

EUROPEAN POLICY BRIEF



THE EU'S MIGRATION, ASYLUM AND MOBILITY POLICIES IN THE MEDITERRANEAN

This MEDRESET Policy Brief summarizes the findings of MEDRESET's WP7 on migration, mobility and asylum in the Mediterranean and identifies policy implications.

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INTRODUCTION

Migration, asylum and mobility represent an increasingly contentious field of governance in Euro-Mediterranean relations. In the Mediterranean area, cooperation in this policy field has long been characterized by fundamental divergences of interests and approaches, not only between the northern and southern shores of the Mediterranean, or between (predominantly) sending, transit and receiving countries, but also among institutional and civil society actors on both sides of the Mediterranean.

MEDRESET Work Package 7 (WP7) was aimed: firstly, at developing a deeper knowledge of the diverse perceptions and priorities of different stakeholders with regard to migration; secondly, at evaluating the EU's policies and role in the field of migration, mobility and asylum in the southern and eastern Mediterranean (SEM) region from the viewpoint of grassroots actors, at both the local and the EU level; and thirdly, at formulating a set of policy recommendations that reflect the perspective of civil society stakeholders, especially from SEM countries, with the purpose of innovating the governance of migration in the Mediterranean.

By adopting a non-Eurocentric approach, and based on extensive empirical research, WP7 found that the EU's discourse in the migration policy field is informed by two dominant frames – unilateralism and securitization – which translate into largely Eurocentric, securitizing and conditionality-based policies and practices. Moreover, WP7 found that, despite the existence of country-specific issues and different migration policy agendas in the Maghreb and the Middle East, SEM stakeholders in the four target countries (Lebanon, Morocco, Tunisia and Turkey) share a common perception of EU migration policies as abusively and inappropriately restrictive and ineffective, elaborated in a unilateral way and imposed through unbalanced power relations. With a

high level of consensus among themselves, they recommend that the EU radically change its approach to Euro-Mediterranean relations and to migration governance in particular, in order to make it less Eurocentric and security-oriented, and more inclusive, balanced and responsive.

This policy brief describes, firstly, how stakeholders perceive the Mediterranean space and EU practices in it, and, secondly, which alternative policies they recommend.

EVIDENCE AND ANALYSIS

The representation of the Mediterranean space

Interviews conducted in the four SEM countries indicated that, when framing migration-related issues, local stakeholders do not conceive the “Mediterranean space” as a single, unified space encompassing European, North African and Middle East countries. In interviews conducted in Tunisia and Turkey in particular, the Mediterranean emerged as the space between the country (Tunisia or Turkey) and Europe, where “Europe” is often not intended as the EU-27 (i.e., as a single space), but as southern Europe, or as one or more southern European countries specifically (thus, with a focus on receiving countries in the Mediterranean).

This obliteration of the Mediterranean as a single and common space and its reduction to the space between Europe and a given SEM country has produced a multiplicity of “bilateral Mediterraneans”. In term of policies, this translates into a fragmentation of the non-EU political space and the “bilateralization” of cross-Mediterranean relations. This shift from a multilateral to a purely bilateral approach in the EU’s relations with its southern neighbours was confirmed also by EU institutional representatives.

Some civil society actors in SEM countries (especially in Tunisia) lamented also the lack of South–South regional cooperation, especially in the migration policy field. As pointed out by SEM stakeholders, without a macro-regional vision the Mediterranean is condemned to be an arena for control and risk-reduction policies rather than a space of opportunities.

Evaluation of EU policies in the field of migration, mobility and asylum

The research conducted has highlighted that at the present moment in the field of migration there are two separate policy agendas in the Mediterranean: one in the Maghreb and one in the Middle East. As exemplified by our case studies, the Maghreb agenda (Morocco and Tunisia) is more differentiated and comprehensive, and includes a wider range of issues (i.e., emigration of own nationals to Europe, immigration of sub-Saharan migrants, presence of refugees); conversely, the Middle East agenda (Lebanon and Turkey) is currently focused on one predominant issue (i.e., Syrian refugees) while other migration-related issues have been de-prioritized. This duality in migration policy agendas is a relevant element to be taken into account when evaluating EU policies.

