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## **A Study of EU's Migration Governing Policy**

**Smriti Shukla**



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## Abstract

Migration studies is an interdisciplinary field that draws on sociology, anthropology, history, economics, law and post-colonial studies. The numerous causes of migration ranging from socio-political, economic to ecological nature, has enriched the discipline further. As the discipline is evolving, new debates are entering into the picture. One such debate is the lack of focus of political theory on the 'migration', which is directly related to its singular focus on state, citizens and stateless society. Even though various political philosophers have faced migration, such as Hannah Arendt, F. Nietzsche, Theodor Adorno; yet the field is still far from being developed holistically. The political theory restriction in terms of stepping up statelessness resulted in its diversion from one of the most intriguing and mainstream issues of Politics and International Relations in 21st century- Migration.

Philosophers like Gilles Deleuze, Alan Badiou, Giorgio Agamben, Antonio Negri have tried incorporating migration in terms of mobility and identity i.e., exclusion/inclusion dichotomy. The definition rests upon a concept of 'inclusion' that provides an opportunity to practice 'exclusion' of others with respect to citizen-identity. The current focus has shifted from defining migration to 'tackling' migration, resulting in a large web of migration governing policies by western countries. The European Union (EU) has one of the most comprehensive migration governance regimes, given stress on its southern and eastern border due to political strife, geopolitical challenges and underdevelopment in the neighbouring region. In this light, EU's migration policy towards Africa provides a comprehensive range of border regulatory measures ranging from International Relations and diplomacy and resort to dialogue, negotiations and partnerships, to domestic policies and political discourse formulated to depict the issue as threat to the economy as well as use of technology in border regulation through agency like European Agency for the Management of Operational Cooperation at the External Borders of Member States of European Union also known as Frontex. It develops border security technology, supports third countries, and the research it undertakes to inform EU migration policy further.

The paper discusses EU Migration Governing Policy in relations to Morocco primarily, focusing on the EU's use of diplomacy and migration-flow information analysis to develop internal and external migration policies. The paper adopts descriptive and analytical research methods and quantitative data with statistical analysis, and qualitative data such as- policies, strategy paper etc. Finally, the paper will analyze whether the nature of migration has become more regular and whether the migration waves are reduced or exacerbated by the current EU's migration governance regime.

**Keywords:** EU, Governing Policy, African countries, and EU-Africa Summit.

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Statement: All the views expressed in the paper are of the author(s).

# A Study of EU's Migration Governing Policy

**Smriti Shukla**

## **A Study of EU's Migration Governing Policy:**

The relationship between African countries and the EU on migration has been shaped by historical and geographical factors and the evolving social and economic realities on both sides of the Mediterranean. Initially unhindered (Haas, 2014), the phenomenon of migration now represents the case of conflict and cooperation together. The latest history of migration in between regions across sea can be cited back to colonial times in the form of slave trade in 15<sup>th</sup> century AD (Curtin, 1997). Post-independence; movement for work mainly constituted the term Migration. Later, new terminologies such as regular, irregular migration erupts. There are three types of irregular immigration across from North Africa into the EU via Spain. First, there are those who enter legally, having obtained a fixed-term visa as a tourist or student, but overstayed or indefinite stayed within EU on a long-term basis, given the support of network of compatriots and employment in black markets, low skill and underpaid jobs. Second, there are those who enter illegally through regular routes and borders but using false documentation like passports, work contracts and residence permits. The third form of immigration from North Africa is carried through well-established Moroccan networks of tobacco and cannabis traffickers in collaboration with Spanish network of fishing-boat owners, lorry or taxi drivers which are further linked to European networks (EUROPOL, 2018).

The movement of Moroccans is not restricted to European nations only but is widespread amongst North- American and Latin -American nations. The geographical, historical and social connectivity for Moroccans (The People of Morocco- Cultured and Diverse People, n.d.) and Morocco's geographical proximity to Europe for sub- Saharan African migrants make Europe the centre of attraction. The manner in which EU policy shifted from regular migration that met the demands of cheap labor to forcing migrants into situations of irregularity has also resulted in shift from guest-workers programme to visa restriction regime. Analyzing the role of the EU is crucial in understanding migration in the region as this role has multifaceted interpretations for Morocco, for migrants, for the EU, and for the national and regional policies. The importance of the EU's role can be highlighted by the low number of domestic migration-related programmes

