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OF SOUTHERN MEDITERRANEAN
COUNTERPARTS

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REVERSING THE PERSPECTIVE: HOW EUROPEAN STAKEHOLDERS REACT TO MIGRATION POLICY FRAMES OF SOUTHERN MEDITERRANEAN COUNTERPARTS

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ABSTRACT

This paper investigates how European institutional and civil society actors frame and assess EU migration policies in the Mediterranean area. Based on extensive in-depth interviews, the report analyses how European actors describe the overall EU approach to cooperation with Mediterranean third countries in the field of migration; how they evaluate the most recent and relevant EU policies in this field; and which are the actors that they identify as key players in this policy area. European civil society actors proved to share the critical views expressed by their civil society counterparts in Lebanon, Morocco, Tunisia and Turkey. They described the EU's discourse as securitizing and Eurocentric, highlighting that it also translates into securitizing, Eurocentric and conditionality-based policies and practices. They lamented the lack of legal migration opportunities, but at the same time they praised the European Commission for its efforts in this field. They also claimed the lack of gender-sensitive or gender-specific policies in the area of migration and the limited involvement of SEM CSOs in migration policymaking. The paper also explores possible alternative policy instruments, looking into the pros and cons of a more participatory governance of migration from the perspective of EU officials and civil society actors.

INTRODUCTION

Migration and mobility represent an ever more vital but highly contentious field of governance in Euro-Mediterranean relations. Euro-Mediterranean cooperation in this policy area has long been characterized by fundamental divergences of views, interests and approaches, not only between the two shores of the Mediterranean, or between (predominantly) sending, transit and receiving countries, but also among institutional and civil society actors on each side of the Mediterranean. In the framework of the MEDRESET project, Work Package 7 (WP7) aims to develop a more sophisticated knowledge and awareness about the diverse frames, perceptions and priorities of a variety of stakeholders with regard to migration in the Mediterranean space.

As a first (methodologically relevant) step, WP7 investigated the perspectives of local stakeholders in four southern and eastern Mediterranean (SEM) countries – Lebanon, Morocco, Tunisia and Turkey – focusing in particular on those actors who are generally excluded

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from Euro-Mediterranean dialogue and decision-making – e.g., civil society and grassroots organizations (see the four WP7 country reports). As a second step, moving from an increased knowledge of how civil society actors in SEM countries frame migration and evaluate EU policies in this field, WP7 focuses on the perspective of European stakeholders involved in migration policy-making and/or working in the area of migration and asylum. By comparing and contrasting the views of both civil society and institutional stakeholders in Europe and in four target SEM countries, WP7 examines overlaps and differences in the understanding and evaluation of EU migration cooperation policies in the Mediterranean.

This paper focuses specifically on the European stakeholders' perspective, based on first-hand information gathered through in-depth interviews with key institutional and civil society actors, as well as on a contextual analysis of both official EU policy documents and documents produced by European and transnational civil society organizations (CSOs – see Section 1). The paper analyses how European actors describe and assess the overall EU approach to cooperation with Mediterranean third countries in the field of migration (Section 2); how they evaluate the most recent and relevant EU policies in this field (Section 3); and which are the actors that they identify as key players in this policy area (Section 4). The final Section of the paper explores possible alternative policy instruments, discussing in particular the pros and cons of a more participatory governance of migration.

1. METHODOLOGY AND FIELDWORK

The theoretical and methodological framework for WP7, as set out in the MEDRESET concept paper (Roman et al. 2017), builds upon literature on the role of "policy frames" (Bleich 2002, Scholten 2011) or "policy narratives" (Boswell 2011, Carling and Hernández-Carretero 2011) in decision-making processes in the field of migration. These scholars have stressed that both migration-related policy issues and their possible solutions are identified and framed by different stakeholders mainly drawing upon their ideas, perceptions, normative appreciations and knowledge claims.

Drawing upon Boswell et al. (2011:4-5), we construe the structure of policy frames as consisting of three essential components: (1) the definition of the policy problem; (2) the causes of the problem, which often imply attributing responsibility (or blame) to specific factors or actors; and (3) the solutions to the problem. This categorization largely overlaps with the three-dimensional multi-actor, multi-layer and multi-sector analytical framework of the MEDRESET project: (1) stakeholders; (2) policy instruments; and (3) policy issues (Huber and Paciello 2016:11-12). In fact, policy issues concern the definition of the problem, namely the identification and definition of the key challenges that the Mediterranean region faces. The identification of stakeholders coincides with the identification of the actors and factors affecting (or involved in) a given policy issue. Finally, solutions to the problem largely correspond to policy instruments, i.e., the methods and initiatives through which policies are and/or should be implemented. This conceptual scheme is reflected in the four WP7 country reports as well as in this paper, in the sections that follow.

The overall MEDRESET methodology is based on a non-Eurocentric approach (Huber and Paciello 2016) and aims to move away from the marginalization of southern Mediterranean – and especially grassroots – perspectives. By adopting an innovative methodology based on

recursive multi-stakeholder consultations, the empirical research carried out within MEDRESET has been able to reverse the ordinary approach by which the perceptions and priorities of southern Mediterranean partners are included in the picture only marginally and a posteriori. Instead, under WP7 we have pursued an initial round of stakeholder consultations in Lebanon, Morocco, Tunisia and Turkey. 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 have formulated a questionnaire for the European stakeholder consultations, subsequently submitted to European institutional and civil society stakeholders. Inviting EU-level stakeholders to react and position themselves with reference to structured inputs coming from Mediterranean actors – and especially from civil society actors – represents an innovative approach which tries to overcome the usual Eurocentric perspective.

