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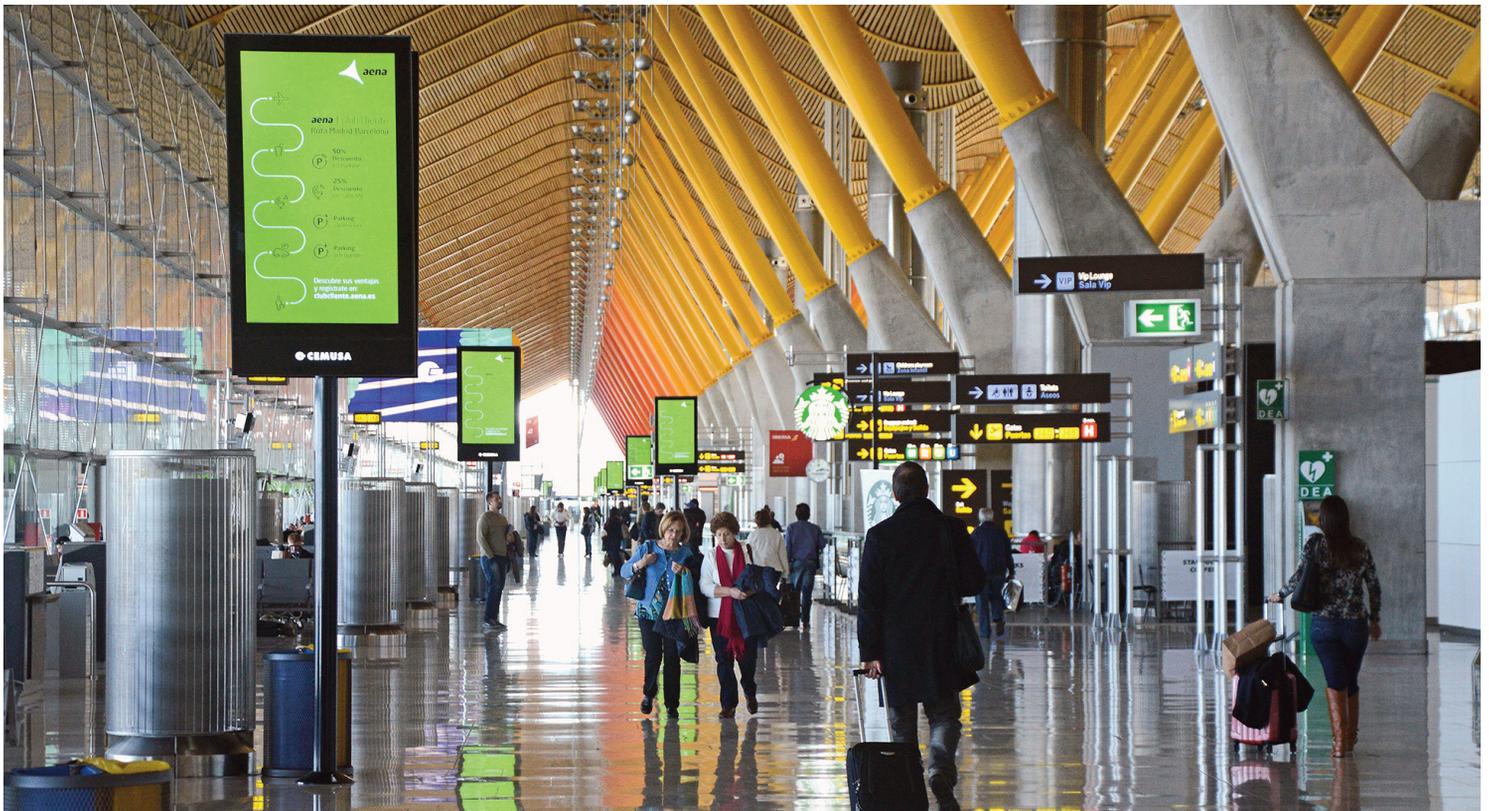
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## PARTNERING FOR MIGRATION ACROSS THE MEDITERRANEAN: The way forward

