

Mobility Partnerships and the EU, Part I: Where are we regarding implementation and what will be the consequences?

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News:

The Task Force Mediterranean has started its work implementing the EU Mobility Partnerships (MP) with Morocco and Tunisia. This can be seen in a EU-Commission statement (of May, 23, 2014).

Keywords:

Mediterranean Politics, Mobility Partnership, Migration, Egypt, Jordan

Analysis:

The news did not exactly hit the media front pages, but none the less it is worth noticing, that the work has started. From the point of view of the EU, the MPs should be understood as a tool for the EU's 'Global Approach to Migration and Mobility' (GAMM; the official and common EU policy concerning migration) and the EU has since 2007 been trying to negotiate and implement so-called Mobility Partnerships (MPs) with countries south of the Mediterranean and in the Caucasian region. Since 2007 MPs have been signed in the Caucasian region with Armenia, Azerbaijan, Cape Verde, Georgia and Moldova, in the Mediterranean region – as mentioned – with Morocco and Tunisia.

The MP with Tunisia was signed 3 March 2014, following the signing of a similar agreement with Morocco in June 2013. Besides these two agreements negotiations on MPs take place with Jordan. Egypt has twice refused to enter negotiations and regarding other Arab states negotiations haven't started. It has been claimed that the MP-agreements are unbalanced and not seen as particularly attractive by the Arab partners. Furthermore it seems that Morocco and Tunisia both only reluctantly have accepted the MPs, more or less as a result of economic and political pressure from the EU.

Given the EU's well-known preoccupation with security in the context of migration there is hardly any doubt, that the Arab uprisings from early 2011 were followed very closely by the European political leaders. The dramatic and unforeseen developments in Tunisia, Egypt, Libya, Syria and Yemen did, seen from the European side of the Mediterranean, represent interesting new perspectives and challenges, which might lead to democratic progress in a conservative and static Middle Eastern region. But they also represented a potential threat related to migration, if the changing realities in one or several of the Middle Eastern countries went out of control and led to large scale population movements, refugee crisis situations etc., as it has been the case in Libya during the fighting against Qadhafi and in Syria the last three years.

Taking the joint declaration, establishing a Mobility Partnership between Morocco and the EU, as a point of departure, three different types of migration related issues can be identified. The first type is related to legal migration, issuing of visas etc. It is noticeable, that the wording of this section is relatively positive, aiming at making things work. Under the heading "Mobility, legal immigration and integration" the common interest in ensuring "more fluid mobility between the EU and Morocco" is mentioned. Furthermore an ambition of making it easier for "Moroccan vocational trainees, students, academics, researchers and businessmen and women to enter and stay in the EU member states" is brought forward (EU-Council, 2013: 5).

The next section deals with combating illegal migration, people-smuggling and border management. The commonality of interests between the signatories is

emphasized by referring to “the mutual benefit of both parties and in compliance with the existing reciprocal obligations between Morocco and the EU Member States” (EU-Council, 2013: 6). A keyword in this section is readmission, especially related to third-country nationals. Furthermore this part of the document focuses on support for Moroccan efforts in order to prevent and combat illegal migration, trafficking, smuggling of illegal migrants and cross-border crime.

The third issue is related to refugees and irregular migration – again with obvious security dimensions. Under the heading “International protection” it is mentioned that the agreement aims at “strengthening of the Moroccan legislative and institutional framework for asylum (...) close cooperation with the relevant agencies and bodies of the EU and its Member States, and with the UN High Commissioner for Refugees” (EU-Council, 2013: 9). Different aspects of irregular migration are mentioned in the documents, as are the institutional means with which the EU intends to secure the implementation of the partnership: Frontex, Europol, CEPOL, Eurojust, EASO and the EFT.¹

The Mobility Partnerships and Mediterranean Migration

In the following section the situation concerning MPs in Egypt, Jordan, Libya, Morocco and Tunisia will be described and analyzed. A recent status is presented in order to discuss how we got there and to point to possible scenarios for the coming years concerning MP agreements with the specific countries. The general impression is that the MPs, seen from the perspective of the southern partnership countries, represent a “strong insecurity- and control-oriented approach while allowing only restricted, temporary, and highly selective forms of immigration into the Union” (Carrera et al., 2013). The MPs are “driven by a strong conditionality by requiring third states to adopt and show strong commitment to the European security policy on mobility as irregular immigration and, in particular, by concluding readmission agreements with the EU” (Carrera et al., 2013). Definitely the realities concerning the MPs are not the same in the five countries as it can be seen below.

