

## Migration and Regional Interdependence in the Mediterranean, from the Early 1980s to the Mid 1990s

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Since the early 1980s, migration between Mediterranean countries has intensified.<sup>1</sup> The increased flow of people across international borders with the prospect of lasting settlement has linked the countries of the Mediterranean basin. This happened at a time of growing regional integration between Mediterranean states, until the Barcelona Euro-Mediterranean Ministerial Conference of 27 and 28 November 1995, the final declaration of which intended to create a lasting partnership between the European Union (EU) and twelve countries in the Eastern and Southern Mediterranean. Studying the relationship between these growing migration flows and this movement of regional cooperation matters in order to better understand international relations in the Mediterranean region and the factors of regional cooperation, as well as to think about the prospects of this cooperation. For about twenty years, following the development of the Barcelona Process and the Union for the Mediterranean, political scientists have developed some historiography of trans-Mediterranean cooperation. This historiography has already highlighted that Southern European states have been the protagonists in this development. The political scientist Richard Gillespie considered that “the motors of the Barcelona process [were] Spain and France”.<sup>2</sup> The historiography has also highlighted the divergence of interests between Northern European states and Southern European states over trans-Mediterranean cooperation, and has explained the limited results achieved in trans-Mediterranean cooperation owing to the reluctance of the former. Yet the main dynamic, namely the motivations of Southern European states, has insufficiently been explained and it is these motives that this article aims to better present. To this end, this article aims to highlight the migration factor in the position of Southern European states. By Southern European states, this article means Portugal, Spain, France, Italy, and Greece.

The explanatory framework of this article resorts to the concepts of interdependence developed by the political scientists Robert Keohane and Joseph Nye.<sup>3</sup> Theoretically, international relations consist of interactions between actors. The most important actors in international relations are states. This assumption does not exclude other types of actors on those states’ territories, for instance unions, shaping states’ preferences. The interactions between states might be the result of commercial flows,

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2. R. Gillespie, *Northern European Perceptions of the Barcelona Process*, in: *Afers Internacionals*, 37(1997), p.65.
3. R.O. KEOHANE, J.S. NYE, *Power and Interdependence*, Little, Brown, and Company, Boston/Toronto, 1977, pp.5-21 and, *idem*, 4<sup>th</sup> ed., 2012, pp.8-17.

migration flows, capital flows, and information flows between their territories. The more there are such interactions between the states in a given international system, the higher is their degree of *interconnectedness*. When those interactions create costs, when states are all “significantly affected by external forces”, Keohane and Nye no longer speak of mere *interconnectedness* but of *interdependence*.<sup>4</sup> When the actors in an international system have the ability to produce costs for each other, they are interdependent. These costs created by interactions among countries may or may not be intentional. The existence of costs is not incompatible with the existence of gains associated for different actors by the same interactions, even for different actors within the same country. In a situation of interdependence then, politics matters, i.e. actors use their capabilities to maximise their gains and minimise their costs. These political relationships may in some circumstances lead to international treaties, and to the creation of international organisations with institutions to make transactions between states and to monitor those agreements. This article will show that increased migration across the Mediterranean has created not only interconnectedness between the countries of the Mediterranean basin, but also interdependence. It will show also the interdependence created by migration flows has determined multiple types of relationships between Mediterranean states, which are at the centre of the dynamics that led to the Euro-Mediterranean framework established by the Barcelona Conference in November 1995.

This study is based on the use of three separate archival holdings: the documents of the EEC and EU Council of Ministers relating to migration flows in the Mediterranean; the documents of the Elysée during the François Mitterrand presidency relating to the negotiation and implementation of the Schengen Agreements; and the documents of the Council of Europe on the migration flows in the Mediterranean. These archives show the actions of the main international organisations to shape the international order in the area, namely the EU and the Council of Europe, gathering the most powerful states in the area. The documents of these organisations also give a statistical picture of the flows in the Mediterranean basin. French documents allow for a better understanding of the French strategy, highly influential in these episodes. The article will first present how increasing migration flows in the 1980s produced interdependence in the Mediterranean, creating costs in Southern European countries. It then shows how Southern European states used their capabilities to reduce the migration flows from Eastern and Southern Mediterranean countries, under the impetus of France. Finally the article will demonstrate how trans-Mediterranean cooperation developed to reduce the migration pressure from Eastern and Southern Mediterranean countries to Northern Mediterranean countries.

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4. R.O. KEOHANE, J.S. NYE (1977), op.cit., p.8.

## Increasing Migration

The increase in migration in the Mediterranean in the 1980s was a source of interdependence in the region. Emigration pressure was high in the East and South of the Mediterranean. This was first and foremost the result of the borderline that the Mediterranean constituted between rich and poor countries, in an era of rising inequalities between rich and poor countries at the global level. The ratio of incomes of the twenty per cent of people in the world living in the richest countries, compared to the twenty per cent living in the poorest countries, increased from 30 to 1 in 1960 to 74 to 1 in 1997.<sup>5</sup> Alongside the economic imbalance between Mediterranean countries, the demographic imbalance also increased. The labour force in the countries between Turkey and Morocco rose sharply in the 1980s. Each year, the annual increase in the labour force exceeded two million people, while it was only about 450,000 people in the EEC. To cope with the increased workforce, Turkey and Egypt would have had to grow by 880,000 new jobs each year for ten years.<sup>6</sup> Over the period from 1985 to 1990, the fertility rate in North African countries was more than five children per woman, against only 1.6 in Western Europe. The population was to increase by 50 million people in the 1990s.<sup>7</sup> Given this context, Southern Mediterranean governments favoured emigration to avoid rising unemployment and to increase remittances.<sup>8</sup> Finally, the wars in Algeria and Bosnia from 1992 onwards created migration flows, in part towards other Mediterranean countries.<sup>9</sup> To sum up, increased economic and demographic imbalances between the two sides of the Mediterranean, promotion of emigration by Southern Mediterranean governments, and armed conflicts were to cause ever-increasing migration to EEC Mediterranean countries.

