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The Barcelona Process, 25 years later: an overview of regional migration initiatives in the Mediterranean

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Abstract: In 1995 the Euro-Mediterranean Partnership or Barcelona Process was

launched with the aim to strengthen relations between the European Union, North

African and Middle Eastern countries. The Barcelona Declaration promoted

cooperation between Mediterranean countries to manage migration flows and fight

illegal immigration. 25 years after, the migratory situation in the Mediterranean has

greatly changed, and so have the existing laws, policies, projects and instruments

governing it. This paper overviews the most relevant developments on migration in the

Mediterranean focusing on regional initiatives as well as European Union and United

Nations initiatives.

Keywords: migration, Mediterranean, Barcelona Process, Union for the Mediterranean,

European Union

Paper structure:

Introduction

Regional initiatives

EU initiatives

UN initiatives

Conclusions

References

2

I. INTRODUCTION

The Mediterranean Sea and its shores form a unique, complex and diverse region, bordered by Europe, North Africa and the Middle East. Human movements in the region have always been present and evolving. This is why understanding the instruments and initiatives impacting migration flows in the Mediterranean, and therefore the lives of migrants, is of extreme relevance to understanding the future of the region.

Migration in the Mediterranean has become an increasingly topical issue in the last few years: we are currently witnessing the highest number of displaced persons since World War II and the lowest proportional number on voluntary return¹. This exceptional number stems partially from the Syrian refugee crisis that peaked in 2015: currently 5.6 million Syrian citizens have sought asylum abroad, primarily in Turkey, Jordan, Lebanon and Egypt, while another 6.1 million are internally displaced in Syria². Many refugees have taken on dangerous and often fatal journeys across the Mediterranean to find asylum in European countries, primarily Greece, Italy, Spain and Malta³. Since the beginning of 2019, 49.690 people have crossed the Mediterranean, while it is estimated that 928 have died or are missing at sea. In 2015, the year after the Syrian civil war broke out, 1.032.408 people crossed the Mediterranean and 3.771 lost their lives in the journey.⁴ Regarding asylum, in 2018, 580.800 first-time asylum seekers applied for international protection in a Member State of the European Union (EU)⁵, while over 1.2 million first time asylum seekers registered in 2015⁶.

However, migration is not a topic only belonging to the present, as it has played an important role in the politics of Mediterranean countries for decades. In fact, in the 1995 Barcelona Declaration, which established the fundaments of the Euro-Mediterranean

¹ UNHCR. (2016).

² EC. (2018b).

³ EC. (2018a); UNHCR. (2018a).

⁴ Ibid

⁵ Eurostat. (2019).

⁶ Eurostat. (2016).

Partnership and the Union for the Mediterranean (UfM), migration featured as an important matter deserving of regional cooperation.

In the occasion of the 25th anniversary of the Barcelona Declaration, this paper makes an overview of the most relevant Mediterranean regional initiatives on the topic of migration developed since 1995. Without pretending to be exhaustive, it provides a detailed list of the main laws, programmes, summits, projects, entities and documents that have shaped the topic of migration in a regional manner in the Euro-Mediterranean region. This paper covers these many developments classifying them among regional, EU, and United Nations (UN) initiatives.

II. REGIONAL INITIATIVES

The Barcelona Process and the Union for the Mediterranean

Under the Spanish Presidency of the Council of the European Union, the EU organized on the 27 and 28 of November of 1995 the Conference of Euro-Mediterranean Ministers of Foreign Affairs in Barcelona. In the Conference, the Barcelona Declaration was signed by fifteen EU Member States (Austria, Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom), nine South-Eastern Mediterranean countries (Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria, and Turkey), and the Palestinian Authority⁷. The Declaration defined the foundations of the new Euro-Mediterranean Partnership, also known as the Barcelona Process⁸, establishing priorities, modalities for cooperation and suggesting instruments for their implementation. The main objective of the Barcelona Process was to turn the Mediterranean region in a zone of peace, stability and prosperity, and one of its main goals was to create a common Mediterranean free trade area, inspired by the recent adoption of the Schengen agreements (1985-1995) and having in mind the models of the Asia-Pacific Economic Cooperation, the North American Free Trade Agreement and Mercosur⁹.

