

Externalising migration policy: The European Union's 'Global' Approach

Nur Abdelkhalig

Series editors:

John Peterson, University of Edinburgh (john@peterberg.org)

Gunilla Herolf, Stockholm International Peace Research Institute (herolf@sipri.org)

Theresa Höghammar, Stockholm International Peace Research Institute (hoghammar@sipri.org)

Nadia Klein, University of Cologne (nadia.klein@uni-koeln.de)

Wolfgang Wessels, University of Cologne (wessels@uni-koeln.de)



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Abstract

The 2003 European Security Strategy presented an effective multilateral system as the best means for dealing with common challenges and pursuing common objectives. Migration is increasingly portrayed as an issue that transcends national boundaries and must be tackled by bringing together countries of origin, transit and destination. The need for multilateral cooperation on migration is particularly evident in the European Union's adoption of the 2005 Global Approach. But in the case of the Mediterranean, one of the priority geographical regions, multilateral initiatives with partner governments coherent with the Global Approach have been largely unsuccessful. This paper will argue one reason for this have been the constraints imposed by the sharing of competencies between the European Commission and the member states; which in turn reflect their differing prioritisations of the various areas of migration policy. Seemingly as a way of bypassing these constraints, the Commission has been more active in implementing migration priorities through international organisations such as the International Organization for Migration and the UN Refugee Agency in third countries. This arrangement for the pursuit of initiatives poses questions regarding the suitability of migration as a multilateral area of cooperation between the EU and Mediterranean countries, and suggests that international organisations offer an alternative venue for implementing initiatives of multilateral character.

Nur Abdelkhalik

email n.abdelkhalik@ed.ac.uk

<http://www.mercury-fp7.net>

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Externalising migration policy: The European Union's 'Global' Approach

Introduction

The European Union's Security Strategy (ESS) advocates embracing multilateralism to manage common challenges effectively. It also sets the task of promoting 'a ring of well-governed countries to the East of the European Union and on the borders of the Mediterranean' for fostering 'close and cooperative relations' (Council 2003: 8). On the issue of migration more specifically, the Mediterranean is seen as a region with which cooperation is needed for the effective management of migration flows. The endorsement of the 1999 Tampere European Council Conclusions was the first step in the formulation of a comprehensive policy that has an 'external dimension'; later embodied in the 2005 Global Approach (GA). In its objective of bringing together countries of origin, transit and destination, the GA is an intrinsically multilateral endeavour.

What is meant by 'multilateral' will be based on the conceptual framework provided by the MERCURY research project. Multilateralism is defined as 'three or more actors engaged in voluntary and (essentially) institutionalised cooperation governed by norms and principles, and rules that apply (by and large) equally to all' (Bouchard and Peterson 2009: 7). Most significant to the issues addressed in this paper is the form that multilateralism may take. *Aspirant* multilateralism refers to norms that 'inform foreign policy behaviour in the absence of formally-codified rules or even the prospect of establishing them' (Peterson et al 2008: 8). *Crystallising* multilateralism represents the emergence of international rules and organisations, and *institutionalised* multilateralism is the stage at which 'rules-based international organisations are established' (Ibid: 8). These different forms of multilateralism could also be seen as constituting a process that goes from aspirant, through crystallising, to increasingly institutionalised multilateralism. The pursuit of migration policy in a multilateral setting, embodied in efforts to implement the GA with the Mediterranean partners, takes an aspirant form.

The GA was conceptualised as a comprehensive framework aimed at becoming systematically integrated into the workings of the European Commission and relations with third countries. In a sense, it is an endeavour that is envisaged to become increasingly crystallised with the development of pertinent strategies and working procedures. Their negotiation and implementation, however, have presented a number of difficulties both at European Union level (between the member states and the Commission, and within the Commission), and with Mediterranean counterparts. These difficulties have signified that much of the work done so far on the GA has been rather patchy and limited to particular policy initiatives. Concomitantly, the Commission funds and supports the implementation of programmes coherent with the GA, and more difficult to incorporate into relations with third country counterparts, in conjunction with other organisations. These conditions point towards an aspirant form of multilateralism for pursuing migration policy objectives.

This paper will examine intra-European dynamics and their effect on the pursuit of migration priorities (a) multilaterally with the Mediterranean partners, and (b) through international organisations such as the International Organization for Migration (IOM) and the UN Refugee Agency (UNHCR). The analysis relies on the relevant academic literature, official documents and data obtained through semi-structured interviews carried out with sixteen officials from European Commission and two from international organisations between September and November 2009. Commission officials were based in Brussels, Belgium and were from Directorate-Generals (DGs) Justice, Liberty and Security² (JLS), External Relations (Relex), Development and EuropeAid (AIDCO)³. International organisations' officials were from the IOM and UNHCR in Rabat, Morocco.

The first section of the paper will examine the institutional and decision-making structures at European Union level related to migration, and the policy content generally favoured by the Commission and member states, respectively. In terms of institutional structures, even though migration policy has increasingly been *Europeanised*, the sharing of competencies between the member states and the European Commission has actually hindered the coherent pursuit of migration-related initiatives. As for policy content, discrepancies regularly ensue due to the differing priorities emphasised by the relevant actors for incorporation into the external dimension. Discussions between the Justice and Home Affairs (JHA) Council and the European Commission often result in a clash of national and supranational spheres. Adding complexity to the picture, the European Commission's position is informed by divergences between the different DGs concerned with the external dimension: JLS, Relex, Development and AIDCO.

The second section will analyse how the institutional structures and differences in the prioritisation of policy content have impacted on the kinds of initiatives taken under the multilateral component of the Euro-Mediterranean Partnership (EMP). Disagreements between the Council and the Commission on how to approach this multilateral setting have meant that progress on cooperation on migration has been limited to political statements by actors, and research, training and data collection initiatives. In other words, the more ambitious goals of the GA, such as integrated joint management of migration flows by the inclusion of all relevant stakeholders, have not come to fruition with the Mediterranean.

It is important to acknowledge, however, certain difficulties particular to dealing with Mediterranean partners. Mediterranean countries have been quite reluctant to be grouped as a region (Collinson 1996; Fontagné and Péridy 1997; Gillispie 2006). These difficulties invariably pose challenges on pursuing migration in a multilateral setting. In addition, migration policy has proven to be quite a sensitive issue for partners. Bilateral and multilateral discussions on this issue-area are challenging, to say the least (Collyer 2006; Fargues 2004; Gillispie 2006; Testas 2001). Finally, the Mediterranean is a region marred by conflicts amongst its members that are then reflected in the EMP setting. On migration specifically, Morocco and Algeria have

² DG JLS was divided into DG Home Affairs and DG Justice and Fundamental Rights on 1 July 2010. Migration and asylum is now handled by DG Home Affairs.

³ The specific affiliations of interviewees were as follows:

DG JLS: Directorate B – Immigration and Asylum

DG Relex: Directorate D – European Neighbourhood Policy Coordination; Directorate F – Middle East, South Mediterranean; and Directorate L – Strategy, Coordination and Analysis

DG Development: Directorate A – EU Development Policy: Horizontal Issues; and Directorate C – ACP I General Affairs

DG AIDCO: Directorate A – Europe, Southern Mediterranean, Middle East and Neighbourhood Policy; and Directorate E – Quality of Operations

quite problematic bilateral relations that hinder multilateral cooperation. These are important factors to keep in mind, but they are beyond the scope of this paper.

The third and final section will bring out ways in which the Commission bypasses some of the institutional and policy content constraints at EU level by supporting international organisations (IOs). It will argue that by working with IOs, such as the IOM and UNHCR, the Commission is able to implement projects congruent with aspects of the Global Approach in third countries that are challenging to incorporate into regional settings such as the EMP. Cooperation with these organisations suggests an alternative multilateral model (and venue) for tackling migration in a way that avoids political deadlock at EU level.