This paper is largely based on first-hand information gathered through semi-structured interviews with European stakeholders. The fieldwork was prepared in February 2018. A mapping of the relevant institutional and civil society actors was pursued through online and desk research, benefitting also from FIERI's pre-existing network of contacts. Interviews were conducted either in person, via Skype or via phone between March and April 2018. Interviews in person were conducted mainly in Brussels (two of them in Turin, Italy). A total of 35 stakeholders were first contacted via email and almost all of them (with the exception of three persons) responded (even though not many of them replied to our first email). Among them a total of 18 stakeholders accepted to be interviewed, while 14 people explicitly declined. Understandably, a lower acceptance rate characterizes the representatives of EU institutions, as only 5 out of 15 contacted EU officials were interviewed. The responsiveness and availability of civil society stakeholders was higher, as we managed to interview 13 out of 20 contacted people (see Table below and Annex for a list of interviews).

As concerns institutional actors, while we succeeded in interviewing representatives from the European Commission DG HOME, the European External Action Service (EEAS), the Cabinet of the High Representative of the Union for Foreign Affairs (HR/VP) and the European Training Foundation (ETF), we did not manage to meet anyone from DG NEAR, DG DEVCO, the Cabinet of the EU Commissioner on Migration, and the European Parliament (EP). While in the case of the EP policy advisors and DG NEAR representatives this was due to a difficulty in combining our respective agendas over March and April, the DG DEVCO representative declined by stating that the topic of the interview (i.e., EU migration policies in the four Mediterranean target countries) fell under the competence of DG NEAR as "leader", and recommended we interview colleagues from DG NEAR, along with DG HOME and the EEAS. Indeed, there seems to be a common understanding among EU institutional stakeholders that cooperation in the field of migration is a subject falling under the responsibility of these three institutions/policy departments, while DGs such as DEVCO, EMPL or ECHO can only play a marginal role.

The majority of our interviewees were female (12 out of 18). Women were particularly numerous compared to men among the representatives of international NGOs, while they were underrepresented among EU institutional stakeholders, at least in this policy area. Interviews lasted between 45 minutes and 2 hours. In line with the MEDRESET Data Management Plan, all interviews were anonymous and were not recorded, but based on note taking.

Besides the interviews, we also undertook an inductive analysis of the main EU policy documents relating to the so-called "external dimension" of the EU migration policy (Boswell 2003, Lavenex 2006) produced over the last twenty years, focusing in particular on those issued after the 2011 Arab uprisings and on the most recent ones concerning the European Agenda on Migration and instruments adopted under its framework (see References). In addition, we considered a number of documents (position papers, press releases, policy briefs, research reports, strategy papers, etc.) produced and shared by the European civil society stakeholders that we interviewed. The analysis of these documents helped us to put the position of individual interviewees into the context of the position of the institution or organization they represented, and to locate different positions within the broader policy context.

Table 1 | Overview of interviewees

Type of stakeholder	Contacted			Interviewed		
	Male	Female	Total	Male	Female	Total
EU institutions/agencies	9	6	15	3	2	5
European scholars/experts/think tanks	1	4	5	/	2	2
International NGOs/NGO networks – European office	1	10	11	1	6	7
International organizations (IOs) – European office	1	1	2	1	1	2
European trade unions	1	1	2	1	1	2
Total	13	22	35	6	12	18

2. ASSESSING THE EU'S GENERAL APPROACH TO MIGRATION COOPERATION IN THE MEDITERRANEAN

European civil society stakeholders proved to largely share the critical views expressed by civil society stakeholders in Lebanon, Morocco, Tunisia and Turkey with regard to the EU's general approach to cooperation with Mediterranean countries in the field of migration, mobility and asylum.

European civil society representatives, exactly like SEM civil society actors, described the EU's discourse as securitizing and Eurocentric, highlighting that it also translates into securitizing, Eurocentric and conditionality-based policies and practices. "The EU is obsessed with stemming irregular migration flows and closing borders; this obsession is translated into the wrong policies, both internally within the EU, and externally in the relations with third countries" (Interviewee 6); "The European narrative is focused on stemming irregular migration. As a consequence the EU tends to evaluate any kind of security or development measures based on the number of arrivals to the EU" (Interviewee 11).

Several European civil society actors highlighted that the main focus and purpose of EU migration policies is externalization – an externalization that involves not only border control and migration management, but also search and rescue operations in the Central Mediterranean, and more recently asylum procedures and the reception of asylum seekers (Interviewees 12, 13). As argued by a migration expert, the Eurocentric security-oriented approach of European countries is at the origin of an unresolved “expectations gap between southern and northern Mediterranean countries”, whereby the former are focused on legal migration opportunities, visa policies and diaspora policies, and the latter on irregular migration and security issues; this divergence in needs and priorities leads, according to the interviewee, to a dialogue of the deaf (Interviewee 15).

