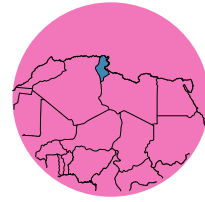


The migration partnership between Tunisia and the EU signed in July 2023 follows the line of previous externalization efforts. How are they put into practice? What impact do they have on migrants, refugees and the partner country? **Brot für die Welt** and **misereor** explore these questions in

COUNTRY BRIEFS ON EU-MIGRATION PARTNERSHIPS WITH THIRD COUNTRIES

TUNISIA Europe's Gatekeeper?



01 Migration in Tunisia



One in ten Tunisians lives abroad, making emigration an important element of national identity and economic prosperity. Until the 1990s, many Tunisians used to go to Europe as part of seasonal circular migration projects. This situation changed drastically with the introduction of restrictive visa policies, carrier sanctions and the Schengen Agreements by European states in the early 1990s. Since then, irregular departures from Tunisia have become a widespread reality, with numbers of irregular journeys across the Mediterranean steeply rising after the Arab Spring.

At the same time, immigration has been an integral part of Tunisian history, with labor migration and students from Africa being attracted and protected by specific agreements since the 1960s. Low skilled workers needed for the Tunisian economy were largely tolerated to enter the country by relaxed visa requirements and to work without permits. This uncertain legal situation has enabled their exploitation.

The reception of refugees and questions of asylum became relevant political issues after the Libyan war, when around one million people fled from Libya to Tunisia. As it became more and more difficult to cross the Mediterranean from Tunisian shores, Tunisia has (involuntarily) become a host country for a relevant number of asylum seekers and refugees. Nevertheless, Tunisia also remains an important country of transit on the Trans-Saharan routes for people from West Africa and the Horn of Africa. In 2022,

around 30 percent of arrivals in Italy departed from Tunisia.

Recent political and economic crises have (re-)shaped migration dynamics in Tunisia. Despite the political revolution and the end of Ben Ali's dictatorship in 2011, Tunisia continues to suffer from political instability, regional inequalities, and an ever more precarious socio-economic situation. Today, the official unemployment rate is 15%, and the inflation rate is high. Basic goods are lacking. Additionally, Tunisia is experiencing an authoritarian state transformation and ongoing police violence, with freedom of expression being restricted and civil society organizations threatened.

Migratory Trends Tunisia

- 12.356.117 total population***
- 1.400.000 migrants living abroad** (10% of population)
- 60.100 migrants in the country (0,49% of population)*
- 21.260 asylum seekers from Tunisia in the EU***
- 9.078 refugees and asylum seekers in Tunisia****
- 2.1 billion USD estimated remittances or 4,5% of GDP***

*2020 **2021 ***2022 ****2023

This has, on the one hand, accelerated the exodus of the Tunisian youth. With 18.381 people, Tunisians ranked second when it comes to nationalities that arrived in Italy by boat in 2022. On the other hand, the authoritarian drift also has severe effect on migrants and refugees within the country. Catalyzed by a racist speech against Sub-Saharan Africans by President Kais Saied in February 2023, migrants and refugees were increasingly subjected to police violence and state repression. This makes Tunisia an unsafe country for people from Sub-Saharan Africa and increases their desire to leave.

Despite migration being an essential part of Tunisian reality, generally, it has not figured prominently on the national political agenda until recently. Under increasing pressure from the European Union (EU) and its member states in the early 2000s, Tunisia has strategically joined the 'international fight against irregular migration' and adopted a security-oriented approach. Since 2004, the irregular exit and stay in Tunisia is prohibited and sanctioned by law. In practice, however, the law has not been applied

consistently over the years and across Tunisian territory.

In sum, there seems to be no intrinsic interest to practically regulate migration as Tunisia is profiting from remittances and labor both abroad and domestically. Nevertheless, racist anti-migration rhetoric is on the rise. Meanwhile, an active civil society has developed, engaging in debates around the reception of immigrants and contesting European externalization strategies.