These increasing migration flows between Mediterranean countries created greater interconnectedness between those countries. Italy, Spain, Greece and Portugal

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5. J.S. NYE, *Understanding International Conflicts: An Introduction to Theory and History*, Pearson Longman, New York, 2005, p.196.
6. ACCUE [Archives centrales du Conseil de l'Union européenne], Liste Rouge 68830, Rapport d'experts de la Commission au Conseil du 10.10.1990 sur les politiques d'immigration et d'intégration sociale des immigrés dans la Communauté européenne, 16.03.1990-13.04.1992. SEC (90) 1813 final.
7. R. KING, *Migration and the Single Market for Labour: An Issue in Regional Development*, in: M. BLACKSELL, A.M. WILLIAMS (eds) *The European Challenge: Geography and Development in the European Community*, Oxford University Press, Oxford, 1994, p.240.
8. ACE [Archives du Conseil de l'Europe, documents en ligne sur : <http://www.coe.int/lportal/web/coe-portal>]. Doc.6266, Migrants maghrébins en Europe. Rapport d'Antonio Romero (Espagne) et Jean-Pierre Worms (France), Commission des migrations, des réfugiés et de la population, 12.07.1990.
9. ACCUE, Liste Rouge 18371, Groupe coordonnateurs «Libre circulation des personnes». Réunions et travaux. CIRC 3642/92. Conclusions du Groupe des Coordonnateurs «Libre circulation des personnes», 26-27.05.1992).

became new immigration countries.<sup>10</sup> In the late 1980s, the number of foreigners in those countries was around two millions, half of them in Italy. The immigrants amounted then to around 2 per cent of Italy's population. Spain had about 650,000 foreigners, Greece nearly 200,000 and Portugal 150,000. Not all of these came from the Mediterranean basin, but there were many Tunisians, Egyptians and Yugoslavs in Italy, the latter especially in the Northern regions. Tunisian labourers were employed in Tuscany and Sicily. Tunisians and Egyptians worked as seamen by Greek or Sicilian ship owners. Senegalese street hawkers began to work in major cities. Similarly Eritreans, Ethiopians, Somalis and Sudanese came to Italy from further South. Origin countries of immigrants in Italy included Morocco, Tunisia, Yugoslavia, Albania and Senegal. In Spain, Algerians and Moroccans especially were numerous. Agricultural workers from Morocco multiplied in Catalonia. In Portugal, agricultural labourers from Cape Verde were employed in the Algarve. Cape Verdean women worked as housemaids in Portugal and other Mediterranean countries.

The interconnectedness between Mediterranean countries created by migration flows was also interdependence because of the costs associated with these migratory movements. Although a factor of growth, these flows imposed costs on certain actors in the immigration countries of Southern Europe, first and foremost among local unskilled workers.<sup>11</sup> In Spain, unemployment had risen dramatically in the previous decade, first because of diminishing emigration opportunities to Western Europe from 1973 onwards and second because of the high employment protection in Spain inherited from the period of the dictatorship. The unemployment rate thus rose from 2.62% of the active population in 1974 to 14.35% in 1981.<sup>12</sup> Immigration could create in Spain increased competition for the access of local workers to the few available jobs.

Moreover, and in part because of high employment protection in Southern European countries, an important part of the new immigration to those countries took place through clandestine channels and fuelled the underground labour market. Local workers were then all the more threatened. Among the million foreigners in Italy in the late 1980s, almost 40 per cent were clandestine according to the Consiglio Nazionale dell'Economia e del Lavoro (National Council of Economy and Labour). This proportion reached more than 33 per cent in Greece and Portugal, and even 45 per cent in Spain. In the mid-1980s, the number of illegal foreign workers in Greece would have reached 70,000 according to a report of the EEC Economic and Social

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10. For this paragraph: ACE, Doc.6211, *Nouveaux pays d'immigration. Rapport d'Alfons Cucó Giner (Espagne)*, Commission des migrations, des réfugiés et de la population, 24.04.1990; R. KING, op.cit., pp.234-235; T. PERLMUTTER, *Immigration Politics Italian Style: The Paradoxical Behaviour of Mainstream and Populist Parties*, in: *South European Society and Politics*, 1(1996), p. 233.
11. For this paragraph and the next: ACCUE, *Liste Rouge 32095, Avis de la section des affaires sociales du CES sur les travailleurs migrants*, 16.07.1984; CES 694/83, *Projet de rapport de M. Dassis*; ACE, Doc.6211, op.cit.
12. A. DESDENTADO BONETE, I. CRUZ ROCHE, *Las prestaciones de desempleo ante la crisis*, in: *Papeles de Economía Española*, 12/13(1983), pp. 317-335.

