

Navigating complexities: Challenges in EU's mobility cooperation with the Southern Neighbours

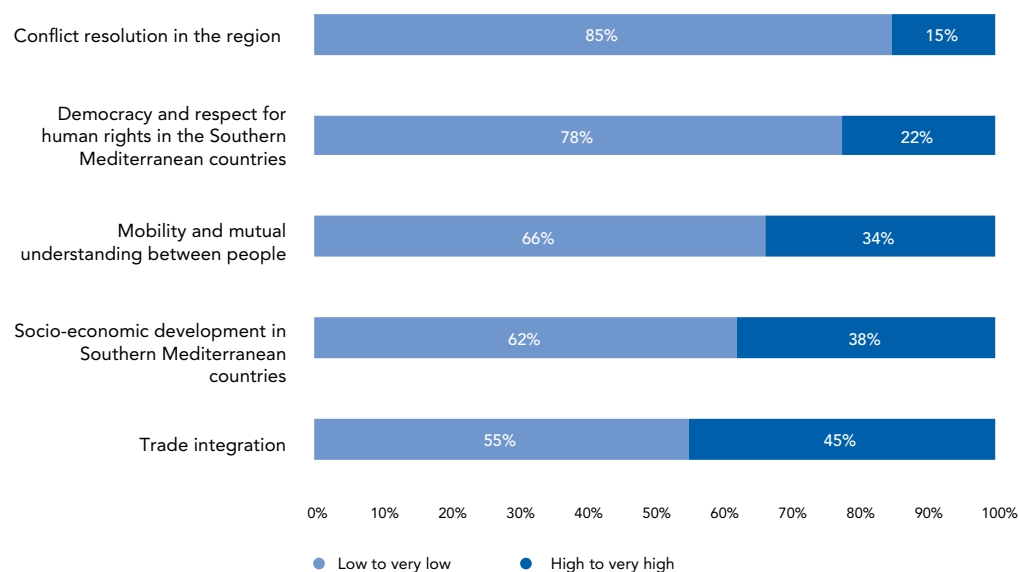
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The European Neighbourhood Policy (ENP) guides the European Union's interactions with its Southern and Eastern neighbouring countries. Migration and mobility are central themes within the ENP. The February 2021 joint communication on the renewed partnership with the Southern neighbourhood, within the framework of the ENP, underscores the importance of effectively supporting and leveraging the benefits of legal migration and mobility within both EU and member states' competencies (European Commission, 2021). However, despite the intentions outlined in the ENP, the Euromed Survey results indicate that there is a perception among respondents that its impact on legal mobility and mutual understanding between people has been limited. A majority of respondents (66%) view this impact as either low or very low, with only a minority (34%) considering it high or very high. This perception underscores the challenges inherent in fostering cooperation on mobility issues between Northern and Southern Mediterranean neighbours.

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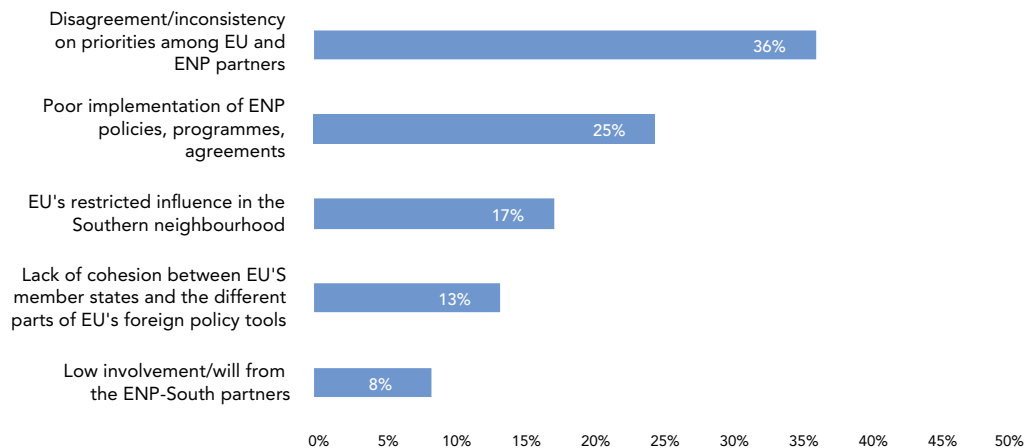
Graph 1: Q.1 The European Neighbourhood Policy (ENP) was designed 20 years ago. It became the structuring framework of Euro-Mediterranean relations. Since then, to what extent do you consider that it has effectively impacted the following areas?



