

Original scientific paper

UDC: 341.1:061.1EU:314.7

DOI: 10.11643/issn.2217-995X171SPH75

Received: 22 December 2016 / Accepted: 29 May 2017

Implementers? The Role of International Organisations in EU Funding for External Migration Policy

LEONHARD DEN HERTOĞ*

The Centre for European Policy Studies (CEPS), Belgium

Abstract: The EU is a major funder of migration projects around the world. There is a relationship of interdependence between the EU and international organizations, with the former offering funding and the latter offering implementation capacity. This paper explores this relationship in more detail. In particular, it explores how these international organizations are involved in the EU funds beyond implementation. This paper employs an organization theory approach to explain this central role of international organizations. This article argues that these organizations carefully navigate between the ‘company’ and ‘political’ organizational types. Moreover, the Commission and these organizations can be better conceptualized as forming a ‘partial’ organization. This holds implications for transparency and accountability in this area of growing spending. Three organizations are looked at in the context of this paper: The International Organization for Migration (IOM), the UN High Commissioner for Refugees (UNHCR), and the International Centre for Migration Policy Development (ICMPD).

Keywords: European Union, international organizations, migration, funding

* leonhard.denhartog@ceps.eu

Introduction

The ‘refugee crisis’ has made clear that the EU has chosen to radicalize its external policies on migration, borders and asylum, with agreements concluded with African countries and Turkey. These agreements come along with considerable funding, such as under the ‘EU emergency trust fund for stability and addressing the root causes of irregular migration and displaced persons in Africa’¹ and the ‘Facility for Refugees in Turkey’². Nonetheless, the EU institutions themselves hardly have any capacity to implement these projects. Therefore, these projects are traditionally implemented by international organisations (IOs). They are, for example, contracted by the EU to provide shelter to refugees or to provide training to border guards. There is thus an assumed relationship of *interdependence* between the European Commission and these organisations, with the former offering funding and the latter offering implementation capacity.

This paper explores this relationship in more detail by posing the research question of whether and how these organisations are involved in the EU funds *beyond implementation*. Although the role of these organisations is often framed in technocratic terms of ‘implementing’ the EU elaborated and funded actions, this research suggests that their role is much more complex. These organisations produce ‘knowledge’ about migration and the ways to ‘manage’ it, feeding into the drafting and programming processes of EU funds. They regularly play salient political roles in the migration policy decisions of third countries, able to mobilise EU funding. Moreover, they regularly act as the secretariat of EU external migration ‘dialogues’, such as the ‘Rabat process’ with African countries. The organisations analysed in this paper are the International Organisation for Migration (IOM), the UN High Commissioner for Refugees (UNHCR), and the International Centre for Migration Policy Development (ICMPD).³

Whereas the current literature has analysed the role of international organisations in European and international agendas on ‘migration management’, such as the IOM,⁴ their role in EU funds has not been looked at specifically in-depth. Looking at the funding dimension could however be key to better understand their role, as this is the activity in which they are deeply involved, with real consequences on the ground in third countries.

Another part of the literature has focused on the ‘implementation’ of EU funded actions, but has not conceptualised or questioned the role of the IOs as ‘implementers’.⁵ Lavenex has explicitly looked at the role of IOs under the EU’s ‘external governance’ of migration policies seeing three roles for IOs: namely first, as counterweight to EU priorities, second

1 Commission & Spain 2015.

2 Commission 2015a.

3 It should be noted that the IOM and UNHCR are now both part of the UN system. For the purposes of this article, IOM and UNHCR will, however, be treated as separate international organizations.

4 Geiger 2012; Georgi 2012; Hess 2012; Lahav & Guiraudon 2006.

5 Korneev 2013; Reslow 2015; Trauner & Wolff 2014; Wunderlich 2012.

as subcontractors for ‘implementation’, and third as transmitters of EU norms.⁶ It is the second role that is most relevant to the current article. The work of Lavenex highlights several issues that are also key to the analysis within this article, such as questions over the mutually constituted legitimacy of the EU and the IOs when they cooperate. When discussing the role of subcontracting for implementation, Lavenex and others look at this through the prism of the ‘external governance’ and ‘multilevelling’ literature, essentially assuming a rational and linear process of ‘EU policy’ externalised through implementation by IOs towards third countries. There is also an emerging body of literature that highlights the agency of third countries in this process,⁷ including looking at specific third country case studies of EU funding.⁸

The role of IOs as ‘implementers’ or ‘subcontractors’ of EU funding is however not an assumption that is explicitly questioned in this literature. The literature has not fully addressed the question of how to understand the relationship between the EU and these IOs in organisational terms throughout the funding cycle, i.e. what formal and informal linkages there are between the two sides. How can and do they influence the priority-setting and mobilisation of such funding? And, what conceptual and theoretical implications does this have?

There has also been a limited dialogue between the EU studies dominated literature on these topics (often taking a ‘policy transfer’ or ‘external governance’ perspective) and the wider scholarship on (international) organisations.⁹ This article aims to contribute to the conceptualisation of the role of these IOs in the funding of EU external policies on borders, asylum and migration from an organisation theory perspective. Through the organisation theory literature, problematizing the assumed role of ‘implementers’ helps us, first, to see a fuller range of IO activities throughout the funding cycle – feeding into funding programming and management. Second, this also questions the formal organisational boundaries between the ‘political’ level of decision making in the EU institutions and the ‘technocratic’ level of implementation in third countries by these IOs.

This article makes two key arguments, based on the organisation theory literature as developed by Nils Brunsson and others, and supported by the research findings of this article.

First, it argues that the IOs studied in this paper face two opposing organisational types – namely the ‘company’ and the ‘political’ organisation types – driving them to ‘institutional confusion.’¹⁰ Their role in obtaining EU funding places them in a ‘company’ position where the delivery of implementation ‘products’ or ‘services’ counts. On the other hand, their mission for the (global or European) public good and to cater to the demands of all

6 Lavenex 2015.

7 Reslow 2012.

8 den Hertog 2016b.

9 Barnett & Finnemore 2010.

10 Brunsson 1994b.

of their member states and stakeholders requires them to diversify their outputs. This necessitates rather a 'political' organisation that is built on the organisational principles of conflicting opinions and that is not primarily geared towards action and implementation. As is shown throughout the article, the co-existence of these two organisational types is necessary for these IOs to gain and maintain organisational legitimacy, but it creates difficulties to reconcile pressures for the IOs, leading them to the 'de-coupling' and 'counter-coupling' of their outputs and organisational structures. This means, in essence, that organisational talk and action is isolated and targeted depending on the issue, audience and time, and by corresponding isolated organisational units.

