EU Migration Governance in Central Asia: Everybody's Business – Nobody's Business?

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Abstract

The EU has been involved in various migration governance initiatives in Central Asia with ambiguous impact. Among the reasons given to account for EU external governance failures in Central Asia figure poor EU local expertise , "awkwardness" of states in the region, low level of regional cooperation and high conflict potential among Central Asian states. This article identifies previously neglected challenges for EU migration governance in Central Asia due to the nature of international governors present in the field and to the character of relationships between them: strategic – the lack of donors' coordination, and operational – limited coordination and often open competition between implementing partners. The article concludes by arguing that current EU actions in this field form a set of disparate initiatives that do not amount to a comprehensive policy seeking to impact migration in Central Asia but rather strive to broaden and strengthen EU presence in the region.

Keywords

European Union; migration governance; Central Asia; governors; international organisations

1. Introduction

Since the beginning of 2000's the EU has been involved in migration governance in Central Asia. A number of projects have been set up in order to deal with irregular migration, human and drug trafficking and to promote orderly human mobility. Some of these initiatives follow a narrow capacity-building approach, while others have a clear policy-transfer focus implying the existence of learning potential on the part of Central Asian migration and border services that would result in policy changes on national and regional level. However, quantity does not necessarily

contribute to quality, and impact of such programmes has been questioned.[1] Among the reasons usually given to account for EU external governance failures in Central Asia figure poor EU local expertise,[2] "awkwardness" of states in the region,[3] low level of regional cooperation[4] and high conflict potential among Central Asian states. However, one important element of this picture has been clearly overlooked by scholars. EU migration governance initiatives in Central Asia play out amid an ever-growing number of international organisations (IOs) being directly involved in the field, with other important international donors – both individual states and regional organisations – paying more attention to migration-related issues in the region.

Therefore, in order to uncover challenges for EU migration governance in Central Asia, this article explores patterns of interaction developed between the EU and other international *governors* in the region. It does so by making use of theoretical ideas of Avant et al. who define global governors as "*authorities who exercise power across borders for purposes of affecting policy. Governors thus create issues, set agendas, establish and implement rules or programs, and evaluate and/or adjudicate outcomes*".[5] The authors argue, in particular, that relationships among governors are important, that governors divide labour, delegate, compete, and cooperate with one another.[6] Further on, Cooley asks how "*global governors relate to each other and what, if any, are the consequences of these ties?*" and argues that

> . . . at the extreme, certain types of ties may actually undermine the implementation capacity of governors and, instead, encourage improvisation or counterproductive competition by actors on the ground.[7]

It is particularly tempting to explore this theoretical approach in the context of Central Asia, where duplication of migration management programmes and gov-

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[1] See, for instance, G. Gavrilis (2011), 'Border Management Assistance and Global Mobility Regimes: Evidence from Afghanistan, Bosnia and the Central Asian Republics', in: R. Koslowski (ed.), *Global Mobility Regimes*, New York, NY: Palgrave Macmillan, pp. 131–150, and *Proceedings of the International conference "The Caucasus and Central Asia, twenty years after independences: Questioning the notion of South countries"*, 25–27 August 2011, Almaty.

[2] M. Emerson, J. Boonstra, N. Hasanova, M. Laruelle and S. Peyrouse (2010), *Into EurAsia: Monitoring the EU's Central Asia Strategy. Report of the EUCAM Project*, Brussels: CEPS.

[3] E. Kavalski (2010), 'Uncovering the "New" Central Asia: The Dynamics of External Agency in a Turbulent Region', in: E. Kavalski (ed.), *The New Central Asia: the Regional Impact of International Actors*, Singapore: World Scientific Publishing, pp. 1–27; K. Hoffmann, 'The EU in Central Asia: Successful Good Governance Promotion?', 31 *Third World Quarterly* (2010), 87–103.

[4] A. Roy, "Virtual regionalism, regional structures and regime security in Central Asia", 27 *Central Asian Survey* (2008), 185–202.

[5] D.D. Avant, M. Finnemore and S.K. Sell (2010), "Who Governs the Globe?", in: D.D. Avant, M. Finnemore and S.K. Sell (eds), *Who Governs the Globe?*, New York, NY: Cambridge University Press, pp. 1–31, at p. 2.

[6] *Ibid.*, p. 3.

[7] A. Cooley (2010), 'Outsourcing authority: how project contracts transform global governance networks', in: D.D. Avant, M. Finnemore and S.K. Sell (Eds.), *Who Governs the Globe?*, New York, NY: Cambridge University Press, pp. 238–265, at p. 238.

erning initiatives by different donors is a common practice. What types of governors do we observe in this field? How do these multiple governors relate to each other? What is the impact of their interactions on EU's migration governance attempts in the region?

In order to address these questions, the rest of the article proceeds the following way. The second part introduces the context of EU engagement with migration issues in Central Asia. The third part discusses patterns of both horizontal (donor-donor, implementing partner-implementing partner) and vertical (donor-implementing partner) interactions among global migration governors in Central Asia. The article shows that some patterns of governors' interaction identified within these formats represent significant challenges for EU's declared migration governance efforts in the region. This circumstance casts serious doubts on EU intentions. First, the question arises whether the EU is willing to constructively cooperate with other international actors that pursue similar purposes in order to create effective migration governance structures in the region, or it is aiming at securing the role of the sole legitimate source of "good migration governance" in Central Asia. Second, there emerges even bigger question, namely whether the EU wants to alter migration policies and processes in Central Asia or it rather uses migration governance agenda to advance its external policy goals in this region. The article concludes by arguing that for the moment EU actions in the field of migration governance form a set of disparate initiatives that do not amount to a comprehensive policy seeking to impact migration in Central Asia but rather strive to broaden and strengthen EU presence in the region.