The conceptualisation of the Global Approach

In December 2005, the European Council adopted the *Global Approach to Migration: Priority Actions Focusing on Africa and the Mediterranean* (Council 2005). The endorsement of this initiative was facilitated by migration priorities escalating in the EU's agenda in the preceding months. In September 2005 several hundred migrants tried to climb the wire fences of the Ceuta and Melilla enclaves in order to enter the European Union. The incidents were highly publicised and were seen as a justification for the need to reconsider migration policy content. The UK Presidency organised a special meeting of heads of state and government in Hampton Court in October 2005, which was seen as an impetus for the Global Approach to be prepared later that year (Boswell 2008).

The GA provides a comprehensive framework for tackling migration concerns as part of the external dimension. It is meant to bring together a multiplicity of actors such as governments, and international and non-governmental organisations, from origin, transit and destination countries. In its conceptualisation, it is a multilateral endeavour aiming at increasingly institutionalised cooperation in this policy area. It includes repressive and preventive measures of migration control, which cover what Commission officials term as the three components of the migration problematic: irregular migration, legal migration, and migration and development. Repressive measures conform to more traditional methods of migration control such as patrolling and control of borders, restrictive visa regulations, and return and readmission of irregular migrants (Commission 2006b; Council 2005). Member states, in particular at Justice and Home Affairs Council meetings, emphasise the importance of cooperating on such measures through the EU framework with the Mediterranean. Within the Commission, DG JLS also tends to prioritise these policies based on its remit of ensuring the internal security of the Union.

Preventive measures, on the other hand, are a more progressive way of tackling migration concerns, and are generally known as a root causes approach (corresponding to the migration and development, and legal migration components). Even though there is some scepticism regarding the effectiveness of tackling migration concerns through humanitarian and development programmes (Gent 2002; Nyberg-Sørensen 2002), the idea is to provide aid in a way that addresses the reasons leading people to migrate. DG Development has in fact come up with what is known as Policy Coherence for Development, which aims at keeping a close check on initiatives so development goals are not compromised by the tackling of migration concerns (Commission 2009). Specific programmes include poverty reduction strategies and employment creation schemes, which tend to be targeted at areas of

high emigration in third countries. Migration management is another concept that applies to the preventive approach, and it most notably comprises circular or temporary migration schemes. These schemes match job opportunities in host countries with labour migrants who, ideally and if applicable, after completing their temporary contracts invest their newly acquired skills in their origin countries upon return. Migration management also encourages Diaspora involvement in initiatives in their countries of origin, and the facilitation of brain circulation (as opposed to brain drain) (Commission 2005b; Commission 2006b; Commission 2009). To differing degrees, the external services – Relex, Development and AIDCO – are more amenable to pursuing preventive measures in relations with third countries.

The policies included in the GA framework mirror the variety of views that are considered and discussed in policy-making circles within the EU. In addition, the way in which decisions are taken on policy content for implementation has changed over time, with migration moving from inter-governmental cooperation agendas to an increasingly supranationalised space. Nevertheless, the configuration of institutional structures has proven to limit the ability of the Commission to pursue the GA in a consistent and coherent manner with the Mediterranean. The evolution of institutional structures and policy content prioritisation will be expounded below.

Institutional structures

Inter-governmental cooperation on justice and home affairs in the European Community dates back to the 1970s. The Trevi Group was created in 1975 at the Rome European Council for non-binding consultations on terrorism issues, and by the end of the 1980s it allowed for migration to be discussed too (Geddes 2003). The Trevi arrangement also set the precedent for other initiatives for policy consultations on JHA issues, such as the informal consultations that took place in 1985 for information exchanges related to immigration, asylum and refugee matters; and the formation of the Ad Hoc Working Group on Immigration in 1986 (Geddes 2003; Uçarer 2007). In fact, it was in the 1980s that efforts to coordinate JHA policies intensified. The surge in cooperation is usually attributed to two factors. The first is the signature of the 1986 Single European Act, which brought forth concerns regarding the liberalisation of movement of people. The 1985 Schengen Agreement is seen as reflecting efforts at the time to offset some of the envisaged implications of the single market and the removal of internal borders (Uçarer 2002). Some scholars, however, are sceptical about the common market being the incentive behind increased cooperation on JHA matters, in particular because Trevi and Schengen pre-dated the signature of the SEA (Gueddes 2003).

The second factor for increased cooperation is related to the argument that JHA issues came to be securitised, or increasingly linked to security concerns both in policy circles and political rhetoric. A rise in border movements brought with it fears of criminal activity and was seen as a strain on border control mechanisms (Uçarer 2003). In addition to considerations related to the cross-border movement of people, the 80s were a time of change to the Community's geography with the accession of Spain and Portugal in 1986. The European territory was now closer to the Maghreb, a region of origin and transit of migrants. The end of the Cold War also precipitated fears of mass migration from the east. The potential for people moving started to be seen as closely related to the stability of neighbouring regions, and security considerations were increasingly being linked to migration concerns (Aghrout 2000; Collinson 1996, 2000; Collyer 2006; Tsardanidis and Guerra 2000). States seemed

to recognise that cooperation was necessary to address common challenges that could not be dealt with solely at domestic level (Boswell 2003b).

Against this background, the Treaty of Maastricht was signed in 1992 establishing the European Union and its three-pillar structure. JHA cooperation fell under the Third Pillar of inter-governmental cooperation, becoming more institutionalised than it had been in the 80s. Reflective of the general mood at the time, cooperation on this issue-area was highly secretive. Decision-making was based on unanimity voting by the Council, and the European Parliament and the European Court of Justice (ECJ) were entirely excluded from JHA matters (Guiraudon 2003). The European Commission had a very limited role to play. It shared the right of initiative with member states in JHA, but 'it was only one of 16 possible points of origin for JHA policies (the other 15 being the member states themselves)' (Uçarer 2003: 299).

In part due to the drawbacks of this institutional set-up, policy output was limited and mostly related to measures that were already in place pre-Maastricht. The unanimity principle was seen as often leading to deadlock or minimum common denominator compromises, and there was criticism of the JHA collaboration framework for providing 'an attractive venue for police and judicial officials to cooperate on questions of border control and police cooperation, away from scrutiny by the press or NGOs' (Boswell 2003b: 308). Even though the 1992 Edinburgh Council Conclusions called for the endorsement of an external dimension of migration policy (Council 1992), and the 1994 European Commission Communication called for the adoption of a root causes approach to migration (Commission 1994), securitarian aspects took precedence instead. The focus was predominantly on migration control, rather than on pursuing preventive measures in relations with third countries.

Some of the disadvantages of JHA inter-governmental cooperation were meant to be addressed by the amendments introduced by the 1997 Amsterdam Treaty, which largely communitarised migration policy by moving it to the First (Community) Pillar. Amsterdam came into force in 1999 and established a five-year transition period before the full implementation of provisions. Throughout these five years, initiatives would require unanimity by the Council following consultation with the EP, and the Commission would continue to share the right of initiative with member states. After this period, the Commission was meant to gain exclusive right of initiative, and the Parliament would continue to be consulted (except for a shift to co-decision procedure for visa rules and issuance procedures) (Uçarer 2007). In addition, with a clause introduced in the Nice Treaty, decision-making on migration matters (except on legal migration) would come to be based on qualified majority voting (QMV) by January 2005. The changes stipulated to decision-making structures meant that the European Commission, the Parliament and the ECJ acquired a greater role in this policy area (Uçarer 2002). Nevertheless, it also became evident that these arrangements continued to pose challenges to the implementation of the Global Approach.