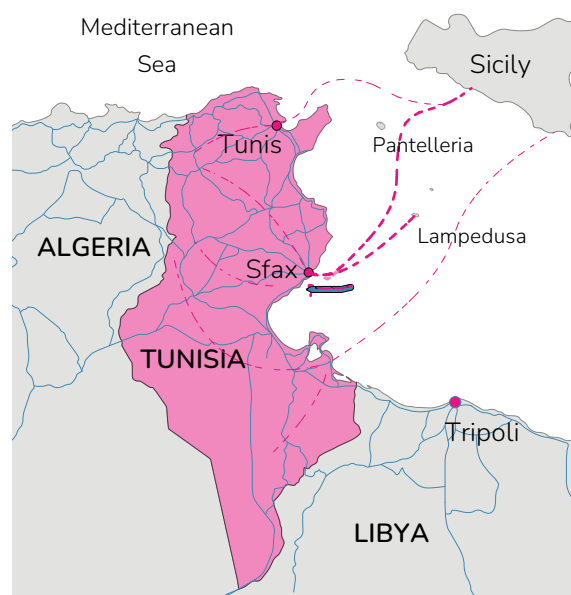
Since the revolution in 2011, the new Tunisian government has worked toward a National Migration Strategy (NMS). It puts a particular emphasis on establishing closer ties with the Tunisian diaspora by guaranteeing them political and economic rights in Tunisia. Beyond that, it aims to provide a framework to govern different categories of migrants, including immigrants in Tunisia. Acknowledging Tunisia's role as a destination for refugees and asylum seekers, the NMS formally even states the aim to develop a legislation to protect their rights. The NMS has been revised in 2015 and 2017, but still awaits its implementation.

02 EU's and Germany's approach to migration in Tunisia

In European politics, Tunisia is mostly perceived as a country of transit and origin. The EU's current political objectives regarding the implementation of a partnership on migration with Tunisia mainly focus on the reduction of irregular departures and the return and readmission of Tunisians as well as third country nationals. In order to reduce departures from Tunisian shores, the EU seeks to enhance Tunisia's border management capabilities, in particular its search and rescue system, and to initiate official cooperation with Frontex in this regard. Concerning the cooperation on return and readmission, the EU aims to extend Tunisia's acceptance of return charter flights from EU Member States, including the return of third-country nationals transiting through Tunisia. The EU has also launched discussions about potential disembarkation platforms on Tunisian territory where migrants intercepted at sea could be returned to. Moreover, it seeks to turn Tunisia into a safe third country for asylum seekers. Therefore, the EU supports the protection of vulnerable third country nationals, establishing a legal and operational asylum system in-cooperation with the European Union

Agency for Asylum (EASO). The EU also commits itself to develop legal migration opportunities in the future.

Germany is actively supporting these objectives, providing equipment and training for border management as well as practical return and



Migration within and from Tunisia

reintegration counseling via migration advice centers in several Tunisian cities. Through its development cooperation, Germany also promotes legal mobility opportunities for highly qualified Tunisians. Moreover, Germany agreed on a bilateral “Reformpartnerschaft” with Tunisia in 2017 (as part of the “Compact with Africa Initiative”). Although it does not directly tackle migration

issues but focuses on reforms in the financial sector and public administration as well as on economic projects, the partnership is an integral part of Germany’s strategy to cooperate closely with important countries of origin or transit. The Ministry of Development recently put the partnership on a halt due to the authoritarian rule of the new President.

03 The EU-Tunisia Migration Partnership

The EU and its Member States fund and implement concrete projects that can be classified in four thematic groups: **(1) security and border management, (2) asylum and international protection, (3) return and readmission, and to a lesser extend the (4) promotion of legal mobility.** The **Memorandum of Understanding (MoU)** signed with Tunisia in July 2023 maintains the same priorities.

