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Analysing Migration Policy Frames of Tunisian Civil Society Organizations: How Do They Evaluate EU Migration Policies?

Emanuela Roman and **Ferruccio Pastore**

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Abstract

Based on information gathered through extensive fieldwork in Tunisia, this paper analyses how Tunisian civil society actors represent the Mediterranean space, how they frame migration in general and how they frame specific migration-related policy issues and the factors and actors affecting them. The paper further investigates how Tunisian stakeholders evaluate existing policy responses, focusing in particular on EU policies and cooperation initiatives in this field. Finally, the paper outlines possible policy implications, future developments and desirable improvements with regard to EU–Tunisia cooperation in the field of migration.

Introduction

Migration and mobility represent an ever more vital but highly contentious field of governance in Euro-Mediterranean relations. Euro-Mediterranean cooperation in this policy area has long been characterized by fundamental divergences of views, interests and approaches, not only between the two shores of the Mediterranean, or between (predominantly) sending, transit and receiving countries, but also among institutional and civil society actors on each side of the Mediterranean.

In the framework of the MEDRESET project, Work Package 7 (WP7) aims to develop a more sophisticated knowledge and awareness about the diverse frames, perceptions and priorities of a variety of stakeholders with regard to migration-related issues in the Mediterranean space, focusing in particular on local stakeholders in four southern and eastern Mediterranean (SEM) countries – Lebanon, Morocco, Tunisia and Turkey – and among them on those actors who are generally excluded from Euro-Mediterranean dialogue and decision-making (e.g., civil society and grassroots organizations). Primary consideration is thus given to the perspective of non-institutional actors, without neglecting the perspective of institutional stakeholders, because the former is probably constructed in relation (or even in opposition) to the latter.

Focusing on bottom-up framing processes involving civil society actors in SEM countries, WP7 aims to examine overlaps and differences in the understanding and evaluation of EU

migration cooperation policies in the Mediterranean, investigating whether the perspectives and priorities of stakeholders in Europe and in SEM countries are conflicting, competing or converging with current EU policies. This country report focuses on the case study of Tunisia and analyses the policy frames of Tunisian stakeholders relating to the issue of migration and mobility, as well as to the EU policies in this field.

As described in detail in the MEDRESET Methodology and Concept Paper No. 6, which sets out the theoretical and methodological framework for WP7 research (Roman et al. 2017), our analysis builds upon literature on policy frames, and in particular on those scholars who have analysed the role of "policy frames" (Bleich 2002, Scholten 2011) or "policy narratives" (Boswell 2011, Carling and Hernández-Carretero 2011) in decision-making processes in the field of migration. These scholars have stressed that both migration-related policy issues and their possible solutions are defined and framed by different stakeholders mainly drawing upon their ideas, perceptions, beliefs, normative appreciations and knowledge claims.

Drawing upon Boswell et al. (2011: 4-5), we construe the structure of policy frames as consisting of three essential components: (1) the *definition of the policy problem*, which typically involves claims about the scale and nature of the issue; (2) the *causes of the problem*, including claims on the extent to which such causes can be controlled through policy interventions; these "causal stories" often imply attributing responsibility (or blame) to specific *factors or actors*; and (3) the *solutions to the problem*, including claims about how policy interventions have affected, or are likely to affect, the issue.

The above categorization largely overlaps with the three-dimensional multi-actor, multi-layer and multi-sector analytical framework of the MEDRESET project: (1) stakeholders; (2) policy instruments; and (3) policy issues (Huber and Paciello 2016: 11-12). In fact, *policy issues* concern the *definition of the problem and its causes*, namely the identification and definition of the key challenges that the Mediterranean region faces in the area of migration, and their causes. The identification of *stakeholders* coincides with the identification of the *actors and factors* affecting (or involved in) a given policy issue. Finally, *solutions to the problem* largely correspond to *policy instruments*, i.e., the methods and initiatives through which migration policies are and/ or should be implemented. This conceptual scheme is reflected in the structure of section 2 of this report.

The analysis of Tunisian stakeholders' migration policy frames is largely based on information gathered through recursive multi-stakeholder consultations. As described in our Methodology and Concept Paper, this is an innovative methodology, consisting of a first round of face-to-face in-depth unstructured interviews with individual stakeholders in the four target SEM countries, followed by a second round of semi-structured interviews with a selected number of previously interviewed stakeholders, who are confronted with and invited to react to the main outcomes of the first interview round (Roman et al. 2017: 23). Details on these two rounds of interviews are provided under section 1 of this report, together with a description of the fieldwork carried out in Tunisia.

Section 2 analyses, firstly, how Tunisian stakeholders represent the Mediterranean space in general and how they frame migration within a broader policy context. Secondly, this section considers how they frame specific migration-related policy issues and the factors and actors affecting such issues; finally, it describes how stakeholders evaluate existing policy responses,

focusing in particular on European policies.[2] Section 3 of the report elaborates on possible policy implications, future developments and desirable improvements with regard to EU–Tunisia cooperation in the field of migration.

This report originally included an introductory section providing background information on Tunisia's migration profile, the country's legal, policy and institutional framework in the area of migration (focusing in particular on EU cooperation policies), and the main stakeholders involved in migration policy-making, including both institutional and civil society actors. This section was left out from this version of the paper in order to make it shorter and more readable. However, it is included (as section 2) in the full version of this report.[3]

1. Fieldwork

1.1 Fieldwork in Tunisia

The fieldwork in Tunisia was prepared between April and June 2017. A mapping of the relevant governmental and civil society actors was made through online and desk research. Five scholars working on migration- and asylum-related issues in Tunisia and one employee of an international organization were consulted on a preliminary list of stakeholders prepared by the researchers for additional suggestions; their advice and personal contacts in Tunisia were crucial for successful fieldwork.

Prospective interviewees were first contacted via email in June 2017. Only a few of them replied, but all of these responded positively and asked to be contacted again when the researchers were in Tunisia. Once in Tunisia, the researchers again contacted their list of possible interviewees, this time via phone. This proved to be the most effective method, as most of them (with some exceptions) proved to be easily available for a meeting. The fieldwork was carried out in the period 2–19 July 2017 by two FIERI researchers. Meetings and interviews took place mainly in Tunis. All interviews were conducted face to face, except for two that were conducted via phone. All interviews were conducted by the two researchers together; this facilitated the note-taking task, linked to the methodological requirement to avoid recording interviews.

The international NGO network EuroMed Rights and the Institut de Recherche sur le Maghreb Contemporain (IRMC), with which the researchers were associated during their fieldwork, were used as initial gatekeepers to reach a broader range of NGOs, civil society organizations (CSOs), academics and international organizations (IOs).[4] The initial introduction and facilitation

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offered by these gatekeepers helped the researchers to make closer contacts with a few key actors, who acted as additional facilitators and contributed to the snowballing. A total of 40 stakeholders were contacted both prior to and during the fieldwork, while during the fieldwork 22 interviews were conducted with 24 interviewees (in two cases two persons representing the same organization were interviewed during the same interview). Among the interviewees, 19 were males and 5 were females. The duration of interviews ranged between 45 minutes and 2 hours.

Although the general level of responsiveness of stakeholders was overall satisfactory (also considering time constraints), it proved particularly challenging to reach some of them, in particular: 1) interviewees at key international organizations operating in the area of migration and asylum; 2) some relevant Tunisian academics (but it should be noted that other scholars were particularly responsive and available); and 3) the representatives of some Tunisian CSOs. As concerns the latter, Tunisian women's associations showed a somehow evasive attitude; even though the researchers managed to talk with the representatives of two such associations over the phone more than once, unfortunately in the end it proved impossible to interview any of them during the fieldwork. The limited responsiveness of some of these stakeholders may also be due to the fact that, as reported by several interviewees, after the revolution there has been a surge of European researchers conducting fieldwork in Tunisia, with some CSOs and NGOs constantly receiving requests for interviews. Unexpectedly, also the EU delegation in Tunisia refused to participate in this research. Beyond non-responsiveness and rejection of an interview request, no major challenges were faced.

