



The Political Economy of Migration Governance in Senegal

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The Political Economy of Migration Governance in Senegal

By Leonie Jegen¹

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About the project

The Political Economy of West African Migration Governance project endeavours to highlight the *political dimension of migration governance* (i.e. what are the real [sometimes hidden] interests and power asymmetries) and the *multiple stakeholders* (including civil society and sub-national ones). To do this, the project considers how migration governance instruments and institutions are made and implemented, the stakes and stakeholders involved or excluded and the societal discourse that surrounds these interests. The qualitative study focuses on four case studies – the Gambia, Niger, Nigeria and Senegal – and is based on fieldwork, including semi-structured interviews in the respective countries.

The project is based at the Arnold Bergstraesser Institute (ABI) in Freiburg, Germany and coordinated by Franzisca Zanker. It is funded by the Stiftung Mercator and undertaken within the framework of the Mercator Dialogue on Asylum and Migration (MEDAM). MEDAM is a research and consultation project that identifies and closes gaps in existing research and develops specific recommendations for policy makers.

About the author

Leonie Jegen has been a researcher at the ABI since February 2019. Prior to this she worked at the African Migration Root Causes and Regulatory Dynamics (AMIREG) research project based at the United Nations University Institute for Comparative Regional Integration Studies (UNU-Cris) and the Vrije Universiteit Brussels (VUB). She has also held the posts of Communication Assistant and Officer at the European Council on Refugees and Exiles (ECRE). Leonie concluded an MA in Migration Studies from the University of Sussex and a BA in International Relations and Organisations from the University of Groningen.

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Executive summary

Senegal is a destination, origin and transit country for international migration. Generally, migration and mobility are perceived as positive in the Senegalese context. The right to mobility is enshrined in the Senegalese constitution and intercommunal cross-border mobility constitutes a normality. Furthermore, international migration is generally perceived as positive, given the economic contributions of the **diaspora**. Remittances sent by Senegalese residing abroad constitute an important income revenue for many Senegalese households and a considerable overall economic contribution to the country's GDP.

In 2006 the so-called Canary Island crisis constituted a major turning point in migration governance in Senegal. The increase of irregularized arrivals to the Canary Islands that year resulted in a concerted effort by European actors, led by Spain, to strengthen cooperation in the field of migration, especially **irregular migration**, with Senegal. In the same year Operation Hera, the longest lasting Frontex Operation to date, was launched, which jointly patrols national and international waters with Senegalese border guards, intercepting and returning people attempting to cross to Spain without authorisation. Senegalese actors have not generally opposed such cooperation and European capacity building of their internal security apparatus. However, these measures evoke the need to strike a delicate balance between serving Senegalese security interests on the one hand, and questions on sovereignty and countering free movement interest on the other. Forced returns constitute a contentious issue between Senegalese and European actors. On one side, forced returns constitute a sensitive national issue, in view of the importance of remittances and the pivotal political, economic and social role played by Senegalese abroad. On the other side, donor incentives to enter into return cooperation has included development aid, security capacity building and the opening of limited legal pathways.

Immigration is generally considered a 'normality' in the Senegalese context. However, oil and gas exploitation set to start in 2022, which is likely to result in a surge of immigration to the country, and the increasingly volatile regional security context has led to a growing salience of this policy field.

In addition, **displacement** is not an issue of key concern in the Senegalese context. Numbers of forcefully displaced people are relatively low, and most refugees in the country fled from neighbouring Mauritania in the late 1980s. The majority of Senegalese refugees fleeing the low-intensity conflict in the Casamance found refuge in neighbouring Guinea Bissau as well as The Gambia and are internally displaced throughout Senegal. Generally, internal displacement – mainly driven by environmental factors, including flooding, erosion of coastlines and droughts – constitutes a matter of concern in Senegal.

Migration Governance: Migration governance as such is not a key priority for Senegalese actors, notwithstanding the fact that the field has seen numerous policy and legal reform processes in recent years. Most notably the formulation of the National Migration Policy, which was concluded in 2018 but was not yet adopted, at the time of writing. With external actors financing many reform and capacity building processes, migration has become an

important vehicle to receive institutional, development and security funding. **This report finds that three key issues emerge from donor driven migration governance. Firstly, a competition for leadership in the field of migration governance. Secondly, the question of migratory rent impacting inter-actor dynamics.** This has contributed to the fragmented nature of the institutional framework of Senegalese migration governance where different actors hold partially overlapping mandates. **Thirdly, external donors have taken on the role of migration agenda setters; however, in practice this remains contested.**

Political Stakes: In view of the continued economic importance of migration, strengthening diaspora contributions for wider development objectives remains a key interest. This contrasts European actors' interests to strengthen cooperation on forced returns, which constitutes a key point of contestation. **Hence, an intrinsic tension between irregular migration governance and diaspora interests pervades political stakes on Senegalese migration governance.** In addition, security-oriented donor induced migration measures bear two intrinsic tensions. **On one hand they are considered important to foster the Senegalese internal security apparatus,** in regard to the volatile regional security context. **On the other hand, they have become sides of contestation over sovereignty. Furthermore, they have been accompanied by concerns over their potentially negative impact on informal modalities** which govern free movement in practice.

Societal relevance: Mobility and migration play an important role in the Senegalese context. **Migration is considered an important vector for social upward mobility and is often considered a family investment.** Therefore, restrictive immigration policies have failed to meet the objective of destination countries. Instead they have resulted in better prepared journeys, which are becoming lengthier and increasingly dangerous, the diversification of destination countries, and the decreased prevalence of voluntary return and circular migration between host and origin country. **In addition, regional migration is generally considered 'normal' and de facto governed through informal modalities. These might be altered if the currently elaborated anti-smuggling policy is implemented.** Furthermore, interviewees pointed to the Senegalese culture of openness and hospitality (widely referred to as 'Terranga'). However, **the social (and political) salience of immigration might increase with the expected rise of immigration with the onset of oil exploitation within the coming years.**

1 Introducing the socio-political context

1.1 The context

In 2019 Senegal's population counted approximately 16,4 million people. Majority ethnic groups were Wolof (37.1%), Pular (26.2%), Serer (17%), Mandinka 5.6%, Jola (4.5%) and Soninke (1.4%) in 2017, while 8.3% of people residing in the country are of European or Lebanese decent. French is the official language and Islam is the most common religion (CIA 2019).

While, in general, most Senegalese live in rural areas (54,8% of the population), Dakar is the most densely populated area of the country. The capital only makes up 0,3% of country's surface, yet hosts a quarter of its population (ANSD 2013). From the working age population at least one out of two is estimated to be unemployed (ANSD 2013). This makes unemployment a principal political, as well as socio-economic challenge.

Senegal has been ranked 162 (out of 189) in the last UNDP development index (UNDP 2019a). Yet, the country has been experiencing relatively high growth rates of over 6% since 2014. With production of offshore oil and gas set to begin in 2022, economic growth is expected to accelerate (World Bank 2019b). In the World Bank country classification by income level Senegal was upgraded for the 2019 – 2020 financial year to a lower middle income country (World Bank 2019a). The government's development priorities are spelled out in the Senegal Emerging Plan (*Plan Sénégal Emergent*, PSE) which lays out three key objectives until 2035: firstly, structural transformation of the economy, secondly, to strengthen human capital, social protection and sustainable development and finally, to strengthen governance, institutions, as well as peace and security.²

Senegal gained its independence from France in 1960 and is a Presidential Republic. The country is considered one of Africa's most stable democracies and has witnessed two peaceful transfers of power since 2000. It is the only country in the region that has never experienced a military coup (Bernardini 2018; Freedom House 2019b). In the last presidential election, in February last year, President Macky Sall secured a second term with 58,25% of the votes backing his mandate. Sall will serve a five year term following a constitutional change that shortened the previous seven year term (World Bank 2019b). Sufi Muslim brotherhoods (Tijaniyya, Qadiriyya and Murid) constitute a politically influential group impacting electoral behavior and political decisions.

Concerns have been raised over the curtailing of freedom of expression in the run-up and post-electoral period, including the curtailing of assembly rights, increasing control of private communication channels, and the arrest of critical journalists and activists (Amnesty International 2019; Freedom House 2019a). Furthermore, human rights concerns have been raised regarding the rights of women, LGBTQI communities and the situation of Talibé

² See Plan Sénégal Emergent 2014 –2035, available at:
www.sec.gouv.sn/sites/default/files/Plan%20Senegal%20Emergent_0.pdf

students (Bernardini 2018; Freedom House 2019b; Human Rights Watch 2019). The caste system remains prevalent among many of Senegal's ethnic groups, with lower caste individuals often facing discrimination (Freedom House 2019a). Another challenge facing the country is corruption, which is still considered high (e.g. Freedom House 2019a).

A low intensity conflict between the separatist Movement of Democratic Forces of the Casamance (*Mouvement des Forces Démocratiques de Casamance*, MFDC) and government authorities has been ongoing in Senegal's Southern Casamance region since 1982. Reaching a resolution for the conflict and fostering security has been a key priority for the current government: the budget allocated for internal security saw a sharp increase of 300% between 2013 and 2017, mainly aiming at counter terrorism measures in view of the volatile regional security context and the spread of radicalized ideologies (Sambe and Ba 2013; Sambe et al. 2016; Bernardini 2018).

1.2 Migration in Senegal

Senegal is considered a country of origin, transit and destination for regional and international migration.³ Mobility between Senegal and its neighbouring countries is marked by the continued existence of colonial borders which cut through ethnic communities and partition inter-communal movements (Ndione 2018).⁴

Beauchemin et. al. (2013) divides the Senegalese history of mobility broadly into three phases, to which Kramer (2014) adds a fourth. These are, firstly, precolonial mobility,⁵ secondly, mobility during the colonial period, thirdly, restricting pathways and economic crisis and finally, the beginning of the phenomenon of 'irregular' migration to Europe. Mobility in the precolonial period was among others marked through the movements of Haalpulaar, Soninké and Mandé people resulting from the growth of the Ghanaian and Malian Empires and the strategic position of Senegal on the trans-Saharan trade route (Niane 1998; Tall and Tandian 2011). The second phase of Senegalese migration history is marked by the impacts of French colonialism, while regional (pre-colonial) migration remained an important feature of mobility. A first interaction with Europeans resulted in the Senegambian slave trade, where European companies in the coastal forts purchased slaves from Berber, Fouta and Waalo traders (Cross 2013). In the late nineteenth century the colonial administration established peanut plantations in the coastal areas of Senegal, employing low paid labour from the interior of the country and other French West African colonies (Cross 2013; Ndione 2018; Sakho 2005; Tall and Tandian 2011). Additionally, the introduction of monetary taxes by the French colonial administration further encouraged temporary regional migration (Beauchemin et al 2018). At the same time intercontinental mobility was fostered

³ This migration is also marked by internal flows, i.e. rural-urban migration (mainly to Dakar) (Ndione 2018). For a historical perspective on Senegalese rural urban migration see A. B. Diop (1965).

⁴ Yet borders have not remained completely static since independence.

⁵ This partition rests partially artificial, as for example the pre-colonial period alone was marked by numerous mobility regimes which differed for example during wars and peace time, and took turning points with the onset of slavery and the armed Islamization of the country (Fall 1996).

through colonial recruitment. West Africans including Senegalese started to serve in the French merchant marine (Bertoncello and Bradeloup 2004) and French troops (Krämer 2014). During the first and second World Wars, Senegalese soldiers were recruited by the French army (Beauchemin et al. 2018; Manchuelle 1997). At the same time labor migration to other Central and West African French colonies became more common (Sakho 2005; Tall and Tandian 2011). After the war much mobility was directed towards France, where Senegalese labor was used for post-war reconstruction and as a cheap labor force fueling the economic boom (Cross 2013; Tall and Tandian 2011). In the 1950s French authorities established recruitment offices hiring temporary labor (Beauchemin et al. 2018). During this period Senegalese migration to Europe (mostly to France) was mainly circular and served as a socio-economic strategy to provide origin communities with additional funds (Barou 1993; Guilmoto 1998). At the same time, migration to neighboring countries and towards popular African destination countries, such as Ivory Coast, Gabon and Congo were prominent features of Senegalese mobility (Tall and Tandian 2011).

The third phase of Senegalese migration history was marked by the restriction of legal pathways to France and Europe and the impacts of economic crisis. From the mid-seventies emigration became increasingly important for Senegalese households and communities (Some 2009). The importance of migration as an income diversification strategy was further amplified by a series of severe droughts in the late seventies and early eighties (Beauchemin et al. 2018) as well as the crisis of the industrial sector in the late eighties and the collapse of the labor market following the employment stop of the public sector due to Structural Adjustment Programs (SAPs) (Cross 2013).⁶ At the same time, the oil crisis hit Europe and the need for cheap labor decreased. France adopted restrictions towards Senegalese immigration from the seventies onwards (Tall and Tandian 2011; Cross 2013). This resulted in the emergence of new destination countries such as Italy, Spain and the USA (Tall and Tandian 2011; Cross 2013; Tall 2008).

The fourth phase constitutes the beginning of the phenomenon of ‘irregular migration’ to Europe in the mid-1990s. This occurred on the backdrop of economic hardship, deflation politics, the devaluation of the Franc of the Financial Community of Africa (FCFA) and adverse consequences of SAPs as well as increased restrictions to legal immigration pathways (Krämer 2014). Migration, during this period, became the only perceived option of upward mobility (Tall and Tandian 2011). With the onset of the so-called Canary Island crisis in 2006, and following the so-called 2015 migration crisis, irregular migration started to dominate relations between European and Senegalese actors.

In 2006 the arrival of 31,700 migrants mostly departing from Senegalese and Mauritanian shores to the (Spanish) Canary Islands in medium-sized boats came as a surprise to Spanish authorities (Gonzalez Enríquez et al. 2018). The sudden surge of arrivals was met by Spain

⁶ In the 1980s and 1990s Senegalese governments agreed to implement structural adjustment plans (SAPs) encouraged by the International Monetary Fund and the World Bank (Beauchemin et al. 2018). The tense political and economic situation resulted in social unrest in the form of student strikes in 1988 and 1993 leading to the cancelling of entire study years. Qualitative studies suggest that students who saw their education interrupted migrated mainly to Italy (Tandian 2008).

and France through scaling up cooperation on migration with Senegal. Both countries complemented security-oriented measures with a legal migration dimension as well as development cooperation (Ba 2007; Van Crieking 2009; Vives 2017). Following the so-called 2015 ‘migration crisis’ the EU has taken a more active role in migration cooperation with Senegal. Senegal is one out of five priority countries under the EU’s New Partnership Framework with Third Countries (NPF) launched in 2016. A priority interest on the European side has been to improve cooperation on forced returns, including identification and travel documentation (see for example European Commission, 2017a, 2017b, 2017c, 2016b). To increase their leverage European actors have increasingly linked its security-oriented approach to development objectives, among others through the set-up of the European Trust Fund for Africa (EUTF) at the 2015 Valetta Summit, which aims to address ‘root causes’ of irregular migration (European Commission 2015).⁷ Furthermore, the European Development Fund (EDF) has, since its second programming phase (2018 – 2020), included migration management, with 10 million out of 147 million Euros of their Senegal budget (Bernardini 2018).

Box 1:**European Development Fund (EDF) funding allocation, 2018 – 2020**

- Rural development and natural resources (EUR 30 million)
- Economic governance and public finance (EUR 30 million)
- Employment (EUR 30 million)
- Security (EUR 20 million)
- Energy and transport (EUR 20 million)
- Migration (EUR 10 million)
- Civil society and technical cooperation (EUR 7 million)

Source: Bernadini 2018.

While (irregular) migration is framed as a threat by many European actors’, migration in the Senegalese context is considered a fundamental right, upheld by Article 14 of its constitution, that states that every person has the right to move and to settle freely, be it on the Senegalese territory or beyond. In a similar vein a civil servant stressed in an interview: “*La mobilité est un droit fondamentale.*”⁸ In the Senegalese context the topic of migration does not receive a lot of public attention on the whole. Yet, migration has increasingly become a political public policy issue, given its socio-economic importance and the influence of European interests. The Senegalese understanding of migration as, on the one hand, a source of development and on the other as a fundamental right is well captured in the quote of

⁷ As well as opening legal migration and mobility channels, enhancing protection and asylum systems and combatting irregular migration, migrant smuggling and trafficking in human beings (European Commission 2015).

⁸ “Mobility is a fundamental right”. Civil Servant, Interview, Dakar, July 2019.

French anthropologist Alfred Sauvy cited in the introductory chapter to Senegal's National Migration Policy “*ou bien les richesses iront là où sont les hommes ou bien ce seront les hommes qui iront là où sont les richesses.*”⁹

1.3 Migration governance

Senegalese migration governance takes place on three principal levels, the international, the regional, and the national level.