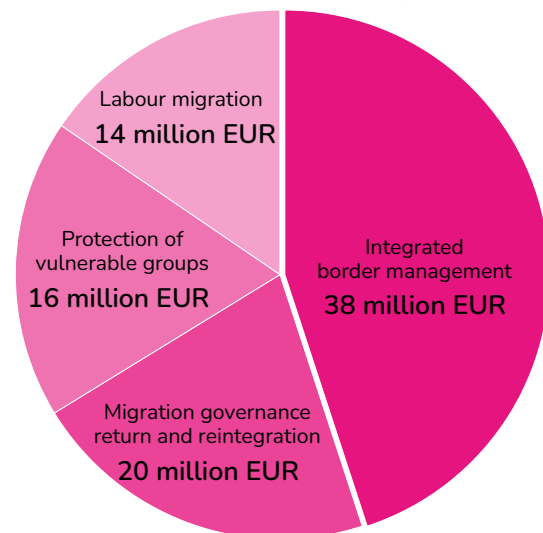
(1) Strengthening security and border management capacities in order to reduce irregular migration from Tunisia have been the top priorities of European project funding and implementation in the last decade. The EU’s major financial instruments, the EU Trust Fund for Africa (EUTF) and the European Neighborhood Instrument (ENI), which was used between 2014 and 2020, dedicate most of their migration related funding to border management projects.

Funded projects such as the Border Management Programme for the Maghreb Region (34.5 million Euro for Tunisia) implemented by the International Center for Migration Policy Development (ICMPD) (2018-2022) or the Reform of the Security Sector (23 million Euro 2014-2020) seek to strengthen the capacities of the Tunisian authorities in the areas of border surveillance and irregular migration prevention. They also facilitate the coordination between different national and international actors in charge of border management, including EU agencies such as EASO, Europol and the European Union Agency for Law Enforcement Training (CEPOL). So far, Tunisian authorities have officially refused cooperating with the European Border and Coast Guard Agency, Frontex.

Germany is particularly active in this field, providing equipment such as speedboats and lifeboats, vehicles or light masts. Tunisia is one of the focal countries of the „Ertüchtigungsinitiative“ (empowerment initia-

tive) of the German defense ministry. In Tunisia, this initiative seeks to strengthen military and police structures through training and equipment and to fight „illegal migration“. From 2016 to 2021, 103 million Euro have been channeled to Tunisia through this initiative. Among others, the money has been used to establish a sensor-based mobile border security system at the Libyan border. In this way, the initiative extends its military logic to issues of migration control.

EUTF funds to Tunisia per Strategic Priority



EUTF 2022

(2) A second field of European projects concerns the support for Tunisian authorities to **develop and institutionalize a national system for asylum and international protection.** In this regard, the EU has technically assisted Tunisia in preparing its NMS including the establishment of a national asylum system with a total EUTF funding of 18.5 million Euro. It further provides support for the integration of migrants and asylum seekers in Tunisia via the Regional Development and Protection Programme for North

Africa (RDP, 4.50 million Euro). Awaiting institutionalization of an effective national asylum system, the EU also provides direct financial support to the UNHCR and to Non-Governmental Organizations (NGOs) to ensure the access to rights, education and social services for refugees and asylum seekers in the country.

(3) Return and readmission is another priority for the EU and its member states. Among them, Italy, Belgium, Germany and France negotiated bilateral readmission agreements to return Tunisians irregularly staying in the country. Most of these agreements are not public and therefore lack democratic scrutiny. Since 2015, the EU has been supporting the socio-economic reintegration of returnees and the establishment of a specific Tunisian-led mechanism with 2.5 million Euro from the EUTF. In 2017, moreover, the GIZ opened a German-Tunisian Centre for Jobs, Migration and Reintegration in Tunis that focuses on supporting the reintegration of returnees in the country. Until July 2021, GIZ conducted 830 counselling interviews with returnees from Germany, resulting in 130 mostly temporary labor contracts. Concerning the return of migrants from Tunisia to their countries of origin, the EU and different member states continually have been funding the Assisted Voluntary Return and Reintegration (AVRR) Program implemented by the International Organization for Migration (IOM) since 2011.

(4) To some degree, the EU also supports **legal opportunities for Tunisians to work in Europe**. Under the EUTF, Tunisia became one of the beneficiary countries of the regional program 'Towards a holistic approach to labour

migration and mobility' (THAMM) with 12.5 million being spent in Tunisia to support its labor migration governance and to expand mobility schemes of workers to Europe. Within this framework, the GIZ runs a pilot project to place young Tunisians in vocational training and sustainable jobs in Germany.

