinize these activities. Also, national parliaments have little to no control over decisions of their representatives made in the Council (Bovens, 2007). Because migration matters have been integrated into foreign policy (European External Action Service, 2016b), holding actors accountable is particularly difficult on the European level in the case of externalized migration management. Concerning legal accountability, the Court of Justice of the EU (CJEU) is responsible for “civil liability, contractual liability and issues concerning access to information” (Horii, 2018, p. 212). However, as Müller and Slominski (2020) point out, depending on the nature of the cooperation between the EU and the third country, the EU’s legal accountability

can be circumvented through externalization. Referring back to the findings of the development-security nexus and the de-facto exclusion of people from EU jurisprudence due to externalization, this has profound implications for legal accountability. The European Court of Auditors (ECA), the European Ombudsman and the European Anti-Fraud Office (OLAF) are considered to be “quasi-legal forums” to financially and administratively control EU actions (Bovens, 2007, p. 108). Despite the ability of these actors to produce reports and make judgements, democratic control is only increased if parliaments make use of this information. While these institutions can provide the responsible actors with a learning perspective and place more checks and balances on processes, they cannot increase democratic oversight if the Parliament is generally excluded from a policy field.

In the context of externalization of migration management, it is widely acknowledged that this process leads to challenges of accountability. Countries of transit and origin are tasked to manage migration. For those actions, “accountability structures within these jurisdictions” apply (N. Tan & Gammeltoft-Hansen, 2020, p. 339). While this raises ethical questions of the EU’s management of migration by outsourcing migration management as well as accountability on the one hand, it is also problematic concerning low statehood and democratic structures in many of these countries on the other. Although additional pathways for increased accountability are explored, which could hold the donor accountable, power asymmetries between third countries in the Global South and the Global North may prevent these actions. Not only do private actors and the informality of the whole process contribute to shrinking transparency and thus to compromising public accountability, but also the number of implementing organizations raises the question of who should be held accountable and to whom (A. Tan & Schreeb, 2015). Given the focus of this thesis on externalized migration management of the EU, the Commission is considered to represent the EU and its member states. While member states disagree on issues such as a redistribution mechanism for migrants, they all seem to share the approach the overall goal to limit access to EU territory by supporting externalized migration management such as through the EUTF (European Commission & Member States of the European Union, 2015). Magonette (2003, p. 51) argues that the Commission “is one of the most controlled executives in the world. Situated between the Council and the Parliament, subject to the jurisdiction of the ECJ, watched over by the Ombudsman, the Court of Auditors and a series of ad hoc bodies, it is surrounded by

mechanisms of control”. However, in the case of externalized migration management, the effectiveness of these control mechanisms can be questioned. Moreover, as the Commission is responsible for reporting its policies, such as through the annual reports of the EUTF, it has the power to shape its own understandings of accountability. Thereby, the Commission can present its policies based on its own understanding of accountability, raising interest about which aspects are highlighted and which are potentially omitted. It can be questioned how implementing actors as contractors of the EU can be held to account and to whom they should render account. However, because this study focuses on the Commission as the responsible actor of developing the policies in the first place, implementing actors are not the subject of the thesis. Nevertheless, it could be questioned how the Commission strategically outsources responsibility to its contractors to circumvent control mechanisms of accountability on the European level.

Previous research focusing on hampered accountability has stressed that particularly trust funds pose challenges for political and quasi-legal accountability (Carrera et al., 2018). Since the European Development Fund (EDF) was only recently incorporated into the Multiannual Financial Framework (MFF), the Parliament had no control over the budget. Nevertheless, trust funds, such as the EUTF, remain outside the MFF, disabling control mechanisms of the Parliament and the ECA. Moreover, the intergovernmental character of the EUTF allows member states to circumvent the EU’s requirements of official development assistance (ODA) and instead prioritize state interests of non-development (Hauck et al., 2015). Similarly, the involvement of unelected EU agencies, such as Frontex and the Asylum Support Office (EASO), raise additional questions of how they can be held to account (Horii, 2018; Papagianni, 2013).

The forms of accountability which are of fundamental interest for the empirical analysis of this study are public, political, quasi-legal and legal accountability. Having now described what these forms of accountability entail, they will later be used to explore what the policies reveal about the Commission’s understanding of accountability. The following chapter focuses on externalized migration management of the EU in Niger. The section shows why stability in Niger is of critical importance to the EU and how this is of significance concerning the EU’s migration management.

3 Externalized migration management to Niger

To understand the case of the EU's externalized migration management in Niger, it is crucial to comprehend the Nigerien context. Therefore, this chapter first briefly outlines the political context and the role of migration in Niger.

3.1 Political context

The political situation in Niger is volatile and almost as unstable as the whole region of the Sahel. As Raineri (2018, p. 79) points out, former president Issoufou maintained a working relationship with the military due to beneficial arrangements, including “a substantial increase in the budget of the security sector”. Funded by international partners, including the EU, his power was manifested by maintaining allyship and supporting the EU's agenda of restricting irregular migration in a region of significant geostrategic importance to the EU.

The UN describes Niger as a “landlocked nation surrounded by problematic countries” (UNHCR, 2021). In every neighboring country of Niger, except for Benin, Islamist or terrorist groups are operating, which poses security challenges to Niger (The Africa Report, 2021). Parts of the Tuareg, an ethnic group in West Africa, are also considered to challenge the stability of the Nigerien state after the latest civil war from 2007 to 2009 which erupted due to perceived marginalization of the Tuareg (Raineri, 2018). These conflicts that surround Niger again highlight the role and importance of stability, explaining the EU's great engagement.

Niger is highly dependent on foreign aid with a total aid budget of nearly one billion US dollars from the EU (Barana, 2017). With 3.3 billion Euro in total, Niger is the main beneficiary under the EUTF (Hahonou & Olsen, 2020, p. 7) and thereby reflects the importance of a transit country to the EU. With the EUTF's budget for partner countries solely based on their migration profile (Castillejo, 2017), the trust fund has been criticized for not complying with its overall objective of addressing the root causes of migration but instead serving the interests of the EU of curbing migration (Venturi, 2017). Interestingly, although Niger ranks 123rd out of 180 countries in the Transparency International index (2020), 200 million Euros under the EUTF were directed to the government instead of NGOs which is usually the case for countries with high levels of corruption (Howden & Zandonini, 2018a). This again reflects the role of Niger as a strategic geopolitical partner for the EU and the importance of limiting

migration numbers as the top priority. Although the EU's budget set out the areas of 'security, governance and peacebuilding' as the most important ones, this indicates a shift away from the EU's core principles of aid such as good governance and the promotion of economic growth, underlining findings of the security-development nexus.

Due to the fact that the majority of the budget was allocated towards the government, because of the need to cooperate with security forces to curb migration, this enabled the Nigerien regime to avoid any necessary reforms and thereby strengthened its position (Elischer & Mueller, 2019; Hahonou & Olsen, 2020). Moreover, additional funding for "defense-related expenses" is covered by member states and Niger bilaterally (Hahonou & Olsen, 2020, p. 7).

Accordingly, the EU depends on the Nigerien regime to meet its objectives of restricting migration and, therefore, seems to prefer short-term solutions over long-term development, which could in turn also have negative consequences for the EU's objectives. The next chapter deals with the role migration plays in the Nigerien society and the consequences the EU's policy of curbing migration to its territory has for the local population.

3.2 Migration

Niger is a transit country for many people who wish to migrate further north, particularly to Europe. As such, Niger is itself is a country of origin as well as a country of transit. This has contributed to a business model of human smuggling, particularly in the north of Niger in the city of Agadez (Molenaar, 2017). As mentioned in the previous chapter, Niger's economic growth does not correspond to its population growth and large parts are generated through the informal sector, including human smuggling (World Bank, 2020). This business generated a stable income for many people involved in human smuggling and contributed to a thriving economy in Agadez. The fall of Gaddafi and increased migration from Libya to Europe via the Mediterranean have prompted the EU to adopt restrictive measures to limit access to its territory (Bøås, 2020). According to conservative estimates, more than 300,000 migrants have passed through Niger between 2000 and 2016 (Molenaar, 2017).

Although migration from Africa to the EU only represents a margin of all African migration (Flahaux & de Haas, 2016), it mostly irregularly takes place due to a lack of legal pathways and the unwillingness of the EU to create these (Zanker, 2019). Instead, most African migration is circular, meaning that migration is temporary and repetitive (Flahaux & de Haas, 2016). The promotion of regional free movement among African states, particularly those of the Economic Community of West African States (ECOWAS), has long been a priority for the EU. However, when irregular migration increased in 2015, regional free movement was assessed to be among the facilitators of irregular migration and its promotion was stopped by the EU (Castillejo, 2019; Castillejo et al., 2019). Moreover, the EUTF fails to acknowledge the role of circular migration and its contribution to intra-African migration (de Guerry et al., 2017). Particularly in the case of West Africa, the implementation of EU migration control policies fails to acknowledge inter-regional and circular migration.