and policies by Morocco compared to its wide participation in the EU's migration programme and policies. The regional level partnerships include Rabat Process, Khartoum Process, Global Approach to Migration and Mobility (GAMM) and bilateral cooperation on capacity-building of authorities, police and border controls cooperation on migration between Spain and Morocco. Morocco has not been able to calibrate an institutionalist framework and migration policy regime but is a key member of nearly every EU policy related to Mediterranean migration. EU-Morocco partnership on migration is taken as a successful model to be replicated in the relationships between EU and other countries. It has led to an increase in bilateral agreements for EU and other countries (Carrera, Cassarino, Qadim, Lehlou & den Herthog, 2016). Morocco's partnership on migration with Europe is not restricted to EU only. It has resulted in increase in bilateral agreements since 1990s with individual states particularly Spain. Therefore, the cooperation between EU and Morocco on migration is ranging at various levels like bilateral engagements with individual states, regional agreements with EU and continental agreement between EU and AU. Migration issues have become more salient in the EU's relations with North Africa, (particularly Morocco and Tunisia) due to Arab Spring causing more prominent fear of immigration waves. The salience of this fear is palpable in various programmes and partnerships in the region in which Morocco actively participates.

## **Partnership at Continental Level:**

At the continental level: the topic of migration is in list since the first EU-Africa Summit at Cairo, (Egypt) 2000. In this Summit, the joint partnership took a note of issue of migration/xenophobic attitude hampering the integration of migrants. At the second summit in Portugal, 2007; the Governments of Africa and EU adopted the first Joint Africa-EU Strategy and an Action Plan for 2008-10 period. The Second EU-Africa Summit in Lisbon, 2007 adopted strategy of Migration, Mobility and Employment. According to the Africa-EU Joint Strategic Partnership, 2007- Africa and EU will pursue policies addressing dimensions of migration including nexus between migration and development, maximize developmental impact of remittance, promote protection of human rights, protect asylum seekers and

refugees and help countries of origin, transit and destination in Africa through capacity building to manage migration. The partnership extends to address downside of migration- 'irregular migration' via cooperation on readmission and return of migrants to the countries of origin. Cooperation to develop border control measures, implementing Joint Africa- EU Action Plan to Combat Trafficking in Human Beings especially Women and Children (2006), carrying out information campaign in region with high migration potential directed at youth and local population and other related measures were mentioned (Joint Africa- EU Declaration on Migration and Development, 2006). It also gave due respect to International Convention Relating to the Status of Refugees (1951), OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969). Despite an exhaustive attempt, the results of earlier action plan were largely scattered as it focussed only on national approach based action; thus, lacking any regional and continental level action oriented partnerships. At the 3<sup>rd</sup> EU-Africa Summit (2010)- the issue of migration was highlighted in the preamble. The 4<sup>th</sup> and 5<sup>th</sup> EU-Africa Summit were held in 2014 in Brussels (Belgium) and in 2017 in Abidjan (Cote d'Ivoire) with the declaration on Migration and Mobility and Action Plan for 2014-2017 within the existing mandate. The 6<sup>th</sup> EU- Africa summit is postponed to 2021 in Morocco due to Covid -19 pandemic. The numerous efforts and their limited impact draws another lens of looking at the issue of migration not through partnership but as threat to security.

The securitization of irregular migrants by EU has portrayed migrants as a world class danger ready to break into the EU fortress. The dual nature of migration governance is present in the form of cooperation and securitization in the Mediterranean region. The securitization of migrants has resulted in them working as cheap labor in black market with hardly any compliance for national laws on minimum wages or rights of labor. At the same time, they are constantly threatened with expulsion as they are considered a looming threat to EU culture. Similar discourse and actions were employed by Morocco when labelling irregular sub-Saharan African migrant as danger to health and cultural risk, playing on fears of Ebola virus and the disappearance of Berber identity (Mangen, 2017). Buzan (1998) referred to Securitization as an emergency and urgent version of politicization. The link between immigration and security can be explained by a constructivist approach, where shared identity involved a shared perceptions of threats in association with migrants and their role in creation of a danger to freedom of society. Huysmans (2000) argues that the securitization of immigration in Europe is intertwined with the regional integration process. The factors like protection of European identity, culture and potential threat to economy has led to securitization of immigrants (Farny, 2016). The loss of job for own nationals is the common rhetoric being used politically. The diversity of the immigrants is also considered as attack on cultural homogeneity and a restriction of social space of hardliners who possess little cultural adaptability