On the national level, an important law regulating migration is the Loi n° 71-10 du 25 Janvier 1971 and its Décret d'Application 71-860 du 28 Juin 1971, which lay down the conditions of entry, stay, establishment and exit. Furthermore, Articles 8, 14 and 25 of the Constitution of Senegal contain provisions which enshrine freedom of movement as a fundamental right.

On the regional level Senegal is party to the Treaty of the Economic Community of West African States (ECOWAS) and its Protocols and the Treaty of the West African Economic and Monetary Unit (WAEMU). Both establish the freedom of movement of persons, goods, services and capital for the citizen of their member states, as well as the right of residence and establishment. On the international level numerous conventions as well as bilateral treaties govern migration in the Senegalese context (see box 3).

The two main ministries working on migration are the Ministry of Foreign Affairs and Senegalese Abroad (*Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur*)¹⁰ and the Ministry of the Interior (*Ministère de l'Intérieur*). The political arm of the Ministry of Foreign Affairs is responsible for diplomatic matters pertaining to migration, including more sensitive issues such as return. Its Department for Legal and Consular Affairs (*Direction des Affaires Juridiques et Consulaire*) is, through its Embassies, responsible for the issuance of travel documents of returnees, while the General Department for the Support of Senegalese Abroad (*Direction General de l'Appui des Sénégalais de l'Exterieur*, DGASE) manages programs and policies on diaspora relations. The importance of the diaspora was elevated, when the post of Secretary for the Diaspora (*Le Secrétaire d'Etat auprès du Ministre des Affaires Etrangères, chargé des Sénégalais de l'Extérieur*) was set up at the Ministry of Foreign Affairs in 2019.¹¹ The Ministry of the Interior is the primary actor on regulating entry, stay and exit of third country nationals. The Ministry's border police unit played a crucial role in entering cooperation with the European Border and Coast Guard (EBCG) following the so-called Canary Island crisis (Mouthaan 2019).

⁹ “Either the wealth goes where men are, or men will go where wealth is.”

¹⁰ The Ministry of Foreign Affairs and Senegalese Abroad – hereinafter the Ministry of Foreign Affairs.

¹¹ Décret n° 2019-806 du 17 Avril 2019.

Box 2:

Selection of most relevant international conventions and protocols on migration ratified by Senegal

- **International Covenant on Economic, Social and Cultural Rights**, adopted by the General Assembly of the United Nations on 16 December 1966
- **International Convention on the Elimination of All Forms of Racial Discrimination**, adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965
- **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**, adopted by General Assembly resolution 45/158 of 18 December 1990
- **Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery**, adopted by a Conference of Plenipotentiaries convened by Economic and Social Council resolution 608(XXI) of 30 April 1956
- **United Nations Convention against Transnational Organized Crime**, adopted by General Assembly resolution 55/25 of 15 November 2000
- **Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children**, adopted by General Assembly resolution 55/25
- **Protocol against the Smuggling of Migrants by Land, Sea and Air**, adopted by General Assembly resolution 55/25, entered into force on 28 January 2004
- **1951 Convention Relating to the Status of Refugees** and the **1967 Protocol Relating to the Status of Refugees**

Source: Own compilation based on Ndione (2018).

Migration policy at the regional level is coordinated by the governor (*gouverneur*) who represents the government on the regional level. Under the governor is the prefect (*prefet*) at the level of the department and the sub-prefect (*sous-préfet*) at the level of the district (*arrondissement*). The local authorities (*collectivités locales*) are elected on the departmental and communal level and do not play a vocal role in the elaboration of migration policies.

Overall, migration governance in Senegal has been described as ‘fragmented’ and ‘dispersed’¹² and its institutional architecture has been influenced by external donors (Anderson 2014; Mouthaan 2019; Vives 2017). This fragmentation also becomes visible when looking at the different ministerial actors involved (see Appendix 1).

In order to foster a common strategy of actors involved in migration governance, to avoid overlapping mandates of ministries working on migration, and to streamline the multitude of external actors working on migration governance; the formulation of the National Migration Policy (*Document de Politique Nationale de Migration du Sénégal*, NMP) was launched in

¹² “Fragmenté”, Senegalese Civil Society Actor, Interview, Dakar, July 2019 “dispersé”, Senegalese Civil Servant, Interview, Dakar, August 2019.

2015 (Ndione 2018; Diane 2015). This process was coordinated by the Ministry of Economy, Planning and Cooperation (*Ministère de l'Economie, du Plan et de la Coopération Internationale*) under its Directorate for Human Capital Development (*Direction du Développement du Capital Humain*, DDCH).

The policy formulation process had already started in 2015 with the financial support of the International Organization for Migration (IOM). The policy was technically validated in March 2018, with political validation still outstanding. For its political adoption the government, has to agree on the policy on the proposition of a Minister, (formerly) the Prime Minister or the President. Following its technical validation, the then Prime Minister was expected to propose the policy to the government. However, following the suspension of his post in 2019 this path to political validation could no longer be pursued.¹³ In view of its still outstanding adoption, political stakeholders have questioned whether the existence of the policy document is even known on the highest political levels: “*Est-ce que le président est informé ? C’est la question que je me pose.*”¹⁴ Stakes of a timely adoption have been increased by making EDF budgetary support conditional upon the adaption of the National Migration Policy. This also mirrors the importance attributed by external stakeholders to the document. While the deadline given under the indicator, April 2019, has passed without being fulfilled, this has, according to interviewees not led to negative consequences.

Notwithstanding the outstanding political validation, steps towards the implementation of the policy have been taken. An ongoing EUTF project under the leadership of the DGASE together with the Spanish development agency aims to – among others – foster communication of the policy. Furthermore, under the same project, the set-up of a national coordination framework on migration governance – a key recommendation of the NMP – has been launched. This framework will take the form of a biannual meeting of all stakeholders involved in migration governance and will be coordinated through a permanent secretariat based at the DGASE. The coordination framework is divided into three sub-categories which are firstly, mobility and freedom of movement, secondly, protection of migrants and thirdly, migration and development. The national coordination framework is to be duplicated by similar frameworks on the regional level, where the respective governors represent the national government.

According to interviewees, such a coordination platform already exists since 2018 in the the region of Tambacounda. It is headed by the governor, and includes relevant stakeholders such as national actors, international organizations, civil society actors and returnee groups. According to regional stakeholders, a key motivation to set up the framework was to foster coordination in the field of migration governance and to avoid the launch of external projects without the knowledge of the governor.

¹³ Further, parts of the document need to be rewritten, in order to take account of the absence of the post of the Prime Minister.

¹⁴ Has the president been informed? That’s the question I’m asking myself.” Civil Servant, Interview, July 2019.

1.4 The agency of migration governance

When considering the agency of migration governance three key issues emerged throughout the research. Firstly, there is a competition for leadership in the field of migration governance, secondly, migratory rent impacts actor dynamics, thirdly, external actors take on the role of agenda setters.

Firstly, there was a wide agreement amongst respondents that there is a competition for leadership in the field of migration governance on the political, institutional and even civil society level. At the institutional level, respondents have described inter-institutional competition – for example during the elaboration of the National Migration Policy or the modernization of the civil registries. Civil society actors are also competing for scarce funding, with one actor highlighting that talking to a researcher ‘might open a door’ – hence research is implicated in the ‘migration business’ (see also Anderson 2014 for further reflection on this point).

This competition might be related to, what has been termed ‘migratory rent.’¹⁵ Interviewees highlighted that they often perceived political initiatives to be taken at least in part due to the financial benefits. One implementing actor commented: “*Chacun veut piloter; mais pourquoi? A cause des ressources [financières], c’est très simple ! Ce n’est rien d’autre qu’une question de ressources*),”¹⁶ while at the same time highlighting that this is also linked to the action of donors “*Et ça, ce sont nous les bailleurs de fonds qui avons instauré ce système. On amène les gens dans les hôtels ; on leur paie des per diem.*”¹⁷ In the case of the National Migration Policy - where tensions between the DDCH and the DGSAE marked the early phase of the policy elaboration - a civil servant noted: “*Mais le problème est que quand les bailleurs arrivent, une compétition se crée. Par contre, sur la gestion au niveau des différents ministères, chacun reçoit sa part.*”¹⁸ While one way to ease the tension was, as foreseen by the NMP, to grant an elevated role to the (former) Prime Minister in overseeing the policy’s implementation. Another factor which improved the relations between the DGASE and the DDCH was the role out of the EUTF funded project to improve migration governance, which primarily supports the DGASE.

Thirdly, a related issue is the agenda-setting of external actors, especially the EU (MS) on migration matters. While diaspora migration is a key interest of Senegalese policy makers, some actors find that the European donors have managed to make irregular migration an increasingly important issue in the Senegalese context – with a civil society actor stressing

¹⁵ The concept derived from discussions with H. Mounkaila and O. Puig in 2019. Further, reflections on ‘migration industries’ can be found by Gammeltoft-Hansen and Nyberg Sorensen 2013.

¹⁶ “But they want, everyone wants to lead the process, this time. Why do they want to lead it? It’s very simple: It’s resources. It’s nothing else but managing the resources.” European Actor, Interview, July 2019.

¹⁷ “And this, this is us, the donors who set up this system. We bring people to hotels, we pay per diems...” European Actor, Interview, July 2019.

¹⁸ “But the problem is that when the donor arrives, a competition is created. On the other hand, when it comes to management at the level of the different ministries, everyone receives their share.” European Actor, Interview, July 2019.

“Qui paie command”.¹⁹ The influence of external actors can be exemplified by two examples, firstly the NMP and secondly the anti-smuggling legislation.

Regarding the former, it is notable that, according to interviewees the initiative to elaborate the policy did not come from a high political level but from civil servants without the initial permission from a higher level, which was only granted once the funding was secured. A civil society actor stated that donors also impacted the content of the policy, for example making border control a key issue. In regard to the anti-smuggling law reform, a way donors (UNODC and OHCHR) influenced the content was through hiring and choosing the consultant drafting the legal proposal. It is also notable that once the National Migration Policy was technically validated, a ‘lobbying’ process followed to push for the adoption of the policy on the political level, and a similar process is planned to take place with the anti-smuggling reform as well (UNDP 2019b). While the political approval of the NMP is still outstanding, the EU has commenced to fund the implementation of some of the policy’s proposals and exerted pressure for its implementation (see migration governance).

Hence, external stakeholders take a role in Senegalese migration politics through funding policy development at lower technical levels, choosing consultants and influencing its content, applying conditionality in the adaptation process, funding implementation prior to political adaption, funding advocacy (or ‘sensitization’ efforts) among politicians who will vote on the proposed policies, as well as more directly through training and capacity building of security actors.

However, the external influence is continuously navigated by Senegalese actors. Firstly, in regard to project and policy implementation the question of sustainability has been raised as often projects do not continue once funding has ceased. Secondly, while cooperation on the technical level might be efficient, it is not always mirrored with the same enthusiasm on the political level. The deadline that was foreseen as a condition for the budgetary support has passed without the adaption of the policy. A civil society actor commented on the policy’s delayed adoption: *“Je pense que c’est un manque de disponibilité du chef de l’Etat et peut-être aussi un problème d’engagement ou de volonté politique.”*²⁰ Thirdly, while capacity building of security actors has pushed a securitized agenda on migration control, Senegalese actors highlight that their interests in this field lie more in counter terrorism and security aspects rather than migration.

¹⁹ “Who pays commands.” Senegalese Civil Society Actor, Interview, Dakar, July 2019.

²⁰ “I think it is a lack of availability of the Head of State and maybe even a problem of engagement and political will.” Senegalese Civil Society Actor, Interview, Dakar, July 2019.

1.5 Methods

This report is a qualitative study based on expert interviews. Fieldwork took place in July – August 2019. Primary data is derived from 32 interviews with policy makers (national and international), civil society leaders (national and international) and academic experts based in Dakar and Tambacounda (see Appendix 2) as well as participant observation in a policy elaboration workshop in Saly, Mbour. We analysed the interview transcripts using Max QDA Software. Due to the political nature of the questions, most of the direct references have been removed and interviews have been anonymized. We asked interviewees to state their opinions in their private capacity and thus they will not necessarily be representative of their organization. In order to reduce potential bias, we undertook a triangulation between interviews using policy documents and secondary literature.

In a participatory process of evaluating our findings, the report was reviewed by a country expert with long-standing experience on migration in Senegal, Bandiougou Konaté and a dissemination event took place in Dakar in cooperation with the Friedrich Ebert Foundation in November 2019 to further verify our conclusions.

1.6 Structure of the report

The research follows a holistic understanding of migration governance encompassing firstly, the stakes of diaspora governance, which is central to investigating the migration-development nexus. Secondly, under irregular migration governance initiatives to govern restrict and regulate mobility are discussed. Thirdly, immigration governance considers Senegalese policies to govern incoming migration. Finally, forced migration governance considers forced displacement from and to Senegal.

Categorising mobility is highly politicised and often analytically blurry. We acknowledge the overlapping nature between refugees and other migrants and the fact that categories are ultimately constructed. In this sense the categories used in this report correspond to governance structures rather than the individual trajectories of people on the move.

The four sub-sections 1) diaspora migration 2) irregular migration, 3) immigration, and 4) forced displacement, respectively deal with one dimension of Senegalese migration on three levels: governance, political stakes and societal relevance.²¹ The section on governance covers policy and legislative changes and new institutions in a given field. Under political stakes, political implications of the changes and their impact on wider inter-actor constellations will be discussed. Finally, we discuss the societal discourse around each of the different types of mobility. Unless otherwise stated, all the information in this report is based on our interviews.

²¹ This project is mainly concerned with international migration, and leaves out internal migration, which however, in the case of Senegal, and many West African countries constitutes an important form of mobility.

2 Diaspora migration

Based on estimates from the World Bank (2017a) the number of Senegalese emigrating to African countries (295,890) has been more or less the same compared to Senegalese moving to European countries (296, 796). The Gambia is the country hosting the highest number of Senegalese in 2017 (126,156), followed by France (119,661) and Italy (93, 567).²² The second and third most popular emigration countries for Senegalese in Africa are Mauritania 45,775 and Gabon 29,057. In Europe Italy is the country hosting the third biggest Senegalese population (93,567). Based on the same data the total number of Senegalese diaspora in North America amounted to 20,431 in 2017, while 975 Senegalese resided in Latin America, 338 in Asia and 400 in Oceania.

While a general discourse highlights that emigration has become increasingly important since 1994 when a number of austerity measures were introduced (Cross 2013); Flahaux (2014), found that between 1992 and 2002 the percentual propensity to out-migrate remained stable.

2.1 Governance

The principal Ministry responsible for diaspora relations is the Ministry of Foreign Affairs (*Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur*). Until 2019 the key actor within this Ministry working on diaspora affairs was the General Directorate of Senegalese External Support (*Direction General de l'Appui des Sénégalais de l'Exterieur*, DGASE). The key tasks of the DGASE are social and judicial assistance towards Senegalese abroad, economic promotion of and participation of highly qualified diaspora members, and a general organization of the diaspora to strengthen its contribution for development, in line with the Emerging Senegal Plan (*Plan Senegal Emergent*, PSE).²³ The DGASE is represented on a regional level through its Accommodation, Orientation and Follow-Up Offices (*Bureaux d'Accueil, d'Orientation et de Suivi*, BAOS) which are based at the offices of the Regional Development Agencies (*Agence Régionale de Développement*, ARD). Through the BAOS the ministry aims to inform and accompany potential migrants and returnees, resulting in the Ministries of Foreign Affairs holding regional representation. From April 2019, a new principal actor in the field of diaspora migration emerged with the establishment of the post of the State Secretary for the Diaspora (*Le Secrétaire d'Etat auprès du Ministre des Affaires Etrangères, chargé des Sénégalais de l'Extérieur*) based at the Ministry of Foreign Affairs.²⁴ The

²² Although we refer to statistics in an illustrative manner, it should be noted that these are frequently problematic. There are no reliable statistics available that draw a comprehensive picture of those leaving, transiting, arriving and staying in the respective countries (see also Ndione 2018).

²³ The DGASE has two units, the Direction de l'Appui à l'investissement et aux projets (DAIP) and the Direction de l'Assistance de la Promotion des Sénégalais de l'Extérieur (DAPSE). Further, the Ministry hosts the Direction de the Fonds d'Appui à l'Investissement des Sénégalais de l'Extérieur (FAISE), and the Haut Conseil des Sénégalais de l'Extérieur (HCSE).

²⁴ Décret n° 2019-806 du 17 Avril 2019 relatif aux attributions du Secrétaire d'Etat auprès du Ministre des Affaires Etrangères, chargé des Sénégalais de l'Extérieur.

creation of this new, elevated post, has been widely understood as a signal of the Sall administration granting more importance to diaspora affairs.

