Chapter 5
(Im-)Mobility Partnerships: Limits to EU Democracy Promotion Through Mobility in the Mediterranean

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5.1 Introduction

At critical junctures, the European integration process has often found a new *élan* to invest in renovated cooperation frameworks of either domestic or international kind. The Arab Uprisings of 2011 were initially regarded as such a critical juncture for both domestic regime change and Euro-Mediterranean relations. The European Union (EU) has struggled to link its external migration governance with policies aimed at democratic governance promotion, assuming the mobility-democracy nexus as a crucial dimension of its relations with the Southern neighbour countries (SNCs). Yet, 10 years later, what prevails in the Southern neighbourhood is authoritarian resilience rather than political change or democratic transition. This chapter explores the links between EU efforts to support democracy in the Southern neighbourhood and EU external migration policy, focusing on mobility partnerships (MPs). MPs belong to what the EU has conceived as a 'new' democracy promotion approach epitomised in its Communication on a partnership for democracy and shared prosperity in the Southern Mediterranean (European Commission, 2011a). The underlying logic of this approach is to leverage the building and consolidation of democracy and rule of law through the EU's conditional support for Mediterranean partners in terms of 'markets, money and mobility.'

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More recently, to address the current challenges that the Southern neighbourhood faces in the post-COVID19 era, namely governance, socio-economic, climate, environmental and security challenges resulting from global trends, the EU has proposed 'a new, ambitious and innovative *Agenda for the Mediterranean,* drawing for the first time on the full EU toolbox and the ground-breaking opportunities of the twin green and digital transitions, in order to relaunch our cooperation and realise the untapped potential of our shared region' (European Commission, 2021: 2). With the new Agenda for the Mediterranean, the EU seeks to adopt, within the framework of the European Neighbourhood Policy (ENP), 'a common and people-centred agenda'. Irregular migration across the Mediterranean Sea stays high on the EU's political agenda and avoiding that '[t]oo many people risk their lives by attempting to enter the EU irregularly, fuelling a smuggling industry that is ruthless, criminal and destabilising to local communities' represents a burning issue for the EU and Euro-Mediterranean cooperation (*ibidem*). Migration and mobility are key issues of current Euro-Mediterranean relations, since enhancing cooperation on migration through comprehensive partnerships remains the preferred EU strategy, addressing the root causes of irregular migration and forced displacement. The EU invests in legal migration and mobility in line with the new Pact on Migration and Asylum (European Commission, 2020). Once more, the EU envisages a comprehensive cooperation framework, including '[a] renewed commitment to the rule of law, human and fundamental rights, equality, democracy and good governance as the bedrock for stable fair, inclusive and prosperous societies, with respect for diversity and tolerance' (European Commission, 2021: 4), relying on an increased allocation of funding and the mobilisation of private and public investments. 'In line with the "EU Action Plan on Human Rights and Democracy for 2020-2024", the EU will step up its engagement with partners to promote the respect for human rights, the rule of law and democratic values.' (European Commission, 2021: 7). The new declared 'people-centred' approach of the Agenda mentions the promotion of human rights, the rule of law, democracy and good governance, gender equality and equal opportunities for all and support to civil society as specific action points.

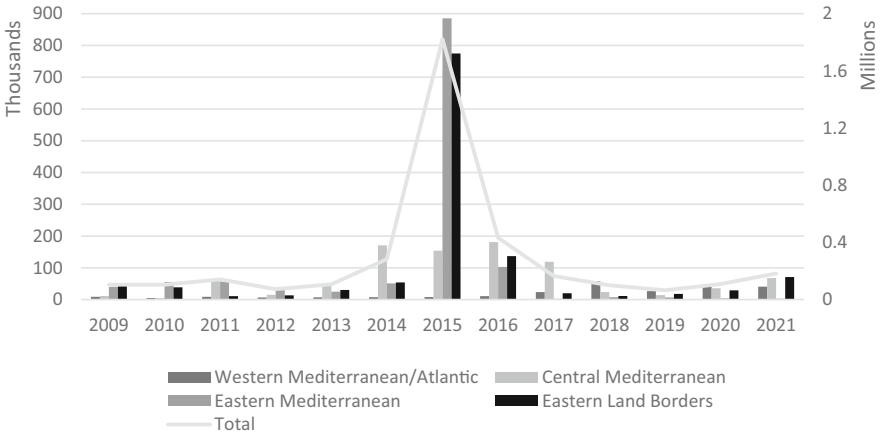
However, when it comes to a trade-off between cooperation with authoritarian governments to ensure stability and democracy promotion, the EU tends to prioritise the former. Since international cooperation is a process of 'strategic interaction' (van Hüllen, 2015), it is reasonable to assume that the EU's neighbours are not passive receivers of democracy promotion and migration policies: partner countries do have 'agency' in negotiating with the EU. Indeed, they leverage their strategic role as guarantors of stability in the Union's neighbourhood in order to obtain more 'markets, money and mobility' (Reslow, 2012). Looking at the implementation of the MPs with Tunisia, Morocco and Jordan, we aim to critically explore the interactions between mobility cooperation and democracy promotion from this reversed perspective. This allows us to advance some considerations on the extent to which MPs are constrained into a stability-democracy dilemma, that challenges the mobility-democracy nexus portrayed by the EU.