(Hungarian Prime Minister Says Migrants are Poison and not Needed, 2016). This rhetoric embodies a link between migration and security, resulting into formulation of policies where the given link is presented as risk (Farny, 2016). The issue of immigration is masked by transforming into issues of transnational organized crimes such as human trafficking, drugs and smuggling. The European Union in 2015, for example adopted the European Agenda on Security in line with the severe migratory crisis, reaching a 'shared agenda' between the Union and its Member States regarding the creation of an area of internal security (The European Agenda on Security, 2015). The EU outlines three common threats to its internal security: terrorism, organized crime, and cybercrime. The issue of migrants is dealt in detail under organized crime. The analysis of The European Agenda on Security, 2015 points out externalization of internal security policy by making smuggling of migrants a priority in its partnership with third countries and misses out on analyzing plausible causes such as established cannabis network, lack of easy visa -facilitation provisions, work visas and lack of policies for integration for migrants within Europe. This has also resulted in establishing link of irregular migrants to organized crime of smuggling of migrants; posing threat to internal security. It has led to criminalization of the 'irregular migrant' group.

#### **Beginning of Euro- Mediterranean Partnership on Migration:**

Since mid-1990s, concerns over how to hold back the flow of irregular migrants from North Africa resulted in EU striving for partnerships with its non-EU Mediterranean neighbors (Maghreb states, Egypt, Israel, Syria, Lebanon, Palestine and others)- the Barcelona Processor Euro-Mediterranean Partnership (1995) started with Euro- Mediterranean Conference (1995) in Barcelona. Barcelona Declaration (1995) was adopted in the Conference and Morocco was an active participant. It had participation of 15 EU member states and 11 countries (plus the Palestinian Authority) in the Mediterranean region, referred to here as Mediterranean Partner Countries (MPCs) in 1995. The 4 chapters of cooperation developed were:

1. Politics and Security.
2. Economics and Trade.
3. Socio- Cultural.
4. Justice and Interior Affairs.

The purpose stated was to ensure peace, stability, and prosperity through free trade area and promote regional cooperation, support sustainable development, and integrate the Mediterranean countries through social, cultural and human partnerships into the world economy to avoid their marginalization. Immigration issues come under the umbrella of the third chapter of the Barcelona Declaration (1995),

on social, cultural and human affairs. They acknowledge the importance of the role played by migration in their relationships. They agree to strengthen their cooperation to reduce migratory pressures, among other things through vocational training programme and assistance for programme for job creation. In the area of illegal immigration, they decide to establish closer cooperation. In this context, the partners, aware of their responsibility for readmission, agree to adopt the relevant provisions and measures, by means of bilateral agreements, in order to readmit their nationals who are in illegal situation. The process further expanded to involve third parties like Mediterranean countries of transit and origin to fight against illegal migration and develop a comprehensive migration control policy in the Tampere European Council Presidency Conclusion, held on October 15-16, 1999. It had detail provisions such as 'tackling illegal migration at its source by combating those who engage in trafficking in human beings and economic exploitation of migrants' and 'importance of effective control of Union's future external borders by specialized trained professionals' and 'closer co-operation and mutual technical assistance between the Member States' border control services, such as exchange programmes and technology transfer, especially on maritime borders, and for the rapid inclusion of the applicant States in this co-operation' and 'assistance for countries of origin and transit to be developed in order to promote voluntary return as well as to help the authorities of those countries to strengthen their ability to combat effectively trafficking in human beings and to cope with their readmission obligations towards the Union and the Member States' (Tampere European Council Presidency Conclusions, 1999). In the area of funding, MEDA (French Technical and Financial Support Measures) Programme is the principal financial instrument of the European Union for the implementation of the Euro-Mediterranean Partnership. It accounted for €6.2 billion of the total €8.8 billion of budgetary resources allocated for financial co-operation between the European Union and its Mediterranean Partners between 1995-2004; second stage was from 2000- 2006. MEDA grants from the EU budget are financed by borrowing from the European Investment Bank (EIB), through the Facility for Euro-Mediterranean Investment and Partnership (FEMIP). The aim of MEDA programme was to implement cooperation measures designed to help Mediterranean non- members countries reform their economic and social structures and mitigate the social and environmental consequences of economic development. There are other ways the EU devotes resources to the region, for example: in case of a humanitarian crisis through ECHO (European Commission Humanitarian Office) in collaboration with Ministry Charged with Moroccans Residing Abroad and Migratory Affairs (MCMREAM).