2. The EU, Central Asia and Migration: Setting the Scene

This article focuses on four out of five post-Soviet Central Asian states – Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan – that compose the region, which has so far escaped the attention of migration governance scholars, despite evidence of multi-layered migration governance in the region.[8] Central Asia as part of the Eurasian migration system[9] has been heavily influenced by policies of Russia (both unilaterally and through regional integration processes), but recently there has also been an increase in policy transfer from the EU. Since the beginning of 2000 the EU has been promoting "good" migration governance in the region. The attention of the EU to migration governance issues in Central Asia is based on several premises.

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[8] R. Kunz, S. Lavenex and M. Panizzon (eds) (2011), *Multilayered Migration Governance: The Promise of Partnership*, New York, NY: Routledge.

[9] I. Ivakhniouk (2003), *Eastern Europe: Current and Future Migration Trends*, Key Paper for the 4th Regional Conference "Migration Policies on the Eve of the EU Enlargement: What Challenges for Future Co-operation within the East European Region", 9–10 October 2003, Kiev, Council of Europe.

First, Central Asia has been defined by the EU as a region of strategic geopolitical importance affecting EU "soft" security. The post-Soviet migration political/policy field is highly volatile, in particular, in Central Asian countries that, as argued by some experts, represent a continuum from "failed" (fragile) states[10] to a "dictatorship" and have been more generally labelled as "awkward states".[11] Central Asia, thus, has been defined as an increasingly important region of origin and transit of migrants.[12]

Second, one of the most salient issues linked to migration processes in the CIS is human trafficking that is particularly acute in Central Asia, taking place both between and within the countries of the region. Moreover, within the limits of the Eurasian migration system, these countries are viewed as major transit roots not only for migrants from the bigger Asian region, but also for human trafficking. Often being underestimated by the local governments, these problems have attracted attention of international governors – both states (such as the USA, Russia, the UK, Sweden or Japan) and intergovernmental organisations (the EU, OSCE, UNODC, IOM, etc.).[13] Most projects, in one way or another, are positioned as part of regional migration governance and management mechanisms that are being developed by various international bodies.

Finally, migration dynamics in and from this region are often discussed together with problems of drugs/arms trafficking common in Central Asian states and neighbouring Afghanistan and Pakistan[14] and thus create the image of a region torn apart by various security challenges. Some scholars see Central Asia as the scene for a "new great game" between major international players: the USA, Russia, the EU, China, India, as well as Iran, Turkey and Japan.[15] The region has been continuously experiencing a multiplication of governors in various sectors, in particular in energy, security and development and most IOs involved in the region address migration issues through their activities. The American-led intervention in Afghanistan and the following American involvement in the soft security sector of the Central Asian states have been additional stimuli for EU actions.

The above stated concerns have been reflected in key EU documents. In "The EU and Central Asia: Strategy for a New Partnership", migration, together with

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[10] K. Czerniecka and J. Heathershaw (2011), 'Security Assistance and Border Management', in: A. Warkotsch (ed.), *The European Union and Central Asia*, London: Routledge, pp. 77–101.

[11] Kavalski (2010), *supra* note 3.

[12] European Commission (2007), *Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union*, COM (2007) 247 final, 16 May 2007. Brussels: European Commission.

[13] For details see N.J. Jackson, 'International Organisations, Security Dichotomies and the Trafficking of Persons and Narcotics in Post-Soviet Central Asia: a Critique of the Securitization Framework', 37 *Security Dialogue* (2006), 299–317.

[14] N.J. Jackson, 'The Trafficking of Narcotics, Arms and Humans in Post-Soviet Central Asia: (Mis)perceptions, Policies and Realities', 24 *Central Asian Survey* (2005), 39–52.

[15] A. Cooley (2012), *Great Games, Local Rules: the New Great Power Contest in Central Asia*, Oxford: Oxford University Press.

smuggling, human trafficking and border control, is named among "challenges facing the globalised world" that "affect Europe and Central Asia alike, and warrant a common response".[16] Following the guidelines of the Strategy that is still considered a breakthrough document in EU external policy towards the post-Soviet space, despite its numerous criticisms,[17] migration management, together with border management and fight against organised crime, has been defined as a key priority within the Central Asia Indicative Programme for 2007–2010.[18]

Moreover, migration management has been strongly linked to the promotion of intra-regional cooperation.[19] Similar ideas linked to the concept of "migratory routes" have been emphasised in "Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union"[20] and, more recently, in "The Global Approach to Migration and Mobility", where the Commission points to the pressing need to address overlap between the Budapest and Prague regional consultation processes while expanding them further into the post-Soviet space and the "silk routes" region.[21] Most of this article looks at EU migration governance activities in Central Asia that fall within this period.

3. EU Migration Governance Initiatives in Central Asia

EU migration governance efforts and patterns of interaction among governors in Central Asia are analysed in this article within three formats of global migration governance identified by Betts: multilateralism, embeddedness and trans-regionalism. First, Betts argues that "a thin multilateralism" is manifested at two levels:

> a basic multilateral framework – with its origins in the Inter-War period – regulating states' behaviour in relation to refugees, international travel, and labour migration. […] a more recent and emerging form of 'facilitative multilateralism' which […] serves to enable states to engage in dialogue and information-sharing as a means through which to develop predominantly bilateral cooperation.[22]

[16] Council of the European Union (2007) *European Union and Central Asia: Strategy for a New Partnership*, Brussels: Council of the European Union, p. 3.