Several civil society interviewees stressed specifically the negative impact that this security-oriented approach has on development policies. It was argued that some European funding instruments – such as the recently established EU Trust Fund for Africa (see Section 3 below) – which are meant to support socio-economic development in countries of origin and transit, are instead used to finance border control, migration management and securitizing policies (Interviewee 6). This reinforces the partner countries' perception of the EU as a securitizing actor, as a “policeman in uniform” (Interviewee 1). According to civil society actors, the EU and its member states do not pay enough attention to development policies, notwithstanding the key role these may play in terms of addressing the root causes of migration. Even when they do so, their approach is biased by Eurocentrism and is focused on European interests (either security- or economic-related) rather than on the third countries' interests and needs (which results also in a lack of ownership).²

Interviewees noted that the EU's approach to the migration–development nexus is largely focused on using development as a way to prevent migration. Based on this misconception, DG DEVCO has been involved in migration policy-making, although in a subordinate position compared to DG HOME (as demonstrated also by the reply we received from the DG DEVCO officer we contacted; see Section 1 above). However, as reported by a migration expert, DG DEVCO officials “are not happy with their involvement in the field of migration, as they do not want development to be seen as a way to stop migration” (Interviewee 9).

Similarly to civil society organizations (CSOs) in SEM countries, European civil society actors pointed out the constant lack of policies in the field of legal migration and denounced the European countries' narrow-mindedness and lack of political vision in this crucial policy area. At the same time, many of them highlighted that some positive developments have been recently taking place in this field, on the initiative of the European Commission DG HOME. These include the Legal Migration Fitness Check (an evaluation of the implementation of the EU legal framework on legal migration in member states), the Legal Migration Pilot Projects (described more in detail in Section 3 below), and more in general the attempt to overcome the traditional EU sectoral approach and develop a comprehensive framework on labour migration. The civil society interviewees who mentioned these developments praised the Commission's efforts to keep legal migration in the European agenda and to push forward new initiatives in this area.

² “The EU should change its narrative on migration; migration should be more closely linked to development and less linked to security and control” (Interviewee 11); “There is a need to create a security policy that makes life safer for people living in countries of origin, and investment policies that help to improve their livelihood and are not guided by European interests only” (Interviewee 11).

despite the member states' reluctance (Interviewees 6, 13, 16).

3. EVALUATING EU COOPERATION POLICIES WITH SEM COUNTRIES IN THE FIELD OF MIGRATION

3.1 LABOUR MIGRATION POLICIES: THE NEED FOR A STRONGER MEDITERRANEAN DIMENSION

Our interviews show that labour migration represents an issue of crucial importance for European civil society stakeholders and social partners. Representatives of European trade unions who are actively involved in cooperation initiatives with southern Mediterranean trade unions (e.g., the Trade Union Network for Mediterranean and Sub-Saharan Migrations – *Réseau Syndical Migrations Méditerranéennes Subsahariennes*, RSMMS) emphasized the need to re-launch labour migration policies, possibly through a regional strategy that would facilitate the circulation of workers across the Mediterranean – not only from SEM countries to Europe, but also from one SEM country to another one – in view of an intensification of workers' mobility also within the Middle East and North Africa region.

According to a trade unionist, this would be a crucial development for the region; however, in order for it to take place, two main preconditions need to be fulfilled: (1) a legal and policy framework in SEM countries that facilitates immigration and emigration for working purposes and guarantees the protection of migrant workers' fundamental rights (against a background of increasing anti-immigrant discrimination); (2) an overall improvement of the socio-economic situation in SEM countries (by reducing inequalities, creating job opportunities, increasing investments) in order to improve access to decent work and working conditions for everyone, including migrants (Interviewee 1). In order for these conditions to be met, cooperation policies should be focused on a truly "Mediterranean dimension" rather than on a "Euro-Mediterranean dimension" that is mainly guided by European interests and concerns (Interviewee 1).

Moreover, civil society interviewees stressed that labour migration has to be sustainable at the global level. Therefore, EU policies cannot be focused on highly qualified workers only; they have to consider the issues of brain drain and brain waste, which often represent a serious concern for SEM stakeholders; and they cannot ignore the development needs of countries of origin and transit (Interviewees 1, 2, 15, 16, 17). A representative of an international organization (IO) stated that the EU should invest more in university exchange programmes, vocational training, skills validation and recognition of diplomas; interventions in the educational domain are indeed fundamental in order to allow for greater mobility and create the conditions for legal migration to Europe (Interviewee 17). A representative of a European trade union organization highlighted that such measures are crucial also to facilitate integration in the receiving society (Interviewee 5).

As mentioned in the previous Section, both institutional and civil society actors noted that the European Commission is making an effort to enhance legal migration. However, they also observed that it is difficult for the Commission to achieve concrete results in this field, because what is missing is concrete follow-up by the member states, which have exclusive competence on national policies concerning the admission of migrants (Interviewees 2, 6, 16). An EU officer

lamented the lack of coordination among member states on legal migration opportunities and emphasized the need for a shared approach and a common strategy for the governance of labour migration in Europe (Interviewee 10).

3.2 LEGAL MIGRATION PILOT PROJECTS: A PROMISING DEVELOPMENT

Both EU institutional and civil society stakeholders mentioned – and described in very positive terms – a recent policy development: the launch of “pilot projects” in the field of labour migration with selected African countries (including Tunisia and Morocco). As mentioned above, this proposal comes from a DG HOME initiative. Civil society representatives expressed their appreciation for being actively involved by the Commission in the elaboration of this proposal through several consultation phases during 2017 (Interviewees 6, 9). This represents a positive example of a participatory policy-making process, although active involvement and consultations were limited to European civil society only.