The importance attributed to diaspora migration is mirrored in numerous key policy documents. For example the PSE which highlights two aspects in regard to the diaspora's contribution to migration governance: their potential to invest once returned, as well as their positive contribution to development – through remittances – when abroad (Ndione 2018; 'Plan Senegal Emergent' 2014). Further, in 2015, the Strategic Operational Plan of the DGASE was adopted, which guided diaspora engagement from 2015 to 2018. It lays out the objectives to foster the implication of the Senegalese diaspora in the national development efforts in line with the PSE. Among others by strengthening a strategic partnership between the DGASE and national and international actors, promoting public private partnerships, scaling up the set-up of BAOS and diaspora focal points in Embassies and Consulates (Ndione 2018). Finally, the importance of diaspora migration is also highlighted in the National Migration Policy (NMP), in which diaspora relations and the contribution of the diaspora to national development features as a core issues to be addressed.²⁵ In the following, initiatives to govern diaspora relations and initiatives to foster mobility of Senegalese citizens will be discussed.

2.1.1 Initiatives to govern diaspora relations

Initiatives to strengthen diaspora involvement have seen a surge since the mid-2000s (Krämer 2014). However, the first institutions to govern diaspora relations had already been developed in the 1980s. In 1983 following the first agreements with France on the return of Senegalese workers, the position of the Minister in charge of Senegalese living abroad was created. The minister's role focused initially on the social and economic reintegration of Senegalese wishing to return. This Ministry was dissolved in 1993 – and diaspora affairs was integrated into the Ministry of Foreign Affairs, only to be divided in 2003 again and re-merged in 2012 (Toma 2017).

Three principal objectives guiding diaspora policy can be discerned: the promotion of economic investment of Senegalese abroad, the support of migrant association in carrying out collective development projects in home communities and using the expertise of highly skilled emigrants in terms of knowledge and skill transfer (Toma 2017). At the time of research two types of initiatives, encompassing these aims to varying degrees can be distinguished. Firstly, initiatives that aim to incentivize the contribution of the diaspora to national development, and secondly, those that aim to inform Senegalese living abroad through information offices in and beyond Senegal.

Regarding the former, key initiatives to incentivize diaspora engagement for national development include the Program for the Support of Solidary Initiatives for Development (*Programme d'Appui aux Initiatives de Solidarité pour le Développement*, PAISD) and the Support Fund for Investment of Senegalese Abroad (*Fonds d'Appui et Investissement de*

²⁵ Politique Nationale de Migration du Senegal (PNMS), Axe: Migration, gestion des données, économie et emploi, Version 2017.

Sénégalaise de l'Extérieur, FAISE). The PAISD is a project which is based at the Presidency's Directorate for Technical Cooperation (*Direction de la Coopération Technique*).²⁶ The PAISD was launched in 2005 based on an agreement with France and was originally called 'co-development initiative' fund (European Commission 2017f; Toma 2017). In 2009 it changed into PAISD and subsequently received funding under the IOM's MIDA and MIDWA programs (Toma 2017). From 2017 – 2021 it is carried out with financial support from the Senegalese government (€2 million), the European Union (€10 million through the EUTF) and France (€4 million). The aim of the program is to support development initiatives by Senegalese nationals living in Belgium, France, Italy and Spain. The PAISD supports initiatives through four key actions: Financial contributions of up to 70% to 'local development projects', supporting Senegalese living abroad with their business ideas, conducting background research on projects and mobilizing highly qualified Senegalese living abroad to return for short term missions to Senegal (PAISD 2020).²⁷ As of May 2018 more than 3000 highly qualified Senegalese living abroad have been send for temporary postings to Senegal, and 166 development projects have been carried out under the program (Ndione 2018).

Furthermore, the Support Fund for Investment of Senegalese Abroad (FAISE) founded in 2008, is based at the Ministry of Foreign Affairs.²⁸ It has two principal funding streams. The first one encourages productive investments by Senegalese abroad (*Financement des Sénégalais de l'Extérieur, FES*). The most important investment sector has been agriculture (28.8%) followed by livestock farming (27.8%), craftsmanship (18.9%) and the service sector (14.3%). Out of a total of 4,807 projects that applied for funding under the FES a total of 662 have been financed as of 2018 (Ndione 2018). The second funding stream (*Financement des Femmes de la Diaspora, FFD*) supports business initiatives of female entrepreneurs in their host countries, in view of easing the difficulties to access credits (senepplus 2014). Most beneficiaries of this funding stream reside in Mali (255 projects), followed by Ivory Coast (217 projects), Saudi Arabia (151 projects), Mauritania (145 projects), South Africa (137 projects) and France (103 projects) (Ndione 2018). Funding under both streams has to be reimbursed (senepplus 2014).

Secondly, two initiatives focus on informing of Senegalese residing abroad on possible investment channels and reintegration prospects. The Accommodation, Orientation and Follow-Up Offices (BOAS, see above) and the Support Office for Senegalese Abroad (*Bureaux d'Appui de Sénégalais de l'Extérieur, BASE*). Among the key tasks of the BAOS is to inform (returning) diaspora members on regional investment opportunities and to support reintegration work. Launched in 1987 with French assistance, at the time of research seven out of fourteen BAOS were in place and another seven to be opened with EUTF funding

²⁶ The PAISD is carried out with the support of the Agency for the Development and Management of Small and Medium-sized Enterprises (*Agence de Développement et d'Encadrement des Petites et Moyennes Entreprises, ADEPME*) and the DGSAE.

²⁷ Through the website: senexpertise.gouv.sn.

²⁸ Décret n° 2008-635 du 11 Juin 2008 portant création et fixant les règles d'organisation et de fonctionnement du Fonds d'Appui à l'Investissement des Sénégalais de l'Extérieur (FAISE).

(European Commission 2017d). The BASE is an advisory office for Senegalese living abroad in their host countries. The aim of the BASE is to advise diaspora members on their socio-economic reintegration as well as investment options in Senegal. A first BASE was opened in Milan in 2016, with the financial support of the Italian Ministry of Foreign Affairs in cooperation with IOM Italy (IOM 2016a) and served as a model for further future BASE offices (Mbaye 2017).²⁹ According to the State Secretary for Senegalese Living Abroad, another BASE office has been opened in Casablanca with funding from the German Development Agency (*Gesellschaft für Internationale Zusammenarbeit*, GIZ) and the French development actor, Expertise France (Dakaractu 2019).

Notwithstanding these initiatives the National Migration Policy finds that the diaspora contributions are not yet optimized and identifies several shortcomings regarding the existing frameworks, including insufficient financial means of initiatives and lacking outreach of actions to target communities (PNMS 2017). Further, studies found that many Senegalese living abroad do not perceive their initiatives to be valued by the authorities and that while the BASE offices have been frequented by Senegalese migrants, the BAOS are hardly used by its target population (Mbaye 2017).

2.1.2 Initiatives fostering mobility of Senegalese citizens

Initiatives that open legal pathways to Senegalese citizens form an important part of diaspora policies, not least as they open safe and legal pathways for Senegalese citizens to move abroad. Two key initiatives in this regard have been taken in cooperation with Spain and France. Furthermore, protection of the Senegalese diaspora has been crucial and to this aim bilateral treaties have been concluded with several countries.

In regard to the former, Senegal reached a Memorandum of Understanding with Spain in 2007 which foresaw the launch of a circular migration scheme for 2,000 Senegalese citizens working in the agricultural sector for three years (Ndione 2018). However, this program came to a premature end, due to favoritism in the selection process and the fact that many selected persons had no experience in agriculture and overstayed their visa (Vives 2017). At the time of research, a new circular migration scheme was launched between Spain and Senegal through which Senegalese workers have been posted to Spain for three months as seasonal workers. Three key ministries have been part of the process: the Ministry of Foreign Affairs has played an important role as an interlocutor between the Spanish Embassy and Senegalese institutions, the Ministry of the Interior facilitated the applications for passports, and the Ministry of Work contributed with their expertise on labor contracts. According to one of our interviewees psychologists were part of the inner-ministerial selection committee tasked to assess the likelihood of individual candidates overstaying their visas. However, the scheme experienced difficulties when out of 47 workers arriving to Spain, 29 did not return to Senegal.

²⁹ A key objective of the BASE is to enable conditions which would be favorable to the return of Senegalese abroad. This might explain why this project is financed by Italy's Ministry of Foreign Affairs.

The Senegalese side responded by stressing that an (even) more rigorous approach was to be deployed in selection and training of potential candidates in the future (Dakaractu 2019).

An agreement between France and Senegal was reached in 2006 which aimed to foster labor mobility between both countries. Measures include, establishing channels allowing for the regular exchange on labor market needs and a new residence status for ‘competence and talents’ (Ndione 2018). Furthermore, numerous bilateral social protection treaties have been concluded with third countries to safeguard the rights of Senegalese workers abroad.

Box 3:

Overview relevant bilateral treaties in the field of diaspora relations

Labor Migration Agreements:

- **Memorandum of Understanding signed between Spain and Senegal**, 5 December 2006 and **Memorandum of Understanding signed between Spain and Senegal**, 9 November 2007
- **Agreement on joint management of migratory flows between Senegal and France**, September 2006
- **Convention on the employment of Senegalese labor in the State of Qatar**

Bilateral Social Security Treaties:

- **General Agreement on Social Security of 29 March 1974**, signed between France and Senegal, 29 March 1974 (renegotiated several times)
- **Social Security Agreement**, signed on 28 October 1972 between Mauritania and Senegal, replaced by a renegotiated convention on 5 December, 1987.
- **General Convention on Social Security with the Republic of Mali** of 13 May 1965, renegotiated on 26 July 1993 (ratified by Senegal in 1998)
- **Social security agreement with Cape Verde** negotiation in progress
- **Social security Convention with Cameroon** (not ratified by Cameroon)
- **Social Security fund payment agreement between Togo and Senegal**
- **Social Security fund payment agreement between Ivory Coast and Senegal**
- **Social Security fund payment agreement between Benin and Senegal** (not yet operational)
- **Social Security fund payment agreement between Burkina Faso and Senegal**

Source: Own compilation, based on Ndione 2018.

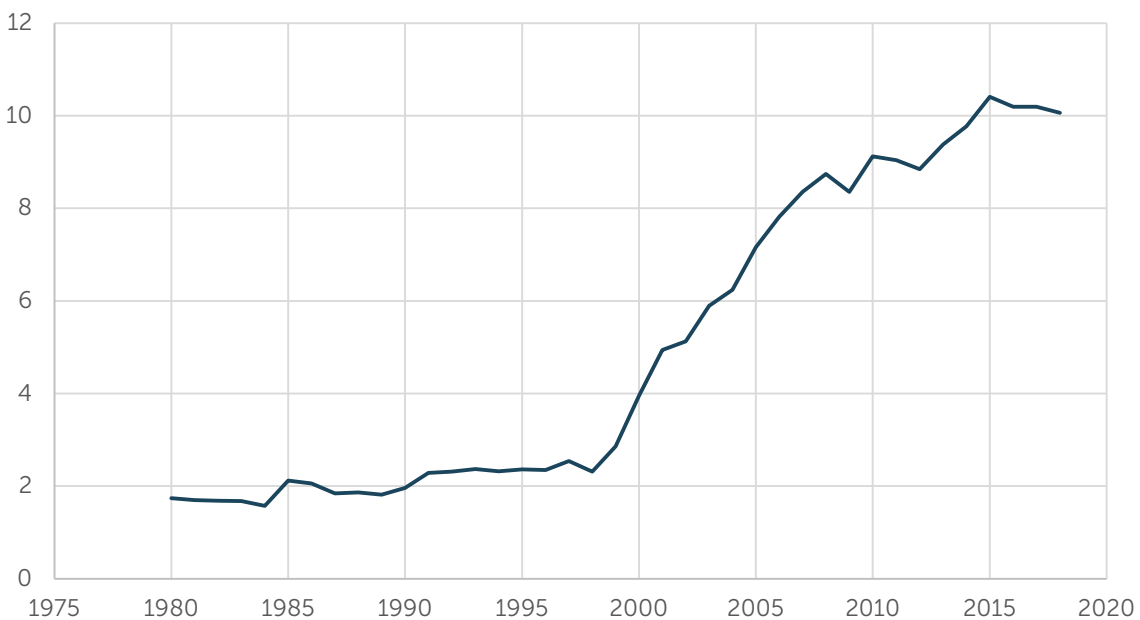
2.2 Political stakes

The Senegalese diaspora plays both an important political and economic role. The political importance attributed to diaspora migration has shifted under different governments. During Sall’s first term in office the integration of the Ministry dedicated to Diaspora Affairs into the Foreign Ministry has been understood as a sign of decreasing importance granted to the policy field. However, the establishment of the post of the State Secretary on Senegalese Abroad in 2019 constitutes an indicator of diaspora relations’ increasing political importance.

The socio-economic importance attributed to the diaspora stems from their financial contribution in the form of remittances. While it is generally difficult to derive exact numbers on remittances, estimates provide an indicative picture. Between 2010 and 2018 personal remittances are estimated to have contributed between 9 to 10% of the overall GDP (Gross Domestic Product) (World Bank 2019). A World Bank Study that took informal remittance transfers into account even estimated their contribution to lay at 19% in 2005 (Azam et al. 2005). Overall, except for minor variations, the contribution of remittances to the GDP has risen from 1980 – 2018 (see Figure 1).

Figure 1:

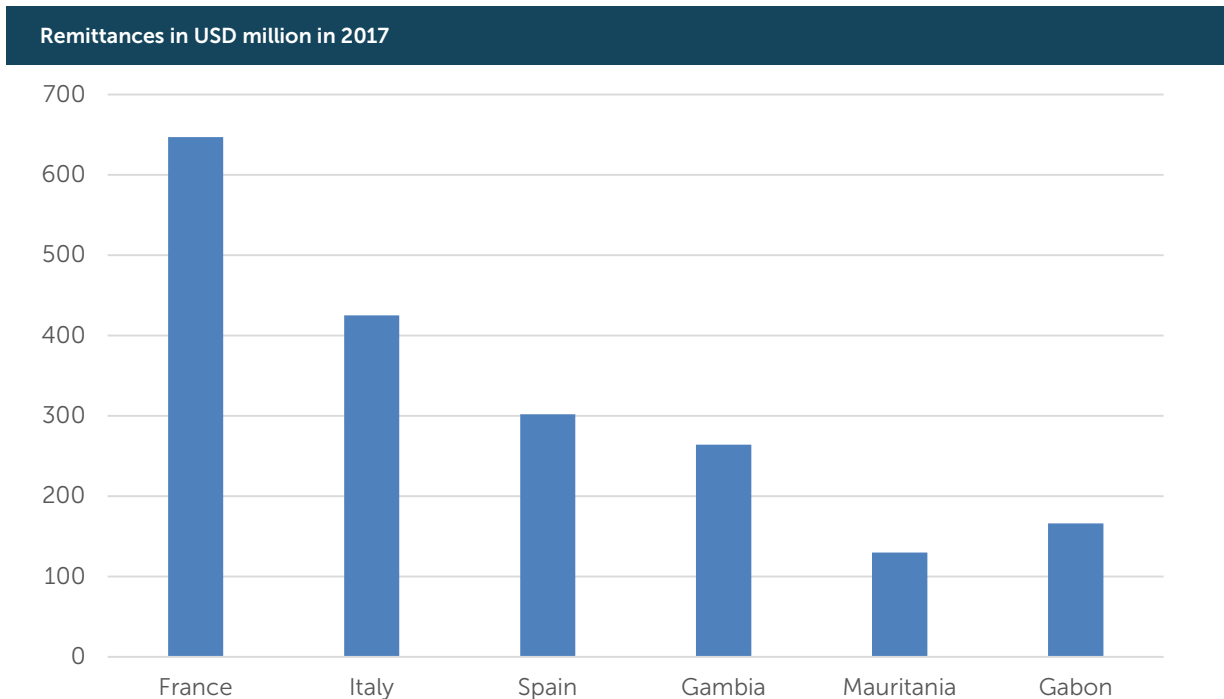
Remittances in percent of GDP 1980 - 2018



Source: Own elaboration based on World Bank 2019.

In 2017 the highest volume of remittances was sent from Europe, amounting to USD 1450 million while the total remittances sent from other African countries was USD 677 million.³⁰ The top three remittance sending countries in Europe were, France, Italy and Spain, while the top three sending countries in Africa were sending were The Gambia, Mauritania and Gabon (see Figure 2).

Figure 2:



Source: Own elaboration based on World Bank 2017b.

The importance of remittances is further highlighted by their resistance to external shocks. While during the financial crisis in 2008 Foreign Direct Investment (FDI) and exports decreased the decline of remittances was comparatively modest (Cisse 2011). Their contribution has in the past years been higher than Overseas Development Assistance, FDI and external borrowing (Ibid.) and they manage to satisfy household needs directly. This has not only resulted in numerous projects to channel diaspora contributions for wider development purposes (see Diaspora Governance) but also in four key political interests. Firstly, the facilitation of formal remittance transfers. Secondly, the protection of Senegalese living abroad. Thirdly, the opening of more legal pathways and finally, the state interest to redirect diaspora investments towards ‘productive’ investment.