In 2015, the Nigerien government implemented a law (number 036/2015) to criminalize migrant smuggling (Massalaki, 2015) after it was pressured by the EU (Raineri, 2018). The EU itself describes this as “supporting the Niger authorities to implement the law criminalizing the smuggling of migrants and human trafficking and the development of a strategy on migration” (European Commission, 2017a, p. 24). Penalties include detention, “confiscation of property and removal from public office” (Bøås, 2020, p. 11). In the same year, the EU amended the mandate of its CSDP mission EUCAP Sahel Niger⁴ to support the Nigerien security forces in better controlling their borders to prevent irregular migration

Recent studies provide insight into how the criminalization of human smuggling has triggered new dynamics in the transportation of migrants. While the criminalization of smuggling has not led to organized cartels (Molenaar, 2017; Tinti & Westcott, 2016), it is now carried out by security forces. According to Raineri’s (2018, p. 63) findings, the criminalization of human smuggling has produced contradictory outcomes to the EU’s objectives, namely that “protection rackets sponsored by the state through patronage networks have severely limited the impact of externally sponsored measures to counteract irregular migration”. Whereas migration numbers generally have declined since the implementation of law 036/2015,

⁴ (Council Decision (CFSP) 2015/1141 of 13 July 2015 Amending Decision 2012/392/CFSP on the European Union CSDP Mission in Niger (EUCAP Sahel Niger), 2015)

smuggling still takes place but in different, more dangerous, ways. Bøås (2020) points out that the law is not enforced equally due to clientelism; rather, depending on the ethnic group, certain groups face higher risks of penalization than others. The closer the relationship with the government, the less the group must fear detention, and the more marginalized the group already is, the higher the risk of punishment. Similarly, Raineri (2018, p. 79) argues that the cooperation with smugglers “is not only a component of the political economy of north Niger, but is also part of the gears and wheels of the political assemblage at a national level”. In a recent report, Jucker and Garver-Affeldt (2020) identified a correlation between cooperating with a smuggler and migrants’ vulnerability. While vulnerability is not necessarily related to the smuggler itself, cooperation with one appears to make migrants more vulnerable to protection incidents. In this study, interviews with more than 10,000 people from Burkina Faso, Mali and Niger were conducted between June 2017 and December 2019 who reported more than 23,000 protection incidents (ibid.). These findings clearly support the argument that the criminalization of human smuggling leads to more dangerous journeys for migrants, increased vulnerability, and higher risks of exploitation.

The EU’s focus on short-term solutions for reducing migration numbers contributes to an unbalanced partnership without addressing the “long-term challenges related to poverty eradication, human rights or political dialogue” (Venturi, 2017, p. 5). Moreover, projects focusing on security under the EUTF raise questions on how they can eradicate the root causes of instability, conflict, and migration. Instead, the focus on short-term solutions could potentially trigger new dynamics fueling political turmoil due to a loss of income for large groups of the Nigerien population through the criminalization of their business (Bøås, 2020). The response of the EU of restricting access to its territory through cooperation with Niger shows how the local context has not been taken into consideration well enough, leaving aside the role of security forces and local authorities in the Nigerien society (Molenaar, 2017).

Now that a background of the political context in Niger as well as the role of migration has been presented, the following section outlines the methodology of this thesis for the empirical analysis.

4 Methodology

To explore how the EU, represented by the Commission, understands accountability in its policies of externalized migration management, this thesis approached the investigation using a qualitative approach. This chapter presents the overall research design, the method of data collection, the analytical method, including its strengths and limitations, and the research ethics. It moreover illustrates the operationalization of the forms of accountability by presenting examples for each form which serve as a transition for the empirical analysis.

4.1 Research design

To expand on the knowledge of externalization practices by the EU, this thesis uses a qualitative approach and focuses on the case of the EU's externalized migration management in Niger to explore the Commission's understanding of accountability in externalized migration management. The exploratory approach of the case study is particularly useful in the context of this thesis, given that the evaluated policy documents have no clear and single set of outcomes (Yin & Campbell, 2018). The previously outlined lack of the Commission's understanding of accountability in externalized migration management and little empirical research on migration management in Niger allows conducting a single-case study to investigate the case in-depth and to fill this knowledge gap. Moreover, the single-case study enables to employ the theoretical framework of critical humanitarianism to understand how migration is governed and how this form of government circles around issues of accountability. Therefore, the EU's externalized migration management in Niger represents the single case analyzed in this thesis. Despite the qualitative approach of this thesis, this single-case study does not aim to generate a new theory, such as grounded theory, but instead to "contribute to the process of theory" by generating new questions by the end of the empirical analysis (Levy, 2008, p. 5). Regarding to the theoretical framework used, a qualitative approach was most appropriate for this thesis, given the importance of deconstructing knowledge in critical theories and the poststructuralist approach of critical humanitarianism (Agger, 1991).

Using a thematic analysis of these policy documents, this thesis seeks to explore how the Commission understands accountability in externalized migration management to Niger. This approach allows the researcher to investigate the material in-depth and, at the same

time, base the analysis on the theoretical framework of critical humanitarianism and the selected concepts presented in chapter two. As such, this exploratory approach permits to produce “inductively derived generalizations” of the case (Given, 2008, p. 329).

4.2 Case study

Against the background of limited knowledge about the case of externalized migration management to Niger and the understandings of accountability in this context, this thesis uses a single-case study approach. The case of the EU’s externalized migration management in Niger serves as a basis in terms of “an intensive study of a single unit or a small number of units (the cases), for the purpose of understanding a larger class of similar units (a population of cases) (Gerring, 2009, p. 7). As such, externalized migration management to Niger is a case of externalized migration management efforts by the EU illustrating the merging of security and development. The case can be understood as a phenomenon “chosen, conceptualized and analyzed empirically as a manifestation of a broader class of phenomena or events” (Vennesson, 2008, p. 226). Accordingly, the case represents a single-unit which can be analyzed in-depth through elucidating “features of a larger class of similar phenomena” (Gerring, 2004, p. 341). In relation to the research design, this thesis represents a holistic single-case study (Yin & Campbell, 2018), referring to the single unit studied which is the EU’s externalized migration management in Niger.

This single case fills the gap of the so far limited knowledge concerning externalized migration management to Niger and the Commission’s understandings of accountability in this context. Employing a single-case study allows for generalizations beyond the explored case through analytic generalizations, enabling to shed light on the theoretical framework and concepts used in this thesis and thereby generating new empirical findings. Due to the qualitative approach of the study, generalizations need to be treated differently compared to quantitative research and the reliance on statistical types of generalizations (Smith, 2018). Analytic generalizations are either based on modifying the used concepts or new concepts which arise in the context of the thematic analysis (Yin & Campbell, 2018).

Yin and Campbell (ibid., p. 71) describe propositions and their usefulness to clarify “what is to be explored, the purpose of the exploration and the criteria by which the exploration will be judged successful (or not)”. While explorative case studies often “have legitimate reasons for not having any propositions” (ibid., p. 62), the purpose and criteria to judge a successful exploration are set out in the chapter of the analytical method.

The selection of the case of the EU’s externalized migration management in Niger followed Yin’s and Campbell’s (ibid.) approach of selecting a case of potential representativeness of the practice of externalized migration management which might enable the empirical analysis to develop new hypotheses about the phenomenon. However, this thesis does not aim for representativeness. Instead, the case study should be understood as a presentation of the case with the “goal of an in-depth analysis of the diversity of a phenomenon” (Fürst et al., 2014, p. 5). The method of case selection can be described as a common case. According to Yin and Campbell (2018, p. 87), the objective of analyzing a common case is to “capture the circumstances and conditions of an everyday situation (...) because of the lessons it might provide about the social processes related to some theoretical interest”. Because externalization often has a range of negative effects, it is suspected that these also apply in Niger and are potentially exacerbated through issues of accountability. The researcher can justify the case selection due to the research gap concerning the Commission’s understanding of accountability in externalized migration management and limited knowledge on migration management in Niger. However, in line with Verschuren (2003), this thesis understands a case study as a research approach instead of as an analytical method itself. The analytical method employed in this thesis is a thematic analysis, following the approach of Clarke and Braun (2006).

As mentioned in the introduction of this thesis, the case of the EU’s externalized migration management in Niger has been selected for several reasons. Overall, a research gap exists in examining the partnership between the EU and Niger on migration management and its potential challenges for accountability. Niger’s role as a strategic partner and essential transit country is reflected in the significantly increased aid budgets under the EUTF and under the EDF with nearly one billion US dollars in the period between 2014-2020 (Howden &

Zandonini, 2018b). Moreover, many of the projects implemented under the EUTF focus on migration management and strengthening local security forces (European Commission, 2017c). The ‘security-development nexus’ is additionally illustrated through the deployment of the CSDP mission EUCAP Sahel Niger and the EU Sahel strategy (European External Action Service, 2016a, 2016c). The implementation of the Migration Partnership Framework and the related decrease of migration numbers to the EU from West Africa (IOM, 2018) indicate effectiveness of the cooperation to meet the objective of the EU of curbing irregular immigration. Although the drop in arrivals can also be traced back to other measures taken, the EU has expressed particular contentment concerning the cooperation with the Nigerian authorities (European Commission, 2016c).

4.2.1 Strengths and limitations

The strengths of qualitative case studies, particularly compared to quantitative methods, include conceptual validity, the strong procedures for developing new hypothesis through an inductive approach and the potential to explore causal mechanisms in the context of individual cases (George & Bennet, 2005). They also enable the development of “context-sensitive knowledge about the case” and the generation of hypotheses (Seha & Müller-Rommel, 2016, p. 421). Moreover, case studies allow to study objects of interest in-depth and to generate analytic generalizations which can be useful for future research. Moreover, single-case studies are particularly useful to investigate research gaps by closely examining them. Compared to other case study designs, single case studies which are “critical, extreme or unusual, common, revelatory, or longitudinal” can provide invaluable insights (Yin & Campbell, 2018, p. 58). Thereby, case studies help to break down complexity and provide researchers with context-sensitive knowledge about the studied cases. Depending on the approach used to analyze case studies, strengths also include the capability of studying causal mechanisms (Gerring, 2006).

Criticism about single-case studies is often related to the problematic generation of causal inferences (Gerring, 2004). However, as pointed out in the previous sections, this thesis does not aim to generate causal inferences but to explore the shaped understandings of accountability in the case of externalized migration management and to generate hypotheses. Additionally, external validity is often criticized in the context of single-case and comparative case studies (Gerring, 2006). As already outlined, this thesis understands using a single-case

study as a research approach instead of as a research method itself (Verschuren, 2003). Despite the qualitative approach of this thesis, thematic analysis as the analytical method facilitates to create analytical generalizations and thereby external validity.