5.2 What to Look at? Main Assumptions and Selected Cases

When looking at the EU's external action in the field of migration governance, it is striking to note that most of the countries with which the EU is cooperating fall short of the standards of democracy and human rights that the Union itself predicates as a 'normative power' (Manners, 2002). This chapter departs from the stability-democracy dilemma, focusing on what Cassarino (2007) defined as 'reversed conditionality', and explores the mobility-democracy nexus portrayed by the EU, to assess whether the EU is consistently investing in mutually beneficial partnerships to ensure regular migration. Since the aim is to reconnect mobility and democracy promotion in the broad framework of the ENP, the chapter analyses the potential impact of MPs on SNCs' democratisation processes. It shows that the mobility-democracy nexus can also be constrained by authoritarian governments and partner countries' elites, since SNCs have agency in negotiating with the EU. Initially, MPs were not framed as tools associated with democracy promotion. The concept of MPs was established by the European Commission in 2007. The first pilot agreements were concluded with Moldova and Capo Verde and did not target the Mediterranean area. MPs were structured as 'soft international agreements' (Wessel, 2021) aimed at improving the effectiveness of migration management. The EU proposed to invest in improved opportunities in terms of legal migration, visa facilitation and migration management assistance, in exchange for third countries' commitment to step up cooperation on combating irregular migration and readmission (European Commission, 2007).

In the aftermath of the Arab Uprisings, the EU was compelled to deal with the failure of its approach to democracy promotion in the Southern neighbourhood. This approach has proved to be inadequate to live up to the ideals of the Barcelona Process, which was initiated in 1995 with the adoption of the Barcelona Declaration. At the same time, political instability in SNCs resulted in a steep increase of the number of migrants and refugees at the EU borders (see Fig. 5.1). Also in reaction to these developments, in November 2011 the European Commission launched the Global Approach to Migration and Mobility (GAMM), conceived as a revision of the Global Approach to Migration (GAM) of 2005, with the aims of going beyond the fight against irregular migration and establishing a 'coherent and comprehensive migration policy for the EU' (European Commission, 2011b). In this context, the role and objectives of the MPs changed, since these were integrated in the broader framework of the revised ENP.

MPs should thus be situated at a crossroad between the revised GAMM and the new approach to democracy promotion, being at the same time a framework to reorganise external migration policies and an instrument for positive conditionality in the EU toolbox. Based on such an understanding of MPs, this chapter focuses on three crucial cases to analyse how cooperation on migration and mobility, rather than representing a tool to leverage democratic change, can hamper the Union's capacity to reinforce or support democratisation processes in partner countries. The choice to



Source: Our own elaboration of Frontex Risk Analysis Network (FRAN) data.

Fig. 5.1 Detections of irregular border-crossing at the EU borders

look in particular at the Southern neighbourhood is related to the long-standing EU commitment to democracy promotion in the region, dating back to the 1990s, to the ambitious Barcelona Declaration. Since the aim of this research is to explore the role of MPs in relation to the broader framework of ENP and the EU's democracy promotion efforts, the analysis focuses on the three SNCs that have signed MPs, namely Morocco (2013), Tunisia (2014) and Jordan (2014), and are currently implementing the agreements. A similar agreement was offered to Egypt, but the Egyptian government refused to enter negotiations at the time; the 2017 revision of the EU-Egypt partnership priorities in the framework of the Euro-Mediterranean Association Agreements (EMAAs) did not mention MPs, confirming the low interest in considering further negotiations. In 2014, a Dialogue on Mobility, Migration and Security has been launched with Lebanon, with a prospect for the signing of an MP, but no substantial progress has been achieved to date.

In addition, the strategic position along the Mediterranean migratory routes of the selected countries, Morocco for the Western route, Tunisia for the central route, and Jordan for the Eastern one, makes them ideal cases to assess how security concerns about migration management both condition and constrain the EU's democracy promotion efforts.

5.3 The EU Approach: The Mobility-Democracy Nexus

Following the Arab Uprisings in 2011 popular demands for more freedoms and social justice, the EU was compelled to revise its democracy promotion strategy. The EU's Mediterranean policy in general, and the democracy approach in particular, can

be conceived of as an adaptive policy, which is shaped more by external systemic events rather than by EU values and principles (Panebianco, 2012: 161). After 2011, the EU has reframed its policy instruments in order to face the most urgent economic and social needs, and support popular democratic requests. Despite the political rhetoric concerning democracy promotion and assistance in the Mediterranean, for several years the EU had been *de facto* cooperating with powerful authoritarian leaders to achieve political stability and avoid insecurity. This was in line with EU's democracy promotion strategy, which had traditionally relied on three different methods: a) positive political engagement with authoritarian regimes; b) the promotion of economic reforms; c) the strengthening of civil society activism (Pace et al., 2010: 3). Against this backdrop, in 2011 the EU placed the 'more for more' principle at the basis of its renovated approach.