Source: Compiled by the IEMed based on the results of the 14th Euromed Survey

Mobility cooperation involves a complex array of interconnected issues such as security, economics, and diplomacy. Balancing these diverse factors while accommodating the varied needs and interests of stakeholders poses inherent challenges. One major challenge highlighted in the Euromed Survey results is the presence of disagreements on priorities among these partners, with over 36% of respondents citing it as the top reason for the perceived low impact of the ENP. Additionally, issues such as poor implementation of policies, programs, and agreements, as well as the EU's limited influence in the Southern neighbourhood, have limited the impact of the ENP, according to the survey respondents.

Graph 2: Q.1b In general terms or in relation to the specific areas mentioned above, why do you think the impact has been limited? (categories developed from open-ended answers)



Source: Compiled by the IEMed based on the results of the 14th Euromed Survey

The complexities of cooperation on mobility are particularly pronounced in discussions surrounding visa facilitation. Notably, the EU has successfully concluded visa liberalisation agreements with three Eastern neighbours and signed visa facilitation and readmission agreements with nearly all its Eastern counterparts. In contrast, visa liberalisation remains absent from discussions with Southern neighbours. While negotiations commenced on dual agreements for visa facilitation and readmission with a few Southern partners, no such agreements have been formalised. These negotiations that unfolded have underscored the presence of divergent agendas and priorities on both sides of the Mediterranean, highlighting challenges in reaching mutual agreements on mobility-related issues.

Surge in irregular migration undermines dialogue on legal mobility channels

Arguably, the European Union has an interest in enhancing legal mobility channels. This is in part driven by challenges facing European labour markets due to aging populations and declining working-age populations, which has indeed put pressure on member states to address labour shortages and fill vacancies (Rasche, 2023). However, several dynamics within the EU complicate the development of a unified response to this challenge. One major obstacle is the reluctance of member states to relinquish control over labour migration to the European level (Ibid). This reluctance stems from concerns about sovereignty, national identity, and the potential impact of increased migration on domestic politics. Furthermore, substantial resources and

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energy at the EU level have predominantly been focused on reducing irregular arrivals, rather than enhancing legal mobility. The issue of irregular migration continues to dominate the debate on migration to the EU, both domestically and externally.

The impact of migration on intra-European dynamics became particularly pronounced during the peak of the migratory crisis of 2015. During this time, many member states reinstated border controls and engaged in pushing migrants back at borders to other EU countries. This challenged the EU's unified space principle. Subsequently, the surge in anti-migrant sentiments fuelled the rise of far-right parties, often at the expense of pro-EU factions. This shift highlights how migration has evolved into a decisive factor in electoral outcomes across Europe. Since 2017, anti-immigration parties have gained increased popularity in several member states, including the Netherlands, Italy, Austria, and Germany. Looking ahead, migration is expected to continue dominating the political landscape in 2024, shaping policy debates and electoral campaigns across member states and at the EU level (Dubois & Hall, 2023).

Despite a decline in migrant flows between 2018 and 2019, arrivals in Italy surged again since 2020 through North Africa, reaching a peak of 157,652 arrivals in Italy in 2023. During this year, Tunisia emerged as a primary departure point towards Italy, with 97,306 individuals, predominantly from Western African countries, arriving in Europe via this route (UNHCR, 2023). This influx has once again thrust migration to the forefront of EU-Tunisia relations, prompting the EU to negotiate a highly criticised agreement with the Tunisian government aimed at enhancing cooperation on migration management.