Criticism concerning the “weak capability for estimating the average weight of variables” (Bennett, 2004, p. 20) can be disregarded since the aim of this thesis is not to make claims about the a statistical strength of certain variables. An important limitation of case studies and in the context of this thesis can be “the lack of independence of cases” (Bennett, 2004, p. 20). The selection bias in case studies is identified as one of the main weaknesses in case study research. This seems to be particularly crucial for research that aims to test hypotheses as the researcher may tend to select a case confirming the hypotheses (Seha & Müller-Rommel, 2016). The open and exploratory approach of this thesis and its aim to generate hypotheses by the end of the empirical analysis have supported the researcher to avoid this bias. Instead, the case of EU-Niger relations was selected since this case serves the objective of this thesis of exploring the shaped meanings of accountability in externalized migration management.

4.3 Method for data collection

Given the focus of this thesis on the EU’s externalized migration management in Niger, policy documents and strategies focusing on migration management and, particularly, cooperation have been selected. This has been the case particularly since the so-called ‘migration crisis’ in 2015 when the EU introduced several measures aiming to curb migration to its territory.

Therefore, this thesis selected policies that have been implemented during increased irregular migration and afterwards to respond to this. Among these policies is the EU agenda on migration which was introduced in May 2015 to address the root causes of migration, effectively securing EU borders and jointly working together on a European migration policy (European Commission, 2015, p. 2). Second, under the agenda on migration, an initiative on migration partnerships with “priority third countries of origin and transit”, including Niger, was introduced in June 2016 with the goal to increase the effectiveness of migration management (European Commission, 2016a, p. 8). Third, the EUTF was implemented in November 2015 to address the root causes of migration and provide countries of origin and transit with support in

managing migration (European Commission & Member States of the European Union, 2015, p. 8). Since documents can provide readers with the opportunity of tracking change (Bowen, 2009), this thesis included reporting of the selected policies in the collection of data to identify potential changes in the Commission's understanding of accountability.

While it has been considered that official policy documents must be treated carefully regarding the representations they create, these documents were of critical importance to understand the meanings of externalized migration management. In this context, Bryman (2016, p. 561) points out that "if the researcher wishes to employ documents as a means of understandings of an organization and its operations, it is likely that he or she will need to buttress the analysis of documents with other sources of data". Given that this research is limited in terms of time and resources, this study has extensively drawn upon secondary sources to triangulate the collected data. Thereby the selected documents not only reflect the most critical policies implemented by the EU to meet its goal to limit migration to its territory but have also been objects of investigation in other academic research focusing on external EU migration management (Brocza & Paulhart, 2015; Carrera et al., 2018; Castillejo, 2016; de Guerry et al., 2017; Tocci, 2020).

4.4 Analytical method

Given that official policy documents of the EU on external migration management have been selected, a method to analyze the form and content is required to investigate the Commission's understanding of accountability (Coffey, 2014). Because thematic analysis is particularly instrumental in exploratory research and suitable for analyzing understandings (Herzog et al., 2019), this thesis uses of a thematic analysis as an analytical method to study the aforementioned policy documents.

While there is no standard procedure or formula for employing a thematic analysis, the approach, in general, is flexible and qualitative, allowing to focus on key themes from all sorts of sources to either work inductively or test hypotheses (Guest et al., 2012). It goes "beyond counting explicit words or phrases and focus on identifying and describing both implicit and explicit ideas within the data" (ibid., p. 10). Thereby, the thematic analysis allows

to identify “patterns or meanings in and across qualitative data sets” (Berndtsson, 2017, p. 86). This thesis adopted the approach of Clarke and Braun (2006, p. 81), who describe the approach as a method capable of examining “the ways in which events, realities, meanings, experiences and so on are the effects of a range of discourses operating within society”. By adopting the semantic approach of the thematic analysis, “themes are identified within the explicit or surface meanings of data” (ibid., p. 84). The analytical process continues by progressing from a description and summary of the data to the interpretation with the “attempt to theorize the significance of the patterns and their broader meanings and implications” (ibid., p. 84). The semantic approach can be situated in a realist framework which allows to “theorize motivations, experience and meaning” given that a “unidirectional relationship between meaning and experience and language” is assumed (ibid., p. 85).

Six phases of analysis are outlined, which are: Familiarization with the data, a first initial coding, searching for themes, reviewing the themes, defining, and naming them and finally the production of the report (ibid., p. 87). In the first phase, the researcher searches for patterns of meanings. In the second phase, codes are applied to the data, which are believed to be important with regard to the research question and thereby create the “building blocks of analysis” (Braun & Clarke, 2012, p. 61). The initial coding supports the organization of the data. After relevant segments have been applied to codes, themes and subthemes are created. This process requires an active role of the researcher “in interpreting and reporting” the themes (Herzog et al., 2019, p. 395). Therefore, thematic maps are created to visualize the significance of themes and their characteristics. The fourth phase of reviewing themes is concerned with their final development to provide “identifiable distinctions between themes” (Braun & Clarke, 2006, p. 91). This includes a revision of the thematic maps. Appendix 3 illustrates how the thematic maps have been developed in the time of identifying themes. In the fifth phase, the names of the themes are reviewed so that themes “give the reader a sense what the theme is about” (ibid., p. 93). According to Herzog et al. (2019, p. 395), “the themes are finalized when renaming has led to satisfactory results”. Although the final phase of the thematic analysis is concerned with the production of the report, writing already begins in the first phase and continues throughout the research process. As such, this process can be considered as iterative. In the reporting of the analysis, data extracts representing each theme should be presented. Braun and Clarke (2006, p. 93) emphasize that “extracts need to be embedded within an analytic

narrative that compellingly illustrates the story” and that this narrative “needs to go beyond description of the data, and make an argument in relation” to the research question presented.

To conduct the thematic analysis, the software Nvivo 12 was used. Appendix 2 provides readers with an overview of the coding frame.⁵ For the analysis of the material, this thesis approached the material with apriori codes (Gibson & Brown, 2009), also called concept-driven or deductive, based on the forms of accountability presented by Bovens (2007). The researcher decided to focus on public, political, quasi-legal, and legal accountability in line with the material and the research questions. These forms of accountability can be considered as the internal control mechanisms within the system of the EU. Throughout the process of analyzing the data, external control mechanisms based on international law were identified. Accordingly, these external control mechanisms can be considered as empirical codes, also called data-driven or inductive (Gibson & Brown, 2009).

When paragraphs in the data related to transparency and the communication of the migration management of the EU appeared, these were coded as public accountability. A clear example of this can be seen in the following quote: “Over the course of 2016, the EUTF for Africa has developed a consistent communication strategy in an effort to increase the transparency and comprehensiveness of its actions and to better inform partners and wider stakeholders on the implementation and progress of the adopted programs in a more regular and efficient fashion” (European Commission, 2017a, p. 21). This quote relates to public accountability due to the emphasis of the EU to enhance transparency and communication overall.

To be coded to the subtheme of political accountability, parts of the data were required to demonstrate emphasis on the governance structures of the policies. The following quote provides an example of a paragraph that was coded as political accountability. “The EUTF for Africa operates in the general system of internal control defined by the Commission. In this framework the EUTF for Africa has put in place the organisational structure and the internal control systems suited to the achievement of the policy and control objectives, in

⁵ If readers are interested in the entire coding procedure, they should contact the researcher, and she will export the whole data set and send it to the interested person.

accordance with the standards and having due regard to the risks associated with the environment in which it operates” (European Commission, 2018, p. 73).

Statements relating to the legal character of externally managing migration such as “the rules for the establishment, governance, administration and reporting of the Trust Fund need to be laid down in accordance with Article 42 of the Financial Regulation of the 11th EDF, which refers to Article 187 of the Financial Regulation, and in accordance with the principles of economy, efficiency and effectiveness” (European Commission & Member States of the European Union, 2015, p. 7).

Concerning the category of quasi-legal accountability, sections explicitly relating to the responsible institutions, or the role of evaluation and monitoring were selected. An example for this is the following statement: “The European Anti-Fraud Office (OLAF) exercises the same powers over the EUTF for Africa in its entirety, including its governance bodies and the representatives of donors and observers participating in such bodies, as it does in respect of other activities of the Commission” (European Commission, 2017a, p. 48).

Paragraphs relating to international law were coded to the responding category. As such, this was also the case when the sections referred to human rights in relation to the foundation of the EU, such as in the case of the following example: “In all cases, the humanitarian and human rights imperatives of EU policy need to stay at the core of the approach” (European Commission, 2016b, p. 2).

Figure 1 below summarizes the final themes in a mind map and shows which aspects were considered the most crucial to be coded to the responding theme.