This migration framework can be analyzed as a seed of a growing tree in which one whole branch is dedicated to Morocco as by 1990s Morocco was turning to be a transit country for migrants (Lahlou, 2015). It stresses on respect

for democracy, rule of law, human rights, gender and environmental issues. This created a rift in parties especially Arab countries- as these provisions were looked upon as an attempt to have western values based political and economic order around the borders of EU for EU's security. Nevertheless, according to Dr. Jean-Pierre Derisbourg, former adviser to the Director General responsible for North-South relations within the EC- putting a brake on immigration in Europe was one of the fundamental reasons for establishing the Euro-Mediterranean Partnership. Later, Euro-Mediterranean Partnership and MEDA programme was enlarged and reshaped as European Neighborhood Policy and European Neighborhood and Partnership Instrument (2007-2013).

However, the general lack of vociferous protest from Northern African nations specially Morocco is visible with wilful cooperation and marine operations such as when EU and its member-states initiated actions like Rapid Reaction Force, EUROSUR (European Border Surveillance System), EUROMARFOR (European Maritime Force) (Rima, 2019). Article 12(2)a of EUROSUR System refers to the projection of EUROSUR's capability beyond the territorial limits of EU Member States to include the 'selective monitoring of 3rd country ports and coasts which have been identified through risk analyses and information as being embarkation or transit points for vessels or other craft used for illegal migration or cross- border crime (Official Journal of European Union, 2013). EUROSUR does data collection so as to assist cooperation between member-states and Frontex (European Border and Coast-Guard Agency). Therefore, the idea to get compliance for North's hegemony and externalization of internal issues has been achieved in Southern Mediterranean and North African region.

### **Partnership on migration in 21<sup>st</sup> Century:**

EU cooperation with Morocco took a different path particularly in 2000 when the European Council granted a negotiation mandate to the European Commission for an EU Readmission Agreement (EURAM) with Morocco. Though, the mandate is yet to be realized as Readmission Agreement is a red flag for Morocco. Further, EU put forth proposals for a 'Dialogue for Migration, Mobility and Security' to start talks with the southern partner countries in the context of the Global Approach to Migration (GAM). The (second) M (for 'Mobility' was added to connect the GAM with the EU visa policy for short stays and national policies concerning long stays leading it to become Global Approach to Migration and Mobility (GAMM) in 2011. The GAMM was also a response to the mediatized crossing by migrants of the Spanish exclaves Ceuta and Melilla (Spanish territories on mainland Morocco, Africa) in 2005 that turned out to be violent with the death of 15 migrants making it dirtiest affair Moroccan diplomacy ever had to face, (Natter, 2014). EU provided Mobility Partnership status to Morocco in GAMM which was earlier restricted to eastern neighbors of EU only.

Currently, Morocco holds the second largest cooperation portfolio on migration amongst the neighbor countries of the EU. Another such regional level partnership is Euro- African Dialogue on Migration and Development (Rabat Process), established in 2006. The Process brought under 60 countries from Europe, Western and Northern Africa for a regional dialogue. The objectives are to enhance dialogue and cooperation on broad migration issue such as legal migration and mobility; prevention of irregular migration and measures to counteract it; migration and development; international protection, and to identify common priorities in order to develop operational and practical cooperation. The Rabat Process coordinates with sister- process Khartoum Process (another regional dialogue). The Khartoum Process and the Rabat Process were identified as suitable existing mechanisms to monitor the implementation of the (Nov 2015) Joint Valletta Action Plan (JVAP) (establishing a series of priorities aiming at supporting Valletta Partners) with the enhancement of migration governance between Europe and Africa. The academic presence in coordination with state, non- state actors like civil society, diaspora organizations, private sectors as external technical experts and International Organizations as external observer enriches the new cooperation framework. The Valetta Framework transcends from dialogue to action with recourse to a facility offering grants for initiatives and projects through EU Emergency Trust Fund for Africa Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa. EU-Africa Declaration on Migration and Mobility and Valletta ‘Political Declaration’ and ‘Action Plan’ was adopted in 2015. The Valletta Political Declaration acknowledges issues of promoting channels of regular migration, voluntary returns of migrants in compliance of human rights, sustainable reintegration, focus on reducing poverty, promoting peace, good governance, rule of law and respect for human rights, supporting inclusive economic growth through investment opportunities and the creation of decent jobs, improving the delivery of basic services such as education, health and security to address root causes of irregular migration and forced displacement. It turned out to be inclusive and resolute framework for migration governance.

In the Fifth Euro-African Ministerial Conference on Migration and Development, held on May 2018, the Marrakesh Declaration and Action Plan (2018) was adopted, which set the priorities until as follows:

1. Development benefits of migration, root causes of irregular migration & forced displacement.
2. Legal migration and mobility.
3. Protection and asylum.
4. Irregular migration, migrant smuggling and trafficking in human beings.
5. Return, readmission and reintegration.

