

THE EU-TUNISIA PRIVILEGED PARTNERSHIP – WHAT NEXT?

E. Cohen-Hadria (Ed.), T. Abderrahim, Y. Cherif, S. Colombo, E. Ghanmi, K. Kausch, H. Meddeb, G. Van der Loo, F. Zardo



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Foreword: EU and Tunisia, Who Will Take the First Step?

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On 15 May 2018, Tunisia and the European Union (EU) will hold an Association Council meeting where they are expected to adopt partnership priorities, the dedicated framework used since the review of the European Neighbourhood Policy (ENP) in 2015 in replacement of the former action plan. Since the last Association Council meeting in May 2017, some voices on both sides have called for an unprecedented leap in the relationship that would go beyond the partnership priorities. In fact, a number of initiatives have already been taken over the last few months and years, showing the readiness on both sides to break new ground. A few weeks ahead of the Association Council, this Joint Policy Study makes the plea for a significant leap in the relationship that would give an ambitious mid-term horizon to the partnership. While doing so, it also follows a realistic approach, fully acknowledging the constraints on both sides. This Joint Policy Study is the outcome of a joint effort undertaken by four Tunisian and four European experts as part of the activities of EuroMeSCo, the Euro-Mediterranean network of think tanks.

While this study does not offer a magical recipe and a detailed outline of what a possible renewed partnership could look like, the four chapters offer readers an invaluable wealth of information regarding the state of EU-Tunisia relations and hopefully some ideas on how to move forward. The main strength of this study derives from the fact that each chapter has been jointly drafted by a Tunisian and a European author. This allows a balanced analysis that does not focus only on the challenges of the Tunisian domestic situation but also on challenges in Europe. Both should be well understood as they have a direct impact on how the two sides engage in the reflection on the future of their partnership. The four chapters have been designed with a double objective in mind.

First, they set the scene and offer a picture of the situation in a specific pillar of the relationship and identify challenges that should be overcome. The first chapter offers very useful and general insights into the domestic context of the EU and Tunisia, an essential read in order to understand the interests on both sides that could be conducive to a deeper partnership but also the dynamics that may challenge this perspective. These range, for example, from the political and economic instability that hinders reforms and strategic thinking on the Tunisian side to the rise of right-wing identity politics or a trend toward a re-bilateralisation of relations with partners on the European side. The key concept that is put forth in the second chapter is inclusiveness. The chapter describes the failures of past policies in promoting inclusiveness and addresses the issue of marginalisation in Tunisia, focusing on the territorial imbalances but also on civil society and youth. It contends that EU-Tunisia relations have been dominated by the *mise à niveau* discourse as a way of facilitating trade cooperation, to the detriment of social aspects standing at the core of Tunisia's inclusive development. The authors of the third

and fourth chapters look into trade, migration and mobility, which are indisputably major blocks of the partnership but also arguably the litmus test of a renewed partnership. The third chapter is a reference when it comes to presenting the state of play of the Tunisia-EU Trade relationship with the publication in April 2017 of the initial texts of most Deep and Comprehensive Free Trade Agreement (DCFTA) chapters as proposed by the EU as a first basis for discussion. It also enumerates a series of technical, political and administrative factors that have an impact on the process. When it comes to mobility and migration, the main argument is that the EU-Tunisia partnership on migration and mobility can “advance” only if actors frame dialogue and the policy toolbox in a post-crisis scenario. The challenge will be to reconcile asymmetric interests and divergences, mainly concentrated in the third country nationals clause of the readmission agreement that both sides have started negotiating together with the visa facilitation agreement in 2016.

Second, the four chapters propose some ideas and principles that should be considered in order to move forward. The underlying assumption is that the upgrade of the relationship cannot be purely symbolic and limit itself to the adoption of a new label. It should instead entail tangible elements. The first chapter proposes a quantum leap for EU-Tunisia cooperation that could draw from some existing models but also be innovative when needed. While doing so, it argues that the perspective of an associate membership by 2030 could be formulated and a sequence be foreseen between now and then. The second chapter proposes to make inclusiveness the cornerstone of a renewed EU-Tunisia partnership, and argues that an unprecedented formula to address regional development in Tunisia and to involve civil society must be found as part of the partnership. On mobility and migration, the authors of the fourth chapter argue that the long-lasting demand for increased mobility beyond high-skilled citizens deserves a response by 2030. In the shorter term, it is argued that a first set of facilitations should be reached by 2020. Increased opportunities to travel using EU programmes such as Erasmus+ or Horizon 2020 are only the tip of the iceberg. Bureaucratic, financial and psychological burdens throughout the visa issuing process should be addressed, seizing the opportunity provided by the amending process of the community code on visas. On readmission, an advanced partnership should ideally exclude the third country nationals clause. Yet, readmission, return and reintegration can no longer be on the front burner of cooperation on migration and mobility, nor can the mobility dimension be questioned at any surge in arrivals from the central Mediterranean route. On trade, the authors argue that one option could be to consider first a more limited “traditional” Free Trade Agreement (FTA) should it prove difficult for Tunisia to comply with reforms associated with the DCFTA. This FTA could include a chapter on the liberalisation of agricultural products among other

features. In the short term, this move could alleviate some concerns coming from various segments of the population in Tunisia and could be considered as a stepping stone towards a more ambitious DCFTA in the longer term.

In general, making interests fully converge will not be an easy ride. At the time of writing these lines, the reflection on the long-term horizon of the partnership, initiated in autumn 2017 on Tunisian initiative through discreet but high level exchanges between the Tunisian Foreign Ministry and European institutions is still stuck and resembles a dialogue of the deaf for external observers. While the EU seems to send cautious signals that suggest that a long-term and ambitious vision is difficult to craft as long as Tunisia does not prove capable of proceeding with basic reforms, Tunisian authorities tend to assume that an ambitious agenda when it comes to Tunisia's relations with the EU is needed to justify unpopular reforms. Like teenage first love, both sides are waiting for the other one to make the first move. In 2017, the Tunisians promised a "non-paper" that would outline Tunisian expectations and feed the joint reflection on the future of this partnership. At the time of writing, this has not materialised and Tunisian authorities, in particular in the Tunisian Ministry of Foreign Affairs, have been rather reluctant to engage with researchers or think tankers, a position that could at best reflect the desire from the Ministry to first have a well-established stance internally before widening up the consultations. In fact, the experts involved in this research have witnessed a change in the prevailing mood over the last few months. As reported in the first chapter, while the Tunisian Foreign Minister declared in an interview in July 2017 with a major Tunisian newspaper that Tunisia had outgrown the limits of the ENP and that an ambitious formula had to be found, Prime Minister Chahed in a recent high level meeting with one of the big EU member states said that the ENP was the relevant framework to further develop the relationship without hinting at the need for a new framework.

However, as explained in the first chapter, there are strong theoretical and practical arguments that would speak in favour of moving away from the business as usual mode. On the EU side, the credibility of the ENP is at stake. The 2015 revision of the ENP strengthens the concept of differentiation, i.e. the idea that the EU needs to adjust its offer depending on the eagerness of its partners. The argument goes that, should Tunisia formulate an unambiguous and credible desire to get closer to the EU, the EU would need to deliver. Thus, it would remain credible and attractive for other neighbourhood countries. In other words, proposing an ambitious agenda to Tunisia would also assure the EU a regained credibility that it has partly lost with some of its neighbours over the last few years. The EU has already invested a lot in the democratic transition of Tunisia, both in terms of narrative and actions. As mentioned above, offering Tunisia an ambitious

agenda would not depart from strategic choices that have been made over the last few years. In addition to the credibility and continuity arguments, there is also the feasibility one: Tunisia is in theory not a “difficult” country in political and geopolitical terms for the EU. There are no major divisions within the 27 member states when it comes to Tunisia as there can be with other countries of its neighbourhood. Offering an ambitious agenda for Tunisia should not cause major concerns for third parties as it would if the EU offered such an agenda to other countries such as Georgia and Ukraine. Divisions within the EU often result in bureaucratic, substanceless and unattractive EU policies that are often criticised by EU neighbourhood partners. For all these reasons, and others, Tunisia is a good place to start with such a political and ambitious vision.

On 15 May 2018, it would be odd if the outcome of the Association Council were limited to the adoption of partnership priorities. While it is not to be expected that a new and fully-fledged model of partnership would be presented, we submit that there should be some language on an ambitious mid- to long-term perspective and to a possible sequence of objectives leading to that horizon. 2020 could be a first date with expected deliverables on trade and mobility. 2024, which will correspond in principle to the end of mandates of both the next European Commission and the President of the Republic of Tunisia, could be another milestone. 2030 could be an ultimate objective to reach the status of a new associate membership that would entail a number of advantages, subject to legal and political approximation. In sum, as the HR/VP Federica Mogherini put it after a meeting with the Tunisian Minister of Foreign Affairs Khemaies Jhinaoui on 5 February 2018, “2018 should not be, and cannot be, just another year in our bilateral relations.”