Based on the information gathered from interviewees, these pilot projects should address both low-skilled and highly skilled labour migration, with a view to encouraging circular migration, also through the issuing of multi-entry visas. The projects would cover different economic sectors and involve several member states, on a voluntary basis. They would include a pre-departure training (focused on language, cultural awareness, skills development), support while in Europe, and assistance to return and reintegration (Interviews 6, 8, 9). The pilot schemes would be coordinated by the Commission, which would also provide the relevant financial support through existing instruments (e.g., the Mobility Partnership Facility and the EU Trust Fund for Africa).

The Commission proposal is currently being discussed with member states, which will have a primary role in the implementation of the projects. Information publicly available is still very limited. Apart from restricted working documents, the pilot projects were first publicly mentioned in the Commission mid-term review of the European Agenda on Migration in September 2017 (European Commission 2017a:19). In the progress reports which followed, the Commission has continued to provide short updates, thus proving that the project is developing, but has so far avoided providing details (European Commission 2017b:18, 2018b:20, 2018c:18). The issue is politically sensitive and the Commission (understandably) wants to be sure of the political will and actual commitment of member states before making details public and generating high expectations in potential partner countries (Interviewee 8).

Nonetheless, an EU official revealed that in November 2017 pilot projects were presented to the Moroccan and Tunisian authorities in the framework of the respective Mobility Partnership Steering Committees. This was only a preliminary presentation, where not much information was shared; but if pilot projects were launched, their implementation would require a close cooperation with public institutions and social partners in the third countries concerned (Interviewee 8). Legal migration pilot projects could thus represent a laboratory for new forms of participatory labour migration governance (see Section 5 below).

3.3 MOBILITY PARTNERSHIPS (MPs): POSITIVE PARTNERSHIP, LIMITED MOBILITY

Both EU institutional and civil society actors provided a mixed evaluation of Mobility Partnerships. They all agreed that MPs are useful instruments for policy dialogue, interinstitutional coordination and information exchange. In particular, Steering Committee meetings represent a unique platform where the representatives of EU institutions, the member states concerned and the partner country meet all together. But so far they have concretely produced only limited policy outcomes (Interviewees 2, 8).

As noted by an EU institutional actor: "Mobility Partnerships represent a great forum for dialogue, but they do not offer much more than that" (Interviewee 2). The main reasons were summarized as follows: "What partner countries are really interested in obtaining, labour migration opportunities, is really not at the core of Mobility Partnerships" (Interviewee 2). As stated also by civil society interviewees in Tunisia and Morocco, the main focus of MPs continues to be on stemming irregular migration flows, controlling borders and increasing returns. Therefore, MPs represent a policy instrument that could potentially promote a more comprehensive and balanced approach to migration, but in fact they end up replicating the traditional Eurocentric security-oriented logic. As affirmed by an IO representative, "Mobility Partnerships have not brought to southern Mediterranean countries any tangible benefits in terms of mobility; this has to be improved, because MPs as an instrument may be very useful" (Interviewee 17).

3.4 FACILITY FOR REFUGEES IN TURKEY AND EU EMERGENCY TRUST FUND FOR AFRICA: USEFUL INSTRUMENTS DIVERTED BY SECURITY CONCERNS

European civil society actors considered that these two funding mechanisms, established in the framework of the European Agenda on Migration in 2016 and 2015 respectively, are not bad instruments as such; "the problem is that they are used with a securitizing approach" (Interviewee 6). According to a representative of a European NGO network working in the field of asylum, the Facility for Refugees in Turkey has launched and financed a number of positive initiatives, which could be successfully replicated in other contexts in the near future (e.g., the Emergency Social Safety Net project). However, as argued by the same interviewee, "although the instrument in itself may be good, one cannot ignore that it is part of a set of cooperation initiatives between the EU and Turkey that are meant to keep asylum seekers and refugees out of Europe" (Interviewee 3).

In November 2017, Oxfam published a study on funding allocation under the EU Emergency Trust Fund for Africa (Kervyn and Shilhav 2017). The purpose of the study, as explained by an interviewee who contributed to it, was to check how money is allocated under this instrument, and in particular how much money is going to: (1) actual development cooperation; (2) migration management; (3) security, peace-building, and preventing and countering violent extremism; and (4) research and monitoring. According to the interviewee, conclusions were nuanced,³ but a relevant finding of the study is that "European securitized migration narratives affect EU

3 The report found that 22 per cent of the EU Trust Fund for Africa budget is allocated to migration management; 13.5 per cent to security, peacebuilding, and preventing and countering violent extremism; 63 per cent to development cooperation; and 1.5 per cent to research and monitoring.

project financing" (Interviewee 11). The report also highlighted that the instrument may lead to positive outcomes for the third countries concerned, if it is not biased by a Eurocentric approach.⁴

Some civil society actors raised an additional problem relating to the management of the EU Trust Fund. The main recipients of funding under this instrument are international organizations such as the IOM and ICMPD, together with the national cooperation agencies of some European countries like France and Switzerland; these are the main actors responsible for the implementation of projects under the EU Trust Fund. This is a controversial issue and it exemplifies how difficult it is for local organizations to access EU funding directly in order to implement locally based projects (Interviewees 13, 9). Typically local NGOs may be involved as subcontractors; in this respect interviewees highlighted that member states' agencies and IOs should not impose their agendas and methods on local actors, who have often been working in the field in these countries for years and have their own expertise (Interviewees 15, 17).