The prism of migration and the last clause of Return, Readmission and Reintegration itself reiterates focus of EU on Europe than Africa. The issue of euro- centrism reiterates itself in the nature of wide participation-based initiatives which channel mostly EU demands like Readmission of migrants, whereas most of the African countries ends up submitting for the immediate grants and funding. The singular focus on Europe does instil the impression that transit and origin countries will be supported in taking back irregular migrants from Europe and hold them at their bay. A migrant-centered approach is missing which chart out provisions and rules for empowering migrants, and ensuring that they have access to all relevant information about the opportunities provided by government legislation and policy for legal migration channels and the risks of irregular migration.

### **Mobility Partnership Facility and Morocco:**

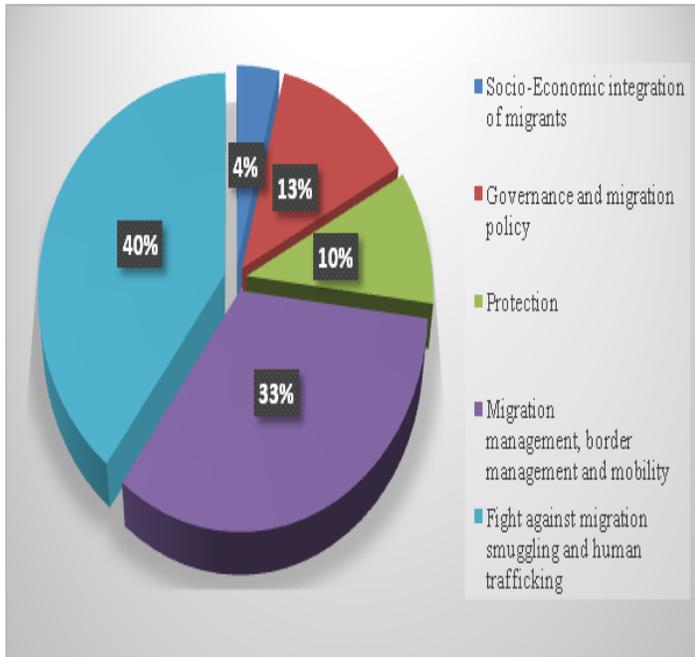
The Mobility Partnership Facility is an EU funded initiative contributing to the operationalization of GAMM. The thematic areas covered by it are legal migration and integration, irregular migration and return, common European asylum system, Schengen, Borders & Visa, counter terrorism and radicalization, innovation and industry for security, organized crime and human trafficking, cybercrime, law enforcement cooperation and victim protection, migration dialogue with relevant partners. Morocco has concluded MPs with the EU in 2014 respectively. The location and position of Morocco as a key player in migration between Africa and Europe led to formulation of Morocco’s National Strategy on Immigration and Asylum Affairs, also called Migration and Asylum Policy (2013) tackling dual objectives- one easing in migration regime for garnering support within Africa and second aiming for a better image in Europe through conclusion of the MP as a political and funding tool. EU’s ‘Sharaka’ project aimed at supporting the Moroccan National Strategy on Migration and Asylum, especially at the institutional level (2014-2017)- 5 million €. Currently, budget support by the EU for the implementation of the National Strategy on Migration and Asylum (2016-2020) is 35 million €, out of which 8 million € for UNICEF and related agencies. (European Commission, 2020).

The Mobility Partnership came at the same time when Morocco came up with Migration and Asylum Policy of 2013. The linkage of MP to National Strategy on Immigration and Asylum Affairs can be studied in changing nature of EU funding which shifted focus from excessive and redundant focus on border control to integration of irregular migrants in third countries from 2011 onwards. The understanding that movement and numbers of migrants could not be controlled solely by border management measures led to the EU’s migration policy focusing on the necessity for capacity-building of partner States towards a humanitarian integration, economically and socially, in third county societies via regularization. In 2016, the EU allocated

€35 million in budget support to Morocco for its migration policy (European Commission, 2016). In comparison, between 2016 and 2018, Morocco was allocated a total of €16.58 million from the EU Emergency Trust Fund for Africa Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa, for three programmes on the fight against xenophobia (€5.5 million), the judicial empowerment of migrant people (€4.58 million) and assistance to vulnerable migrant people (€6.5 million).