Second, it argues that for the purposes of this paper's specific case study – the funding of EU external policies on migration, borders, and asylum – the European Commission and the studied IOs can in fact be conceptualised as a semi-integrated or 'partial' organisation.¹¹ Seeing them *conceptually* as together constituting a 'partial' organisation allows us to understand better some of the policy outcomes in this field. It also raises questions over the transparency and accountability of the links between the constituent parts of this 'partial' organisation.

This article is based on desk research and a round of semi-structured interviews. As for the desk research, this includes a legal analysis of, for example, EU funding Regulations and Commission Implementing Decisions. Moreover, a documentary review of policy and public discourse outputs from both the EU as well as from the international organizations is carried out. To complement this, a round of semi-structured interviews was conducted for this paper.¹²

The International Organizations Between Opposing Organizational Types

This article employs an organisation theory perspective to explain the role of IOs in EU external funding instruments on migration, borders and asylum. Drawing primarily upon the work of Nils Brunsson,¹³ the organisations' environments and inner workings are posited as important to understand how they function. As also is the case of the IOs analysed

11 Ahrne and Brunsson 2011; Ahrne and Brunsson 2005.

12 For reasons of agreed confidentiality, the names and positions of the interviewees are not disclosed. A total of 21 interviews were carried out between October 2015 and October. A total of ten interviews were carried out with ICMPD officials, of which seven were in Vienna, two by telephone, and one in Brussels. Five IOM officials were interviewed, of which three were in Geneva, one in Brussels and one in Rabat. Four UNHCR officials were interviewed, of which two were in Geneva, one in Brussels and one in Rabat. In the exploratory phase of this research, two ILO officials were interviewed in Geneva and two UNDP officials were interviewed in Rabat. Partly on the basis of these interviews, the ILO and UNDP were excluded from the scope of this research. Some of the insights in this article also indirectly stem from interviews carried out for previous research papers with officials from the EU institutions, bodies and agencies.

13 Brunsson 1994b; Brunsson 2002.

in this paper, their quest for legitimacy seeking is marked by two opposing organisational types, namely the 'company' and the 'political' model. These two models are first developed here before being applied to the IOs under study in this paper.

The 'Company' and 'Political' Organisational Types

The 'company' acquires funding through the efficient delivery of goods or services; the 'political' organisation through the serving of public needs - often through financial (re-) distribution and participatory decision-making - however implicitly understood or defined. The former comes with the freedom to satisfy and ignore specific 'market' demands as seemed fit to maximise turnover or profit, the latter comes with public legitimacy and, closely linked, public scrutiny over priority setting.¹⁴

This bears relevance for the funding principles of the two types of organisations. The company acquires resources through selling products whereas the political organisation acquires resources through public financing, essentially drawing on taxation. The resources of the company are thus directed towards further production and profit making, and the resources of the political organisation have to be redistributed to address a variety of public needs, creating the crucial venue for priority contestation, especially in the public budgeting process.

The claims the two organisations need to make to their environments to legitimise their outputs are therefore quite different. Whereas the company needs to stress "how well its operations are going now and in the future" to sell more, the political organisations needs to stress "how badly things are going now or are going to go in the future: it is poor results that demonstrate the need for more money".¹⁵

These two opposed organisation types imply quite different organisational principles.

The company needs to be an "action" organisation - i.e. to "generate these products by effective and coordinated action". This requires "unity" as this will mobilise all members of the organisation towards the attainment of the same goals. The decision-making process of the company is thus somewhat "irrational" therefore, meaning that there should not be polarised discussions of proposals and options but rather an efficient and relatively non-participatory decision-making towards the production of a specific output that appeals to customers. This means that for companies specialisation is often a preferred way forward, as it will give the organisation a competitive edge over others by accumulating expertise to satisfy specific market demands.¹⁶

For the political organisation however, 'conflict' rather than 'action' is required to reflect the inconsistent demands and public needs from the organisation's environment. Ignor-

14 Brunsson 1994b.

15 Brunsson 1994, 326.

16 *Ibid.*, 328.

ing some of these inconsistent demands is problematic for the political organisation as its legitimacy is exactly premised on addressing the various needs for the public good. For a political organisation to reflect inconsistent demands, addressing problems rather than solutions is a more viable option. As Brunsson writes, “insoluble problems are particularly useful” for the political organisation as these “provide grounds for endless discussions and a multitude of conflicting action proposals”.¹⁷ The decision-making process will be predominantly “rational”, meaning based on arguments and discussions over what the options are and why one should be preferred over the other, thereby exposing and reflecting a variety of opinions, priorities and values. This means that for political organisations, it is more viable to pursue generalisation rather than specialisation, as more legitimacy can be acquired by reflecting more external demands. This legitimacy for the public good is however inextricably linked with scrutiny. Whereas customers are particularly interested in *what* a company produces (i.e. its products), the political organisation has to take into account the demands of its environment to know *how* the decision-making functions. Claiming to serve the public needs comes with public scrutiny over how this is done.¹⁸ Democratic institutions, stakeholder platforms, watchdogs and complaint mechanisms are examples of such public scrutiny.

The Two Organizational Types In the International Organizations

For the organisations studied in this article, both these organisational types can be discerned. On the one hand they are in need of EU funds for their organisational continuation and expansion, and they thus need to show that projects can be implemented. Funding is absolutely crucial for these organisations. As Lavenex has shown, EU funding has come to make up a considerable and increasing part of their budget.¹⁹ For this they need to work along the lines of the ‘action’ organisation, meaning working towards the delivery of goods and, more importantly, services. They also do so in a competitive ‘market’ environment of several organisations that can implement projects, although in practice they sometimes appear to form an oligopoly.²⁰ However, in the context of the recent crisis-led establishment of new EU funding instruments for Turkey and Africa, we see increasing use of the direct granting of projects without open competition to these organisations as well as to Member State agencies, highlighting the close link between some of the organisations and the EU institutions and an attempt to minimise such competition.²¹

For the ‘company’ organisational action to be produced it is required that the organisations follow the ‘irrational’ model of decision-making as highlighted above, meaning that a plurality of voices and scrutiny over the priorities should not be encouraged as it hampers the efficient advancement towards project implementation. *In casu* this entails that

17 *Ibid.*, 327.

18 *Ibid.*, 328.

19 Lavenex 2015, 564.

20 den Hertog 2016b, 291.