Reluctant Pioneers.
Towards a New Framework for EU-Tunisia Relations

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Introduction

Both Tunisia and Europe are at a crossroads. Tunisia's slumping economy threatens to drag down the political transition, while in Europe centrifugal forces within oblige the bloc to redefine what criteria should govern its relationship with close external partners. In this constellation, there is a window to forge a new model of what Europe's relations with neighbours of great political affinity could look like.

Tunisia and the European Union (EU) have agreed to reflect on ways to give their relationship a new boost. Three parallel processes are underway. Firstly, a roadmap of urgent short-term reforms for the coming months has been suggested by Commissioner Johannes Hahn to boost the momentum of the Tunisian transition and undo reform deadlock. Secondly, in the mid-term perspective, a set of strategic priorities, by and large echoing the big headings already agreed in the terminating Privileged Partnership Action Plan (2013-2017), is expected to be adopted at the EU-Tunisia Association Council in May 2018 as the new framework to structure relations until 2020. And, thirdly, at Tunisian request, a conversation on a long-term perspective that reflects the country's special status and ambition beyond the margins of the current EU neighbourhood framework has been initiated (structured around so-called "brainstorming" meetings of EU and Tunisian senior civil servants). While the short- and mid-term roadmaps of the relationship are largely set, there is no clear idea on either side where the road jointly travelled is supposed to lead.

The domestic needs and constraints of the partners, as well as their interests and priorities in the relationship, set the stage on which such a future framework for EU-Tunisia relations can be forged.

Domestic Context, in Tunisia and the EU

The View from Tunisia

Tunisia is often praised as the only democracy in the Arab World. Having ticked most of the formal boxes of an early-stage democratic transition, such as freedom of the press, licensing dozens of political parties and free and fair elections, while avoiding the major violent clashes its neighbours experienced, and despite many setbacks and risks, Tunisia largely seems on the right track towards consolidating its democratic gains.

After a wave of terrorist attacks that rattled the country between 2013 and 2015, the security situation has gradually improved (Watt, 2017). While the continued fighting in

neighbouring Libya and the prospect of returning foreign fighters remain important challenges, Tunisia's national security seems out of the immediate danger zone of falling into the hands of Islamist extremists; a fear that many observers expressed when thousands of Tunisians flocked to ISIS. According to official Tunisian government figures, tourism has almost recovered to its pre-2015 levels (Ministère du Tourisme et de l'Artisanat, 2016).

The EU has accompanied the Tunisian transition to democracy since its early stages, offering multiple aid packages in different sectors and forms. Yet its underlining of what some would call the Tunisian exception often obfuscates major problems, such as economic hurdles, authoritarian tendencies of its political elite (International Crisis Group, 2018) or the unreformed security sector (Sayigh, 2016).

Despite positive developments in politics and security, the 10 successive governments that have ruled Tunisia since 2011 were not able to make great strides on the country's most pressing issue: the economy. Throughout the transition, political dialogue was prioritised over economic reforms, and many Tunisians would agree that political freedoms remain the only achievement of the Revolution. The economy has not improved, quite the contrary. Unemployment rose from 12.5 to 15.5% between 2010 and 2017 (Institut National de Statistiques Tunisien [INS], 2018). Among youths, it is around 35%. Inflation went from 4.5 to 6.4% during the same years. Growth has been limited to less than 3%, while the World Bank estimates more than 4.5% per year would be needed for the country to solve its unemployment problem (The World Bank, 2013). Several violent anniversaries have passed since the departure of former dictator Zine El Abidine Ben Ali in January 2011, most recently the massive protests of January 2018. For the average Tunisian citizen, life has become costlier since the Revolution. Some would blame it on the Revolution itself.

At the same time, frequent crises and splits among political parties and a high fluctuation in the composition of government have hampered the ability of government and parliament to tackle people's pressing economic needs. The feebleness of political representation is coupled with high levels of corruption inside the public sector (Yerkes & Muasher, 2017), both of which weaken state institutions and the people's confidence in their resilience.

Popular discontent, fuelled by an anti-democratic discourse widespread on local and international media (Cherif, 2017), led many Tunisians to long for a return of the authoritarian system of governance. The threat of terrorism makes such arguments

legitimate for many citizens. Moreover, the lack of a Constitutional Court adds another layer to the fragility of Tunisia's democracy as it leaves the interpretation of the Constitution without checks, putting major political gains at risk in case a major constitutional crisis emerges.

Tunisia is walking a constant tightrope between upheaval and progress. As the economy lags behind political developments, the coming months will be critical for Tunisia to sustain the momentum of the transition with the backing of the population. This situation is affecting how Tunisia envisions its relations with the EU.

The economic urgency Tunisia is facing makes the reforms requested by the EU tough to implement. Moreover, the government's weakness makes it vulnerable to popular criticism, and any decision it may take vis-à-vis a question as central as Tunisia's relations with Europe will be met with scepticism and opposition. Moreover, the ever-present risk of a government shuffle (there have been 10 since 2011) means that Tunisia's negotiating positions towards the EU can change course quite frequently, and abruptly.

The View from Europe

Since 2011, the changing geopolitical environment in and around Europe has raised the foreign policy challenges for the EU while simultaneously reducing its capacity to influence them. The referendum voting for the United Kingdom (UK) to leave the EU was both a symptom and aggravator of an existential EU crisis. European soul-searching on its global role has been further accelerated by the sense of unpredictability emanating from the Trump White House. The rise of right-wing populist identity politics in Europe with its xenophobic, anti-Muslim discourse has changed European politicians' priorities. Both the EU's structural and identity crisis and the changed geopolitical environment in which it operates condition its foreign policy in multiple ways.

There is a window ahead for a renewed EU to enhance its diplomatic weight as an (albeit damaged) beacon of liberal internationalism. However, as this notion is being forcefully challenged from within, the external projection of these ideals has taken a relative backseat. In its southern periphery, Europe has lowered its expectations in the light of rising challenges and dwindling influence. European capitals' main immediate concern looking south is to keep instability from spilling over to Northern Mediterranean shores. Europe's domestic dynamics, paired with the threat perceptions triggered by the 2015/16 migration crisis, changed the perception of the European public on political developments in North Africa. The instrumentalisation of the refugee problem by rising right-wing populists in Europe has come at the expense of nuance, making issues like

visa facilitation/liberalisation with Arab countries politically difficult. The notion of the current political environment being “not conducive” to any great leaps in the relationship with Tunisia was prominent throughout interviews conducted for this chapter. (Authors’ interviews with EU and EU member states’ officials, diplomats and civil society representatives, in Brussels and Tunis, October 2017 to February 2018.)

Beyond Europe’s domestic and Middle East and North Africa (MENA) regional dynamics, other key international players’ evolving engagement in Tunisia also influences Europe’s role and standing there. The decreasing interest of the United States (US) in and commitment to Tunisia under the Trump Administration makes Europe’s support even more important. The Gulf States’ and particularly Qatar’s investment in Tunisia, despite the unavailability of reliable data on these flows, in some instances reduces the impact of, and negotiating power stemming from, European monetary contributions.

The rise of right-wing identity politics in Europe that thrive on ideas of xenophobia and political entrenchment and focus their hostile public discourse on Arab immigrants poses a stark challenge for the EU’s strategic cooperation with Arab partner countries. Europe’s relations with Tunisia, and the commitments EU member states are willing to make, must be seen against this background. Unlike in the immediate aftermath of the 2011 uprisings when the European public was passionate about supporting Arab people’s fight for freedom, today European citizens feel overwhelmed by late spill-over from the post-Arab Spring, and the mood is not conducive to any major commitments to tie the continent closer to the Arab world. While it has long been common knowledge that helping Tunisia to prosper would imply granting market access in some of the few products it could have a comparative advantage in, these are largely agricultural products that have met with fierce resistance by Southern European farmers. Due to such vested interests, EU capitals diverge in their readiness to make even relatively minor concessions for the sake of boosting the Tunisian economy. For example, a two-year preferential olive oil import quota granted to Tunisia in April 2016, despite its very limited and temporary nature, met with significant resistance from olive oil producers in Spain and Italy.