Clara Alberola<sup>1</sup>

### Introduction

In the framework of its Global Approach on Migration and Mobility (GAMM), the EU has signed nine mobility partnerships with countries from its Southern and Eastern neighbourhood. Among these, three have been signed with southern neighbours: Morocco (2013), Tunisia (2014) and Jordan (2014). While the Mobility Partnerships (MPs) have

<sup>1</sup> Maastricht University Graduate School of Governance (MGSoG), c.alberola.crepe@gmail.com



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been relatively successful as a framework for bilateral migration management between the EU and its eastern neighbours, the same does not apply yet to its southern neighbours.

Five years after the signature of the MPs with Morocco, Tunisia and Jordan, the achievements remain very modest. Rather than promoting mobility across the region, a number one priority in all MPs, the MPs have been used as yet another tool for EU cooperation on security and stability in recipient countries (Abderrahim, 2019). This brief provides an analysis and a critical assessment of the MPs and tries to understand how migration cooperation with Mediterranean partners could be improved.

Mixed migration across the Mediterranean is a long-lasting trend which needs a comprehensive policy framework. However, there is currently little or no clear regional or multilateral governance framework to regulate migration across the region. In this brief, we argue that the Mobility Partnership's 'one-size fits all' and securitized approach to migration cooperation can be counter-productive. If new MPs are to be agreed with other Mediterranean partners (eg. Lebanon and Egypt), these ought to be adjusted to meet the needs, demands and resources of all parties.

## Background and analysis

### A framework for migration cooperation

The mobility partnerships *are a key* tool within the broader framework of the EU's Global Approach to Migration and Mobility (GAMM) of 2011. The MPs are aimed at "*identifying novel approaches to improve the management of legal movement of people*". The MPs rest on four work pillars; (1) regular migration channels, (2) the migration-development nexus, (3) the fight against irregular migration and border security and (4) international protection.

The existing MPs with the three Arab states were signed before the so called "migrant crisis" in the Mediterranean. Other initiatives and frameworks on migration management in the Mediterranean were designed later on such as the Valletta summit on migration (2015) and the creation of the 5+5 Dialogue on Migration in the Western Mediterranean (2016). Therefore, the MPs are not the only tools for migration cooperation between the EU and the southern Mediterranean states on migration issues.

Signing a Mobility Partnership also involves the implementation of two ad hoc agreements: a Visa Facilitation Agreement (VFA) and a Readmission Agreement (RA). VFAs between one or several EU Member States and a non-EU state are aimed at facilitating the issuance of short term visas (no longer than three month stays) to citizens from non-EU states. On the other hand, Readmission Agreements are aimed at establishing rapid and effective procedures for the identification and safe return for persons who no longer fulfil the



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conditions for entry or residence in EU Member States. The partner country ought to readmit its own citizens, as well as third-country who entered the EU via that partner country. As we develop in the next sections, agreement over a VFA is often conditional to the implementation of RAs.

## **Why having Mobility Partnerships with southern neighbourhood states is a good idea?**

The MPs are a non-binding cooperation framework signed between the EU, several EU Member States and a third-country. Hence, these are a bilateral instrument for migration cooperation between a group of EU Member States and a specific partner country. This configuration is well fitted for partnerships between the EU and individual Middle East and North Africa (MENA) countries. Indeed, the MENA region is known as a highly diverse region on many levels; regime type, economies, labour markets, emigration and immigration patterns all differ substantially from country to country.

With the MP, each partner country establishes, in principle, a more direct channel of communication with the EU and its Member States to express its own priorities and demands on migration issues. Conversely, the groups of Member States who are involved in an MP with a specific partner country can more easily tailor their migration policy approach to each partner. The MP also allows the Member States to pool their initiatives and resources for a more efficient migration cooperation with partner countries (Reslow & Vink, 2015).

