

Mobility Partnerships and the EU, Part II: The Cases of Libya, Morocco and Tunisia

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News:

The EU recently took the initiative to launch Mobility Partnerships with Libya, Morocco, and Tunisia.

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Analysis:

Libya and the EU's Strategic Security Interests

Negotiations between Libya and the EU regarding an MP have not yet taken place. However, the political progress in Libya, following the fall of Muammar Qadhafi were followed closely by the EU, especially regarding the security situation, as noted in a ENP Regional Report of March 2013: "with the worsening of the security situation, particularly in Libya, Sinai and the Sahel, reforming the security sector inherited from the previous regimes, while maintaining law and order, is becoming an important issue" (EU-Commission, 2013c: 2-3). The changing realities in the southern Mediterranean involve new challenges related to migration. From the EU side a new security environment must be based on dealing with the main challenges related to migration – one of which has to do with migrants from far away, Africa south of the Sahara. There is a commonality of interests here, but there are no guarantees that this commonality of interests will lead to sound cooperation between the "north" and the "south". As mentioned by Derek Lutterbeck the post-Qadhafi regime has declared its resolve to address the migration issue (Lutterbeck, 2013: 162). But obviously the development in Libya in 2013-14 makes it more than difficult to manage an efficient control of the migratory movements in the enormous country.

As mentioned by Sergio Carrera et al, dialogues between the EU and Libya concerning a Mobility Partnership have been foreseen, but have so far not taken place (Carrera et al., 2012: 2). The EU launched a number of different programmes in order to support the development of a civil society in Libya in 2011-12, but the deteriorating security situation in the country in 2012-14 have made it very difficult to continue the activities there (Seeberg, 2014a). For the EU security is a high priority in relation to Libya and the development of an EU Mobility Partnership agreement could evolve into a part of EU-Libyan cooperation. Obviously, the migration pressure towards Europe is less intense regarding the Libyan population as such. First of all the role of Libya will be a question of working together with the EU to reduce transit migration through Libya from the Sahel region and Africa south of the Sahara. The incentives for Libya are to obtain "external help to tackle its significant domestic security challenges, and to build state institutions from scratch" (Kausch, 2013: 38). There is a commonality of interest between the EU and Libya on transit migration. In 2013 the EU established the Integrated Border Assistance Mission in Libya (EUBAM Libya), with the idea, that "EUBAM Libya will support the Libyan authorities in improving and developing capacities in order to enhance the security of Libya's land, sea and air borders, with a long term goal of developing a broader Integrated Border Management" (EU-Commission, 2013a). The mandate of EUBAM Libya is limited to the borders of Libya, but the initiative should, from the EU side, be seen in the wider regional perspective. The official idea behind EUBAM, working closely together with the EU's Frontex agency, is to motivate Libya toward regional and international cooperation, but it also indirectly expresses the European strategic interest in controlling the migration phenomenon.

Morocco – a Role Model Mobility Partnership?

Morocco was the first Mediterranean country to sign an MP agreement with the EU, acting as it says in the MP, in accordance with "the Euro-African Migration and Development Dialogue (the Rabat Process), the EU-Africa Dialogue, the Euro-Mediterranean Partnership, the 5+5 Dialogue and the Global Forum on Migration and Development (...) the ACP-EU Dialogue on

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Migration" (EU-Council, 2013) and drawing on the GAMM. The MP document is interesting in the sense that it has a comprehensive view on the migration process, focusing both on the migration from Morocco, on the Moroccan nationals legally residing in the EU and the nationals from third countries legally residing in Morocco.

The transit migration through Moroccan is changing its character in the sense that it adds a significant dimension to the overall migration patterns in Morocco. This is summarised by Mohamed Berriane et al., stating that a "twofold transformation of the migration patterns in Morocco is taking place: on the one hand, there is the discontinuity caused in a traditional migratory field following the drastic closing of the EU's external borders; on the other hand, there is the emergence of a new pattern in that same migratory field that makes Morocco a destination for migratory flows" (Berriane et al., 2013). The study took place in Fes, but according to observations by the author there are good reasons to believe that the same phenomenon is a reality in other Moroccan cities.¹ New dynamics of transit migration related to Africans from south of the Sahara point at fragmentations of the migration process leading to long stays in transit countries like, *in casu*, Morocco (Collier, 2007).