The European trend toward a re-bilateralisation of relations with partners in the neighbourhood is also felt in Tunisia, as made evident by Emmanuel Macron’s recent speech to the Tunisian Parliament in which he did not once mention the European dimension of relations. Member states’ reverting to their long-standing bilateral ties is likely to further reduce incentives across Europe to invest significant political and economic capital into a new push for EU-Tunisia relations. The overall political setting in which EU-Tunisia relations are set conditions an environment with very little appetite for closer formal ties. This political

context in Europe is conspicuously absent from policy documents on EU-Tunisia relations, which focus on developments in Tunisia only. Formal discourse keeps suggesting EU-Tunisia relations are all about supporting Tunisia's transition as if they were taking place in a geopolitical vacuum.

Within the EU institutions, there is also reluctance to discuss long-term commitments with Tunisia due to uncertainty over the continuity of current EU policy frameworks and instruments such as the European Neighbourhood Policy (ENP) and the European Neighbourhood Instrument (ENI). While some EU bureaucrats see EU-Tunisia relations defined by, and limited to, EU policy frameworks, others stress that in the present climate of European renewal a strategic perspective on EU-neighbourhood relations, including with Tunisia, should be designed without regard for the constraints imposed by existing instruments.

If such a new framework were to be designed, what are the main interests each side would like to see covered by the partnership?

Needs and Interests

Tunisia's Interests

A consensus on Tunisia's interests in its relations with the EU is hard to come by. European diplomats rightfully complain about the absence of a Tunisian vision, clearly articulated in a non-paper, which would end ambiguities towards the level of closeness Tunisians want with Europe and the concessions they are willing to make for this purpose. Tunisian policy analysis describing Tunisia's vision and desirable long-term strategy towards its northern neighbour is scarce (Institut Tunisien des Études Stratégiques [ITES], 2017). Moreover, most analysis available about EU-Tunisia relations is in French or English, while very little quality analysis exists in Arabic. Furthermore, these reports are often EU commissioned and funded but rarely emanating from Tunisia or Tunisian institutions. For example, the European Commission has financed an impact assessment for the Deep and Comprehensive Free Trade Agreement (<http://www.trade-sia.com/tunisia>). All these factors have confined the EU-Tunisia debate to elite circles, away from the general public's scope.

As the option of a DCFTA with the EU is being discussed, a number of studies were published on the nature (Ben Ahmed, 2017), relative benefits (Institut Tunisien de la Compétitivité et des Études Quantitatives, [ITCEQ] 2016) and disadvantages of a

deeper economic relationship between the two sides (see further details in the chapter by Elyes Ghanmi and Guillaume van der Loo in this volume). However, these nuanced analyses have rarely reached public debate. While the broader relationship with the EU has hardly been subject to public discussion, the prospective DCFTA has been discussed quite exhaustively, and has been largely portrayed as unfavourable to Tunisian interests. Despite the scheme still being under negotiation, the outlook of a DCFTA has received strong criticism from local and international civil society groups such as the Tunisian Forum for Economic and Social Rights (FTDES) (FTDES, 2018), IACE, UTICA and UTAP¹ (Arab Institute for Business Managers et al., 2017), UGTT, Rosa Luxemburg Foundation (“Tunisie-UE: Présentation d’une Études d’Évaluation”, 2016), Euromed Rights (Mahjoub & Saadaoui, 2015), AITEC (Robert et al., 2016), and others. Critics are broadly united in their fears that the DCFTA will have an overwhelmingly negative impact on Tunisia’s economy and involve too broad concessions to EU legislation at the expense of national sovereignty.

At the same time, Tunisia’s pressing economic and social needs have led to consistent requests by Tunisian policy-makers and civil society, notwithstanding the criticisms and fears of the DCFTA, to get more financial support from the EU, possibly through an extension of the European structural funds methodology to Tunisia, a request that had also been put forward by other neighbours at some point. The European Parliament has responded positively to these requests, stressing the need to accompany the Tunisian transition by allocating funds and targeting several sectors (European Parliament, 2015).

EU help remains especially valued in continued support for the process of democratisation. This includes technical assistance programmes such as working with Tunisian counterparts to build a functioning parliament, consolidate decentralisation and develop a vibrant civil society, be it through direct EU programmes or the different European foundations and non-governmental organisations (NGOs). Financial assistance from Europe (around €2 billion between 2011 and 2016) (European Commission, 2017a) is also much needed in protecting a democratic Tunisia.

One of the major demands of Tunisian policy-makers and civil society leaders alike is better access to European universities and research institutes. The allocation of an extra €10 million for Tunisian students to benefit from Erasmus+ in 2017-18 is therefore a step in the right direction, as is the fact that as of January 2016, Tunisia has become the first Arab country to fully benefit from the Horizon 2020 research programme. On the same line, Tunisians are asking for a transfer of knowledge and technologies, be it via programmes implemented in Tunisia or by training Tunisians in Europe and using their newly-acquired knowledge once back home (Accord de Libre-Echange Complet et Approfondi [ALECA] 2017).

¹ IACE is the Arab Institute for Business Managers, a liberal think tank close to UTICA, the Tunisian business union. UTAP is the Tunisian agriculture union.

Perhaps most importantly, mobility is a recurrent request by Tunisian negotiators and citizens alike. Tunisian citizens face extreme difficulties when travelling to Europe, be it for leisure, medical care, study or work. Moreover, qualified Tunisian university graduates, especially in the fields of engineering and technology, frequently find a job in Europe but end up blocked by the visa procedures and difficulties (“ Le nombre d'ingénieurs au chômage a doublé”, 2017).

Regarding the mobility of goods, the Tunisian business community suffers from a small domestic market and numerous export barriers on Tunisia's eastern and western borders. Libya's security situation in particular endangers prospective businesses and migrant workers, and Algeria's regulated economy complicates foreign investment. 65.5% of Tunisia's trade is with the EU (European Commission, 2017b), and demands from the Tunisian side to increase the country's tariff-free quota in the export of specific products the country is competitive in (following the example of the temporary preferential quota on olive oil already adopted by the EU) are met with resistance from a number of European capitals.

Such demands for free trade and mobility partially clash with the mentioned concerns among the Tunisian public that the loss of sovereignty implied in a DCFTA would involve excessively strong European oversight on Tunisian politics and economy, and that an agreement that is not well negotiated may lead to flooding the Tunisian markets with European goods. Moreover, some warn that Tunisia's adoption of EU norms would isolate it from its North African neighbourhood, becoming unable to do business with its most immediate neighbours Algeria and Libya (should Maghreb trade take off in the future). There are also widespread worries about the capacity of Tunisian industries that may be unable to cope with sophisticated new regulations. Finally, there are fears that European mobility policies that focus on highly skilled professionals will encourage a brain drain of Tunisia's best and brightest. Facilitating the visa procedures and increasing education scholarships may, according to this view, drive many towards emigrating out of the country.

On top of these concerns, the inclusion of Tunisia in two separate “blacklists” in 2017 (Mzalouat & Lac, 2017) and 2018 (Ducourtieux & Bobin, 2017) (the first one designed Tunisia as a tax haven, the second stipulated that the country is at risk of money laundering and financing terrorism) have further heightened suspicion vis-à-vis the EU's intentions among Tunisian policy-makers and citizens alike. Some Tunisian observers conclude that these two events, while said to be pure technical issues, serve as a means of exerting pressures on the Tunisian government as it negotiates the DCFTA and other agreements with the EU.

The scarce Tunisian debate about the broader relationship with Europe is also linked to the way Tunisians define their own identity (Jendoubi, 2017). According to an EU Neighbours poll conducted in 2017, 47% of Tunisians see the EU favourably while only 16% have a negative image of the EU (EU Neighbours South, 2017). Many young Tunisians dream of working and living in Europe, and Tunisian officials fervently defend alignment with Europe as Tunisia's only choice. Some Tunisian diplomats even express their opinion that their country should aspire to full EU membership, all the while acknowledging that such hopes would find no majority on either side of the Mediterranean ("Carnet de reportage", 2018). However, there is a disconnect between the preferences of ordinary citizens and political elite. Many Tunisian citizens see themselves primarily as Arab and Muslim, and perceive Europe mostly as a continent of former colonial powers ("Les faces cachées de la relation", 2016).

Having adopted a democratic political system, Tunisia has somewhat drifted away from its neighbours, who eye Tunisia's democratic trajectory with suspicion. As the years following the departure of former President Ben Ali have amply shown, MENA countries have little interest in helping Tunisia politically or economically to help advance its transition. Moreover, Tunisia does not want to be compared with its neighbours any longer, and these neighbours in turn have little to offer. This desire for a new frame of reference has stark implications for the way Tunisia wants to interact with Europe. As expressed by Tunisian Foreign Minister Khemaies Jhinaoui recently in an interview ("Entretien avec Mr. Khemaies", 2017), many among the political elite in Tunisia feel that the country has outgrown the margins of the ENP.² Tunisia's strategic choice as its main political and economic partner, the message goes, is Europe, not its Arab peers.