Committee. In the early 1990s, the estimation of the number of irregular migrants in Italy had increased to between 600,000 and 1,000,000. The underground labour market benefitted from the small size of Italian businesses and from the importance of domestic work. The small size, weak organisation and marginality of some firms in Southern European economies made them difficult to control.<sup>13</sup> Irregular employment was particularly widespread in the building, mining, textiles, clothing, footwear and farming sectors. Illegal employment, without contracts and characterized by easy dismissals, wages 35% lower than those in the legal market on average, and often below the legal minimum wage, opened admittedly greater employment opportunities in the countries on the North of the Mediterranean basin to migrants from the poorer South. But its expansion jeopardized the wage levels and the employment protection that local unskilled legal workers in immigration countries wanted to preserve. Indeed, as the labour supply in the clandestine labour market was high, some employers had an incentive to resort to that alternative market, decreasing the labour demand on the legal labour market, unless local workers accepted similar wages or working conditions to those practiced in the clandestine market. As a result, local unions mobilized against illegal employment. By the early 1980s, the Greek General Confederation of Labour asked the Ministry of National Economy to reduce illegal work. Local unions feared including immigrant workers in their strategies, because of the conflicting interests between those workers and the unions' core members. As a result, in France, Maghreb immigrants preferred their own associations to local unions, and immigrant workers were barely represented in local unions.<sup>14</sup> Local workers, represented by local unions, could thus experience costs if poor immigration continued, because of declining wages and deteriorating working conditions.

In addition, Southern European governments more directly experienced costs because of trans-Mediterranean immigration. Undeclared work did indeed constitute a significant lack of revenue for public finances, given the high numbers of illegal foreign workers. The underground economy, fed by the work of illegal immigrants, would have already amounted to 5% of Spanish GDP in the mid-1980s and between 20 and 30% of Italian GDP.<sup>15</sup> Moreover a clandestine existence could lead immigrants into violence and sometimes crime, leading to higher public security expenditure.<sup>16</sup> A 1990 report produced by the Council of Europe about the new immigration countries of Southern Europe underlined the high rate of foreign criminality in those countries.<sup>17</sup> In reaction, the Italian government offered, from 1986 onwards, amnesty programmes for clandestine immigrants who were in work. Nevertheless, these programmes were a failure and, by the deadline of 30 September 1988, very few immi-

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13. ACE, MMP (91) 4, Migratory movements from Central and East European countries to Western Europe. Document submitted by the International Organisation for Migration (IOM), Strasbourg, 1991.
14. ACE, Doc.6266, op.cit.
15. ACE, Doc.6211, op.cit.
16. ACE, MMP (91) 4, op.cit.
17. ACE, Doc.6211, op.cit.

grants had legalised their status. The larger underground economy, which their jobs were part of, prevented them from declaring their status.

Increasing migration flows across the Mediterranean therefore imposed costs on unions and governments in immigration countries. These costs transformed the interconnectedness between Mediterranean countries produced by those increasing migration flows into interdependence.

### Policies to Reduce Immigration

The first movement of EEC Mediterranean member states to manage that interdependence was to adopt policies to reduce immigration from other Mediterranean countries, without negotiation with Southern Mediterranean governments. First, Southern European governments supported the West German government, in the early and mid-1980s, in the violation of the agreement between the EEC and Turkey regarding the free movement of workers. In Article 12 of the 1963 Ankara Association Agreement with Turkey and Article 36 of the 1970 Additional Protocol to the Association Agreement, the EEC had committed to achieve the free movement of workers with Turkey by 1 December 1986 at the latest. Already in April 1981, in line with German views, the Ministers of Labour and Social Affairs of EEC member states agreed that this commitment could not be respected. As the West German Minister for Foreign Affairs Hans-Dietrich Genscher wrote to the president of the EEC Commission, in June 1981, the situation of the German labour market explained the German position.<sup>18</sup> At the end of November 1986 the EEC made a final offer to Turkey that was far from the free movement originally planned. In the negotiations between member states on the final offer, in October and November 1986, the Greek delegation supported the German delegation in considering that family reunification should be excluded from the proposal.<sup>19</sup> Greece wanted to limit family migration from Turkey, whereas this type of migration had become more important since the official stop to labour recruitment in the early 1970s. More radically, Greece wanted to include in the text of the proposal that immigration states could suspend the application of the proposal “for reasons of national security”.<sup>20</sup> As the text of the proposal did not include this, the Greek delegation raised a general reservation regarding the proposal. Greece should be able to oppose the installation of Turkish migrants within its territory, particularly in areas that might be subject to territorial claims.

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18. ACCUE, Liste Rouge 74534, Libre circulation des travailleurs; problèmes d'application de la décision n°1/80 du Conseil d'Association CEE-Turquie, 01.06.1981.
19. ACCUE, Liste Rouge 74145, Turquie. Avant-projet de décision du Conseil d'association relative à la mise en œuvre de l'article 12 de l'Accord CEE-Turquie (libre circulation des travailleurs), 14.10.1986. TR 15/86 REV. 1, Note de la présidence.
20. ACCUE, Liste Rouge 74142, Turquie. Communication de la Commission au Conseil concernant la mise en œuvre de l'article 12 de l'accord d'Ankara, 14.10.1986. TR 14/86 REV. 1, Rapport du Comité “Associations pays tiers/Turquie” au Coreper.