[17] Emerson et al. (2010), *supra* note 2.

[18] European Commission (2007) *Central Asia Indicative Programme 2007–2010*, Brussels: European Commission, p. 14.

[19] Council of the European Union (2007) *European Union and Central Asia: Strategy for a New Partnership*, Brussels: Council of the European Union, pp. 3, 6.

[20] European Commission (2007) *Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union*, COM (2007) 247 final. 16 May 2007. Brussels: European Commission, p. 3.

[21] European Commission (2011) *Global Approach to Migration and Mobility. COM (2011) 743 final.* 18 November 2011, Brussels: European Commission, p. 8.

[22] A. Betts (2011) "Introduction: Global Migration Governance", in: A. Betts (ed.), *Global Migration Governance*, Oxford: Oxford University Press, p. 12.

Other scholars, in line with Betts, talk about nascent "multilayered" global migration governance, which is based on a number of different formal and informal institutions, operating at different levels of governance[23] and includes a variety of actors beyond individual states.

Second, Betts applies the anthropological concept of "embeddedness" to describe instances of global migration governance that are "not explicitly labelled as 'migration' but nevertheless regulate how states can and do behave in relation to migration".[24] He, thus, indicates that "international human rights law, international humanitarian law, WTO law, maritime law, labour law, for example, all represent important elements of global migration governance".[25] This embeddedness is also reflected in a significant number of international bodies whose mandates do not explicitly mention migration but that anyhow deal with migration issues.

Finally, the category of "trans-regionalism" denotes "a set of formal and informal institutions that cut across and connect different geographical regions, constituting or constraining the behaviour of states and non-state actors in a given policy field".[26] Betts claims that "it is a type of governance that is arguably increasingly important in the context of Northern states' attempts to regulate irregular flows within and from the South".[27] There is some evidence that IOs play a significant role in this current fragmentation and regionalisation of migration governance,[28] as it has been shown that "international" norms and standards vary significantly depending on those IOs that introduce them for recipient governments.[29] A well-known form of trans-regional governance of migration issues is informal regional dialogues – so-called "Regional Consultative Processes" that gradually spread all over the world.[30] Betts admits limited scope of multilateralism and embeddedness and argues that international migration governance is much more witnessed at the (trans)regional level and, obviously, cooperation of the EU with various regions in the world is given as one of the most prominent examples in this case.

This article puts analytical categories of global migration governance coined by Betts to an empirical test at a regional level, arguing that one can indeed observe all of these formats being used by the EU in its policies towards Central Asia.

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[23] Kunz et al. (2011), *supra* note 8.

[24] Betts (2011), *supra* note 22, at p. 14.

[25] *Ibid.*, p. 15.

[26] A. Betts (2011), 'The Global Governance of Migration and the Role of Transregionalism', in: R. Kunz, S. Lavenex and M. Panizzon (eds), *Multilayered Migration Governance: The Promise of Partnership*, New York, NY: Routledge, pp. 36–75.

[27] Betts (2011), *supra* note 22, at p. 18.

[28] Kunz et al. (2011), *supra* note 8.

[29] O. Korneev, 'Exchanging Knowledge, Enhancing Capacities, Developing Mechanisms: the Role of IOM in the Implementation of the EU-Russia Readmission Agreement', *Journal of Ethnic and Migration Studies* (2013), in press.

[30] C. Thouez and F. Channac, 'Shaping International Migration Policy: The Role of Regional Consultative Processes', 29 *West European Politics* (2006), 370–387.

3.1. *Regional "Multilateralism"*

In his analysis of the EU's approach towards the countries of the European Neighbourhood Policy, Wunderlich argues that "EU influence becomes most tangible in form of EU projects set in time and space".[31] This is, of course, not specific for EU actions in Northern Africa and Eastern Europe. The same applies to EU initiatives in Central Asia and one of the most obvious channels used by the EU to promote changes in migration policies in Central Asia is financing various migration management projects related either to specific or cross-cutting issues with the declared goal of capacity-building. By March 2011, the European Commission had been funding or co-funding only three on-going projects "in the area of migration" in Central Asia.[32] One of them – "Regulating Labour Migration as an Instrument of Development and Regional Cooperation in Central Asia – Kazakhstan, the Kyrgyz Republic and Tajikistan" – was implemented by an IGO – International Labour Organisation (ILO). It lasted from March 2008 till May 2011, with the European Commission being the single donor that allocated almost 1.8 million dollars for project activities. The project formally targeted ministries of Labour of Kazakhstan, Kyrgyzstan and Tajikistan.

The project objectives included providing support to the ministries of labour in each country for the establishment/strengthening of working units capable of elaborating, applying and administering national labour migration policy; harmonisation of labour migration policies and practices in Kazakhstan, Kyrgyz Republic and Tajikistan; enhancing knowledge and normative standards both at the national and at the regional level. The project has been completed with impressive deliverables, including provision of specialised advisory packages and organisation of targeted training sessions to each of the labour ministries in the three countries; formulation of proposals/recommendations on harmonisation of labour migration policies, legislation and practices on the sub-regional level.