It is with these mitigated views and demands that Tunisia is considering its future ties with its northern neighbour.

Europe's Interests

The 2011 Arab uprisings and their troubled aftermath have fundamentally changed the way European policy-makers and publics think about the Arab world. It taught Europe the lesson that democratic development in its immediate vicinity is a matter of strategic European self-interest as much as it is a normative goal. As foreign and domestic policy became indivisible, Arab democracy and development morphed from someone else's problem to being Europe's, too. The normative notion of helping our neighbours was something many European citizens sympathised with in the wake of the Tunisian revolution, without this necessarily translating into broad support for concrete sacrifices in controversial areas such as mobility or market access. Following the 2015/16 migration exodus, the normative but

² Although it remains unclear whether this was a mere comment, a symbolic request or Tunisia's vision for the future of the relationship.

slightly paternalistic European view on North Africa came to be flanked by a sharper strategic dimension driven by self-interest. These two perspectives on Europe's interest in Tunisia – normative and strategic – still shape Europe's view on EU-Tunisia relations.

Tunisia is not decisive for Europe's current top foreign policy concerns in the MENA region and has no economic or political resources of immediate consequence for Europe. Tunisia is a small market and has no decisive role in tackling the political and security dossiers that are currently on top of the EU's priority list (despite the recent renewed concerns on the migration front explained in the chapter co-authored by Tasnim Abderrahim and Federica Zardo in this volume) as it is not a major migration transit country and has a limited (albeit helpful) role in the Libyan war. The relative weight of being the only survivor of the 2011 Arab uprisings and of the positive signalling effect of a genuine Arab democracy, until a few years ago Tunisia's main political asset in Europe, has dropped in the EU's relative list of priorities.

Although many Europeans still feel strongly about the moral obligation to project and support the values Europe stands for beyond its boundaries, the interest of seeing Tunisia's democratic transition succeed is too often being reduced to the lofty notion of a desirable "democratic precedent" in the Arab world. While there is still significant sympathy for Tunisia's transition in European capitals, questions about the staggering pace of reforms are becoming louder. As of today, Tunisia is mainly left with its symbolic and moral value of being the only Arab democracy, which is used as the main negotiating asset vis-à-vis Europe. But the strategic value of the prospect of a democratic, stable and reliable regional partner as a potential asset and anchor for the EU in North Africa remains too theoretical and lofty as the main driving force to lift EU-Tunisia relations to a new level. Yet Europe's interest in Tunisian success goes deeper.

In the short term, Europe's interests in Tunisia are to stabilise the country, safeguard the shaky transition and prevent security spill-over to Europe. For these purposes, a roadmap with short-term priorities for urgent economic reforms to implement in the coming six months was drafted under the auspices of EU Commissioner Johannes Hahn. In the mid and longer term, Europe's strategic interests in Tunisia are supporting the transition for both moral and security reasons, stabilising its neighbourhood and preventing security spill-over to Europe in terms of migration and terrorism.

From a longer-term perspective, however, seeing Tunisia's transition succeed has a number of strategic advantages for Europe. The most obvious is the much-invoked signalling effect that a strong and prosperous Tunisian democracy would send across the Arab world and

beyond. From a regional geopolitical perspective, having a reliable, predictable partner that shares European values in the midst of the Arab world bears valuable potential. While Tunisia is a geopolitical dwarf today, it is unlikely that it would remain so as a consolidated democracy. Already over the last few years, Tunisia has aimed to punch far beyond its diplomatic weight in its attempts to help broker peace in Libya or to ease long-standing rivalries in the Maghreb. As a small country with no meaningful geopolitical assets of its own, a democratic, prosperous Tunisia is likely to seek a higher diplomatic profile by means of a key comparative advantage: the only Arab country enjoying the trust of Europe and the US on the eye level of a democratic peer.³

At the same time, in part despite and in part because of this lack of regional significance, Tunisia offers the perfect conditions for making these interests a reality. Tunisia is of small, manageable size, suffers no in-fights on energy or other natural resources, and its geopolitical insignificance has proven an asset to its democratic trajectory rather than a hindrance. At the same time, establishing consensus on Tunisia within the EU is easier than in most other cases because of the comparatively low level of vested interests within Europe. Unlike in relations with most other MENA countries, there are no major divisions among member states on Tunisia as there can be on other neighbourhood countries, including Morocco. Tunisia, therefore, would be well-placed for an ambitious implementation of the differentiation principle.

As the EU is engaged in soul-searching on how to approach its periphery and on its role in the world more broadly, Tunisia appears to offer a handy testing ground for decisive EU action in the neighbourhood. Instead of lingering in reactivity, the EU should project itself as an active player in its periphery and not wait for the next crisis to act. Tunisia, both in its own right and as a testing ground for a new framing of the EU's engagement with close strategic partners in its immediate vicinity, is the ideal place to act.

This view makes sense from an elite point of view that is familiar with regional geopolitics and long-term strategic thinking. But how would the European public view such undertakings of tying Tunisia closer to the EU? European public opinion is sympathetic to Tunisia as the beacon of the Arab Spring. However, as Tunisia rarely makes the headlines, there is hardly any public debate on the more strategic questions on if and why it would make sense to bring Tunisia closer to Europe. In the absence of such public debate, Tunisia is likely to be conflated with negative general perceptions of the Arab world as importers of unwanted and uncontrolled migration, terrorists and Islamisation of European societies. A 2017 Pew poll shows that on average, 79% of Europeans are concerned or very concerned about the spread of Islamic extremism in Europe (Pew Research Center, 2017). In a 2017

³ Numerous examples (such as Oman's in the Gulf) show that small and otherwise insignificant states can successfully position themselves as regional brokers when they enjoy the trust of a broad range of key actors.

representative poll by the Koerber Stiftung on German attitudes on foreign policy, 64% of respondents thought the protection of human rights is an important priority of German foreign policy, while only 24% were in favour of active German support for democratisation processes abroad. At the same time, refugees were considered Germany's biggest foreign policy challenge (2%), and 56% were in favour of a maximum quota for refugees. Ensuring the security of Germany and its allies and fighting terrorism was considered the most important priority by an overwhelming majority of respondents (7%) (Koerber Stiftung, 2017).

Available data shows that this perception clearly does not match Tunisia's reality. Although over 80% of Tunisian emigrants head to Europe (De Bel-Air, 2016), the 530,000 foreign-born Tunisian passport holders legally residing in the EU make only up 1.7% of foreign-born residents, and 0.1% of the EU's total population ("Top 20 Foreign-Born Communities living in the EU", 2015). Similarly, a number of high-profile terrorist attacks in Europe, including the 14 July 2016 Bastille Day attack in Nice and the 19 December 2016 attack on a Berlin Christmas market, committed by Tunisian citizens, have had a disproportionate impact on European threat perceptions of the Tunisian extremism. The lack of an informed picture of Tunisia in European public debate and abyss between elite and public knowledge and opinion on Tunisia means that, in the view of most EU officials, public opinion might not view a closer EU association, or the bestowing of qualitative privileges on Tunisia, with a favourable eye.

A Quantum Leap for EU-Tunisia Cooperation

Tunisia's relations with the EU have already pushed boundaries. The Joint Communication by the European Commission and the High Representative on EU-Tunisia relations of 29 September 2016 (European Commission, 2016), which ably outlines what Tunisia needs to do and how the EU intends to help but fails to detail why and how the EU benefits from a democratic and close Tunisia, was the first joint communication on a southern neighbourhood country. Tunisia was also the first non-EU country to become fully associated to the Horizon 2020 research programme. The 2014 EU-Tunisia Mobility Partnership provided the framework for the launch of negotiations on visa facilitation and readmission in 2016, and negotiations on visa facilitation did indeed begin in 2016. The regular tripartite dialogue with civil society on the main areas of EU-Tunisia cooperation is the only one of its kind in the region. An EU-Tunisia Joint Parliamentary Committee has held three sessions since its inception in 2016. The EU introduction of a duty-free tariff quota for olive oil of 35,000t per year, although explicitly an exceptional measure limited

to two years, pushed boundaries in the notoriously protectionist EU agricultural sector. EU financial assistance to Tunisia has more than doubled since 2011, and total EU support to the country from 2011 to 2017 went up to €3.5 billion (European Commission, 2017b).