⁸ Eur-Lex. (2011).

⁷ EC. (1995).

⁹ Khader B (2009)

The Barcelona Declaration acknowledged the importance of migration in Euro-Mediterranean relationships and promoted cooperation between countries to reduce migratory pressures through vocational training programmes, setting to guarantee protection of migrants legally residing in their respective territories 10. On the topic of illegal migration, the participants stated "their responsibility for readmission" and agreed to "adopt the relevant provisions and measures, by means of bilateral agreements or arrangements, in order to readmit their nationals who are in an illegal situation" ¹¹. In the Declaration's work programme this was translated into organizing support meetings to discuss proposals on migration flows and pressures, and encouraging cooperation among police, judicial and customs authorities in order to discuss practical measures to combat illegal migration¹².

The topic of migration has been developed in some of the regular meetings of foreign affairs ministers of countries of the Barcelona Process. As the International Organization for Migration (IOM) summarizes¹³, in the Malta meeting in 1997 it was agreed to strengthen cooperation in managing migration and human exchanges, with an emphasis on illegal immigration. In the 2002 meeting in Valencia, a framework to implement regional cooperation in the area of migrant integration was approved, alongside with the topics of justice, drug control, organized crime and terrorism. In the ministerial conference in Naples in 2003, migration's benefits for socio-economic growth in the Mediterranean were stressed. Ministers agreed that a balance between security and facilitating legal movement and social integration was needed. At the tenth ministerial meeting in Dublin in 2004, managing irregular migration and trafficking in persons was discussed at length. In 2007, the Euro-Mediterranean ministerial meeting on migration was celebrated in Algarve, the first and only meeting of the Barcelona Process dedicated uniquely to migration. In it, among other measures, it was agreed to set up a working group to discuss the effects of migration on the labour market, to promote migration for labour opportunities available in the country of destination, and to offer training courses¹⁴.

¹⁰ EC. (1995), p. 8. ¹¹ Ibid.

¹² Ibid.

¹⁴ European Parliament and Euro-Mediterranean Partnership. (2007).

Despite the initial ambitions of the Barcelona Process, some agreed that it had failed to put in motion actions to achieve its objectives¹⁵. In 2008, the Barcelona Process was revitalised and given new strength through the launch of the UfM by a decision of the participating countries' Heads of State and Government in the Summit for the Mediterranean celebrated in Paris on the 13th of July of that year. A new impetus was given to the Euro-Mediterranean Partnership and more concrete and visible regional and sub-regional projects and relations were initiated, particularly in the field of economy, environment, energy, health, culture, and also migration¹⁶. The UfM Secretariat was established in Barcelona in 2010, the presidency of which is shared by one Mediterranean and one EU country. All signatories of the Barcelona Declaration are members of the UfM, except for Syria, who suspended its membership in 2011, and Libya, who despite not being a signatory has observer status.

The UfM has celebrated three regional forums in 2016, 2017, and 2018. In the second one, it produced an action plan in which migration featured as a priority. In line with the Declaration and the Action Plan of the Valletta Summit on migration of November 2015, the UfM stated their contribution and coordination of the Migration and Development approach, which gives emphasis to "youth employability, job creation, education, women's socioeconomic empowerment and the territorial dimension" Finally, it set to keep making the UfM a bridge between the two shores of the Mediterranean, including on migration matters.

Migration Dialogue in the Western Mediterranean 5+5

Created in 1990, the 5+5 Dialogue is a trans-Mediterranean forum counting with the participation of five Southern EU Member States (France, Italy, Malta, Portugal, and Spain) and five Arab Maghreb countries (Algeria, Libya, Mauritania, Morocco, and Tunisia). It was set up as a security initiative to secure closer cooperation between the ten countries through economic cooperation and political dialogue¹⁸. The Dialogue had its roots in an initiative by the late French President François Miterrand in 1983, who wanted to organize a dialogue on the Western Mediterranean involving Algeria, France,

¹⁵ Khader, B. (2008), p. 67.

¹⁶ ILO. (2019).