**Graph: 1.1**

**EU Funding for 5 Main Objectives**



Source: International Centre for Migration Policy Development

The causes for acceptance MP status by Morocco ranges across the sections of image building in the region and world, political pressure from EU, crippling domestic economy and significant turbulent juncture in domestic politics which was led by Arab Spring protests in 2011-12 across the streets of Morocco. The EU policy offers a bait of relaxation in visa facilitation regime for Morocco. Morocco's special status under the MP offers the possibility of negotiating an agreement to facilitate the issuing of visas for certain groups of people that already enjoy facilitated movement, such as students, researchers and business professionals (Abderrahim, 2019). The backdrop (the setting or conditions/situation within which something happens) of EU's migration policy may be analogized to the germination of hybrid seeds (half securitarian, half humanitarian) with, on the one hand the securitization of borders and reinforcing the perception of threat via the establishment of a framework comprising agencies such as EUROSUR and Communications on 'Internal Security Strategy' and on 'Migration', in co-

existence with, on the other hand partnerships built under the guise of friendship and cooperation with the countries from which such threats originate such as GAMM. The prolonged issue remains- forcing countries of origin into adhering Readmission Agreements. Readmission Agreements set the procedures for returning the signatory country's own nationals residing illegally, undocumented nationals of third country and stateless persons who transited through this country's territory to reach Europe. Morocco has strongly opposed to engaging in negotiations at this point to re-admit third country nationals or as bound by international law, to readmit their own citizens.

Despite such assessment and opinions, EU has been trying to lure third countries to collaborate on return and readmission of irregular migrants in return of easing visa facilitation for citizens seeking to migrate through legal channels by maintaining a fine balance of incentives and pressure. A so-called easy visa regime is not to be seen, as there is no relaxation in exhaustive list of required documents, high financial cost to submit visa applications and long waiting periods. The selective approach on EU's part demonstrate that it is only interested in delegating its responsibility on third party which are not only economically feeble but politically instable in comparison to EU. The EU treatment to irregular migrants as religious fundamentalist, disease prone, terrorist continues leading to their delineation in which there is detention and less rights; enhancing internal identity and cohesion by derogating members of external.

Sayad (2004) defines as the diacritical function of the EU state – the function of 'delineation' that turns African migrants into exceptions to discriminate, select, and incorporate few differentially.

**European Neighborhood Policy (ENP):**

In 2002, with increasing demands of enlargement, EU institutions and governments started to debate more explicitly about the issue of the Union's relations with its neighbours in future. In March 2003, the European Commission presented a plan Communication from the Commission to the Council and the European Parliament: Wider Europe - Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours (2003) - outlining the new principles. It was officially adopted by the Thessalonica meeting of European Council in June 2003. It has bilateral and regional policy initiatives in between EU and partner countries. The two-regional partnership under head are Eastern Partnership (EaP)- an institutionalized forum for EU cooperation with its Eastern neighbours whose main goal is to create the necessary conditions to accelerate political association and further economic integration and Union for Mediterranean (UfM) - similar approach of institutionalized forum for Mediterranean neighbors. UfM's creation is credited to be derived from Barcelona Process (1995). It is a comprehensive approach towards some of the EU neighbors to achieve political association and economic integration, but

without the incentive of future EU membership. In political terms, 4 main priority areas for cooperation:

- (1) good governance, democracy, rule of law and human rights;
- (2) economic development for stabilization;
- (3) security and;
- (4) migration and mobility

The inviolability of access to EU membership was the seed for contention for many neighbors as an emphasis on free trade and economic development was repetitive of Barcelona Process. The proximity policy of the ENP were summarized by Prodi, R President of the European Commission (2002) (mentioning only once illegal migration as a common threat):

“My aim is giving them [EU’s neighbours] incentives, injecting a new dynamic in existing processes and developing an open and evolving partnership. This is what we call our proximity policy, a policy based on mutual benefits and obligations, which is a substantial contribution by the EU to global governance”.

ENP draws on the involvement of the European External Action Service (EEAS), the European Commission services and the Member States, in line with agreed EU foreign and security policy actions. The policy was aimed at enhancing economic integration through a policy of mutual benefits and obligation, yet its excessive focus is on irregular migration. It is evident in its target countries which include member-states sharing border and not having candidature status for EU membership.