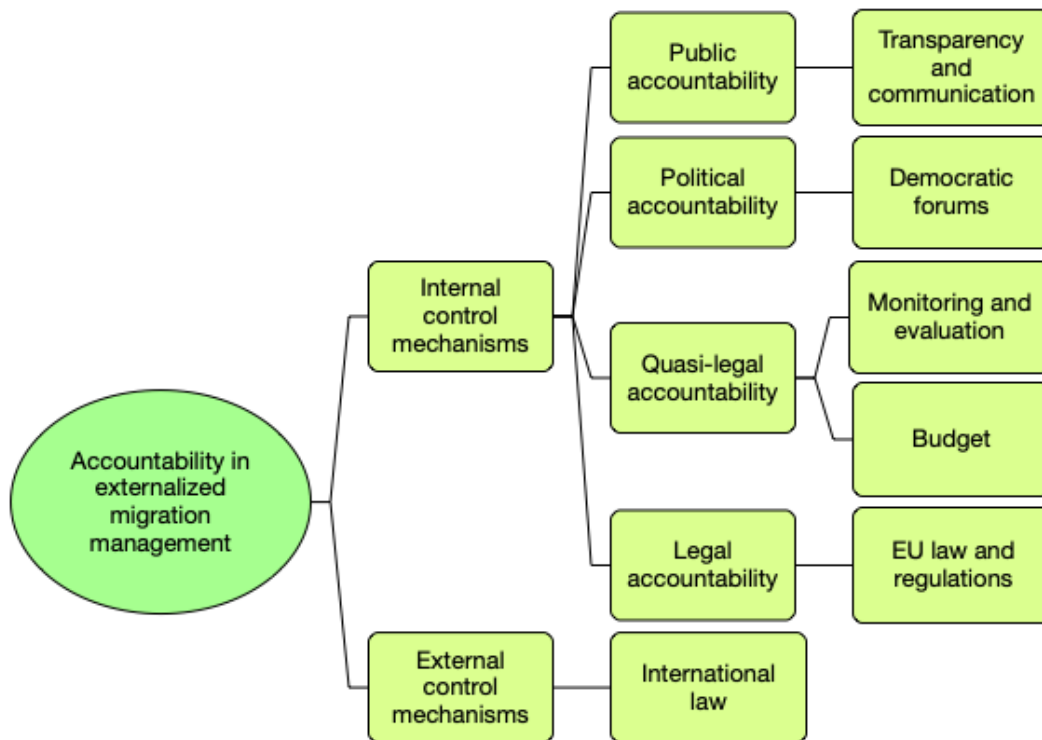


Figure 1: Final thematic map

(Developed by the researcher with the software in Nvivo 12)

4.4.1 Strengths and limitations

In line with the theoretical framework of critical humanitarianism, the approach of Clarke and Braun (2006) allows to deconstruct knowledge (Agger, 1991) and thereby enables the researcher to avoid the pitfalls of a positivist research paradigm which is of particular importance in qualitative research. Moreover, compared to other qualitative methods such as qualitative content analysis (Schreier, 2013), the thematic analysis goes beyond description and involves a high degree of interpretation. Thereby, the chosen method is also suitable for small and medium-sized data sets (Clarke & Braun, 2013).

Related to the exploratory aim of this thesis, a thematic analysis is particularly instrumental given its open approach compared to other qualitative methods such as critical discourse analysis (Herzog et al., 2019). While critical discourse analysis could be considered to fit well with the theoretical framework of critical humanitarianism due to its emphasis on power relations, the openness of the thematic analysis and its suitability with any theoretical framework is more likely to guarantee an open outcome of uncovering constructed

understandings of accountability in external migration management. At the same time, the method still allows exploring the “constitutive nature of language and discourse” (Clarke & Braun, 2014, p. 1950). Referring to the potential danger of selection bias of cases, the openness of the thematic analysis is more likely to avoid any biases that could occur to confirm previous assumptions. In the same context, this openness and the related requirement “of individual judgement” (ibid., p. 389) can bear challenges for novice researchers (Herzog et al., 2019, p. 389). However, Braun and Clarke (2006) emphasize that the thematic analysis is particularly useful for research beginners and should be considered to be among the first qualitative methods learned and taught. Therefore, the high degree of the individual judgement of identifying and reviewing the themes can be addressed by scheduling sufficient time for theme development.

Building upon criticism of low “transparency and methodological reflexivity” by many researchers conducting qualitative research and particularly thematic analysis (Herzog et al., 2019, p. 386), this thesis aims to strive for a transparent way of identifying themes, the corresponding paragraphs in the data and their interpretation. Therefore, thematic maps illustrating the development of the themes throughout the research process are provided in appendix 3.

As for many qualitative methods, criteria to assess the quality of research can be controversial. While Flick (2007) argues for developing ‘method-appropriate criteria’, indicating an absence of general terms for qualitative research, Tracy and Hinrichs (2017) identified ‘big tent criteria’, which are commonly shared as characteristics of qualitative research. According to these, outstanding “qualitative research is marked by worthy topic, rich rigor, sincerity, credibility, resonance, significant contribution, ethics and meaningful coherence” (ibid., p. 2). They argue that the classic quantitative standards of validity, reliability, generalizability, and objectivity cannot be equally applied to qualitative methods.

Whereas the question has been raised if qualitative methods generally should follow the same criteria (Reicher, 2000), other scholars stress that specific quantitative criteria can be fulfilled in qualitative research (Braun & Clarke, 2006). In the context of this thesis, construct validity was guaranteed by correctly identifying the operational measures for the concepts studied as applied in the previous section. Given the exploratory approach of this

thesis, the criterion of internal validity is of no relevance because it does not aim to generate statements about causal inference. As a result of the analysis, external validity was assured by outlining the analytic generalizations in the following chapter. Generalizing beyond the Niger may be possible to the region of the Sahel and the general focus of the EU to control migration movements in this area. However, further research would be required to test this assumption and explore if different regions in Africa, for example in the IGAD region in Eastern Africa, provide similar findings. Given the EU as *sui generis*, generalizations of the findings beyond the practice of the EU must be treated carefully. Assuming similar understandings of accountability by other actors who practice externalized migration management, such as Australia (Mountz et al., 2013), would be misleading. Given the special dynamics surrounding migration in the EU and the fact that migration often remains an intergovernmental issue, indicates that the EU must be treated as a unique actor compared states that follow similar approaches of curbing irregular immigration.

According to Tracy and Hirsch (2017), qualitative research should aim for credibility by conducting the empirical analysis in a transparent way. However, both classic features of intra- and inter-reliability could be guaranteed by testing and readjusting the codes and themes. Moreover, the detailed appendix of the thesis allows other researchers to replicate the procedure (Braun & Clarke, 2006).

4.5 Research ethics

Roth and Unger (2018, p. 3) emphasize “ethical reflexivity as a core feature of qualitative research”. As such, several aspects had to be considered for this thesis.

Concerning the positionality of the researcher, it is crucial to bear in mind that certain aspects of positionality are fixed and may have thereby influenced how this thesis was approached. Throughout the process of writing, the other aspects of positionality, such as political beliefs or the context of how information was perceived, may have changed (Holmes, 2020). Moreover, TA requires a high level of interpretation and therefore an active role of the researcher, which is related to positionality (Braun & Clarke, 2006). As a European, white woman exploring this topic, the study has been impacted by a Eurocentric worldview, which

has important implications for analyzing the EU's externalized migration management in third countries, particularly in Niger (Reviere, 2001). Although the study focuses on the policy level of the EU, exchange with people from Niger or other countries of origin could have mitigated this effect, but the COVID-19 pandemic did not allow for fieldwork at the time of writing. This exchange could have provided crucial insights for the analysis and reduced the bias of a Eurocentric worldview.

Although the majority of the used academic sources are published in high-quality journals such as the *Ethnic and Racial Studies* and the *Journal of Ethnic and Migration Studies*, people of color are underrepresented in the boards of these journals, although many of the contributions study contexts in the Global South (*Ethnic and Racial Studies*, n.d.). Zimbalist (2020) addresses this problem by criticizing that in the context of African states, it is often people from outside who are involved in the production of knowledge. This also becomes evident by looking at the board of editors of various journals used for this thesis in which the majority of scholars are white and/or employed at Western universities (*Journal of Ethnic and Migration Studies*, n.d.; *Journal on Migration and Human Security*, n.d.). While there are journals in which this seems to be recognized (e.g. *Journal of Black Studies*, n.d.), the majority of research this thesis builds upon may have supported the Eurocentric worldview of the researcher. Similarly, official data concerning figures are provided by Western neoliberal institutions. These institutions, such as the World Bank, all pursue their own agenda in the field of global development and accordingly, their data has to be reflected critically (Fine & Saad-Filho, 2014; Ruckert, 2006).

Moreover, individual dilemmas of vulnerable people are not considered as such but are mostly presented as a homogenous group that can be considered problematic (Roth & Unger, 2018). Tan and Gammeltoft-Hansen (2020) argue for a more inclusive analysis in the exploration of accountability in externalized migration management by taking into account how migrants are directly influenced. However, in line with the research aim of this thesis, the focus on the policy level of the EU justifies that the individual perspective of migrants has not been included. This is not to deny individual experiences but to focus on the research aim of investigating the shaped meanings of accountability in the context of externalized migration management.

5 Analysis

This chapter presents the analysis. The concrete question of how the EU's policy formulation about the externalization of migration is addressed. Its reporting reveals how accountability is understood after 2015. The identified themes are internal and external control mechanisms. The internal control mechanisms can further be divided into public, political, legal, and quasi-legal accountability within the democratic system of the EU. External control mechanisms relate to the rules of the international system based on internal law. Given that only a thematic analysis was used as an analytical method, this thesis does not distinguish between analysis and results. Instead, the analysis is structured along the two themes of internal and external control mechanisms with a subchapter for each subtheme. The subthemes of the internal control mechanisms are public, political, quasi-legal and legal accountability and international law and human rights for external control mechanisms. In each section, quotes from the data are presented along with the researcher's interpretation of these quotes in accordance to the research question and aim, based on critical humanitarianism.

Generally, it should be noted that relatively few paragraphs of the material were coded to both themes concerning the volume of analyzed data. Of 601 pages in total, only 103 bits of the data were coded to the themes. Although quantitative measures may be of less importance in qualitative research, this nevertheless already reveals that the Commission seems to place a rather little emphasis on accountability in its policies of externalized migration management.

5.1 Internal control mechanisms

Internal control mechanisms were identified as one of the two themes. As a recurring theme throughout the coding process, the data revealed evidence pointing towards the internal control mechanisms within the system of the EU. As a conceptually driven analysis, the subthemes of public, political, quasi-legal and legal accountability were identified. More specifically, the analysis shows that for specific control mechanisms, the data entailed very detailed information about these control mechanisms, whereas, for others, the information was less explicit or tended to omit crucial aspects regarding democratically elected bodies. Interestingly, the data showed the most substantial emphasis on public and quasi-legal accountability. Accordingly, there was

less emphasis on political and legal accountability, which has severe implications for the democratic process and jurisdiction. In general, it should be noted that particularly the EUTF stands out compared to the other analyzed policies. Compared to the European Agenda on Migration and the Partnership Framework Initiative, the intergovernmental character of the trust fund requires the involvement of the member states. Nevertheless, the annual reports of the EUTF are published by the Commission and thereby provide much information to interpret the Commission's understanding of accountability. The structured set-up of the annual reports of the EUTF revealed that these reports rather serve to present facts and figures to the public by repeating several aspects over the years.