¹⁷ UfM. (2017), p. 13.

¹⁸EC. (2019a).

Italy, Morocco, Spain, and Tunisia¹⁹.

After a first decade of little developments, the Dialogue regained dynamism in 2001 in the 5+5 Meeting of Foreign Ministers in Lisbon. There, closer regional cooperation on migration was convened and the Dialogue consolidated itself as an important migration regional forum²⁰. The first 5+5 Ministerial Conference on migration followed in 2002, celebrated in Tunis. In it, the Tunis Declaration on 5+5 Migration Dialogue was adopted by consensus, stating the partners' will to consider multilateral approaches on common migration issues by exchanging information and analysis of migratory trends, collaborating on preventing illegal migration and trafficking in persons and managing legal migration flows²¹. The Tunis Declaration established the framework for migration cooperation between the 5+5 partners, which expanded and became more concrete through policy developments in the following conferences: Rabat 2003, Algiers 2004, Paris 2005, Algeeiras 2006, Évora 2008 and Tripoli 2010.

The 5+5 Dialogue is seen nowadays as one of the most effective platforms for cooperation and dialogue in the region, creating the highest level of consensus among Southern partners²², and the Migration Dialogue is now considered as part of the tradition of multilateral diplomacy between the ten countries²³.

The Rabat and Khartoum processes

The Rabat and the Khartoum processes are two inter-regional forums on migration that cover Africa and Europe. Promoted by the International Organisation for Migration (IOM), they serve as informal policy networks dealing with irregular migration.

On the one hand, the Rabat Process, also called the Euro-African Dialogue on Migration and Development, was launched in 2006 by France, Morocco, and Spain and gathers 57 partner States, including 27 African countries and 31 European countries²⁴. It is used as a platform for dialogue and exchange of information and fosters meetings between senior officials. In its 2008 Dakar strategy, the theme of international protection on migration was brought into the discussions, further developed in the 2015-2017 Rome

¹⁹ IOM. (2005).

²⁰ Ibid

²¹ Western Mediterranean Cooperation Process 5+5. (2002).

²² Busquets, G. (2015).

²³ IOM. (2005).

²⁴ IOM. (2019c).

Programme, which established international protection as one of the four pillars of the Rabat Process, alongside organising mobility and legal migration, improving border management and combating irregular migration, and strengthening the synergies between migration and development²⁵.

On the other hand, the Khartoum Process, or EU-Horn of Africa Migration Route Initiative, was launched in 2014 in a formal association between the African Union Commission and the European Commission (EC). It counts with 41 Member States: 30 European countries and 11 African countries of the North and the Horn of Africa. The Khartoum Process serves as a regional consultative process dealing mainly with combatting human trafficking and migrant smuggling, which aims to establish a platform for dialogue and knowledge-sharing with IOM, the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Office on Drugs and Crime (UNODC). Finally, it also identifies opportunities for project implementation on the topic 26 .

Dialogue on Mediterranean Transit Migration

In 2002, the Mediterranean Transit Migration Dialogue (MTM) was launched, hosted by the International Centre for Migration Policy Development (ICMPD) Secretariat. The MTM is an interregional intergovernmental consultative forum of migration officials in countries of origin, transit and destination along migration routes in Africa, Europe and the Middle East. It was set up as a consultative body to discuss irregular and mixed migration as well as the links between development and migration with the aim to develop sustainable and comprehensive migration management systems. Since 2015, the MTM set up an information exchange network at the local level, connecting five Northern and five Southern Mediterranean cities²⁷.

²⁵ Rabat Process. (2014); Wolff, S. (2015). ²⁶ IOM. (2019); Murphy, T.C. (2014).

²⁷ ICMPD. (2019).

III. EUROPEAN UNION INITIATIVES

EU migration policy has been developed over the years structured around two sources of law: the Schengen Agreement and law deriving from the EU treaties²⁸. These treaties regulate internal migration but also borders, affecting migration in the Euro-Mediterranean region. As the EU is a regional project and its Southern borders touch the Mediterranean, it's important to look at how migration is vertebrated in EU law and initiatives, as it heavily influences migration flows in the Mediterranean region.