Moreover, according to the Community proposal, Turkish workers were not to benefit from Community priority for access to employment in the member states. The workers of the member states enjoyed priority for jobs within the Community according to Regulation number 1612 of 1968. To implement this priority, member states' employment offices exchanged their job offers before transmitting them to third countries. Nevertheless, Turkish workers were expected, according to the proposal, to benefit from a secondary priority. Once the exchange of job offers between member states had proven that there were no Community workers to fill in the job vacancies, then, according to the proposal, job offers could be transmitted to the Turkish employment office before the employment offices of other third countries. However, the proposal included two limitations. First, this secondary priority was not compulsory: the member state with job offers might or might not ask the Commission for this secondary priority to be implemented. Second, when the Commission transmitted job offers to Turkey, the Commission transmitted them again, simultaneously to the employment offices of other member states. With this second provision, the member states that were, within the Community, emigration countries benefitted from an additional protection to ensure that they actually had no workers to fill in the job vacancies and, eventually, to ensure the priority of their workers within the Community.<sup>21</sup> At that time, Mediterranean EEC member states could be either labour-importing states in general or labour-exporting states within the Community. With these two limitations to the priority for Turkish workers, Mediterranean EEC member states were in a position to limit Turkish immigration on their territories or elsewhere in the Community. Nevertheless, the decision not to respect the commitments taken in 1963 and 1970 was met with bitterness by the Turkish government, which rejected the EEC proposal of November 1986.<sup>22</sup> The situation of Turkish workers and members of their families in the EEC remained governed by the provisions of a 1980 decision of the EEC-Turkey Association Council (Decision 1/80 of 19 September 1980).<sup>23</sup>

EEC Mediterranean member states also agreed, in the course of their accession to Schengen Agreements, to French demands regarding their visa policies, so as to restrict Mediterranean immigration. The migration policy of the French government was determined, under both left-wing and right-wing parliamentary majorities, by the situation of the French labour market, which did not allow for the integration of additional unskilled workers. By the late 1980s, Mediterranean member states other than France had not developed restrictive immigration policies towards Eastern and Southern Mediterranean countries. The will to maintain good relationships with those

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21. ACCUE, Liste Rouge 74148, Turquie. Avant-projet de décision du Conseil d'association relative à la mise en œuvre de l'article 12 de l'Accord CEE-Turquie, 06.10.1988-28.01.1992. 10791/86 NT 24. Position de la Communauté approuvée par le Conseil du 24 novembre 1986.
22. ACCUE, Liste Rouge 74534, Libre circulation des travailleurs; problèmes d'application de la décision n°1/80 du Conseil d'Association CEE-Turquie. Ali Bozer (Ministre d'État chargé des relations avec les Communautés européennes) au Président du Conseil des Communautés européennes, 21.11.1986.
23. ACCUE, Liste Rouge 68422, Rapport de la Commission au Conseil du 22.06.1989 sur l'intégration sociale des migrants des pays tiers résidant de façon légale et permanente dans les États membres. SEC (89) 924 final.

countries prevented them from doing so. Italy and Spain, the main immigration countries among Mediterranean member states, did not demand visas for nationals of Morocco, Algeria, Tunisia, Yugoslavia, and Turkey, although those were the main Mediterranean emigration countries towards the EEC. Portugal did not require visas from Turkish and Yugoslav nationals, and Greece did not impose visa requirements on Moroccan and Tunisian nationals.<sup>24</sup> The French strategy in negotiating Schengen Agreements with only Germany, The Netherlands, Belgium, and Luxemburg was intended to develop common restrictive immigration regulations. Indeed those four states had similar policies to France in this field. Applicant states to Schengen Agreements would have to fully accept previously negotiated provisions. The abolition of controls at internal borders was a key element of the new Single Market and the Mediterranean EEC member countries, which had benefitted from the Common Market, would want to join Schengen Agreements.

When Italy asked to participate in the negotiations, deplored to be excluded from the reduced Schengen Group, the position of the French government was to accept Italian membership once the agreements were signed, provided that Italy accepted all the provisions of these agreements. Already in a December 1988 note, the cabinet director of the French Minister for European Affairs, Georges Chacornac, stated:

“We have no reservation in principle to the Italian accession to the Schengen Agreement, provided that Italy accepts [...] all the provisions of the existing agreement”.<sup>25</sup>

The main preoccupation for the French government had to do with the requirement of visas for the nationals of Maghreb countries, Yugoslavia, and Turkey.<sup>26</sup> The French government even seemed to consider that the mechanism of the negotiation to join Schengen Agreements, as Chacornac put it, “would give the Italians the pretext they needed to explain to the Yugoslavs why they were imposing the visa”.<sup>27</sup> This idea of a useful “vincolo esterno” for the Italian government, similar to that in the economic and financial area, did not necessarily fit completely with the preferences of the Italian government.<sup>28</sup> The Italian Minister of Foreign Affairs, Giulio Andreotti, indeed testified before the Italian parliament on 26 January 1989 that Schengen “created not a few difficulties” with North African countries and Turkey.<sup>29</sup>