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These shifting migratory dynamics within the Euro-Mediterranean space have direct implications for the mobility discourse. Amidst declining solidarity within the EU, addressing irregular migration is increasingly framed as a strategic response to counter the rise of anti-EU sentiments. The perception of migration as a threat to national security and sovereignty has led to a heightened focus on the securitisation of migration issues, leading to a prioritisation of measures related to migrant return and border control over other facets of mobility collaboration.

One notable area where this impact is evident is in the EU's visa policy. Given the prevalent circumstances, the EU appears hesitant to make concessions on visa facilitation. This hesitance is partly rooted in the enduring instability and deteriorating socio-economic conditions in the Southern vicinity, which offer limited incentives for the EU to reconsider its stance on visa facilitation. The prospects for a promising discussion on enhancing mobility through visa facilitation look dim, with visa application processes in Southern Mediterranean countries appearing to be increasingly challenging. This complexity is fuelled in part by EU apprehensions regarding visa-related risks. As migration pressures escalate in the region, concerns about exploiting short-term Schengen visas for overstaying in the EU have become prominent. Additionally, there are growing worries surrounding the use of fraudulent visas and the provision of fake documents in Schengen visa applications, leading to what appears to be a tighter stance on assessing visa applications.

The long-stalled negotiations on the joint readmission-visa facilitation agreements

In the realm of cooperation on migration management, the EU pursues stronger collaboration from its Southern neighbours on various fronts, including border control, the readmission of their nationals staying irregularly in the EU, and the return of third-country nationals (TCNs) who transit through their territories to reach Europe. To achieve this, the EU aims to employ a balanced approach of incentives and pressure. One pivotal policy tool mobilised by the EU in this endeavour is the joint readmission-visa facilitation policy, which incentivises partner countries to cooperate on readmission by offering increased and easier mobility channels for certain groups. Although the readmission and visa facilitation agreements are negotiated separately, they are often linked with a partner's cooperation on readmission being rewarded with relaxed visa requirements. Consequently, visas are not only utilised as a means of controlling mobility but also serve as an incentive for third countries to collaborate on other aspects of migration management.

Negotiations for joint agreements were initiated with Morocco and Tunisia after the conclusion of Mobility Partnerships in 2013 and 2014, respectively¹. However, talks with both countries have encountered unexpected challenges, both political and practical, leading to stalled progress. Limited headway in the negotiations can be attributed to various factors. Talks with Tunisia, which began in October 2016, initially appeared promising, with EU Commissioner for Migration, Home Affairs, and Citizenship Dimitris Avramopoulos stating that "Tunisia could be the first country to benefit from an ambitious visa facilitation agreement" (European Commission, 2016). However, after four rounds of negotiations, progress halted. The negotiations with Morocco faced a setback due to tensions in EU-Morocco relations. In 2016, the political dialogue between the two sides was suspended following a ruling by the EU Court of Justice against the agriculture and fishery agreement signed in 2012. By 2017, it was evident that discussions with both countries had not advanced as anticipated.

Several disagreements have emerged during the negotiations. One contentious aspect is the return of third-country nationals (TCNs), which the North African countries opposed for domestic and external considerations. In the realm of visas, there are disparities between the EU's visa incentives and North African countries' expectations. The proposed EU visa incentives were seen as insufficient, leaving out less privileged groups who face limited opportunities for temporary travel. Thus, questions arose about the added value of an EU-wide visa facilitation agreement compared to existing bilateral agreements, spurring uncertainty about its actual impact (Abderrahim, 2019).