As concerns female migration, this can be considered as a “non-issue” in the migration policy agenda of all the SEM countries researched, as it was almost completely neglected by both institutional and civil society actors, with only a few exceptions among feminist scholars and representatives of women’s associations. The fact that female migration is not thematized as an issue is reflected in the lack of gender-specific migration policies.

The evaluation of EU policies that follows is structured around the three-dimensional analytical framework of the MEDRESET project – focusing on instruments, actors and substance.

Instruments

SEM stakeholders highlighted the pros and cons of the main policy instruments adopted by the EU to implement its migration policies in the Mediterranean. Stakeholders in Lebanon and Turkey

focused mainly on the limits of EU-funded projects and EU funding mechanisms, with regard to refugee-related projects. In particular, they observed problems relating to the inefficient use of resources, overlapping of projects and over-emphasis on certain contexts and target populations.

Conversely, the main concern of stakeholders in Morocco and Tunisia was how European migration policy instruments, and especially Mobility Partnerships, are affected by the EU's securitizing approach. Civil society actors claimed that the policy instruments and initiatives that have been adopted so far, or that are currently under negotiation (including Mobility Partnerships, European readmission agreements, Visa Facilitation Agreements, the EU–Turkey Statement, etc.) are clearly informed by a security-oriented approach and may only bring short-sighted, partial and temporary solutions, because in practice they do not (sufficiently) broaden regular ways of reaching Europe. Even the EU Facility for Refugees in Turkey and the EU Emergency Trust Fund for Africa are deemed to be negatively affected by the EU's predominant securitizing approach. As concerns Mobility Partnerships, Moroccan and Tunisian stakeholders emphasized that if on the one hand they are useful for policy dialogue, inter-institutional coordination and information exchange, on the other hand they have so far brought only limited tangible benefits to South-Med countries, especially in terms of additional mobility and labour migration opportunities.

Actors

SEM stakeholders evaluated the role played by several actors directly or indirectly involved in migration policy-making and implementation of migration policies in the Mediterranean area, including the EU and its member states, SEM governmental actors and local civil society organizations (CSOs). Here are the key points that emerged.

The European Union and its member states

SEM stakeholders tended to identify the EU and European countries as the key actors in the migration policy field in the Mediterranean, whereas the role played by other state actors (including global, regional and emerging powers) was barely mentioned. Despite its key role, the EU was criticized for sometimes being a contradictory and inconsistent interlocutor. According to SEM stakeholders, this is due to structural problems relating to the EU institutional framework, resulting in a lack of coordination among different EU institutions and even among different departments within the same institution. With regard to relations between the EU and its member states, civil society stakeholders highlighted the existence of tensions between the European and national levels of policy-making, in particular as concerns asylum, readmission and legal migration policies.

Governmental actors in SEM countries

National governments were blamed for the lack of policies and/or ineffectiveness of existing policies, poor inter-institutional coordination, and lack of transparency. Stakeholders in Turkey highlighted also the lack of coordination mechanisms between the central and local levels of government and administration.

CSOs in SEM countries

The majority of local civil society organizations complained about the lack of a truly participatory decision-making process and expressed their wish to actively participate in migration policy-making. While most CSOs in Morocco (especially migrant associations) have taken a more radically antagonistic stance towards the EU and the national government (which reveals also a higher level of politicization of the issue), the most influential Tunisian CSOs have displayed a cooperative attitude, valuing the opportunity of being involved in negotiations with the EU, and demonstrating that migration in Tunisia is very little politicized.

However, it emerged that not all types of local CSOs are involved in the dialogue with the EU or in the implementation of EU-funded projects. Usually those involved are part of international NGO networks, have strong links with Europe, professional staff, and the administrative skills and know-how to access and manage EU funding. On the other hand, smaller genuinely local grassroots CSOs, whose international network is limited (if not completely absent) and whose activity is largely based on voluntary work, struggle to be involved in policy-making and consultations with institutional actors (and they face difficulties in accessing international funding).

Substance

As concerns the substance of the EU migration policy in the Mediterranean, SEM stakeholders emphasized the ineffectiveness of the EU's Eurocentric and security-oriented policies. Such an approach is focused on European interests (either security- or economy-related) while neglecting SEM countries' priorities and needs. This results in a lack of ownership on the part of SEM stakeholders, which impacts on policy effectiveness. There was wide convergence among all SEM stakeholders on the negative implications of increasingly restrictive, preventive and control-oriented migration management policies, as well as the ineffectiveness of such measures in the long term. Moroccan and European civil society actors stressed specifically the negative impact that this security-oriented approach has on development policies, as the securitization of the migration–development nexus goes against the goal of tackling the root causes of migration.