21 den Hertog 2016a.

the *operational capacities* of those organisations vis-à-vis the Commission and the Member States are prominently featured.

The literature has pointed out that especially the IOM is marked by its ‘operational’ way of working, driven by funding of Western governments, engaging with activities that other organisations, such as those with a refugee protection mandate like the UNHCR, would have more difficulty to take on.²² For example, the IOM’s far-developed activities on ‘Assisted Voluntary Return and Reintegration’ (AVRR) programs constitute one of the organization’s important activities, also financially. This is especially true for the European context, as the 2015 top five host countries from which AVRR has been initiated are Germany, Austria, Belgium, Greece and the Netherlands.²³ The IOM has certainly been relying overwhelmingly on funding for operational activities, consistently adding up to more than 90 % of its budget,²⁴ making it more geared towards the ‘company’ organisational principles. Moreover, the recent migration ‘crises’ have led to a substantial increase in IOM project funding:

“There has been a tremendous upsurge in migration crises and migration issues worldwide. In almost all regions, there has been a significant increase in large-scale migration crises and challenges, many of which are complex and have no immediate solution. World leaders are seized with the migration issue, as are governments, organisations and civil society, and this trend is reflected in the substantial growth in IOM’s project portfolio. It is likely that the Organisation’s expenditures in 2017 will exceed USD 2 billion, which would be 68 per cent higher than the total expenditure in 2013.”²⁵

In this context, The IOM has also been proposing and implementing EU funded projects, such as on anti-smuggling activities and the new EU relocation scheme.²⁶ This can be understood from its past as a self-image of a ‘logistical’ organisation, but has also served the IOM’s specialisation into areas where other organisations are not willing or able to go. However, the backlash this typical ‘company’ type specialisation presents to IOM in terms of its wider legitimacy can probably explain why the IOM has now taken a typically expansionist strategy fitting with a ‘political’ organisation (see more in detail below).

The IOM certainly comes closest to the ‘company’ organisational model, something often stressed in the literature albeit under different conceptual frameworks. For example, Lavenex speaks of ‘subcontractors’,²⁷ and Georgi speaks of the ‘projectization’ inherent to

22 Georgi 2012.

23 IOM 2015.

24 IOM 2016.

25 *Ibid.*, 48.

26 Interviews officials, IOM, Geneva.

27 Lavenex 2015.

IOM's work.²⁸ However, the UNHCR and the ICMPD also bear the characteristics of this company model. The ICMPD is almost fully Member State and European Commission funded fuelling their rapid expansion over the past years.²⁹ The ICMPD has gained a leading position within a niche of available EU funding, namely that it is managing the different EU external migration 'dialogues' or 'processes' with third countries as their secretariat.³⁰ This is the case for the Prague and Budapest Processes to the 'East', and the Khartoum and Rabat Processes to the 'South'. Although the ICMPD is an international organisation with full European membership, it has engaged in several activities in third countries such as Tunisia and Mauritania.³¹ It has thus become quite successful at implementing projects and organising itself along 'company' lines.

Due to its wider membership and clear refugee mandate, the UNHCR has developed less in the direction of the 'company' organisational type, but it shows its hallmarks nonetheless. It has been involved in the implementation of many EU funded projects around the world for a long time and more recently increasingly so.³² As Lavenex shows, the UNHCR has been key to the implementation of EU funded projects in the enlargement process and in the Western Balkans.³³ More recently, under the EU funding responses to the 'refugee crisis', the UNHCR has also benefited from increasing EU funding. For example, under the Turkey Refugee Facility that accompanies the EU-Turkey deal, the UNHCR has received a 35 million Euro project for humanitarian assistance to refugees in Turkey.³⁴ Also under the EU measures announced for Greece, the UNHCR has taken on a project of implementing 20,000 asylum seeker reception places through EU funding worth 80 million Euro.³⁵

On the other hand, these IOs cannot only appear to work towards implementing EU and/or Member State funded projects, since they have as their mandate and mission to serve the (global) public need and have a global base of member states (except for ICMPD) and/or stakeholders. The global public need or 'good' remains of course a concept open to interpretation, and can thus be fit to many organisational outputs. For the UNHCR, their understanding of what constitutes the global public good or need is circumscribed by their mandate being focused on refugee protection. This is not so clearly the case for the IOM and the ICMPD. However, to illustrate the tension in a nutshell: the 'motto' of

28 Georgi 2012.

29 Interview official, ICMPD, Vienna. See ICMPD Funding Structure: https://www.icmpd.org/fileadmin/ICMPD-Website/ICMPD-Website_2011/ICMPD_General/ICMPD_funding_info_2012-2014.pdf (no date).

30 Hess 2012.

31 Interview official, ICMPD, Vienna. See ICMPD website: <https://www.icmpd.org/our-work/capacity-building/border-management-visa/ongoing-projects/> (continuously updated).

32 Interview official, UNHCR, Brussels.

33 Lavenex 2015.

34 http://ec.europa.eu/enlargement/news_corner/migration/20161027-frit-table.pdf (no date).

35 <http://www.unhcr.org/news/latest/2015/12/566edcf89/programme-seeks-20000-places-asylum-seekers-greece.html>.

the IOM is ‘managing migration for the benefit of all’, but their EU project funding may undermine the legitimacy of that mission statement as it may be perceived as serving ‘the benefit of some.’³⁶ The IOM has been trying to boost its public legitimacy, inter alia by successfully becoming a UN ‘related’ Agency.³⁷ It has also been attempting to be a more vocal actor in public debates beyond just implementing Member States’ projects. In addition, the work of the IOM has diversified over time, increasingly also covering humanitarian assistance. This could for example be seen during the European ‘refugee crisis’ in 2015 where the IOM’s Regional Director for Europe regularly took a public stance in European debates.³⁸

At ICMPD, some interviewees also indicated that EU funding sometimes hampers trust with third country participants in their project work.³⁹ The strategy to deal with this is to create distance between the EU and the ICMPD in the communication and implementation. Furthermore, the diversification of activities at ICMPD, including the work of the research department that is regularly critical of EU approaches,⁴⁰ can serve to counter the image of an organisation too financially dependent on EU funding.⁴¹ Another example is that in the course of the ‘refugee crisis’ in 2015 the UNHCR became locked into EU’s policies in Greece as it had been contracted by the EU to establish 20.000 reception places there. Implementing such EU funded projects came at the price of public legitimacy worries at the UNHCR in respect of their standing in the world.⁴²

It is thus clear from the above that all of the organisations under study in this article do claim a ‘political’ role, in the sense that they aim to address various public needs. This requires that they aim at reflecting different opinions and not necessarily only reflect those of their financiers, or of only their biggest financier. This is something done by these organisations through various channels, such as through organising events where different stakeholders can voice concerns and through research and public outreach that show a broad range of topics and opinions. In essence, as Brunsson argues, organisations need this ‘political’ organisational type, as it guarantees a broader base of legitimacy than a specialised implementer geared towards a narrow set of financiers.⁴³ More importantly also, for these IOs it is only possible to win projects under the ‘company’ organisational type as long as they can credibly show their ‘political’ side as well. The reason why European governments and the European Commission contract them is often because they appear

36 Georgi 2012.

37 <http://www.iom.int/news/iom-becomes-related-organization-un>

38 See e.g. http://eea.iom.int/images/Download/Editorial_RD%20Ambrosi_WSJ_25.08.2015docx.pdf (last modified August 25, 2015).