The recently ratified Lisbon Treaty has granted the Union legal personality and, perhaps most importantly for migration policy, eliminated its three-pillar structure. As such, policies that were liable to inter-governmental decision-making are now subject to QMV and co-decision legislative procedures. In the Commission's *Action Plan Implementing the Stockholm Programme*, a stronger role for the Parliament and the ECJ are deemed as potentially addressing the previous drawbacks in decision-making procedures. In addition, the Treaty is seen as strengthening the role of the Commission in implementing the external dimension of migration policy (Commission 2010a). It is not yet clear, however, how the Lisbon provisions will translate into practice, in particular given that old procedures do not automatically come to an end

upon ratification, but 'will remain in force until repealed, annulled or amended' (Carrera and Geyer 2008: 292).

Policy content

The Global Approach was adopted at a time of increasing salience of irregular migration in political and public spheres. Its inclusion of the three components of the migration problematic is deemed as a more progressive stance towards the issue. But the content of the Global Approach is in no way new to debates within European policy-making circles, which had considered repressive and preventive options in the past (albeit predominantly opting for the former). The Tampere European Council of 1999 was novel in that it endorsed preventive options by calling for a comprehensive, common European immigration policy, as well as its incorporation into relations with third countries (Council 1999). This strategy was adopted in subsequent Council Conclusions, and the three components of migration priorities have been subject of numerous Commission Communications since (see for instance Commission 2002; Commission 2005b).

The content of Tampere was made more plausible by changes in competencies introduced in the Amsterdam Treaty, and it marked a departure from the inter-governmental approach predominant until the end of the 1990s. European states have a history of generally favouring securitarian measures of migration control. With the oil crisis in the 1970s, European Community governments began to introduce restrictive policies and unilaterally terminated labour supply agreements that had been put in place with migrant-sending countries in the aftermath of World War II (Boswell 2003b; Collinson 1996; Geddes, 2008; Lavenex and Uçarer 200). The inclination for restrictive measures was sustained throughout the 70s and 80s, with Trevi providing a securitarian framework into which migration issues were incorporated (Geddes 2003; Guiraudon 2000). The Ad Hoc Working Group on Immigration brought together 'high-level immigration policy officials from member states that dealt with asylum, external frontiers, forged papers, admissions, deportations, and the exchange of information' (Geddes 2003: 132). These sorts of policies were favoured domestically and duplicated at EU level, and they continued to be pursued under the JHA pillar after Maastricht. The Commission was only loosely associated with developments, even though it tried to advocate for considering a root causes approach in 1994 (Commission 1994). Similarly, there were calls for the adoption of an external dimension at the 1992 Edinburgh European Council (Council 1992). But root causes and the external dimension did not make it onto the political agenda until later with Tampere.

Once migration was largely moved from the JHA to the Community Pillar with the Treaty of Amsterdam, the European Commission became more active in putting forth proposals (van Selm 2002), and the policy options considered came to include preventive measures. What emerged in the years after the Amsterdam ratification are diverging emphases within the EU on the components of a comprehensive migration policy. The possibility for an increased role for the Commission coincides with the inclusion of new options in the political agenda (Boswell 2008). It also seems to bring out divergences between the Commission and the EU Council in their prioritisation of migration objectives, which is reflected in official documentation.

European Council Conclusions tend to more strongly advocate the need to achieve security objectives in relation to migration. The Seville Conclusions, a point of reference for many of the interviewed officials, emphasise cooperation from third

countries on the issue as essential for healthy relations with the EU, and lack of it as possibly jeopardising these relations:

'The European Council urges that any future cooperation, association or equivalent agreement which the European Union or European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal migration' (Council 2002: 10).

What is interesting about the Seville European Council is that it was the venue for difficult negotiations between the Commission and the member states on the approach to take towards partner countries on migration matters. The Commission, in contrast to the Council, was very much against the conditionality that countries such as Spain and the UK strongly advocated. According to a DG Development official, the DGs rallied behind Prodi in his insistence to adopt a more positive approach to third countries, in particular on the issue of migration and conditionality (Interview October 2009). Even though restrictive policies are not discarded by the Commission, their Communications seem to reflect a keenness to bring out possible synergies between sending and receiving countries under a more comprehensive approach, for instance in their *Policy Plan on Legal Migration* (Commission 2005). This preventive stance was also the general preference expressed by interviewed Commission officials regarding a more effective pursuit of migration objectives.

There are, nevertheless, interesting differences amongst the Commission's DGs on their view of migration policy effectiveness. Cram (1997) contends that DGs have various policy practices depending on the sector, interests, structures available and resources. Divergences amongst DGs are evident in terms of the GA, with officials perceiving migration priorities and the way they are pursued depending on their remit. It is here that the internal and external policy divide becomes most evident. DG JLS officials are generally keener to tackle migration in a way that links with internal security objectives, and the measures they manage tend to be short-term. For instance, they are in charge of the European Return Fund, which supports member states to return irregular migrants (Commission 2010b). JLS has had one of the highest increases in staffing amongst concerned DGs, from one migration correspondent in the year 2000 to twelve people working on the international aspects of migration at the time of interviews. Their rationale resonates with national interior ministries, and the preferences they try to transpose on to EU level. The difference is in that DG JLS looks at the security of the Union as a whole, whilst it perceives member states as trying to pursue national security priorities through the Commission. On readmission, for instance:

'We should not forget that the requirements of the member states for the Commission when they negotiate readmission agreements are much stronger than what they do at national level. At national level, they never speak with the third country concerned about the readmission of third country nationals. But they would like the Commission to go and negotiate this: *it's difficult to negotiate, but let the Commission do it*' (Interview September 2009).

The external relations DGs are sometimes frustrated by the primacy of internal security aims. These DGs are in charge of longer-term objectives of migration management, and migration and development. Even though it does not deal with the Mediterranean, DG Development is a useful example to bring out the extent of divergence over the pursuit of migration objectives within the Commission. As one of its officials put it regarding the link established between migration and development, 'Development people just didn't want to hear about it; for them it was a bit like evil'

(Interview October 2009). It was not until the external dimension was reinterpreted to fit with the DG's ethos that DG Development became more engaged (Boswell 2008). It is important to point out, however, that DG Development has only had an increase of staffing from 0.5 to 1.5 people working on the GA, with migration work being incorporated into regional and country desks. Unless funding is increased accordingly, Development officials are keen not to have their main funding eaten up by migration priorities (Interview October 2009).

DG Relex officials, who are directly involved in dealings with the Mediterranean partners, often expressed their scepticism at a securitarian stance actually bringing forth any results. They also emphasised how they differ from JLS or interior and justice ministers at the JHA Council by referring to a 'foreign affairs' culture that would rather manage relations with partners by offering them better negotiating conditions in relation to preventive migration policies. Staffing in DG Relex has not changed, with one migration correspondent in the DG since 2000, and the rest of the work – like DG Development – being done by regional and country desks. The degree of the desks' engagement, however, seems to be partly dependent on the interests of staff within them. Referring to a migration expert in one of the units, an interviewee said: 'She was following a bit more the issues related to migration. But you know, this was because she was interested, it's not a specific decision to strengthen human resources on migration in DG Relex' (Interview November 2009).