The idea of a Mediterranean regional governance framework dedicated to migration - both regular and irregular - is a necessary yet ambitious one. In the context of cross-Mediterranean migration, starting by setting up tailored Mobility Partnerships with individual MENA countries is a more pragmatic approach and perhaps a first step towards a regional migration management framework.

## **What are the main challenges to the implementation of the MPs?**

### **An unfavourable political context**

The signature of the MPs with Morocco, Tunisia and Jordan was quickly overshadowed by the peak of mixed migration crossings through the eastern and central Mediterranean. These were triggered, among other factors, by the continuing crisis in Syria and in Libya, which reinforced the tendency of EU decision makers to perceive migration as a security threat rather than as an opportunity. Hence, the first and second objectives of the MPs - strengthening legal mobility and harnessing the development effects of migration- have been relegated to the background. Projects and funding under the umbrella of the MP mainly focus on border protection and the fight against irregular migration.



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In 2012, migration scholar Jean-Pierre Cassarino asked to what extent the uprisings for democratisation would constitute “*a more profound crisis of the EU's repressive migration policy that will eventually lead to a breakthrough of the comprehensive approach officially endorsed*” (2012: 285). The answer is negative. Instead, following the Arab uprisings, the EU adopted an even harsher and securitized approach to migration. Indeed, the migration crisis is often perceived as a direct result of the Arab uprisings. The association is often made in the case of Syria, where the war that followed the uprisings led nearly six million Syrians to flee their country, among which one million people have reached EU shores. In parallel, the civil war context in Libya favoured the development of smuggling and trafficking networks throughout the country. Altogether, the crisis that followed some of the uprisings did not lead to reconsideration of the EU repressive migration policy. Rather, it reinvigorated the EU's securitized approach to Mediterranean migration.

## Conditionality and power asymmetries

Analysts have been critical about the MPs, arguing that the agreements co-opted states into EU unidirectional migration governance instruments. The MP did not emerge from a joint interest, rather, it came as a proposal of the EU to its southern neighbours. This very much limits the ownership of southern partners on this instrument (Abderrahim, 2019). Furthermore, the southern partners have signed the MPs at a time of fragility and political uncertainty, at which their negotiating power with the EU was low, which led to very unbalanced agreements (Liman & Del Sarto, 2015).

As mentioned earlier, with the MPs, the visa facilitation agreement (VFA) is conditional on the signature and implementation by partner countries of the readmission agreement (RA) for nationals and third country nationals. In that sense, mobility partnerships are often viewed as reflecting asymmetric power relations; development aid and visa policies are made conditional upon the cooperation by third-countries with the EU's agenda on migration control (Seeberg, 2017; Tittel-Mosser, 2018).

Such “tit for tat” agreements create mistrust and make the MPs unattractive to other southern partners. From the perspective of south-Mediterranean states, the MPs reflect a strong insecurity from the EU and a control oriented approach. The gain for them is only restricted and highly selective labour immigration to the EU (Carrera et al., 2016).

## Lessons from the MP with Morocco

Morocco was the first southern partner to which an MP was proposed. Since 2014, negotiations on the Readmission Agreement are stalled, despite more proposed funding and incentives. In fact, in light of recent reports, practitioners wonder if the implementation of such agreement can adequately provide protection for third-country' migrants in readmission (Carrera et al, 2016). The “more-for-more” approach of the EU and pressure to sign the EURA has alienated Morocco rather than brought it closer to work within the MP (ibid.).



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Activities within the MP in Morocco have been mainly related to border management and the creation of a framework for international protection. According to stakeholders, cooperation and capacity building on border management has been fruitful, in particular due to the proactive role of Spain (Carrera et al., 2016). On the contrary, activities related to international protection have had little impact. Unsurprisingly, activities related to the fight against irregular migration and border management have strong political support and are very well funded.