Table 1 | Overview of interviewees (first round)

Type of stakeholder	Contacted			Interviewed		
	Male	Female	Total	Male	Female	Total
Governmental actors/public institutions	4	3	7	4	1	5
Tunisian scholars/experts/academia	4	4	8	2	1	3
Tunisian CSOs/NGOs/activists	6	5	11	4	2	6
International NGOs/NGO networks with office in Tunisia	6	3	9	4 (2x1)*+3	1	5 (2x1)*+4
IOs with office in Tunisia	2	1	3	1	/	1
Tunisian trade unions	1	/	1	1	/	1
Tunisian employers' associations	1	/	1	1 (2x1)*	/	1 (2x1)*
Subtotal	24	16		17 (but 19 interviewees)	5	
Total	40			22 (but 24 interviewees)		

Note: * Two interviewees representing one stakeholder.

1.2 Second Round of Interviews with Tunisian Stakeholders

The MEDRESET methodology based on recursive multi-stakeholder consultations foresaw a second round of interviews to be conducted (preferably online) with a selected number of individual stakeholders (about ten) in the four target SEM countries. The purpose of this second interview phase was to get back to the most relevant stakeholders interviewed or contacted during the first phase of fieldwork in order to obtain additional information and a more in-depth knowledge on specific issues, while covering possible gaps. Whilst first-round interviews were intentionally general, unstructured and conversational in order for the interviewees' frames to spontaneously emerge, second-round interviews were semi-structured and country-specific.

The common aims of this second interview round were: 1) to integrate the list of interviewed stakeholders with the most relevant categories of stakeholders that researchers were not able to meet during the first interview phase; 2) to verify some interpretative hypotheses that could be drawn from the first interview round, by asking interviewees to react to the most relevant preliminary outcomes; and 3) to explore in greater depth the stakeholders' perspectives on possible alternative policy responses at the EU level.

As concerns the first goal, in the case of Tunisia during the first interview phase all categories of stakeholders were covered; nonetheless, we tried to increase the number of those whose presence was weaker. First of all, we tried to reach out some women's associations, as they represent an extremely lively and politically active segment of Tunisian civil society and we were particularly keen to include their voice in our research; we eventually managed to interview the president of one of the main Tunisian women's associations. Secondly, we aimed to interview the representatives of the main IOs operating in Tunisia in the field of migration and asylum, as they were not responsive during the first interview phase; unfortunately, this second attempt was not successful.

The interview grid for the second round was prepared between January and February 2018; during the same period we started to contact Tunisian stakeholders. When selecting stakeholders for the second round we took into consideration several factors, including the expected responsiveness of interviewees, the expected added value of their contribution, etc. Still, one of our primary concerns was to improve the gender balance of our group of interviewees (in the first round it included 19 men and only 5 women) in order to have a stronger representation of female perspectives in our research. As shown in the table below, for the second round we contacted an equal number of women and men, and managed to interview 4 women and 3 men.

Interviews were conducted between February and April 2018, either via phone or via Skype. We conducted a total of seven interviews; three with new interviewees (migration experts and a CSO) and four with interviewees who had participated in the first round (representatives of CSOs and INGOs – international NGOs). The fact that, due to logistical constraints, interviews could only be carried out via phone or Skype (rather than face to face) did not prove to be a major obstacle. However, in some cases non-responsiveness and difficulties in scheduling meetings were an issue, as they had been in the first interview round; only one person declined our request, due to other commitments.

Table 2 | Overview of interviewees (second round)

Type of stakeholder	Contacted			Interviewed		
	Male	Female	Total	Male	Female	Total
Governmental actors/public institutions	/	1	1	/	/	/
Tunisian scholars/experts/academia	3	1	4	1	1	2
Tunisian CSOs/NGOs/activists	2	4	6	1	2	3
International NGOs/NGO networks with office in Tunisia	2	1	3	1	1	2
IOs with office in Tunisia	1	1	2	/	/	/
Tunisian trade unions	/	/	/	/	/	/
Tunisian employers' associations	/	/	/	/	/	/
Subtotal	8	8		3	4	
Total		16			7	

2. A Qualitative Analysis of Stakeholders' Frames in the Area of Migration and Mobility

2.1 The Representation of the Mediterranean Space

Before presenting the main migration-related policy issues identified by Tunisian stakeholders, it is worth considering how the Mediterranean space is perceived and represented. When questioned about their visions and perception of the Mediterranean, some interviewees described it in generally positive terms, as a space that offers opportunities for dialogue, cooperation and exchange. The interviewees' narratives reveal a concept of Mediterranean that is very much linked to Europe. Indeed, the Mediterranean emerges as the space between Tunisia and Europe, rather than a space including all North African and Middle East countries; a bridge connecting Tunisia to southern Europe, rather than a common space connecting the Arab countries in the region. Some explained that "Tunisia has a very strong European perspective; the country is very much projected towards Europe, rather than towards Arab or African countries" (Interview 13). Others affirmed that "we, the Tunisians, are much more Mediterranean than Arabic" (Interview 4), and "Tunisian people feel very much European, much more than people in other Maghreb countries, who may feel more Arabic" (Interview 1). This feeling of having a "special connection" with Europe, which in some cases amounts to a real sense of belonging, was confirmed on various occasions in the informal everyday conversations we had during our stay in the country. However, these positive visions of the Mediterranean as an open space are often contrasted with the fractures generated by restrictive border and migration policies: "The Mediterranean is in its essence an open space; across history it has always been a space of travel, trades, exchange and war, from the Greeks, to the Romans, the Egyptians, the Punic people and the Turks; nowadays borders have been created and European countries have tried to transform it into a closed space" (Interview 2).

2.2 Framing Migration within a Broader Policy Context

During our fieldwork in Tunisia, most interviewees spontaneously tended to focus on migration-related issues from the very beginning of our conversations. This was probably due to the fact that they were aware this was the main topic of our research; furthermore, in some cases this coincided also with their main field of activity. However, when asked to locate migration and mobility issues within a broader hierarchy of policy priorities, focusing on the Mediterranean space and on the Tunisian context specifically, a different picture emerged.

All stakeholders tended to focus on the Tunisian context rather than on a larger Mediterranean area, which demonstrates the overall greater relevance of country-specific concerns over regional issues. The large majority of interviewees admitted that, compared to other issues, migration and mobility were not perceived as a priority, either by the Tunisian society as a whole, or by Tunisian decision-makers. Therefore, the salience of migration as a policy issue in Tunisia appears to be rather limited; conversely, interviewees mentioned other policy issues, presenting them as serious and urgent problems that deserved prioritization.

These are: 1) the overall socio-economic situation in the country, and specifically the issue of youth unemployment (mentioned in particular by CSOs and social partners); 2) other socio-economic issues, including economic downturn, interregional socio-economic inequalities, poverty and under-development in rural areas, and the lack of policies aimed at boosting economic growth, investments and development; 3) the still-fragile political situation in the country, especially the ongoing process of democratic transition and related difficulties; and 4) the issue of Islamist terrorism and security-related problems (which was generally ranked rather high in the country's hierarchy of priorities by the stakeholders who mentioned it – academics/experts, some CSOs/INGOs and some governmental actors).

While some interviewees asserted that in Tunisia migration is not a priority "at all", most interviewees included migration among the country's priorities, but they linked it to the general socio-economic situation of the country. In this context, migration was predominantly framed as Tunisian emigration to Europe (especially the emigration of young Tunisians) rather than African immigration to Tunisia, and it was portrayed as the unwelcome consequence of the country's difficult socio-economic and political situation (which pushes young Tunisian to leave) rather than as an independent issue. At this stage, female migration as such was not spontaneously thematized by any interviewee; this apparently confirms the strength of a dominant frame among most Tunisian stakeholders, that depicts migration as the irregular migration of young Tunisian males towards Europe.