The following sections outline the main findings of the internal control mechanisms within the system of the EU, providing quotes from policy documents and interpretations referring to the theoretical framework and implications for the respective form of accountability.

5.1.1 Public accountability

In Chapter 2.2.3 on accountability, public accountability was identified as an essential condition for the democratic process. To judge the conduct of their representatives, voters require information about political actions. As a recurring theme, the analysis shows that the Commission places a strong emphasis on the role of public information and transparency in its communication about the EUTF. These aspects are highlighted throughout the documents, making this form of accountability one of the predominant ones. Although the European Agenda on Migration (European Commission, 2016a) and the Partnership Framework (European Commission, 2016a) provide few references to these aspects, the annual reports of the EUTF show a clear emphasis on the need for transparency and communication to the public, as the following quote points out.

Over the course of 2016, the EUTF for Africa has developed a consistent communication strategy in an effort to increase the transparency and comprehensiveness of its actions and to better inform partners and wider stakeholders on the implementation and progress of the adopted programmes in a more regular and efficient fashion. (European Commission, 2017a, p. 21)

While it is stressed that the Commission sought to increase transparency and its communication of the EUTF overall, the recipient of this endeavor at the beginning of the EUTF was not the public. Instead, it seems that the Commission aimed for this consistent communication strategy to achieve better comprehensiveness among the implementing actors. This relates to the overall criticism of the EUTF, including that information is lacking about to which criteria contractors had been selected. Over the course of the EUTF, it seems that the Commission tried to tackle this issue by targeting the public as an audience in its annual reports, as the following quote points out.

However, the annual reports of the EUTF provide insights how the Commission tried to improve the overall communication of the project as well as its transparency. The following example clearly illustrates how the issue of transparency is framed. Accountability and transparency have been improved through increased communication in a context of continued fragility. This has been done by regularly updating the EUTF website, publishing posts on social media and by organising communication events such as two photography exhibitions. (European Commission, 2020, p. 7)

It seems that previous criticism on low transparency and communication (Zardo, 2020) has been addressed by a stronger focus on the website of the EUTF. Accordingly, the Commission's understanding of accountability appears to be primarily based on the role of public information such as on the website, on social media, and via photo exhibitions.

In addition, press trips with journalists are foreseen in the near future as well as storytelling and photo coverage missions to be used as communication material to illustrate the EUTF for Africa's ongoing programmes in different areas. Press background briefings are also foreseen in the course of 2017 to increase the visibility and transparency of the EUTF for Africa among media representatives. Other activities undertaken to improve transparency include updates on contracting and payments being published online on a monthly basis as well as continued outreach to civil society organisations, international organisations and private sector companies. (European Commission, 2017a, p. 21)

As was noted previously, public accountability "is no full substitute for democratic control" (Bovens, 2007, p. 116). Moreover, the annual reports of the EUTF stress that an information platform had been established throughout the Fund. Criticism concerning a lack of transparency of the EUTF may have been addressed in some ways by increased visibility and public accessible reports about the implementation process (European Commission, 2020). However, specific information about the selection procedure of projects and their implementers

are still missing. Although this was already criticized by committees of the Parliament when the EUTF was established in 2015, the data did not reveal any evidence how this has been addressed. This illustrates that the taken measures for increased transparency on the website and visibility to the public do not seem sufficient. Nevertheless, the Commission seems eager to present itself in a way in which it frames its actions as comprehensible. Moreover, referring to critical humanitarianism, the emphasis on social media platforms illustrates how the Commission tries to demonstrate itself as a caring actor for migrants under the EUTF despite the focus of many projects on migration control. The inclusion of storytelling and photo coverage missions in the communication strategy of the EUTF shows how an actor can use its power to shape such understandings despite manifesting the immobility of people that are targeted by EU policies. The emphasis of the Commission on public accountability could even be interpreted in way in which it is managed to use the annual reports to demonstrate itself as a caring actor generally.

In conclusion, the focus on public accountability and the public as the target audience for annual reports has increased since the introduction of the EUTF. This is amplified by an increased focus on transparency aspects throughout the annual reports.

5.1.2 Political accountability

Political accountability has been defined as the process in which an actor renders account to a political forum (Bovens, 2007). For the democratic process, this form of accountability is of particular importance. However, the analysis of the policy documents showed that this form of accountability seems to be the least prevalent. Instead, the set-up of the administrative structures of the EUTF indicates challenges for political accountability.

The Trust Fund Board shall be composed of representatives of the donors, of the Commission acting on behalf of the European Union and, as observers, representatives of EU Member States that are not donors ('observers'). Where relevant, representative of concerned countries and their regional organisations may be invited as observers to discuss the strategies of the Trust Fund for each window. (European Commission & Member States of the European Union, 2015, p. 11)

In the field of foreign and security policy, neither the European Parliament nor the national parliaments exercise control over the activities of the Commission and the Council

(Bovens, 2007). Because migration management has been integrated into the EU's foreign policy and the Parliament is not represented in the Trust Fund Board of the EUTF, this clearly illustrates how democratically elected forums can be circumvented, indicating problems for democratic control and oversight mechanisms. As becomes evident in the quote above, the importance of the Parliament is not considered. Instead, the setup of the Trust Fund suggests a strong position of the donors and a marginal inclusion of representatives from the countries in which actions under the EUTF are implemented. Because the EUTF is considered as a tool to respond to an emergency situation, the Commission justifies making use of the fund as a swift and flexible tool outside the control of the Parliament due to its intergovernmental character. Tracing this back to the thought of critical humanitarianism, it can be concluded that the Commission prioritizes quick implementation of projects that support the overall goal of limiting irregular immigration over democratic control of these actions. Because critical humanitarianism is understood as a form of government, this illustrates how the Commission manages to govern mobility by strategically circumventing internal political control. To put it in the words of Pallister-Wilkins (2015, p. 59), this form of government is "based on hierarchies and relations of power for the governance of populations". Interestingly, the Commission mentions the Parliament as presenting the state for the implementation of its policies but does not consult it on the activities. Accordingly, the role of the Parliament is acknowledged to some extent in its role for providing transparency but not as a body that can watch over and control operational and financial actions in a way that it would carry out these oversight mechanisms in other policy fields.

Moreover, the constitutive agreement of the EUTF sets out that the Director General of the Directorate-General for International Development and Cooperation, who represents the Chair of the EUTF, can "invite representatives of other third parties or experts to talk on specific points on the agenda of the Trust Fund Board. However, a simple majority of donors may oppose their participation in the meeting" (European Commission & Member States of the European Union, 2015, p. 12). Consequently, donors can further restrict and prevent transparency and communication of the EUTF by blocking the invitations of additional meeting partners who could potentially make the information of these meetings public. Referring to potential obstacles for accountability, the Commission transferred additional

competencies to EU Delegations under the European Agenda on Migration as the following quote states:

Partnership with countries of origin and transit is crucial and there are a series of established bilateral and regional cooperation frameworks on migration in place. These will be enriched by stepping up the role on migration of EU Delegations in key countries. Delegations will in particular report on major migratory related developments in the host countries, contribute to mainstream migration issues into development cooperation and reach out to host countries to ensure coordinated action. European migration liaison officers will be seconded in EU Delegations in key third countries, in close cooperation with the Immigration Liaison Officers Network and with local authorities and civil society, with the purpose of gathering, exchanging and analysing information. (European Commission, 2016a, p. 8)

Again, this quote illustrates how unelected actors are delegated with competencies without the obligation to hold account to the European Parliament. Although the stated purpose is to foster exchange with local actors, the role of the liaison officers is highly questionable. As was pointed out before, externalization of migration management can be problematic for accountability when actions are implemented by actors who are funded by the EU. The aspect of cooperation again highlights how externalized migration management circles around issues of accountability. As such, the EU's "support Niger to put in place adequate response to new migratory routes" (European Commission, 2017e, p. 5) illustrates how responsibility is outsourced to Nigerien actors. Although vague, the adequate response seems to intend that Nigerien security forces are supposed to enforce border controls better and de-facto prevent migration outside Niger, as had happened through the criminalization of human smuggling before. This again relates to the security-development nexus and the role of the CSDP mission in Niger which was amended to support Nigerien security actors for monitoring and controlling borders. In addition, it supports the understanding of critical humanitarianism as enacting forms of care and control. By presenting itself in a way that allegedly cares for migrants and to protect them by preventing to use certain migration routes, the Commission manages to frame a picture of providing support. Instead, increased support to security forces and the focus on border closures illustrates how control is enacted on Nigerien territory. While the Commission stresses that human smugglers pose a danger to migrants, this understanding fails to show the whole picture of increased vulnerability for migrants due to the creation of non-arrival policies (Gibney, 2006) and non-exit policies (Lemberg-Pedersen, 2017) by the EU.