Nevertheless, the incentive to join Schengen Agreements, the determination of France on visa issues, and finally the incentive of EEC Mediterranean governments to reduce immigration were enough to lead them, by the early 1990s, to define a

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24. AN [Archives nationales, Paris], Archives d’Élisabeth Guigou, 5 AG 4 / EG 68, dossier 1, Accords de Schengen sur la libre circulation des personnes et des biens. 1988-1989. Jean-Marc Sauvé (Directeur des Libertés publiques et des Affaires juridiques au ministère de l’Intérieur) au Premier Ministre, 06 février 1989.
25. Ibid., Note de Georges Chacornac (Directeur de cabinet du ministre des Affaires européennes) pour le Ministre, 09.12.1988.
26. Ibid., Jean-Marc Sauvé au Premier Ministre, 06.02.1989.
27. Ibid., Note de Georges Chacornac, op.cit., 09.12.1988.
28. A. VARSORI, *La Cenerentola d’Europa? L’Italia e l’integrazione europea dal 1947 a oggi*, Rubbettino, Soveria Mannelli, 2010, p.370.
29. Camera dei Deputati, 1990b, 72, S3. Quoted by: T. PERLMUTTER, op.cit., p.249.

restrictive visa policy towards other Mediterranean countries. As early as May 1989, the Spanish coordinator for the free movement of persons to the EEC Council of Ministers, Rafael Pastor, indicated to Élisabeth Guigou, special assistant to François Mitterrand for European Affairs, that “Spain had decided to request visas for Moroccans, Algerians and Tunisians, and that it would be announced in October”.<sup>30</sup> France, Germany, The Netherlands, Belgium and Luxemburg finally signed the Convention implementing the first Schengen Agreement in June 1990. The visa policy defined in the Convention was restrictive, an agreement having been reached during the negotiations on a long list of countries that were to be subject to visa requirements, to the delight of the French government, with only the case of Yugoslavia remaining under negotiation between Germany and France.<sup>31</sup> The negotiations for membership could then proceed, requiring other EEC member states to follow the provisions of the Schengen Convention on visa policy. As early as 1991, ten out of twelve EEC member states required visas for the nationals of all Arab countries.<sup>32</sup>

Finally, EEC and then EU Mediterranean countries agreed to strengthen border controls to comply with the requirements of Schengen Agreements. EEC Mediterranean member states other than France had until then been reluctant to implement stricter border controls for fear of harming their important tourism sectors.<sup>33</sup> What mattered for the French government was to stop poor, trans-Mediterranean immigrants as much as possible at the border. It did not want its efforts to restrain immigration from Mediterranean poor countries jeopardized by Mediterranean member states. It was an event to be feared if EEC Mediterranean member states were integrated into the Schengen area. In March 1989, the French Minister of the Interior, Pierre Joxe, wrote to the Prime Minister Michel Rocard and to François Mitterrand:

“What if tomorrow a serious political and social crisis in any of the Maghreb countries brought here waves of asylum seekers driven by perfectly justified motives, both political and economic”?

In September 1989, Jean-Marc Sauvé, Director of Civil Liberties and Legal Affairs at the French Ministry of the Interior referred in the EEC Council of Ministers to Mediterranean member states and Italy in particular when stressing “border control difficulties in countries rendered [...] vulnerable by very long maritime borders”. According to him, this favoured “increased penetration of the European area”.<sup>34</sup>

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30. AN, Archives d'Élisabeth Guigou, 5 AG 4 / EG 69, dossier 1, Préparation des accords de Schengen [...]. Compte rendu de ma rencontre avec MM. Yanes et Pons, conseillers de Felipe Gonzales, à Madrid, le 23 mai 1989.

31. AN, Archives d'Élisabeth Guigou, 5 AG 4 / EG 67, dossier 2. Préparation des négociations dans le cadre des accords de Schengen [...]. Note du Directeur adjoint du Cabinet du ministre des Affaires européennes relative à la réunion ministérielle des 12 et 13 novembre à Bonn, 14.11.1989.

32. Article of Serge de Waersegger in: *Le Soir*, 11.06.1991.

33. ACE. Doc.6211, op.cit.

34. ACCUE, Liste Rouge 1575, Travaux du Groupe des coordonnateurs (libre circulation des personnes). 3/2. 26.06.1989-30.10.1989. Réunion du groupe des coordonnateurs «Libre circulation des personnes», 15.09.1989.

The Italian government readily followed French recommendations in this area as well. In February 1990, the Martelli law redefined Italian immigration law in a restrictive way. The Socialist leader Claudio Martelli was at this time the Vice-president of the Council of Ministers, the second highest post in the government. In March 1990, he proposed using the army to patrol the coastline. In the Schengen Central Negotiating Group, on 31 May 1990, with regard to the Italian Schengen candidacy, the French delegation stressed “the need, [...] in clear and concrete terms, for common rules on the control of external borders”.<sup>35</sup> To facilitate its accession to Schengen Agreements, in November 1990, Italy informed other member states that it was about to adopt a new legislation to “control growing migration flows”.<sup>36</sup> Italy also led deterrent action in 1991 when it announced a state of emergency to drive back Albanian boat people and it later expelled about 20,000 Albanians.<sup>37</sup> Italy, Spain, Portugal and Greece joined Schengen Agreements between November 1990 and November 1992, readily agreeing to the policy of closing off trans-Mediterranean migration that France requested. This policy did however cause tensions in the Mediterranean area.