Similarly to migration, also the issue of terrorism and radicalization was described as one of the negative consequences produced by a protracted situation of economic downturn, unemployment and poverty. According to a civil society actor,

> Tunisia is not a country of Islamic fanaticism or terrorism; the Islamic culture in Tunisia is open and tolerant, as over the centuries it has adapted to other cultures; […] the deviation towards Islamic terrorism is another consequence of the difficult socio-economic situation; it is fuelled by a spirit of revenge. (Interview 4).

Moreover, scholars argued that in Tunisia terrorism and migration are completely unrelated in the public debate (Interview 18); here, there is a striking contrast with the dominant European populist discourse, which tends to reinforce the nexus between migration and terrorism.

Several interviews revealed that in Tunisia migration is not a politicized issue. An academic explicitly stated that "differently from the EU, in Tunisia no political party has used migration-related issues in political terms; migration is not the object of nationalist or xenophobic political positions; actually, it is not the object of political debate at all" (Interview 16). According to the same interviewee, in 2011 there was a public debate on migration in the country, although limited to the departure of young Tunisians towards Italy, and the related issue of those among them who died or disappeared during their journey. However, this debate was limited to the issue of (disappeared) Tunisian migrants (and did not include, for instance, the issue of sub-Saharan migrants who fled Libya and were hosted in Tunisia) and was in any case circumscribed to that specific period and events.

The limited salience, high volatility and low politicization of migration at the level of public opinion and in the confrontation between political parties in Tunisia are in clear contrast with the comparatively higher salience of the issue in Europe and its definitely higher level of politicization and mediatization, at both the national and the European level. While in Tunisia, as confirmed by a governmental actor, "on the issue of migration and mobility there are no particular divergences between the government, civil society organizations active in this field and broader public opinion" (Interview 15), in Europe migration-related issues are often made the object of political controversies and divergent claims involving different political parties, institutional and non-institutional actors, and the broader public opinion.

In addition, it must be noted that in Tunisia the issue of migration seems to be on the one hand removed from the public debate and on the other hand made the object of a specialized, technocratic knowledge. While it does not seem to be perceived as an issue by the Tunisian people in general (who clearly have different priorities), migration is framed as an issue by "the specialists" or "the experts", i.e., both institutional and civil society actors involved in migration policy-making. As argued by an academic,

> even cooperation with the EU in the field of migration is not made the object of political debate; negotiations with the EU are framed as a merely technical issue and they are not mediatized at all. Tunisian civil society has no idea of what the mobility partnership, the readmission agreement or the visa facilitation agreement are; the only actors involved in this, along with the Tunisian government, are some expert CSOs and NGOs. (Interview 16)

2.3 Framing Migration-related Policy Issues and Priorities

Many interviewees highlighted the fact that Tunisia's migratory profile has significantly changed, especially after 2011, becoming increasingly complex and diversified. It was noted that, while Tunisia is still perceived as a country of emigration with a large diaspora abroad, it has also become a "migration hub" (Interview 9) – i.e., both a transit country for migrants and asylum seekers who are headed to Europe (but who may possibly end up staying in Tunisia) and a destination country mainly for sub-Saharan students and workers. As highlighted by those "expert" civil society actors who deal with migration-related issues, this growing migratory

complexity poses significant new challenges in terms of migration governance. Apparently, also Tunisian institutions are starting to become aware of this complexity and are trying to transpose it into the National Migration Strategy (Interview 21). This increasing awareness is reflected in what interviewees identified as the main migration-related policy issues in the Tunisian context.

2.3.1 TUNISIAN EMIGRATION TO EUROPE

As mentioned above in section 2.2, the emigration of Tunisian nationals towards Europe is still perceived by both Tunisian authorities and society in general as a primary concern, especially with regard to the issue of young Tunisians who cross the Mediterranean by boat in the attempt to reach Italy and Europe, commonly defined as "*harraga*".[5] As reported by interviewees, after the 2011 boom the phenomenon had diminished (Interview 1), although without ceasing completely (Interview 12). However, starting from autumn 2017 (shortly after our fieldwork in Tunisia) Italy recorded a new increase in arrivals of Tunisian nationals, which continued also in the first half of 2018. Indeed, the majority of migrants who arrived in Italy by sea between January and May 2018 are Tunisian nationals.[6] According to a migration expert, the issue of *harraga* is particularly concerning, as "in some regions and neighbourhoods it is an endemic feature; there are mothers who save money throughout their life to allow their children to leave" (Interview 18).

Some interviewees linked the broader issue of *harraga* to the more specific issue of Tunisian migrants who died or disappeared either at sea or upon their arrival in Italy between 2011 and 2012. However, the sole actors who discussed this issue with us were the associations of families of missing migrants and a Tunisian CSO that actively supported these associations in the advocacy activities they carried out in Tunisia, Italy and Europe. The narrative of these stakeholders was particularly passionate and touching; they emphasized their strenuous fight for the truth about the fate of missing migrants to emerge; this was seen as the first step "to unveil responsibilities and do justice to those who disappeared" (Interview 12). Their attitude towards the Tunisian government and the way it managed this issue was critical; as concerns Italian authorities, the interviewees considered they had an ambiguous behaviour, sometimes being openly collaborative, sometimes being rather hesitant or refusing to cooperate.

Finally, both governmental and civil society stakeholders (especially social partners and academics) raised the issue of legal migration avenues, emphasizing a substantial lack of legal migration opportunities for Tunisian workers in Europe. Some interviewees focused specifically on the issue of highly qualified labour migration and its implications for the country. On this point, different frames emerged, as some interviewees emphasized a possible risk of "brain drain" linked to the emigration of young graduates, as well as the issue of "brain waste", while others stressed a potential for the development of the country in terms of "brain gain" (Interviews 22, 23). For instance, the officer of a governmental agency admitted that brain drain may represent a challenge for the country, but added that "it is also true that young Tunisians

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5   The term *harraga* (from Arabic) means "those who burn (the borders)" and refers to North African migrants who try to enter Europe by using irregular means (typically crossing the Mediterranean by boat).
6   See figures provided by the Italian Ministry of Interior: *Cruscotto statistico giornaliero*, 31 May 2018: http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/cruscotto_statistico_giornaliero_31-05-2018_0.pdf.

should be allowed to go abroad, work and develop their skills there; also because most of the unemployed people in Tunisia have a university degree and there are no job opportunities in Tunisia for all of them" (Interview 20).

From this account it seems that Tunisian migrant women tend to be left out of the picture. No interviewee mentioned women or gender-related issues when talking about Tunisian emigration, except for the representative of a women's association interviewed during the second round. This confirms the prevailing framing of Tunisian emigration as a male issue. According to the women's association representative that we interviewed, female emigration (but also internal migration) in Tunisia is still a limited phenomenon due to a cultural, social and educational environment that attributes to women the entire responsibility for the well-being and care of the family, including children and husband (Interview 28). However, this framing neglects the existence of female emigration, consisting of both family migration/family reunification and emigration of individual Tunisian women. As concerns the latter, the women's association representative that we interviewed confirmed that Tunisian women who decide to migrate on their own generally have a higher education level, come from the urban areas of the country, do not have children, and migrate through legal channels, either for study or working purposes (e.g., as highly qualified workers to the Gulf countries or Canada).

2.3.2 Refugees and Right to Asylum in Tunisia

Several stakeholders, including both civil society and institutional actors, mentioned the issue of refugees in Tunisia as a relevant migration-related issue for the country. However, based on the interviewees' words, this issue has a very precise temporal and spatial location, as it concerns the inflow of refugees (mainly Eritreans, Somalians and West Africans) from Libya to southern Tunisia, which occurred as a consequence of the 2011 Libyan war. This inflow of sub-Saharan refugees was generally framed in negative terms by both the Tunisian people and public institutions. A governmental actor observed that "the images of masses of people in precarious conditions in the UNHCR-managed Choucha camp remained impressed in our collective memory as an infernal circle". In his view, it is following the Libyan crisis that forced migration has been framed in negative terms in Tunisia; as a result, possible additional flows of sub-Saharan asylum seekers into the country would be considered as a serious problem, and "any integration discourse is out of the question" (Interview 15).