3.5 IMPROVING COOPERATION ON READMISSION THROUGH A RESTRICTIVE VISA POLICY: A REVIVAL OF NEGATIVE CONDITIONALITY

The prevailing focus on the part of the EU and its member states on fighting irregular migration and increasing the number of returns was confirmed by a policy development that took place during the fieldwork in Brussels and was discussed with a DG HOME representative. On 14 March 2018 the Commission published a proposal to amend the Visa Code envisaging a new approach to the EU visa policy.⁵ As explained by an EU official, the proposal introduces the possibility of a more restrictive implementation of certain provisions of the Visa Code as a sanction, or a negative incentive, to enhance third countries' cooperation in the field of readmission. The new policy is specifically meant to apply to southern Mediterranean countries like Tunisia and Morocco – countries from which the EU and its member states would like to obtain more effective cooperation on the readmission of their own nationals (Interviewees 7, 4).

The proposal is thus based on a logic of negative conditionality, according to which "if you do not cooperate on the readmission of your nationals, it will be harder for your nationals to get a visa for Europe" (Interviewee 7). A sanction-based logic is not entirely new in the EU policy framework, as it was first proposed by the Seville European Council in 2002. However, it now represents a relevant policy shift on the part of the EU, which after 2011 had adopted a more-for-more incentive-based approach towards southern Mediterranean countries, including the promise of visa facilitation in the short term and visa liberalization in the long term (European Commission and HR/VP 2011b:7). As a justification, an EU official specified that this is not

4 "The instrument's flexible nature has generated both opportunities and risks, and lacks sufficient checks and balances to ensure that European interests do not take precedence over the needs of the people that aid is intended to help." See Kervyn and Shilhav (2017:1).

5 "The Commission is proposing to introduce a new mechanism to trigger stricter conditions for processing visas when a partner country does not cooperate sufficiently on the readmission of irregular migrants, including travellers who entered regularly by obtaining a visa which they overstayed. The new rules will provide for a regular assessment by the Commission of non-EU countries' cooperation on return. If needed, the Commission, together with Member States, can decide on a more restrictive implementation of certain provisions of the Visa Code, including the maximum processing time of applications, the length of validity of visas issued, the cost of visa fees and the exemption of such fees for certain travelers such as diplomats." See European Commission (2018a).

something new to partner countries, as the USA have been applying a similar policy for a long time (Interviewee 7).

3.6 THE LACK OF MIGRATION-RELATED GENDER POLICIES

As concerns the issue of gender sensitivity in the area of migration, we may consider two dimensions: narratives and policies. Civil society stakeholders argued that the European mainstream narrative represents migration flows (especially along the Central Mediterranean route) as mainly consisting of adult young men. Female migration is underrepresented in the European dominant discourse, and this is a worrying trend because, according to interviewees, the risk is that migrant and refugee women remain hidden to European eyes. Moreover, civil society actors highlighted that when migrant women come to be the object of the European discourse, a victimizing narrative prevails. Women tend to be represented as vulnerable subjects, as victims of trafficking and sexual exploitation. Furthermore, the victimization of migrant women may lead to denying their agency (Interviewee 6).

As concerns policies, interviews show that the perspective of civil society stakeholders is in clear contrast with the views expressed by EU institutional actors. An EU official reported the standard EU programmatic stance according to which gender sensitivity is incorporated in all EU policies (Interviewee 10). In addition, when asked about EU policies addressing specifically female migrants/refugees, all EU institutional representatives focused on the issue of human trafficking and on European policies aimed at contrasting this phenomenon at different levels – i.e., in countries of origin with awareness-raising initiatives, and in countries of transit and destination with initiatives aimed at identifying and neutralizing traffickers and protecting victims (Interviewees 7, 8, 10).

In contrast, all civil society interviewees stated that the EU does not have an overall strategy to mainstream gender in its cooperation policies in the field of migration, and that there is a clear lack of specific gender policies. "Gender is a word that you can find in many EU policy documents, but in fact there are no gender policies" (Interviewee 12); "external migration policies are consistently and permanently ignoring gender-specific issues" (Interviewee 17). A representative of a CSO made an even stronger and more explicit criticism, saying that: "if we consider that in Libya we have a situation of systematic sexual violence against women, which is not only tolerated but also legitimated by the EU, it does not seem to me that we can talk of gender-sensitive EU policies" (Interviewee 12).

Many highlighted that the EU may instead finance and implement gender-specific projects, especially projects relating to human trafficking (as this is the almost exclusive focus of EU action when it comes to migrant women); however, "such initiatives are only at the project level, not at the policy level" (Interviewee 11). As noted by a civil society actor, it would be crucial for policy-makers to focus on migrant women also when elaborating labour migration policies; this would make it possible to start considering female migrants not only as victims of trafficking for the purpose of sexual exploitation, but also as workers, who may have specific skills and may offer their own contribution to the hosting society (Interviewees 16, 17).

Finally, an international non-governmental organization (INGO) representative claimed that gender sensitivity should apply not only to migrant women but also to male teenage migrants, who get to Europe as unaccompanied minors and are thus a vulnerable population, but are

often mistreated, discriminated against and considered as potential terrorists by default (Interviewee 14).