### Trans-Mediterranean Cooperation

Migration protectionism did not remove the interdependence between the countries of the Mediterranean basin. The migratory pressure in the Mediterranean continued to impose costs in EEC Mediterranean countries, leading EEC Mediterranean states to extend their cooperation with other Mediterranean states. Migration remained a major development lever for non-EEC Mediterranean countries. Migration regulated the imbalances between labour supply and labour demand in these countries, and contributed to the training of the workforce. Migrant workers were the source of significant financial transfers. Remittances in 1988 amounted to 22.5% of export revenue for Tunisia, and 35.6% for Morocco.<sup>38</sup> This migratory lever of development had become important given that the accession to the EEC of Greece (1981) and Portugal and Spain (1986) limited the access of Eastern and Southern Mediterranean agricultural products to European markets.<sup>39</sup> The migratory pressure was, in the late

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- 35. AN, Archives d'Alain Holleville, Adjoint officieux d'Élisabeth Guigou pour les affaires européennes et les sommets (1989-1990). 5 AG 4 / AH 18, dossier 1. Accords de Schengen. 1989-1990. Compte rendu de la réunion du Groupe central de négociation, 31.05.1990.
- 36. ACCUE, Liste Rouge 43450, Groupe coordonnateurs «Libre circulation des personnes». Conclusions de la réunion du Groupe des coordonnateurs du 16 novembre 1990 à Rome. Communication de l'ambassadeur Calamia.
- 37. ACE, Doc.6817, Migrations clandestines: passeurs et employeurs de migrants clandestins. Rapport de Christos Pahtas (Grèce). Commission des migrations, des réfugiés et de la population, 26.04.1993.
- 38. ACCUE, Liste Rouge 74814, Traitement par l'Assemblée sur les répercussions de la création du Marché unique de 1992 sur les travailleurs migrants des P.V.D. Parlement européen. A3-0393/91. Rapport de José Mendes Bota, au nom du Comité sur le développement et la coopération, 20.12.1991.
- 39. R. EDIS, *Does the Barcelona process matter?*, in: *Mediterranean Politics*, 3(1998), p.94.

1980s, stronger than ever. The presence of immigrant communities from the South in Northern Mediterranean countries created poles of attraction for chain migration. Clandestine immigration networks dispatched migrants to the hubs of undeclared work. Boats with crew and passengers carried away by the sea washed up regularly on Southern European shores, indirectly demonstrating the continuing migratory flow.<sup>40</sup> This pressure, in spite of closure policies, created persistent costs for Southern European governments, leading them to tackle the causes of migration pressure in the Mediterranean more thoroughly.

In the early 1990s, the governments of Mediterranean member states expressed to their European partners the importance of further trans-Mediterranean cooperation, in order to favour the development of Eastern and Southern Mediterranean countries. In September 1990, the Spanish and Italian Foreign Ministers, Fernández Ordóñez and Gianni De Michelis, jointly proposed dedicating 0.25% of the EEC GDP to foster economic growth in the Southern Mediterranean countries, in exchange for a commitment from beneficiary countries to reduce the migration flow to the North.<sup>41</sup> In March 1991, the Italian government organised jointly with the OECD an International Conference on Migration Flows in Rome.<sup>42</sup> In a December 1991 report on behalf of the Committee on Development of the European Parliament, the Portuguese member of the European Parliament José Mendes Bota invited the Parliament to adopt a resolution to regret that

“no action [had] yet been taken to implement the provisions concerning cooperation in the area of labour included in the cooperation agreements concluded since 1977 between the EEC and Maghreb countries”<sup>43</sup>

Finally, in his opinion on the 1991 activities of the OECD regarding migration and demography, on behalf of the Committee on Migration, Refugees and Population of the Parliamentary Assembly of the Council of Europe, the French deputy François Grussenmeyer also considered that it would be advantageous to “link [...] the granting of development assistance to the implementation of family planning programmes in the beneficiary countries”<sup>44</sup>. In various frameworks, the representatives of Southern European countries thus tried to draw the attention of other European governments to the situation of Southern Mediterranean countries and to encourage them to accept deeper cooperation with Southern and Eastern Mediterranean states, including development aid, labour and demographic policies.

With this perspective, EEC policies to reduce the pressure to migrate northward in the countries of the Southern Mediterranean came under consideration. As early

40. ACE, Doc.6211, op.cit.

41. *International Herald Tribune*, 25.09.1990. Cited by: ACE, MMP (91) 4, op.cit.

42. ACE, Doc.6491, Activités de l'OCDE en 1990 dans le domaine de migration et de démographie. Avis de M. François Grussenmeyer (France), Commission des migrations, des réfugiés et de la population, 12.09.1991.