Egypt: Stalemate due to Continued Turmoil

The Swedish European Commissioner for Home Affairs Cecilia Malmström wrote 17 April 2012 on her blog that for “over a year now I’ve been trying to get the Egyptians interested in a Mobility Partnership where we discuss migration, asylum, visa issues, etc. in a broad sense (...) From Egypt’s side, it has so far been turned down. We’ll see what happens after the presidential elections in June” (Malmström, 2012). More than two years later (June 2014) it seems that nothing has happened regarding the MPs in an Egyptian context. Egypt is – regarding migration – the largest migration country of the five countries in focus here. It is first of all a country, which delivers man power to its neighbours (Jordan, Libanon, Libya), but also the Arab Gulf states receive a significant

number of Egyptian work migrants. Added to that Egypt receives huge amounts of migrants and refugees coming from the south (Chad, Eritrea, Ethiopia, Somalia, Sudan, etc.), as documented by the CARIM MPC-Team report on Egypt (MPC-Team, 2013). The migration from the south does not, regarding numbers, amount to much compared with the number of Egyptians leaving as work migrants to other countries in the MENA-region, the EU and the US, but the character of the specific migration with Egypt as receiving country is very differentiated, partly illegal and completely uncontrolled.

The main stock of refugees staying in Egypt are Palestinians, "followed by Sudanese, Somali and Ethiopian nationals, who mainly arrived in the 1990s as a result of civil wars and political instability in the Horn of Africa" (MPC-Team, 2013: 7). In a security context and therefore of relevance in connection with a possible future cooperation on preventing refugees from reaching Egypt as well as Europe it should be mentioned, that migrants from south of the Sahara to an increasing degree are passing through Egypt (as it takes place through Libya, Tunisia, Algeria and Morocco) in order – via the so-called eastern Mediterranean migration route - to try to get to Europe.

It is difficult to find out what has kept the Egyptians from accepting to start negotiations about the MPs. Informal interviews with EEAS-officials from Cairo imply, that the reason was the turmoil in itself, in the sense that the Egyptians did not want to negotiate with the EU as long as the political situation in Egypt was unclear.² This, of course, is a rather neutral and diplomatic description of what might have had other, more substantial, reasons. In a EU-Commission Memo of 27 March 2014 it is reiterated, that in 2011 "Egypt declined the offer made by the EU to start a Dialogue on Mobility, Migration and Security, leading towards the conclusion of a Mobility Partnership" (EU-Commission, 2014e), which is an indication that negotiations are not ongoing.

The result of this situation is, that the agreements between the EU and Egypt concerning migration are vague and to some degree preliminary, based as they are, on the EU-Egypt ENP Action Plan of March 2007. Here it says regarding border management cooperation, that the EU and Egypt "should initiate appropriate technical contacts with FRONTEX", regarding legal and illegal migration they should "develop a comprehensive and balanced dialogue" and in relation to combating illegal migration into Egypt and the EU should exchange "information and experiences on migratory movements, illegal migration including the scale of illegal immigration into and via Egypt (...) prevent and counter illegal migration into Egypt and the European Union" (EU-Commission, 2007: 29).

The elections in Egypt in 2011 and 2012, bringing the Muslim Brotherhood and Mohammad Mursi to power, did not lead to a stable and well-functioning political leadership. The long period up the election of Abdel Fattah el-Sisi in May-June 2014 has been a deeply problematic period for Egypt and there is hardly any doubt that there is interconnectedness between the chaotic political development in Egypt since

the fall of Husni Mubarak and the fact that MP negotiations between the EU and Egypt never started.