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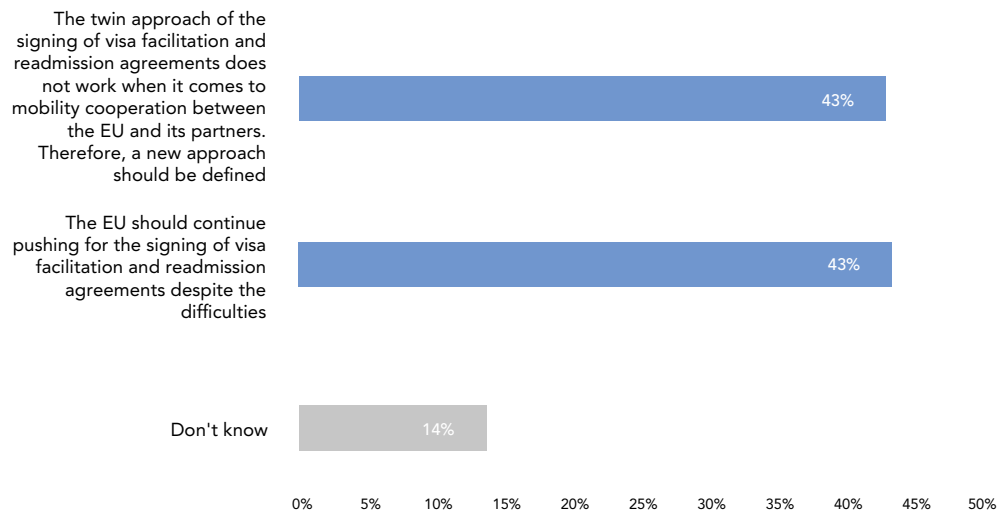
1. Negotiations on a readmission agreement with Morocco began in the 2000s but yielded no concrete results. The signing of the Mobility Partnership (MP) between both parties in 2013 aimed to provide a framework for discussing the readmission agreement alongside an agreement on visa facilitation.

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Despite the limited progress, the negotiations have not been officially suspended. However, there are considerable doubts about the fate of these agreements. Overcoming differences presents a daunting task, especially considering the evolving migration landscape in both Europe and North Africa, which has heightened the politicisation of migration. As migration continues to be a complex and sensitive issue, finding common ground and reaching mutually beneficial agreements remains challenging.

The limited effectiveness of the negotiations on these agreements may have had an impact on how this policy tool is perceived in the Mediterranean region, as evidenced by the results of the Euromed Survey. The data reveals a split opinion in this regard. While 43% of respondents support continuing efforts to sign visa facilitation and readmission agreements despite the challenges, an equal proportion believes that a new approach is needed due to the perceived ineffectiveness of the current twin approach.

Graph 3: Q.12 Given this situation, do you think that (select only one option):



Source: Compiled by the IEMed based on the results of the 14th Euromed Survey

Survey results reflect a complex and nuanced situation, concerning visa facilitation and establishing readmission agreements, suggesting that there is no consensus on the most effective path forward.

This split opinion reflects a complex and nuanced situation, suggesting that there is no consensus on the most effective path forward. It underscores the challenges faced in mobility cooperation between the EU and its neighbours and highlights the divergent perspectives among stakeholders. Support for continuing the discussions likely arises from the perceived potential benefits of these agreements. The visa facilitation is seen as an essential step toward promoting mobility, people-to-people contacts, and economic ties between the EU and its neighbours. However, the lim-

itations and shortcomings involved in the process indicate the need to reassess the content and process of the talks or explore alternative approaches.

Growing barriers to obtaining visas undermine mobility

The topic of visas is undeniably intricate and contentious, especially between the EU and its partner countries, as there exists a disparity in interests and perspectives in this domain. Southern Mediterranean countries advocate for simplified visa procedures and broader mobility opportunities, whereas the EU shows reluctance in expanding avenues for third-country nationals. The increasing utilisation of visas as instruments for border control and migration management is leading to the emergence of new hurdles to accessing visas, effectively undermining the prospects of improved mobility facilitation.