This approach was taking stock of the ENP reform, which was agreed on in the same year. Since the early 2000s, EU relations with the Southern neighbourhood were framed under the ENP, launched in 2004. The original aim of the ENP was to safeguard stability in the border regions of the Union 'by transforming the borderlands in line with European values, improving governance, modernising economies and instilling the rule of law and respect for human rights' (Teti et al., 2020: 5). Such a transformation has been pursued through different 'policy-tools', targeting also migration and mobility governance. It is significant for our argument that the two major revisions of the ENP in 2011, in the aftermath of the Arab Uprisings, and in 2015, during the migration and refugee crisis, correspond to two critical increases of irregular migration towards the EU.

Studies of the revised ENP, indeed, point at a shift towards more short-term stability objectives, de-prioritization of democracy promotion and focus on pragmatic issue-specific cooperation. The underlying logic of this approach is that the more countries are committed to reforms, the greater and broader EU support they achieve. The proposed incentives are extra funding, visa facilitation and liberalization, greater access to EU markets, etc. To leverage the building and consolidation of democracy and rule of law through 'conditional' EU support to Mediterranean partners would imply more money, mobility and markets – the so-called 3Ms (European Commission, 2011c). After the Uprisings, thus, the EU has been endeavouring to establish a nexus between mobility and democracy: for Brussels the facilitation of regular migration through MPs could be a relevant incentive 'to be made available, on the basis of mutual accountability, to those partner countries most advanced in the consolidation of reforms' (European Commission, 2011c).

In this regard, Lavenex and Schimmelfennig (2011) argue that the EU has developed three distinct mechanisms to promote democracy in its neighbourhood, which they label 'linkage', 'leverage', and 'governance'. Drawing on such a framework, the ENP can be considered as situated in-between the two ideal types of 'leverage' and 'governance'. On the one hand, it is based on some forms of 'positive conditionality' through tailor-made incentives and realistic rewards to the Southern neighbours. On the other, it relies on sectoral horizontal cooperation to promote democratic governance and foster the gradual approximation of legal and administrative standards to that of the EU *acquis* (Freyburg et al., 2009).

External migration governance is one of the sectors in which the EU combined both approaches. On the one hand, there is leverage based on 'positive conditionality', since mobility is one of the 3Ms mentioned above as an element of the 'more for more' approach; on the other, a more fine-grained type of promotion of 'democratic governance' through horizontal cooperation and gradual approximation to EU standards of 'transparency, accountability, and participation' is envisaged (Freyburg et al., 2011). As a result, it is possible to consider MPs within the broader framework of the revised ENP and new approach to democracy promotion. For EU external action to be effective, some conditions have to be satisfied, both at the EU level and at the level of partner countries. For instance, when looking at MPs as a tool for leverage it is useful to assess to what extent the incentives offered by the EU in terms of mobility are 'credible' for SNCs, and whether such incentives meet favourable adoption costs in partner countries to allow democracy promotion to be effective. At the same time, if we consider MPs as a tool to promote democratic governance, in Lavenex and Schimmelfennig's terms, functional cooperation on mobility, through embedding democratic principles in transnational governance rules and practices, can be expected to promote partner countries' socialisation to such principles (Lavenex & Schimmelfennig, 2011: 895).

Based on such an understanding of MPs in the broader framework of the ENP and EU democracy promotion, we suggest exploring the mobility-democracy nexus within the discursive economy and practices of the EU's external action. Since the launch of the Barcelona Process, (lack of) democracy in the Southern neighbourhood has been identified as a critical factor in making sense of migration towards Europe. In the aftermath of the Arab Uprisings, it is possible to identify 'at least a perception that the EU should be cautious when supporting [processes of democratisation], since it [might] have the undesirable effect of producing more instability, and, consequently, more migration' (Faustini-Torres, 2020). This 'counternarrative', as defined by Faustini-Torres, sheds light on an inherent contradiction in the EU approach to democracy promotion in the Southern neighbourhood. The following sections will try to reconstruct EU-SNCs relations along the three dimensions of 'markets', 'money', and 'mobility', situating MPs in the broader context of the ENP and seeking to assess whether these policy instruments are effective in the Southern neighbourhood.

5.3.1 Markets: When Free Trade Is Unappealing

The 'M' of 'markets' was the first to be included in the EU toolbox of democracy promotion. The idea of market liberalisation has been at the core of EU-SNCs relations since the early 1970s, when the European Commission launched the Global Mediterranean Policy (GMP) as a framework for bilateral preferential trade agreements (PTAs). However, it was only in the mid-1990s that EU democracy promotion and trade agendas were explicitly tied, in the context of the so-called Barcelona Process. As part of the Barcelona Process, the EU signed a new generation of