In an EU context it is important that this changing reality is taken into consideration. Cities like Fes, Casablanca, etc. become transit 'hubs' so to speak on the way from the African states south of the Sahara, constituting a huge migratory sending system in the Sahel region, to a migratory system on the other side of the Mediterranean, the EU states (Hennebry et al., 2014). Europe has a new challenge there, which is important to consider, because migration in the Moroccan context goes from being a bilateral affair to be dealt with in agreements to becoming part of a regional migratory system. Probably these dynamic aspects of the migratory movements, including the non-Moroccan migrants, contribute to forms of irregular migration, which include both illegal and semi-legal migration, without which the economy in several southern Spanish businesses (hotels, agriculture) would have problems surviving. The complex transit migration patterns, together with the other types of migration from Morocco, represent a reality, with both positive and negative dimensions when seen from the European side. In a long term perspective Moroccan migration can contribute to solving the problem of the lack of a labour force in the ageing European states. But the more chaotic character of the migration processes as they have developed over the last decade adds to the security reservations on the EU side.

Summing up, it seems that EU migration policies in the context of Morocco first of all have their traditional foci on measures aimed at prohibiting a liberalization of admission policies. There is no clear consensus in the EU concerning the migration–development nexus, and there is conflict between the northern EU states, who are reluctant to engage in solving the problem, and the southern EU states, who insist on putting the issue high on the EU agenda (but also represent double standards by living with the semi-illegal migration in southern Spain) (Wunderlich, 2010). Spanish–Moroccan relations underline the large potential for internal disagreements between EU member states within a highly contentious policy field (Van Hüllen, 2011).

Morocco is the largest recipient of EU ENP assistance at 580.5 million Euros for the 2011-2013 period, with a focus on economic development, environmental projects and projects dealing with the legal system and human rights (EU-Commission, 2013b). It was mentioned in the Press Release related to the MP with Morocco, that of around 3.5 million Moroccans living abroad, some 84% (or 2.9 million people) live in Europe. The main objective

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of the agreement, however, is to focus on the possibilities of developing better management of migration from Morocco to the involved European states “recognizing that the issue of migration is a key element of the exemplary partnership which has linked Morocco and the EU for several decades.”¹ Apart from this polite statement, the agreement is very preliminary, characterised by declarations of intent. Under all circumstances it seems very early to analyse an agreement which has not really been tested by the Mediterranean realities. As mentioned earlier in this article the MP document is concerned with controlling the migratory processes and with security related to migration. Morocco is not listed as a national partner at the Frontex homepage, and this might indicate that the EU wants to use the MP as a kind of lever for the EU interests – maintained via Frontex and other EU agencies – in controlling migration in the Mediterranean.

Tunisia: a Part of the EU-Mediterranean Security Community?

As mentioned by Assem Dandashly Tunisia has for decades been close to the EU and has been considered an important ally and partner (Dandashly, 2014: 8). The relationship goes back to 1969 where Tunisia (under Habib Bourguiba) signed a trade-based cooperation agreement, which since then has been replaced by new agreements, in 2012 by a Privileged Partnership and a new ENP Action Plan, 19 Nov., 2012 (Dandashly, 2014). The EU is attractive for Tunisia in several ways and for the EU the Tunisian government is a significant partner regarding agreements related to migration and security. The signing of an MP 3 March 2014 is the latest expression of EU-Tunisian cooperation, so far of course with relatively limited activities, not to mention results.

Tunisian migration and transit migration via Tunisia take place along the so-called central Mediterranean route (different from the Western and the Eastern routes) first of all involving Italy, Libya, Malta and Tunisia. The uprisings in Libya and Tunisia were interconnected in a migration context in the sense that they “led to a great exodus of migrants from Libya to bordering countries and later a huge outflow of boat people from Tunisia headed for Italy, particularly the small island of Lampedusa (Pace, 2013: 6).” According to Roderick Pace, the majority of these were Tunisian citizens probably trying to escape the political upheavals at home but there were also Africans from south of the Sahara fleeing the hardships in their home countries, mainly Eritreans and Somalis (Pace, 2013). Seen from the European side, the question of transit migration will have to be dealt with as the MP develops over the coming years, as it constitutes an important aspect of the EU security building.