Some interviewees noted that, in the framework of the Libyan refugee crisis, a separate issue concerns Libyan nationals, who were also among the people who fled war-torn Libya to seek safety in Tunisia (both in 2011 and in 2013–14). Both governmental and civil society actors explained that Libyans arrived in Tunisia with significant financial resources in a moment where Tunisia was undergoing an economic downturn; they invested in the real estate business, compensating for the crisis that was affecting all other economic sectors following the revolution. This contributed to a positive framing of the inflow of Libyan refugees (even though the beneficial effect of their investments in the Tunisian economy was gradually decreasing), which contrasts with the negative framing of the inflow of sub-Saharan refugees. As reported by a governmental actor, "Libyans were welcomed in Tunisia as 'brothers' and hosted in the houses of Tunisians; there were no integration issues; many of them decided to live in Tunisia with their families" (Interview 21). However, as mentioned by some civil society actors, even though they are called "brothers", Libyans do not have any formal legal status in Tunisia: they are considered neither migrants nor asylum seekers, and they did not qualify for the UNHCR

refugee status. Living in a legal limbo may result in difficulties in accessing basic services, such as education and health care, especially for those who are less well-off (Interviews 11, 18).

Some "expert" civil society stakeholders working in the field of migration and asylum mentioned as a policy issue also the fact that the proposal for a new asylum law, drafted in close partnership with the UNHCR, has been stuck in Parliament for a couple of years now.[7] Different organizations expressed different (and sometimes interestingly contrasting) views on the reasons for this stalemate and on whether Tunisia should actually pass an asylum law or not; these will be analysed under section 2.4.2.

2.3.3 Sub-Saharan Immigration to Tunisia

The issue of sub-Saharan immigration to Tunisia was identified as a specific policy issue only by so-called "expert" CSOs and NGOs working specifically on this topic. These include both associations created by sub-Saharan migrants living in Tunisia, and local or international NGOs and NGO networks established and/or financed by the EU or other European governmental and non-governmental actors. These interviewees focused predominantly on problems affecting African migrants in Tunisia, while they did not elaborate on the issue of Tunisian emigration, even though they are aware that the latter is still largely perceived as the most relevant migration-related issue for the country (Interview 19).

These actors identified several problems relating to the current legal and policy framework regulating immigration to Tunisia, which is considered to be too restrictive, oriented to the criminalization of migrants, and informed by a securitizing approach. Sub-Saharan migrants usually enter the country regularly, due to the exemption from visa requirements for citizens of many African countries, and also thanks to the existing bilateral agreements on short-term mobility for students and trainees. But they tend to overstay after the expiration of their visa or after the end of their studies, thus becoming irregular migrants. In the interviewees' words, a very positive evaluation of the country's open visa policy is generally followed by a critical assessment of its immigration policy.

Firstly, under Tunisian law, irregular stay is a crime punished with a penalty of 20 dinars per week of irregular stay, which amounts to 1,000 dinars per year (ca. 340 euros). The issue of penalties is described by all civil society actors as a major problem for African migrants in Tunisia, because in order to leave the country they have to pay the penalty (which is constantly increasing). If a person has lived in Tunisia for years as an irregular migrant, it may become impossible for her/him to pay the penalty; that person will be "trapped" in Tunisia and will be forced to remain even if she/he were willing to return to the country of origin. As stated by the representative of a migrant association, "if the penalty is high, it may be less expensive to pay a smuggler to cross the Mediterranean to Lampedusa; 80 per cent of them are candidates to cross the Mediterranean to Italy" (Interview 10). Secondly, along with the issue of penalties, interviewees highlighted as a major problem the virtual impossibility for African migrants to regularize their stay in Tunisia. African workers are usually employed irregularly, so it is very hard for them to obtain a residence permit linked to their job. On the one hand the law is very restrictive, while on the other hand the government is clearly against any measure of

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7   See section 2 of the full version of the report on the FIERI website.

mass regularization. Thirdly, some CSOs (especially migrant associations) described in highly problematic terms the issue of immigration detention and expulsion, stressing in particular the fact that both measures are under the exclusive competence of the Ministry of Interior with no possibility of external control, and are largely hidden to the eyes of Tunisian society (Interview 10).

Governmental actors offered a more idyllic representation of sub-Saharan migration to Tunisia. First of all, they did not touch upon the issue spontaneously, but only if directly asked about it. Secondly, they tended to describe the presence of African migrants as generally unproblematic, also in quantitative terms – "it is not a flow, but rather a presence" (Interview 15) – and to focus on the migration of students and trainees only, which is considered as "an historical migration, which started a long time ago" (Interview 15). A representative of an employers' association expressed a very similar view, which partly contrasts with the perspective of other civil society actors: "We are very proud of the fact that many African students choose Tunisia for their studies; it is a sign that the Tunisian system works well and is valuable. We have educated the ruling class of many African countries"; and he continued by saying that "there are African students who made friends in Tunisia, have very positive memories of their time here, and feel grateful" (Interview 22). This narrative focuses on a privileged segment of the immigrant population, while it clearly overlooks the difficulties experienced by sub-Saharan migrants who live in Tunisia with an irregular status, who face problems in accessing basic services and having their fundamental rights protected, and who suffer from discrimination and racism.

In contrast to this positive framing, so-called "expert" civil society actors focused precisely on the living and working conditions of sub-Saharan migrants in Tunisia and stressed specific challenges related to human rights protection and poor integration. Trade unions and a local NGOs focused in particular on access to labour and workers' rights. A trade unionist criticized the lack of a labour migration policy regulating the entry and stay of migrant workers, which leads to a situation where all migrant workers are employed on an irregular basis because they have an irregular status. In this respect he affirmed:

> In our view the residence conditions of migrant workers should not affect their working conditions; it is not because they do not have a permit to stay that they do not have rights in terms of salary and working conditions. We cannot leave this powerful card in the hands of employers. (Interview 5)

Conversely, a representative of an employers' association seemed to be more keen to maintain the status quo, especially with regard to irregular employment:

> Tunisian economy is 50 per cent informal and it is normal that African students work irregularly; there is nothing bad in this, because as students they would not be authorized to work. We would need to change the whole system in order for them to be able to work legally! (Interview 22)

Some interviewees focused on the specific situation of sub-Saharan migrant women. Based on their experience, sub-Saharan women come to Tunisia mainly for working purposes and are employed in different sectors (domestic work, restaurants, services, hairdressers, etc.); they usually arrive alone, sometimes with the help of smuggling or trafficking networks. Interviewees emphasized that, within a general context of precariousness and insecurity for

all migrants, migrant women may face gender-specific risks (such as sexual harassment and sexual violence) and may be victims of human trafficking for the purpose of sexual or labour exploitation, especially as domestic workers. In addition, as explained by a representative of an INGO working in southern Tunisia, sub-Saharan women may end up in the country accidentally, after having spent some time in Libya as part of their migratory journey towards Europe; these women have suffered from violence and abuse, and are described as an extremely vulnerable population in clear need of protection (Interview 14). Based on these interviews, sub-Saharan migrant women in Tunisia are predominantly framed as a particularly vulnerable migrant group, whose members are often victims of human trafficking, are subjected to sexual abuse, and have specific protection needs.

As concerns the issue of poor integration of African migrants in the Tunisian society, a couple of interviewees identified specific challenges related to language, housing and the risk of residential segregation. The related issue of discrimination, racism and xenophobia targeting African people in Tunisia was raised by several civil society stakeholders, who underlined that this is a serious and widespread problem in the country. A representative of an INGO condemned discriminatory attitudes and acts of violence based on racial grounds and affirmed that there needs to be a change in the way Tunisian people look at sub-Saharan migrants (Interview 19). An academic confirmed that racism against black people is very common, and it is not only entrenched in the Tunisian culture, but also in Tunisian institutions; indeed, it targets not only sub-Saharan black people, but also Tunisian black people, who are still identified as such in their identity cards (through the suffix "-atig", meaning "freed by", a label of past slavery) (Interview 23).