On the symbolic level, Tunisia was singled out among its Arab peers by being formally acknowledged as official “privileged partner” of the EU in 2012. However, the unclear added value of such a label, alongside the random use of the term “privileged partnership” by the EU to denominate alternatives to EU membership with a range of countries in the past, makes it doubtful that this light symbolic compliment will suffice to convince Tunisians of Europe’s sustained commitment.

Despite mutual stated commitment to the desirability of closer relations, Europe-Tunisia relations are stuck in a limbo. While the European side insists that more fundamental reforms need to be implemented before moving to a grand vision, the Tunisian side argues that such a vision would help them sell uncomfortable reforms to the transition-wary Tunisian public. Brussels complains that Tunisians ask for a grand vision but have not been able to formulate one either. Both sides struggle with domestic pressures and contradictions.

The Tunisian side seems to aspire to closer integration with the EU and strides on free movement of goods, people, services and capital, but is reluctant to implement a number of deep reforms without which such strides would not be possible. Some Tunisian political elite circles aspire to a grand vision beyond a DCFTA when it remains unclear if they will succeed in negotiating and adopting even the DCFTA in the face of domestic reform constraints and a sceptical public opinion. On the European side, some officials do acknowledge the limits of the EU reactive short-termism and the need for longer-term strategic thinking. But, at the same time, the EU has a host of reservations when it comes to developing such a long-term vision – including the tangible commitments this would necessarily entail – even with the most favourable candidate in its neighbourhood.

Interviews on both the Tunisian and the European side for this chapter have reflected broad consensus on a number of points. These include: that Tunisia’s transition is at a critical point at which Europe can play an important supporting role; that Tunisia is different from other countries in the neighbourhood and should be offered a qualitatively different partnership formula; and that the debate on a new framework for EU-Tunisia cooperation, while not reinventing the wheel in areas where assistance works well, should not be limited to existing EU partnership frameworks and instruments.

Areas where there is notably less consensus include whether the formulation of a long-term vision should come as a result or a precondition of an accelerated pace of reforms; the weighting and interpretation of mobility in such a partnership; and on the strategic interest of breaking new boundaries in the relationship at large, which is currently much higher on the Tunisian than on the European side.

There are slight differences between European institutions, however. A July 2016 European Parliament Resolution (European Parliament, 2016) sponsored by MEP Castaldo, in recognition of Tunisia's regional role and significance as an emerging democracy, affirmed in no uncertain terms the need for the EU to take a quantum leap on Tunisia, calling for "a much more ambitious EU-Tunisia partnership, going beyond conventional measures" and the launch of an EU "Marshall Plan" for Tunisia. The Resolution further suggested a series of very concrete measures to make this quantum leap happen. To the rapporteur's and other MEPs' dismay, the essence of the Resolution remained unheard, and most of the suggested measures were not taken up by the EU executive bodies.

Europeans should take a step back and look at Tunisia as an opportunity to test unusual, innovative partnership formulas in a comparatively low-risk setting. A long-term vision for EU-Tunisia relations could follow one of the models of cooperation (or key elements thereof) with a number of other close partners of the EU; namely, the Swiss, the Turkish or the Norwegian experience. A "UK model" is also in the making, and ongoing debates on this will shape the broader debate on how the EU will seek to fashion its relations with politically and geographically close allies. EU-Tunisia relations could also go beyond existing experiences and forge their own. Based on a convergence of real EU and Tunisian interests, what could be the unique Tunisian model of cooperation?

Tunisian government representatives reportedly expressed in 2017 their aspiration for Tunisia to become the "Norway of the South". Norway, whose citizens voted against EU membership in a 1994 referendum, has been a member of the European Economic Area (EEA) since the same year. As an EEA member, Norway must fully implement EU single market legislation (except agriculture and fisheries). Since 2001 Norway has been a member of the Schengen area. It is the only non-EU country with a designated liaison officer to the European Parliament and has national experts seconded at the European External Action Service (EEAS). An EU-Norway inter-parliamentary meeting takes place once a year. Norway also holds regular political dialogue with the EU on a broad range of international issues including the Middle East Peace Process. Norway is invited to align itself on a case-by-case basis with Common Foreign and Security Policy (CFSP) positions and actions (and regularly does), and contributes to 11 ongoing Common

Security and Defence Policy (CSDP) operations. Alignment with CFSP positions and participation in CSDP operations, participation in cooperation and consultation on specific political dossiers (namely, Mediterranean and Middle Eastern issues), and institutionalised parliamentary cooperation are all elements that both the EU and Tunisia could benefit from. The Norwegian model has many advantages but is Tunisia ready to have – like Norway – its economic policy being determined in Brussels? And is the EU interested in considering such a status for a country whose political, economic and social profile differs so much from a country like Norway?

In the area of mobility, the Georgian experience appears especially relevant. Georgia signed a Mobility Partnership with the EU in 2009, obtained visa facilitation in 2011, and has enjoyed visa-free travel since 2017. A similarly staged process towards visa-free travel was concluded with Ukraine in 2017. However, a number of barriers (including mental ones) will make it very difficult to take the visa liberalisation step with a Southern Mediterranean country. Among Arab countries, Morocco had reached the greatest level of political cooperation with the EU, including regular high-level meetings, ad hoc alignment with CFSP positions and participation in one CSDP mission but altogether the partnership remains eclectic and, despite an increase of political cooperation, the advanced status label never really transcended the symbolic level and has suffered major blows over recent years as a result of decisions from the European Court of Justice. For Tunisia, moving beyond the current half-baked formulae to single out specific neighbourhood countries not entitled for EU membership – “Advanced Status” and “Privileged Partnership” – will be important.

Tunisians seek different dimensions of closer alignment with the EU: symbolic and practical. The first is about political symbolism and international branding. It also heralds the way in which Tunisia sees itself develop, the kind of society it aspires to be, and whether its people see themselves more as part of the Arab world, the African continent or the Mediterranean community of democracies. The practical alignment is about concrete elements of integration in the economic, political, social and cultural/people spheres: increased political and security cooperation, visa-free travel, more student exchange schemes, research cooperation, financial aid, technical cooperation, investment plans, youth employment projects, participation in EU agencies and programmes (defence, research, others), market access (be it via DCFTA or other free trade schemes), and so on.

What could the overarching framework be for such arrangements? Will the difference from other partnerships be merely quantitative, such as Tunisia getting more aid, better



access to institutions and programmes, and more liberal visa conditions? Or will the Tunisia-EU partnership be qualitatively different from others? What could the distinctive feature of a future vision of EU-Tunisia relations be that makes this relationship unique?

For Tunisia, the choice is a much clearer one because Tunisia is the one that would enjoy most of the tangible benefits of this cooperation. For the EU, the democratic signalling effect and the potential outlook of having a reliable democratic Arab partner to help broker regional deals alone will not release the political will in European capitals to commit to a grand, ambitious long-term vision with Tunisia beyond the margins of the neighbourhood framework. In contrast, one factor that could make a deeper alignment with Tunisia more attractive for the EU at this time of fundamental political soul-searching is Tunisia's potential as a testing ground for a new kind of EU foreign policy, and a new formula for engaging close allies. Both could be embodied in a new associate membership that would entail the option of "everything but institutions" (ITES, 2017) but make the degree to which these options are implemented subject, in each case, to legal and political approximation.

Such a special relationship could be jointly formulated as a goal towards a 2030 long-term horizon. Within this time period, sequenced reforms and integration measures should be negotiated and delivered. 2019-20 will be key to moving ahead on DCFTA negotiations and further visa facilitation. The latter must be framed as a preliminary step to visa liberalisation. The formal end game of an associate membership by 2030 would motivate and help Tunisians to sell controversial reforms to their constituencies at home. Just like the objective set by the Commission for Serbia and Montenegro to join the EU in 2025 is "not a target, not a deadline," according to EU High Representative Federica Mogherini ("Serbia and Montenegro could join the EU", 2018), a similar formal yet uncommitted objective could lift the spirits in Tunisia at a time when the EU's double blacklisting of the country has raised great insecurity about Europe's good intentions.

At the same time, major public information campaigns should be brought underway both in Tunisia and in Europe on the conditions and benefits of an enhanced relationship and its different elements. In Tunisia, the debates on the impact and benefits of the DCFTA must be transferred from the elite to the public level with sufficient nuance and detail to transmit the options open to negotiations and the impact each of these options would have on Tunisian business and citizens.