4. IDENTIFYING ACTORS INVOLVED IN MIGRATION POLICY-MAKING IN THE MEDITERRANEAN

4.1 ROLE OF CIVIL SOCIETY ACTORS IN SEM COUNTRIES

Generally speaking, most interviewees claimed that the consultation and involvement of CSOs (both in Europe and in third countries) in decision-making processes is always something positive. EU institutional actors maintained that the EU is highly attentive to the role of civil society in SEM countries: "we want a strong civil society in our neighbourhood, we take civil society organizations very seriously" (Interviewee 8). An EU official affirmed that CSOs are already largely involved in the implementation of EU policies, and gradual but positive steps forward have been made with regard to the involvement of some civil society actors also in decision-making processes (Interviewee 10).⁶

EU institutional representatives focused on the case of Tunisia as a positive example of how the EU can establish fruitful relations with CSOs in third countries. Since 2016 the EU has systematically involved Tunisian civil society in its political dialogue with Tunisia through so-called "tripartite dialogues", which take place before every official EU–Tunisia meeting. Tripartite dialogues involve EU institutions, Tunisian institutions and the main Tunisian CSOs. EU officials described in very positive terms this innovative practice and highlighted that so far it has been used with Tunisia only (Interviewee 8). In addition, as reported by an EU official,

Tunisia is the only country in the world where, in the framework of the ongoing negotiations for the readmission and visa facilitation agreements, the EU decided to share draft agreements with civil society representatives before meetings; this is a sign that the EU is trying to increase civil society involvement in decision-making and negotiations. (Interviewee 8)

In contrast, from the point of view of most of our European civil society interviewees, cooperation with CSOs and their active involvement in policy-making is lacking; this applies not only to CSOs in SEM countries but also to CSOs and NGOs in Europe. Interviewees claimed CSOs are often perceived by institutional actors (both the EU and its member states) as an obstacle. In this framework, consultations may end up being a mere formality, only a façade operation, where CSOs are actually not listened to (Interviewees 6, 13). The feeling of not being really listened to emerged as a very common concern among CSO representatives both in Europe and in SEM countries. An EU official expressed the counterpoint to this critique, arguing that "there is a lack of trust on the part of CSOs in SEM countries towards the EU; there is a general feeling of conspiracy in the Arab world, and this hampers cooperation between the EU and CSOs" (Interviewee 7).

⁶ In fact an INGO representative confirmed that "consultations with local CSOs in neighbouring countries are foreseen in the context of the European Neighbourhood Policy; this is not the case with CSOs in sub-Saharan countries" (Interviewee 11).

In light of the difficulties in involving CSOs in SEM countries in the elaboration of EU policies, an INGO representative suggested to first focus on the involvement of diaspora organizations in Europe. In his view, this may be more feasible and it is also particularly relevant in order to avoid the EU agenda becoming too far divorced from the priorities of migrants living in Europe (Interviewee 11).

4.2 ROLE OF THE EUROPEAN UNION

Several European civil society interviewees confirmed one of the findings of the research carried out in Lebanon, Morocco, Tunisia and Turkey, i.e., that the EU has lost part of its credibility in the eyes of SEM stakeholders: "The EU's promises were not put in practice; there is always a stick behind an EU carrot" (Interviewee 6). In particular, according to this point of view, the EU has lost part of its prestige as a human rights champion and guardian, especially due to the establishment or strengthening of cooperation on migration management with dictatorships (Sudan, Eritrea) and countries with a bad human rights record (Turkey, Libya). In addition, according to an INGO representative, EU policies aimed at containing migration flows have impacted negatively on EU relations with its southern neighbours. The objectives of democratization and increased human rights protection promoted after the Arab Spring have now faded away; this is problematic not only because it affects the EU's credibility, but also (and especially) because it hampers the achievement of highly relevant objectives in those countries (Interviewee 13).

Civil society actors focused also on problems relating to the EU institutional framework. "The problem of any EU policy in the area of migration is that the EU does not speak with one voice only; within the EU there are lots of voices, which correspond to different EU institutions, and to different member states" (Interviewee 15). Interviewees highlighted the frequent lack of coordination among different EU institutions, as well as among different departments within the same institution, as is the case with different DGs within the Commission. For instance, an INGO representative noted that they may get different feedback depending on which DG they talk to (Interviewee 11). The same interviewee affirmed that differences between EU institutions may concern also their more general perspective and discourse on migration.⁷

4.3 REGIONAL COOPERATION

EU institutional actors did not lament the lack of regional fora for coordination and discussion among SEM countries in the field of migration. This confirms the shift from a multilateral to a purely bilateral approach in the EU's relations with its southern neighbours, leading to an increasing fragmentation of the non-EU political space. The "bilateralization" of EU relations with southern Mediterranean countries was highlighted by both EU officials (Interviewee 10) and civil society stakeholders (Interviewee 11). Furthermore, an IO representative noted that "the potential of regional cooperation in the Mediterranean area has not been fully exploited yet; the EU should do more to encourage it" (Interviewee 17).

⁷ "In some EU institutions people may have a more nuanced perspective on migration, they may use a less securitized discourse, avoiding the rhetoric of a 'migratory emergency' affecting Europe; they may have a more realistic view on the size of Mediterranean migration flows compared to migratory movements in Africa or compared to people who enter Europe legally and overstay their visa. This is the case of the EEAS" (Interviewee 11).

4.4 ROLE OF EXTERNAL ACTORS

Stakeholders in SEM countries focused their attention mainly on the migration policies of the EU and European countries in the Mediterranean, whereas the role played by other state actors (including global, regional and emerging powers) in this policy field was barely mentioned. European stakeholders essentially shared the same perspective.

An EU official stated: "The EU is of course the main actor, because migration across the Mediterranean is mainly a European concern!" (Interviewee 7). Another EU representative specified that other external actors may actually play a role in the Mediterranean, but in different policy fields (e.g., trade, infrastructure, energy) and not specifically in the area of migration governance; their policies in other fields may nonetheless have indirect consequences also on migration (Interviewee 10). A civil society stakeholder proposed a different interpretation of the EU's dominant role in the migration policy field. According to her, "the EU has tried to impose its role and its presence in the African continent through migration leverage, because migration is the only field where the EU has a real leadership, while in other policy areas other state actors may be more influential and may compete with the EU" (Interviewee 12).