The Commission considers Niger as one of the most important priority countries under the Partnership Framework Initiative. Showing satisfaction about the taken measures by the Nigerien government, the Commission states that they have been “a proactive and constructive partner” (European Commission, 2017e, p. 3). While it could be assumed that the notion of Niger as a partner and cooperation could indicate a certain perception of shared responsibility and accountability, the Commission frames migration management in a way that shifts accountability to the Nigerien government and thereby away from democratically bodies within the EU. This becomes evident in the following quote:

The EU and Member States have closely coordinated their action, with a clear division of labour and mutually reinforcing support to help Niger meet its objectives. Strengthened border management, a more strategic approach to irregular migration including a tougher fight against smuggling, assistance to migrants and creation of alternative economic opportunities for the local communities on the transit routes have been the focal areas of common work within the Partnership. The Government of Niger has put in place a coherent migration policy, with a clear strategic framework which facilitates cooperation with EU and Member States. The implementation of the short term action plan to counter migrant smugglers' networks in the region of Agadez is on track and fully financed, including support from Member States' bilateral programmes. (European Commission, 2017e, p. 3)

The quote clearly illustrates the overlap of humanitarianism with security (Ticktin, 2014) by relating to assistance to migrants and to the fight against human smugglers. In addition, the quote showcases the interconnectedness between care and control. While making use of human smugglers is prohibited and thereby controlled by the EU, care is provided to assist migrants on the ground in Niger to facilitate economic perspectives. The framing of migration management as the objectives of Niger instead of the ones of the EU illustrates how the Commission presents itself as supporting the government, providing care despite the control aspect of regulating human mobility. Accordingly, this quote can be seen to confirm the understanding of humanitarianism as a form of government, enacting forms of care and control. Although the quasi-legal bodies of the EU have control over the budget and can issue recommendations, the Commission signals that it is up to the Nigerien government how well implementation of migration control proceeds. Thereby, they leave oversight and democratic control to the political system of Niger.

It can be concluded that the omission of explicit references to political accountability clearly signals the silence of the Commission about the importance of including the Parliament. Despite the emphasis on transparency and communication, the Commission addresses its implementors and the general public but does not seem to acknowledge the public in the role as voters and the need for democratically elected forums. Instead, the Commission's silence about this form of democratic control indicates that political accountability is to be found either elsewhere in Niger or the other third countries or does not matter at all.

5.1.3 Quasi-legal accountability

As another recurring theme, the analysis showed that every annual report of the EUTF referred to the role of OLAF and the ECA and to the Internal Audit Service. In the coding process, 44 pieces of text were coded to the subtheme of quasi-legal accountability, making it the most prevalent one along with public accountability. The recurring emphasis on these quasi-legal bodies controlling the Commission illustrates a technocratic understanding of accountability (European Commission, 2017a, p. 48, 2018, p. 73, 2019a, p. 49 f., 2020, p. 48, 2021, p. 53). While the Commission generally acknowledges recommendations regarding the improvement of the EUTF, it dismisses the recommendation of revising the selection procedure for projects. In the annual report of the EUTF of 2018, the Commission stated:

The Commission has welcomed the Report of the ECA and has accepted its recommendations with the exception of the one related to the projects selection procedures. The Commission has accepted and confirmed its commitment to take the appropriate measures to implement the Court recommendations. (European Commission, 2019a, p. 50)

Referring to previous research and the findings concerning hampered accountability, the Commission can present itself so that it acknowledges most of the recommendations issued by quasi-legal bodies, but in the case of the EUTF, it does not have to follow the recommendations necessarily. In the following annual report, the Commission stated that it “duly took note of the ECA recommendations and took appropriate measures to address them” without explaining what the recommendations entail and what the taken measures include (European Commission, 2021, p. 54). This reveals that despite stated efforts of

increased communication and transparency, the Commission conceals how cooperation between implementing actors and partner countries takes place.

In response to previous recommendations by quasi-legal institutions, the Commission increased its work on monitoring and evaluation of the implemented projects. The following example illustrates this:

In 2018, the EUTF for Africa stepped up its efforts to measure the progress of its activities. It created a regional approach to monitoring, evaluation and learning and increased the number of common output indicators to 41, to better reflect the scope and variety of its activities. (European Commission, 2019a, p. 4)

The Commission's response can be traced back to reviews made by the financial and administrative control bodies of the EU that recommended, among other things, to improve the monitoring of the implemented projects and to improve their objectives (European Commission, 2019a, p. 50). Despite duly taking "note of the ECA recommendations and taking appropriate measures to address them" (European Commission, 2020, p. 49), the ECA criticized the very same points as before. While the Commission strongly emphasizes the importance of the EUTF as a flexible and swift tool to respond to a crisis situation (European Commission, 2017a, 2018, 2019a, 2020, 2021), it is often stressed that projects are too early in the stage of implementation to judge their success. This raises questions about the effectiveness of the monitoring and evaluation in place is working effectively and about the quality of cooperation with other partners involved in the implementation of projects. The taken measures by the Commission to respond to this, such as quarterly evaluations, only provide quantitative measures and thereby fail to include a more qualitative approach. The provision of figures on how many people have been reached by information campaigns, for example, lacks insights about the quality and impact of this information.

Besides monitoring and evaluating the implemented projects, the Commission also stresses the importance of improving the monitoring of migration flows and potential changes in routes taken by migrants in countries of origin and transit by identifying the following next steps regarding cooperation with Niger:

Improve the monitoring of migratory flows; support Niger to put in place adequate response to new migratory routes. (European Commission, 2017e, p. 5)

This quote highlights the importance of cooperation between the EU and its partner countries to meet its goal of curbing irregular migration. In response to migratory flows, projects are set up to close routes taken that are supposed to support migrants by sharing information about the dangers of migration and the perspectives of receiving asylum status. However, because the Commission again states that it provides support to the Nigerien government for implementing these projects, this indicates an understanding according to which other actors become responsible and thereby accountable. In this case, the IOM is the implementing actor of monitoring migration movements transiting through Niger. Implementation by the IOM again showcases how IOs become agents of policies by their donors. Although the Commission states a certain satisfaction about decreased arrivals from Niger to Libya, it is nevertheless claimed that:

The decrease registered does not necessarily translate into a one on one reduction of the overall flow reaching Libya, as new routes by-passing the reinforced border controls are being exploited. These new routes are more difficult to use and riskier, leading to higher prices demanded by the smugglers for transport, and higher risks for the migrants. (European Commission, 2017e, p. 4)

The framing of new routes as exploiting recently set up border controls almost illustrates a certain degree of frustration concerning ongoing cross-border movements. Nevertheless, the Commission manages to phrase this in a way in which the concern relates to the difficult protection of migrants given the associated risks of new routes. By ignoring that the Nigerien government implemented the law that prohibits exit to Libya after it was pressured by the EU, the Commission dismisses that it is itself responsible for the fact that migrants are required to take more dangerous routes. Instead, the Commission presents itself as caring for migrants despite closing migration routes.

In line with the observation of the role of the IOM, the following quote illustrates the issue of the number of involved actors in the context of accountability and how this becomes evident under the EUTF:

The European Commission monitors the implementation of projects to ensure a swift and flexible delivery of results, impact and cost-effectiveness. In order to improve coordination and joint efforts, the EUTF for Africa encourages actions to be implemented by a variety of implementing actors. (European Commission, 2017a, p. 17)

This quote indicates that the Commission encouraged that project to be implemented by several actors under the EUTF. However, it raises questions of potential incoherence considering that these actors are state aid agencies, NGOs, IOs, CSOs or national and sometimes cooperate with another on specific projects. Potential incoherence thus bears challenges for accountability if projects fail to meet the formulated objectives. Instead of addressing this obstacle, the Commission solely focuses on the role of EU the budget in the context of cooperating with other actors, as the following quote illustrates:

Project implementation is foreseen in direct management where the EUTF is the Contracting Authority and signs procurement and grant contracts or in indirect management by which project implementation is delegated to a third party, a EU Member State Agency or International Organisation. Candidate entities to be entrusted with budget implementation tasks have to demonstrate a level of financial management and protection of the EU's financial interest equivalent to that of the Commission. International Organisations and Member States Agencies have to provide Management declarations on the use of the funds they are entrusted with. (European Commission, 2020, p. 47)

As Bovens (2007, p. 116) points out, quasi-legal accountability can be “helpful to increase democratic control, but only if their reports and judgments are picked up by parliament, either at a national or the European level, to scrutinize actors at the European level”. Accordingly, emphasis on quasi-legal accountability does not facilitate democratic control as such. Due to the intergovernmental nature of the EUTF and the issue in foreign and security policy in which the Parliament lacks power, actors cannot be scrutinized. While the Commission seems eager to focus on the role of the quasi-legal bodies, their assessments and recommendations have little impact if the Commission alone can decide to which extent, it implements any of these. Accordingly, the quasi-legal bodies can offer the Commission with a learning perspective and place increased checks and balances on the process, but it cannot contribute to increased democratic oversight as such. Moreover, quasi-legal forms of accountability cannot provide support in potential incoherence among actors and clarifying issues of responsibility.

To conclude, the Commission's strong emphasis on quasi-legal accountability can be explained by showing awareness for the need of playing checks and balances on institutions. Moreover, the strong emphasis on monitoring and evaluation demonstrates how the Commission views itself as an observer of its policies that are implemented by other actors, such as IOs, NGOs, or security forces.

5.1.4 Legal accountability

For legal accountability within the internal control mechanisms of the EU, the CJEU is responsible for “civil liability, contractual liability and issues concerning access to information” (Horii, 2018, p. 212). According to the Commission, the policies of externalized migration management had been implemented due to an emergency situation for the member states of the EU. By relating to the Treaty of the Functioning of the European Union (TFEU), the Commission justifies the implementation of the European Agenda on Migration by stating the following:

To deal with the situation in the Mediterranean, the Commission will, by the end of May, propose triggering the emergency response system envisaged under Article 78(3) TFEU 7. The proposal will include a temporary distribution scheme for persons in clear need of international protection to ensure a fair and balanced participation of all Member States to this common effort. (European Commission, 2015, p. 4)

The Commission continues by stating that this distribution mechanism “will be a precursor of a lasting solution” (ibid.), indicating that, in the context of its understanding as irregular migration as an emergency to the EU, other measures, such as outsourcing migration management to third countries, will need to be implemented. Referring to the theoretical framework of critical humanitarianism, it is through the very notion of understanding human movements as a crisis, the idea of the need to govern these movements is manifested. This illustrates the perception of encountering human mobility with policies that in the end shall prevent mobility as a fundamental necessity by the Commission. By securing mobility and framing it as an emergency to EU member states, the Commission manages to justify why actions of providing control to the population need to be taken. Moreover, this need for more order and for controlling migration movements reflects the enduring power asymmetries

between the Global North and the Global South as well as who is in charge of maintaining domination and inequality.