cooperation agreements with Tunisia (which entered into force in 1998), Morocco (2000), Jordan (2002) and other SNCs. The EMAAs introduced a new generation of EU-level PTAs, liberalising trade in goods, and established a renewed overarching framework for political cooperation. This can be considered as the first step of a convergence process between the long-standing goal of market liberalisation and the promotion of democracy and rule of law in the EU neighbourhood. Such a convergence of aims is effectively captured by the definition of the EU as a 'conflicted trade power' (Meunier and Nicolaïdis, 2006), which uses market access to leverage changes in partner countries' policies and promote its own norms and standards. In doing so, the EU is caught between economic and security interests and values, which have been at the core of debates on the 'normative power' of the EU (Manners, 2002). The ENP Review, with its renewed focus on the neighbourhood, marked a step further with the introduction of the Deep and Comprehensive Free Trade Agreements (DCFTAs), aiming at turning a shallow cooperation on the free trade of goods into a 'deeper' one, including liberalisation of trade in services as well as harmonisation of partner countries' trade-related legislation (Hoekman, 2016). The negotiating mandate for DCFTAs with the first four SNCs – Egypt, Tunisia, Morocco and Jordan – was formulated in the aftermath of the Arab Uprisings, when the Union's concerns about stability and security in the neighbourhood were at their highest. Since then, negotiations with Morocco were suspended in 2014, talks with Tunisia have been stalling and, in the case of Jordan, have not even started. In this regard, Langan and Price (2020) contend that the asymmetry of EU proposals for 'deeper' trade cooperation has been affecting the whole negotiation process, since these are based on leveraging increases in export quotas to European markets in return for fast-paced liberalization of key sectors in partner countries.

Mobility is part of the deal. Although negotiations over DCFTAs are not directly related to EU migration policy, the gradual liberalisation of trade in services has been a rather sensitive issue during the negotiation because it involves the movements of people. Hence, enhanced movement of suppliers is an integral part of this liberalisation of services (Hoekman & Özden, 2010). In this regard, the DCFTAs would allow cross-border movements of workers to provide services in the partner country, but the EU's drafts so far lack specific sectorial proposals. Such labour migration would require EU-level harmonisation of visa and work permit arrangements, which fall under EU member states' competence, thus inevitably exceeding the framework of the DCFTA. This is the inherent link between the EU's external migration policy and DCFTA: for the EU to present liberalisation of services and related cross-border movements as a credible incentive, negotiation on free trade cannot be decoupled from the revision of Member States' legislation on regular labour migration.

The question of mobility of service suppliers was at the core of the fourth round of negotiations with Tunisia, held in 2019, where Tunis demanded the suppression of visa and work permits, along with cooperation on the mutual recognition of professional qualifications. These demands clashed with the Union's will to keep the matters apart, reaffirming the separation between DCFTA and negotiations on visa facilitation agreements (VFAs) (DG Trade, 2019).

In the case of Jordan, despite the fact that negotiations on DCFTA have not yet started, the issue-linkage between mobility and trade has been pursued through a different policy tool, which makes the nexus even more explicit. Indeed, the so-called EU-Jordan compact, signed in 2016 in the aftermath of the Syrian refugee crisis, has been marketed as an alleged EU 'value-based trade policy'. In practice, it offers conditional trade liberalisation and the issuance of work permits to Jordanians in exchange for policies aimed at employment and integration for refugees in Jordan (Panizzon, 2019). This issue-linkage between trade liberalisation – with the opening of negotiation for the DCFTA being part of the deal – and migration, inevitably compromises the EU's ability to leverage 'markets' as a tool for the promotion of democracy and rule of law. In other words, the compact shifts the focus of EU-Jordan relations, prioritising support in relation to Jordan's critical role as a 'gatekeeper' for migration flows over the Union's normative commitments and, thus, *de facto* leaving democratic reforms on the backburner.

5.3.2 *Money: Opening the Chinese Boxes of EU External Cooperation Funds*

EU foreign policy funding consists of different instruments falling within different policy areas (Table 5.1). EU cooperation on migration and mobility is at the crossroads between different areas of cooperation: from development to humanitarian aid. In the mid-1990s, the EU stepped up its support to the Mediterranean neighbourhood countries. To fund such an increased commitment in the area, the EU was compelled to rethink its funding instruments and develop new ones, targeting different – and yet often overlapping – objectives. These projects and programmes rely on some crucial funding instruments, often based on two or more 'financial envelopes.' A first pivotal instrument, concerned specifically with the EU neighbourhood, was the European Neighbourhood and Partnership Instrument[1] (ENPI), until 2013, subsequently replaced by the European Neighbourhood Instrument (ENI).

Given the cumulative nature of EU funds and the plurality of objectives targeted by each funding instrument, the projects implemented in a single policy area are often grounded on different financial envelopes, hence resulting in an overlap of legal and institutional frameworks and actor constellations. In the MENA area six main 'financial envelopes' coexist (Table 5.2).

[1]The ENPI has replaced existing regional cooperation programmes on external borders. In the Mediterranean area, the most notable one was the MEDA programme, established in 1996 and involving twelve partners (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Palestine, Syria, Tunisia and Turkey), with the aim to support economic transition, sustainable socio-economic development and enhance cross-border cooperation.