Finally DG AIDCO is responsible for the identification and implementation of initiatives, and like JLS has had a substantial increase in staff dealing with migration (from none to nine people). They manage programmes negotiated with countries or regions under official frameworks, such as the European Neighbourhood Policy Instrument (ENPI). The ENPI is liable to agreement between the Commission and the authorities of the countries concerned regarding content and implementation of programmes. Content is of course dependent on what is in the first instance agreed by the member states and the Commission to be offered to third countries, and thus linked to decision-making structures and prioritised policy content at EU level. In addition to programmes negotiated with the national governments of third countries, DG AIDCO administers the *Thematic Programme for Cooperation with Third Countries in the Areas of Migration and Asylum*, 'which is global, centrally managed and aims to be flexible for a main reason: in order to address sometimes delicate issues or sometimes areas, or countries, where things haven't really started yet, or are at an embryonic stage and we need to test the ground' (Interview November 2009). The Thematic Programme is implemented through international organisations, NGOs and civil society.

Despite the differences between DGs, however, officials emphasised that coordination of work amongst them has substantially improved since Tampere and the endorsement of the external dimension. They are also keen to point out that they strive to reach a consensus in face of negotiating initiatives with the member states. So what are the implications of the EU's decision-making structures and policy content prioritisation on the pursuit of multilateral initiatives? How are these relevant to the aim of tackling migration within multilateral frameworks such as the Euro-Mediterranean Partnership? In the following section, the implications of the details outlined above on multilateral endeavours with the Mediterranean will be considered.

Constraints on multilateral negotiations on migration

The Mediterranean is of strategic importance to the EU. The Barcelona Process, or Euro-Mediterranean Partnership, was launched in 1995 as the framework for relations with countries of the region. It is composed of a multilateral dimension for regional issues, and a bilateral one for more specific relations. The Barcelona Declaration's aims are 'strengthening of democracy and human rights, sustainable and balanced economic and social development, and promotion of greater understanding between cultures' (Commission 1995).

The long-term objective of the EMP is to create a free trade zone between the two regions. The Commission was given a mandate to negotiate Association Agreements with third countries, which would serve as the legal basis for relations with them and reflect the priorities of the different EMP chapters. Establishing a free trade area invariably poses the question of movement of people. In as far as migration is concerned, even though it was formally excluded from discussions, there was an emphasis on capacity building for, and implementation of, securitarian and restrictive control measures (Collinson 1996). But at the time migration fell under the JHA pillar, and member states pursued migration in their bilateral relations with particular partners. For instance Spain signed a readmission agreement with Morocco in 1992, and France with Algeria in 1993 (Ibid).

Migration from (and through) Mediterranean countries became more salient an issue throughout the 1990s and early 2000s, becoming most pressing following the Ceuta and Melilla incidents. The supranationalisation of this policy area with Amsterdam and the adoption of Tampere implied that the Commission now played a greater role and would have to integrate migration into its external relations with Mediterranean neighbours. The concept of neighbours became all the more relevant with the accession of eight new members in 2004 and further changes to the EU's borders. That same year, the European Neighbourhood Policy (ENP) was launched to respond to the challenges of enlargement, and it incorporated the Mediterranean as well as the Eastern partners (Commission 2004). The ENP was based on the Wider Europe Communication of March 2003 (Commission 2003b), which has been revised a number of times since its inception to better support partners' reforms and efforts (see for instance Commission 2007a). It is also meant to be coherent with the European Security Strategy of December 2003 (Council 2003).

The ESS called for the establishment of a multilateral system to address global challenges. Migration is seen as one such challenge, and at the 2005 Barcelona Summit a new EMP chapter was officially introduced on 'Migration, Social Integration, Justice and Security' (JAI). Even though the possibility for strengthening bilateral relations between the EU and Mediterranean countries was made more attractive by the incentives offered under the ENP framework (Del Sarto and Schumacher 2005), there was also the aim of strengthening region building in order to deal with migration challenges with Mediterranean countries as a group (Gillispie 2006). But the incorporation of migration priorities into multilateral relations with the Mediterranean has not been very successful. The following section will propose some reasons why this may be the case based on constraints imposed by institutional structures and differences over policy content priorities between actors at EU level.

Member States vs. Commission priorities

Even though migration policy has been largely communitarised, there are limitations as to what the European Commission can do to implement the Global Approach in a multilateral setting. In terms of relations with the Mediterranean, migration policy initiatives that have been pursued fall into two categories. The first is that of easier-to-implement programmes, which translates into research- and training-based endeavours with third countries in relation to migration. The second is that of symbolic political announcements by the relevant actors involved at both EU and Mediterranean levels.

It is pertinent to first refer, albeit very briefly, to the literature on the supranationalisation of policy areas that tries to explain why European states have seemingly ceded a greater degree of competence to European institutions. The 'losing control' hypothesis resonates with neo-functional arguments about the loss of state sovereignty in a number of policy areas that comes as a result of European integration (Geddes 2003). In contrast, the 'escape to Europe' hypothesis argues that advancing policies at supranational level allows for the avoidance of domestic constraints and the pursuit of particular policy objectives (Geddes 2003; Guiraudon 2003). Related to the latter view, there is the additional argument that incorporating objectives into external relations is seen as a natural continuation of trans-governmental cooperation, especially on the restrictive aspects of migration control (Lavenex 2006).

The dynamics between the Council and the Commission seem to lean towards the 'escape to Europe' hypothesis, at least in as far as Commission officials' perception of member states' motivations. There is a general consensus amongst Commission interviewees across all relevant DGs that member states emphasise two aspects of migration policy: irregular migration control and labour migration. In terms of irregular migration control, they are very keen to advance priorities in a multilateral setting with the Mediterranean in particular on readmission and return, and joint patrolling and surveillance of borders that they are unwilling or unable to implement at national level. Labour migration remains under the domestic realm, and is offered on a bilateral basis by member states to third countries. Legal migration is certainly an issue of contention between the Commission and member states:

'Yes, it's problematic, because member states, especially some of them, are recalling us all the time to tell us it is none of our business; that they are competent on the number of people they admit into their territory, so we should not speak about that. [...] We say to the member states: OK, we fully respect your competence, but according to the Global Approach we have to be balanced, and we will not achieve anything on illegal immigration if we do not come with something serious regarding legal migration. [...] And there we have some progress but not in terms of admission, really, but in terms of putting in place some information centres, on what the legislation in the member states regarding legal migration is, who can migrate, in terms of providing training and those things' (Interview September 2009).

Needless to say, this situation poses constraints on what the European Union can negotiate and implement at EMP level. Without the willingness of member states to offer more legal migration opportunities through the EU, it is difficult to see how the comprehensive aims of the Global Approach can be incorporated into a multilateral framework (or even a bilateral one). This piecemeal approach is reflected in the EMP migration programmes, which correspond to the first category of the kinds of easier-

to-implement endeavours pursued. There have been two multilateral programmes implemented under the Partnership (see Table 1). Euro-Med Migration I, which ran from 2004 to 2007, received €2million in funding, and focused on data collection and dissemination, and knowledge-based training. The Consortium for Applied Research on International Migration (CARIM) was set up as a result, and is based in Florence at the European University Institute. Euro-Med Migration II, which is running from 2008-2011, received €5million in funding. It has structured cooperation initiated under Euro-Med Migration I further by setting up working groups that meet regularly and are charged with carrying out analyses, training and study visits to third countries (Commission 2007b). The third Euro-Med Migration project is currently being discussed, and the Commission is interested in raising awareness of how migration may be linked to other EMP chapters in the spirit of comprehensiveness of the Global Approach (Interview October 2009).