On 16 July 2023, existing cooperation was complemented with a **Memorandum of Understanding (MoU)** between Tunisia and the EU. While the MoU tackles a range of issues, migration governance is at the core of it. As part of the deal, which is informal and therefore lacks democratic accountability, the EU provides Tunisia with 105 million Euro for migration issues. Funding will continue to be allocated according to the thematic priorities mentioned above. It mainly foresees financial support to bolster the management of Tunisia's borders through procurement, training of border guards and technical support (priority 1). Additionally, it seeks to increase the readmission of Tunisian nationals from the EU, and crucially, to return irregular migrants in Tunisia to their countries of origin (priority 3). In that regard, the text explicitly states that Tunisia is not a country of settlement for irregular migrants. Whereas this contradicts the reality of migratory movements in the country, it is an expression of the government's unwillingness to provide adequate and dignified reception to these people. The MoU also mentions the expansion of legal pathways for Tunisian nationals to the EU (priority 4), for example through seasonal work or in the context of the EU's Talent Partnerships.



EU Commission President Ursula von der Leyen visiting Tunisian President Kais Saied in June 2023.

04 Effects of the Migration Partnership in Tunisia

While the EU and ten member states concluded a “Mobility Partnership” with Tunisia in 2014, the practical implementation of the partnership has largely focused on the containment of mobility rather than its facilitation. Some of the projects implemented under this partnership converge with Tunisian political interests (e.g. mobilization of Tunisians diaspora, legal mobility schemes). In other areas, European priorities, such as the reduction of irregular migration and the return of Tunisians and third country nationals, clash with the interests of Tunisian actors. In either case, the ongoing but contested cooperation has effects on migrants and refugees, the overall political situation in Tunisia and its relation to Europe.

Effects on migration and migrants

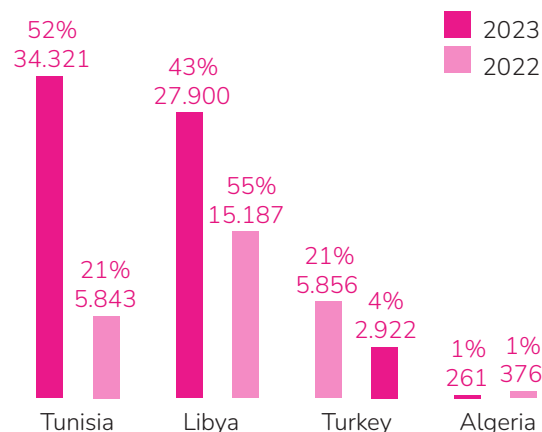
Considering that numbers of autonomous arrivals in Italy from Tunisia have increased over the last years, the overall effect of border management projects on the reduction of irregular migration seems questionable. Strengthening border controls and increasing surveillance at sea, however, do affect migration routes. Consequently, migration to Europe has not been reduced but rather become a more expensive, dangerous and deadly endeavor for Tunisians and those transiting through the country. NGOs like the Tunisian Forum for Economic and Social Rights (FTDES) have repeatedly denounced serious human rights violations against migrants by Tunisian security forces, like illegal pushbacks at sea or in the desert.

For the increasing number of migrants from West and Central Africa, the situation has also aggravated as they are forced to stay in Tunisia under precarious conditions and without legal rights and social protection. Repeatedly, refugees and asylum seekers in Tunisia mobilize to protest inhuman living conditions in front of the UNHCR office.

Effects on the protection of refugees

While the EU has financially and technically supported Tunisia to establish a national asylum system within its NMS, the increasing pressure seems rather counter-productive as Tunisian authorities react with skepticism and

Main countries of embarkation to Italy
January 2022 to June 2023



UNHCR 2023; numbers refer to number of people and percentage of total arrivals

refusal to implement European blueprints. There is a longstanding (and not entirely unfounded) fear among Tunisian authorities to qualify for the EU as a safe third country which third country nationals transiting through Tunisia could be legally returned to (without assessment of their asylum claims) and contained in. Plans to establish „regional protection zones“, “migrant processing facilities” or simply “migrant camps” in Tunisia have been discussed in the EU since the early 2000s.