Table 5.1 The landscape of EU foreign policy funding

Lead DG	Policy Area	2007–2013	2014–2020
DG NEAR[a]	Neighbourhood	European Neighbourhood and Partnership Instrument (ENPI)	European Neighbourhood Instrument (ENI)
DG DEVCO	Development	Development Cooperation Instrument (DCI I)	Development Cooperation Instrument (DCI II)
DG NEAR	Enlargement	Instrument for Pre-Accession Assistance (IPA I)	Instrument for Pre-accession Assistance II (IPA II)
FPI	Trade and Innovation	Instrument for Cooperation with Industrialised Countries (ICI)	Partnership Instrument for cooperation with third countries (PI)
FPI	Security	Instrument for Stability (IfS)	Instrument contributing to Stability and Peace (IcSP)
DG DEVCO	Democracy and human rights	European Instrument for Democracy and Human Rights (EIDHR I)	European Instrument for Democracy and Human Rights (EIDHR II)
DG HOME	Asylum and migration	General Programme 'Solidarity and Management of Migration Flows' (SOLID)	Asylum and Migration Fund (AMIF)

[a]While the ENPI was created under DG DEVCO, from 2014 onwards DG NEAR is in charge of managing the funds

Table 5.2 Funding instruments involving SNCs in the period 2007–2020 (EUR, million)

Funding Instrument(s)	Pledges[a] for 2007–2013	Pledges[a] for 2014–2020
ENPI/ENI	11,181	15,433
DCI	16,897	19,661.64
ICI/PI	172	954.80
IfS/IcSP	2062	2338.72
EIDHR	1104	1332.75
SOLID[b]/AMIF	3949	3137

[a]The pledges are based on the financial envelope for the implementation of the legislation establishing each instrument

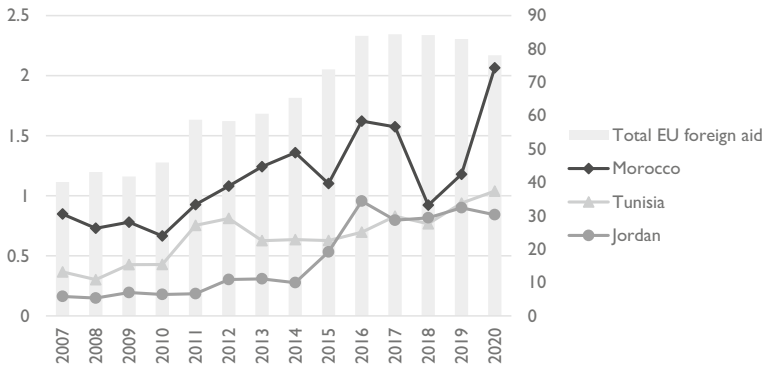
[b]Under the SOLID General Programme the EU created four instruments: the European Border Fund (EBF, EUR) with 1,820 mln; the European Return Fund (ER) with EUR 676 mln; the European Refugee Fund (ERF) with EUR 628 mln; and the European Fund for Integration of third-country nationals (EIF) with EUR 825 mln

Although close cooperation between the EU and SNCs has been in place since the very beginning of the European integration process, the emergence of mobility as a critical element of such a cooperation is rather recent. Indeed, the first thematic programme established on the issue was AENEAS, which aimed to provide financial and technical assistance to third countries in the areas of migration and asylum with EUR 250 mln allocated for the period 2004–2006 (European Parliament and Council of the EU, 2004).

Soon after, AENEAS was replaced by the thematic programme for migration and asylum (TPMA) for the period 2007–2013. This latter had its legal basis in Article 16 of the DCI Regulation, and was hence framed in the broader pattern of EU development cooperation. Its general objective was to support non-EU countries in ensuring better management of the different dimensions of migration. At the same time, migration was becoming prominent in other areas of EU-SNCs cooperation. Since the inception of the ENP, specific cooperation on migration was developed within this broader framework, thus including mobility as a critical dimension of external EU policies.

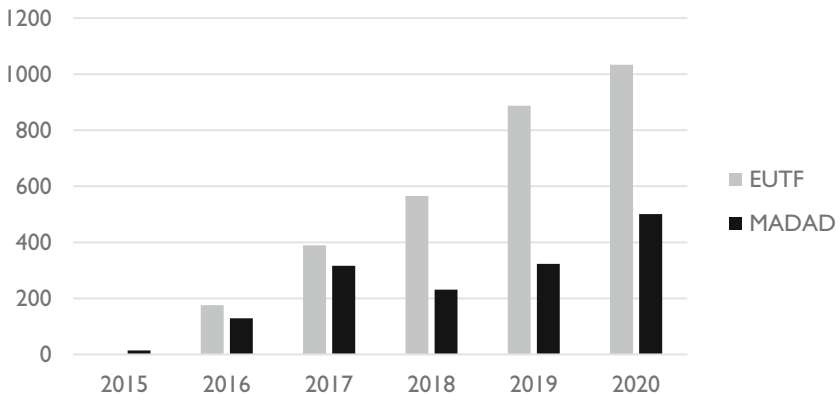
In the last decade, EU foreign aid and funding has been rising considerably, in particular in the aftermath of the Arab Uprisings and, more recently, in conjunction with the so-called refugee crisis in 2015 (see Fig. 5.2). This event has been extremely relevant for the Mediterranean area, since it triggered a rather new form of funding, specifically addressed to emergency relief and thematic support in the domain of EU external action. Indeed, since 2013, the Financial Regulation allows the European Commission to create and administer EU Trust Funds in the field of external action. Since they are conceived outside the framework of multiannual programming as multi-donor *ad hoc* initiatives, the EU Trust Funds allow for faster decision-making and easier coordination. As far as this analysis is concerned, a first Regional Trust Fund was established in 2014 to respond to the Syrian refugee crisis (MADAD). A second one, the EU Trust Fund for Africa (EUTF), was launched in November 2015 to address the 'root causes' of instability, irregular migration and forced displacement in the region.