Regarding the former, informal channels take up an important part in the Senegalese remittance market (Cisse 2011; Ponsot 2011). This is due to the high costs and complexity of many formal channels (Ponsot 2011). A World Bank Study found in 2007 that 46% of all

³⁰ The Americas amount to USD 104 million, Oceania USD 2 million and Asia USD 1 million.

remittances were transferred through informal channels (African Development Bank 2007). This makes the simplification and cost decrease of formal channels an important political issue.

A second key political issue is the protection of migrants' rights abroad. There are two core issues in this regard. Firstly, the activity of employment brokers, who often deceive potential labor migrants and extort high fees for their services. These facilitate mostly labor migration to the Middle East (Ndiaye 2018). Secondly, the protection of labor and social rights of Senegalese abroad and the continued validity of these rights upon return to Senegal. A civil servant commented: *"Nous voudrions que nos ressortissants, travaillant dans les pays du Golfe, bénéficient de prestations en cas d'accident de travail ou de maladie professionnelle. Mais dans ces pays, ils ne connaissent pas ça. Avec les Qataris, ça n'a pas abouti. Ils nous ont dit qu'un tel système n'est pas prévu par leur législation."*³¹

Thirdly, the opening of legal migration pathways constitutes a core interest of the Senegalese government in order to ensure future remittances. As highlighted by a civil servant: *"Nous sommes dans un monde globalisé. Beaucoup de pays ont été reconstruits et développés par des migrants. Ce n'est parce qu'aujourd'hui ça n'arrange plus qu'il faut fermer [les frontières]."*³² In fact, legal pathways provided more migration opportunities in the past. Following its independence in 1960, Senegalese hold freedom of entry and residence as well as free exercise of economic activities in France (Vickstrom 2013).³³ Until 1986 visa free travel of Senegalese to France was maintained. Italy only introduced visas for Senegalese citizen in 1990 (Vickstrom 2014). Beyond the aim for opening more legal pathways, many interlocutors noted that visa applications to Western countries are extremely expensive. A debate has recently surged in regard to the reciprocity of visa obligations with Schengen countries. Senegalese civil society actors have been vocal to demand the reintroduction of visa obligations for European travelers, who are currently exempt from applying for entry visas when travelling to Senegal.

Finally, a key interest of the Senegalese state has been to direct diaspora funding to so-called productive investment (see also Fall 2003). In a seeming paradox however, the first diaspora involvement projects have been launched at a time when destination countries adopted a more restrictive immigration policy. Most notably, the first BAOS were financed by France at the same time when France adopted more restrictive entry requirements for Senegalese citizen. Similarly, in the wake of the so-called Canary Island crisis and the 2015 migration 'crisis' more external funding has become available for migration related projects including in the field of diaspora. Beyond a carrot and stick explanation, a possible reason for

³¹ "We would like our nationals, working in the Gulf countries, to receive benefits in the event of an accident at work or an occupational disease. But in these countries, they don't know these type of labor protection systems. With the Qataris, it didn't work out. They told us that such a system is not provided for in their legislation." Senegalese Civil Servant, Interview, Dakar, August 2019.

³² "We are in a globalized world. Many countries have been rebuilt and developed by migrants. Just because it's no longer convenient today doesn't mean that we should close [borders]" Civil Servant, Interview, Dakar, August 2019.

³³ Senegalese citizens could enter with an identity card or passport, vaccination certificates and a 1,500-franc guarantee of return.

this apparent paradox might lie in the donors' recognition that often individual emigration choices foresee an eventual return (Castagnone 2010). However, in view of increasing difficulties in attaining economic success, return has since the beginning of the 21st century been continuously postponed (Sinatti 2009). This may explain donor support for diaspora initiatives, especially projects which aim to inform returnees of their possibilities 'at home'. An example is the Italian support given to the BASE. Here, a key objective is to 'facilitate a harmonious socio-economic reintegration once returned to Senegal' (IOM 2016b, 3).³⁴ This points to a conflict of interest at the heart of diaspora policy making. While donors might see the added value of diaspora policies in their promotion of return, the Senegalese government – not opposed to voluntary (high-skilled) return per se – see diaspora policies as a vehicle to attain diaspora financed development objectives.

Political participation of Senegalese residing abroad was strengthened in 2017, when they could vote for the first-time in national parliamentary elections. Since then, 15 out of the 165 parliamentary seats have been reserved for the Senegalese diaspora, officially constituting the 15th region (Freedom House 2019a). Beyond their own votes, Senegalese migrants are also considered to exert influence on voting behavior of relatives back home (Maillard and Costart 2019). Hence, major electoral campaigns since 2000 have also been organized in important host countries – most notably the United States and France (Uzelac 2019). Furthermore, the important role of remittances for Senegalese households makes forced returns an especially sensitive issue (see irregular migration).

2.3 Societal relevance

For decades, diaspora migration within the continent and to Europe has impacted Senegalese society. It has for a long time constituted an important household strategy and profited communities. Intra-African migration constituted the first source of remittances prior to those from Europe (Cisse 2011).

When the first Senegalese migration to France evolved in the 1950s, remittances were a crucial factor driving this emigration (Guilmoto 1998; Barou 1993). Further, when in 1994 the FCFA (*Franc de la Communauté Financière Africaine*) was devalued, the volume of remittances drastically increased due to the exchange rate change (Cisse 2011). In the 2000s, remittances constituted a coping strategy for fishermen losing income over new international fishery agreements – that have also been concluded with the EU (Cross 2013). For many emigration regions remittances make up the most important source of income, and thereby, also constitute the principal safeguard in case of alimentary crisis (Fall 2003). On the communal level Senegalese residing abroad have created fund-pooling mechanisms, often through hometown organizations,³⁵ through which they invest collectively into their community infrastructure (Uzelac 2019). Furthermore, Muslim brotherhoods play an

³⁴ "The aim of the creation of the 'BASE' is to facilitate the successful socio-economic reintegration of Senegalese living abroad [...] once they return to Senegal." (IOM 2016b, 3).

³⁵ *Associations des Ressortissants*.

important role in coordinating local development projects financed through remittances (Fall, Gueye, and Tall 2000). Visible testimonies of what can be achieved through successful migration can be found in Senegalese urban centers and villages (Bredeloup 2013; Nyamnjoh 2009; Sinatti 2009).

The continued importance of migration as a household or personal strategy is illustrated by the fact that in 2012, 73% of Senegalese left their country for work and professional training (ANSD 2013). Generally, migration is perceived as a vector for personal and professional development. On the individual level departure is often linked with increased social status.

Concomitantly, restrictive migration policies did not put an end to outgoing migration as intended by European destination countries, but despite making journeys harder and more dangerous, had three distinctive results. Firstly, quantitative research showed that more restrictive immigration policies increased the probability of better preparing emigration projects (Beauchemin et al. 2018). Secondly, a diversification of destination countries has occurred. When France's immigration policies became stricter, other European countries, such as Spain and Italy, became more attractive destinations (Beauchemin et al. 2018; Cross 2013). In the mid-2000s new destinations emerged in Asia, the Middle East and Latin America. Finally, more restrictive policies also diminish the possibility of return and circular migration (Flahaux 2014). While circular migration was the norm in early migration to France it became increasingly unlikely with stricter immigration policies (Beauchemin et al. 2018).

2.4 Conclusion

The Senegalese diaspora plays an important economic, social and political role. Its importance is mirrored in political action taken on diaspora issues – national policy documents highlight their importance to economic development and numerous initiatives have been taken to foster diaspora participation. Lately, the creation of the role of the State Secretary for Senegalese Abroad shows the importance granted to diaspora relations at the highest political level.

The launch of diaspora policies coincided with the adoption of more restrictive immigration policies in France in the late 1980s, who at the same time funded diaspora initiatives in Senegal. This points to a conflict of interest between diaspora policies of donors, who may see it as a tool to promote and ease return and the Senegalese government, who albeit not opposed to voluntary (high-skilled) return, has been promoting the opening of legal pathways and is strongly opposed to forced return.

The continued social importance of diaspora migration explains why more restrictive migration policies of host countries have failed to achieve its aims. Instead of curtailing migration, it resulted in a higher probability of taking preparatory steps, more dangerous migratory journeys, a diversification of routes and a transition from circular migration to ever longer emigration spans.

3 Irregular migration

Irregular migration has become a political concern with the introduction of ever more restrictive immigration policies by destination countries (see Diaspora Migration).³⁶ The 2006 so-called Canary Island crisis constituted a turning point in which irregular migration emerged as a central subject of contention in Senegalese and European relations. It marked a productive moment for migrant irregularity as well as the Senegalese-Spanish border zone as a field of security intervention (Frowd 2018). During the so-called 2015 migration crisis a renewed impetus was given to the policy field. While cooperation on border control remains crucial in irregular migration governance in Senegal, forced return has become more sensitive. Furthermore, the focus has shifted from measures against trafficking to measures against smuggling and voluntary return *en route* emerged as a key component of (regional) ‘irregular’ migration governance.

3.1 Governance

Irregular migration governance is a fragmented policy field and key responsibility lies with the Ministry of Foreign Affairs, the Ministry of Interior and the Ministry of Justice as well as the Presidency.

The Ministry of Foreign Affairs is the central actor on return matters. It is the responsible actor for negotiating readmission agreements with third states and is, through its missions, responsible for issuing travel documents. The Ministry of the Interior is responsible for carrying out identification missions, which can precede forced returns. The Presidency and the Ministry of Foreign Affairs are the key actors in the field of voluntary returns and reintegration on the Senegalese side. The Presidency intervenes through its National Committee for the Management of the Situation of Refugees, Repatriates and Displaced Persons (*Comité National Chargé de la Gestion de la Situation des Réfugiés, Rapatriés et Personnes Déplacées*, CNRRPD). The Committee is presided by President’s Personal Chief of Staff (*Chef d’État Major Particulier du Président*). It deals with ad hoc questions pertaining to returnees,³⁷ refugees and displaced populations and brings together key intervening actors, such as the DGASE (*Direction Générale de l’Appui aux Sénégalais de l’Exterieur*, DGASE), the Senegalese Red Cross, the General Directorate of Internal Intelligence (*Direction Général du Renseignement Intérieur*) and representatives from the Ministry of Health. Among the official tasks of this Commission are the organization and the management of accommodations for returnees but also support to the reintegration process. The CNRRPD also exists in the 14 regions, where its regional Committees are headed by the respective local governors. While the CNRRPD’s main focus lies on immediate questions pertaining to voluntary return, the more long-term reintegration procedure is a joint responsibility of the DGASE in close

³⁶ Research shows that the percentage of Senegalese travelling with the services of a smuggler increased after 1990 from zero to 8% in France, 11% in Spain and 17% in Italy after 2000 (Beauchemin et al. 2018).

³⁷ All ‘types’ of returnees – forced and voluntary.

cooperation with the IOM. On the regional level, this should take place through their Accommodation, Orientation and Follow-Up Offices (BAOS), which are overseen by the Ministry of Foreign Affairs's DGASE.

With voluntary returns gaining in scope since the launch of the EUTF funded EU-IOM Joint Initiative in 2017, the IOM is becoming an increasingly important actor on the ground as well – while respondents highlighted that the role of the IOM is to foster capacity building of Senegalese actors in the field of reintegration, but not to replace state institutions. Next to the EU funded initiative, EU Member States (EUMS) are also active in the field of voluntary return. The German Development Agency (*Gesellschaft für Internationale Zusammenarbeit, GIZ*) has, for example, opened the Senegalese - German Centre for Return, Reintegration and Migration based at the Ministry of Youth's Agency for the Promotion of Youth Employment (*Agence Nationale pour la Promotion de l'Emploi des Jeunes, ANPEJ*).

The Ministry of Justice's National Unit for the Fight against Trafficking in Persons (*Cellule Nationale de Lutte contre la Traite de Personnes, CNLTP*) which was set up in 2010 is the principal actor in the field of trafficking in human beings. Its mandate is currently widened to include smuggling. The cell holds the mandate to follow developments on trafficking and reports cases to prosecuting authorities. It is also responsible for the setting up of regional anti-trafficking structures and contributes to policy development in the field. Its mandate further includes the definition and implementation of awareness raising campaigns on trafficking. Ten other Ministries are part of the CNLTP, among them the Ministry of the Interior, the Ministry of Foreign Affairs and the Ministry of Education, as well as religious actors and Civil Society Organizations (CSOs). Additionally, a new unit to combat smuggling is currently set up under a EUTF-funded project within the national police.

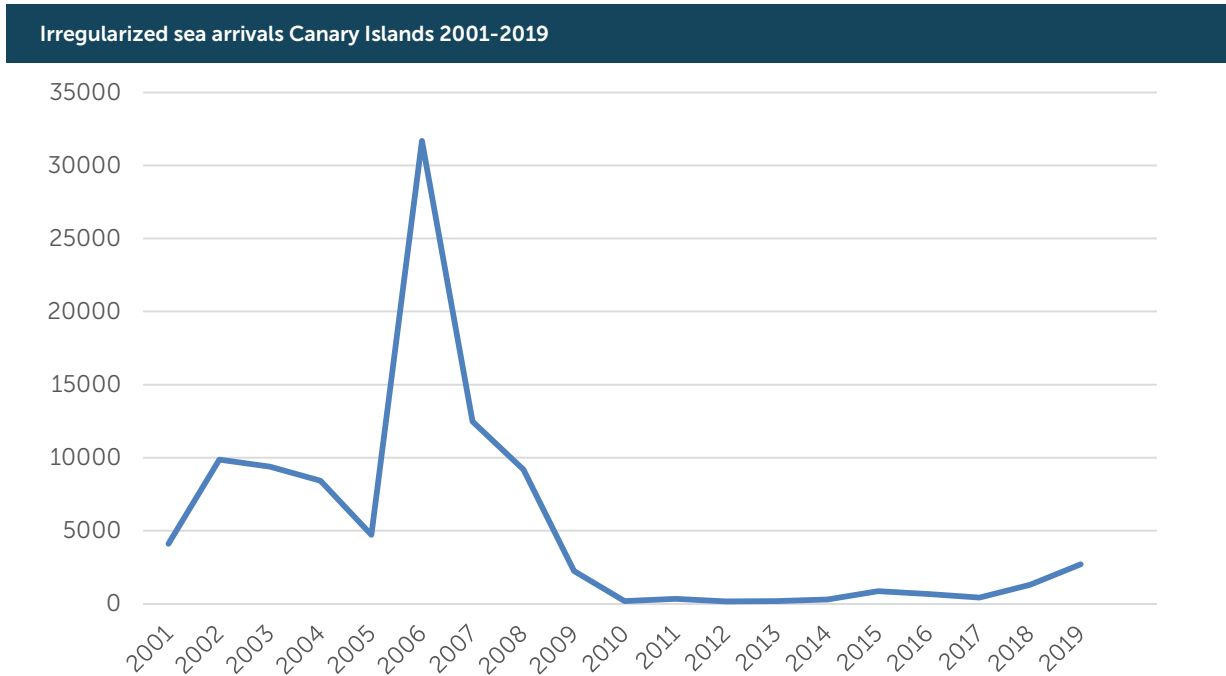
3.1.1 Irregular migration governance as 'crisis' response

Key policy initiatives in the field of irregular migration have been developed in the aftermath of the so-called 2006 Canary Island crisis, as well as the so-called 2015 migration crisis.

The so-called Canary Island crisis was met with measures to secure the Spanish-Senegalese sea border. Two key measures were, the launch of European Border and Coast Guard's (EBCG) mission Hera in July 2006, as well as EBCG Seahorse Projects which enhanced information sharing between participating countries. Frontex Operation Hera is to date the Agency's longest and only mission through which European border guards jointly operate within a third country's territorial water. It brings together European, Senegalese and Mauritanian border guards who conduct aero-maritime surveillance and joint patrols at sea and intercept and return vessels to their point of departure. Furthermore, individuals arriving at the Canary Islands are screened and often returned (Wriedt and Reinhardt 2017). Since 2018 the EBCG has attempted to reach a Status Agreement with the Senegalese government. This would be the first Status Agreement in an African country and would increase the executive powers of the Agency in Senegal with the aim to enhance interceptions in the Senegalese territorial waters and subsequent returns (Frontex 2020). The mission was deemed

successful by European actors for the reduction of the number of arrivals at the Canary Islands which remained below 1,000 between 2010 and 2017 (Gonzalez Enríquez et al. 2018). Since 2018 the number of arrivals have risen continuously (see Figure 3).