In accordance with both Tunisian and European strategic interests, and in line with the big blocks of cooperation laid down in the strategic priorities, a carefully staged

approach towards the end goal of an associate membership should be envisaged that would prioritise a number of areas further developed in other chapters of this study, such as mobility, trade and civil society. Other dimensions not directly tackled in this study should also feature in this staged approach, such as political and security cooperation (e.g. participation of Tunisia in CSDP missions and alignment with CFSP positions).

Conclusion

Tunisia is right for not wanting to be compared primarily to its authoritarian Arab neighbours. It is time for Europe to acknowledge Tunisia's special status beyond the ENP. At the same time, the EU should seize the opportunity offered by the Tunisian demand for closer association to break new ground in the ways it engages with other democracies in its immediate vicinity.

In order to do this, both Brussels and Tunis need to clarify their intentions, mutually and towards their own publics. Recent developments on both sides of the Mediterranean have shown that no political quantum leaps can be undertaken by political elites alone without having the people onboard. Ongoing deliberations at the diplomatic stage to take EU-Tunisia relations to a new level, therefore, must be flanked by a much greater, systematic public diplomacy effort in the form of consultations, media work and public debates.

Several contingencies may occur along the road of a rapprochement between Tunisia and the EU. Possible risks include an authoritarian turn in Tunisia or the spread of radical ideologies among the population, while an economic collapse of the country remains an omnipresent threat. In the EU, the rise of the far right might further lock “Fortress Europe” and leave Tunisia out. As the EU has both hands full with its own internal problems, EU capitals may hesitate to give bold concessions as they are too busy stabilising themselves. However, it is hard to imagine a better opportunity for Europe to become serious about its neighbourhood. It must do so before Tunisia's democratic momentum is gone.

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Fostering Inclusiveness: A New Roadmap for EU-Tunisia Relations and the Engagement with Civil Society

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Introduction

Tunisia is at a historical juncture. Since 2011 it has been successfully undertaking the political and institutional democratic transition process that has been marked by the elections for the Constitutional Assembly (October 2011), the vote for the new Constitution (January 2014), parliamentary elections (October 2014) and presidential elections (November 2014), and the Carthage Agreement (July 2016) leading to the national unity government led by Youssef Chahed. At the same time, challenges stemming from the dire socioeconomic situation as well as security concerns related to violent extremism and terrorism now risk overshadowing the significant progress achieved so far. Since 2011, cycles of protests have broken out in the country, with particular incidence in the interior regions, featuring the overwhelming participation of youths and calling for a new pact of economic and social solidarity. The latest round of (moderate) mobilisation took place in January 2018 and revealed that the gap between the state and its institutions and policies, on the one hand, and society, its grievances and claims, on the other, has been widening significantly (Mezran & Neale, 2018).

Against this backdrop, the key concept put forth by this chapter is “inclusiveness”. Inclusiveness will be key to allowing Tunisia to reach its political, economic and social goals, starting with the accomplishment of the democratic transition that began in 2011 and the economic stabilisation of the country. The link between these objectives and inclusiveness is represented by trust. As mentioned below, in the wake of the Tunisian revolution and the initial spark in optimism that change could be achieved, Tunisian society has plummeted into a gloomy, disillusioned attitude vis-à-vis the countries' authorities at all levels. Thus, restoring the trust between state and society is a key ingredient to reinforce the authority and legitimacy of state institutions on the basis of a more sustainable and fairer social contract. At the operational level, inclusiveness can be unpacked in two different dimensions: the former is the content (the “what”) of policies, cooperation initiatives and agreements and the latter is the modus operandi (the “how”) through which such policies, cooperation initiatives and agreements, are negotiated, agreed upon, implemented and followed up, both at the national/local and international levels. The concept of inclusiveness also has a particular salience for assessing the success and shortcomings of European Union (EU)-Tunisia relations and should be pivotal in a renewed bilateral partnership. The next sections of the chapter aim to contribute to this reflection starting from the description and assessment of the failures of national and EU policies in promoting inclusiveness in the past decades (first part). The second part discusses the current situation of marginalisation in three different dimensions: geographical, generational and gender-based. The third part of the chapter elaborates on the challenges to inclusiveness facing Tunisia and on the way

forward in the EU-Tunisia partnership with particular emphasis on the engagement with civil society. It does so by offering some policy recommendations addressing both the content and the modus operandi dimensions of inclusiveness before the concluding remarks.

The Failures of Past Policies in Promoting Inclusiveness

Tunisia's Failures since Independence and the Emergence of the "Marginalisation Issue"

The fact that the uprising started in the peripheries is not a surprise. Since Tunisia gained independence in 1956, coastal regions have consistently been promoted at the expense of the interior and border regions. The marginalisation of interior regions has only worsened under the regime of Ben Ali, who over two decades allocated two-thirds of public investment to the coastal regions (Ministry of Regional Development, 2011). Since the 1970s, Tunisia has developed as an export-oriented economy focused on tourism and low-cost outsourcing, with the bulk of infrastructure investment targeted on the coastal regions. Investment incentives were oriented to the need to maintain competitiveness and access to international markets by tolerating low wages at the expense of agriculture and rural areas. This deficit in infrastructure and private investment progressively reduced Tunisia's interior regions to reservoirs of cheap labour, agrarian products and raw materials for the more developed industries and service sectors operating in the coastal regions. On the eve of the fall of Ben Ali, poverty was estimated at 42% in the centre-west and 36% in the north-west, whereas it was at the much lower rate of 11% in Tunis and the centre-east (Institut National de Statistique Tunisien [INS], 2017).

Under the Ben Ali regime, there was no strategy of inclusive development to redress these regional and social imbalances. In fact, the gap between the coast and peripheries was less the result of neglect than a consequence of deliberate political decisions (The World Bank, 2014b). These regions were governed through the deployment of patronage and intermediation mechanisms involving tribal and local elites through the Tunisian General Labour Union (UGTT) and the former ruling party, the *Rassemblement Constitutionnel Démocratique*. Clientelist networks and the security forces controlled the job market, social benefits and the informal economy through protection from law enforcement. For instance, jobs in state-owned companies would be distributed among local patrons according to a quota system. In turn, the latter would redistribute these jobs among their clients on a tribal or partisan basis, or even sell them (Bono et al., 2015). These clientelist resource distribution systems maintained a minimal and fragile stability over two decades in

the Tunisian interior regions while fuelling anger among young people and populations excluded from the patronage networks (“Tunisie: un mort dans des violences à Metlaoui”, 2011).¹

Under the Ben Ali regime, civil society was unable to play a critical role and to reach its full potential due to the heavy hand of authoritarianism. Ben Ali extensively used all sorts of financial restrictions and legal barriers as methods of repression in order to control the public space and to avoid the unveiling of the economic and social situation of the interior and border regions. His policy of allowing Tunisian civil society to exist through restricted state-approved organisations, such as unions and professional associations, forced the more critical components of civil society underground and limited the scope of their action to defending basic political and human rights. This dynamic created a civil society landscape of formal non-governmental organisations and informal activist networks that united to form the resistance against Ben Ali in 2011 (Chokri, 2012).

During Ben Ali’s rule, the Tunisian public actively engaged in formal and informal modes of protest through grassroots, social media and youth movements. Activist efforts were also channelled through existing institutions. The UGTT played a crucial role in promoting the claims of the population of the peripheries: in 2008, it was the main catalyst of the protest movement in the mining region of Gafsa; and in December 2010, UGTT teachers’ unions and local offices were leaders in the uprising against the dictator. Protest movements in the peripheries would continue through grassroots movements, union-led strikes and demonstrations in Skhira in 2010 and Ben Guerdane at the Tunisian Libyan border during summer 2010 and in other regions before finally reaching critical mass in the uprising of 2010-2011, which started from Sidi Bouzid and Kasserine and expanded to the coastal regions.

For over two decades of governmental discourse on “underdeveloped zones” widely supported by international partners and the EU, an assessment of the needs and deficits of development in the interior and border regions has been made in accordance with a reductive criterion, namely access to water and electricity, as well as the opening up of an area by means of extending the road network. Campaigns promoting the National Solidarity Fund (also known as 26-26) created initially to finance the development of poor regions have been focused on these elements, while neglecting questions of employment and access to health, education, public services and the promotion of a private sector (Hibou, 2011). Along with other international

¹ Violent confrontations took place in 2011 in the mining region of Gafsa between members of rival tribes competing for jobs in the national mining company.

partners, the EU underestimated the issue of regional inequalities and geographical marginalisation, giving credit to the regime's propaganda on the "Tunisian model" tailored to achieving international respectability, fostering the inflow of external funds and, above all, lending certain legitimacy to the Ben Ali regime (Hibou, 1999).