39 Interviews officials, ICMPD, Vienna.

40 See e.g. Wagner et al., 2016, “title”: “The implementation of the Common European Asylum System (requested by the LIBE Committee, commissioned by the Policy Department for Citizens’ Rights and Constitutional Affairs, European Parliament

41 Interview official, ICMPD, Vienna.

42 Interviews officials, UNHCR, Geneva and Brussels.

43 Brunsson 1994a.

to be seen as (more) legitimate interlocutors by third country governments and target groups such as migrants.⁴⁴ However, we should also not overlook other motivations for the 'outsourcing' of implementation to IOs by EU institutions, such as the responsibility-shifting described in the section below.

Organizational Confusion

Organisations never fall neatly into one of the dichotomous organisational types as outlined above, meaning that they do not exist in their pure manifestations in the real world. Even commercial companies cannot merely produce products or provide services; they also have to consider concerns such as the social and environmental impact of their production processes. Political organisations similarly can not merely display conflict and talk; they need to show that they can deliver some sort of 'result'. As Brunsson argues, organisations are thus never only one of the two types, they constitute a mix of them, often opportunistically picking and choosing elements of both, presenting themselves at one point and *to specific audiences* as more one type than the other.⁴⁵ Sometimes and to some audiences they thus present themselves as operational implementers and facilitators ('company' type) to allow them freedom to compete for funding while avoiding the public scrutiny coming with the 'political' organisation. In short, this article thus argues that for the optimisation of external legitimacy and funding, the IOs studied carefully navigate between the company and political organisational type, depending on organisational unit, audience, time and topic.

Brunsson terms this combining of the organisational types as 'institutional confusion' (Brunsson 1994b).⁴⁶ It should not necessarily be understood as a centrally orchestrated strategy but rather as a normal organisational decentralised process towards the optimisation of external legitimacy. Within one organisation, different ideas circulate about the objectives of the organisation, ranging from the more political to the more company type of objectives. Actors within an organisation may add elements to this organisation without noticing that this may create inconsistencies with other parts of the organisation.⁴⁷ As the two organisational types are based on fundamentally different logics of gaining external legitimacy, this will create contradictions. For example, operational actors may accept funding for projects that would raise doubts with legal or advocacy actors in the same organisation.

The two processes of 'politicization' of companies or the 'company-ization' of political organisations are seen across all organisations and for different reasons, but with the main aim to optimise the elements perceived as positive for the organisation and minimise those seen as negative.⁴⁸ In the IOs studied for this article, these processes can also be discerned.

44 Interviews, officials ICMPD, Vienna.

45 Brunsson 1994b.

46 *Ibid.*.

47 Brunsson, 1994, 331.

48 *Ibid.*

With the IOM recently becoming a UN related organisation, this could be seen as the ‘politicisation’ of the otherwise quite company-like organisation focused on funding through project implementation. This process of ‘politicisation’ is also accompanied by IOM’s broadening of activities into new areas such as emergency and post-conflict humanitarian assistance.⁴⁹ The IOM becoming a UN related organisation may hold implications for its interactions with the EU as well, as funding and project implementation is now part of a UN system that is ingrained in rights-based thinking. Interviewees indicated that no revolutionary changes come from this and cited mostly practical organisational advantages such as easier cooperation with other UN agencies.⁵⁰ However, the IOM’s further integration into the UN system could expose it more to pressures from other UN Agencies whose mandates are convention-based (such as the UNCHR) and who may question the IOM’s project-based approach catering mostly to Western governments, including the EU and its Member States. It points to a certain degree of organisational confusion within the IOM, also due to its ambivalent mandate, with different sets of visions in the organisations between more ‘rights-based’ approaches and approaches geared towards serving Member States’ interests through projects.⁵¹

On the other hand, for example, we could see a process of ‘company-isation’ in the UNHCR’s recent organisation development, becoming more and more involved in the implementation of EU funded projects in the responses to the ‘refugee crisis’, challenging some of their legal and policy stances in favour of protection worldwide.⁵²

The search for funding is crucial for these IOs as this constitutes a major determinant of organisational survival and expansion. The demands of the financiers may, however, not align with the demands expressed by other audiences on which these IOs rely for their legitimacy. Some EU funded projects pursue priorities not necessarily shared by the IO’s non-European member states or other relevant stakeholders such as civil society.⁵³ One could point to the recent EU-led push for more expulsions and the increasing mobilisation of EU funding as ‘incentives’ or ‘leverage’ over third countries,⁵⁴ however doubtful the effective implementation of such a strategy may be.⁵⁵

The IOs attempt to work out a way that would combine the benefits of both models without the constraints they pose: access to EU funding but with limited competition, and public or international legitimacy but with limited public or international participatory decision-making or scrutiny. Of course this is not fully possible but remains a continuous organisational search for the optimal division between outputs.

49 Georgi 2012, 56–57.

50 Interview officials, IOM, Brussels and Geneva.

51 Siegfried 2016.

52 Interview officials, UNHCR, Geneva.

53 Interview officials, UNHCR, Geneva.

54 den Hertog 2016c.

55 El Qadim 2015.

The question is in which ways the organisations overcome the challenges that the co-existence of the two organisational types entail. The organisations navigate these challenges by ‘organisational’ and ‘organised’ decoupling, meaning respectively that different organisational outputs are targeted towards different audiences and that the organisations are divided in units that occupy themselves with the different organisational outputs of talk, decisions and action. This process, also called ‘organisational’ and ‘organised’ ‘hypocrisy’ by Brunsson and others subsequently,⁵⁶ allows for the organisations to maintain a wide base of legitimacy – being able to somehow allow the coexistence of the different organisational outputs for different audiences.