The EC document, A Secure Europe in a Better World - European Security Strategy (2003) in chapter- Building Stability in Europe and Beyond in 2003 European Security Strategy Paper, paragraph on Building Security in our Neighbourhood, mentioned the ‘neighbourhood and beyond’, states that that ‘within our continent, enlargement continues to be a powerful driver for stability, peace and reform’. ENP participants were again offered the bait of an opportunity with regard to facilitated visas for citizens and integration in the European Common Market. With regards to legal migration, there is no substantial expansion of the already limited number of provisions included in the existing bilateral agreements between the EU and its neighbors. In a broader context of geography and history, the relations with Morocco falls within the European Neighbourhood Policy. The partnership is legally based on the Association Agreement– provide for the partner country’s harmonization process with the EU Acquis (a body of common laws, rights, court decisions) and include privileged trade relations- meaning that the country can more easily access certain sectors of the European Single Market (with Morocco, it is agricultural products and fisheries), it is the closest any country can come to EU before or instead

of becoming a candidature for EU membership. Morocco accessed ‘Advanced Status’ in 2008- it reflects the wish to create a common economic space characterized by a greater integration of the Moroccan economy into the EU market. This goal is to be realized through the development of joint actions in four key crosscutting areas: the alignment of Morocco’s legal system with the EU acquis, the conclusion of a comprehensive and deeper free trade agreement, cooperation in economic and social development, and participation by Morocco in Trans-European Networks and sector-specific cooperation schemes (Jaidi, 2009). With the launch of the European Neighbourhood Policy in 2004, and reviewed in Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Review of the European Neighbourhood Policy in 2015, Morocco turned out to become a privileged partner of the EU in the field of political and economic cooperation as well as trade, technical and development cooperation.

EU offers financial assistance to countries within European Neighborhood with conditionalities such as strict governance reform based on rule of law, abiding by the human rights provisions, and economic reforms based on liberalization and privatization. It is based on ‘acquis communautaire’ (legislative acts, decisions of courts etc constituting EU law). The European Neighbourhood and Partnership Instrument was established in 2014 and is the key financial instrument supporting the EU cooperation with Morocco for the period 2014-2020. Since 2014, the EU has committed €232 million channelled through different funds and instruments to support migration-related actions in Morocco. According to Kaiser, 2019- the money is sub- divided in headings like socio- economic integration of migrants-10 million euro; Governance of Migration Policies, Institutional Support and Capacity Building-29 million euros; Protection, Resilience and Rights of Migrants-23 million euros; Migration, Management and Border management Mobility-93 million euros; Fight Against Human Trafficking- 78 million euros. The high amounts dedicated to curbing migrant mobility reflects the primary concern of the EU, employing a language which obfuscates its priorities, and attempts to preserve its image as torchbearer of equality, peace and transparency. The disproportionate allocation of money clearly reflects the sole concern for any policy related to migration has to be looked at through prism of EUology and even the torchbearer of equality, rights, peace, transparency can’t hide in the veil of sugar- coated terminologies. Although relying on the enlargement model, the ENP does not include one of its fundamental elements, namely the promise of accession to EU membership to participants. Lacking this incentive, the ENP is certainly less attractive than its illustrious predecessor as it is not based on equal partnership (complete absence of any recognition of inputs from partners) and solely a top-bottom approach to get things done as per EU desires. Secondly, the proposal was originally thought of for Eastern Europe, and expanded only later to other neighbors. Hence, the

original model was applied to a group of countries with very different economy, polity and needs. According to Sarto & Schumacher (2005)– ENP is ‘the result of a process in which the EU was primarily concerned with itself’.

Therefore, there is an inherent tension within the ENP between the goal of ‘friendship’ and the construction of ‘fences’ at the border shared with friends. In return of elaborated funding, ENP requires the EU’s neighbors specially Advanced Partners like Morocco to reinforce controls and security to avert threats before they reach the heart of the Europe. The EU proposes to its partners “intensified cooperation to prevent and combat common security threats”. With regards to border management, the role of the neighbours is reduced to keeping out third country nationals from the EU that the Member States consider *personae non gratae*. Evidently, neighbors should become buffer zones between the EU and what are considered the original sources of potential threats. Countries are constantly lured to create buffer zones with the promise of friendship and funding, so that they help the EU curb irregular immigration and retake their citizens. At the same time, the EU creates enmity by installing technology and fences at borders which is hidden version of friendship saga. For ex- Morocco has been offered such assistance to act as migration buffer zone in case of irregular migrants from sub-Saharan Africa which are problematic for EU. In this sense, the last frontier of Europe, the Mediterranean and the Sahara Desert, resembles Foucault’s ‘heterotopias’– that is, spaces animées encore par un esourde sacralization (still nurtured by the hidden presence of the sacred)- a sacred space reserved to those that are in a state of crisis in relation to the society in which they live, and for that reason always temporary, and fleeting, in their self-constitutive excess (human bodies in excess) (Rinelli, 2016). Borders of EU are laced with fences and barricades whereas there are less efforts to secure borders of neighbors such as Morocco. The special status of Morocco in ENP makes it as the one of the countries who doesn’t have membership to EU but equal status as member; shows that Morocco is ready to cooperate with the gated community syndrome of EU without any hopes of EU membership. Partly, this can be explained by distancing of Morocco from identity of belonging to Africa, or being disassociated with racial characteristics of sub-Saharan African nation i.e., poverty ridden, disease stricken, violence prone etc (Mangen, 2017).