Nevertheless, even the official evaluation of the project issued by ILO in December 2011 admits that

> the project was underperforming over the initial two years, as the resulting combination of a number of factors: the limited managerial and technical capacity of the first CTA who was selected for coordinating the project in Central Asia, in charge until May 2010; conflicting discrepancies between ILO financial regulations and EC requirements for the management of grants; a complex administrative set up, with activities coordinated in Central Asia, administrative back-up based in Moscow and

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[31] D. Wunderlich, 'Europeanization Through the Grapevine: Communication Gaps and the Role of International Organisations in Implementation Networks of EU External Migration Policy', 34 *Journal of European Integration* (2011), 485–503 at p. 486.

[32] The list of these projects was sent as a reply to the author's request to the EU Delegation in Astana (Kazakhstan), March 2011. Until very recently, the EU Delegation in Kazakhstan (previously based in Almaty, the former capital of the country) was responsible for overseeing all the projects funded by the European Commission in Central Asia. Therefore, this Delegation is still a hub of information on Central Asia, with the numerous staff working on all the on-going dossiers.

payment authorisations coming from Geneva; finally, limitations in the effectiveness of the project monitoring system to detect and report openly on project constraints, and address them with timely corrective measures.[33]

This is quite an impressive summary of challenges faced by the project, although one of the main problems is not mentioned explicitly: while implementing this project the ILO team was competing with IOM Central Asian office (Kazakhstan country office with functions of regional coordination). These parallel and, most importantly, often overlapping activities deserve special attention.

IOM started their first major migration management programme in Central Asia funded by the European Commission – Capacity Building for Migration Management (CBMM) – in 2005.[34] At its first stage, the project did not involve labour migration component. The pertinence of this component was realised during the CBMM implementation, which was funded and overseen not from Brussels but directly by the European Commission Delegation in Almaty that at the time had functions of European Commission regional representation for Central Asia.

Almost in parallel, having secured almost €2 million EU funding already in 2005, from November 2006 ILO has been implementing its first EU-funded project in Central Asia "Towards Sustainable Partnerships for the Effective Governance of Labour Migration in the Russian Federation, the Caucasus and Central Asia" that covered Kazakhstan, Kyrgyzstan and Tajikistan, as well as Armenia and Russia and lasted until November 2011.[35] This ILO project received funding not from the European Commission Delegation in Almaty (as in the case of IOM) but from Brussels through ILO successful application to the European Commission call for proposals.

In the meantime, the IOM Kazakhstan office obtained the agreement of the European Commission Delegation in Almaty to finance labour migration projects in Central Asia through AENEAS resources allocated directly to the Delegation. This was the birth of IOM's second project – Labour Migration in Central Asia and Russian Federation, otherwise called Central Asia Labour Migration (CALM) – that IOM started to implement in June 2007.[36] Already in 2008 ILO started their second programme on labour migration that was again receiving funds (around 1mln euro this time) secured through a call for proposals within AENEAS budget. As explained above, the ILO project experienced difficulties from the start. How-

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[33] ILO (2011), *Project Evaluation Summary: Regulating Labour Migration as an Instrument of Development and Regional Cooperation in Central Asia – Kazakhstan, the Kyrgyz Republic and Tajikistan*, Geneva: ILO.

[34] The following account is partly based on the author's conversation with a member of staff of IOM Moscow who had been formerly based in Central Asia (Moscow, 21 December 2012).

[35] EuropeAid (2006), *AENEAS Programme: Programme for financial and technical assistance to third countries in the area of migration and asylum. Overview of projects funded 2004–2006*, Brussels: European Commission, at p. 72.

[36] For details see '*Labour Migration in Central Asia and the Russian Federation and Studies Conducted by IOM in the Labor Migration Area*', available online at http://moscow.iom.int/activities_labormigration_CALM.html (accessed 1 March 2013).

ever, in the last year of the programme implementation – once the implementing team had been changed (which involved, most importantly, the appointment of a new Chief Technical Advisor) – the project gained in popularity among the Central Asian governments. Despite this smooth phasing out of the project and obvious need for a follow-up, the European Commission decided not to finance any follow-up of the project implemented by ILO.[37]

Against this background, IOM was actively looking for funding, while the DFID (UK) was looking for an implementing organisation for migration projects in the region. The only problem was that British funding did not go to the ILO, which had already acquired experience in working with the regional bureaucracies and was very familiar with the local needs, in particular in the field of labour migration which is part of the ILO mandate. On the contrary, the DFID contracted a virtually similar project with impressive funding to IOM coupled with UN Women and the World Bank.[38] Already during the final stage of the ILO project, IOM started implementing its own programme.[39] This situation provoked serious confusion among the regional officials and parliamentarians who simply did not know any longer if they were to listen to their partners from ILO or to switch to the recommendations of IOM and other organisations, such as UN Women and the World Bank.[40]

This example illustrates the theoretical assumption about competition dynamics not only between implementing partners, but among donors as well, even in the presence of some policy coordination between the UK and the European Commission. Inconsistency between the actions of the Commission and the actions of a EU Member State pursuing its own foreign policy agenda in Central Asia together with the absence of a strategic vision on follow-up projects has resulted in virtual absence of policy continuity. Unfortunately, such practice goes against the official ideology of the European Commission emphasising that, as regards Central Asia,

> the coordination of donors providing support in the region is a prerequisite for targeting resources well and achieving objectives without overlapping or duplicating donor efforts.[41]

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[37] Interview with the Chief Technical Advisor, ILO project 'Regulating Labour Migration as an Instrument of Development and Regional Cooperation in Central Asia – Kazakhstan, the Kyrgyz Republic and Tajikistan', Astana, 15 April 2011.
[38] For details of the project, see '*Central Asia Regional Migration Programme (CARMP)*', available online at http://www.gfmd.org/en/pfp/practices/item/186-central-asia-regional-migration-programme-carmp (accessed 1 March 2013).
[39] Interview with the Chief Technical Advisor, ILO project 'Regulating Labour Migration as an Instrument of Development and Regional Cooperation in Central Asia – Kazakhstan, the Kyrgyz Republic and Tajikistan', Astana, 15 April 2011.
[40] Interview with a Kyrgyz official, OSCE-IOM Joint Conference on Migration Data Gathering, Bishkek, 31 March 2011.
[41] EuropeAid (2011), '*European Union – Central Asia Development Cooperation*', Brussels: European Commission, at p. 8.