Table 1
Euro-Mediterranean Partnership Migration Programmes

Programme name	Duration	Funding
Euro-Med Migration I	2004-2007	€2 million
Euro-Med Migration II	2008-2011	€5 million
Euro-Med Migration III	Under discussion	

Migration initiatives with the Mediterranean region have so far been limited to the kinds of activities that do not require the political commitment of the actors involved to binding initiatives. In the words of one of the interviewees, 'it is easier to do studies and data collection, for example, than joint patrols with FRONTEX' (Interview October 2009). They went on to say that actions and provisions are politically difficult, and that the EMP is not designed for these kinds of discussions. Another official pointed out that migration had deliberately been left out of negotiations of the revamped EMP, or what is known as the Union for the Mediterranean, in 2008 because member states wanted to avoid delicate issues in order to progress on other interests such as economic investment and energy. The official did highlight at the time of interview, however, that during its Presidency, Spain was planning to more actively incorporate migration into regional discussions (Interview October 2009). Nevertheless, no concrete initiatives have been taken. Joint management of migration flows has so far not been integrated into the work programme of the Union for the Mediterranean, which is still based on the priority policy areas emphasised in the 2008 Marseille Declaration (Council 2008).

The perception of Commission officials, however, was that it is more difficult to reach an agreement between the Commission and the member states than to negotiate with Mediterranean partners. Following up from the incorporation of migration into the EMP at the 2005 Barcelona summit, the first Euro-Med meeting on this new chapter took place on 18 and 19 November 2007 in Santa Maria da Feira. It had taken 23 months for the Commission and the member states to agree on what the EU would negotiate with the region. The member states were perceived by the Commission as wanting to employ the EMP Migration chapter as another forum to advance bilateral concerns. The Commission, on the other hand, was adamant about the EMP being a *regional* forum and argued against the member states' insistence for using the EMP to settle bilateral disputes. A particular policy that was problematic for the member states related to legal migration, and whether it made sense to engage with the Mediterranean on mobility packages that would allow for easier labour movements. The member states were entirely opposed to granting easier legal migration provisions, and insisted instead on the possibility of bringing up readmission under the EMP. The Commission refused the idea of discussing readmission under a

multilateral setting, and even though member states eventually acquiesced, they then asked for a revision of the EU's position after negotiations had started. Commission officials rejected the idea of changing their negotiating position, and saw it as something that would have compromised their credibility vis-à-vis partner governments (Interviews Sep-Nov 2009).

Most Commission officials interviewed saw that it would be beneficial to be able to incorporate aspects other than securitarian considerations into relations with partners. But they are constrained on the leverage that they can offer based on the sharing of competencies with member states, in particular on legal migration opportunities and visa facilitation. Limitations on the legal migration front compromise the implementation of more developmental and legal migration aspects of the Global Approach at both bilateral and multilateral levels. Instead, what seems to be more dominant is the link between migration and security considerations in relation to the Mediterranean. Interviewees mentioned that member states saw the region as synonymous with possible sources of terrorism threats and Islamic fundamentalism, and used this argument as a justification for their reluctance to offer legal migration opportunities (even though they do offer them at bilateral level). Member states' rhetoric is mirrored in the literature on securitisation, which argues that externalising restrictive measures is facilitated by the links drawn between internal and external security, and constructions of threats as coming from out-with the European territory (Bigo 2005; Huysmans 2000; Lavenex 2006).

More comprehensive migration goals, however, do make their way into political declarations with the Mediterranean, which corresponds to the second category of symbolic political statements by actors. The Rabat Process launched in 2006 and the Tripoli Process in 2007 brought together countries of origin, transit and destination to express awareness and willingness to tackle migration concerns collectively and comprehensively. Both of these processes have turned out to be rather symbolic in that they have not materialised in multilateral implementation of initiatives. Nevertheless, the awareness of the countries concerned is seen as politically significant and positive. As one official put it, 'Rabat is seen as a political success rather than an implementation success' (Interview October 2009).

What emerges from the above analysis is that, even though particular actors would be interested in pursuing the GA more comprehensively, decision-making and policy content prioritisations at EU level present an obstacle. Considering that, overall, the Commission seems to be interested in adopting a more progressive line to advance migration policy objectives, the following section will look at one particular way in which it is doing that: by working with international organisations such as the IOM and UNHCR.

International organisations: an alternative route?

The European Commission is quite limited in its ability to implement its conceptualisation of a comprehensive migration policy. Is migration an issue-area that can be tackled in a multilateral fashion with the Mediterranean, going beyond easier-to-implement initiatives and political statements? By resorting to international organisations (as well as NGOs and civil society), the Commission has found an alternative route for pursuing some of its migration policy aims. These organisations do not offer a comprehensive coverage of objectives, and programmes implemented

depend on their expertise and willingness. But they do provide the Commission with a venue for advancing some of the more sensitive objectives of the GA.

The Commission's Thematic Lines

Working with international (and other) organisations is made possible by support provided through the Commission's thematic lines (Table 2). Thematic programmes are defined as those that encompass 'a specific area of activity of interest to a group of partner countries not determined by geography, or cooperation activities addressed to various regions or groups of partner countries, or an international operation that is not geographically specific, including multilateral or global initiatives to promote the Union's internal policies abroad' (Commission 2005c: 3). These programmes are meant to complement geographical instruments. They are also better accepted by partners because they provide additional funding, in addition to generally being implemented by actors other than governments and out-with an official framework (Interview November 2009). In fact, thematic programmes do not require the participation of member states or third-country governments (even though these may be involved).

The first thematic programme dedicated to the external dimension of migration was *Cooperation with Third Countries in the Area of Migration* (B7-667). It was created in 2001 with a budget of €10million, increasing to €12.5 and €20million in the two following years, respectively (Commission 2003a). It came before the Global Approach was launched and was meant 'to allow for the adoption of preparatory actions in the field of migration and asylum' (Commission 2006c: 6). Amongst its areas of operation were management of migration flows, irregular migration prevention, and fostering of links between migration and development. The geographical areas covered were mainly the Balkans, Eastern Europe, the Mediterranean and Asia (Ibid). Even though B7-667 was important for highlighting the Union's commitment to the external dimension, the budget was extremely limited for the complexity of tasks at hand (Interview September 2009).

B7-667 was replaced by the AENEAS Programme, which lasted from 2004 to 2006, had a budget of €120million and was adopted through the co-decision procedure (Commission 2006c). It included more comprehensive objectives in relation to migration policy, and supported international organisations, local and international NGOs, and civil society in projects they proposed to the Commission that related to the EU's migration policy goals. Programmes carried out under the AENEAS framework in which IOs were the implementing partner included the promotion of dialogue between Maghreb and sub-Saharan African countries, and the EU on migration management issues (by the IOM); enhancement of irregular migration management in Libya (by the IOM); and protection of asylum seekers and refugees in Egypt (by the UNHCR) (Commission 2004). Projects also covered irregular migration control, for instance between North Africa and Spain (*Project Seahorse*), for which the implementing partner was the Spanish Guardia Civil. NGOs such as the Euro-Mediterranean Human Rights Network managed a programme called *Enhancing Civil Society Participation in Human Rights Management of Migration and Asylum in the Southern Mediterranean and the Middle East* (Ibid). These are just examples to illustrate the areas covered by AENEAS, and the range of implementing partners.

Having been initially planned to last until 2008, AENEAS was shortened and replaced by the *Thematic Programme for the Cooperation with Third Countries in the*

Areas of Migration and Asylum (Commission 2006c). The Thematic Programme has more money, with a budget of €205million and a first period of implementation running from 2007 to 2011. Just like its predecessors, it covers the various migration policy priorities, 'in particular migration and development; economic migration; prevention of and fight against illegal migration, including migrants' voluntary return and reintegration; and international protection' (Ibid: 8). The IOM is involved in programmes for border control, migration management, capacity building to fight against human trafficking, and voluntary assisted return (VAR); and the UNHCR in projects for the protection of asylum seekers and refugees (Commission 2007b; IOM 2010a). Both of these organisations operate in a range of geographical areas.