While the European Agenda on Migration (ibid.) and the Partnership Framework (European Commission, 2016a) showed little references to the subtheme of legal accountability, the data of the EUTF provided more information about the legal character of the fund and the understanding of the Commission of accountability. This is illustrated by the following quote:

The Trust Fund shall not have legal personality. (European Commission & Member States of the European Union, 2015, p. 8)

Although the researcher is no legal expert, this quote indicates how the Commission defined the EUTF based on its own ideas, trying to circumvent accountability. The following subchapter on external control mechanisms under international law will also outline the importance of legal personality in the international system. Every annual report of the EUTF stated that it “operates within the general system of internal control defined by the Commission” (European Commission, 2017a, p. 47, 2018, p. 72, 2019a, p. 50, 2020, p. 47, 2021, p. 53).

Through the cooperation with other actors, it can be maintained that it is not the Commission who is accountable in cases of rights violations due to the internal control system of the EU. The fact that the operations under the EUTF are based on rules defined by the Commission again highlights how the Parliament is excluded to disable its control functions of budget. Moreover, given that the Parliament is usually concerned with human rights protection, this again explains the intergovernmental character of the EUTF and why it was set up in a way that allows to circumvent the Parliament.

Under the EUTF, the Commission has created a tool to respond to a situation the Commission itself and member states perceive as an emergency situation. Establishing this outside the legal framework of the EU indicates how it is tried to circumvent liability by positioning itself outside of EU jurisdiction. In addition, this fits into the broader picture of not only preventing access for migrants to EU jurisdiction and the attempt to shift the focus to Niger, where implementation takes place.

5.2 External control mechanisms

In addition to references relating to internal control mechanisms of the EU in the data, several references related to international and human rights were detected. Therefore, the second theme of the thematic analysis was named external control mechanisms. More precisely, these external control mechanisms are rooted in international law and the protection of human rights. Although the EU is committed to international law, including human rights, in its own treaties, these aspects are intended to serve as external control mechanisms of the international system.

5.2.1 International law

As a recurring theme, the data revealed an emphasis on aspects related to international law, which is illustrated by the following quote of the first progress report of the partnership framework initiative:

In all cases, the humanitarian and human rights imperatives of EU policy need to stay at the core of the approach. (European Commission, 2016b, p. 2)

Despite the emphasis and the commitment of the EU to human rights, the idea of the partnership framework is to externalize migration management to a third country. However, to cooperate with third countries, including Niger, under the Partnership Framework Initiative, the EU does not select its partners based on their democratic performance and commitment to international law. Instead, partner countries are selected based on their emigration profile or the role as a transit country, such as in the case of Niger. Instead of human rights imperatives at the core of the approach, it seems that it is the strategic position of partner countries that again demonstrates how the security-development nexus unfolds. Previously, it was pointed out that Niger's democratic transition is hampered by high levels of corruption, low levels of the freedom of press and the imprisonment of human rights activists. Because security and development now go hand in hand, it is crucial to the EU to meet its goals of curbing irregular migration through externalized migration management, although it could undermine its credibility as a value-based actor. However, given that it is other actors that are implementing projects such as aid agencies, IOs, NGOs or national actors in the partner country, the Commission can present itself in a way in which it can show its commitment to human rights and international law despite financing projects which could undermine these values. The

following quote can be seen as an example of how critical humanitarianism clearly relates to the Commission's approach of externalized migration management:

In order to provide adequate protection and assistance to migrants along the Central Mediterranean route, the EUTF for Africa supports five open centres in Niger assisting migrants in need. There, vulnerable and stranded migrants are provided with a range of services such as food and temporary accommodation, health and psychosocial assistance, access to information, counselling and family tracing. As part of their protection, they are also offered the possibility to return to their home country voluntarily where they will receive proper reintegration assistance. (European Commission, 2018, p. 32)

This examples again illustrates how the Commission again manages to present its approach by providing care on the one hand and enacting mechanisms of control on the other. Not only does the Commission frame its approach in the way of taking care of migrants by providing them with assistance in third countries despite the intention of the policies to prevent access to EU territory. Moreover, the Commission presents its actions of control as providing care through the lens of voluntary return. However, because in the case of returns, IOM is in charge of performing these, it is again not the Commission who oversees implementation.

These quotes illustrate how the Commission manages to present itself as an actor providing migrants with care, although the overall goal of these policies the prevention of mobility. Due to the nature of these policies involving cooperation with a range of several actors, the Commission can frame its commitment to international law and how it is following these norms in its external approach.

Finally, it can be concluded that the analysis clearly revealed the positioning of the Commission as an overall caring actor in Niger despite the implemented projects that aim to regulate cross border movements. Although humanitarianism principles are stated in the policies, this emphasis seems rather superficial given that the negative impacts of externalization on human rights are not reflected. Despite financing the projects, the Commission presents itself as a principal by shifting responsibilities to the implementing actors, indicating that in cases of potential human rights incidents, the implementing partner should be held accountable. These findings can be considered as the hypotheses generated through the empirical analysis.

6 Conclusion

The increasing focus of the EU to curb irregular immigration through external measures has gained much scholarly attention. Migration management is increasingly outsourced to third countries and, under the guise of a comprehensive approach, projects controlling human mobility are implemented by a range of actors financed by the EU. Among other things, the externalization of migration management impacts our understandings of borders, sovereignty, and accountability and can lead to increased vulnerability of migrants. From a democratic perspective, this is of particular importance because, if EU control mechanisms can be disabled through externalization, democratic oversight control mechanisms are loosened despite financed by taxpayer money.

Therefore, this study asked the following question: *How can we understand, through the case of Niger, what the EU's externalized migration management policy formulation and policy reporting reveal about how accountability has been understood since 2015?* To answer the research question, this thesis analyzed official EU policies which were implemented in response to irregular migration by adopting a qualitative approach using a thematic analysis. It was shown that the Commission primarily focuses on public and quasi-legal accountability in its policy formulation and the respective reporting. Lacking focus on political and legal accountability, and thereby silence, indicates that the Commission tries to circumvent democratic oversight mechanisms of the Parliament and legal control by outsourcing actions to other actors implementing projects in Niger.

To answer the research question, this reveals that, in its policy formulation and reporting, the Commission acknowledges the need for transparency, information, and communication and controls of EU institutions by OLAF, the IAS and the ECA. While the need for checks and balances by these institutions are recognized by the Commission, it seems that this since projects are implemented under policies that are financed by the EU. Nevertheless, this indicates that the Commission does not acknowledge the importance of political accountability and instead leaves the issue to Niger, where externalized migration management is put into practice. In addition, the references regarding legal accountability show how the Commission attempts to avoid any liability for the financed projects and to circumvent European jurisdiction.

Concerning critical humanitarianism, it was shown how the Commission enacts forms of care and control in externalized migration management. On the one hand, projects in Niger are financed to provide migrants with new economic employment opportunities and others are implemented to train security forces and enhance border controls. It was illustrated how the Commission manages to frame its approach by providing care to migrants despite enacting mechanisms of control on the other. Care is thus provided through assistance in Niger, although the intention of the policies is to prevent access to EU territory. This illustrates the ambivalence between enacting forms of care and control, but it also provides us with knowledge about how the Commission uses its power to act in a way that enables it to present itself as an overall caring actor. Thus, the need to implement the policies is justified by framing irregular migration as an emergency situation to the EU and its member states. Because other actors implement actions, this allows the Commission to present itself in a way in which it can show that it is constantly monitoring and reviewing projects and providing the public with information about these actions but is not responsible for these actions. By its framing as a distanced observer, the Commission manages to demonstrate how it oversees what actions in Niger without being responsible for implementation.

In line with previous research on externalized migration management, this thesis has demonstrated how this practice raises several concerns and how it circles around accountability. Using critical humanitarianism as a tool for how it can be analyzed as a form of government, securing human mobility and enacting mechanisms of care and control allowed to focus on the policy level of the EU and to study the Commission's framing of accountability.

If these findings are valid in the case of Niger, it is most likely that these effects also occur in other countries, which are crucial for the EU to meet its goals of curbing irregular migration through externalized migration management. The concluding remarks of the previous chapter stated that the analysis findings can be considered the hypotheses generated in this thesis. These could be tested in future research in the context of other countries to which the EU externalizes its migration management. Furthermore, it could be studied how citizens of these third countries can hold their representative accountable for actions financed by other states and institutions. This also raises questions of how sovereignty can be expanded when

migration control is outsourced and how borders can shift through externalization. Interestingly, this illustrates a dynamic that creates mobility of borders for the powerful ones and decreases immobility for migrants. It could also be of interest in future research to study the role of implementing actors. Due to limitations of time, funding and the COVID-19 pandemic, this thesis only focused on the policy level of the EU. Therefore, it would be interesting if future research explored how migrants are directly impacted by externalized migration management by taking their perspectives into account. This could also mitigate the mentioned Eurocentric bias, which this study is also subject to and could give voice to people who are often overlooked in research or considered as a homogenous group.