EU-Tunisia Relations to Date and the Limits of Engagement with Civil Society

Tunisia was the first country to sign an Association Agreement with Europe in the framework of the Euro-Mediterranean Partnership (EMP) in the mid-1990s. At that time, there was little on the plate for the EU's engagement with civil society in spite of the fact that the EMP already envisaged multilateral civil society cooperation through the Anna Lindh Foundation (ALF). The biggest share of the focus was indeed on economic cooperation and the so-called *mise à niveau* of the Tunisian economy, industry and administration. The EU gradually started to put a greater focus on civil society under the European Neighbourhood Policy (ENP), albeit in a very scattered way at first. This process was also neither easy nor straightforward and much resistance had to be overcome. Not only in Tunisia but in the broader southern neighbourhood region, cooperating with civil society was sometimes pursued as mere window-dressing at best or completely bypassed as such cooperation was perceived as a burden and an obstacle to relations to governments, who also tended to exercise substantial control over civil society organisations (CSOs). Civil society was felt to be more an object of support than a partner in its own right (Youngs, 2001). As a result, engagement with civil society was limited to those few organisations that were endowed with the resources and the capacity to lobby at the policy-making level, often as a result of co-optation by the regime (Holden, 2003). This has come to clash with realities on the ground, when the so-called Arab uprisings unveiled a very different reality in terms of state-society relations, also in Tunisia in 2011. The EU then started to realise that it had focused too much on the relationship with authoritarian leaders and underestimated the needs and power of societies. The spectrum of initiatives and funds channelled through civil society therefore started to increase and be systematised with the launch, among other programmes, of the Civil Society Facility and of the European Endowment for Democracy (EED) that supports local civic and political actors in their actions to improve democracy in their own countries.

Tunisia was one of the main and most active beneficiaries of the EU's new approach vis-à-vis civil society (European Endowment for Democracy [EED], 2018). This approach was enshrined in the EU's vision, goals and priorities for cooperation with CSOs in external relations unveiled in September 2012 (European Commission, 2012; Council of the European Union, 2012). The Commission emphasised the role of civil society as

“a crucial component of any democratic system” and as “an asset in itself” (Ibid). In this respect, the Commission’s communication defined CSOs as “all non-state, not-for-profit structures, non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic.” Three priorities for the EU’s support to civil society in external relations were set: a) to enable a favourable environment for civil society actors; b) to promote civil society participation in policy-making both at the country and international levels; and c) to enhance the role of civil society in development. In the Tunisian case, these priorities have been framed in the *Programme d’Appui à la Société Civile* (PASC). Between 2012 and 2016, PASC mobilised €7 million and implemented more than 70 projects aimed at supporting Tunisian civil society with a view to enhancing the capacity-building of CSOs so that they can better contribute to the development and the democratic transition of the country. The programme has facilitated exchanges and partnerships between CSOs and public actors through political and economic dialogues. Furthermore, the EU co-funded the creation of the Jamaity.org platform in 2014, bringing together more than 1,600 Tunisian civil society organisations. The online platform provides information and geo-localisation on projects, resources, events, funding opportunities, documents and tools, as well as links to other relevant initiatives and stakeholders.

An evaluation of these cooperation initiatives points in the direction of three main flaws that make the EU’s engagement with civil society in Tunisia open to improvements. First, for a long time the EU’s support to civil society has not been a goal in itself but rather a means to achieve other policy objectives such as development cooperation, promotion of human rights and democracy (Shapovalova & Youngs, 2014). Concretely, this is reflected in the EU’s aid to Tunisian civil society being scattered across different funding instruments, which have their own logic of support and among which coordination is hard. Second, the agenda that informs the EU’s support to civil society in the context of the ENP – thus also in the Tunisian case – remains driven by the EU itself or at best is worked out in cooperation with the government authorities. Third, the EU largely promotes civil society based on its own liberal-democratic model. In this framework, civil society is often viewed as an actor complementary to the state and providing socialisation functions rather than as an actor “controlling” the state and protecting civic freedoms. While the EU tends to view civil society as a neutral and harmonious space in some non-western cultures, civil society is rather a space of political struggle and competition (Zihnioglu, 2013). By promoting civil society through the prism of western concepts, the EU risks overlooking powerful grassroots actors capable of social and political change while, instead, strengthening domestic cleavages by supporting only those organisations that espouse a liberal agenda. This has direct implications for civil society landscape that appears fragmented or divided, meaning that

externally-supported CSOs are often detached from the broader societies they claim to represent (Marchetti & Tocci, 2011; Hahn-Fuhr & Worschech, 2014).

An attempt to overcome these flaws in EU-Tunisia relations has been made with the Tripartite Dialogue. This flagship initiative, 80% of whose funding comes from the EU, is implemented by EuroMed Rights. It offers a unique space for dialogue and consultation between the CSOs, the government authorities and the EU. The Dialogue aims to inject innovation into the framework of the ENP in its engagement with civil society and it is not by chance that Tunisia has been pinpointed as the beneficiary of that in light of the potentiality of its civil society landscape after 2011. The Dialogue answers to the need to put in place a regular, consultative and decision-oriented mechanism to involve Tunisian civil society in the decision-making dynamics shaping the country's policies. It is also meant to provide Tunisian CSOs with more knowledge and ownership of the financial resources that are provided to the Tunisian authorities by multiple schemes at the EU level in order to increase transparency and accountability (EuroMed Rights, 2016). In order to facilitate its work, four working groups have been created on judicial reform and transitional justice; women's rights and gender equality; mobility and migration; and socioeconomic rights. While the Tripartite Dialogue undoubtedly represents a significant innovation among the EU-led initiatives targeting civil society, it remains a unique experience in the region as it is tailored to the specificities of the Tunisian CSOs context (Author's interview with an Advocacy Officer at EuroMed Rights working on the Tripartite Dialogue, Tunis, 30 January 2018). At the same time, it is hard to say that the Dialogue has lived up to these high expectations as it suffers from several shortcomings. Among them two critiques are advanced by some Tunisian CSOs themselves. The first concerns the fact that some organisations that are involved in the Dialogue (or in other EU-sponsored initiatives) tend to lose sight of their original goals and claims and work exclusively towards achieving recognition and funds from the donors. The second argues that in reality very limited dialogue goes on between the EU, the national authorities and the CSOs (the three poles) and the activities largely remain confined to discussions among civil society stakeholders with little outreach to or feedback from the state authorities (Author's interview with the director of a prominent Tunisian CSO, Tunis, 31 January 2018).

Overall, EU-Tunisia relations have since the mid-1990s onwards been dominated by the *mise à niveau* of the Tunisian economy as a means to facilitate trade cooperation. Social aspects standing at the core of Tunisia's inclusive development have been disregarded. The 2011 revolution that led to the collapse of the Ben Ali regime and the ensuing transition process did not alter this, as continuities have tended to prevail over changes. In addition, rising security concerns, including the issue of Tunisian Jihadist foreign fighters, started to

dominate the cooperation agenda between the EU and Tunisia after 2014 (Colombo & Voltolini, 2017).

Different Dimensions of Marginalisation and their Impact on Present-Day Tunisia

The failures of the national and EU policies to foster inclusiveness in Tunisia also by engaging more with civil society have led to the accumulation of grievances for the majority of the population. These grievances, including poverty, unemployment, inequalities and lack of voice, transparency and accountability, have been at the origin of the popular mobilisation that took place at the end of 2010-beginning of 2011 leading to the ousting of Ben Ali. However, despite the initial optimism, the increased levels of civic activism by Tunisian civil society and extensive support that has been poured into the new political institutions, a substantial number of challenges to inclusiveness persists. The following paragraphs provide an in-depth assessment of different dimensions of marginalisation and of their impact on present-day Tunisia.

Geographical Marginalisation

After the fall of the Ben Ali regime, there was an increasing hope that the central state would finally reverse the trajectory of geographical marginalisation by delivering better governance, meeting local social and economic needs and tackling inequality.² However, the solution of successive post-2011 governments was to create a large number of public sector jobs and to roll out temporary mass employment programmes such as the *chantiers*. As a result, the number of workers hired through the programme leapt from 62,875 in 2010 to 125,000 in 2011. With approximately 70,000 workers in 2017, the *chantiers* are still a crucial instrument to address the lack of economic opportunities and manage social anger in the interior and border regions. The total cost of the *chantiers* mass employment programme increased from TND82 million in 2010 to TND260 million in 2014 (Forum Tunisien des Droits Économiques et Sociaux [FTDES], 2016). The regions of Sidi Bouzid and Kasserine represent a total of 37% of people hired through it. In total, 77% of people hired through this programme are from the marginalised regions. The problem of these employment schemes is that far from supplying sustainable economic opportunities, they are offering temporary jobs and thus contribute to ongoing patterns of subordination and marginalisation.