Eventually, this kind of policies contributes to the already existing competition dynamics between various international governors in the region.

Labour migration is one of the best examples of such competition. On the one hand, this is almost a sacred domain of the ILO which is a specialised UN agency with a clear mandate covering labour migration. On the other hand, since ILO has the normative basis but often does not have the means to impose some important standards, other IOs relying on sufficient resources and back-up from major international donors have been trying to interfere in this field. This is, in particular, the case of IOM that, unlike ILO, does not have a mandate covering the issues relating to labour migration. Nevertheless, IOM has been trying to expand its mission in such a way as to claim expertise and legitimacy needed to deal with labour migration issues in various regions of the world. Many examples come from the African continent,[42] whereas the post-Soviet space seems to be a sort of a "virgin land" where IOM has been recently struggling to ensure its monopoly for providing advice and capacity-building on labour migration policy. Labour migration is not the only field to which IOM has been trying to expand its limited mandate. IOM has made similar moves in the field of border management competing with the United Nations Development Programme (UNDP) that usually claims to have expertise and legitimacy in this domain referring to its formally defined international mandate.[43] This drive of IOM to assert its monopoly and "seek profit" in Central Asia and some other countries of the former USSR has been repeatedly emphasised by various IOs that constitute the architecture of international migration governance.[44]

Two other projects "in the area of migration" were contracted by the European Commission to international nongovernmental organisations (NGOs). The project "Central Asian Red Crescent Labour Migration Network for Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan" involving strong humanitarian dimension – providing migrants with information about their rights and channelling their access to the basic health diagnostics and care – was implemented by the International Federation of Red Cross and Red Crescent Societies (IFRCRCS). Focusing on basic issues relevant for people on the ground and much less sensitive for policymakers, the staff of the IFRCRCS found its way through the competitive environment and even managed to cooperate with ILO and UNHCR. Interestingly, they have also underlined that "coordination between various IOs should become the key condition for donors to finance migration-related projects in the region".[45]

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[42] Betts (2011), *supra* note 22.
[43] Interview with UNDP Kazakhstan staff, 20 April 2011.
[44] Interviews with staff of ILO, UNDP, UNODC, IFRCRCS in Almaty, Astana and Bishkek. March–April 2011.
[45] Interview with two members of staff, Regional Representation for Central Asia, IFRCRCS, Almaty, 7 April 2011.

The third project "Adding Value to Central Asian Migration: Awareness, Capacity Building and Networking for Maximizing the Impact of Migration on Growth and Development" involving bits of policy transfer, target states' capacity-building and some limited direct assistance to migrants – was implemented by an international NGO "Agency for Technical Cooperation and Development" (ACTED) based in Paris. Apart from direct work with migrants, the project aimed to build capacities of staff of Kyrgyz and Tajik governmental bodies dealing with migration, as well as of educational agencies. The project involved study tours to Brussels and Paris to familiarise Central Asian officials as well as their colleagues from the local NGO sector with the "best practices" of the EU and one of its Member States.[46]

These two last projects had low political profile and thus faced almost no resistance on the part of other international governors. At the same time, some of the EU-sponsored projects face particular challenges because of the competition on the part of other important external governors such as the USA and Russia. This said, it is also indicative that the EU's direct involvement in the Central Asian security field from the beginning of the 2000s was mostly stimulated by the military operation in Afghanistan and by the consequent growing presence of the USA in Central Asia.[47] Such competition among project donors in Central Asia is mostly due to the broader context of competition of these actors – together with China, Japan, India, Turkey and Iran – for influence in the region. The EU's strategic objective to foster its "presence" and independent "actorness" is not conducive to active cooperation with Russia, whose presence in migration governance initiatives would be beneficial for the region inscribed in the Eurasian migration system, of which Russia is the major destination country. The competition among donors is also closely linked to the competition among the implementing partners – mostly several leading IGOs – seeking to secure projects from various donors.

However, probably even more hazardous for coherence of EU policies are initiatives and programmes sponsored by some individual EU Member States, such as the UK (discussed above) or Sweden. Since 2001 Sweden has been actively funding various projects in the field of the fight against human trafficking.[48] Regardless of their efficiency, these projects for five years have focused only on two countries of the region – Kazakhstan and Kyrgyzstan –, thus neglecting the key component of EU policies towards Central Asia, namely promoting inter-regional cooperation and, more specifically in the field of migration and fight against human trafficking, encouraging Central Asia states to set up more or less coherent regional policy framework based on similar legal and institutional developments.

[46)] These visits took place in May 2011. The author participated in the seminar organised in Paris.

[47)] See, for example, Cooley (2012), *supra* note 7.

[48)] SIDA (2006), *Anti-trafficking Activities in Central Asia Financed by SIDA. SIDA evaluation 06/30*, Stockholm: SIDA, Department for Europe.