43. ACCUE, Liste Rouge 74814, A3-0393/91, op.cit.

44. ACE, Doc. 6658, Activités de l'OCDE en 1991 en matière de migrations et de démographie. Avis de François Grussenmeyer (France), Commission des migrations, des réfugiés et de la population 15.09.1992.

as March 1990, the European Commissioner for Mediterranean and Latin American policy, Abel Matatues of Spain, envisaged a plan to reduce emigration from the fourteen non-EEC countries bordering the Mediterranean by allowing greater access for products from those countries to European markets.<sup>45</sup> A September 1990 report of experts produced at the request of the European Commission considered that “population pressure from poor countries [was] probably one of the major problems of our time”. The report called for a

“quantitative and qualitative strengthening of the forms of cooperation for the economic and social development of these countries and [for a] coordinated support to their possible population management programmes”.<sup>46</sup>

In a May 1992 resolution, on the basis of the report prepared by the Portuguese MEP José Mendes Bota, the European Parliament regretted the lack of cooperation with Maghreb countries in the area of labour, as proposed by Bota, and considered that the EEC should use its aid policy to encourage “labour intensive” activities in emigration countries, to promote, throughout the countries of the Southern Mediterranean, “regional cooperation policies that [would take] due account of the potential and the problems [...] of intra-regional migration” and to obtain “the establishment and implementation of demographic policies on the part of the developing countries concerned”.<sup>47</sup> Within European institutions, such as the European Commission and the European Parliament, Southern European representatives thus managed to convince their European partners to go forward in cooperating with Mediterranean countries. The importance of migratory pressure in the interdependence between the various countries of the region translated in the fact that the main considered themes of co-operation were intended to reduce migratory pressure in origin countries.

More broadly, this resulted in the creation of new institutions to implement the contemplated policies and manage Mediterranean interdependence. This creation of institutions was part and parcel of the dynamics leading to the partnership envisaged at the Barcelona Conference and to the Union for the Mediterranean. A European Centre for Global Interdependence and Solidarity was first established by the Council of Europe in Lisbon in May 1990. In 1992 it was to start a pilot project on trans-Mediterranean interdependence; the project intended to focus on measures to manage the changing relationships in the region.<sup>48</sup> A migratory observation centre was provided for in the EEC budget in 1991: with an allocation of ECU 1,000,000, it was to monitor migration flows in the Mediterranean and assess the extent to which Community development projects had contributed to the creation of local jobs and the containment of emigration.<sup>49</sup> On the model of the Conferences on Security and Co-operation in Europe in the 1970s and 1980s between Western and Eastern Europe, a

45. *Financial Times*, 11.03.1990. Cited by: ACE, MMP (91) 4, op.cit.

46. ACCUE, Liste Rouge 68830, SEC (90) 1813 final, op.cit.

47. ACCUE, Liste Rouge 74814, Procès-verbal de la séance du 14 mai 1992. Résolution A3-0393/91.

48. ACE, CM/Del/Dec(92)469, 469<sup>e</sup> réunion. Immigration de la rive Sud de la Méditerranée et du monde musulman, 23.01.1992.

49. ACCUE, Liste Rouge 74814, Rapport A3-0393/91, op.cit.

Conference on Security and Co-operation in the Mediterranean (CSCM) was held in June 1992, in Malaga (Spain), on the initiative of Italy and Spain.<sup>50</sup> Armed conflicts in the Mediterranean basin had then dramatic consequences on migration flows. In that context, the June 1994 Corfu European Council, under Greek Presidency, instructed the Commission to prepare a more comprehensive strategy for the Mediterranean. This led to the Euro-Mediterranean Partnership initiative, developed in 1995 under the French and Spanish presidencies of the European Council, leading finally to the agreement adopted by the 15 EU states and their 12 Mediterranean partners, at Barcelona on 28 November 1995.<sup>51</sup> The partnership was intended to establish a free trade area in the Mediterranean by 2010, in order to substitute trade flows to migration flows.<sup>52</sup> Unsurprisingly, Maghreb governments were concerned that the principle of the free circulation of persons was not recognized within that partnership.<sup>53</sup> The interdependence produced by migratory pressure in the Mediterranean thus led to more comprehensive cooperation in a variety of fields, with the creation of new institutions.

However, in spite of these institutional steps, the policies actually implemented remained reduced due to the limited interest on these issues in Northern Europe. This aspect has already been well developed by previous studies. As underlined by the political scientist Richard Gillespie, “crucial decisions affecting EU Mediterranean policy [needed] Northern European support”, for economic and financial reasons: those countries would have to pay the largest share of aid.<sup>54</sup> Northern European governments accepted Mediterranean cooperation in the context of the outbreak of violence in Algeria from 1992 onwards. As Gillespie considered, this event triggered “a gradual realisation that the Maghreb, in particular, is of importance to the entire European Union”, creating greater security concerns about an Islamist challenge.<sup>55</sup> Moreover, the Spanish Prime Minister Felipe González threatened to block progress towards the Eastern enlargement of the EU without EU commitments in the Mediterranean region.<sup>56</sup> Nevertheless, the Northern European commitment remained limited. Within the European Population Committee of the Council of Europe in January 1992, the representative of the United Kingdom believed that the study of demographic imbalances between the countries of the Mediterranean basin was not a priority and that it was not clear that such a study was actually relevant in that committee’s tasks.<sup>57</sup> While the Spanish Commissioner Manuel Marín had sought ECU 5.5 billion for the Euro-Mediterranean Partnership funding package, this amount was reduced by Northern European governments to ECU 4,685 million. Rather than direct aid, Northern European governments preferred that Eastern and Southern Mediter-

50. Inter-Parliamentary Union website: <http://www.ipu.org/iss-e/cscm.htm>.

51. R. EDIS, 1998, op.cit., pp.95-96.

52. M. MONTANARI, *The Barcelona Process and the Political Economy of Euro-Mediterranean Trade Integration*, in: *JCMS*, 5(2007), pp.1011-1012.