Table 2
Evolution of Thematic Programmes

Programme name	Duration	Funding
B7-667	2001-2003	€42.5 million
AENEAS	2004-2006	€120 million
Thematic Programme for the Cooperation with Third Countries in the Areas of Migration and Asylum	2007-2011	€205 million

The logic behind working with a variety of stakeholders follows from wanting to create additional platforms to facilitate cooperation between all actors involved in migration policy objectives, including international organisations, NGOs and civil society. The aim is to coordinate 'projects they are planning and to discuss progress, as well as to share best practice and experience and avoid any unnecessary duplication of efforts' (Bosch and Haddad 2007: 9). The argument advanced in this paper, however, is that cooperation with international (and other) organisations is not only motivated by practical reasons, but is also the result of the internal EU constraints detailed in earlier sections.

The Commission's cooperation with international organisations

Cooperation with international organisations is an illustration of the way in which the European Commission bypasses internal constraints to pursue migration policy goals coherent with the GA. The two organisations of focus in this section are the International Organisation for Migration and the UN Refugee Agency. It is worth briefly noting the differences between them before detailing their cooperation with the Commission.

The IOM is an organisation that deals with migration issues. It has always been keen to support initiatives that ensure its participation in them, and as a result its mandate and geographical/ programmatic scope have expanded considerably over the years (Thouez and Channac 2006). Its remit covers issues such as migration and development, migration management, and forced migration. Unlike UNHCR, the IOM is not known for its lobbying activities, and it sometimes supports governments in implementing restrictive migration control measures. The IOM in Morocco, for instance, assists the Ministry of Interior in what concerns irregular migration control (Interview October 2009).

The UNHCR, on the other hand, has always had a human rights-based focus, having been created to deal with asylum and refugee issues. Even though it was meant to be a purely humanitarian organisation, UNHCR has been involved in highly political situations. At times, because of its criticism of government practices, the organisation has been target of accusations for being 'too legalistic' (Loescher 2001). Its

opposition and reactive stance to European control measures precipitated calls for a reduction in the UNHCR's mandate in the 90s (Boswell 2003; Lavenex 2001; van der Klaauw 2002). Over the years, however, the organisation's mandate has actually expanded (Loescher 2001).

On the more specific issue of cooperation between these IOs and the European Commission, there is very little material on the subject. Most of what is available on initiatives and consultations is in the form of European Union press releases in which either organisation is mentioned, details of funding provided through the thematic lines, and information on programmes and activities detailed on IOM and UNHCR documentation. In terms of academic literature, some work has been done that looks at the ways in which the remits of the IOM and UNHCR have become closer to European Union objectives (Lavenex 2007; van der Klauww 2002); or the way in which development community organisations have responded to linking migration and development (see for instance Olesen 2002).

From the field research conducted and the limited material available, it would seem that the relationship between the Commission and these IOs is one of convenience. The argument advanced in this paper is that cooperating with IOs provides the Commission with a venue for pursuing policy priorities that are difficult to implement as part of more institutionalised frameworks, such as the EMP. This idea resonates with the concept of vertical policy venue shopping, whereby actors look for ways to follow particular objectives and avoid constraints (Guiraudon 2000). Working with IOs grants the Commission a certain degree of legitimacy, and the wider membership of these bodies 'opens the possibility for a more inclusive agenda than that promoted by EU member states' (Lavenex 2007: 252). Their programmes and projects cover some of the issues that are limited at EU level in part due to decision-making constraints and differing policy content prioritisations. They already operate in third countries, and offer access and expertise at grassroots level (Interview November 2009).

Some scholars, such as Lavenex (2007), would argue that debates on migration policy within the EU have influenced the agendas of IOs, which may explain why there are more and more instances of cooperation between them. She posits that, over the years, the IOM and UNHCR have come to revise their mandates in a way that addresses migration issues that are not as highly prioritised by the EU, complementing them in a way. They have also become increasingly involved in EU activities, 'and in some ways one could even say subcontractors to the EU and its member states' (Ibid: 253). It is certainly the case that the IOs are regularly involved in the conceptualisation of a number of initiatives, and carry out a substantial amount of work for the Commission (Interview October 2009). The IOM, for instance, prepared a response to a public consultation launched by DG JLS on the definition of migration priorities for the period between 2010 and 2014 (IOM undated). Similarly, the UNHCR works closely with the Commission in what concerns refugee protection and capacity building of asylum procedures in third countries (Lavenex 2007; UNHCR 2010; van der Klaaw 2002).

Both of these IOs receive a substantial amount of funding from the Commission. The UNHCR refers to the EU as one of its 'most important partners. The grouping as a whole – the European Commission (EC) and the 27 member states, provides close to half of UNHCR's annual funding' (UNHCR 2010). The Commission alone was the second largest donor in 2008 after the United States (Ibid). As for the IOM, an accurate breakdown of funding provided by the Commission is not available. But according to one of its officials, given the volume of the organisation's operations, securing funding is fundamental for the functioning of projects and their successful

implementation (Interview October 2009). An AIDCO official also highlighted that IOs were in regular contact with the Commission regarding funding opportunities, in particular for initiatives that are not amenable to national governments (Interview November 2009).

Nevertheless, it is important to keep in mind that these organisations have their own ethos and working procedures. As such, it may not be the case that IOs have adapted their mandates solely in response to EU debates. The policy content of the EU's multilateral aspirations in terms of migration has been part of these IOs' agendas for some time now (Thouez and Channac 2006; Ghosh 2000). Both the IOM and UNHCR have long been involved in debates of ways in which migration could potentially be managed multilaterally (Ghosh 2000). The migration policy community has consistently voiced an interest in coordinating efforts to deal with issues arising from the movement of people in an effective and coherent manner, in particular in view of constraints imposed at national level and as part of bilateral arrangements (Ghosh 2000; Loescher 1989; Thouez and Channac 2006; Widgreen 1989). It would be fair to say that the past few years have seen a change in the development community's view of migration issues in general, which has affected a number of organisations in their approach (Olesen 2002).

Lavenex (2007) herself highlighted that IOs can be quite adamant about their agendas and have a wide membership to whom they may be liable in terms of priorities. For instance, the IOM has a membership of 127 countries. The EU is not a member, and only has observer status (IOM 2010). But it is beyond the scope of the paper to infer the degree of influence that the EU might have on the IOM or UNHCR. What *can* be inferred from fieldwork data, however, is that these organisations are important to advance GA priorities in third countries without the Commission necessarily influencing the content of initiatives. An indicator of the expediency of working with these organisations is the way in which funding is provided. IOs apply following the priorities set out in the Thematic Programme's Call for Proposals, but if and when they receive the funding, 'there are no specific guidelines as to what kind of activity, or how the activity, has to be implemented. The only thing that they, that the European Commission, asks for is visibility that they are contributing to a project' (Interview October 2009).

What is significant in the assessment of cooperation with IOs is not the degree of influence, but the options that these organisations open up for the Commission. Nevertheless, the seeming success of this modality of implementation does pose questions regarding the possibilities for pursuing a common European migration policy in multilateral frameworks such as the EMP. By resorting to the implementation of GA objectives on a project-by-project basis, and through international (and other) organisations, no comprehensive migration management regime is in the making. It is important to point out, though, that the failure to construct a cohesive system for dealing with migration is not particular to the Commission. Attempts made by these very IOs to establish and institutionalise coordination on migration out-with the framework of cooperation with the EU have also been largely unsuccessful (Hollifield 2000). Multilateral arrangements have tended to take an informal and non-binding shape, mostly embodied in memoranda of understanding, statutes, action plans, and declarations (IOM 2003).