Often, this decoupling of outputs by audience, organisational unit, time or topic may contain a risk of an organisation being seen as showing overall hypocrisy, or ‘second order hypocrisy’ as Brunsson labels it. However, this may still be preferred by organisations as clearly prioritising one set of organisational outputs for a specific audience may come at the greater cost of losing a broad legitimacy base. More fundamentally however, this ‘second order hypocrisy’ may not actually be evident for most external to the organisation, as different communities with different loyalties are shaped transversally and diagonally in relative isolation of each other. We see such dynamics quite clearly in the organisations under study as they have created different departments for different regions, for research, for implementing projects, for advocacy and for legal matters. As for example in the ICMPD, individuals working on the implementation of projects work in relative isolation from their colleagues doing research and communicate to very different audiences.⁵⁷

Organisational confusion could also be discerned from the various interviews conducted for this research. At the UNHCR, some decisions to engage with EU funding came to the surprise of some officials who even perceived them to undermine their own work and that of the organisation more generally.⁵⁸ Moreover, across the different departments – called ‘competence centres’ – of the ICMPD for example, there appeared to be quite different outlooks on what are the most important interlocutors and priorities for the organisation.⁵⁹ For those working on migration and development, the recent EU discourse on the ‘conditionality’ on readmission and the ‘root causes’ approaches in development cooperation was met with some reservation, whereas the same EU recent policies towards Africa were seen more favourably by others.⁶⁰

Frustration with the recent EU Trust Fund for Africa was expressed by virtually all at the interviewed organisations indicating that the Member State led implementation under this Trust Fund was not very fruitful. Anecdotes were shared about the amateurism of some Member States engagement with the large new projects under the Trust Fund. Some interviewees lamented the quality of some new projects and expressed that the

56 Brunsson 2002; Brunsson 1986; Lipson 2007.

57 Interviews officials, ICMPD, Vienna and Brussels.

58 Interviews officials, UNHCR, Geneva.

59 Interviews officials, ICMPD, Vienna.

60 Interviews officials, ICMPD, Vienna.

Member States and the Commission would sooner or later come back to their expertise in the implementation of EU funded projects in third countries.⁶¹ Moreover, several interviewees underlined that their intermediary role between EU funding and third countries gave them the necessary legitimacy to engage with third countries, something seen as lacking by the Member States now attempting to lead the project implementation under the Trust Fund.⁶² This indicates that these organisations see the EU funding not only as important to their organisational survival and expansion but also that they recognise that questions of legitimacy are key to their role of being able to serve the (global) public need. Thus necessitating a certain distance they need to take from the EU and its funding, at least in outward communication. The priority given to Member States-led implementation by the EU Trust Fund for Africa was indeed partly motivated by this distance: as intermediaries, these organisations are seen by some Member States as an impediment to imposing effective and direct 'leverage' or 'conditionality' over countries.

The Partial Organisation of the Commission and the International Organisations

As highlighted above in the introduction, most of the literature and the policy discourse posits the EU – as represented in these funding domains by the Commission Directorates-General (DGs) (and the so-called 'Foreign Policy Instrument Service') – as the *funding* organisations (or donors) and the IOs as the *implementing* organisations. This suggests a linear conceptualisation of their relationship, under which decisions are taken at the EU political level, subsequently translated into funding through the programming and management of the different EU funds, and finally implemented by IOs through different calls and management modes.

The EU is thus conceptualised – mostly implicitly – as the political organisation addressing the (global) public need through its funding, whilst the IOs are conceptualised as implementing through projects on the ground. As highlighted above, the UNHCR, IOM and ICMPD have quite different understanding of the global public need or 'good', partly due to their different mandates. For the EU side, the EU Treaties provide a number of objectives that guide EU external relations, among which 'the rule of law', 'the universality and indivisibility of human rights and fundamental freedoms' as well as its 'fundamental interests' and 'security'. The same Article also refers to the objective to 'assist populations, countries and regions confronting natural or man-made disasters'.⁶³ More specifically, the Treaties stipulate EU's 'compliance with the principle of *non-refoulement*' but also foresee measures including 'partnership and cooperation with third countries for the purpose of managing inflows of people applying for asylum or subsidiary or temporary protection'.⁶⁴ Certainly these objectives and principles leave room for various interpretations, but do provide some outer boundaries circumscribing what an EU external policy should identify as the global public need or 'good'.

61 Interviews officials, ICMPD and UNHCR, resp. Vienna and Brussels.

62 Interview official, IOM, Brussels.

63 See resp. Art. 21(1), (2.a) and (2.g) of the Treaty on the European Union (TEU).

64 See Article 78(1) and (2.g) of the Treaty on the Functioning of the European (TFEU).

As explained above, the political type organisation also comes with the necessary scrutiny and public debate – in the EU’s case the involvement of the European Parliament in setting up the EU funding instruments under the Multi-Annual Financial Framework. This means that priorities should be set through open and participatory procedures, reflecting many different viewpoints and thereby inevitably producing the incoherent funding landscape that we see today⁶⁵ – a typical sign of the ‘political’ organisation and its outputs. This scrutiny and open decision-making forms the legitimacy basis for making ‘political’ choices as to the priorities set. That is why the ‘company’ organisational type has to present itself as ‘technocratic’: it has no legitimacy to make choices regarding what are the (global) public needs.

The framing of the organisations as ‘technocratic’ or ‘independent’ ‘implementers’ therefore reinforces the outward communication of presenting themselves as separate from the EU, namely to be able to work with the target groups of the EU funding – i.e. third country officials and/or individuals there. The outward presentation of a dichotomy between the ‘political’ and the ‘company’ / ‘implementer’ in this field therefore aids the overall workings of the EU funding cycle, essentially ensuring that the EU can reach its objectives through the intermediary ‘implementers.’ The often cited ‘lack of implementation capacity’ of the EU may thus not be an inevitable ‘given’ necessitating it to contract out to these organizations. It may rather be an organisational arrangement optimising the external legitimacy of both the EU and these organisations.

Evidence from research carried out for this article indeed points to a much less linear relationship between the EU ‘fundings’ and the IO ‘implementers’ in practice. The IOs are not merely active in the ‘implementation’; they are also highly influential in the EU funding programming and management phases: i.e. within the ‘political’ element too.