EU Law: Treaties and Programmes

Building on the Schengen Agreement (1985) and the Single European Act (1987), which established an area of free movement and single market within borders of EU member states respectively, the Treaty of Maastricht entered into force in 1993. Officially known as the Treaty on European Union (TEU), it set the structure of the EU into three pillars: the European Communities pillar, the Common Foreign and Security Policy pillar, and the Justice and Home Affairs (JHA) pillar. The TEU was one of the two treaties forming the constitutional basis of the EU alongside the Treaty of Rome (1957), officially the Treaty on the Functioning of the European Union (TFEU).

The Treaty of Amsterdam (1999) implemented substantial changes to the Treaty of Maastricht. In its amendment of the TEU, it communitarised part of the third pillar on JHA regarding asylum, immigration, visa and judicial cooperation in civil matters. It also established an area of freedom, security and justice, integrating the legal corpus of Schengen²⁹. The Treaty of Amsterdam envisaged that by 2004 the Council should adopt measures on minimum standards for reception of asylum seekers and the status of refugees. It also set to develop criteria and mechanisms for determining which Member State is responsible for considering asylum applications made by a third-country national within the EU³⁰.

In October 1999 the European Council met in the Finnish city of Tampere in a special session to advance the EU's JHA policies. In the summit, the leaders of the then 15

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²⁸ For an extense and detailed overview on the principal texts on European immigration policy see Nuño (2014) and European Parliament (2019).

²⁹ Nuño, M. (2014), p. 11.

³⁰ European Parliament. (2019).

Member States agreed that establishing a common European asylum system (CEAS)³¹ was a priority. The European Council decided that it should be implemented in two phases. The first one (1999-2004) would deal with establishing the criteria and mechanisms to determine which Member States would be responsible for examining asylum applications, thus replacing the 1990 Dublin Convention. It would also establish the Eurodac database for storing fingerprint data and define minimum standards for Member States regarding reception of asylum-seekers. Tampere called for partnership with countries of origin in order to set out the first phase.

The second phase (2005-2010) was launched with the 2005 Hague Programme³². It developed the instruments and measures to be adopted by the end of the phase, expanding beyond minimum standards and with the goal to develop a single asylum procedure and a uniform status for all people granted asylum status. That same year, the EC announced the outline of its Action Plan on Legal Immigration³³. In the 2008 European Pact on Immigration and Asylum, the deadline for the second phase was extended to 2012³⁴. The Pact was criticised by civil society, arguing that it meant a return to security-oriented approach to migration focusing on border and immigration control rather than integration³⁵.

The Treaty of Lisbon (2009) established the EU area of freedom, security and justice, sharing the jurisdiction over borders, asylum and immigration controls between the EU and the Member States. It transformed EU asylum policy by creating a common system with uniform status and procedures regarding asylum subsidiary and temporary protection, as well as uniformed reception conditions. The Treaty of Lisbon also amended Article 80 of the TFEU, explicitly introducing the principle of solidarity and responsibility sharing among EU Member States³⁶.

The Stockholm Programme (2010) proposed specific measures for the implementation of the European Pact on Immigration and Asylum. It emphasised the principle of solidarity with Member States facing migratory pressures and established the European

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³¹ EC. (2002).

³² EC. (2005b).

³³ EC. (2005a).

³⁴ European Parliament. (2019).

³⁵ Nuño, M. (2014), p. 14.

³⁶ European Parliament (2019), p. 4; EC. (2007).

Asylum Support Office (EASO) in Malta. In 2011 the EC adopted the Global Approach to Migration and Mobility (GAMM), which became the framework by which the EU should carry out migration policy dialogues and cooperation with non-EU countries, always with the aim to manage legal migration and prevent illegal migration³⁷.