It may actually be the lack of institutionalisation in the Commission's work with IOs that allows for the implementation of certain aspects of the GA. Even though the GA is meant to set a structured framework in which migration priorities are tackled by all

countries concerned, and organised according to geographical areas⁴, it is in instances where an official framework is lacking that initiatives are being implemented. The Thematic Programmes provide IOs and other organisations with the opportunity to apply for funding for particular projects that conform to European priorities. But these projects depend on organisations' capabilities and working procedures, and can therefore be seen as a rather patchy way of pursuing GA objectives.

Conclusions

One of the more successful venues for the pursuit of the Global Approach has been through the Thematic Programme and by working in conjunction with international organisations such as the IOM and the UNHCR. This paper has advanced the argument that this arrangement offers the European Commission with the opportunity to implement objectives coherent with the Global Approach, and that are difficult to channel through multilateral frameworks such as the EMP. The paper has also argued that difficulties in comprehensively incorporating the Global Approach at EU level are informed by the constraints posed by the Commission's sharing of competencies with member states and differences in policy prioritisation between them, as well as within the Commission.

Member states are perceived to favour the inclusion of securitarian considerations in a multilateral setting, whilst the Commission has an inclination towards a more comprehensive approach that also takes into consideration preventive measures. This divergence has often meant political deadlock, and little progress on establishing a comprehensive, multilateral framework for migration. Initiatives discussed under the EMP setting have been limited to symbolic political statements, and research and training initiatives related to migration issues in the region.

Thematic lines have provided the Commission with a way of bypassing constraints posed by their sharing of competencies with the member states. The projects funded under the Thematic Programme and implemented by IOs include a wider array of migration priorities, rather than emphasising securitarian objectives alone. They allow for initiatives that are not incorporated into formal frameworks of relations and that tend to be more sensitive to negotiate. Perhaps the pitfall is that this arrangement does not lead to structured and inclusive implementation. Initiatives are on a project-by-project basis, and are not necessarily organised along the geographical lines established by EU multilateral forums, such as the EMP.

The difficulty in dealing with migration at EU level and in relation to a particular grouping of countries such as the Mediterranean suggests that it is perhaps not a policy area that will be successfully tackled in a multilateral setting, nor necessarily voluntarily or (by and large) equally affecting all stakeholders. The drawing of the Global Approach is indeed the kind of initiative that would aspire to become a more institutionalised form of multilateralism, going through the other stages of aspirant and crystallising multilateralism. But patchy and limited implementation under the EMP framework, as well as the seeming bypass of constraints by working with international organisation, points towards multilateralism on migration issues being of an aspirant form, and likely to remain so.

⁴ Even though it is a 'global' strategy, interviewees recognise that priority regions are the Mediterranean and sub-Saharan Africa.

References

- Aghrout, A. (2000) *From Preferential Status to Partnership* (Aldershot, Ashgate)
- Bigo, D. (2005) 'Frontier Controls in the European Union: Who is in Control?' in D. Bigo and E. Guild (eds.) *Controlling Frontiers: Free Movement Into and Within Europe* (Aldershot, Ashgate): 49-99
- Bosch, P. and E. Haddad (2007) 'Migration and Asylum: An Integral Part of the EU's External Policies' *Forum Natolińskie Warsaw, Centrum Europejskie Natolin*: 3
- Boswell, C. (2003a) *European Migration Policies in Flux: Changing Patterns of Inclusion and Exclusion* (Oxford, Blackwell)
- Boswell, C. (2003b) 'The 'external dimension' of EU immigration and asylum policy' *International Affairs* 79(3): 619-638
- Boswell, C. (2008) 'Evasion, Reinterpretation and Decoupling: European Commission Responses to the 'External Dimension' of Immigration and Asylum' *West European Politics* 31(3): 491-512
- Bouchard, C. and J. Peterson (2009) 'Conceptualising Multilateralism' MERCURY Working Paper
- Carrera, S. & Geyer, F. (2008) 'The Reform Treaty and Justice and Home Affairs: Implications for the Common Area of Freedom, Security and Justice' in E. Guild and F. Geyer (eds.) *Security versus Justice? Police and Judicial Cooperation in the European Union* (Aldershot, Ashgate): 289-307
- Collinson, S. (1996) *Shore to Shore: The Politics of Migration in Euro-Maghreb Relations* (London, Royal Institute of International Affairs)
- Collinson, S. (2000) 'Migration and Security in the Mediterranean: a Complex Relationship' in R. King, G. Lazardis and C. Tsardanidis (eds.) *Eldorado or Fortress? Migration in Southern Europe* (London, Macmillan Press): 301-320
- Collyer, M. (2006) 'Migrants, Migration and the Security Paradigm: Constraints and Opportunities' *Mediterranean Politics* 11(2): 255-270
- Cram, L. (1997) *Policy-making in the EU: Conceptual Lenses and the Integration Process* (London, Routledge)
- Del Sarto, R. A. and T. Schumacher (2005) 'From EMP to ENP: What's at Stake with the European Neighbourhood Policy towards the Southern Mediterranean?' *European Foreign Affairs Review* 10: 17-38
- European Commission. (1994) 'Communication from the Commission to the Council and the European Parliament: On Immigration and Asylum Policies', COM (94) 23 final of 23.02.1994 (Brussels, European Commission)
- European Commission (1995) 'Barcelona Declaration'
- European Commission (2002) 'Communication from the Commission to the Council and the European Parliament: Integrating Migration Issues in the European Union's

Relations with Third Countries', COM (2002) 703 final of 3.12.2002 (Brussels, European Commission)

European Commission (2003a) 'Call for proposals 2003: Budget line 'Co-operation with Third Countries in the area of migration' (B7-667)' (Brussels, European Commission)

European Commission (2003b) 'Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours', COM (2003) 104 final of 11.3.2003 (Brussels, European Commission)

European Commission (2004) 'European Neighbourhood Policy: Strategy Paper', COM (2004) 373 final of 12.5.2004 (Brussels, European Commission)

European Commission (2005a) 'Communication from the Commission to the Council and the European Parliament: External Actions through Thematic Programmes under the Future Financial Perspectives 2007-2013', COM (2005) 324 final of 3.8.2005 (Brussels, European Commission)

European Commission (2005b) 'Communication from the Commission: Policy Plan on Legal Migration', COM (2005) 669 final of 21.12.2005 (Brussels, European Commission)

European Commission (2006a) 'Aeneas Programme: Programme for financial and technical assistance to third countries in the area of migration and asylum: Overview of projects funded 2004 – 2006' (Brussels, European Commission)

European Commission (2006b) 'Communication from the Commission to the Council and the European Parliament: The Global Approach one year on: Towards a comprehensive European migration policy', COM (2006) 735 final of 30.11.2006 (Brussels, European Commission)

European Commission (2006c) 'Communication from the Commission to the Council and the European Parliament: Thematic Programme for the Cooperation with Third Countries in Areas of Migration and Asylum', COM (2006) 26 final of 25.1.2006 (Brussels, European Commission)

European Commission (2007a) 'Communication from the Commission: A Strong European Neighbourhood Policy', COM (2007) 774 final of 5.12.2007 (Brussels, European Commission)

European Commission (2007b) 'Euro-Mediterranean Partnership: Regional Cooperation: Overview of Programmes and Projects' (Brussels, European Commission)

European Commission (2007c) 'Thematic Programme for Cooperation with Third Countries in the Areas of Migration and Asylum: List Projects contracted 2007-2008 – Direct Awards' (Brussels, European Commission)

European Commission (2009) 'Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: Policy Coherence for Development - Establishing the policy framework for a whole-of-the-Union approach', COM (2009) 458 final of 15.9.2009 (Brussels, European Commission)

European Commission (2010a) 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Delivering an area of freedom, security and justice for Europe's Citizens – Action Plan Implementing the Stockholm Programme', COM (2010) 171 final of 20.4.2010 (Brussels, European Commission)