Figure 3:



Source: Own elaboration based on UNHCR et. al. 2019; UNHCR 2016, 2018; 2019b; 2020, Spanish Ministry of the Interior in Gonzalez Enríquez et al. 2018.

The second key measure following the so-called Canary Island crisis was the launch of the ‘Seahorse Operations’ – a number of police coordination operations financed under the European Commission’s AENEAS (2004–2006) and the ‘Thematic Programme in Cooperation with Third Countries in the Areas of Migration and Asylum’ (Casas-Cortes, Cobarrubias, and Pickles 2016). The primary objective of the Seahorse operations was to enhance the sharing of surveillance information on the Spanish Atlantic sea border transmitted by satellite communication (Frowd 2018). They resulted in the setup of the Seahorse Network which established formal means of communication between Spanish, Mauritanian, Cape Verdean, Senegalese and Portuguese border guards and an ensuing project aimed to transform ‘local contact points’ into coordination centers, similar to the Regional Coordination Centre of the Canary Islands (Casas-Cortes, Cobarrubias, and Pickles 2016).

Following the reduction of arrivals to the Canary Islands, European actors – lead by Spain – have increasingly directed border capacity and police cooperation activities to land borders (Frowd 2018; Cross 2013). This has resulted in the two (mainly) EU funded West Sahel I and II Projects set up to foster regional security cooperation and capacity building (Casas-Cortes, Cobarrubias, and Pickles 2016). The first project launched in 2011 targeted Mauretania, Mali,

Niger and Senegal. Its three-fold objectives were to enhance border capacity training on assistance to migrants and the coordination of legal law enforcement (Frowd 2018). The second West Sahel Project launched in 2014 aimed to enhance regional security cooperation between Mali, Senegal and Mauretania with border control issues being increasingly integrated into the wider security agenda (Frowd 2018).

Initiatives focusing on land borders increasingly tightened border control in the region (Cross 2013). According to the Senegalese police, 22 border posts alone were aimed to be established with support from the European Development Fund (Ministère de l'Intérieur 2017). Furthermore, a national border strategy was developed together with the International Centre for Migration Policy Development (ICMPD) EU-funded MIEUX initiative from 2011 – 2013 (Africa EU Partnership 2013). A Senegalese civil society actor commented: *“Malheureusement l’étendue des frontières fait qu’on ne peut pas les contrôler. C’est la raison pour laquelle l’Union européenne et l’OIM nous financent pour mettre en place des postes de contrôle.”*³⁸

Several projects to foster border control are ongoing – following both a migration control but also internal security imperatives. They include Senesec, an EDF-funded and Civipol (public-private French Development Agency) and FIIAP (a public foundation under the Spanish state)³⁹ implemented project that aims to strengthen Senegal’s internal security apparatus. One of its components foresees the reinforcement of border control capacities and fight against irregular migration (European Commission 2018; Le Quotidien 2019a). According to an interviewee, a new anti-smuggling unit has been set up at the police under the project. Further, GAR-SI Sahel, a regional EUTF-funded FIIAP implemented project launched in 2017, foresees the building of a 150-person led Rapid Monitoring Action Group (*Groupes d’Action Rapid Surveillance*) at the Gendarmerie around Kidira, close to the Malian border. This will strengthen the capacities of the Senegalese state to carry out mobile border patrols (European Commission 2017b). Furthermore, the EU funded, Spanish (Guardia Civil) implemented Blue Sahel project, launched in 2017, aims to strengthen security capacities against irregular migration. In addition to Senegal, capacity building takes place in Mali, The Gambia, Guinea Bissau, Guinea, Mauretania under the project, which also aims to strengthen cooperation among these countries. Finally, a US funded project on border community security, equips border posts, builds the capacity of border guards and integrates border communities in border surveillance (Ndione 2018).

Another area in irregular migration governance which has received ‘crisis-induced’ attention is that of anti-trafficking and anti-smuggling. In the wake of the so-called Canary Island crisis Senegal passed its first trafficking law,⁴⁰ criminalizing trafficking in persons. Currently a new anti-smuggling law is under negotiation. Senegalese and European

³⁸ “Unfortunately, because of the extent of the borders, they cannot be controlled. That is why the European Union and the IOM are funding us to set up checkpoints.” Senegalese Civil Society Actor, Interview, Dakar, July 2019.

³⁹ Which is also part of the Spanish government cooperation agency (Cooperación Española).

⁴⁰ Loi 2005-06 du Mai 2005.

stakeholders highlighted that this was necessary to bring the current legal framework in conformity with international law,⁴¹ that it caters to new forms of trafficking and smuggling of human beings and establishes a sound legal basis to persecute smuggling.

This legal reform process takes place in the framework of the PROMIS⁴² project, a Dutch funded, joint UNODC-OHCHR (United Nations Office on Drugs and Crime with the Office of the United Nations High Commissioner for Human Rights) project that aims to “strengthen the capacities of West African states to develop a human rights based response to smuggling of migrants (...)” (UNDP 2019b) . According to a civil servant the legal text was drafted by a consultant. It was technically validated by representatives of key Ministries working on trafficking at the time of research. In parallel, an anti-smuggling unit has been set up at the police under the EDF funded Senesec project, which aims to foster internal security capacities. Furthermore, Common Operational Partnerships (COP) are set up under an EUTF funded, CIVIPOL implemented project (European Commission 2018). Activities of COPs involve anti-smuggling capacity building by providing technical equipment and mentoring activities, information sharing and support to investigations and prosecutions (European Commission 2019).

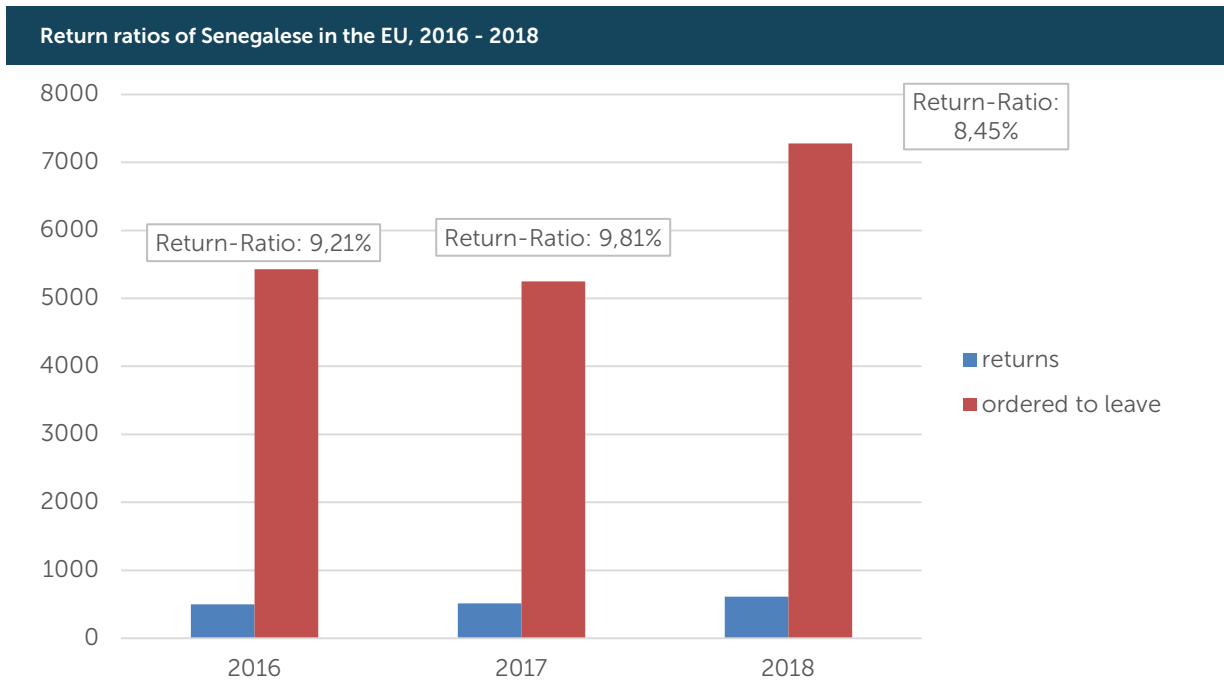
Besides measures to strengthen border control and combat trafficking in persons and smuggling of migrants, cooperation on return has been a central element in the European so - called Canary Island crisis response. Bilateral agreements on ‘migration management’, that also included readmission of Senegalese nationals, have been concluded with France (2006, 2008), Spain (2006, 2007) and Italy (2008) (Maher 2017). Following a change in government in 2012, enforcement of returns have become more contested. In 2015 return questions again gained in importance in European-Senegalese migration cooperation, as highlighted by the European Commission in its first Progress Report on the New Partnership Framework: “ It [Senegal] has a significant level of irregular migration to the EU (...), and the rate of return is insufficient (...)” (European Commission 2016a, page 8) highlighting, a few months later, the importance of “ensuring the effective return of identified irregular migrants” (European Commission 2017e). The table below shows that the return ration of Senegalese varied between 8,45% and 9,81% in the period between 2016 and 2018.⁴³

⁴¹ The current legal framework does not distinguish between smuggling and trafficking as stipulated in the Palermo Protocols.

⁴² PROMIS stands for Protection of Migrants: Justice, Human Rights and Migrant Smuggling, the project is carried out in Ivory Coast, The Gambia, Mali, Niger and Senegal.

⁴³ While Senegalese made up 0.61% of all persons found irregularly present in EU in 2016, 0,87% in 2017 and 1.27 % in 2018 (EU 28) (Eurostat 2020).

Figure 4:



Source: Own elaboration based on Eurostat (2020).

While in 2016 identification missions were seen by European partners as a central element to foster return cooperation with Senegal (European Commission 2016b), one respondent stressed that problems in their implementation rendered them marginally important (see also European Commission 2017d). Generally, a shift from official return agreements to more informal procedures can be noticed. Further, return questions are often implicated indirectly in other fields of cooperation. An example constitutes the ongoing modernization of the civil registries under an EUTF funded project, that is carried out by the French public – private actor Civipol and the Belgian Development Cooperation Enabel. The main objectives of the project are to improve the civil registries, build a national biometric database and make both systems interoperable (European Commission 2017d). The question of returns is implicitly part of the project, with an involved stakeholder stressing that the project implicitly aims to improve the identification of irregularized migrants in destination countries: *“En tout cas ça permettra de tout de suite identifier et d’avoir des informations sur l’individu... Mais c’est la partie invisible de l’iceberg, on va dire.”*⁴⁴

Besides cooperation on forced return, cooperation on ‘voluntary’ return and reintegration (for ‘voluntary’ and forced returns) is an important field of cooperation. A crucial initiative on ‘voluntary’ returns constitutes the EU-IOM Joint Initiative. Under this regional (West

⁴⁴ “In any case this will allow to immediately identify and have information on the individual... But this is the invisible part of the iceberg we could say.” European Actor, Interview, Dakar, July 2019.

African) initiative migrants are ‘voluntarily’ returned *en route* to their countries of origin. Reintegration efforts have however experienced problems. Under the initiative, returns started in 2017, although interviewees stated that reintegration measures only commenced in the beginning of 2019. A respondent working for an international organization explained that the caused reintegration ‘backlog’ is worked through using data available from previous on arrival screening. Furthermore, advertising exercises for reintegration programs are carried out in communities to inform returnees of the launch of reintegration activities.

To render returns *en route* more efficient the first IOM reintegration center was opened in Tambacounda at the end of 2018. The center offers returnees accommodation upon arrival for 48 hours. The center was opened due to avoid absconding of returnees prior to the post-arrival screening process. Many ‘voluntary returns’ are carried out by bus.. With many returnees originating from regions passed through on the bus journey prior to arriving at the IOM Dakar Office, absconding prior to identification at the was frequent. A civil servant commented: “*Désormais, à chaque fois qu’il y a un groupe qui rentre, on s’assure qu’il soit accueilli et enregistré avec notamment leur origine, le sexe et l’âge etc. pour faire le suivi. Il arrivait qu’on nous annonce 100 arrivées alors qu’il y en avait que 10 à Dakar.*”⁴⁵ However, exactly how the center will be integrated into the government structure in the long run does not seem entirely clear. While some stakeholders stated that the regional arm of the CNRRPD will take responsibility over the center, others stressed that the local government structures⁴⁶ will, in the long term, be the responsible actor.

Finally, returnee organizations themselves play a role in regard to reintegration. Numerous returnee groups exist, which aim to assist other returning migrants (on returnee organizations see also Anderson 2014). Many are integrated into political structures on a regional as well as national level. On the regional level such returnee organizations, for example in Tambacounda, have been supported by the regional government and play an intermediary role between newly arrived returnees and reintegration services. On the national level a returnee organization network was being set up at the time of research. The objective of this project is that the umbrella organization will strengthen the links between the national government and returnees and it is foreseen that the network will be integrated into the national migration coordination framework (see Migration Governance). This project is financed by the GIZ and implemented in cooperation with the DGASE.

Measures taken to address irregular migration have been accompanied by sensitization campaigns. Sensitization campaigns are carried out by a range of actors, including Senegalese NGOs, returnee organizations themselves, international NGOs and individuals with

⁴⁵ “From now on, every time a group comes in, it is welcomed and recorded with their origin, sex, age, etc. to follow up. Sometimes we were told that 100 people had arrived and there were only 10 who would arrive in Dakar.” Senegalese Civil Servant, July 2019.

⁴⁶ *Collectivités territoriales*.

migration experience,⁴⁷ often with the support of IOM or other international donors. Furthermore, journalists have been trained by international organizations⁴⁸ and artists are often implicated in sensitization campaigns. Stakeholders explained that it was difficult to find the right message of campaigns which have traditionally focused on raising awareness on the dangers of the migratory journeys. The focus of campaigns has expanded to include the narrative of “*réussir au Senegal*”⁴⁹ which is often embedded in job training programs. To this end the Senegalese government (and international donors) have invested in professional training. An example is the EUTF funded ‘Tekki Fii’ project, which is supposed ‘transmit the entrepreneurial spirit’ or the ‘PARCERSEN’ (Projet d’Appui à la Réduction de la Migration à travers la Création d’Emplois Ruraux au Sénégal) which aims to reduce migration through job creation in rural areas.

3.2 Political stakes

Political stakes to migration governance are varied depending on the actor involved. Broadly four different stakes can be identified. Firstly, donor induced migration control comes with two inherent tensions –striking a balance between national security interests and matters pertaining to questions of sovereignty and the tension between controlling mobility through capacity building and informal rules that govern mobility in the region. A second matter of contestation pertains to the question of forced return. Finally, an important point raised by many interviewees has been the general complaint that root causes of migration remain unaddressed while measures to contain mobility are taken.

3.2.1 Inherent tensions of externally induced irregular migration control

Donor induced security responses to irregular migration face inherent tensions between serving Senegalese security interests on one hand and questions on sovereignty and countering free movement interest on the other. Regarding the former, Senegalese stakeholders have highlighted that they are not opposed to projects fostering border capacities, given the relevance attributed to security issues, in the context of wider regional instability. A security actor even suggested that migration was used strategically by Senegalese actors to convince Europeans to intervene on security matters and research suggests that migration induced security measures foster state legitimacy in the region (Frowd 2018). Yet, irregular migration governance can also become a site of contestation over national sovereignty. This has, for example, been the case in regard to the setting up of Common Operational Partnerships (COPs) through which capacities of the Senegalese police on

⁴⁷ For example, through the IOM Project ‘Migrants as Messengers’.

⁴⁸ For example UNESCO with financial support of the Italian Ministry of Foreign Affairs: <https://fr.unesco.org/news/atelier-formation-techniques-du-journalisme-dinvestigation-migrationsetforum-medias-migrations>.

⁴⁹ “Make it in Senegal.”

migrant smuggling are strengthened and cooperation between European and Senegalese stakeholders in the field reinforced. While in practice, similar to the Joint Investigative Teams (JIT's) established in Niger (see Jegen 2020), the model of the Nigerin JIT's was highly contested by Senegalese actors who opposed third country police forces holding operational mandates on their territory. A European actor commented: *“Je pense que la terminologie a beaucoup changé aussi. Au Sénégal, par exemple, on préfère parler de partenariat. Alors que le Niger semble moins sensible à la notion de souveraineté. Donc parler d'équipe conjointes ça dérange au Sénégal.”*⁵⁰ Notwithstanding, this relatively clear position from the Senegalese side, European actors highlighted that in practice the difference regarding JITs and COPs is likely to unravel. A legitimization for measures related to the regulation of mobility evoked on both, the official Senegalese and European discourse, is their apparent necessity on humanitarian grounds, 'protecting' migrants from the dangers of the routes.⁵¹

A second tension inherent in donor induced security responses to irregular migration, is the need to strike a balance between more restrictive approaches to mobility regulation (and security interests) and the need to safeguard informal rules on inter-ethnic cross-border mobility. Interviewees highlighted the threat border capacity building may pose to free movement enshrined in the ECOWAS protocol and hence regional integration efforts in the framework of ECOWAS as a whole. The need to strike this balance is captured in this quote by a civil servant: *“Les Européens ont leurs préoccupations, les Etats de l'Afrique de l'Ouest aussi ont leur préoccupation et chaque bloc a ses propres agendas. Mais nous encore une fois ici, la perception de la migration est positive. Par contre, il y a des questions sécuritaires aussi qui font fasse car il y a des groupes criminels qui veulent remettre en cause l'existence de l'Etat moderne.”*⁵² Meanwhile, proponents of the border management stress that they do not aim at stopping people, but are about “knowing” who crosses the border.