Several interviewees mentioned the USA. They highlighted that, being a global actor, the US has interests in the Mediterranean region, but such interests involve only very indirectly the issue of migration (Interviewee 7). An EU official specified that the US is an important player in the field of security, fight against trafficking and counterterrorism; therefore, the US may play a role also in the field of migration, when the two issues come together. However, the US is not a major player in the area of migration as such, but is more active in the area of development cooperation (Interviewee 8). As concerns asylum, an INGO representative emphasized that her organization is worried about the complete US disengagement from global asylum policies (Interviewee 13).

Some interviewees mentioned the Gulf countries, which to some extent may be considered an EU competitor in terms of attracting highly skilled migrants. Indeed, the Gulf countries represent relevant destination countries in the Middle East and North Africa region; in particular, they offer labour migration programmes and technical cooperation schemes specifically addressed to highly qualified workers, including (but not limited to) workers from SEM countries (Interviewees 8, 9). However, a migration expert noted that Gulf countries have adopted more restrictive migration policies compared to the EU, and the protection of migrant rights and labour rights is more limited (Interviewee 15). A representative of an IO added that the League of Arab States seems to be committed to enhancing its cooperation with the EU in the field of migration; it has become more active in intergovernmental meetings and it is demonstrating a certain interest for EU migration policies (Interviewee 17).

A couple of interviewees mentioned China, which has become a key economic player in the African continent (Interviewee 12). As such, it may play an indirect role also in the field of migration. As noted by an EU official, thanks to its large investments in Africa, China may help tackle the root causes of migration; however, since Chinese investments in Africa are focused on infrastructure and trade, it will take years before the impact of Chinese investments on migration flows becomes visible (Interviewee 8). Finally, the African Union is a relevant interlocutor for the EU in the Mediterranean region also with regard to migration-related issues

(e.g., in the context of the UN Global Compact process) and Morocco plays an increasingly relevant role in this organization (Interviewee 8).

5. EXPLORING NEW POLICY INSTRUMENTS FOR A RENEWED AND MORE COOPERATIVE GOVERNANCE OF MIGRATION

Local stakeholders interviewed in Lebanon, Morocco, Tunisia and Turkey expressed criticism towards the lack of involvement of civil society actors in SEM countries in migration policy-making and negotiations. A request has emerged for more participatory policy instruments, which more actively involve civil society and social partners on both shores of the Mediterranean. 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, etc.

With regard to this idea, feedback from European stakeholders was mixed. Some EU officials argued that EU policies are already addressing this issue and are already oriented to the involvement of partner countries' civil societies in policy-making, especially in the EU's southern neighbourhood, with Tunisia representing a special case of structural involvement of local civil society in the political dialogue with the EU in various policy fields (Interviewees 8, 10). Other EU institutional representatives affirmed that the empowerment of civil society in SEM countries is extremely relevant for the EU and there are specific programmes and financial resources dedicated to this. However, the involvement of local CSOs in decision-making and negotiations is something different and more complex. For many EU institutional actors it seems that migration policies should remain a top-down field of policy-making, aiming to achieve at most a more active involvement of SEM institutional actors, but not of SEM civil society.

European civil society stakeholders were generally positive towards the idea of a more cooperative governance involving local civil societies more actively in the elaboration and implementation of EU policies. However, they raised two main concerns. The first one is a general concern that CSOs and NGOs should not replace the State or public institutions in the provision of basic services and in the protection of fundamental rights. NGOs' involvement, for instance in asylum seekers' reception and resettlement projects, is certainly positive but this should not lead to delegating to civil society the functions and responsibilities of the States and the EU. This is a worrying trend that is taking place in different migration-related policy fields, e.g., search and rescue (SAR) operations in the Mediterranean, reception of asylum seekers, migrants' access to healthcare, and resettlement and integration policies. In all these fields, public institutions should have a primary responsibility for the provision of services and implementation of policies; and also the lack thereof has to be considered a responsibility of the State (Interviewees 6, 15). More concretely, a migration expert observed that whereas for resettlement, civil society actors could play a more relevant role in terms of cooperative governance (as does happen already, e.g., in projects like Mediterranean Hope⁸), for legal migration the involvement of CSOs and social partners will most probably come only at a later stage, at the level of implementation rather than negotiation (e.g., in the legal migration pilot

8 See the official website: <https://www.mediterraneanhope.com>.

projects proposed by the Commission) (Interviewee 9).

A second concern is related to the selection of civil society interlocutors in SEM countries. Some European civil society interviewees and an IO representative noted that in some contexts it may be difficult to understand which are the civil society components to talk to. In certain SEM countries civil society may not be sufficiently strong, free and independent, and it may be controlled either by the government or a given political party, or influenced by certain IOs or INGOs which may impose their own agenda (Interviewees 17, 11). Conversely, according to the IO representative, the active involvement of competent scholars, experts and academics from SEM countries in migration policy-making and negotiations is highly beneficial and should be encouraged (Interviewee 17).