European Commission (2010b) *The Return Fund*. Available at: http://ec.europa.eu/justice_home/funding/return/funding_return_en.htm, accessed on 21 June 2010

European Council (1992) 'Edinburgh Presidency Conclusions, 11-12 December 1992'

European Council (1999) 'Tampere European Council Conclusions, 15-16 October 1999'

European Council (2002) 'Seville European Council Presidency Conclusions, 21-22 June 2002'

European Council (2003) 'A Secure Europe in a Better World: European Security Strategy: Brussels, 12 December 2003'

European Council (2005) 'Presidency Conclusions, Brussels 15-16 December 2005'

European Council (2008) 'Barcelona Process: Union for the Mediterranean ministerial conference, Marseille 3-4 November 2008, Final Declaration'

Fargues, P. (2004) 'Arab Migration to Europe: Trends and Policies' *International Migration Review* 38(4): 1348-2371

Fontagné, L. and N. Péridy (1997) *The EU and the Maghreb* (Paris, Development Centre of the Organisation for Economic Co-operation and Development)

Geddes, A. (2001) 'International Migration and State Sovereignty in an Integrating Europe' *International Migration* 39(6): 21-42

Geddes, A. (2003) *The Politics of Migration and Immigration in Europe* (London, Sage)

Geddes, A. (2008) *Immigration and European Integration: Beyond Fortress Europe?* (Manchester, Manchester University Press)

Gent, S. (2002) 'The Root Causes of Migration: Criticising the Approach and Finding a Way Forward' Sussex Migration Working Paper 30, Sussex Centre for Migration Research

Ghosh, B. (2000) 'Introduction' in B. Ghosh (ed.) *Managing Migration: Time for a New International Regime?* (New York, Oxford University Press): 1-5

Gillispie, R. (2006) 'Onward but not Upward: The Barcelona Conference of 2005' *Mediterranean Politics* 11(2): 271-278

Guiraudon, V. (2000) 'European Integration and Migration Policy: Vertical Policy-making as Venue Shopping' *Journal of Common Market Studies* 38(2): 251-271

- Guiraudon, V. (2003) 'The constitution of a European immigration policy domain: a political sociology approach' *Journal of European Public Policy* 10(2): 263-282
- Hollifield, J. F. (2000) 'Migration and the 'New' International Order: The Missing Regime' in B. Ghosh (ed.) *Managing Migration: Time for a New International Regime?* (New York, Oxford University Press): 75-109
- Huysmans, J. (2000) 'The European Union and the Securitization of Migration' *Journal of Common Market Studies* 38(5): 751-777
- Interviews (September-November 2009) *Semi-structured interviews with officials from the European Commission, the IOM and UNHCR*
- IOM (undated) 'Public consultation launched by the European Commission, Direction General Justice Liberty and Security, aiming to contribute to the development of a definition of the European Union's priorities in the area of freedom, security and justice for the period 2010-2014: Response of the International Organization for Migration (IOM)'
- IOM (2003) 'Illustration of Multilateral, Regional and Bilateral Cooperative Arrangements in the Management of Migration' in T.A. Aleinikoff and V. Chetail (eds.) *Migration and International Legal Norms* (The Hague, T.M.C. Asser): 305-333
- IOM (2010a) *Assisting Voluntary Return*. Available at: <http://www.iom.int/jahia/page662.html>, accessed on 29 March 2010
- IOM (2010b) *Members and Observers*. Available at: <http://www.iom.int/jahia/Jahia/about-iom/lang/en>, accessed on 23 June 2010
- Lavenex, S. (2001) 'The Europeanization of Refugee Policies: Normative Challenges and Institutional Legacies' *Journal of Common Market Studies* 39(5): 851-874
- Lavenex, S. (2006) 'Shifting Up and Out: The Foreign Policy of European Immigration Control' *West European Politics* 29(2): 329-350
- Lavenex, S. (2007) 'The External Face of Europeanization: Third Countries and International Organizations' in T. Faist and A. Ette (eds.) *The Europeanization of National Policies and Politics of Migration: Between Autonomy and the European Union* (Basingstoke, Palgrave): 246-264
- Lavenex, S. and E. Uçarer (2002) 'Introduction: The Emergent EU Migration Regime and Its External Impact' in S. Lavenex and E. Uçarer (eds.) *Migration and the Externalities of European Integration* (Oxford, Lexington Books): 1-13
- Leitner, H. (1997) 'Reconfiguring the spatiality of power: the construction of a supranational migration framework for the European Union' *Political Geography* 16(2): 123-143
- Loescher, G. (1989) 'Introduction: Refugees Issues in International Relations' in G. Loescher and L. Monahan (eds.) *Refugees and International Relations* (New York, Oxford University Press): 1-33
- Loescher, G. (2001) *The UNHCR and World Politics: A Perilous Path* (Oxford, Oxford University Press)

- Nyberg-Sørensen, N., N. Van Hear, et al. (2002) 'The Migration-Development Nexus Evidence and Policy Options State-of-the-Art Overview' *International Migration* 40(5): 3-47
- Olesen, H. (2002) 'Migration, Return and Development: An Institutional Perspective' *International Migration* 40(5): 125-150
- Peterson, J., M. Aspinwall, et al. (2008) 'The Consequences of Europe: Multilateralism and the New Security Agenda' Mitchell Working Paper Series 3/2008, Europa Institute
- Testas, A. (2001) 'Maghreb-EU Migration: Interdependence, Remittances, the Labour Market and Implications for Economic Development' *Mediterranean Politics* 6(3): 64-80
- Thouez, C. and F. Channac (2006) 'Shaping International Migration Policy: The Role of Regional Consultative Processes' *West European Politics* 29(2): 370-387
- Tsardanidis, C. and S. Guerra (2000) 'The EU Mediterranean States, the Migration Issue and the 'Threat' from the South' in R. King, G. Lazardis and C. Tsardanidis (eds.) *Eldorado or Fortress? Migration in Southern Europe* (London, Macmillan Press)
- Uçarer, E. (2002) 'Guarding the Borders of the European Union: Paths, Portals, and Prerogatives' in S. Lavenex and E. Uçarer (eds.) *Migration and the Externalities of European Integration* (Oxford, Lexington Books): 15-32
- Uçarer, E. (2003) 'Justice and Home Affairs' in M. Cini (ed.) *European Union Politics* (Oxford, Oxford University Press): 294-311
- Uçarer, E. (2007) 'Justice and Home Affairs' in M. Cini (ed.) *European Union Politics* (Oxford, Oxford University Press): 304-320
- UNHCR (2010) *2010 Regional Operations Profile - North Africa*. Available at: <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e4860d6#>, accessed on 29 March 2010
- UNHCR (2010) *Donors: European Commission*. Available at: <http://www.unhcr.org/pages/4a2cff03221.html> accessed on 23 June 2010
- UNHCR (2010) *Partners: The European Union*. Available at: <http://www.unhcr.org/pages/49c3646c302.html> accessed on 23 June 2010
- van der Klaaw, J. (2002) 'European Asylum Policy and the Global Protection Regime: Challenges for UNHCR' in S. Lavenex and E. Uçarer (eds.) *Migration and the Externalities of European Integration* (Oxford, Lexington Books): 33-54
- van Selm, J. (2002) 'Immigration and Asylum of Foreign Policy: Approach to Migrants and their Countries of Origin' in S. Lavenex and E. Uçarer (eds.) *Migration and the Externalities of European Integration* (Oxford, Lexington Books): 143-160
- Widgren, J. (1989) 'Europe and International Migration in the Future: The Necessity for Merging Migration, Refugee, and Development Policies' in G. Loescher and L. Monahan (eds.) *Refugees and International Relations* (New York, Oxford University Press): 49-61