Tensions between security and migration imperatives also became evident when considering the reform of the anti-smuggling legislation. According to Article 3 of the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, smuggling of migrants is defined as a financially beneficial facilitation of the “illegal entry” (based on the necessary requirements of the third state) of a non-resident or national to a third state. Proponents of the law stressed that the possession of valid travel documents already constitutes a legal requirement within the ECOWAS space. Meanwhile, critics point to the contradiction of raising the issue of smuggling in an area of freedom of movement. The problems which may emanate from the legislative changes become evident when considering the low registration rates of the civil registry in some regions of the country. While in 2010 – 2011 the average

⁵⁰ “I think the terminology has changed a lot too. In Senegal, for example, we prefer to talk about partnership. Whereas Niger seems less sensitive in regard to matters pertaining sovereignty. Talking about 'joint teams' is a problem in Senegal.” European Actor, Interview, Dakar, July 2019.

⁵¹ Scholars have analyzed these lines of legitimation as 'humanitarian borderwork' (Pallister-Wilkins 2017; 2015; Walters 2010; Vaughan-Williams 2015) or 'panel humanitarianism' (see for example Stambøl 2019).

⁵² “The Europeans have their concerns, the West African states also have their concerns and each bloc has its own agendas. But here again, the perception of migration is positive. On the other hand, there are also security issues that need to be addressed because there are criminal groups that want to challenge the existence of the modern state.” Senegalese Civil Servant, Interview, Dakar July 2019.

registration rate of Senegalese children was at 75%, in some regions, such as Tambacounda (which borders Mali) only 55.2% of children were registered that year (ANSD 2012). Hence, civil society actors warn of the legal reform resulting in unintended consequences, such as the increase use of smugglers and extortion at border crossing points.

3.2.2 Contestation over (forced) returns

Forced returns have been a controversial issue in Senegalese relations with third states, especially with Europe. Following the so-called Canary Island crisis, the Senegalese government under Wade signed several return agreements – with Spain, France and Italy. Meanwhile, return cooperation on a European Mobility Partnership under the Global Approach for Migration and Mobility failed in 2008. Research suggests that the principal reason for the failure of a European agreement was due to the better conditions that could have been negotiated in bilateral discussions (Chou and Gibert 2012; Van Criekinge 2009).

In the wake of the so-called 2015 migration ‘crisis’ stronger cooperation with Senegal once again became a policy priority for European actors (European Commission 2016a). However, on the Senegalese side the issue had become increasingly sensitive. As stated by a European actor: *“Du côté sénégalais, on ne veut pas entendre parler de réadmission. Il y est plus question de coopération sur la migration [...] La Belgique était intéressée par le mais les Sénégalais ont dit non.”*⁵³ This is especially due to the negative societal perception of forced returns, highlighted by numerous stakeholders interviewed. A Senegalese civil society actor summarized a popular viewpoint: *“Par rapport au retour, nous pensons qu’il doit être volontaire. Nous n’acceptons pas les cas de retours forcés.”*⁵⁴ The sensitivity of the issue had also become visible in the in the period running-up to the 2019 presidential elections (see also Adam et al. 2020). Interviewees stressed the potential negative image that the reporting of the return issues would have on presidential candidates (Mouthaan 2019; Adam et al. 2020). Yet, at the time of research, with the new government in power, forced returns took place in the form of a charter flight from Germany (Culture of Deportation 2019), with little political and media attention. Notwithstanding this, a diplomatic representative stated that every technical matter on return remains politicized (see also Mouthaan 2019).

Facing direct opposition to return, informal return agreements have become increasingly important (Zanker et al. 2019; Slagter 2019). One such agreement is the Status Agreement between Frontex and Senegal (see Governance of Irregular Migration) which has been under negotiation for at least two years. Furthermore, matters pertaining to return are integrated to other projects, such as the EUTF funded project to modernize the country’s civil registries. This has been met with opposition from the Senegalese side who have raised concern over the project’s indirect impact on return. A stakeholder involved in the process commented: *“C’est*

⁵³ “The Senegalese side does not want to hear about readmission. It is more a question of cooperation on migration [...] Belgium was interested in a readmission agreement, but the Senegalese said no.” European Actor, Interview, Dakar, July 2019.

⁵⁴ “On the issue of return, we believe that return should be voluntary, we don’t accept cases of forced return.” Senegalese Civil Society Actor, Interview, Dakar, July 2019.

*sûre que en tout cas, on savait quand même, c'est en fait cet aspect, de toute cette question insidieuses qui sont pas déclarés, qui sont suspectés par les autorités sénégalaises, qui fait que même la formulation de ce projet, on a eu beaucoup de blocage.*⁵⁵

To further incentivize return negotiations, European actors have since the so-called Canary Island crisis used development aid and the selective opening of legal migration pathways (Ba 2007; Vives 2017). This so-called ‘more-for-more principle’ has made cooperation on return more ‘attractive’ for the Senegalese side. Indeed, Dahou and Foucher (2009) found that Wade could gain more external donor funding in the wake of the so-called Canary Island crisis than ever before. The balancing act between considerable sums of migratory rent on the one hand, and the strong politicization of return agreements on the other, may be a reason why recent deportations arriving in Senegal have gained neither wide political nor media attention - to allow to keep political and popular opposition limited and to gain from the technical and financial support granted for return concessions.

In contrast to the high contestation of forced returns, new measures to foster voluntary returns *en route* have not been a strongly contested. The most important initiative on voluntary returns constitutes the Joint EU-IOM Initiative under which Senegalese are returned *en route*, from Niger or Algeria for example

3.2.3 The root causes of migration remain

Various concerns have been raised on the side of civil society actors that underlying reasons of why people migrate are left unaddressed by measures put in place to combat irregular migration. This concern has been raised in regard to sensitization campaigns, which according to many civil society actors, fail to tackle the underlying problem of unemployment, fishery agreements⁵⁶ which have left many fishermen without income, inequality within West African societies and the widening gap between poor and rich, economic asymmetries between the Global North and Global South, lack of economic investment, poverty in general and of course the continued absence of safe and legal pathways. A civil society actor stressed: *“Il faut régler le problème des inégalités, le chômage chronique. Il faut régler la problématique de l'emploi des jeunes pour les fixer. C'est la seule solution pour la paix et la sécurité aussi.”*⁵⁷

Similar concerns have been raised regarding the various reintegration measures adopted. A common point of criticism from the side of civil society regarding these measures is that often reintegration support is insufficient and hence, does not match the (economic) needs of its beneficiaries. A civil society actor noted: *“Malheureusement l'Etat et l'OIM ne gèrent pas la*

⁵⁵ “It is certain that, in any case, we knew that, in fact, it is this aspect, this whole insidious issue, which is not declared, which is suspected by the Senegalese authorities, which means that even the formulation of this project has been blocked a lot.”, European Actor Dakar, July 2019.

⁵⁶ Senegal signed international fishery agreements in the mid-2000s granting external actors the rights to exploit Senegalese waters.

⁵⁷ “The problem of inequalities must therefore be resolved, chronic unemployment problems must be solved, and the problem of youth employment must be resolved in order to fix it.”, Senegalese Civil Society Actor, Interview, July 2019.

question de l'intégration. Non seulement, ils font revenir les gens mais ne leur donnent juste qu'une petite somme d'argent pour qu'ils rentrent chez eux."⁵⁸ A representative of a returnee organization stressed that long delays in launching (individual) projects, insufficient financial support and short training sessions (often only a few days) are difficulties that returnees frequently experience in the framework of reintegration programs. Civil society actors highlighted that many returnees are often being left with no choice but to leave again.

3.3 Societal relevance

Unsurprisingly societal stakes on irregular migration governance mirror political stakes. They have been especially pronounced regarding initiatives aimed at regulating mobility (such as the anti-smuggling law reform) and (forced) returns.

In regard to measures that will reform local mobility practices, stakeholders have pointed out that initiatives geared to regulating intra-regional mobility may stand in contrast to the lived realities on the ground. Most Senegalese contemporary borders were artificially drawn during the colonial period and divide cross-border communities. As highlighted by a Senegalese civil society actor: *"Donc c'est pour affirmer que c'est le même peuple c'est juste que c'est le colon qui a divisé et tracer ces frontières dans le cadre de la colonisation."*⁵⁹

Yet, cultural and interethnic ties persist the formal divisions, resulting in border zones being marked by high levels of cross-border movement, which is generally not considered migration but mobility (see also, Tandia 2010). Communities not only share historical, ethnic, social and economic ties, but as some interviewees pointed out, cross-border integration goes as far as cross-border school enrollment. This led one observer to note that people in these zones often construct their own sense of citizenship.

In this sense initiatives to foster border management for the aim of regulating and controlling migration seem to contradict the lived modalities that shape cross-border zones. Local observers stressed that politics must consider the socio-political realities in the border zones, accept their transnational nature and grant communities responsibility to 'secure' their space.

Secondly, measures to curb irregular migration have not reached the desired result of donors, as (irregular migration) continues to be important on a societal level. Overall, interviewees stressed that migration constitutes an important factor for poverty alleviation and research has shown that remittances are crucial for household expenditure (see also: Diagne and Diané 2008; Cisse 2011). With this in mind, it must be noted that irregular migration does not derive from 'naïve optimism' but a lack of alternatives, combined with the common knowledge that a net income above that in Senegal is achievable in the North (Cross

⁵⁸ "Unfortunately, it is this issue of integration that the State and IOM do not manage, not only do they bring people back but they also only give them just a small amount of money to return home.", Senegalese Civil Society, Interview, July 2019.

⁵⁹ "So it's to underline that it's the same people, it's just that it was the colonial power who divided and drew these boundaries as part of colonization.", Senegalese Civil Society, Interview, July 2019.

2013). Taking this into consideration and in view of a continuous absence of legal pathways, irregular migration must be considered a ‘calculated risk’ (Ba 2007). Hence, initiatives to curb irregular migration mainly resulted in prolonging journeys and making them more dangerous (see also Anderson 2014; Bredeloup and Pliez 2005).

Concomitantly, (forced) returns or returns *en route* go in hand with severe difficulties, both for communities as well as the deported individual. Forced returns are a socially very sensitive issue. Returnee organizations highlighted that they often constitute a deeply dishonoring experience and that returnees will face high expectations. Returning prior to being able to match these expectations is generally considered a failure and often returnees in these situations find themselves stigmatized. Return is often also made more difficult by the fact that migration itself is in many cases a family investment.

A civil society actor explained: “*Souvent ce sont des gens qui avaient tout vendu [...] pour pouvoir partir et [...] une fois retournés ici par la force, ils sont obligés de repartir à zéro [...]. Et c'est souvent très compliqué parce qu'ils avaient déjà bénéficié de l'appui financier de la famille et du coup ils ne pourront plus être appuyés!*”⁶⁰ Research suggests that forced returns are often followed by new departures to Europe (Beauchemin et al. 2018) and reintegration programs often fail in cases of forced return as it is not prepared for by migrants themselves (Flahaux 2017).

3.4 Conclusion

This section has shown that irregular migration governance has gained importance following the so-called Canary Island crisis in the mid-2000s. Most important initiatives in the field constitute initiatives aimed at ‘managing’ mobility – such as (joint) border management and the reform of anti-trafficking and anti-smuggling legislation, cooperation on forced return, voluntary return and reintegration as well as initiatives to reach out to wider parts of society in forms of ‘sensitization campaigns’.

Political stakes in the field of irregular migration governance are high. A key issue regarding projects aiming to regulate mobility is, on one hand, to balance European interests to contain outgoing migration and Senegalese security imperatives and on the other questions over sovereignty and concerns over safeguarding free movement and informal modes of mobility in border zones. Furthermore, while forced returns are a highly contentious issue, the ‘more for more’ principal employed by European stakeholders has resulted in Senegalese politicians adopting an approach of reluctant cooperation, balancing negative repercussions of forced returns with incentives in the form of development projects and the opening of (albeit limited) legal pathways. At the same time, many civil society actors have highlighted

⁶⁰ “Often it was people who had sold everything [...] to be able to leave and [...] once they have returned here by force, they will be forced to start all over again [...]. And it's often very complicated because they had already benefited from the financial support of the family and now they won't be able to be supported anymore!”, Senegalese Civil Society Actor, Interview, July 2019.

that measures taken to stop irregular migration do little to address the underlying reasons pushing many to depart.

Meanwhile, on the societal level migration control measures stand in contrast to informal modes of organizing cross-border mobilities. Finally, the stakes of forced return are high, given that remittances constitute an important income source for households (see also Diaspora) and that high family investments often precede departure. Research has shown that when return is not voluntary, insufficient return preparations are unlikely to be balanced out by reintegration programs explaining re-migration.

4 Immigration to Senegal

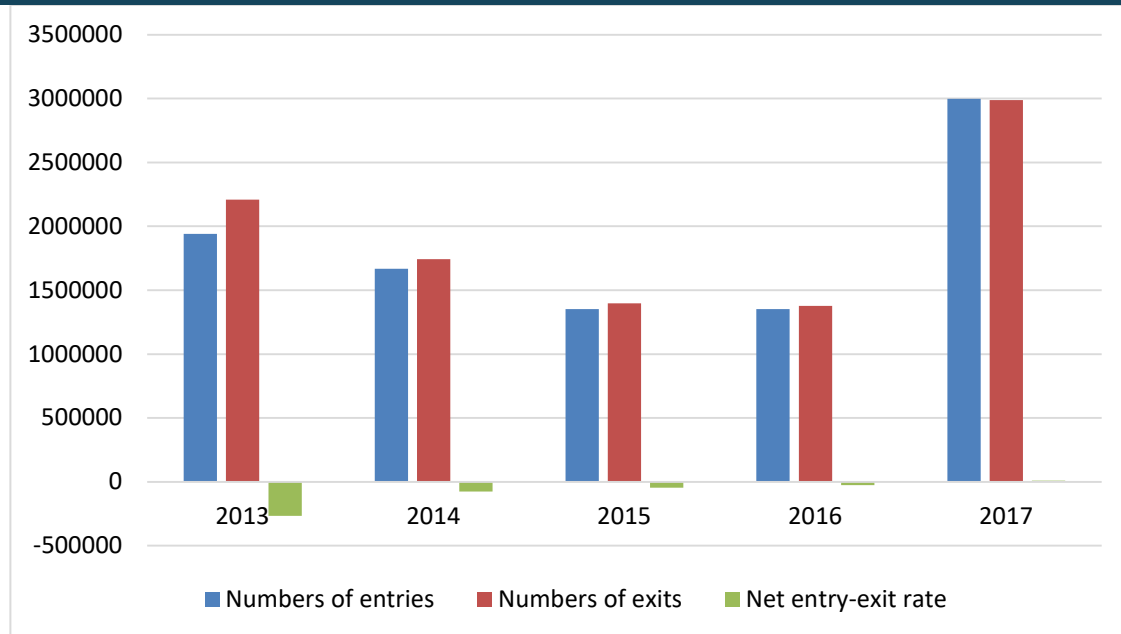
Immigration is not a new phenomenon in Senegal but has a long historical tradition (see Migration in Senegal). In 2013, most immigrants in Senegal originated from neighboring countries, with the highest number coming from Guinea (43%) followed by Mali (10%) and the Gambia (7%) (ANSD 2013 in Ndione 2018). In the same year the most mobile immigrant group (in terms of entries and exits) was Europeans (Ndione 2018). The higher mobility of European migrants might also be related to their reliance on formal entry points while regional migrants frequent the porous land borders. Important factors attracting (West) African migration to Senegal are the country's political and economic stability and good education system.

The data by the Directorate of Air Police and Border Police (*Direction de la Police de l'Air et des Frontiers*, DPAF) highlights that in 2017 for the first time since 2013 the number of immigrants entering the country was higher than those leaving (Ndione 2018).⁶¹ Data from the National Agency for Statistic and Demography (*Agence Nationale de la Statistique et de la Démographie*, ANSD) from the last semester of 2018 shows that this trend has continued. In 2018 the highest number of immigrants was from other ECOWAS countries (including Mauritania) (99 140), followed by Europeans (12 941), and Africans outside the ECOWAS Free Movement zone (4548) (Le Quotidien 2019).

