



European policy debate: the Mobility Partnerships

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Introduction

On Wednesday 18th January 2012, a European policy debate was held on the topic of the EU Mobility Partnerships. The policy debate was organised jointly by the Dutch Ministry of Foreign Affairs and Maastricht University, and was held at the premises of the Dutch Permanent Representation to the EU in Brussels. The aim of the policy debate was to take stock of the Mobility Partnerships through a debate between policy-makers (both from EU member states as well as from partner states), practitioners and academics. Some 60 participants and speakers were present at the European policy debate. This policy brief by Maastricht University recalls the background of the policy debate and summarises the main conclusions and points of discussion.



Purpose of the European policy debate

In 2007 the European Commission proposed a new instrument for cooperation with third countries on migration called 'Mobility Partnerships'. Such a partnership would be concluded with countries that commit to cooperating with the EU on managing migration flows, and that seek better access to EU territory for their citizens. These countries would be expected to make commitments in the field of fighting illegal migration. In return, the EU and its member states would make commitments in some or all of the following areas: improving opportunities for legal migration for citizens of the partner country; assisting the partner country to develop its capacity to manage legal migration flows; implementing measures to address the risk of brain drain and promote circular migration or return migration; and improving the procedures for issuing short-stay visas to citizens of the partner country. A Mobility Partnership takes the form of a political declaration between the EU, interested member states, and the partner country. Annexed to this declaration is a list of anticipated projects, which are proposed by the Commission, an EU agency, a member state, or the partner country concerned.

The Commission undertook a first evaluation of the Mobility Partnerships in 2009, and concluded that this policy tool merited further development. However, the communication noted some recommendations for improving the effectiveness of the partnerships:

- Mobility Partnerships should be envisaged with third countries which clearly express their needs and expectations at an early stage (before a decision is made at the EU level)
- The choice of partner countries for Mobility Partnerships should reflect a long-term migration strategic interest
- The package of projects offered under a Mobility Partnership should be coordinated and offer real added value to existing cooperation
- The Mobility Partnership tool should be further developed by extending it gradually to a few more properly selected cases.

Mobility Partnerships have now been signed with Moldova (2008), Cape Verde (2008), Georgia (2009) and Armenia (2011). Negotiations with Senegal were started in 2008, but stalled and have not progressed. Negotiations with Ghana have been ongoing since 2010, and Mobility Partnerships are also foreseen with Morocco, Egypt and Tunisia in the light of the Arab Spring. Council conclusions have referred to Mobility Partnerships as an essential element of the EU's Global Approach to Migration and a valuable framework for increasing transparency, coordination and policy coherence. The 2011 communication by the Commission on the renewed Global Approach to Migration and Mobility (GAMM) also emphasises that Mobility Partnerships should be promoted as the principal framework for cooperation with third countries on migration, but suggests some changes to this policy tool:

- A proposal for a Mobility Partnership should build on progress made within a Migration and Mobility Dialogue
- Mobility Partnerships should include a readmission agreement and a visa facilitation agreement. Provided these instruments are in place and are effectively implemented, the EU could consider taking gradual steps towards visa liberalisation for the partner country concerned
- Mobility Partnerships should be offered to key strategic partners, namely countries in the EU neighbourhood
- For other strategic partner countries with which the EU wants to establish cooperation, but where either party is not able or willing to enter into the full range of commitments required in a Mobility Partnership, the Commission recommends a Common Agenda on Migration and Mobility. The key difference is that the common agenda will not require the negotiation of a visa facilitation or readmission agreement.

Against this background, the European policy debate aimed to evaluate the content and implementation of the ongoing Mobility Partnerships to date. The debate was organised into two panel sessions and one concluding plenary debate.

Panel session 1: The 'Mobility' Partnerships? Balancing labour mobility and readmission in the partnerships

The first panel session aimed at discussing the concept and content of Mobility Partnerships, particularly the balance between legal and illegal migration in the partnerships concluded to date. Questions for discussion were:

- What have been the experiences of the Commission and member states regarding partner countries' commitments to the fight against illegal migration?
- To what extent have citizens of the Mobility Partnership countries gained better access to EU territory?
- What lessons can be learned from the negotiations of readmission and visa facilitation agreements?

Panel session 2: Implementing the Mobility Partnerships: best practices and lessons learned.

The second panel session concerned the process of implementation of the partnerships to date, with the aim of collecting best practices from participants. Questions for discussion were:

- How effective has the communication between the Commission, member states and partner countries been, and how can this be improved?
- Which projects have been particularly successful, and why?
- Which problems have been encountered in the implementation of projects?

Plenary debate: The Mobility Partnerships: value added?

The plenary debate aimed to draw together the main conclusions and discussion points for the day, with the overarching aim of determining the impact and added value of the Mobility Partnerships to date.