Regarding the MADAD, Jordan has been the third major recipient country, after Lebanon and Turkey, benefitting from EUR 187,3 mln of EU aid over a total disbursement of EUR 1,5 bn in the years 2015–2020. On the other hand, since the establishment of the EUTF, Morocco has become one of the main beneficiaries,



Source: Our own elaboration of the EU Aid Explorer database, based on the data reported by the European Commission and other EU donors to OECD.

Fig. 5.2 EU28 foreign aid directed to Jordan, Morocco and Tunisia compared to the broader trend of EU foreign aid in 2007–2020 (EUR, billion)



Source: Our own elaboration of the EU Aid Explorer database.

Fig. 5.3 Funding for projects under the EU Trust Funds (EUR, million)

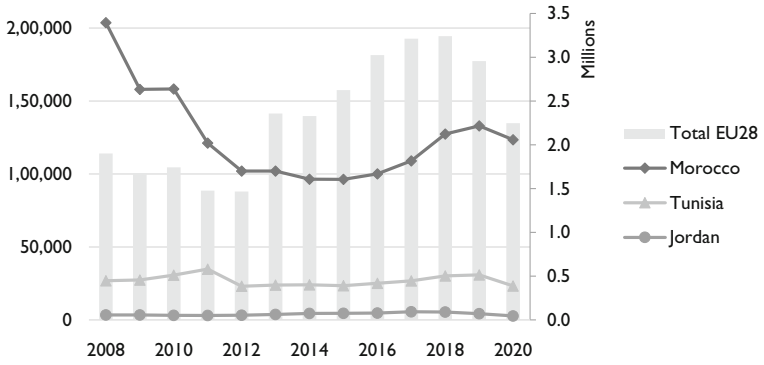
receiving about EUR 71,9 mln of the EUR 1,2 bn disbursed in the period 2016–2020. Comparatively, financial support to Tunisia has been less significant, despite amounting to EUR 13.3 mln in the same period (Fig. 5.3). These figures are even more relevant when considering regional level projects, which account for a large part of the funding under EU Trust Funds.

The MPs with SNCs should thus be situated in this broader framework. Since their establishment, MPs have been funded through some of the financial envelopes mentioned, such as the DCI, the ENI, and – from 2014 onwards – the AMIF (den Hertog, 2016). The catalogue of funded projects is provided in the Annex to the political declaration signed between the EU and the concerned partner, which is however intended as a 'work-in-progress' document. Hence, the actual projects implemented are not limited to those listed in the Annex, but are re-negotiated on a regular basis and monitored through a specific 'scoreboard', prepared by the European Commission to track activities associated with the implementation of the partnerships (Tittel-Mosser, 2018). More recently, the EU has been striving to foster coherence of its funding and activities associated with the MPs. The launch of the Mobility Partnership Facility in 2016, later renamed as the Migration Partnership Facility (MPF) responded to the perceived need to reduce fragmentation and centralise project management. Indeed, the projects implemented under this funding initiative are implemented by the International Centre for Migration Policy Development (ICMPD) mainly through three DG HOME's financial instruments: the AMIF, the Internal Security Fund for Borders and Visa (ISF-Borders) and the Internal Security Fund for Police Cooperation (ISF-Police). The MPF, which is now in its third phase of implementation, is partially replacing the increasingly 'obsolete' scoreboards, and marks a new phase of EU-SNCs cooperation under the MPs.

5.3.3 Mobility: What Has Changed?

Mobility has been the third and most recent tool for the EU to promote democracy in the Southern neighbourhood. The focus on mobility is rather recent in the framework of the ENP. While migration from (and through) SNCs has been a longstanding concern for the EU until the mid-2000s, cooperation has been focused on control of irregular movements rather than regular mobility, which has long been a competence of EU Member States. This circumstance results in a certain fragmentation in terms of domestic rules of immigration policies, despite Brussels' efforts to harmonize national legislation, which often resulted in the overlap of EU-level and national agreements on visas as well as readmissions. In this regard, the MPs have been presented as a flexible country-specific framework for the global management of migration and mobility, adopting a positive-conditionality approach in response to the pitfalls of EU external migration policy. Through such a flexible soft-law instrument, the EU was able to tie cooperation on the management of regular and irregular migration within an overarching framework, offering visa facilitation schemes, labour migration projects in exchange for concrete achievements in terms of readmission, return and border controls (Seeberg & Zardo, 2022). Until the launch of the MPs in the Southern neighbourhood, the negotiation on EU readmission agreements (EURA) with SNCs had indeed been stalling.