The "expert" civil society actors who highlighted the above-mentioned problems relating to a growing migrant presence in Tunisia also identified as a specific issue the need for a complete reform of the current Tunisian policy and legal framework on immigration, which was described as "outdated" and "unsuitable" for a country that has become also a destination of migrant flows. These interviewees described in negative terms the persisting stalemate of the positive process that was initiated after the revolution, with the drafting of a new National Migration Strategy in cooperation with the State Secretariat for Migration and Tunisians Abroad (*Secrétariat d'Etat aux migrations et aux Tunisiens à l'étranger* – SEMTE). Different actors expressed different views on the reasons for this blockage, which will be analysed under section 2.4.3.

To sum up, Tunisian civil society stakeholders identified three main migration-related issues: Tunisian emigration to Europe; refugees in Tunisia; and sub-Saharan immigration to Tunisia. The first issue, concerning in particular the emigration of *harraga* and the lack of legal migration opportunities in Europe, continues to represent the primary concern of both Tunisian institutions and society in general. The issue of refugees in Tunisia was framed in positive terms when it came to Libyans and in negative terms when it came to sub-Saharan refugees. However, this issue was characterized by a certain volatility: its relevance has been limited in time and space, and currently the (by now reduced) presence of refugees in the country does not seem to represent an issue in itself; the attention of "expert" civil society stakeholders is instead focused on the stalemate of the new asylum law. Sub-Saharan immigration to Tunisia was identified as a policy issue only by "expert" CSOs, who framed in overall negative terms the situation of sub-Saharan migrants in the country with regard to their living and working conditions and rights protection, and identified the challenges posed by the existing legal and

policy framework on immigration, highlighting as a problematic issue also the deadlock of its reform process.

2.4 Framing the Factors and Actors Affecting Migration-related Policy Issues

This section focuses on the causes of the migration-related policy issues identified in the previous section. It explores the stakeholders' views on the main factors affecting those policy issues and on the actors who are considered to be responsible (or are blamed) for them. The final sub-section considers the role of other governmental actors in the region, besides the EU and European countries, and Tunisia's relations with them.

2.4.1 Tunisian Emigration to Europe

Civil society stakeholders identified different factors and actors affecting the phenomenon of emigration of young Tunisians to Europe, focusing in particular on: 1) the socio-economic situation in Tunisia; 2) the responsibility of the Tunisian government in terms of lack of policies or ineffectiveness of existing policies; and 3) the restrictive migration policies put in place by the EU and European countries. Several CSOs stressed the link between the issue of *harraga* and the serious socio-economic problems affecting the country, mentioned above in section 2.2. Some interviewees criticized the Tunisian government for focusing on border control policies rather than putting in place development and economic policies aimed at preventing departures from disadvantaged areas of the country. Others identified as "the original cause" of this issue "the European policy of closing borders that once were open; in the 1960s we had the freedom of movement and Tunisian workers used to go back and forth from Tunisia to Europe for seasonal work; there was no irregular migration then" (Interview 1).

A governmental actor attributed the fact that "young Tunisians dream only of leaving" to three factors: 1) a psychological factor ("there is an imitation effect caused by the stories and images of Tunisians who migrated to Europe earlier and tend to show off their successful experience"); 2) a historical factor ("migration is in the history of the Mediterranean; it is part of its DNA"); and 3) an economic factor ("it is a common idea that in Europe there are better job opportunities and it is much easier to set up a business compared to Tunisia") (Interview 2). Although these factors are certainly not irrelevant, it is interesting that this interviewee does not ever mention either the Tunisian government or the EU and European countries (and their policies or lack thereof) among the actors/factors that contribute to producing irregular migration.

With regard to the issue of Tunisian migrants who died or disappeared at sea in 2011–12, both Italian and Tunisian authorities were identified as the actors responsible by the associations of the families involved. More in general, the EU and European countries were criticized for their securitizing migration policies in the Mediterranean, which were considered to contribute in a substantial way to the loss of migrant lives at sea.

2.4.2 Refugees and Right to Asylum in Tunisia

With regard to the situation of Libyan nationals in Tunisia, academics identified an exogenous cause and an endogenous cause to explain why Tunisian authorities keep them in a legal limbo.

The first is the still unresolved situation of political instability in Libya, while the second is the possible political consequences at a national level of any initiative aimed at regularizing and stabilizing the Libyans' stay in the country (increase in arrivals, with expected negative effects in terms of political and electoral consensus). CSOs and INGOs mentioned as an additional factor the lack of awareness among certain governmental actors about the real situation of Libyans in Tunisia and the practical obstacles they may face in their daily life.

As concerns the legislative impasse where the proposal for a new asylum law is stuck, stakeholders provided two different explanations. A majority of interviewees (including governmental actors, INGOs, but also some CSOs) affirmed that the problem is not a lack of political will; it is that the Tunisian Parliament has a huge backlog of law reforms to discuss linked to the democratization process, and the creation of a national asylum system is not among the priorities of either the country or its government. A minority of interviewees (migrant associations, civil society activists, some INGOs) argued that this is actually a political blockage, i.e., a strategy put in place by Tunisia in response to the European pressures to pass the law, aimed at contrasting any possible European project of externalization of asylum procedures in North Africa (Interview 1). A representative of a migrant association explicitly affirmed that "the Tunisian government does not have to accept and pass the asylum law under such a condition of threat and blackmail" (Interview 10). This position is atypical (and quite radical), as most CSOs and NGOs working in this field tend to consider the introduction of a national asylum law and system as a positive (although not simple or uncontroversial) development for Tunisia.

2.4.3 Sub-Saharan Immigration to Tunisia

Several civil society stakeholders singled out the issue of unemployment as a crucial factor that, along with the country's more generally difficult socio-economic situation, impacts on the Tunisian government's reticence to adopt a less restrictive immigration policy, to open up the labour market to migrant workers, and to regularize irregular migrants present in the country. Interviewees stressed that in a context of high unemployment, "the supposed competition for jobs between Tunisian nationals and immigrants" (Interview 1) is used by the government to maintain the existing barriers to migrants' access to the labour market and, more crucially, to a regular status in the country. Interviewees mentioned as an additional factor hampering the adoption of a less restrictive immigration policy and/or a mass regularization policy the possible political and electoral implications of such measures.

When reflecting on the factors impacting on the limited social inclusion of sub-Saharan migrants, civil society stakeholders emphasized the fact that Tunisia is a recent country of destination and a large part of its society and institutions still do not consider it as such. For this reason the corresponding legal and policy framework is still underdeveloped, although interviewees highlighted the efforts made both by institutional and civil society actors to improve it (e.g., adoption of a law on human trafficking, drafting of a law on discrimination, etc.). However, according to interviewees, an even more relevant factor is the socio-cultural attitude of the Tunisian people, who are generally rather closed towards migrant communities and hesitate to establish relations with them (Interview 19).

Finally, civil society stakeholders identified multiple actors and factors contributing to a stalemate in the reform process of Tunisian immigration law initiated after the revolution with the drafting of the National Migration Strategy. Firstly, CSOs and INGOs considered as

a relevant factor the sometimes problematic inter-institutional relations and the overlapping of competences between different ministries and institutions involved in migration policy-making. As an example, various interviewees made reference to the SEMTE, which has been repeatedly established and dissolved, and lately moved from one ministry to another; an interviewee defined this as "political schizophrenia" (Interview 7). A representative of an INGO singled out the Ministry of Interior as a specific actor hampering the progress of the law reform, as it is the authority responsible for crucial migration-related aspects, but

> its management is characterized by a total lack of transparency; moreover, it does not participate to any initiative of dialogue or discussion with civil society and NGOs, differently from the Ministry of Foreign Affairs and Ministry of Social Affairs, which usually talk and cooperate with civil society. (Interview 1)

Secondly, NGOs and academics identified the EU as one of the actors influencing the reform process. In their view, the pressures exercised by the EU on the Tunisian government through its migration cooperation policies (i.e., the ongoing implementation of the Mobility Partnership, the planning of new projects under the EU Trust Fund, the ongoing negotiations for the readmission agreement and visa facilitation agreement) have an impact on possible national reform projects. According to interviewees, the Tunisian government would not adopt legislation or policies in the area of migration that would be disliked by the EU institutions and member states, as EU cooperation and support (not only in this policy field) is considered to be crucial for the long-term strategic interests of the country.