Following the break out of the Syrian civil war and the mass influx of refugees coming to EU Member States in 2015, the European Agenda on Migration was issued by the EC on May of that year. Coordinating efforts between EASO, the European Border and Coast Guard Agency (Frontex) and the European Police Office (Europol), it proposed measures to address the migratory pressure, including the hotspot approach and emergency relocation mechanisms³⁸ (in reference, again, to Art. 80 of the TFEU on responsibility sharing). On November 2015 European and African Heads of State attended the Valletta Summit on migration. In its Action Plan and Declaration, they agreed on migration being a shared responsibility between countries of origin, transit and destination, and set to address the root causes of irregular migration and forced displacement³⁹. On March 2016 the European Council and Turkey reached the EU-Turkey Statement, an agreement aimed at reducing the flow of irregular migrants into the EU coming from Turkey. The Statement declared that asylum seekers arriving from Turkey to Greece and whose applications were declared inadmissible should be returned to Turkey, and that for each Syrian returned to Turkey, another Syrian should be resettled in the EU in exchange for visa liberalisation measures for Turkish citizens. A payment of EUR 6 billion was allocated under the Facility for Refugees in Turkey until the end of 2018⁴⁰.

EU Instruments and Agencies

The European Neighbourhood Policy (ENP) was launched in 2004 to foster stability and cooperation between the EU and its neighbouring countries. It is divided in the EU Neighbours East and EU Neighbours South, this latest dealing with the Mediterranean region as it counts with Algeria, Egypt, Israel, Jordan, Libya, Morocco, the Palestine Authority, and Syria. The main aim of the ENP is the stabilisation of the region and fostering economic development. It is built upon legal agreements such as the

³⁷ EC. (2019b); European Parliament (2019), p. 6-7.

³⁸ EC. (2015).

³⁹ European Council. (2019).

⁴⁰ European Council. (2016).

Partnerships and Cooperation Agreements and the Association Agreements, which determine relations between the EU and each individual Southern country. The ENP is also complemented by regional multilateral co-operation initiatives like the Barcelona Process and the UfM.

The ENP Instrument (ENI) is one of the EU's foreign relations instruments, used to fund projects and programmes in the region. One of them is the Euromed Migration Programme, set up in order to foster dialogue between EU Member States and ENI Southern Partner Countries on migration matters and to implement migration and international protection policies and activities. It covers Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Palestine Authority, and EU Member States. The Programme has had four phases (2004-2007, 2008-2011, 2012-2014 and 2016-2019) and is shaped by the European Agenda on Migration and the GAMM. The latest programme, EuroMed Migration IV, is being implemented by ICMPD and focuses on enhancing North-South and South-South regional co-operation dialogue in the area of migration in the Mediterranean, as well as developing capacity-building and implementing sub-regional activities and national training programmes, as well as providing technical assistance⁴¹.

Other EU instruments that may fund projects relating to migration are the Development Cooperation Instrument (DCI), the European Development Fund (EDF), the Partnership Instrument for Cooperation with Third Countries (PI), the European Instrument for Democracy and Human Rights (EIDHR), the Instrument contributing to Stability and Peace (IcSP) and the European Fund for Sustainable Development (EFSD). Under the EU's 2021-2027 Multi-annual Financial Framework, these instruments, as well as the ENI, have been proposed to be merged under a new Neighbourhood, Development and International Cooperation Instrument (NDICI)⁴².

In 2007 the European Council authorized the participation in different degrees of non-EU Mediterranean countries in activities of some EU agencies, such as Frontex and Europol. On the one hand, one of the flagship Frontex operations is EUNAVFOR Med, also known as Operation Sophia, launched in 2015. As part of the EU response to migration, Operation Sophia sets to disrupt human smuggling and trafficking networks

⁴¹ EC. (2018c).

⁴² European Parliament. (2019).

in the Southern Central Mediterranean and rescue people at sea⁴³. It works in close collaboration with the Libyan government, training its Navy Coastguard and particularly in 2019 returning most of the people they rescue to Libyan shores. In March 2019, as a result of divisions between EU Member States, the anti-smuggling operation was close to terminating, in light of the Italian government refusing to accept more migrants in its shores. Finally, Operation Sophia was allowed to continue but was stripped of its naval assets, counting to reinforce surveillance only via air assets.