Migration governance through specific migration management projects – involving substantial "multilateralism" – promoted by the EU in Central Asia encounters a number of problems. Regardless of types and objectives of such projects, they often involve overlapping sources of funding and agenda-setting in the absence of sufficient coordination that result in complex patterns of migration management and thus risk decreasing their efficiency. This is even more relevant if one analyses such projects not only as narrowly defined migration management schemes, but as channels of policy transfer. Even though officially aiming to contribute to the development of some sort of regional migration governance, the EU keeps on trying various migration management projects that often fall short of their promise to build capacities, because implementing actors want to be the only ones capable of "solving" problems, and do not genuinely try to build capacities of the governments or to help vulnerable groups.[49]

3.2. *"Embeddedness": Migration Linked to Soft Security and Development Goals in Central Asia*

"Embeddedness", of which Betts[50] speaks in relation to the global level of migration governance, is also quite common for regional level. Migration-related issues are often covered in initiatives and projects whose primary goals are either in security or development fields. Therefore, often, projects that actually target migration are put by the European Commission under different agendas and thus risk "disappearing" from analysis. The list of on-going projects provided by the EU Delegation in Kazakhstan in March 2011 is, of course, non-exhaustive, since quite naturally it does not provide any information about the migration-related projects that had been already implemented by the time of the author's inquiry. What is more important, however, is the fact that the European Commission has not included in this list two most internationally visible and best-funded projects that target migration-related challenges: Border Management in Central Asia (BOMCA) and Central Asia Drug Action Programme (CADAP). According to the European Commission,

> as part of a comprehensive European '*consecutive filters*'[51] approach, the EC has launched also assistance programmes in Central Asia, notably on border management (BOMCA), drugs (CADAP) and customs.[52]

These big projects are practically unique cases that create a certain umbrella ideology for the EU's involvement with migration issues in Central Asia. They are

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[49] Interview with a member of staff at the American Embassy in Astana, 19 April 2011.
[50] Betts (2011), *supra* note 22, at p. 18.
[51] Italics added by the author.
[52] European Commission (2007), *Central Asia Indicative Programme 2007–2010*, Brussels: European Commission, at p. 14.

often described by EU representatives, as well as by staff of various IOs as "flagship projects" that from the start involved a special type of funding, operational control and guaranteed follow-ups.[53] Overall, these programmes are explicitly targeting cooperation of border authorities and border guards on the ground within the region, as well as cooperation between the governmental bodies responsible for the fight against drug trafficking. In these projects, migration-related concerns are embedded in soft security issues. Simultaneously, migration is also treated in the context of economic development and cross-border cooperation that is to be facilitated through improved functioning of the borders.

Since the pilot phase of its operations in 2003, BOMCA has been implemented by UNDP, which was chosen by the European Commission not least because it is considered by the states in the region as the sole legitimate international body that can intervene in border-related issues.[54] The main activities of BOMCA were designed around improving of border infrastructure, provision of necessary equipment and organisation of training sessions. Not surprisingly, the local authorities very much appreciate the first two components,[55] while the European Commission has actually favoured the last one. Training sessions aimed not only at capacity-building of the officials directly involved, but also at promoting the ideology of the EU-driven "integrated border management" concept. The implementation of this concept would necessarily involve significant legislative and policy changes in all the countries taking part in the project. This process is still far from being over.[56] Unlike BOMCA, the other project – CADAP – has undergone several changes in its leadership. Finally, after the decision was taken to somewhat merge activities of CADAP and BOMCA, the project leadership was given to the German Agency for International Cooperation (GIZ) that now functions as the official implementing partner.

BOMCA, as well as CADAP, is also one of those rare cases in Central Asia, where one can observe not only competition, but also substantial cooperation between the EU and other international governors. Due to a well-thought geographical design of BOMCA (it does not cover all the borders, but just some strategic border-crossing points and parts of the green border in the region), the EU has managed to organise a division of labour with the USA. The American funding, technical assistance and expertise, thus, go to some other parts of the border, namely to one of the most problematic areas of the Tajik-Afghan border.[57] Russia, that has always

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[53] Interviews at the EU Delegations in Almaty and Moscow (April 2011), interview with staff members of IOM Moscow (21 December 2012).

[54] Interview with UNDP Kazakhstan staff, 20 April 2011.

[55] G. Gavrilis (2008), *The Dynamics of Interstate Boundaries*, Cambridge: Cambridge University Press.

[56] For detailed analyses of BOMCA, see, for example, Gavrilis (2011), supra note 1; M. Martin-Mazé (2011), 'Border Management in Central Asia, the European Union and the International Governmentalization of Borders in Central Asia', in: *Proceedings of the Joint International Conference of the Association for the Studies of Nationalities*, September 2011, Moscow.

[57] Czerniecka and Heathershaw (2011), *supra* note 10.

prioritised the need to protect its territory from destabilising factors emanating from Central Asia, has also been eventually involved and

> Russian diplomats in Dushanbe attended the monthly coordination meetings and consistently expressed support for the programme. BOMCA's Tajikistan operations now enjoy a level of Russian support that few other Western initiatives in Central Asia can match.[58]

Some of the most recent expert assessments actually acknowledge the need to better engage with Russia in regional cooperation on soft security issues.[59]

It is also important to note that while some of the Member States withdraw from border-related projects in Central Asia (mostly for financial reasons), others step in. The latter is the case of Germany that in 2011 became de-facto an implementing partner of the European Commission via its participation in CADAP (see above). Finland has also become increasingly engaged in border security promotion in the region, mainly through financial contributions, but also by providing expertise.[60] This growing interest and increasing role of Germany and Finland in Central Asian soft security sector coincide with the EU's strive for "presence" in new strategic regions of the world.