Thirdly, academics mentioned the uncertain political situation in Libya as one of the factors contributing to the stalemate of the reform. As mentioned above in section 2.4.2, the Tunisian government has adopted a strategy of neutrality towards Libya, aimed at keeping good relations with a crucial neighbouring country. Therefore, as argued by an interviewee, "until the political situation in Libya is solved and stable, it may be difficult and inappropriate for Tunisia to pass a law that may have a relevant impact on Libyan nationals, and could thus negatively affect Tunisia–Libya relations" (Interview 18).

Finally, civil society stakeholders mentioned as a further factor affecting the reform process their own role in migration policy-making. They complained about the lack of a truly participatory decision-making process, and noted that their autonomy, know-how and competence often tend to be disregarded by governmental actors, who "invite us to attend meetings on migration but do not involve us in preparing the agenda and do not listen to us" (Interview 7).

In contrast, the only governmental actor who touched upon this issue, explained the situation of legislative stalemate saying that "the reform of Tunisian migration law is not a crucial issue in the public debate and it is not a political priority for the country", even though he admitted that "the existing legislation is outdated and presents a number of problems" (Interview 15). A trade unionist confirmed this is the government's position, as "the Ministry of Labour says that the priority for the country is unemployment, it is not migrant workers" (Interview 5).

2.4.4 Regional Cooperation and External Actors

Consistently with the image of the Mediterranean as a European space, when considering which governmental actors influence (or are involved in) the governance of migration-related

issues in Tunisia, both institutional and civil society stakeholders tended to focus on the role of the EU and European countries, as – according to interviewees – they are the actors who are primarily concerned with the management of migration across the Mediterranean. According to most interviewees, other regional or global actors can be expected to play only a secondary role in this specific policy field (as in the case of Canada or the Gulf countries, which implement recruitment programmes for highly skilled workers) (Interviews 6, 20).

As concerns more specifically the regional dimension, civil society stakeholders observed the lack of cooperative relations among southern Mediterranean countries vis-à-vis the EU. Some interviewees highlighted that if on the one hand venues for dialogue and cooperation among CSOs and trade unions in the Maghreb, or even in a broader African region, have been recently established (e.g., Observatoire Maghrébin des Migrations, Forum Social du Maghreb, Réseau Syndical Migrations Méditerranéennes–Sub-Sahariennes), on the other hand south–south inter-governmental cooperation is completely missing, especially when it comes to migration issues. Civil society actors criticized the governments of southern Mediterranean countries for considering their relations with the EU and their cooperation policies in the area of migration in a purely bilateral perspective, and for refraining from joining forces and engaging in strategic regional alliances when negotiating with the EU.

According to civil society stakeholders, the lack of regional cooperation in the Maghreb (or in a broader MENA or African region), especially in the field of migration, may be linked to two factors. One the one hand, SEM countries tend to accept and uncritically perpetuate the European framing of Euro-Mediterranean relations as purely one-to-one, following the model of the EU's Neighbourhood Policy; on the other hand, each SEM country perceives its general situation and its national interests as individual, particular and often in conflict/competition with those of its neighbours (Interview 18). On a similar note, a governmental actor identified three factors hampering regional cooperation in the Maghreb: the Maghreb countries' inability to overcome the colonial nature of their economic and development systems; the principle of national sovereignty; and the unresolved issue of Western Sahara, whose solution is deemed to be crucial for enhancing regional cooperation (Interview 21).

To sum up, according to civil society stakeholders the difficult socio-economic situation in the country is the main factor determining Tunisian emigration to Europe, and especially the phenomenon of *harraga*. However, they also blame the Tunisian government for the lack of policies addressing the causes of this phenomenon, as well as the EU and European countries for their restrictive migration and mobility policies. As concerns the stalemate of the new asylum law, only a few interviewees explicitly explained it as a political blockage – i.e., as the Tunisian government's response to the pressures exercised by the EU and some European countries in view of externalizing asylum procedures to North Africa. Most interviewees explained it with the Tunisian Parliament's backlog, but delays in the legislative process may of course be used to cover an understandable political resistance. Tunisia's difficult socio-economic situation and the issue of unemployment are considered also as the main cause of the government's reticence to adopt a less restrictive immigration policy or mass regularization policy. Finally, civil society stakeholders attributed the stalemate of the immigration law reform mainly to problems affecting the Tunisian institutional framework, pressures exercised by the EU, and the uncertain political situation in Libya.

From this account it clearly emerges that from the point of view of civil society stakeholders there is a mix of endogenous and exogenous factors (and actors) affecting all the identified migration-related policy issues. Endogenous factors include not only the country's socio-economic situation, but also problems related to the country's political and institutional framework (e.g., poor institutional coordination, poor governance capacity, high institutional volatility, etc.). Exogenous factors have much to do with direct and indirect pressures exerted by the EU and European countries through their migration cooperation policies and overall relations with Tunisia; a further exogenous factor is represented by the Libyan situation and its impact on current and future Tunisia–Libya relations.

2.5 Evaluating Existing Policy Responses and Possible Alternative Solutions

This section explores how different stakeholders describe and evaluate existing policy responses to the issues identified above and whether they propose alternative policy solutions, focusing in particular on the main European policies and cooperation initiatives currently in place with Tunisia in the area of migration and mobility.[8] A general evaluation of the European approach to EU–Tunisia relations and cooperation in the field of migration, is followed by an assessment of some specific initiatives (the EURA, the VFA, the Mobility Partnership and the EU Trust Fund for Africa).

2.5.1 Evaluating the European Approach to EU–Tunisia Relations and Cooperation in the Area of Migration

Both civil society and governmental actors described EU–Tunisia relations as unequal and unbalanced, and criticized the EU's Euro-centric approach to cooperation with third countries, not only in the field of migration but in all policy fields. A representative of a CSO observed that "Tunisia needs the EU's support in this phase of transition, but at the same time it should be treated in a more equal way, as a peer country, also because it has a crucial role in North Africa" (Interview 4). Similarly, a governmental actor affirmed that

> the country deserves more support and help from the EU, because it has always been a reliable partner and it is the only country in North Africa where the revolution succeeded, notwithstanding its limits and problems; for these reasons Tunisia feels it should be supported in a more convincing way by the EU. (Interview 13)

According to a representative of the Ministry of Foreign Affairs, even though the EU makes relevant cooperation efforts with Tunisia, such initiatives tend to be Euro-centric and may not be adequate to the needs, interests and specificities of a country engaged in a process of democratic transition, like Tunisia. The interviewee mentioned as an example the "very limited awareness and consideration on the part of the EU of the consequences that war and instability in Libya had on Tunisia in many different fields, starting from the economic one" (Interview 21). In order to contrast this Euro-centric approach, an academic recommended that "Tunisia does not adapt its priorities to the representation the EU has of the country and more in general of

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8   For an overview of EU cooperation policies with Tunisia in the area of migration, including the EURA, VFA, Mobility Partnership, etc., see section 2 of the full version of the report on the FIERI website.

the southern Mediterranean shore; Tunisia should provide its own alternative representation, and should upheld its own priorities in the negotiations with the EU" (Interview 9).

Secondly, both civil society and governmental actors claimed (using very similar terms) the need for a more balanced and integrated approach to cooperation on migration governance. In this respect, it is worth to note that almost all Tunisian civil society interviewees showed a collaborative rather than critical attitude towards the European counterpart, and argued in favour of cooperating with the EU in this policy field (Interview 4). However, interviewees stressed that EU–Tunisia cooperation must be more balanced: "in order to reduce irregular migration towards Europe, a securitized approach focused on border control is not enough: there need to be policies for Africa" (Interview 22); "Tunisia cannot merely play the role of Europe's border guard; we need to cooperate also in different fields in an integrated way and on a more equal basis; for instance, we need to enter into economic agreements that do not penalize Tunisian agriculture" (Interviews 4, 24). In line with this claim, a governmental actor affirmed that

> since the Tunisian government and authorities have made, and are still making, great efforts in the area of border control, they would expect from the EU the implementation of a more comprehensive cooperation policy, which integrates different policy fields along with migration control; this includes also a stabilization policy for the whole region, which will have to start from the stabilization of Libya. (Interview 21).