Main conclusions and points of discussion from the European policy debate

- The European **policy debate was timely and important**, because Mobility Partnerships are the centrepiece of the EU's migration policy (also according to the Commission communication on the GAMM). Mobility Partnerships are a work in progress, and lessons can therefore be learned from successes and problems experienced thus far.
- There is currently an **imbalance in the Mobility Partnerships between actions on legal labour migration and mobility and actions on fighting illegal migration**. Therefore, the full potential of the labour and 'mobility' component of the partnerships is not utilised. This is problematic, because offers of increased legal mobility (for instance, in the case of students or businessmen) can be an incentive for partner countries to cooperate on preventing illegal migration. This is, however, not true in all cases: only two Mobility Partnership countries have to date signed a visa facilitation agreement, but all partner countries are nevertheless willing to cooperate on illegal migration. The imbalance between actions on legal labour migration and mobility and illegal migration is partly a result of the current economic crisis in Europe, and partly a consequence of the division of competences within the EU: labour migration is still a competence of the member states (some bilateral labour mobility agreements have been part of a Mobility Partnership). Any offer of labour mobility should take account of the partner country's preferences, for instance, in terms of the type of mobility that is desired (circular or more permanent migration). The issue of labour migration is important for the future of the Mobility Partnerships: partnerships will now be negotiated with countries in North Africa, where there is a bigger demand for labour migration than in previous partner countries. An offer of labour mobility at the EU level would be a true incentive for partner countries to sign a Mobility Partnership, because an offer to move between EU member states is more attractive than an offer of moving to only one member state.
- Labour migration is also not the only objective of Mobility Partnerships – another objective is to facilitate mobility more generally. The partnerships do achieve this, for instance through **visa facilitation agreements**. Visa facilitation agreements and readmission agreements go hand in hand. In general, the EU is more concerned about concluding a readmission agreement, and the partner country is more concerned about concluding the visa facilitation agreement.
- The concept of Mobility Partnerships **should be better communicated** so that the expectations and responsibilities of all parties are clear. Better use could be made of migration missions for this purpose, and these migration missions should be prepared and coordinated thoroughly. Member states should have at least 2 months for internal consultations to take place, before the signature of a Mobility Partnership. There is also a need to communicate the purposes of Mobility Partnerships more broadly, including to civil society. The Moldovan authorities have positive experience with an extended local cooperation platform meeting held in July 2011 with civil society involvement. The Commission and the Moldovan authorities are also planning to hold a conference on Mobility Partnerships in the summer of 2012. Individual projects being implemented within a Mobility Partnership also need to be communicated, so that citizens of the partner country, including returnees, know of their existence and can make use of the opportunities they offer.
- Mobility Partnerships **should be tailor-made** and cater to the specific needs and wishes of the partner country. It is, for instance, not the case that all partner countries are interested in promoting labour mobility. They may instead favour schemes on return migration or circular migration. Partner countries should always establish a 'wish list' of priorities which they want to achieve through the Mobility Partnership. The Moldovan authorities, for instance, produced 3 non-papers before the Mobility Partnership was signed.
- Partner countries should take **ownership** of the projects implemented under the Mobility Partnership, in order to contribute to the long-term sustainability of the projects.
- In the implementation of the Mobility Partnerships there **should be better coordination between the parties involved**. A Mobility Partnership may in itself improve coordination, for instance between member states, but there have nevertheless been some challenges. First, member states have not always provided information for reporting purposes on the projects they are implementing. Secondly, coordination between different ministries has been a problem for both member states and partner countries. Third, some projects overlap or replicate each other, which is a waste of resources and time. A lack of coordination within the EU can affect the image of the EU in a third country. **Best practice** shows that coordination is most effective when:
 - o the partner country appoints both a political and a technical contact point for the Mobility Partnership
 - o member states designate one ministry as the lead ministry for a Mobility Partnership
 - o there is active participation of EU delegations and Member States embassies in the partner country
 - o a list (the so-called scoreboard) is established of ongoing projects in the framework of the Mobility Partnership, in order to avoid overlaps. Such a list should include also ongoing bilateral projects

- o there is a clear timetable of the implementation of the Mobility Partnership
- o the timing of the call for proposals under EU financial instruments is matched to the implementation of a Mobility Partnership
- o the available information (such as the scoreboard) is utilised effectively by partners

Better coordination may increase the added value of a Mobility Partnership (for example by finding synergies between different projects).

- The **limited resources of partner countries** need to be taken into account during the process of implementation (for instance, in terms of staff numbers working within a government organisation, or the size of the budget available for certain actions). These limited resources may explain the lack of project mapping undertaken by partner countries.
 - Lessons can be learned from negotiations on **Mobility Partnerships that fail to take off**. From the stalled negotiations with Senegal, it has become clear that the added value of a Mobility Partnership needs to be better communicated to the third country. It is important to establish that the third country is enthusiastic and motivated to be a partner country in a Mobility Partnership.
 - There is a **need for a proper evaluation** of the Mobility Partnership instrument. An evaluation of the partnership with Moldova will be carried out jointly by the Commission and the Moldovan authorities. However, other evaluations should also take place. The impact of the Mobility Partnerships could be judged in several ways:
 - o have the expectations of all parties at the outset been fulfilled?
 - o have Mobility Partnerships become part of the daily foreign policy cooperation with a partner country?
 - o are Mobility Partnerships visible and present?
- It will, however, be difficult to show a precise contribution of a Mobility Partnerships to reducing illegal migration. Ultimately these partnerships are a political tool and they should be evaluated accordingly.
- Several aspects of the Mobility Partnerships may form a real **added value** in cooperation with partner countries:
 - o Mobility Partnerships can allow for one European dialogue with partner countries on migration, rather than 27 different dialogues
 - o Mobility Partnerships are a package deal, offering many projects on one topic
 - o Mobility Partnerships offer new projects that would not otherwise have come about
 - o Mobility Partnerships are more than just a visa facilitation and readmission agreement.

Conclusion

All participants of the policy debate agreed that the Mobility Partnerships have some level of added value over existing cooperation. However, clearly challenges remain, particularly in terms of communication, coordination, and managing expectations. The upcoming evaluation to be carried out by the Commission and the Moldovan authorities is an important step in the evolution of the Mobility Partnerships.

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