When it comes to actual projects implemented under the MPs, there are some notable differences. While the EU-Morocco MP includes a detailed Annex, in the case of Tunisia and Jordan the projects to be implemented in the framework of the MPs were still under negotiation at the moment of signature, due to enduring debate on the balance between the security-oriented projects and those falling under the three other pillars of the GAMM (i.e., actions promoting legal mobility, international protection, and the developmental impact of migrations). As a result, in contrast to other MPs, those with Tunisia and Jordan, both signed in 2014, did not include a public Annex. As a consequence of this 'work-in-progress character', MPs can be better understood as a comprehensive framework for cooperation on specific issues (e.g., EURAs, VFAs) and projects, so that the implementation of the partnership is the object of continuous negotiation. It is emblematic, in this sense, that talks on EURAs, which had been one of the main goals of the MPs, have been repeatedly interrupted. For instance, Morocco suspended high-level dialogue with the EU – including negotiations on EURA – between 2015 and 2019. Likewise, negotiations with Tunisia, which were smoother for what concerns technical aspects, stalled when the most contentious issues were at stake. Even in the case of Jordan, which was expected to be a rather unproblematic partner due to the relatively small volume of migratory movements, negotiations were suspended soon after their inception, in 2016. Concerning day-to-day cooperation, outside formal agreements, none of the countries experienced noticeable benefits in terms of increased opportunities for legal migration. For instance, if we look at first permits issued to third-country nationals by the EU, their number has been rather stable over time, except in the



Source: Our own elaboration of Eurostat data. For the period 2008-2012, data on Croatia were not available. Likewise, for the years 2019-2020 data on the UK were incomplete.

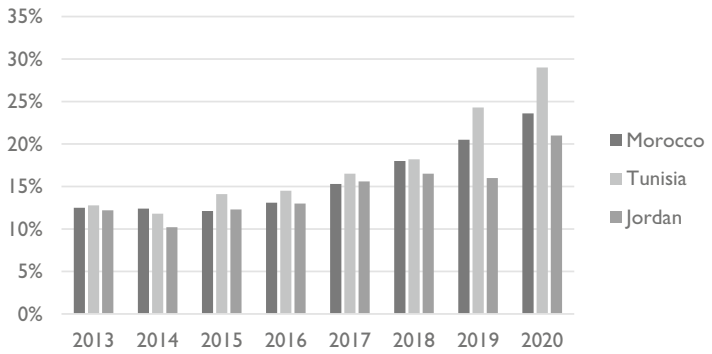
Fig. 5.4 First permits issued in the EU28 in 2008–2020 by citizenship (total EU28 figures refer to the scale on the right)

case of Morocco, where it went through a steep decrease in the aftermath of the Arab Uprisings (Fig. 5.4).

When looking at the trends of these three countries, it is evident that there has been a rather modest increase in terms of permit issuance in contrast to the bright expectations related to the MPs. Even when looking at short-term visas, which in the context of MPs were one of the crucial tools for leverage identified by the EU, no substantial progress has been made. According to the Schengen Visa Code,[2] short-term visas (STVs) allow their holders to enter and stay in the Schengen area on the basis of family, tourism or business reasons for up to 90 days. The importance of short-term visa for circular migration and even for irregular immigration, in the case of 'overstaying', makes them a crucial element of EU migration and mobility policy. While no agreement has been reached to date on VFAs with the three countries analysed, the MPs should have served as a framework to improve cooperation on this issue. In the framework of the ENP, visa facilitation is expected to be an incentive granted as a consequence of progress on democratic reforms (European Commission, 2011a). However, when looking at data at EU level (Fig. 5.5), the gradual but continuous increase of visa application rejections, in relation to total applications presented each year, indicates a trend towards even more restrictive access after the signing of the MPs. Given this trend, the EU commitment to visa facilitation under the MPs can hardly be credible for SNCs.

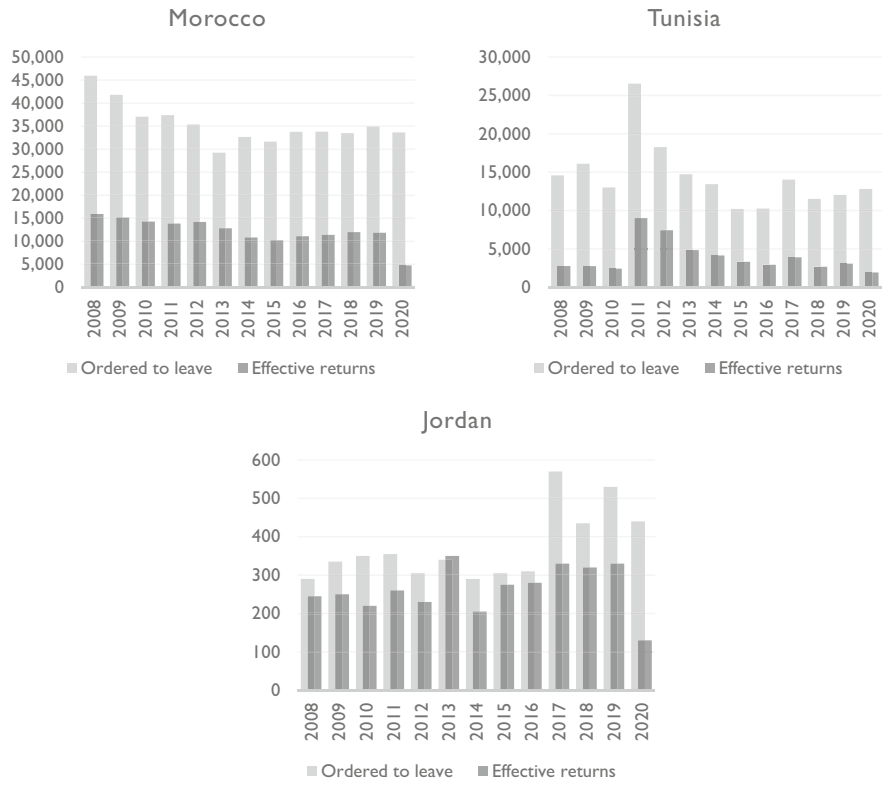
In the framework of the MPs, the counterbalance for the EU's stepping-up of commitments on visa and regular immigration is increased cooperation on returns. When looking more in detail at returns, which were a crucial issue in the economy of MPs, the results achieved by the EU are far from positive. As Fig. 5.6 shows, the gap