In recent years, complaints from Southern Mediterranean countries have surged due to a perceived increase in barriers to obtaining Schengen visas. The application process for a Schengen visa is commonly criticised as burdensome, stressful, and costly (Zardo & Abderrahim, 2018). The surge in denied visa applications corroborates the sentiment of intensifying hardships in acquiring visas. For instance, Tunisian applicants saw their rejection rates for Schengen visas climb from 18.2% in 2018 to 30.3% in 2022. This trend has fuelled uncertainty among applicants concerning the requirements and criteria for attaining visas. Previously, obstacles in obtaining visas predominantly affected individuals from disadvantaged backgrounds, but now these challenges extend to individuals from more privileged categories who increasingly grapple with the process.

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Stricter visa regulations are tightly linked to an increase in the risk of irregular migration from the region. With the upsurge of irregular departures from North African states, it appears that many visa seekers are increasingly viewed as potential irregular migrants. This perception is underpinned by EU concerns about visa abuse and overstaying, prompting heightened scrutiny and what many in the Southern Mediterranean consider as unfair rejections. Interestingly, the issue of visa facilitation in Southern Mediterranean countries intertwines with concerns about dignity and equity. While EU citizens enjoy unrestricted entry into North African countries, questions persist regarding the fairness of treatment towards applicants from the Southern Mediterranean region.

Another related factor behind the increase in difficulties in obtaining visas is the instrumentalisation of visas as a foreign policy tool to propel governments in the region to cooperate more effectively on readmission. In the context of its bilateral relations with Algeria, Morocco, and Tunisia, France has utilised visas as a negative incentive by implementing significant reductions in the numbers of visas available to nationals of these countries in September 2021. This strategy aimed to bolster France's leverage in cooperation on migrant return initiatives. By restricting visa access, France seeks to exert pressure on these countries to enhance cooperation in managing and facilitating the return of migrants from French territory. This approach underscored the growing interconnectedness between migration and visa policies.

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Overall, hardening conditions for granting visas have added substantial ambiguity over the requirement and the process. The mobility of students, scholars, and artists, who used to have easier access to visas, was curtailed, in contradiction to the ENP goals of encouraging exchange and mutual comprehension between peoples. This sense of ambiguity has eroded trust in official channels of communication regarding the visa application process. Consequently, many applicants are seeking alternative sources of information to gain clarity on the process and enhance their chances of obtaining a Schengen visa. One significant avenue is social media, where forums dedicated to sharing experiences and tips have proliferated. Additionally, applicants are turning to informal intermediaries who offer services including providing guidance on the application process, assistance with booking appointments, and helping with document completion.

However, the growing role of these actors in the process not only further complicates it but also increases the financial cost of applying for a Schengen visa. Moreover, these new dynamics heighten the risk of fraud for applicants. This is because some intermediaries engage in illicit practices, such as providing falsified documents, at times without the applicants' knowledge. Thus, the emergence of these new actors introduces additional complexities and risks for both applicants and the EU.

Conclusion

The relationship between the European Union and the Southern Mediterranean countries regarding migration and mobility is indeed complex and often fraught with tensions. Negotiations on agreements regarding readmission and visa facilitation have progressed slowly, exposing the challenges in reaching mutually beneficial agreements in this area.

The growing instrumentalisation of visas as a foreign policy tool adds another layer of complexity to discussions on visa facilitation. As the EU and its member states seek concessions from countries like Morocco and Tunisia on readmission, visas are increasingly used as leverage to influence their positions. However, this approach risks exacerbating existing tensions and perceptions of unequal treatment in migration policing in the southern Mediterranean. Nonetheless, the reality is that dynamics on both sides of the Mediterranean are likely to exacerbate these tensions.

Addressing the inherent challenges to enhance the effectiveness of ENP initiatives related to migration and mobility will require a genuine desire to address structural issues that hinder progress and concessions on both sides. Despite the difficulties, proposed reforms at the EU level, such as the digitalisation of visa application procedures in the Schengen zone, can offer some potential solutions in the long-term. While this reform is aimed at enhancing the security of the EU by mitigating security risks related to document fraud, it also offers the opportunity to address some of the difficulties faced by visa applicants from Southern Mediterranean countries by streamlining the visa application process and cutting down some costs involved in the process.

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