First of all, the international organisations produce knowledge which feeds into decision-making about which priorities should be funded by the EU. During the ‘refugee crisis’ it was often IOM and UNHCR numbers being cited in the press and directly feeding into EU decision-making and the framing of the ‘crisis’, especially the use of statistics, the interpretation of which is far from evident.⁶⁶ This links to the seemingly widespread assumption in the EU and international organisation circles that quantifying and visualising migration into Europe is the key to understanding the phenomenon. This is for example clear from the IOM’s ‘Migration Tracking Matrix’ that visualises the routes arrivals to Europe’s external borders with arrows and dots in different sizes and colours.⁶⁷ The EU Trust Fund for Africa’s framing around migration ‘routes’ can be seen in the same light, positing long running routes northwards from Africa into Europe that have to be somehow ‘addressed’ in funding priorities and which lead to giving quite a lot of attention to countries like Niger.⁶⁸

65 den Hertog 2016c.

66 Singleton 2016.

67 <http://migration.iom.int/europe/> (continuously updated).

68 See e.g. Commission 2015, 2.

Second, the interviews showed that the organisations have access to Commission officials through a number of formal and informal channels, and are thus able to give input into EU funding priorities well before the implementation stage.⁶⁹ Although ‘informal’ is a wide term, it is clear that several representatives of the international organisations have close personal contacts with Commission officials, co-organising events and regularly meeting in the context of conferences and workshops. This challenges the conceptualisation of these organisations being dependent on EU funding and thereby re-active to EU decision-making only.

Indeed, outside the topic of EU funding as such, the literature has argued that organisations such as the IOM are sometimes in a position to proactively influence the EU policies vis-à-vis third countries.⁷⁰ For funding specifically, some of the organisations studied here have had formal contracts to carry out support to EU programming processes taking place in the Commission.⁷¹ Also, the Commission sometimes directly requests data or mapping studies from these organisations when in funding programming phases, such as the IOM carried out for the Africa Trust Fund.⁷² The long standing informal contacts between Commission officials and representatives of these organisations are crucial here. Several interviewees indicated that informal and personal channels outside a formal call for application provided the best way for them to approach the Commission with a draft project proposal that they were then able to subsequently redraft after feedback received and then have it formally approved.⁷³ Naturally, there is also a lot of open and closed door meetings in Brussels such as roundtables, conferences and high-level officials meetings between the two ‘sides.’ Under the recent ad hoc funding instruments in light of the ‘refugee crisis,’ we also see an increasing number of projects being directly granted to or managed by these organisations without an open call for proposal. There is thus an intricate mix of contacts between the Commission and these organisations throughout the funding cycle as shown in the figure below.

69 Interviews officials, ICMPD, Vienna / Interviews officials, IOM, Geneva / Interview official, UNHCR, Brussels.

70 Geiger 2012; den Hertog 2016b.

71 Interview official, ICMPD, Vienna.

72 Meeting, European Commission, Brussels.

73 Interview officials, ICMPD, Vienna and Brussels.

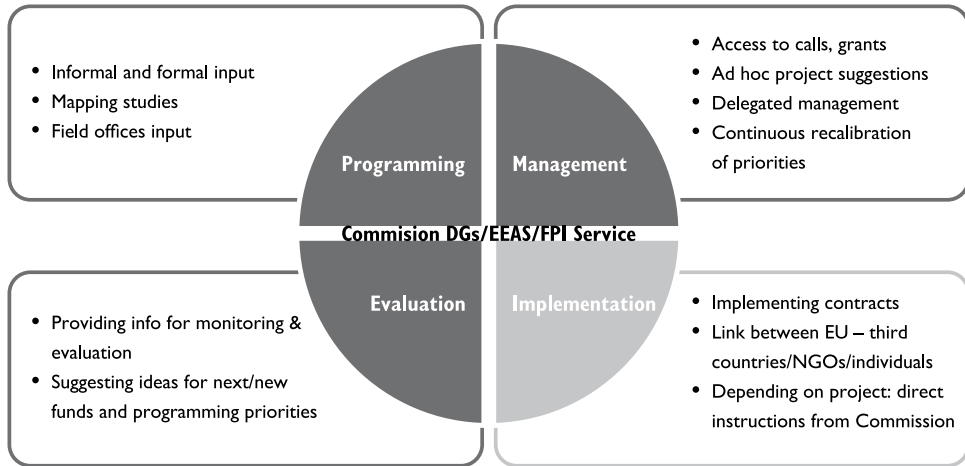


Figure1: *Continuity of organizations' involvement in the EU funding cycle*

The argument I make here is that these different roles corresponding to the organisational types described above could be seen as outputs of one semi-integrated organisational structure jointly made up by the Commission and the IOs. Legally this is clearly incorrect as they are separate legal entities. The point is, however, that from an organisation theory perspective, it can be argued that they form a semi-integrated organisational structure together – albeit with highly de-coupled or counter-coupled outputs. The division of work between the ‘political’ and the ‘implementation’ presented here may not be a given because ‘the EU does not have implementation capacity’ or because ‘the IOM has a great on the ground staff network’. Rather, it presents a division of work that aids their respective interests in seeking external legitimacy, making possible the production of joint outputs. Looking beyond this framed division of work, conceptualising them as one semi-structured organisation not only helps us understand that the ‘political’ and the ‘implementation’ are intertwined, but also clarifies that the roles presented cannot exist in isolation of each other but rather form decoupled outputs of one semi-integrated organisational structure.

As Ahrne and Brunsson have argued, there is something like a ‘partial’ organisation. This means that different elements of an ‘organisation’ are present that would otherwise constitute a certain form of organisational structure but that are – often on purpose – only partially formalised arrangements.⁷⁴ Whereas the term ‘networks’ has come to refer to much of today’s global order of non-formal organisations, this may be concealing that some of these networks are in fact organized. Organization outside formal organisations can actually deliver decision-making and may share some of the typical organisational elements of membership, hierarchy, rules, monitoring and sanctions. Most importantly, the element of ‘decision’ characterises an organisation, as it *attempts* to create a specific

⁷⁴ Ahrne and Brunsson 2011.

order,' setting it apart from the 'emergent' nature of networks.⁷⁵ The semi-integration of the Commission funding units with the international organisations studied here can be conceptualised as representing such a 'partial' organisation, because it is this integration throughout the funding cycle that produces decision-making on who programmes, manages and implements what.