**Conclusion:**

The number of irregular migrants in the European Union has increased in the recent years. It has been through the waves of lows in late 1990s and highs in mid 2000s and 2020s. The flow of irregular migrants entering the EU-28 reached record levels in 2015, peaking at 2,154,700 persons found to be illegally present, before falling to 983,900 in 2016 and to 601,500 in 2018. Albanian citizens accounted for the highest number (40,000 persons) of non-EU citizens found to be illegally present in the EU-28, slightly more than the numbers from Syria, Morocco, Iraq, Afghanistan,

Ukraine and Pakistan (all in the range of 33,600 to 39,300). The highest number of citizens refused entry into the EU-28 in 2018 were Moroccans, principally trying to cross the land border with the Spanish territories of Ceuta and Melilla.

**Table:1.1**

Immigrants Arrested on Arrival in Spain – Ceuta and Melilla

2005	5,566
2006	2,000
2007	1,553
2008	1,210
2009	1,108
2010	1,567
2011	3,343
2012	2,841
2013	4,235
2014	7,485

Source: Ministry of Interior, Spain

The choice of Morocco as a route to Europe is also largely driven by geographical connectivity to Spanish Exclaves: Ceuta and Melilla on Morocco territory. Therefore, SIVE (Spain’s high-tech border control) was installed on the borders of Ceuta and Melilla but even that could not bring constant result.

In comparison to all Mediterranean routes, the Western Mediterranean route has an increasing contribution to irregular migration in 2018-58,525 (44% share of Mediterranean routes).

**Table: 2.1**

Irregular movement via major land-sea migratory routes to the EU, 2008-2018:

Year	Share of Western Mediterranean Route (%)
2008	4.3
2010	4.8
2012	7.75
2013	6.68
2014	2.75
2015	0.39

2016	2.73
2017	12.5
2018	44.7

Source- Frontex and IOM online data 2018.

The immediate impact of installation of Frontex indeed witnessed a significant decline in migration from 2005-2015, but the long-term impact does not justify the amount spent on border control as there was a higher surge in irregular migration in the period of 2015- 2018. In an unusual scenario, the number of sub-Saharan irregular migrants in Morocco, between 2000 and 2010 has increased and ranged from 10,000 to 20,000 (Ministry of Interior, Morocco). The inability of irregular migrants to enter Europe due to strict cooperation of northern border of Morocco by Spain, EU and Morocco in collaboration, makes them settled in Morocco, which was earlier referred country of transit and now becoming a destination country (Lahlou, 2015). Most of the irregular migrants have now settled in Morocco's major cities like Rabat, Tangier, Fes, Casablanca where the treatment is still better as there are more business and work opportunities, health care access than most of the other parts of Morocco (Imane, 2019). It is not to be seen as victory of EU migration governing policy as numbers and unrest on border are not showing any significant decline and new routes such as through Canary Island (Spanish islands, west of Morocco in Atlantic Ocean) are found by migrants. Migrants are challenging regional, bilateral and continental level partnerships, border guarding agencies, hefty border installations and exorbitant surveillance system through new modes and new routes and are asserting their agency. According to Haas (2014)- the reason for not having the high decline is partially due to governments of Europe and Africa is ignoring the underlining the cause as large and informal and formal labor markets in agricultural, construction is sustained by demand for cheap migrant labor. The constant efforts of EU to have a win-win situation with return of migrants to third countries through partnerships, border installations and conditionalities has reduced its migration governing framework to a unilateral model; ineffective to resolve the issue.

The problem lies in governing migration as a problem rather than understanding it as mobility- common phenomenon associated with humans and resolving it through an inclusive approach consisting of country of origin, country in transit, destination country, non-state actors, migrants as agency, diaspora and migrant organizations, International Organisations, and looking at migrants through every angle such as social, political, economic, legal to reduce externalization and induce internalization of migrants.

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Global Research Forum on Diaspora and Transnationalism (GRFDT) is a consortium of researchers and policy makers drawn from national and international universities, institutes and organizations. GRFDT is presently based in India and is shaping as the largest such group focusing specifically on the issues related to diaspora and transnationalism.

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