⁶¹ This data has been collected at the official border points. It is important to note that it risks being incomplete and should be understood more as an indication (Ndione 2018).

Figure 5:

Number of entries/exits to Senegal and net entry-exit rate, 2013–2017



Source: Own elaboration based on Directorate of Air Police and Border Police (DPAF) 2018 in Ndione 2018.

4.1 Governance

The relatively low political relevance given to matters related to immigration so far is also mirrored in the governance framework. There is no specific entity working (just) on immigration matters.

The most important ministries which hold competence in the field of immigration are the Ministry of Interior (*Ministère de l'Intérieur*) and the Ministry of Foreign Affairs (*Ministère des Affaires Étrangères, et des Sénégalais de l'Extérieur*). Other ministries include Ministry of Work (*Ministère du Travail, du Dialogue Social, des Organisations Professionnelles et des Relations avec les Institutions*) and Ministry of Employment (*Ministère de l'Emploi, de la Formation Professionnelle et de l'Artisanat*). The Ministry of Interior holds primary competence on matters related to entry, stay and exit. The General Directorate of the National Police (*Direction Général de la Police Nationale*) is subordinated to the Ministry and Interior and in turn oversees the DPAF as well as the Police of Foreigners and Travel Documents (*Direction de la Police des Étrangers et des Titres de Voyage, DPETV*). The former is responsible for border control, while the latter issues visas and ID cards to third country nationals residing in Senegal. The Ministry of Foreign Affairs also holds responsibility over the entrance of foreigners to Senegal. It issues visas to foreigners through its Directorate of Legal and Consular Affairs (*Direction des Affaires Juridiques et Consulaires*).

Labor migration is another field which is connected to immigration. The Ministry of Work through its General Directorate of Work and Social Security is responsible for social

protection policy. This includes matters related to social protection treaties, data collection on labor migration, and issuing work permits for foreign workers. The Employment Directorate (*Direction de l'Emploi*) of the Ministry of Employment, together with the General Directorate of Work and Social Security (*Direction Générale du Travail et de la Sécurité Sociale*) work on legal proposals and follow upon policy programs, including the implementation of bilateral/multilateral and international employment related treaties and conventions.

Furthermore, Senegal is part of both the free movement zones of the Economic Organization of West African States (ECOWAS) as well as the West African Economic and Monetary Union (WAEMU). Both establish the freedom of movement of persons, goods, services and capital of the citizens of its member states, as well as the right of residence and establishment. While WAEMU is understood to be the better integrated free movement zone (Idrissa 2019), the right to freedom of movement (visa free entry) is the most well-established in both zones (Zanker et al. forthcoming).

The Senegalese national legal framework contains several safeguards for immigrants. Individuals are legally protected from excessive use of power by the executive authorities including the destruction of identity documents at the hand of government officials as well as collective deportations (Ndione 2018).⁶² Labor law further protects immigrants residing in Senegal from discrimination (based on origin, race, or sex).⁶³ Yet, a civil society actor pointed out that many migrants remain excluded from these rights given that they often work in the informal sector.

At the same time a recently launched regional EUTF Project aims to improve basic services to migrants on the transit routes, including Senegal.⁶⁴ Next to strengthening support structures for regional migrants, the project also aims to strengthen support structures for regional migrants, promote legal reform in favor of migrant protection and to foster the conclusion of bilateral and multilateral treaties strengthening protection for vulnerable migrants. It also has a sensitization component on the dangers of irregular migration (European Commission 2018).

4.2 Political stakes

Political stakes of immigration have been relatively low, as highlighted by the fact that there is not one special government entity concerned with this policy field as such. Furthermore, respondents highlighted that there have not been any deportations of third country nationals for the reason of irregular stay. A civil servant stressed: *“En réalité pour comprendre ça, il faut remonter dans l'histoire. Chez nous ici, on n'a jamais renvoyé des gens du fait d'un séjour*

⁶² Loi organique n° 2008-35 du 7 Août 2008, Article 1.

⁶³ Constitution du Sénégal, Article 25 (equal right to work), Code du Travail, Article 1 (equal treatment of workers).

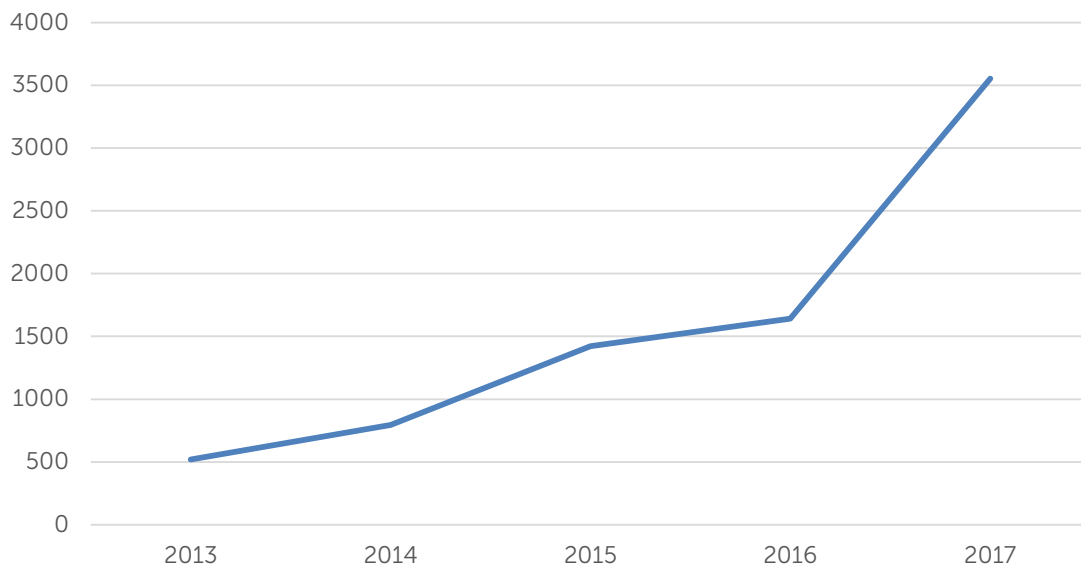
⁶⁴ Other countries the project focusses on are The Gambia, Ghana, Guinea and Burkina Faso, Ivory Coast, Nigeria, Chad, Cameroun, Mali, Niger, Mauretania.

*irrégulier ou pas. Quand vous venez au Sénégal, les gens peuvent vivre dans une situation irrégulière.*⁶⁵

Yet, recent political developments, such as the planned exploitation of oil, security concerns related to immigration as well as European initiatives to strengthen the capacities to regulate mobility (see Irregular migration) are likely to strengthen the political salience of immigration governance in the future. Regarding the discovery of oil, a civil servant noted: *"Nous commençons à y réfléchir très sérieusement parce que nous avons du pétrole, du gaz et comme tous les pays qui ont ces ressources [...] il nous faut faire de la prospective. C'est dire que les flux vont changer [...] vont bouger. Pour ça, il ne faut pas de barricader mais il faut quand même travailler à systématiser (quand même travailler à l'installation d'un système fiable)."*⁶⁶ In a similar vein, the Senegalese Minister of the Interior, Aly Ngouille Ndiaye, underlined at the end of 2019 that security questions necessitate having better information of who is in the country, adding: *"En mettant en place ce système, nous saurons, comme tous les pays le font, qui est chez nous. Parce que nous ne le savons pas présentement"* (IGFM 2019).⁶⁷ It is interesting to note that the number of people refused entry at the Senegalese borders has risen since 2013.

Figure 6:

Immigrants refused entry at Senegalese border posts, 2013 - 2017



Source: Own elaboration based on Directorate of Air Police and Border Police (DPAF) 2018 in Ndione 2018.

⁶⁵ "In fact, to understand this, we have to go back in history, here we have never sent people back because of an illegal status. What happens here is that when you come to Senegal, it's true, people can live in an irregular situation." Senegalese Civil Servant, Interview, August 2019.

⁶⁶ "However, we are starting to think about it very seriously because we have oil, gas and like all the countries that have these resources...and we have to look ahead. This means that the flow will change...will move. For that, we shouldn't barricade, but we I have to work on systematizing it (to find a system to systemize it in a systematic manner." Senegalese Civil Servant, Interview, August 2019.

⁶⁷ "By putting this system in place, we will know, as all countries do, who is in our country. Because we don't know right now."

One region which attracts high rates of regional immigration since the mid-2000s is Kédougou where the exploitation of gold in the form of artisanal and small-scale mining (ASM) is practiced widely (Gerson 2017). Driven by high gold prices and limited regulation by the authorities, ASM has attracted highly mobile migrants from other West African countries, who often move from one side to the other (Prause 2016; Daffé 2012). While their exact numbers are unknown, estimates vary between 15,000 to 50,000 people living and working at some of the larger ASM sites (Prause 2016). Observers have raised concerns over the exploitation and forced labor of children in ASM and the sexual exploitation of women and girls from Senegal and other countries of the region in the towns adjacent to the mines (Daffé 2012). Since 2014 the Senegalese government has increased its efforts to regulate the artisanal mining sector (Prause 2016).

At the same time, measures aimed at regulating mobility, often implemented with external support, are - if implemented- likely to result in stricter regulation on immigration. An example constitutes the anti-smuggling law or the numerous border capacity building measures (see irregular migration).

4.3 Societal Relevance

Overall, the Senegalese culture of hospitality is often referred to with the Wolof term ‘Teranga’ which stands for welcoming and hospitality. However, notwithstanding this general openness, civil society actors noted the use of often stigmatizing language towards some groups, such as Nigerians, who are often portrayed as being involved in illicit activities.

Generally, different nationalities carry out different types of labour (Devillard, Bacchi, and Noack 2015). Certain groups, such as Guineans are widely said to carry out manual labour, and other occupations that are not necessarily carried out by Senegalese. In regard to the question of who is considered an immigrant or not, indicative data from our interviews suggests that border communities may not be considered immigrants, with an interviewee highlighting that Gambians would not be migrants, as they usually find family members in Senegal.

4.4 Conclusions

Immigration to Senegal has a long historical tradition. For the past years, net immigration rates preceded emigration rates, owing to the countries relative economic and political stability.

The relatively low salience of immigration is also mirrored by the fact that there is no governmental actor as such that carries the main responsibility for the policy field. Key tasks relating to immigration are instead divided between the Ministry of the Interior and the Ministry of Foreign Affairs.

While immigration has traditionally been a topic with relatively low political stakes, it is currently becoming more salient. This is firstly, due to the expected raise in immigration likely to result once oil exploitation has commenced. Secondly, due to the volatile regional security context and resulting security risks attributed to immigration. And finally, because of the effect of externally funded border and migration ‘management’ capacity building efforts.

From a social perspective, the Senegalese culture of hospitality has been described with the Wolof term ‘Teranga’ - which stands for welcoming and hospitality. Immigrants, from an important part of labour organization, with regional migrants often occupy jobs which are not carried out by Senegalese. Yet, at the same time, interviews indicated that negative perceptions towards some immigrant groups are present.

5 Displacement in Senegal

Overall, the refugee population in Senegal is relatively small. As of December 31, 2019 there were 14,469 refugees in the country, of which 14,150 were Mauritanian, 228 from the Central African Republic and 91 from other countries (UNHCR 2019a). This makes the overall political relevance of forced migration relatively low. However, given concerns over internal security attributed to the issue of refugee status determination, oversight on the issue remains centralized. This points to relatively high political salience Senegalese political actors attribute to the issue of forced displacement.

The majority of refugees in Senegal are Mauritanian (Ndione 2018). They were expelled from Mauritania to Senegal over a border conflict in 1989 (Ndione 2018) – black Mauritanians, mainly Halpulaar, Wolof and Soninké were chased out – on the pretext that they were Senegalese (Cross 2013).

Furthermore, the Casamançe conflict – a separatist insurgency which began in the 1980s and took the form of a guerilla war in the early 1990s (Faye 1994) – has led to internal displacement and forced displacement of Senegalese mostly to The Gambia and Guinea Bissau (Co 2015; Ndione 2018). As of 31 December 2019 the numbers of Senegalese refugees in The Gambia were 3,877 and in Guinea Bissau 1,818 (UNHCR 2019c). Other reasons for internal displacement are environmental factors, including flooding, erosion of coast lines and droughts (Ndione 2018). As of 31 December 18000 people are internally displaced in Senegal (IDMC 2018).

5.1 Governance

The National Status Determination Council (*Conseil Nationale de l’Eligibilité*, CNE) and the National Committee on Refugees, Returnees and Displaced People (*Comité National Chargés de la Gestion de la Situation des Réfugiés, Rapatriés et Personnes Déplacées*, CNRRPD) are the

principal state institutions working on forced migration. The CNE is officially one of the four commissions of the CNRRPD and in this sense, it falls officially under the CNRRPD.

The CNE is responsible for the refugee determination procedure. It is presided by the president of the Supreme Court and its members include representatives from the Ministry of the Interior and the Ministry of Foreign Affairs. The UNHCR holds an observatory role. Notably, the CNE does not grant refugee status, but only formulates an advisory opinion, which is answered by the president. In case of appeal the claimant sends a letter directly to the presidency.

The CNRRPD is based at the presidency and headed by a representative of the armed forces. The Committee deals with questions pertaining to returnees, refugees and displaced populations and brings together key intervening actors.⁶⁸ The CNRRPD is responsible for refugees, once an asylum claim has been issued. It is presided by the President's Personal Chief of Staff (*Chef d'État Major Particulier du Président*). Yet, communication difficulties between both entities make an effective knowledge exchange between both entities often difficult.

This is, according to our interviewees, one reason why the UNHCR has been working on the legal reform of asylum and refugee systems throughout the last three governments. A key objective of the agency's proposed legal reform is to improve cooperation and coordination between the CNE and CNRRPD. It further aims to strengthen safeguards regarding stateless persons.

Additionally, a long-standing challenge in regard to migration governance has been to find a "sustainable" solution for the long-term Mauritanian refugees that have been staying in Senegal since the late eighties. Upon their arrival in 1989 most Mauritanian refugees were granted *prima facie* recognition. This means that they did not have to undergo an individual refugee status determination procedure. In 2012, 24,000 returned voluntarily, while about 13,000 opted for local integration in Senegal (Ndione 2018). Naturalization – becoming a Senegalese citizen – was however, difficult in practice as it required the possession of a birth certificate, which many refugees did not have access to. In order to dissolve this blockage UNHCR has reached an agreement with the Senegalese government for this specific group to be exempted from the birth certificate requirement.

5.2 Political stakes

The strong presidential control over the refugee status determination (RSD) process illustrates that this process is considered politically sensitive. Interviewees have pointed to the sensitivity being linked to internal security considerations related to refugee issues.

⁶⁸ Such as the General Directorate of Senegalese External Support (*Direction Générale de l'Appui Sénégalais de l'Exterieur*, DGASE), the Senegalese Red Cross, the General Directorate for Internal Security (*Direction Générale du Renseignement Intérieur*, DGRI), and representatives from the Ministry of Health (*Ministère de la Santé et de l'Action Sociale*).

Both, the fact that displacement questions are not a pressing issue, as well as the interest to guard centralized control over the RSD process, may explain the relatively slow asylum reform process. An involved stakeholder noted: *“Je ne dis pas que ce n’est pas important pour eux, mais peut-être qu’ils n’en ont font pas une priorité.”*⁶⁹

However, when looking at the Mauritania case more closely, different political stakes emerge for Mauritanians refugees themselves. These center primarily around the question of accepting Senegalese citizenship. From an ideological – or political – standpoint, accepting Senegalese citizenship is refused because this would indirectly legitimize their expulsion from Mauritania. The expulsion was executed on the grounds that due to their skin color they were not considered Mauritanian but Senegalese. A second reason of refusing citizenship is linked the hope to eventually be admitted for resettlement. Furthermore, for Mauritania, granting birth certificates was deemed unfeasible as this may question the ‘legitimacy’ of the expulsions.

5.3 Societal relevance

Generally, displaced populations from bordering countries, much like immigrants from bordering countries, blend in with the Senegalese host society and are often not considered strangers.

An interviewee noted that foreigners, are often referred to as “Niak”, (or “Ndring” used for Fulani people from the Republic of Guinea). The term has a negative connotation (Le Quotidien 2019b), and interviewees highlighted that it was also not well-received among refugees. Still respondents stated that overall the Senegalese society welcomes refugees, as they are perceived to bring new products and services to the market.

In the case of refugees of Mauritanian refugees pre-existing social and cultural cross-border ties played an important role in their integration. Many lived, prior to their expulsion, along the Senegal River and crossed over to Senegal regularly to maintain intra-community and family ties on the other side of the same riverbed.