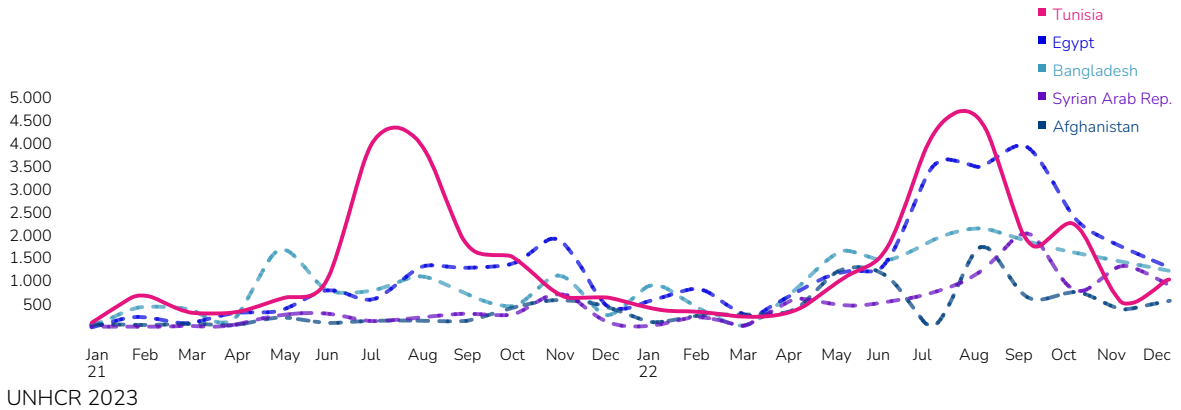
Outsourcing asylum to Tunisia belongs to an imaginary repertoire of European migration politics.

These ongoing European desires make Tunisia hesitant to implement any steps towards becoming a safe third country. So far, Tunisia has refused any EU proposals to institutionalize a proper asylum system, to outsource asylum procedures, to establish reception centers or alike on its territory. In the current situation, renewed European suggestions to outsource ‘protection’ to Tunisia seem to be further away from any realistic and effective solutions to stop migrants from dying in the Mediterranean than ever before.

Effects on legal pathways

Until 2023, Tunisian authorities have been disappointed by limited legal pathways

Most common nationalities of arrivals to Italy (2021-2022)



offered by the EU. Despite its multiple promises to create and extent labor migration schemes, the EU has yet to deliver on its promise to create legal pathways on a significant scale. At the same time, experts have been calling for certain vulnerable sectors of the Tunisian labor market to be protected. Targeting Tunisian doctors and nurses through specific recruitment programs, for example, could lead to a brain drain and damage the Tunisian health sector.

Effects on political system

Finally, the EU's cooperation on migration also affects the political landscape in Tunisia and its internal power relations. Prioritizing cooperation on security-oriented projects, the EU has strengthened the role of the Ministry of Interior vis-à-vis other ministries. Being responsible for Tunisia's security forces, the Ministry of Interior supervises most of the potential recipients of

EU funding and training and benefits from the consolidation and armament of the security apparatus. The EU as a whole has been supporting the authoritarian drift in Tunisian state politics by closely collaborating with Tunisian security actors and President Saied. This is even more worrying as repression against parties of the opposition, civil society organizations, journalists and independent lawyers and judges has become the new normal in Tunisian politics. With President Saied's increasing disregard for democracy, the rule of law and human rights, it is questionable what future cooperation on migration could look like that respects those principles. As for now, the EU and its member states seem ready to throw their democratic and human rights principles overboard to restrict migration to Europe. This strategy could prove to be a boomerang, as the authoritarian turn is prompting more and more Tunisians to leave the country.



Libyan-Tunisian Border near Tataouine in 2020.

INTERVIEW

with Romdhane Ben Amor

spokesman of the Tunisian Forum for Economic and Social Rights (FTDES), one of the most outspoken NGOs when it comes to supporting the rights of migrants and refugees in Tunisia.