[2] See the Regulation (EC) No 810/2009 establishing the EU's Visa Code.



Source: Our own elaboration of Eurostat data. For the period 2008-2012 data on Croatia were not available. Likewise, for the years 2019-2020 data on the UK were incomplete.

Fig. 5.5 Rate of rejection of short-term uniform visa applications



Source: Our own elaboration of Eurostat data. For the period 2008-2013 data from Croatia were not available. Likewise, for the years 2019-2020 data from the UK were incomplete.

Fig. 5.6 Number of 'effective returns' enforced by the EU28 in relation to 'orders to leave' issued in the period 2008–2020

between the 'orders to leave' issued by Member States and the 'effective returns' remains significant, when not widening. Even in the case of Jordan, where the low numbers of the last decade allowed for a higher rate of enforcement, the percentage of third country nationals effectively returned is significantly decreasing. In other words, while the signing of EURA and, more broadly, cooperation on returns was at the top of the EU's agenda during MP's negotiations, the data depict a decrease in the effectiveness of returns, measured as the gap between orders to leave issued by Member States and implemented returns of third-country nationals.

In brief, despite the stepping-up of EU commitments through the MPs, collected data clash with the objectives identified by external cooperation on migration and mobility. No substantial improvements in terms of either legal mobility, visa facilitation or returns have been achieved to date, so that it would be rather more appropriate to speak of MPs in terms of (im-)mobility. Indeed, since MPs have been signed, the EU's offer for 'more mobility' in return for 'more reforms' has been flawed. Not only VFAs and other initiatives offering further mobility opportunities for SNCs' citizens have failed, but even in terms of existing policies, our data support the claim that the EU has embraced a more restrictive approach, promoting *de facto* (im-)mobility – i.e., discouraging or preventing people in SNCs to move across the Mediterranean.

5.4 Conclusions

In the aftermath of the Arab Uprisings, the EU's 'more for more' approach was presented as an attempt to offer more credible incentives to SNCs, in order to capitalise on the revolutionary moment to stir up democratisation processes. Yet, most regimes in the Southern neighbourhood made rather modest progress in terms of democratic reform. More concerned with control of irregular migration than democracy promotion, the EU's ambitions to steer the 'democratic moment' prompted by the Arab Uprisings led to a dysfunctional interconnection of the three elements of its 'more for more' approach. Neither liberalisation of trade, nor offers for facilitated mobility have been credible incentives for leveraging democratic change, as foreseen in the 2011 review of the ENP. Even in the case of Tunisia – regarded as the *enfant prodige* of the Arab Uprisings until the autocratic turn of the current regime, improvements on democratic reforms have been limited in comparison to other priorities on the agenda, such as security and migration (Dandashly, 2018), and EU norms are highly contested (Weilandt, 2022). In this context, the lack of credible incentives and the asymmetries between EU commitments and their implementation are crucial to make sense of the ineffectiveness of the EU's 'more for more' strategy. Southern neighbours were offered incentives disconnected from their needs, which were at times deemed to be more advantageous for the EU than for its partners.

The main aim of this chapter was to assess whether in the last ten years the so-called 3Ms approach to democracy promotion through markets, money and

mobility adopted in the aftermath of Arab Uprisings, has been implemented by the EU in the Southern neighbourhood. In particular, the EU's assumption that democracy promotion can rely upon more mobility, thus regular flows, is not confirmed by data. Much of the literature on the topic has explored the implications of the EU's 'normative role' in the neighbourhood and the limits of specific forms of support within the ENP. Such a holistic approach allowed us to assess to what extent the EU has been willing to live up to its own commitments in terms of offering more 'markets, money and mobility' to its Southern partners, with a specific focus on migration management cooperation. Considering the cases of Tunisia, Morocco and Jordan, the chapter has highlighted how cooperation on mobility has been inconsistently implemented by the EU, entrapped between security concerns, such as control of irregular migration, and normative aspirations. A decade after the 'democratic moment' of the Arab Uprisings, the EU has not been able to effectively combine the '3Ms' into a coherent tool to support democracy promotion in the neighbourhood.

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