Notwithstanding this claim for a more balanced and less Euro-centric approach, both civil society and governmental stakeholders emphasized that the EU represents a model for Tunisia's democratic transition. The EU is considered as a successful democratic project of political integration and economic development, to which Tunisia aims to get closer. However, interviewees highlighted that, if on the one hand the EU has asked Tunisia to adapt to European standards in all policy fields, on the other hand it does not consider whether the necessary resources and means are available and sufficiently developed (Interview 21). Governmental actors stressed the potential for initiatives of economic and/or political integration in the Mediterranean area, such as the Union for the Mediterranean. However, such initiatives are hampered by difficulties in reconciling the interests of northern and southern Mediterranean partners: "There is a lack of vision for the future on both sides of the Mediterranean; but it would be a big opportunity also for the EU to have a more stable and united Maghreb" (Interview 21), since "there cannot be a Europe in peace without a Maghreb in peace" (Interview 22).

2.5.2 Evaluating Specific EU–Tunisia Migration Cooperation Policies

According to civil society actors, the government has tried to face the issue of the emigration of young Tunisians to Europe mainly by strengthening cooperation on migration management with the EU and some European countries (Italy, France). However, interviewees highlighted that current European policies addressing Tunisia (including the Mobility Partnership) are mainly focused on immigration and border control, while cooperation in other policy fields, such as labour migration and development – which would be beneficial for reducing irregular migration – is made conditional on cooperation in stemming migration flows. All stakeholders stressed, indeed, the crucial relevance of improving the governance of labour migration across the two shores of the Mediterranean – e.g., by enhancing the mobility of workers at all skill levels, easing the issuance of visas, and encouraging seasonal work (Interview 13).

European Readmission Agreement (EURA)

With regard to the ongoing negotiations between the EU and Tunisia on an EURA, the Tunisian government and a majority of Tunisian CSOs and NGOs share the same position and have formed a "united front" vis-à-vis the European Commission's proposal. The main points of this shared position, as reported by different governmental and civil society actors, are the following: 1) the EURA must be linked to the VFA; 2) readmission obligations cannot include third-country nationals and Tunisia will only accept the readmission of its own nationals; and 3) readmission cannot be carried out based on a "European laissez-passer" (a temporary travel document issued by a European country) as travel documents can only be issued by the Tunisian government. According to governmental actors, these three points are firmly non-negotiable, which led to a halt in negotiations after the very first round.

It is interesting to note that most CSOs and NGOs working in the migration field are not *a priori* against the signing of a European readmission agreement; indeed, they agreed Tunisia can enter into such an agreement, provided that the above-mentioned conditions are fulfilled. Still, on the one hand some grassroots associations and civil society activists declared themselves to be against the EURA as a whole, whereas on the other hand a CSO affirmed it was in favour of the EURA even if it included the obligation to readmit non-nationals, "as long as this is counterbalanced by the creation of a legal framework that protects them once they are readmitted in Tunisia" (Interview 8).

Both governmental and civil society stakeholders highlighted a further element concerning cooperation in the area of readmission. Along with the multilateral EU level, where the EURA negotiations are not progressing, there is a bilateral level of cooperation on migration control and readmission, involving Tunisia and a number of European countries, where dialogue and cooperation is much more effective. As reported by a representative of an INGO, at this level Tunisia has signed several bilateral readmission agreements (with Germany, Italy, France, Belgium and Switzerland), and based on these agreements returns (of Tunisian nationals only) are regularly carried out (Interview 1). As stated by a governmental actor: "Readmission works much better at the bilateral level than at the EU level" (Interview 21).

Visa Facilitation Agreement (VFA)

Also with regard to the issue of visa facilitation, the Tunisian government and CSOs have formed a united front and share the same position (Interview 13). As explained by a governmental actor, the purpose of easing and speeding up procedures for the issuance of Schengen visas should be to foster legal migration; "However, visa facilitation in the form proposed by the EU does not concern the most common kinds of migration, the migration of Tunisian workers or jobseekers, and the mobility of family members; therefore, it does not contribute to limiting irregular migration" (Interview 13). Representatives of CSOs confirmed: "It is so difficult for a Tunisian national to obtain a visa for the EU that it is in practice impossible; if rules and procedures to get visas were less restrictive, this would help regulate legal migration and mobility" (Interview 5);

> the VFA proposed by the EU concerns only researchers, businessmen, highly-skilled workers […] but this is irrelevant and ridiculous! If the EU wants to do something significant, they have to facilitate the issuance of visas for those who usually do not

manage to obtain them, rather than for those who are already able to get them. (Interview 10).

Mobility Partnership (MP), LEMMA Project and EU Trust Fund for Africa

As concerns the MP, its flagship project and more recent projects under the EU Trust Fund, civil society and governmental actors once again share similar views, but their perception and assessment of these policy instruments are slightly more positive. CSOs highlighted that, while the EURA and VFA negotiations are stuck, the implementation of the LEMMA project has progressed well and new projects under the EU Trust Fund have been elaborated. Governmental actors highlighted that the MP is a positive instrument because it is potentially able to combine Tunisian priorities with those of European countries, allowing for actions that could be beneficial for both parties (Interview 13); then, it is up to Tunisia to try to uphold its own interests in order to obtain the most from the MP (Interview 23). CSOs and NGOs showed satisfaction with having obtained an active involvement in monitoring the implementation of the MP, as part of the Steering Committee.

Replicating the EU–Turkey Agreement?

With regard to one of the most relevant policy developments in the external dimension of the EU migration policy, i.e., the EU–Turkey Agreement of 18 March 2016 and its possible replication in other contexts, Tunisian civil society actors confirmed that

> following the EU–Turkey deal, the European strategy changed a bit; we witnessed more pressures on Tunisia, and offers of relevant financial agreements as a quid pro quo for increased cooperation, based on a mechanism similar to the EU–Turkey one; what we are trying to avoid as civil society is that the Tunisian government finds itself in the same situation as Turkey. (Interview 1)

This interviewee referred to the pressures applied by Italy and Germany between late 2016 and early 2017, when the authorities of both countries allegedly explored with the Tunisian government the possibility of bringing to Tunisia (rather than Italy) migrants and asylum seekers who left from Libya and were intercepted at sea, in order for their asylum application to be examined (or pre-examined) in Tunisia.[9] As reported by various interviewees, civil society actors strongly opposed the hypothesis of any externalization of asylum procedures from the EU to the southern shore of the Mediterranean (EuroMed Rights et al. 2017).

To sum up, civil society stakeholders claim the need for more equal and balanced relations between the EU and Tunisia in all policy fields. As concerns more specifically the governance of migration, they are in favour of implementing less Euro-centric and more integrated and comprehensive cooperation policies, which should not be limited to border control, but should also speak to different policy areas, so that EU–Tunisia relations are overall more coherent. It is interesting to note that the Tunisian government and a majority of CSOs and NGOs share a common position with regard to specific EU–Tunisia cooperation initiatives (the EURA,

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9 "Germany proposes EU rules making migrant deportations easier", in *EurActiv*, 22 February 2017, https://www. euractiv.com/?p=1093357; Fubini (2017).

the VFA and the MP) and have almost established a sort of "united front" vis-à-vis the EU, aimed at promoting more equal and balanced EU–Tunisia relations and less Euro-centric and sectoral migration cooperation policies. Despite an overall critical stance towards the EU external migration policies, most Tunisian "expert" CSOs and NGOs are keen to be involved in a constructive dialogue with national and European institutions, and claim an active role in decision-making processes in the field of migration.

3. Policy Implications for Euro-Mediterranean Cooperation in the Field of Migration and Mobility

Based on the analysis conducted so far, it is possible to draw some preliminary policy implications, which may be relevant for future developments (and possible improvements) in EU–Tunisia cooperation in the field of migration. This section is structured around the three-dimensional analytical framework of the MEDRESET project.