SEM stakeholders highlighted that these policies have a negative impact on human security and rights protection, and affect both the EU's credibility as a human rights champion and the development of a sound rights-based approach to migration and asylum in SEM countries. According to civil society actors, the EU's response to the 2015 "migration crisis" legitimized the idea that not fully respecting international legal standards could be justified for the sake of achieving control-oriented policy objectives. This could have long-lasting negative effects for non-European countries, where migration and asylum systems are poorly developed and the concept of asylum as an internationally inscribed human right and state obligation is not consolidated. The bad example set by the EU also weakens the hand of local CSOs, as they can no longer push their national governments based on the need to align with European standards.

Moreover, civil society actors (especially in Morocco and Turkey) criticized the instrumentalization of migration, international protection and humanitarian aid through these issues being turned into matters of political and financial bargaining by countries on both sides of the Mediterranean. The most critical stakeholders (especially CSOs and African migrants' associations in Morocco) highlighted also how post-colonial domination relationships affect the governance of migration.

POLICY IMPLICATIONS AND RECOMMENDATIONS

To increase the effectiveness of EU policies in the Mediterranean, the interviewed stakeholders proposed the following improvements in terms of instruments, actors and substance.

Instruments

EU policy instruments adopted so far are largely informed by a compartmentalized approach to different policy areas; however migration cuts across different policy areas and involves political, security and socio-economic issues. EU cooperation with SEM countries should thus be based on truly integrated and comprehensive policy instruments, which may allow for a greater coordination among cooperation policies in different fields. In addition, EU policy instruments should reflect a less Eurocentric and top-down approach to cooperation in the migration policy field and more equal and balanced relations between the two shores of the Mediterranean.

Furthermore, the EU should improve its strategic planning of projects. In order for EU-funded projects to be effective, they should focus on the needs identified by local actors through a bottom-up process; their duration should correspond to the identified needs, and their sustainability should be guaranteed through continuous funding. In order to avoid project overlapping and unequal distribution of funds, the EU should improve coordination with other international and local actors involved in project funding or implementing. Moreover, EU-funded projects should not be addressed to migrants or refugees only, but should target the broader local community more systematically.

Actors

A request has emerged for an increased involvement of civil society actors and social partners on both shores of the Mediterranean in migration policy-making and negotiations with the EU. Such a cooperative governance of migration could be developed in different areas, ranging from legal migration to asylum seekers' reception and resettlement, migrant integration, short-term mobility and visa policy.

However, when considering the possibility of more participatory forms of migration governance, local actors in SEM countries shared a common concern. They observed that the consultation and involvement of SEM civil society actors on the part of the EU has so far resulted in the establishment of dialogue and cooperation with a certain type of stakeholders only. This consists of relatively big and well-established CSOs, which have strong ties with international and European stakeholders, and often benefit from the EU's financial support. The genuinely local grassroots organizations – which are less organized and resourceful, have a limited international profile (or none at all), and are often unable or unwilling to access EU funding – are generally neither involved nor consulted by EU institutions. This is what happens for instance in the case of Tunisia, which is instead considered by EU institutions as an experimental model of participatory decision-making. However, grassroots organizations are locally well embedded and may have deeper knowledge of the local context compared to international NGOs (INGOs) and international organizations (IOs). Therefore, their active involvement in both policy-making and implementation represents a key factor contributing to policy effectiveness.

Substance

The EU and European countries should broaden and diversify authorized ways of migration and mobility, so as to cover international protection, labour migration for both high- and low-skilled workers, and migration with other motivations. Some concrete examples are: increasing resettlement quotas; opening humanitarian corridors; expanding multi-entry, job-search and study visas; broadening the scope of family reunification; and setting up additional legal pathways to enter Europe on a temporary or circular basis (e.g., seasonal and short-term migration schemes). Stakeholders stressed in particular the need to improve the governance of (a globally sustainable) labour migration, through policies that are not focused on highly qualified workers only and do not ignore the development needs of countries of origin.