According to Carrera et al the dialogue on the MPs has “been presented as a *fait accompli* to the authorities of Egypt, Tunisia and Morocco” (Carrera et al., 2012: 14). The EU has supported the democratic revolution in Tunisia and demonstrated willingness to negotiate with the new government dominated by moderate islamists. The EU has at the same time been critical towards problematic incidents as the attack on the US embassy and school (Dennison, 2013: 126). As demonstrated by Reslow the EU member states do far from agree on everything related to migration policies – and this comes to the fore in connection with the MPs. Differences according to the number of MPs each individual EU member state is a member of, is a significant expression of this, which is made possible due to the fact that participation by the EU member states in the MPs is voluntary. If one of the first working

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documents for the Task Force established in relation to the EU-Tunisia MP agreement is looked at, it becomes obvious that it focuses on both elements which might be rather uncontroversial (like seminars and workshops and the establishment of an EU-Tunisia web platform on migration), but certainly also on issues, which could easily result in controversies between the EU member states (like social reintegration of Tunisian migrants, formulation of a strategy for migration management, and border management) (EU-Commission, 2014c).

Conclusion

There is hardly doubt that the “official” EU considers the implementation of MPs as a significant step towards a more comprehensive European migration policy. This is demonstrated in a large number of EU documents, homepages, speeches, press releases etc. However, as demonstrated in this article, there are obstacles internally among the EU member states – and the Arab Mediterranean states do not seem to be very positive either. In other words there seems to be a discrepancy at the policy level between the “official” EU in Brussels and the way the MPs are perceived both among the “senders” and the “receivers”, to use migration related rhetoric.

The more heterogeneous and unstable MENA reality following the Arab uprisings after the short-lived Arab Spring euphoria in 2011 is from the European side perceived as in many ways problematic and since the international financial crisis still leaves its mark on the European national economies, there is no dramatic need for the labour force that Europe might need in the long run and not is able to produce itself. This reality adds to the focus on controlling migration (if not even preventing) migration towards the EU – and this might not be the ideal context for the promotion of MPs among the EU member states. From the side of the Arab Mediterranean the obvious European focus on control and restrictive measures makes the alleged arguments related to transit migration and commonalities of interests sound rather hollow in the southern Mediterranean.

Nonetheless both Morocco and Tunisia have signed MP agreements. The economic incentives and the pressure of living up to a status as role models for Euro-Mediterranean policies were maybe too much to resist. Added to this is the fact that both countries have some interests in common with the EU. The interests in dealing with a growing long-range transit migration are shared among the EU and the states bordering the Mediterranean. Furthermore there is a common interest in preventing radicalization and the spread of terror groups on both sides of the Mediterranean. In relation to Jordan (and also to the region as a whole) the security issue is added the dimension of the Syrian tragedy. The preparatory talks between Jordan and the EU concerning an MP can be interpreted as a trade-off, where Jordan gets EU financial support, while contributing to maintaining stability in the Levant (and accepting a large amount of refugees). Egypt and Libya have – for different reasons – not attended negotiations regarding an MP. Egypt has allegedly refused to enter negotiations – maybe as a result of continued turmoil. And so far Libya is only mentioned as a country, which the EU sometimes in the future might invite to talks about an MP.

Some problems related to the MPs can furthermore be identified. If restrictions concerning legal migration due to the economic crisis in combination with acceptance of readmissions and border management are going to form the basis for the agreements, it might be somewhat difficult from the side of the Arab Mediterranean states to see the obvious incentives for entering the MP. And if the preconditions for the cooperation based on the MPs

are tied up on regulation, control and assistance in the European struggle against irregular migration, then some more convincing carrots need to be brought forward from the EU. An EU strategy, which asks the southern partners to define their priorities first and then takes this as point of departure for the MP negotiations, might be a way ahead.

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¹ Personal observations and informal anonymous interviews in Tangiers, Casablanca and Marrakech, Morocco, July 2013.