Jordan – Pragmatic Mobility Partnership Talks

Despite the fact that few Jordanians have migrated to Europe and that Jordan, contrary to the Arab Mediterranean states, only to a limited degree functions as a transit country for illegal migration and refugees heading for Europe, the EU and Jordan in December 2012 launched a “dialogue on Migration, Mobility and Security” (EU-Commission, 2014d). According to the European Commission the EU and Jordan have decided to open negotiations for an MP, including readmission and visa facilitation agreements. Two expert missions were carried out in February and July 2013 and it is worth mentioning that important security issues were discussed. Not only questions related to work migration and mobility, but also security related issues such as “international protection, border management, travel and identity document security and the fight against organised crime and terrorism” (EU-Commission, 2014d).

The regime in Jordan and the EU have significant commonalities of interest related to radicalism and terror in the Middle East and it seems obvious that the EU supports the Hashemite Kingdom in Amman and consider King Abdallah as an important partner in establishing a security environment in the eastern Mediterranean region. Jordan has for geostrategic reasons strong international as well as regional allies and the EU is definitely also interested in keeping Jordan stable and (relatively) secure. And, as mentioned by Curtis Ryan: “Jordanian foreign relations are as vital to the kingdom’s domestic stability as they are to its regional and external security” (Ryan, 2014: 145). If the external security seems relatively strong, due to US, EU and Saudi Arabian support, the internal scene might be somewhat more vulnerable. Jordan has from the Parliamentary elections in November 2010, up to and after the latest elections in 2013 experienced unrest and frequent demonstrations, signaling that the Jordanian population is far from satisfied with their living conditions and with the regime. The demonstrations have been relatively small and if it hadn’t been for the external threat related to the ongoing war in Syria, the Jordanian regime might face further severe internal unrest. Under all circumstances it seems, as indicated by Valbjørn, that “the regime is facing growing pressure to deliver substantial reforms as few believe in the lofty reform rhetoric any longer” (Valbjørn, 2013: 316).

The discussions related to the MP between the EU and Jordan have as mentioned touched upon issues of relevance for common security interests. In connection with that the tragic development in Syria plays an increasingly important role. According to the ENP implementation document quoted above 576.000 Syrian refugees were registered with the UNHCR in Jordan by the end of 2013 (EU-Commission, 2014d). Besides that, the realities in Jordan point at a development, where huge numbers of Syrians – outside the “official” context of the UNHCR – are being integrated in

Amman's business life at many different levels, but especially at the level of unskilled work, where the Syrians substitute Egyptian and Asian guest workers.³

The official Jordanian discourse speaks of the influx of Syrians, especially the refugees, as a huge economic burden for Jordan. It is very difficult to assess to which degree this is in accordance with the actual realities. In the context of this article it is important to emphasize that an influx of probably more than a million Syrians to a small country represent a significant task. The EU recognizes this and confirms furthermore the official Jordanian narrative (EU-Commission, 2014d). The EU documents do not challenge any of the official Jordanian viewpoints except for a few critical remarks on the electoral law, which notoriously still is democratically imperfect. Rather the policy shows the EU as a player in the Middle East, which pursues a pragmatic agenda in the MENA-region by supporting the Jordanian regime with significant economic means. The role of the MP in connection with the relation between the EU and Jordan seems to be a trade-off: Jordan gets the financial support from the EU and for that Jordan contributes to providing stability in the Levant.

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Notes

¹ CEPOL (European Police College) provides training of officers dealing with police work related to migration, hereunder surveillance, Eurojust (The European Union's Judicial Cooperation Unit), EASO (European Asylum Support Office, an agency of the European Union that plays a key role in the concrete development of the Common European Asylum System) and the EFT (European Training Foundation, an EU agency that helps transition and developing countries to harness the potential of their human capital through the reform of education, training and labour market systems in the context of the EU's external relations).

² Informal interviews by the author with EEAS-officials in Cairo.

³ This is based on personal observations and informal interviews in Jordan in 2013 and 2014.