

Brussels, 5 November 2020

Re: NDICI trilogue on migration-related conditionality

Dear

The negotiations on the future Neighbourhood, Development, and International Cooperation Instrument (NDICI) have reached a crucial point: whether EU development assistance will be conditional on the cooperation of third countries with the EU's migration objectives.

We urge Members of the European Parliament to maintain their position of March 2019 which rejected migration-related conditionality, and urge Member States to reconsider their insistence on this.

Conditioning development cooperation on the implementation of migration controls and numbers of returns and readmissions undermines the commitments made by the EU in the Busan Partnership for Effective Development Co-operation, particularly the principle of ownership of development priorities by developing countries. It also negates the primary objective of development assistance, namely the eradication of poverty, as set out in the Treaty of the EU. The EU cannot condition its support to human rights and vital health, education and social services in partner countries on the basis of their migration management.

The potential damage of proceeding with this approach goes beyond reputational risk to the EU and the erosion of human rights and development commitments. It may incentivise third country governments to restrict mobility, which would affect livelihoods and civic space. It could also encourage countries to strengthen border management systems at the expense of human rights and international law, including the right to seek asylum and the principle of non-refoulement. In less extreme cases, putting migration cooperation at the centre of decisions on funding allocations will lead to ineffective spending, as EU funds will not be used to eradicate poverty, where they have the most impact. In the coming years, additional funding efforts will be needed to support the global recovery from the COVID-19 pandemic.

We urge you to learn from the lessons of the past. The EU's own evaluation of the European Neighbourhood Instrument could not demonstrate the effectiveness of the conditionality approach applied in its Neighbourhood policy¹, particularly as the interest of third countries in increasing (regular) mobility far outweighs what the EU can offer in compensation.

The outcome of the negotiations on NDICI will determine the EU's credibility and effectiveness as a foreign policy and development actor, and will impact on the EU's reputation at international level for years to come. Instead of giving in to narrowly defined migration interests, the European Parliament and Member States should defend and uphold the EU's significant track record in human rights and development and prepare the ground for an approach based on genuine partnership, principles and evidence.

¹ See Commission Staff Working Document (2017). SWD(2017) 602 final: https://ec.europa.eu/info/sites/info/files/swd_2017_602_eval_eni_assistance.pdf. See also CEPS (Center for European Policy Studies), 'Assessing European Neighbourhood Policy: Perspectives from the Literature' (ed. Kostanyan H., 2017).

Yours sincerely,



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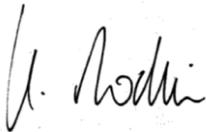
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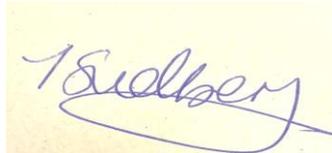
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