On the other hand, Europol established in 2016 the European Migrant Smuggling Centre with the goal of supporting EU Member States in targeting and dismantling networks facilitating migrant smuggling into EU territory⁴⁴. On July 2019, the new Joint Liaison Task Force on Migrant Smuggling and Trafficking in Human Beings was launched to allow liaison officers from all Member States to cooperate along borders and to tackle migrant smuggling and trafficking groups⁴⁵.

IV. UNITED NATIONS INITIATIVES

The UN also plays a role in developing regional policies on migration in the Mediterranean, mainly through three of its bodies: IOM, UNHCR and UNODC.

UNHCR published in March 2015 its Central Mediterranean Sea Initiative (CMSI) action plan⁴⁶, which concerned the Mediterranean EU countries of Cyprus, Greece, Italy, Malta, and Spain. The CMSI was put in place to address effectively the tragedy of deaths at sea, concretely by migrants fleeing Syria, Eritrea, and Iraq through the Mediterranean. It established concrete steps aimed at saving lives in three areas: within the EU, with countries of transit and first asylum, and with countries of origin.

Likewise, after an enormous increase of number of deaths in the Central Mediterranean route in 2016⁴⁷ following the break out of the Syrian civil war, IOM launched the Joint Initiative for Migrant Protection and Reintegration in Africa in collaboration with the

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⁴³ EU External Action. (2019).

⁴⁴ Europol. (2019a).

⁴⁵ Europol (2019b).

⁴⁶ UNHCR. (2015).

⁴⁷ IOM. (2017).

EU. Funded under the EU Emergency Trust Fund for Africa, the initiative set to strengthen migration governance in the region and to improve migrant protection, voluntary return and reintegration along the Central Mediterranean route in Africa. It has three regional components: the Central and West Africa component, the North Africa component and the Horn of Africa component⁴⁸. Each one is tailored to respond to the concrete needs and challenges of the regions and the countries in it.

On September 2016 Heads of State and Government met within the UN General Assembly with the purpose of discussing issues related to migration and refugees, adopting the New York Declaration for Refugees and Migrants. With Annex II of the New York Declaration departed the process of negotiations towards the development of a Global Compact for Safe, Orderly and Regular Migration, which was formally adopted in December 2018. This Global Compact, a non-binding document, is "the first inter-governmentally negotiated agreement (...) covering all dimensions of international migration in a holistic and comprehensive manner". Its aim is to support international cooperation and to offer policy options to States regarding international migration.

That same December of 2018 the UN General Assembly also adopted the Global Compact on Refugees, fruit of two years of consultations led by UNHCR with Member States, international organizations, refugees, civil society and the private sector. The Global Compact on Refugees is a framework on international cooperation in managing migration and dealing with responsibility sharing, aiming to ease the pressure on host community, expand access to third-country solutions and enhance refugee self-reliance⁵⁰.

V. CONCLUSION

Migration flows have changed and increased in the Mediterranean since the launch of the Barcelona Process 25 years ago, and so have the policies, laws and instruments addressing such flows. Regarding number, as well as funding, the EU is the actor that has launched more regional initiatives to manage migration, mostly with a securitization

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⁴⁸ IOM. (2019b).

⁴⁹ IOM. (2019e).

⁵⁰ UNHCR (2019)

and border-protection approach. Further research might be interested in analysing and comparing the impact on regional integration and development of the various initiatives, projects and laws. It might also be interesting to see how future actors come to play on the field of migration, such as the NATO's Mediterranean Dialogue and the Council of Europe's South Programme which, despite being centred in the Mediterranean, so far lack a specific migratory dimension. Another interesting approach could study how bilateral agreements between both shores of the Mediterranean and South-South cooperation complement these regional initiatives.

Managing high influxes of migrants is a pressing challenge not only for the EU, but also specially for Middle Eastern countries like Turkey, a challenge that arises debates on responsibility sharing, solidarity, development, and cooperation. A Mediterranean regional strategy on migration is something that has been taking form through the many initiatives and programmes developed in the region in the last 25 years, covered in this paper. The countries bordering the Mediterranean, as well as its citizens and the millions of migrants and refugees living outside their country of origin, would benefit from a coordinated regional strategy on migration, with collaboration between governments and international organisations.

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