Despite mainly positive – even though still quite modest – assessment of BOMCA, Gavrilis notes that

> border management assistance – like most other forms of donor-driven development aid – is constrained by reporting and funding mechanisms that prioritise the completion of annual projects rather than nuanced measurements of long-term impact.[61]

This situation has been aggravated by the disturbing attempts on the part of IOM to get involved as much as possible in border assistance programmes in the region, be they financed by the EU or other actors.[62] Moreover, positive evaluation of border management and security assistance programmes is also problematic from a normative point of view, since several studies have shown that the real goals of such programmes might differ quite significantly from their proclaimed missions, especially insofar as the mission is to create "open" borders in the context where they had not existed at all.[63]

One can argue that, first, "embeddedness" of migration governance in other sectors of cooperation helps to divert attention of the target states from sensitive migration issues, given that two of these states – Tajikistan and Kyrgyzstan – heavily

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[58] Gavrilis (2011), *supra* note 1, at p. 138.

[59] EUCAM (2012), 'Ten Tasks for the New EU Representative to Central Asia', *EUCAM Policy Brief No. 24*, Madrid: FRIDE.

[60] T. Lipiainen (2012), 'Finland and Central Asia', *EUCAM Policy Brief No. 10*, Madrid: FRIDE.

[61] Gavrilis (2011), *supra* note 1, at p. 142.

[62] Interview with UNDP Kazakhstan staff, 20 April 2011.

[63] Martin-Mazé (2011), *supra* note 56.

depend on migration and remittances in terms of their (relative) socio-economic stability. Second, "embeddedness" allows to impact migration governance structures through changes in associated policy fields, namely through the improvement of border surveillance and through the efficient barriers to the drug-trafficking. Third, even though the fight against human trafficking is not always considered as a constitutive part of migration governance, it is supposed to help "normalising" migration flows and is the only case of migration-related projects that involves substantial humanitarian component.

3.3. *"Trans-regionalism" as a Vague Prospect*

Any assumption of an emergent trans-regional migration governance linking Central Asia with any other region would quite naturally involve the EU. Several recent studies have paid attention to the EU's attempts to develop a range of migration partnerships to collectively address migration.[64] One can indeed speak about an intention of the EU to develop such a trans-national framework of cooperation with the post-Soviet space, through different formats: more trans-regionally within the ENP, bilaterally with Russia and, also trans-regionally even though to a lesser extent, with Central Asia. Still, the question is whether the EU is actually trying to push for any significant changes and thus create a critical mass for international governance of migration in Central Asia, or one can still talk only about intensification and multiplication of efforts in sporadic migration management projects discussed in the previous sections of this paper.

The EU tries to channel some sort of migration-related initiatives in the region through Regional Consultation Processes (RCPs). The oldest and the best known of them is the Budapest Process. Since 2003, International Centre for Migration Policy Development (ICMPD) had been implementing a project on the Redirection of the Budapest Process to the CIS[65] that eventually included Central Asian states in the so-called "Silk Routes Region".

This was supposed to involve Central Asian states in a wider cooperative framework. Nevertheless, the only Central Asian states that regularly participate in the meetings of the Silk Routes Working Group are Kyrgyzstan and Tajikistan. This is indicative both for the lack of genuine cooperative efforts among Central Asian states and for the different level of engagement with international initiatives on the part of the Central Asian governments, more specifically Uzbekistan and Kazakhstan. The reasons for this limited engagement in case of international migration cooperation are, however, different. Whereas Uzbekistan insists on the fact that migration is not among its policy priorities and in general prefers to avoid international interventions in this policy field,[66] Kazakhstan positions itself as a

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64) See, in particular, contributions to Kunz et al. (2011), supra note 8.

65) ICMPD (2005), *Overview of the Migration Systems in the CIS Countries*, Vienna: ICMPD.

66) Interview with the UNODC staff in Bishkek, 01 April 2011.

developed country of destination and, thus, does not want to be present in these meetings on the same side as Afghanistan or Tajikistan.[67] The overall participation of the Central Asian states in the activities of the Budapest Process is rather low.

Another EU-led RCP – the Prague Process – is not a RCP in the strict sense of the term, since it emerged in 2009 as a project funded by the EU and the Government of the Czech Republic under the title "Building Migration Partnerships" and was planned for two years only. However, after its formal termination in 2011, the participating parties – mostly EU Member States and the European Commission – endorsed a follow-up with the action plan from 2012 till 2016. This double nature of the Prague Process – a migration management oriented project that has successfully grown into a regular dialogue among the participating states – makes it quite innovative compared to the "old-fashioned" Budapest Process. The popularity of the Prague Process among the participating states, including those that are usually quite reluctant to engage in substantial talks on migration (such as Uzbekistan) is to a large extent due to the ideology of the project: all of the states are supposed to be equal in the process of creation of migration partnerships, the "peer pressure" on the countries of origin and transit is thus more bearable.

Moreover, the situation of ICMPD is quite particular. It is very strongly linked – both substantially, but also in terms of self-positioning in relations with Central Asian governments – with the EU. This link – giving the ICMPD the right to claim that it is working on behalf of the EU – is important for strengthening its authority. In other words, in this case two governors – the EU and ICMPD – promote each other's authority, even though in different ways. Whereas the EU is gaining points as an important transmitter of norms, ICMPD stands out as an efficient provider of concrete expertise and tailor-made solutions. To date, an important output of the Prague Process is a set of Migration profiles for several Central Asian countries, which may at least serve as platforms for changes in these countries' migration policies.