A first key element concerns the stakeholders involved in EU–Tunisia negotiations and policy cooperation in the area of migration, and relations among them. As mentioned in the previous section, rather than taking a more radically antagonistic stance towards the EU and/or the national government and refusing dialogue with institutional actors, the majority of Tunisian civil society stakeholders display a cooperative attitude and value the opportunity of being involved in EU–Tunisia negotiations. Moreover, the substantial convergence of views between Tunisian institutional and civil society actors on the main EU–Tunisia migration cooperation initiatives may result in a stronger "Tunisian position" vis-à-vis the EU and European countries.

The limited propensity to conflict between Tunisian civil society and governmental actors, and the overall collaborative attitude of the most influential "expert" CSOs operating in the field of migration may be viewed as strategic resources for the elaboration of more balanced migration cooperation policies, able to include Tunisian interests and priorities more broadly and systematically. However, the establishment of this "Tunisian alliance" in the external relations with the EU may have negative consequences internally – i.e., a negative impact on national migration policy-making. Indeed, it may cause the softening of the internal conflict and the weakening of civil society pressures on the Tunisian government, with regard to certain migration-related issues. It seems, in fact, that civil society advocacy actions aimed at reforming Tunisian immigration law, de-penalizing irregular migration, enhancing the protection of migrant rights, fostering migrant integration, and contrasting discrimination and racism are losing strength.

The EU may be considered as having at least some indirect responsibility in this "regression" of civil society internal advocacy actions. EU–Tunisia negotiations and cooperation policies are still predominantly focused on European security-oriented priorities (i.e., migration management, border control, fight against human trafficking and smuggling, return and readmission), while other migration-related policy issues, especially concerning immigration to Tunisia and the situation of sub-Saharan migrants in the country (e.g., migrant integration, rights protection, anti-discrimination measures, and the national law reform) are generally not included. Conversely, incorporating these issues in the EU–Tunisia political dialogue would probably contribute to supporting claims made by civil society and migrant associations vis-à-vis the government,

especially in view of a much needed immigration law reform. This would not only be a welcome development for Tunisian CSOs and for migrants in Tunisia, it could have positive implications also from a European perspective, as a more effective and balanced governance of migration in Tunisia may contribute to reducing migration to Europe.

Along with policies addressing immigration to Tunisia, our research highlighted the need for additional *policy issues* to be included in EU–Tunisia negotiations and migration cooperation. First of all, improving the governance of legal labour migration across the two shores of the Mediterranean has emerged as an issue of primary concern for all Tunisian stakeholders. This would include increasing legal migration opportunities, facilitating access to labour markets in Europe, and enhancing the mobility of workers at all skill levels. Within the framework of the (limited) competences of the EU in this field, the current European Commission has been playing a proactive role, focusing specifically on legal migration (e.g., with the launch of the Legal Migration Fitness Check initiative[10]) and proposing new labour migration pilot projects with selected countries, including Tunisia (see WP7 EU stakeholders report). These recent developments at the EU level may be considered as extremely promising, although the member states' approval of and support for such initiatives cannot be taken for granted.

Another relevant policy issue in EU–Tunisia cooperation concerns asylum and the governance of asylum seekers' reception. This issue gained crucial importance following the 2011 Libyan refugee crisis and remained high on the Tunisian agenda until 2013/2014; but more recently its relevance has faded, also due to a (perhaps temporary) reduced inflow of asylum seekers into the country. With the text of a new asylum law stuck in Parliament, and Tunisian civil society and governmental actors opposing any hypothesis of externalizing asylum procedures from the EU to Tunisia, the establishment of a national asylum system still appears distant. If on the one hand the creation of an asylum system in Tunisia would be in itself a welcome development (also considering the fact that Tunisia has ratified the 1951 Geneva Convention but has never implemented it), on the other hand European attempts to promote the outsourcing of refugee status determination (or pre-determination) procedures to Tunisia have been counterproductive and have contributed to interrupting the process of adoption of a national legal framework on asylum started in 2011. As concerns more specifically the reception of asylum seekers, stakeholders working in this field recommended that the EU and its member states provide additional support and financial resources to help the development of a proper reception system across the country and enhance Tunisian asylum seekers' reception and integration capacities (Interviews 14, 25).

A third key element concerns the *policy instruments* through which EU–Tunisia migration cooperation policies should be adopted and implemented. Our research highlighted the need for a change in the approach of all policy instruments adopted so far, which are largely informed by a compartmentalized approach to different policy areas, based on a separation between political and security-related issues, economic issues and socio-cultural issues. However, migration cuts across these policy areas and should not be relegated to the socio-cultural sphere, as it has been in the framework of the Euro-Mediterranean Partnership and the Association Agreement with Tunisia.

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10 See the European Commission website: *Legal Migration Fitness Check - REFIT initiative*, https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/fitness-check_en.

Stakeholders emphasized in particular the role of economic and trade agreements, which affect cooperation in other policy areas, including migration. The existing EU–Tunisia agreements were criticized for being detrimental to several Tunisian economic sectors (e.g., agriculture and industry) while favouring European countries. These allegedly unbalanced agreements are considered as one of the factors contributing to the Tunisian economic crisis, which, in turn, has directly impinged upon Tunisian emigration to Europe (Interviews 4, 24). Therefore, EU–Tunisia cooperation should be based on less Euro-centric and more integrated and comprehensive policy instruments, which may allow for a greater coordination among cooperation policies in different fields. In addition, as stressed in previous sections, European migration cooperation instruments should abandon their security-oriented conditionality-based approach and integrate in a more balanced way the interests and priorities of Tunisian stakeholders.

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Annex: List of Interviews

First round of interviews

Interview 1. Interview with two male representatives of an INGO, Tunis, 4 July 2017

Interview 2. Interview with a male governmental actor, Tunis, 4 July 2017

Interview 3. Interview with a female migration activist, Tunis, 4 July 2017

Interview 4. Interview with a male representative of a CSO, Tunis, 5 July 2017

Interview 5. Interview with a male representative of a trade union, Tunis, 5 July 2017

Interview 6. Interview with a male representative of an intergovernmental organization, Tunis, 5 July 2017

Interview 7. Interview with a male representative of a CSO, Tunis, 6 July 2017

Interview 8. Interview with a female representative of a CSO, Tunis, 6 July 2017

Interview 9. Interview with a female member of academia, Tunis, 7 July 2017

Interview 10. Interview with a male representative of a migrant association, Tunis, 10 July 2017

Interview 11. Interview with a male representative of an INGO, Tunis, 10 July 2017

Interview 12. Interview with a male representative of a CSO, Tunis, 11 July 2017

Interview 13. Phone interview with a female governmental actor, Tunis, 11 July 2017

Interview 14. Phone interview with a male representative of an INGO, Tunis, 12 July 2017

Interview 15. Interview with a male governmental actor, Tunis, 13 July 2017

Interview 16. Interview with a male member of academia, Tunis, 13 July 2017

Interview 17. Interview with a male representative of an international foundation, Tunis, 14 July 2017

Interview 18. Interview with a male migration expert/academic, Tunis, 15 July 2017

Interview 19. Interview with a female representative of an INGO, Tunis, 17 July 2017

Interview 20. Interview with a male governmental actor, Tunis, 17 July 2017

Interview 21. Interview with a male governmental actor, Tunis, 18 July 2017

Interview 22. Interview with two male representatives of an employers' association, Tunis, 18 July 2017

Second round of interviews

Interview 23. Skype interview with a male migration expert/academic, 16 February 2018

Interview 24. Phone interview with a male representative of a CSO, 28 February 2018

Interview 25. Skype interview with a male representative of an INGO, 1 March 2018

Interview 26. Phone interview with a female representative of an INGO, 2 March 2018

Interview 27. Phone interview with a female representative of an INGO, 9 March 2018

Interview 28. Skype interview with a female representative of a CSO, 29 March 2018

Interview 29. Skype interview with a female migration activist, 13 April 2018

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