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Appendix

Appendix 1: Policy Documents

Table 1: Analyzed policy documents

	Name	Pages	Date of release	Content
1	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A EUROPEAN AGENDA ON MIGRATION COM(2015) 240 final	22	13.5.2015	Document establishing the European Agenda on Migration
2	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Progress report on the European Agenda on Migration {SWD(2017) 372 final} COM(2017) 669 final	20	15.11.2017	First progress report about the European Agenda on Migration
3	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Progress report on the Implementation of the European Agenda on Migration COM(2018) 250 final	21	14.3.2018	Second progress report about the European Agenda on Migration
4	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Progress report on the Implementation of the European Agenda on Migration COM(2019) 481 final	21	16.10.2019	Third progress report about the European Agenda on Migration
5	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL AND THE EUROPEAN INVESTMENT BANK on establishing a new Partnership Framework with third countries under the European Agenda on Migration COM(2016) 385 final	18	7.6.2016	Document establishing the Partnership Framework initiative

6	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL First Progress Report on the Partnership Framework with third countries under the European Agenda on Migration COM(2016) 700 final	15	23.09.2020	First progress report about the Partnership Framework initiative
	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Second Progress Report: First Deliverables on the Partnership Framework with third countries under the European Agenda on Migration COM(2016) 960 final	17	14.12.2016	Second progress report about the Partnership Framework initiative
7	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Third Progress Report on the Partnership Framework with third countries under the European Agenda on Migration COM(2017) 205 final	18	2.3.2017	Third progress report about the Partnership Framework initiative
8	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Fourth Progress Report on the Partnership Framework with third countries under the European Agenda on Migration facilitation of unauthorised entry, transit and residence COM(2017) 350 final	16	13.6.2017	Fourth progress report about the Partnership Framework initiative
9	REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Fifth Progress Report on the Partnership Framework with third countries under the European Agenda on Migration COM(2017) 471 final	15	6.9.2017	Fifth progress report about the Partnership Framework initiative
10	AGREEMENT ESTABLISHING THE EUROPEAN UNION EMERGENCY TRUST FUND FOR STABILITY AND ADDRESSING ROOT CAUSES OF IRREGULAR	43	12.11.2015	Document establishing the EUTF

	MIGRATION AND DISPLACED PERSONS IN AFRICA, AND ITS INTERNAL RULES hereinafter 'the Constitutive Agreement' between the European Commission and EU member states plus Norway and Switzerland			
11	2016 Annual report. The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa	80	2017	First annual report of the EUTF
12	2017 Annual report. The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa	108	2018	Second annual report of the EUTF
13	2018 Annual report. The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa	65	2019	Third annual report of the EUTF
14	2019 Annual report. The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa	57	2020	Fourth annual report of the EUTF
15	2020 Annual report. The Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa	65	2021	Fifth annual report of the EUTF

601 pages in total

Appendix 2: Coding Frame Thematic Analysis

Table 2: Coding frame of the thematic analysis

Name	Description	Files	References
External mechanisms		0	0
International law human rights protection	Control mechanisms of the international community	5	6
Internal mechanisms	Control mechanisms within the EU system	0	0
Legal accountability	Courts in which an actor is held accountable (CJEU)	7	19
Political accountability	A democratically elected forum in which an actor is hold to account	4	18
Public accountability	Voters delegate sovereignty to an elected representative. Voters judge the conduct of representatives based on information, communication, and transparency of these	5	19
Quasi-legal accountability	quasi-legal forums which can financially and administratively control actions	11	44

Appendix 3: Evolution of Thematic Maps

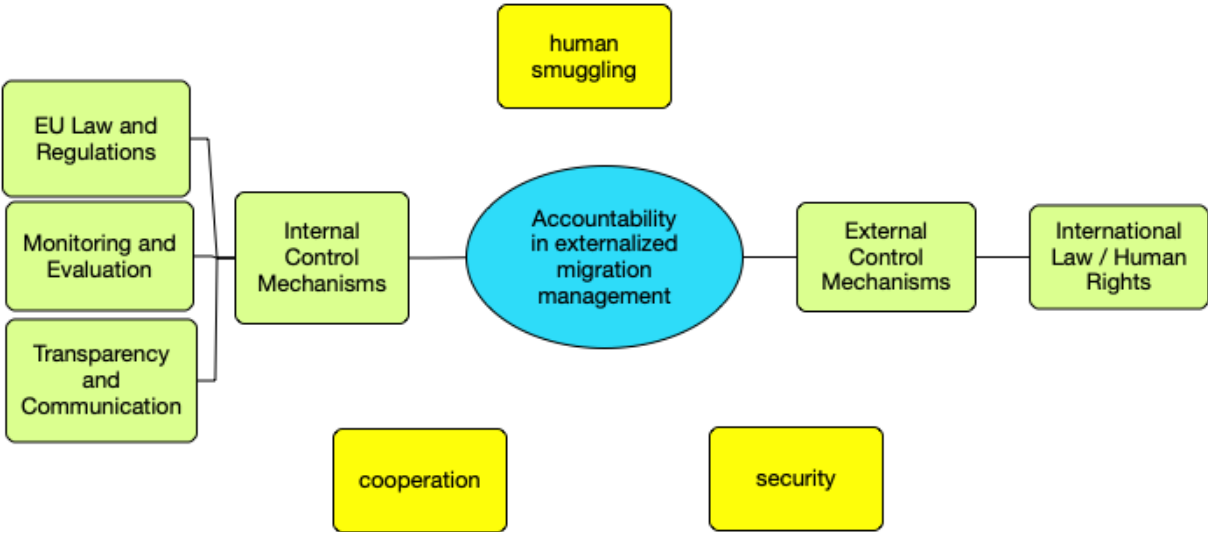


Figure 2 Mind map with initial themes

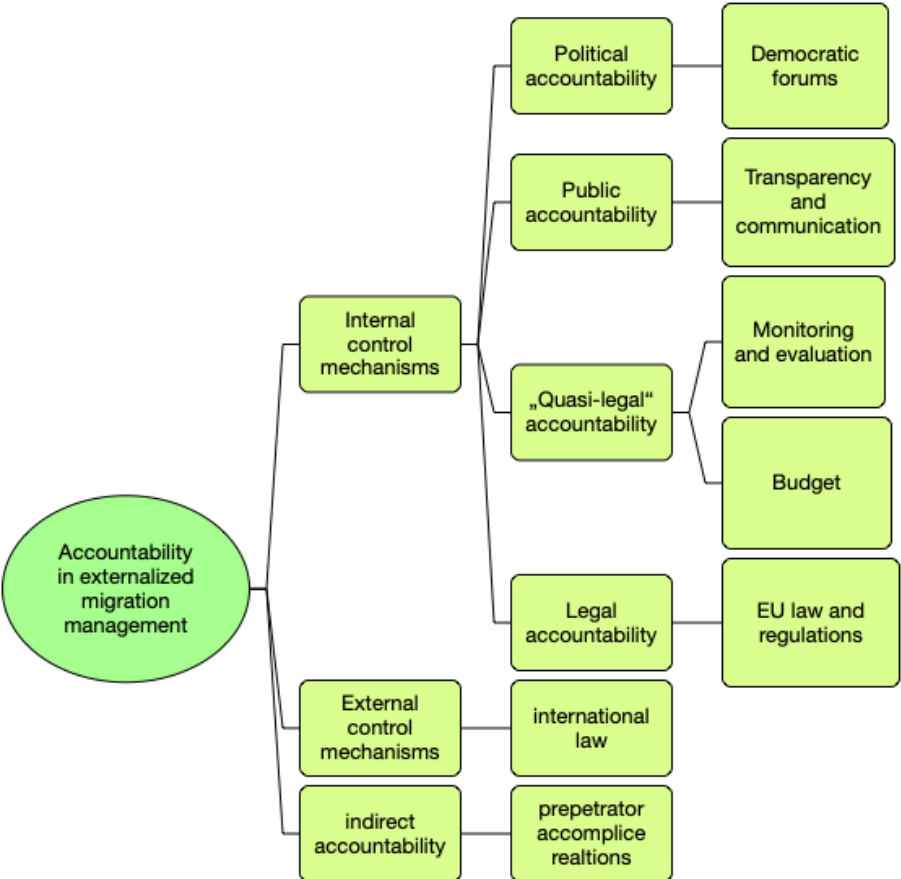


Figure 3: Mind map with developed themes

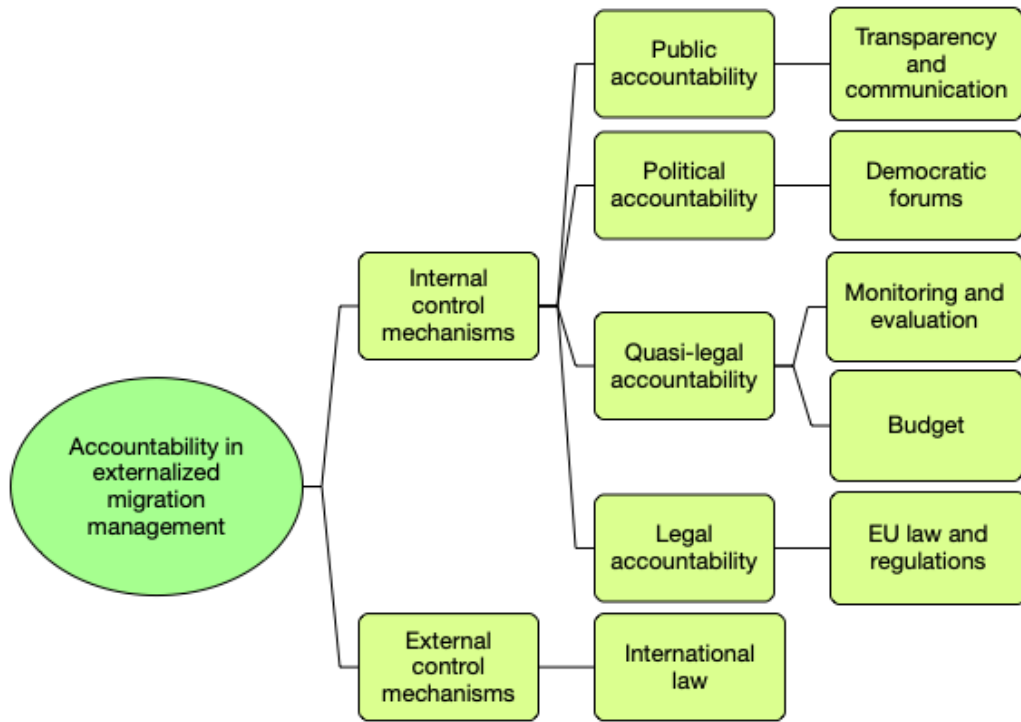


Figure 4: Final mind map