The Budapest Process, on the other hand, has become too broad, and it does not focus on specific situations and challenges of cooperation that exist in Central Asian countries. Moreover, it shifts attention from Central Asia as such to other neighbouring states regrouped under the label "silk routes countries". This diverted attention is mostly due to the fact that the EU perceives "threats" and challenges from these countries for the EU territory as more important than those that they might present for Central Asia and the larger post-soviet region. The same applies to the Prague Process that seems to mostly reflect concerns of the EU and does not take into account other grass-root visions from the region.

Importantly, however, the EU has also attempted to promote a "genuinely regional" – that is initiated, developed and "owned" by the countries of the

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67) Interview with UNDP Kazakhstan staff, 20 April 2011.

region – regional consultative process in Central Asia. This has been done through an overarching project in the field of labour migration funded by the EU and implemented by ILO.[68] Activities within this project have brought back to life the half-dead Issyk-Kul Dialogue that was initiated within the CIS structures in 2000. However, after quite a dynamic start it has lost its pace. Due to the intensified involvement of the EU in Central Asian soft security field since 2007, the Issyk-Kul Dialogue has held new meetings in 2009 and 2010, but after the end of the second large ILO project, it has again lost its momentum.

The absence of a bottom-up regionally initiated process is a serious challenge for international governors who do not get a chance to use pre-existing structures of cooperation for transforming the agenda of migration governance. As stated by Koehler "RCPs embody a particular form of "multilateral cooperation" that provides the basis for convergence of perceptions and eventual policy harmonisation".[69] This trans-regional cooperation implies, however, a certain degree of pre-existing cooperation if not in a given policy field, than at least in overarching issues and, by default, some kind of regional homogeneity within the (sub)regions involved in a RCP. If one can talk about the presence of these conditions on the EU side, this is not the case for Central Asia.[70]

4. Conclusion

This article aimed to identify and explain previously neglected challenges for EU migration governance in Central Asia – those due to the nature of international governors present in the field and to the character of relationships between them. The analysis has covered both some of the key international donors in the region (apart from the EU these are mostly individual states) and major implementing partners represented mostly by various IGOs. The EU has created multiple channels of influence on migration governance structures within Central Asia. Two RCPs – Budapest and Prague Processes – are clearly dominated by the European Commission and EU Member States. Many migration management programmes in Central Asia are also financed by the European Commission and EU Member States. However, the EU lacks consistency in project funding and coherence in selection of implementing partners, which has serious negative externalities.

First, EU actions within three formats of engagement discussed above lack coherence, they are only vaguely interconnected and this does not contribute to

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[68] ILO (2009), *Project Evaluation Summary: Towards sustainable partnerships for the effective governance of labour migration in the Russian Federation, the Caucasus and Central Asia*, Geneva: ILO.
[69] J. Koehler (2011), 'What government networks do in the field of migration: an analysis of selected Regional Consultative Processes', in: R. Kunz, S. Lavenex and M. Panizzon (eds), *Multilayered Migration Governance: The Promise of Partnership*, New York, NY: Routledge, 67–94, at p. 69.
[70] R. Lewington, 'The Challenge of Managing Central Asia's New Borders', 41 *Asian Affairs* (2010), 221–236.

desired cumulative effect. Second, dispersion of resources spread among too many implementing partners involved and, in particular, the fact that a certain part of EU funds for such projects is used for sustaining operational capacities of implementing actors themselves and not for increasing capacities of the targeted states, further complicates EU tasks. With such a scheme there is a very limited chance to achieve projects' critical mass needed for profound impact on migration governance structures in a given country/region. Finally, the absence of substantial bilateral dialogues on migration issues between the EU and Central Asian states has also undermined EU influence. At the same time, the money for capacity-building projects targeting migration also comes from such important actors as the USA, China (mostly via the Shanghai Cooperation Organisation) and Japan, that can easily compete with the EU in this field.

Exogenous challenges make the tasks of external governors even more complicated. Any regional initiative in Central Asia faces the problem of the "regional absence" that is due to the significant socio-economic and even political disparities between the countries and to the character of relationships among them. But most importantly, two types of endogenous challenges arise for EU migration governance efforts: strategic – due to the lack of donors' coordination which in turn is due to the competition for influence of the global players in the region – and operational – even if there is some coordination among donors, there is still very limited coordination and often open competition between implementing partners. The EU has been increasingly engaging with various implementing organisations, but much less so with other donors. Even coordination between EU institutions and Member States, as well as among Member States remains quite poor reflecting dynamics of competition more than any genuine attempt to impact migration governance in the region. There is also a problem of matching migration governance efforts with other policy priorities and actions in the region – like sustainable development and environmental protection, broader security framework, regional cooperation, etc.

To sum up, EU actions focusing on migration-related problems in Central Asia involve only sporadic cooperation with other international governors – with other international donors in particular. On the one hand, this trend might well support the argument that the EU would like to be the sole source of migration governance in the regions that are in the realm of its strategic interests. On the other hand, this dynamic might also hint to a conclusion that the main EU goal is not to address declared migration challenges but to significantly strengthen its presence in the region and its involvement in various domestic affairs of the Central Asian states through, among others, the use of functional cooperation in migration sphere and other issues from justice and home affairs agenda. This presence versus impact dilemma might well be one of the biggest challenges for the EU migration governance efforts in Central Asia and in other regions of the world.