As concerns international protection, the EU should invest in fairer responsibility-sharing mechanisms. The engagement of European countries cannot be limited to financial transfers to hosting countries like Turkey and Lebanon, but should include permanent large-scale resettlement mechanisms. NGO- and charity-led resettlement programmes, such as the Mediterranean Hope humanitarian corridors in Lebanon, are successful initiatives that could be replicated and enlarged. However, such small-scale and targeted measures are insufficient. In addition, the EU should consider complementary pathways to traditional resettlement, such as granting private sponsorships and work or study visas to UNHCR-recognized refugees. Further, resettlement schemes need to be combined with pre-departure training programmes and matching mechanisms that take into account the refugee's family ties and skills–labour market match.

In the field of asylum, the EU and its member states should also provide additional support and financial resources towards the establishment of a proper asylum seekers' reception system in non-European countries and should assist these countries in enhancing their integration capacities. However, South-Med stakeholders unanimously stressed that this does not mean that they are going to accept European projects of outsourcing refugee status determination (or pre-determination) procedures to their territory.

EU cooperation with SEM countries needs to reprioritize human rights protection, international legal standards and principled stances, which have been significantly overshadowed on the one hand by restrictive policies and securitized discourses, and on the other hand by an approach that is perceived as downgrading international protection to the level of a discretionary favour. This is of uttermost importance in order to foster the development of rights-based migration policies in SEM countries, and to strengthen local civil society actors' ability to pressure their governments to comply with international legal standards.

European civil society actors recommended that the EU make its migration cooperation policies truly gender-sensitive. The EU's action should not be limited to the implementation of ad hoc female-specific projects, which in most cases address the issue of human trafficking only. In the area of migration, the EU is expected to have an overall structural gender policy, addressing different aspects of female migration in a comprehensive way and in a long-term strategic perspective. EU policies and discourse should also avoid the victimization of female migrants, thereby contributing to a recognition of their agency and role in the host society.

RESEARCH PARAMETERS

The overall MEDRESET methodology is based on a non-Eurocentric approach and aims to move away from the marginalization of South-Med (especially grassroots) perspectives. In order to do so, the MEDRESET project adopted an innovative methodology based on recursive multi-stakeholder consultations. In the framework of WP7 we pursued an initial round of stakeholder consultations in Lebanon, Morocco, Tunisia and Turkey; these were based on a concept paper and a relatively open questionnaire. Based on four interim reports (one per country) summarizing the local stakeholders' imaginary of the Mediterranean, their framing of migration and their evaluation of EU migration policies and practices, we formulated hypotheses and a more structured and detailed questionnaire for the second round of interviews with SEM stakeholders. This questionnaire was administered also to European institutional and civil society stakeholders, who were invited to react and position themselves with reference to structured inputs coming from SEM stakeholders. In this way the empirical research carried out within MEDRESET has been able to reverse the ordinary Eurocentric approach by which the perceptions and priorities of South-Med "partners" are included in the picture only marginally and a posteriori.

In the framework of WP7, a total of 125 interviews were conducted with 137 stakeholders. A total of 119 interviewees were involved in Lebanon, Morocco, Tunisia and Turkey in two interview rounds (91 in the first round and 28 in the second), and 18 in Europe in one round only. Among interviewees there were 78 men and 59 women; the men/women ratio varied significantly in different SEM countries. Interviewed stakeholders in SEM countries included mainly civil society actors who work or deal with migration- and asylum-related issues and are to some extent involved in migration policy-making (including also organizations working more broadly on economic, political and social rights, women's rights, etc.). These were: representatives of local CSOs, NGOs, migrant associations and activists; representatives of social partners (trade unions and employers' associations); local migration scholars and experts; and representatives of INGOs with operational offices in SEM countries. A more limited number of interviews involved institutional stakeholders – i.e., SEM governmental actors and public institutions (except in Turkey), as well as IOs operating in the researched countries. Interviewed stakeholders in Europe included: representatives of EU institutions (the European Commission DG HOME, the European External Action Service, the Cabinet of the High Representative of the Union for Foreign Affairs, and the European Training Foundation); representatives of European, international and transnational NGOs, trade unions and IOs working in the field of migration and/or asylum; and European migration scholars, experts and think-tank members.

PROJECT IDENTITY

PROJECT NAME

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