Apart from the clear links that exist throughout the funding cycle – allowing us to conceptualise them as a 'partial' organisation from a theoretical point of view – the 'partial' organisation between the Commission and these international organizations also holds advantages for them. As Ahrne and Brunsson state: 'Those who wish to organise do not always have the opportunity to or interest in building a complete, formal organisation.'⁷⁶ Formal organisations with decision-making procedures are more exposed to contestation and criticism, as the decision itself signifies a deliberate choice for one of the available options, rather than an organic emergence of outcomes through opaque network interactions. In other words, limiting the *appearance* of a formal organisation can help evade accountability. It also provides opportunities for targeting decoupled discourses at specific external audiences, without it being perceived as coming from one organisation. Formal organisations facilitate establishing who is responsible, whereas in networks responsibility is highly 'diluted' where 'everyone or no one is responsible, which makes responsibility virtually irrelevant.'⁷⁷

Although there are formal legal organisational dividing lines separating the Commission and the international organisations under study, conceptualising them rather as one partial semi-integrated organisational structure first of all more accurately reflects the structured decision-making they actually produce but more importantly also reveals the need for more accountability. If indeed these 'technocratic implementers' are engrained in the political decision-making on EU funding, then the scrutiny inherent to the 'political' organisation should apply. This would mean more transparency and accountability on the processes of priority setting within international organisations on funding and projects, and their interactions with the EU institutions therein.

It is in these interactions that we see a blurring of accountability between, on the one hand the EU institutions, bodies and agencies and, on the other hand, the IOs. The EU can limit its exposure to scrutiny by pointing to the IO's implementation dynamics whereas, vice versa, IOs can point to EU institutions for having set certain problematic objectives and modalities for implementation. The formal organisational dividing lines between the two sides thus facilitate – at times – a certain degree of responsibility-shifting. At third country level, such as shown in the case of the EU-Morocco Mobility Partnership funding, the logic of responsibility-shifting can lead to serious challenges to gaining a comprehensive overview and understanding of EU funded and implemented projects.⁷⁸

75 *Ibid.*, emphasis original.

76 *Ibid.*, 87.

77 *Ibid.*, 91–92.

78 den Hertog 2016b.

The European Court of Auditors (ECA) found similar challenges in a recent Special Report on EU external spending on migration in various countries.⁷⁹ This is not an isolated phenomenon within the specific topic of this article. Rather, it echoes arguments made in the literature about similar responsibility-shifting and accountability-evading dynamics in EU (external) policies on migration and borders. These arguments have focused on Member States officials making use of EU venues to evade national constraints,⁸⁰ the 'shifting out' of policies (shifting internal policies into external relations) to avoid internal supranational EU rules,⁸¹ the dynamics of 'blame-shifting' between the EU border agency Frontex and Member States,⁸² as well as accountability evasion for the recent EU-Turkey 'deal'.⁸³ Although the EU legal framework subjects the EU institutions, bodies and agencies to democratic, judicial and financial accountability mechanisms, it is apparent that these mechanisms are in need of constant reiteration. The ECA is particularly vital in this field, as well as the European Parliament as part of the EU budgetary authority, and the European Commission that should allocate adequate human resources for monitoring and overview.⁸⁴

Conclusions

Whenever the EU 'goes abroad' to engage with third countries in the areas of migration, borders and asylum, the tried and tested strategy is to bring along funding for international organisations. This has gradually increased as the EU has developed its external migration policy⁸⁵ and has been radicalised recently under the 'refugee crisis' funding responses by the Commission.⁸⁶ This article has set out to question what the role of the international organisations is under the EU funding schemes for its external migration policies. As highlighted in the introduction, a common and often implicit assumption is that these organisations are the 'implementers' of this funding. Although that is an important element of their role, this article argues that their activities go much beyond implementation. Rather, they are active throughout the different phases of programming, management, implementation and evaluation of the EU funding cycle. This empirical finding holds implications for how we engage with this topic, for the conceptual and theoretical terms in the academic debate, and for how the public policy debate can come to grips with this growing area of public spending.

This article showed the co-existence of the 'company' and the 'political' organisational types for the organisations under study, creating tensions as they require opposing organ-

79 European Court of Auditors 2016.

80 Guiraudon 2000.

81 Lavenex 2006.

82 Rijpma 2010.

83 Carrera, den Hertog, and Stefan 2017.

84 den Hertog 2016c.

85 Lavenex 2015.

86 den Hertog 2016a; den Hertog 2016c.

isational principles. This is partially addressed by these organisations by ‘de-coupling’ organisational outputs to specific audiences and by specific organisational units. Moreover, this article argued the conceptualisation of the organisations and the Commission as one ‘partial’ semi-integrated organisational structure from an organisations theory perspective. The central point is that the Commission and these organisations form a relatively integrated and above all semi-organised structure for decision-making on external funding in this area. This blurs the dividing lines that formal legal organisational structures and the discourse around it aim to establish, namely that between the ‘political’ and the ‘technocratic’, or between the ‘funder’ and the ‘implementer’. In essence, this goes to the heart of our understanding of where the locus of decision-making is located, namely on the assumed political level, challenging conceptual assumptions about the delineation of roles in the funding process. More generally, this partial evidence from the funding cycle could stimulate a critical reconceptualization of the concept of ‘implementation’ in the literature on EU external migration policy. The rational and linear assumptions behind some of the ‘transfer’ or external ‘governance’ literature (see introduction) seem difficult to square with the partially integrated and transversally intersecting actors shaping policy – including funding.

This raises a number of questions from a transparency and accountability perspective on public policy. The decoupling of outputs is a way for the international organisations to remedy the tensions between the opposing organisational types and principles, but it results in challenges to transparency and to monitoring how money is spent where and by whom in the international organisations. More fundamentally, the blurring locus of decision-making between the Commission and the international organisations requires comprehensive review and scrutiny, based on conceptualising them as a partially integrated organisational structure. As the European Court of Auditors (ECA) has established in the past on this field, it is sometimes very difficult to follow audit trails and the European Commission does not always have a clear overview of what is funded and which objectives have been pursued.⁸⁷ The division of labour presented between EU programming and management on the one hand and organisations’ implementation on the other hand often serves as the background for the shifting of responsibilities as to who has the information on what is exactly funded and implemented. A similar conclusion has been found in the past by the ECA regarding the division of work in EU funds where the management and implementation is shared with the Member States.⁸⁸ As shown above, such responsibility-shifting and accountability-evading dynamics have been identified by the literature in the EU (external) migration and border policies more broadly. A comprehensive audit or study of the complete organisational structure shared between the Commission and the international organisations by actors such as the ECA or the European Parliament would thus be vital and could bring more financial transparency and accountability to this field.