»Tunisia is turning into a big deportation platform.«

What is the Tunisian government's strategy in its migration partnership with the EU?

The state has no real migration or negotiation strategy towards the EU. For the government, it is standard practice in negotiations to refer to an EU text that only talks about European demands. And that is exactly what we are seeing right now.

Moreover, external pressure on Tunisia has increased in recent years. As a result, EU delegations have been visiting us frequently. Tunisia's president, Kais Saied, is trying to benefit from these visits both politically and economically.

Europe has demanded disembarkation platforms in Tunisia for years. How is this debate received in Tunisia?

The official rhetoric is that we are not Europe's coastguards and that we reject disembarkation centres or the sorting of migrants and refugees. But this rhetoric is at odds with the practice on the ground. With the current president, Tunisia as a whole is turning into one big deportation platform. Tunisia has indirectly accepted the role as a hub in the central Mediterranean.

Is Tunisia a safe country for migrants?

There are regular reports on the deteriorating rule of law in Tunisia from various UN organisations, the EU, and from civil society. We as FTDES believe that Tunisia under Kais Saied is no longer a safe country, neither for Tunisians nor for immigrants. If you look at the situation of political opponents, trade unionists, social movements and all those who take a critical stance towards the government, the situation is catastrophic.

How has the Tunisian discourse on migration changed in recent years?

Racist ideas have always existed. But the rise of the Tunisian Nationalist Party was a game changer in spreading a very racist discourse against migrants. For example, it claims that the presence of migrants in Tunisia is a conspiracy and has the purpose to change the demography of Tunisia.

This narrative was fully embraced by the president and regional governors. The state resorted to old discriminatory laws: labour laws that do not allow undocumented migrants to work and residence laws that do not allow undocumented migrants to rent houses.

Moreover, Saied's anti-migration speech in February 2023 has encouraged racist groups to act. Migrants were physically and verbally assaulted, raped and thrown out of their jobs or homes. At the same time, it was dangerous for them to be on the streets. These were truly horrible days for them. This situation has led many migrants to flee Tunisia. In April 2023, there were 380 deaths on the Tunisian coast – in a single month. Why? Because the traffickers profited from this climate of panic and terror.

More and more Tunisians are leaving the country. What is the reason for this?

For a long time, economic and social factors determined migration decisions here. Now, political factors are increasingly coming into play – for example, the lack of rule of law or the poor state of public services. Parents usually believed very much in Tunisia and in social advancement through education. They encouraged their children to stay. Now, many families feel a sense of hopelessness and even help their children to migrate or accompany them abroad.

05 Lessons learned - Recommendations

The current migration partnership with Tunisia

- 01 *has neither stopped people from crossing the Mediterranean by boat nor from dying during the journey.*
- 02 *has so far not created serious options for legal migration toward Europe.*
- 03 *has not sufficiently improved the economic and political situation of potential migrants and returnees to create serious options to stay in Tunisia.*
- 04 *has overly concentrated on a one-dimensional conception of emigration to Europe and thereby undermined existing modes of circular migration within the region and beyond.*
- 05 *has strengthened the capacities of increasingly authoritarian actors within Tunisian politics.*

The future migration partnership with Tunisia

- 01 *should stop arming Tunisian security forces as this may lead to serious human rights violations against people on the move and is especially dangerous due to the instable political situation of the country.*
- 02 *should ensure the legal, social and material support for refugees and migrants including the provision of resettlement options to other countries.*
- 03 *should be as transparent as possible and make agreements publicly available.*
- 04 *should seriously create more legal pathways and facilitate visa applications for both Tunisian migrants as well as refugees from third countries to Europe.*
- 05 *should take Tunisian concerns about brain drain seriously - especially in the health sector.*

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Photos: picture alliance
Romdahne Ben Amor (p. 7)

Layout: Andreas König

Publishers:

Brot für die Welt

Evangelisches Werk für Diakonie
und Entwicklung e.V.
Caroline-Michaelis-Str. 1
10111 Berlin

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GEMEINSAM GLOBAL GERECHT

Berlin/Aachen, September 2023