53. R. EDIS, op.cit., p.96.

54. M. MONTANARI, op.cit., p.1017.

55. R. GILLESPIE, op.cit., pp.67-68.

56. *El forcejeo con Alemania*, in: *El País*, 20.11.1995; Commission of the European Communities, 1994, cited by: R. GILLESPIE, op.cit., p.68.

57. ACE, CM/Del/Dec(92)469, op.cit.

anean countries created the conditions to attract foreign direct investment. As computed by the political scientist Marco Montanari, the financial resources allocated by the EU to partner Mediterranean countries amounted to 33 € per capita during the 2000-2006 period, while this amount was 209 € per capita for Central and Eastern European countries over the same period.<sup>58</sup> Richard Gillespie has already summarized it: "German, British and Scandinavian priorities continued to relate to Central and Eastern Europe".<sup>59</sup> Even on capital flows the impact of the Barcelona Process was limited. The main destination of EU foreign direct investment remained Central and Eastern Europe, reaching 21 billion Euros in 2000, against only 4 billion Euros towards Mediterranean countries.<sup>60</sup> The limited involvement of the wealthiest and most powerful European states in the Mediterranean limited the ability of Southern European governments to manage Mediterranean interdependence in a favourable way.

## Conclusion

To conclude, the migratory factor was a key factor of interdependence in the Mediterranean region and explains significantly the dynamics that shaped the relationships between Mediterranean states from the 1980s onwards. Increased trans-Mediterranean migration flows from the 1980s onwards interconnected the countries of the Mediterranean basin and made all Southern European countries immigration countries. In destination countries, there were winners and losers in this increased interconnectedness. The employment protection of local unskilled workers was threatened by poor immigration and threw immigrant workers into the underground labour market and sometimes into criminality. The costs then created by immigration for local workers and governments explain why Southern European governments used their capabilities to close their borders to immigration. Even if it was largely one Southern European government that drove this process, namely the French government, it seems that other Southern European governments were ready to implement some immigration closure. All Southern European governments recognized however that mere closure was not a way to eliminate the costs associated with interdependence. It was then necessary for Southern European governments to complement immigration closure with cooperation to reduce emigration pressure in origin countries: this required policies to promote labour-intensive industries in those countries, trade agreements, as well as policies of demographic control. This dynamic, which included in itself a part of institution building, is at the heart of the dynamics leading to the Barcelona Process and to the Union for the Mediterranean. Projects of trade liberalization, international division of labour, population control, constituting the core of that process, were intended to reduce local migratory pressure. Nevertheless, this

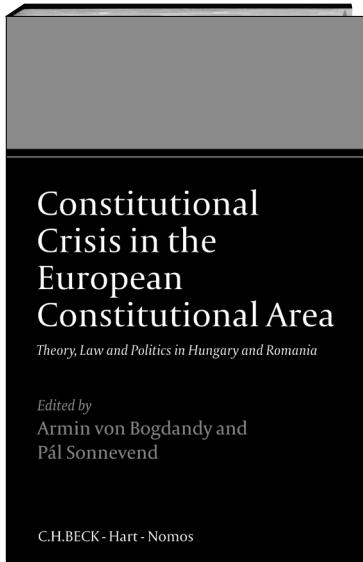
58. R. GILLESPIE, op.cit., p.67; R. EDIS, 1998, op.cit., p.98; M. MONTANARI, op.cit., p.1020.

59. R. GILLESPIE, op.cit., p.69.

60. M. MONTANARI, op.cit., p.1028.

strategy has not managed to solve the problem of international inequalities in the Mediterranean basin. Major donors of EU policies in the Mediterranean, namely Northern European countries, had a limited interest in this area, explaining their reluctance to support greater financial aid to the area. This article has highlighted a major dynamic leading to the Barcelona Process. It has demonstrated how the migratory factor created interdependence between Southern European countries and other Mediterranean countries. It has demonstrated as well the channels through which Southern European governments came to try to manage that interdependence. The interdependence created by the migration factor kept increasing in the following years. The migration factor has never been as relevant as in the last years in Mediterranean interdependence. The various barriers to immigration in Southern European countries in the context of the recent recession have contributed to destabilise economically and politically Southern and Eastern Mediterranean countries. Inversely, the migration flows created by subsequent Arab uprisings and civil wars have created much pressure on EU countries and led to ever increasing EU involvement in the area.

# Konzept eines europäischen Verfassungsraums



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Mit dem Konzept eines europäischen Verfassungsraums beschreibt die Rechtswissenschaft einen gemeinsamen konstitutionellen Raum, in dem die nationalen und internationalen Garantien mit dem Ziel zusammen wirken, die gemeinsamen verfassungsrechtlichen Werte zu bewahren. Dieses Konzept wurde bisher noch nicht auf den Fall angewandt, in dem die verfassungsmäßige Ordnung eines Mitgliedstaates durch ernsthafte Mängel bedroht zu werden beginnt. In diesem Sinne befasst sich das Werk mit den jüngsten verfassungsrechtlichen Entwicklungen in Ungarn und Rumänien. Es behandelt das Zusammenspiel zwischen nationalem, internationalem und europäi-

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