5.4 Conclusion

Senegal is not a primary destination for refugees and has a relatively small population of forcibly displaced. This has led to a relatively low immediate political salience on issues relating to displacement. However, the fact that state institutions governing refugees are under close oversight of the presidency highlights the political sensitivity surrounding refugee issues.

Yet, political stakes on refugee issues varies depending on the forcefully displaced populations. Mauritanians, the biggest refugee community present in the country for example

⁶⁹ “I’m not saying it’s not important to them, but maybe they haven’t made it a priority.” International Organisation interview, Dakar, August 2019.

found it difficult to accept naturalization as a long-term solution for political reasons, as well as the impossibility of being resettled once accepting Senegalese citizenship.

Overall, interviewees highlighted that refugees often come from neighbouring countries and easily integrate. According to interviewees, the presence of refugees coming from further away is not contested on a social level, among others as they are considered to bring new products and services.

6 Major findings

Overall migration in the Senegalese context is perceived as something positive. This is linked to the importance of remittances on one hand, but also to longstanding regional mobility enshrined in the West African free movement zones (ECOWAS and WAEMU).

While irregular migration has been dominating EU – Senegal relations from 2006 onwards, this has not always been the case. When facing negative effects of SAPs - remittances became increasingly important for Senegalese households throughout the 1980s. At the same time key destination countries in Europe started to introduce visa-restrictions. Until 1986 Senegalese citizens could enter France visa-free, and visa restrictions towards Italy and Spain were introduced in the early 90s. Reacting to increased numbers of unauthorized arrivals in 2006 migration became a core interest of European actors towards Senegal. While many initiatives focused on irregular migration, legal migration schemes and migration related development funding incentivized cooperation. The importance of migration in EU-Senegalese cooperation again came to the forefront following the 2015 so-called migration crisis.

This report finds that three key issues emerge from donor driven migration governance. First, a competition for leadership in the field of migration governance. Second, the question of migratory rent impacting inter-actor dynamics. And third, external actors taking the role of agenda setters. However, this research also finds that **external influence is navigated by Senegalese actors.** Firstly, through putting an end to implementing projects and policies once funding has ceased – raising questions of sustainability. Secondly, through the blocking of initiatives taken at the technical level with donor cooperation at the political level. Finally, through the strategic usage of the migration interest of donors to derive funding for policy fields deemed more important by Senegalese actors – most notably security.

Overall, **migration governance in Senegal has been described as fragmented and respondents highlighted the fragmented nature** of actors and their partially overlapping mandates. This is one of the reasons why in 2015 the process to elaborate the National Migration Policy was launched. Paradoxically, this process itself was donor driven.

6.1 The political stakes of migration

Different fields of migration governance come with different political stakes. Overall, two key stakes can be identified in this research.

Firstly, there is a tension between measures taken in the field of irregular migration governance and diaspora migration. On the one hand migration has been an important livelihood strategy for Senegalese households and the Senegalese diaspora is seen as an important agent for national development, both at an individual and macroeconomic level. Further, the Senegalese diaspora wields extensive political influence – by influencing the political decision making of their relatives back home, but also through their political representation in the National Assembly. These economic, social and political factors make diaspora policy an important field of Senegalese migration politics. On the other hand, external actors have been trying to exert pressure onto the Senegalese government to cooperate closer on forced return. In order to incentivize cooperation in this policy field, development aid has been tied to migration policy objectives and the opening of legal pathways. Further, direct conditionality is likely to be increasingly employed. This leads to the dilemma for the Senegalese side to either satisfy donor demands or politically take the social and economic importance of diaspora policies into account. A way of navigating this dilemma by both sides has been to opt for increasingly informal return agreements, the focus of development projects on root causes and reintegration programmes and open limited legal pathways. However, these will be insufficient to address the overall social and economic importance of migration in the Senegalese context. Therefore, the intrinsic dilemma the Senegalese government faces on returns is likely to aggravate with this topic becoming increasingly important for European stakeholders.

A second tension in which migration policy in Senegal is drafted is balancing regional free movement on one hand, with both its own security interests and safeguarding sovereignty on the other hand. Regional free movement is based on informal modalities of border crossings. Therefore, donor driven initiatives such as the drafting of the anti-smuggling law, might alter the political economy of border crossings. If implemented, this could have adverse effects on the organization of intra-regional mobility. Further, this report has highlighted that donor funding to strengthen the internal security apparatus has been welcomed by Senegalese stakeholders. A key reason for this is their non-migration related security interests in regard to the volatile regional security context. Yet, also in this regard a fine balance must be struck. On the one hand migration related security funding is perceived as fostering state capacity, while on the other hand, initiatives granting external actors greater mandates in internal security issues are cautiously navigated. In this sense, security capacity building is both a side of contestation over sovereignty as well as perceives as profitable.

6.2 Societal discourse

Migration has historically been and continues to be an important income source for Senegalese households. **Migration is an important vector for social upward mobility and often takes the form of a family investment.** Therefore, restrictive immigration policies towards Senegal and externally induced measures taken to this end are met with indirect societal resistance.

Research has shown that stricter immigration policies have led to an increase of the probability of taking preparatory steps for emigration, the diversification of destination countries, and diminished the prevalence of return and circular migration between host and origin country. **Hence, restricting irregular migration has made migratory journeys more dangerous and longer, but has neither altered motivations nor perceived necessities of emigrating.** Similarly, the societal importance of migration impacts the governance of forced returns, in view of remittances constituting an important household revenue and that often high family investments preceded departure, **involuntary and negative effects of insufficiently prepared return are unlikely to be absorbed through reintegration programs and hence often result in re-migration.**

Further, regional mobility is considered ‘normal’ in the Senegalese context and Senegalese actors highlight the culture hospitability (‘Teranga’). Yet, **the implementation of the currently elaborated anti-smuggling legislation might, if implemented, negatively impact informal modalities governing regional migration.** Furthermore, the predicted exploitation of oil and gas is expected to raise the social (and political) stakes of immigration in the future.

Abbreviations

ANPEJ	Ministry of Youth's Agency for the Promotion of Youth Employment (<i>Agence Nationale pour la Promotion de l'Emploi des Jeunes</i>)
ANSD	National Agency for Statistique and Demography (<i>Agence Nationale de la Statistique et de la Démographie</i>)
ARD	Regional Development Agencies (<i>Agence Régionale de Développement</i>)
ASM	Artisanal and small-scale mining
BAOS	Reception, Orientation and Follow-up Offices (<i>Bureaux d'Accueil, d'Orientation et de Suivi</i>)
BASE	Support offices for Senegalese living abroad (<i>Bureaux d'Appui de Sénégalais de l'Exterieur</i>)
CNE	National Eligibility Council (<i>Conseil Nationale de l'Eligibilité</i>)
CNRRPD	National Committee for the Management of the Situation of Refugees, Repatriates and Displaced Persons (<i>Committee National Chargés de la Gestion de la Situation des Réfugiés, Repatriés et Personnes Déplacées</i>)
CNLTP	National Unit for the Fight against Trafficking in Persons (<i>Cellule Nationale de Lutte contre la Traite de Personnes</i>)
COP	Common Operational Partnerships
CSO	Civil Society Organization
DDCH	Directorate for Human Capital Development (<i>Direction du Développement du Capital Humain</i>)
DGASE	General Directorate of Senegalese External Support (<i>Direction Générale de l'Appui Sénégalais de l'Exterieur</i>)
DPAF	Air and Border Police Directorate (<i>Direction de la Police de l'Air et des Frontiers</i>)
DPETV	Police Directorate of Foreigners and Travel Documents (<i>Direction de la Police des Etrangers et des Documents de Voyage</i>)
EBCG	European Border and Coast Guard
ECOWAS	Economic Community of West African States
EDF	European Development Fund
EUMS	European Union Member States
EUTF	European Trust Fund for Africa

FAISE	Support Fund for Investment of Senegalese Abroad (<i>Fonds d'Appui à l'Investissement des Sénégalais de l'Extérieur</i>)
FCFA	Franc of the African Financial Community (<i>Franc de la Communauté Financière Africaine</i>)
FES	Financing for Senegalese living abroad (<i>Financement des Sénégalais de l'Extérieur</i>)
FDI	Foreign Direct Investment
FFD	Financing for Senegalese diaspora women (<i>Financement des Femmes de la Diaspora</i>)
GDP	Gross Domestic Product
GIZ	German Development Agency (<i>Deutsche Gesellschaft für Internationale Zusammenarbeit</i>)
IOM	International Organization for Migration
JTI	Joint Investigative Team
MFDC	Movement of Democratic Forces of the Casamançe (<i>Mouvement des Forces Démocratiques de Casamançe</i>)
NMP	National Migration Policy
NPF	EU New Partnership Framework with Third Countries
OHCHR	Office of the United Nations High Commissioner for Human Rights
OFFI	French Office of Immigration and Integration (<i>Office Français de l'Immigration et de l'Intégration</i>)
PAISD	Program for the Support of Solidarity Initiatives for Development (<i>Programme d'Appui aux Initiatives de Solidarité pour le Développement</i>)
PSE	Senegal Emerging Plan (<i>Plan Sénégal Emergent</i>)
RSD	Refugee Status Determination
SAP	Structural Adjustment Programme
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNODC	United Nations Office on Drugs and Crime
WAEMU	West African Economic and Monetary Unit

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Appendices

Appendix 1: Overview of all ministries working on migration			
Field	Ministry	Ministerial unit	Sub unit
Entry, stay, exit	Ministry of Interior <i>(Ministère de l'Intérieur)</i>	Direction Générale de la Police Nationale (DGPN)	Direction de la Police de l'Air et des Frontières (DPAF)
			Direction de la Surveillance du Territoire (DST)
			Direction de la Police des Etrangers et des Titres de Voyage (DPETV)
	Ministry of Foreign Affairs and Senegalese Abroad <i>(Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur)</i>	Direction des Affaires Juridiques et Consulaires Bureau d'Accueil, d'Orientation et de Suivi des Emigrés	
	Presidency <i>(Présidence)</i>	Commission Nationale de Gestion de Frontières (CNGF)	
Diaspora relations	Presidency <i>(Présidence)</i>	Le Secrétaire d'Etat auprès du Ministre des Affaires Etrangères, chargé des Sénégalais de l'Extérieur	
	Ministry of Foreign Affairs and Senegalese Abroad <i>(Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur)</i>	Bureau d'Accueil, d'Orientation et de Suivi des Emigrés Haut Conseil des Sénégalais de l'Extérieur	
Direction Générale de l'Appui Sénégalais de l'Extérieur (DGASE)		Direction de l'Appui à l'Investissement et aux projets (DAIP)	
		Direction de l'Assistance de la Promotion des Sénégalais de l'Extérieur (DAPSE)	
	Support Fund for Investment of Senegalese Abroad <i>(Fonds d'Appui à l'Investissement des Sénégalais de l'Extérieur)</i>		
Development of National Migration Policy	Ministry of Economy, Planning and Cooperation <i>(Ministère de l'Economie, du Plan et de la Coopération Internationale)</i>	Direction Générale de la Planification et des Politiques Economiques	Direction du Développement du Capital Humain (DDCH)
Trafficking in human beings (and smuggling)	Ministry of Justice <i>(Ministère de la Justice)</i>	Cellule Nationale de Lutte contre la Traite de Personnes (CNLCTP)	

Appendix 1: Overview of all ministries working on migration (continued)			
Field	Field	Field	Field
Reintegration	Presidency <i>(Présidence)</i>	Comité National chargés de la Gestion de la Situation des Réfugiés, Rapatriés et Personnes Déplacées, (CNRRPD)	
	Ministry of Foreign Affairs and Senegalese Abroad <i>(Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur)</i>	Direction Générale de l'Appui Sénégalais de l'Extérieur (DGASE)	
	Ministry of Youth <i>(Ministère de la Jeunesse)</i>	Agence Nationale de Promotion d'Emploi de Jeunes (ANPEJ)	
Refugees	Presidency <i>(Présidence)</i>	Comité National chargés de la Gestion de la Situation des Réfugiés, Rapatriés et Personnes Déplacées, (CNRRPD)	
Labour migration	Ministry of Youth <i>(Ministère de la Jeunesse)</i>	Agence Nationale de Promotion d'Emploi de Jeunes (ANPEJ)	
	Ministry of Labour, Social Dialogue, Professional Organizations and Relations with Institutions <i>(Ministère du Travail, du Dialogue Social, des Organisations professionnelles et des Relations avec les Institutions)</i>	Direction Générale du Travail et de la Sécurité	Direction de la Protection Sociale
	Ministry of Employment, Vocational Training and Crafts <i>(Ministère de l'Emploi de la Formation Professionnelle et de l'Artisanat)</i>	Direction de l'Emploi	
Human rights	Ministry of Justice <i>(Ministère de la Justice)</i>	Direction des Droits humains	
Civil registries	Ministry of Interior <i>(Ministère de l'Intérieur)</i>	Direction Générale de l'Administration territoriale	
	Ministry of Digital Economy and Telecommunications <i>(Ministère de l'Economie numérique et des Télécommunications)</i>	Agence de l'Informatique de l'Etat	

Appendix 2: Overview of interviews

Date	Interviewee	Organisation	Type
08.07.2019	Sofie van der Maarel	University of Utrecht	Exploratory talk
09.07.2019	Agnes Bertrand	MADE Migration Network	Exploratory talk
15.07.2019	Bandiougou Konaté	Migration Consultant	Exploratory talk
16.07.2019	Katia Golovka	Migration Consultant	Interview
16.07.2019	Mody Ndiaye	Cellule Nationale pour la Traite contre le personnes	Interview
16.07.2019	Lanfia Diane	Direction de Capital Humaine	Interview
17.07.2019	Patrice Desbonne	European Migration Liaison Officer	Interview
17.07.2019	Saliou Konté	Friedrich Ebert Stiftung	Interview
18.07.2019	Moustapha Kamal Kébé	REMIDEV	Interview
18.07.2019	Anonymous	Anonymous	Interview
22.07.2019	Boubacar Diallo	National Contact Point CDEAO	Interview
23.07.2019	Ndeye Arame Niang	Federation de Senegalaise de retour	Interview
24.07.2019	Méria Diabira	German Senegalese Centre	Interview
24.07.2019	Thomas Wixler	German Embassy	Interview
25.07. 019	Oumar Thiam	IOM	Interview
25.07. 2019	Boubacar Seye	Horizon Sans Frontiers	Interview
27.07. 2019	Daouda Gbaya	Association des Journalistes sur la Migration et la Sécurité	Interview
29.07.2019	Seyni Thiam	ENABEL	Interview
29.07.2019	Rafael Carballo Aberger and Juan Sanchez Espana	Attaché d'Intérieur and International Cooperation Division Spanish Police	Interview
29.07.2019	Mariama Cissé Vieux Souleye Diallo	Direction Generale d'Appui de Sénégalais de l'Extérieur	Interview
30.07.2019	Babacar Mbenge	Enda Diapol	Interview
01 .08.2019	Christian Graus and Cheikhhal Khadim Mboup	Swiss Embassy	Interview
01.08.2019	Sophie Offringa	Dutch Embassy	Interview
01.08.2019	El Hadji Abdoul Karim Cisse	Direction General d'Appui de Sénégalais de l'Extérieur	Interview
02.08.2019	Ibrahim Diallo	Ministère de Travail	Interview
02. 08.2019	Michele Bombassei	IOM	Interview
05.08.2019	Ahmadou Coumba Ndiaye	Adjoint Gouverneur Tambacounda	Interview
05.08.2019	Adama Laye	Regional Focal Point Diadem	Interview
05.08.2019	Babacar Sow	IOM Resource and Reintegration Centre Tambacounda	Interview
06.08.2019	Adame Guye Fatoumata Binta Tendeng Abdou Lahad Lo Isabelle Sambou	Eclosio / Cospé	Interview
06.08.2019	Cheikhna Fall	Association de Migrants de Retour de Tambacouna	Interview
07.08.2019	Penda Faye	UNHCR	Interview
07.08.2019	Badara Ndiaye	DIADEM	Interview
08.08.2019	Ute Bocande	Konrad Adenauer Stiftung	Interview

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The Political Economy of West African Migration Governance (WAMiG)

The WAMiG project highlights the political dimension of migration governance and the multiple stakeholders. To do this, the project considers how migration governance instruments and institutions are made and implemented, the stakes and stakeholders involved or excluded and the societal discourse that surrounds these interests. The qualitative study focuses on four case studies—the Gambia, Niger, Nigeria and Senegal.

The project is based at the Arnold Bergstraesser Institute (ABI) in Freiburg. It is funded by the Stiftung Mercator and undertaken within the framework of the Mercator Dialogue on Asylum and Migration (MEDAM). MEDAM is a research and policy advice project that identifies and closes gaps in existing research and develops specific recommendations for policy makers.

As the WAMiG project focuses on the African perspective and its implications for European policy making. WAMiG and MEDAM policy recommendations may differ slightly.