87 European Court of Auditors 2016.

88 European Court of Auditors 2014.

References

- Ahrne, Göran, and Nil Brunsson. 2011. "Organization Outside Organizations: The Significance of Partial Organization." *Organization* 18 (1): 83–104.
- Ahrne, Göran, and Nils Brunsson. 2005. "Organizations and Meta-Organizations." *Scandinavian Journal of Management* 21: 429–49.
- Barnett, Michael N, and Martha Finnemore. 2010. "The Politics , Power , and Pathologies of International Organizations." *International Organization* 53 (4): 699–732.
- Brunsson, Nils. 1986. "Organizing for Inconsistencies: On Organizational Conflict, Depression and Hypocrisy as Substitutes for Action." *Scandinavian Journal of Management Studies* 2 (3–4): 165–85.
- . 1994a. "Politicization and Company-Ization, on Institutional Affiliation and Confusion in the Organisational World." *Management Accounting Research* 5: 323–35.
- . 1994b. "Politicization and 'Company-Ization' - on Institutional Affiliation and Confusion in the Organizational World." *Management Accounting Research* 5: 323–35.
- . 2002. *The Organisation of Hypocrisy - Talk, Decisions and Actions in Organisations*. 2nd ed. Abstrakt Liber, Copenhagen.
- Carrera, Sergio, Leonhard den Hertog, and Marco Stefan. 2017. "It Wasn't Me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal." *CEPS Policy Insights*, no. 15.
- Commission. 2015a. "Commission Decision of 24.11.2015 on the Coordination of the Actions of the Union and of the Member States through a Coordination Mechanism - the Refugee Facility for Turkey - C(2015) 9500 Final." Strasbourg.
- . 2015b. "The European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa - Strategic Orientation Document." Brussels.
- Commission, and Spain. 2015. "Agreement Establishing the European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa, and Its Internal Rules." La Valetta.
- den Hertog, Leonhard. 2016a. "EU Budgetary Responses to the 'Refugee Crisis' - Reconfiguring the Funding Landscape." *CEPS Papers in Liberty and Security in Europe*, no. 93.

———. 2016b. “Funding the EU-Morocco ‘Mobility Partnership’: Of Implementation and Competences.” *European Journal of Migration and Law* 18: 275–301.

———. 2016c. “Money Talks: Mapping the Funding for EU External Migration Policy.” *CEPS Papers in Liberty and Security in Europe*, no. 95. Brussels.

El Qadim, Nora. 2015. *Le Gouvernement Asymétrique Des Migrations. Maroc/Union Européenne*. Paris: Dalloz.

European Court of Auditors. 2014. “The External Borders Fund Has Fostered Financial Solidarity but Requires Better Measurement of Results and Needs to Provide Further EU Added Value.”

———. 2016. “Special Report No 9/2016 - EU External Migration Spending in Southern Mediterranean and Eastern Neighbourhood Countries until 2014, Together with Replies of the Commission.” Luxembourg.

Geiger, Martin. 2012. “Mobility, Development, Protection, EU-Integration! The IOM’s National Migration Strategy for Albania.” In *The Politics of International Migration Management*, edited by Martin Geiger and Antoine Pecoud, 141–59. Basingstoke: Palgrave Macmillan.

Georgi, Fabian. 2012. “For the Benefit of Some: The International Organization for Migration and Its Global Migration Management.” In *The Politics of International Migration Management*, edited by Martin Geiger and Antoine Pecoud, 45–72. Basingstoke: Palgrave Macmillan.

Guiraudon, Virginie. 2000. “European Integration and Migration Policy: Vertical Policy-Making as Venue Shopping.” *JCMS: Journal of Common Market Studies* 38 (2): 251–71.

Hess, Sabine. 2012. “‘We Are Facilitating States!’ An Ethnographic Analysis of the ICMPD.” In *The Politics of International Migration Management*, edited by Martin Geiger and Antoine Pecoud, 96–118. Basingstoke: Palgrave Macmillan.

IOM. 2015. “Assisted Voluntary Return and Reintegration - 2015 Key Highlights.” Geneva.

———. 2016. “Programme and Budget for 2017.” Geneva.

Korneev, Oleg. 2013. “EU Migration Governance in Central Asia: Everybody’s Business – Nobody’s Business?” *European Journal of Migration and Law* 15 (3): 301–18.

Lahav, Gallya, and Virginie Guiraudon. 2006. "Actors and Venues in Immigration Control: Closing the Gap between Political Demands and Policy Outcomes." *West European Politics* 29 (2): 201–23.

Lavenex, Sandra. 2006. "Shifting up and out: The Foreign Policy of European Immigration Control." *West European Politics* 29 (2): 329–50.
doi:10.1080/01402380500512684.

———. 2015. "Multilevelling EU External Governance: The Role of International Organizations in the Diffusion of EU Migration Policies." *Journal of Ethnic and Migration Studies* 9451 (November). Taylor & Francis: 1–17.

Lipson, M. 2007. "Peacekeeping: Organized Hypocrisy?" *European Journal of International Relations* 13 (1): 5–34.

Reslow, Natasja. 2012. "The Role of Third Countries in EU Migration Policy: The Mobility Partnerships." *European Journal of Migration and Law* 14: 393–415.

———. 2015. "EU 'Mobility' Partnerships: An Initial Assessment of Implementation Dynamics." *Politics and Governance* 3 (2): 117.

Rijpma, Jorrit J. 2010. "Frontex : Successful Blame Shifting of the Member States ? (ARI)." *Regulation* 1 (2007): 1–6.

Siegfried, Kristy. 2016. "How Will Joining the UN Change IOM?" Oxford: IRIN.
<https://www.irinnews.org/analysis/2016/08/12/how-will-joining-un-change-iom>.

Singleton, Ann. 2016. "Migration and Asylum Data for Policy-Making in the European Union: The Problem with Numbers." *CEPS Papers in Liberty and Security in Europe*, no. 89.

Trauner, Florian, and Sarah Wolff. 2014. "The Negotiation and Contestation of EU Migration Policy Instruments: A Research Framework." *European Journal of Migration and Law* 16 (1): 1–18.

Wagner, Martin, Paul Baumgartner, Rebecca O'Donnell, Albert Kraler, Jimmy Perumadan, Jan Hagen Schlotzhauer, Ivana Simic, and Dersim Yabasun. 2016. "The Implementation of the Common European Asylum System (Requested by the LIBE Committee, Commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament)." Brussels: European Parliament.

Wunderlich, Daniel. 2012. "The Limits of External Governance: Implementing EU External Migration Policy." *Journal of European Public Policy* 19 (9).