However, the case of Morocco also shows that third countries can develop a strategic position and acquire negotiation power. It is worth noting that the MP did have a positive effect on Moroccan national legal framework on migration. Indeed, EU Member States supported the implementation of a new "national immigration strategy" (NSIA), through the implementation of the Mobility Partnership (Tittel-Mosser, 2018). The NSIA was not initially foreseen in the MP activities; Morocco hence used 'reversed conditionality' to leverage assistance through the MP.

## **Mobility Partnerships with southern neighbours: the way forward**

The objectives of the MPs with Morocco, Tunisia and Jordan are to strengthen legal migration channels, to ensure the protection of refugees and Internally Displaced Persons (IDPs), to harness the development potential of migration and to further combat irregular migration. To achieve these objectives, the three MPs could be revitalized, priorities reconsidered and the implementation structure reviewed. Migration management across the region can work better if a partnership is achieved on an equal footing, whereby the needs and demands of all parties are taken into account. If the Mobility Partnerships are to be expanded to new countries -talks have begun with Lebanon and Egypt-, policy makers need to make sure that the new MPs will be tailored to the expectations and resources of the three stakeholders in the agreement.

If pressure to accept EURAs and emphasis on irregular migration continue to form the foundation for the partnership, it might be somewhat difficult from the side of the southern Mediterranean states to sign an MP (Seeberg, 2017). For Mobility Partnerships to become one of the main governance instruments on cross-Mediterranean migration, these ought to be adjusted for more reciprocity and effectiveness.

Importantly, Mobility Partnerships with Mediterranean states will move forward if these are reframed in a post crisis scenario (Zardo & Abderrahim, 2018). Oftentimes, migration from Mediterranean neighbours is perceived as a crisis rather than as a long-lasting and constructive trend. The MPs are meant to be long-lasting cooperation frameworks that function beyond the urgency of crisis situations and forge sustainable policies and practices. In order to achieve the latter, we propose the following recommendations.



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- Reassessing priorities and expectations within the Mobility Partnerships:
  1. If new MPs are to be signed with Mediterranean states, certify that there are sufficient shared interests which all stakeholders can collaboratively pursue before the signing of a Joint Declaration and engage in expectation management on legal migration opportunities. Avoid the systematic reproduction of the “Model Joint Declaration” which often does not match the context of a particular MP.
  2. In order to manage expectations and provide a more accurate follow-up of the MPs, establish key baseline indicators and quantifiable objectives for each of the priorities.
  3. States like Tunisia have expressed their willingness to pursue efforts to facilitate youth mobility beyond the highly skilled categories. This request falls into the first work pillar of the MPs “regular short term labour and study migration”. Beyond activities related to border management and international protection capacity building, EU stakeholders should recognize this demand and, when possible, redirect resources towards the achievement of this objective.
  4. Learn and adapt good practices found in previous MPs. For instance, in the implementation of the VFAs, stakeholders can adopt a harmonised list of supporting documents when applying for short-stay visas as included in the VFA scheme with Ukraine or establish a common application centre as suggested in the Moldovan scheme (Zardo & Abderrahim, 2018)
  
- Reviewing and adapting the implementation structure of the MPs:
  5. Adopt a long-term and decentralized approach. Activities under the MPs should preferably be long-term programs rather than short-term individual projects. These long-term programs can have more sustainable effects if they involve not only national stakeholders but also regional and municipal actors of the partner countries.
  6. Oftentimes, EU Member States involved in each MP rely on initiatives of the European Commission rather than take a proactive role themselves. This was not the case of Morocco, where Spain played a proactive role and managed to reinvigorate the MP to come closer to some of its goals. Therefore, new MPs with Mediterranean partners ought to find mechanisms to enhance the participation of all signatory Member States.
  7. To enhance ownership of the MPs on the partner’s side, a large part of activities ought to be managed by partner country actors through budget support rather than systematic project assistance by EU experts.
  8. Encourage international organisations and EU agencies, as well as Non-Governmental Organization (NGOs) and universities in Member States to play a larger role in implementing the MPs and addressing the self-identified needs of partner countries. Additionally, clarify the role of EU Delegations in implementing the MP and properly equip them to do so.



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