Other European civil society interviewees focused on a different problem. They highlighted that very often civil society consultations in SEM countries result in the consultation of a certain type of civil society only. It consists of relatively big and well-established CSOs, which are made up of professionals, have an international profile and strong ties with European stakeholders, and often benefit from the EU's financial support. The genuinely local civil society – which is less organized, is made up of local volunteers, has a very limited international profile (or none at all), and is often unable or unwilling to access EU funding – is generally neither involved nor consulted by EU institutions (Interviewee 12). According to interviewees, this is mainly due to the more radically critical stance of this kind of CSO towards the EU and the national government; however, it may be due also to the structural and organizational limits of these small-size, understaffed and inexperienced CSOs.

Nevertheless, the challenges posed by a more significant involvement of SEM civil society in migration policy-making should not stop the EU from trying to rethink its approach to migration governance in a more comprehensive and balanced way; and it should not discourage civil society stakeholders from advocating for this. In the words of a civil society interviewee:

The EU's dialogue with SEM countries cannot be focused on externalization only, it cannot be aimed at solving only European problems, as this would become a dialogue of the deaf. The problem is not a lack of dialogue; a dialogue is already there, but it must be re-thought and re-built on different bases. EU policies are informed by a highly Eurocentric approach, whereby the EU support and aid to SEM countries is made conditional to their cooperation in stemming migration flows. It is also important that the role of civil society in this dialogue be re-thought. It is not sufficient to simply consult civil society. The purpose of the EU should be to empower local CSOs in SEM countries and strengthen their role of national advocacy, going beyond a logic of conditionality. (Interviewee 12)

CONCLUSIONS

This paper aimed to evaluate EU migration policies in the southern and eastern Mediterranean from the viewpoint of European institutional and civil society stakeholders. European interviewees were confronted with the perspective of stakeholders from four SEM countries and were asked to react to it, with the purpose of identifying more balanced and inclusive policy instruments that could be of help to re-think and re-build Euro-Mediterranean cooperation in

the area of migration.

European civil society stakeholders proved to largely share the critical views expressed by civil society stakeholders in Lebanon, Morocco, Tunisia and Turkey with regard to the EU's general approach to cooperation with Mediterranean countries in the field of migration. They described the EU's discourse as securitizing and Eurocentric, highlighting that it also translates into securitizing, Eurocentric and conditionality-based policies and practices.

Similarly to CSOs in SEM countries, European civil society actors stressed the constant lack of policies in the field of legal migration. At the same time, both institutional and civil society stakeholders in Europe praised the European Commission for its efforts to keep legal migration in the European agenda and to push forward new initiatives in this area, despite the member states' reluctance. European institutional and civil society actors also shared the same evaluation of Mobility Partnerships as instruments that would have the power to promote a more comprehensive and balanced approach to migration, but in fact end up replicating the EU's Eurocentric security-oriented approach.

Conversely, with regard to gender policies, the perspective of European civil society stakeholders is in clear contrast with that of EU institutional actors. While EU officials affirmed that gender sensitivity is incorporated in every EU policy and that initiatives aimed at contrasting human trafficking are specifically intended to address female migration, European non-governmental and grassroots actors argued that the EU lacks an overall strategy to mainstream gender in its cooperation policies in the field of migration.

Also when it comes to the role of CSOs in SEM countries and their involvement in migration policy-making, the positions of EU representatives and civil society actors diverge. The former claimed that CSOs are already largely involved in the implementation of EU policies, and gradual but positive steps have been made towards the involvement of some of them also in decision-making processes, as in the case of Tunisia. In contrast, the latter affirmed that cooperation with CSOs and their active involvement in policy-making is lacking; the feeling of consultations being a mere formality where CSOs are not really listened to emerged as a common concern among civil society actors both in Europe and in SEM countries.

In this framework both EU officials and civil society representatives were cautious towards the idea of promoting a more cooperative governance of migration, which would actively involve CSOs and social partners along with institutional actors on both sides of the Mediterranean. Both categories of interviewees raised a number of concerns; however, despite the challenges, civil society stakeholders should continue to advocate for their involvement in migration policy-making, as EU institutional actors tend, instead, to preserve the traditional top-down approach that has always characterized decision-making processes in this field.

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ANNEX: LIST OF INTERVIEWS

Interview 1. Italian trade union, member of a Euro-Med-African network of trade unions, male representative, skype interview, 5 March 2018

Interview 2. ETF, female representative, Turin, 7 March 2018

Interview 3. European network of CSOs working on asylum, female representative, Brussels, 12 March 2018

Interview 4. EEAS, Brussels, 13 March 2018

Interview 5. European trade union organization, female representative, Brussels, 13 March 2018

Interview 6. European foundation/human rights organization, female representative, Brussels, 15 March 2018

Interview 7. EU institutions (EC DG Home), male representative, 15 March 2018

Interview 8. EU institutions (EC DG Home), female representative, 16 March 2018

Interview 9. Migration expert of a Brussels based European think tank, female representative, 16 March 2018

Interview 10. EU officer, male representative, phone interview, 26 March 2018

Interview 11. INGO, male representative, skype interview, 4 April 2018

Interview 12. Italian CSO, member of a Euro-Mediterranean human rights network, female representative, skype interview, 4 April 2018

Interview 13. INGO, female representative, skype interview, 5 April 2018

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Interview 15. Migration expert/academic and member of a Spanish think tank, female representative, skype interview, 6 April 2018

Interview 16. European network of CSOs working on irregular migration, female representative, skype interview, 13 April 2018

Interview 17. Intergovernmental organization, male representative, skype interview, 20 April 2018

Interview 18. Intergovernmental organization, female representative, Turin, 26 April 2018

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