Among the key causes of geographical marginalisation, the weakness of the private sector is exacerbating the economic problems of these regions. In fact, 85% of the

² In 2015, Kasserine in the centre-west, supported by civil society activists, filed to be recognised as a *région victime* (victim region).

enterprises that provide 92% of private sector jobs are clustered in the coast regions: 44% are to be found in the Great Tunis area alone. Enterprises operating inland provide only 8% of private sector jobs (Zidi, 2013). Foreign companies in the interior regions account for less than 13% of the total of foreign firms established in Tunisia (The World Bank, 2014b). Together, public investment choices and the weakness of the private sector explain the high unemployment in the interior and border regions: 27% in Tataouine, 26% in Jendouba, and 22% in Kasserine. The average national unemployment rate in 2017 stood at 15.5% (Institute National de Statistiques Tunisien [INS], 2018). These economic inequalities have exacerbated poverty rates in these regions. In some places, particularly the centre-west, the poverty rate is double the national average (INS, 2016).

Since 2011, frequent social protests have shaken southern Tunisia. The pressing issues of unemployment, corruption and underdevelopment are becoming more contentious every day. In January 2016, a wave of social unrest and violent demonstrations began in Kasserine and spread through 16 other governorates. The protests sought to condemn unemployment and denounce the corruption plaguing the regional administration. The wave of protest started in Kasserine in January 2016 after the death of a young man who contested the results of a hiring procedure and corruption in the regional administration (Chennaoui, 2016; Szakal, 2016). It eventually destabilised the government of the then Prime Minister Habib Essid. In September 2016, in the mining region of Gafsa, and the Jendouba governorate adjacent to the Algerian border, one protest against economic marginalisation and local corruption lasted several weeks. In March 2017, strikes and protests in Tataouine completely blocked all economic activity in the region. The protesters proclaimed their right to employment and the development of their marginalised region, where many oil companies operate without accepting any social or environmental responsibility for the development of the area. They asked for concrete measures to promote economic development and to incentivise participation in the legal economy, such as the creation of a free trade zone with neighbouring Libya. In response, the proposed approaches to managing the crisis of these regions focusing on short-term remedies have failed to meet the demands of the increasingly frustrated youths in parts of Tunisia where socioeconomic protests remain a persistent problem.

Generational and Gender-Based Marginalisation

Two further interrelated dimensions of marginalisation stand out in the Tunisian case. The first is the generational dimension related to the exclusion of youths from political and economic opportunities, leading to a condition characterised by informality and precariousness (Pedersen & Tiltne, 2017). The second has to do with the gender-based

dimension, whereby women tend to be disproportionately more exposed to forms of discrimination compared to men. These dimensions of marginalisation also reinforce one another in a vicious circle as well as under the impact of the aforementioned regional disparities, especially with respect to access to employment and public services and other variables, such as class, level of education and family-related connections. On the basis of Organisation for Economic Co-operation and Development (OECD) findings, “young women have much lower employment rates than young men (13.3% versus 30.3%) resulting primarily from higher labour market inactivity rates (77.2% versus 52.9%)” while “youth with tertiary education face a much higher risk of unemployment than their peers with lower educational attainment” (Observatoire National de la Jeunesse, 2015). In this light, treating youth-related issues and gender issues separately does not make much sense, except for the sake of clarity. Similarly, pinpointing the condition of youth and of girls and women as exceptional conceals more than it reveals about the broader, structural challenges to inclusiveness at the societal level in Tunisia. Having said that, the following paragraphs are meant to zoom in on the specific conditions of youths and women in Tunisia to highlight how the understanding of these two “categories” and the national policies associated with them have evolved over the course of Tunisian history with particular emphasis on the post-2011 period.

Historically, the concept of “youth” in Tunisia has undergone significant changes in the way in which it has been understood in the public discourse and has been the basis for political action by the authorities. In 1956, upon independence, youths were portrayed as the driving force of the national building project and of the transformation of society as a whole. Two elements were thus emphasised: first, fostering education and providing new job opportunities as the main vehicles for youth social mobility and societal modernisation, and second, expanding youth participation in political life through their mobilisation and co-optation in state-sponsored organisations such as the *Union générale des étudiants de Tunisie* (Ben Romdhane, 2011). Young people thus emerged as the leading beneficiaries of the social pact struck by the Tunisian authorities to limit social conflicts and political dissent. This social pact came with a relatively large number of public resources devoted to job creation programmes for youth and by the proliferation of national tools and institutions in charge of implementing such programmes. This approach started to change under the pressure of the neo-liberal economic policies that Tunisia implemented from the 1980s onwards (Murphy, 2017). In addition to the progressive withdrawal of the state from social welfare provisions, the prospects for stable employment in the public sector declined significantly from the mid-1990s, causing the spread of contract-based jobs in the Tunisian economy for youths entering the labour market for the first time and leading to growing social inequalities (Destremau, 2010; Hibou, 2006).

The significance of the 2010-2011 events for Tunisian youths cannot be emphasised enough. Not only was the Tunisian “revolution” unanimously hailed as a “youth revolution” but, most significantly, in its aftermath the category of youth emerged as the keyword to understand both the root causes and the dynamics of change and continuity of the Tunisian transition (Szakal, 2017). The public discourse about the youth in Tunisia after 2011 was twofold. On the one hand, “youth” became a synonym for the “marginalised” including not only (as in the pre-revolution period) “unemployed graduates [male]” but also “other socioeconomic groups of youths” such as “young women and men from different backgrounds, especially from marginalised regions” (The World Bank, 2014a). At the level of official policy documents, youth marginalisation has increasingly been presented as a multidimensional concept embracing economic, political, social and cultural dimensions (Bureau International du Travail, 2013; Ben Abdallah, 2013). On the other hand, youths were perceived as a positive category, embodied with dynamism and potential for the overall development of the country. This enthusiasm for youth has paved the way for a multiplication of youth-led or youth-targeting programmes. Strengthening civil society and youth participation have become the main objectives of the global agenda on Tunisia, mainly through the work of international cooperation, civic charities, grassroots organisations and national CSOs (European External Action Service [EEAS], 2016). This has led to the establishment of a link between the goal of youth empowerment, on the one hand, and the engagement with CSOs and the success of their youth-targeting initiatives, on the other. It is not by chance that Tunisian youth have been at the forefront of the mushrooming of CSOs in the wake of the 2011 revolution with around 11,400 new organisations formed (Ben-Hassine, 2018).

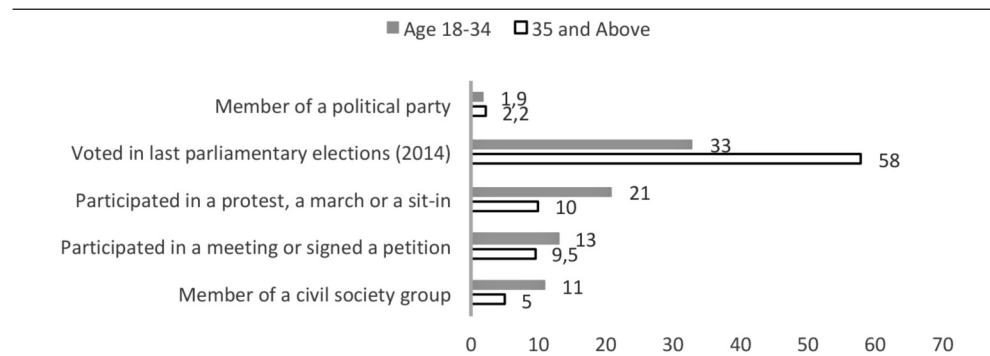
At the institutional level, the renewed focus on the youth was illustrated, among other things, by Article 8 of the new Constitution stating that:

“Youth are an active force in building the nation. The state seeks to provide the necessary conditions for developing the capacities of youth and realising their potential, supports them to assume responsibility, and strives to extend and generalise their participation in social, economic, cultural and political development.”

In spite of the emphasis on the youth and their problems, policy solutions appeared in full continuity with the past as they proposed to reinforce neo-liberal approaches that have proven to have negative implications on youth inclusiveness. In 2012 the National Strategy for Employment 2013-2017 was launched but looking at its results it appears that it has not been effective. Nowadays, the main employer for the youth in Tunisia

continues to be the informal sector: since 2010 the percentage of young people finding a job in the informal sector has increased from 28% to 32% in 2015, reaching 54% in 2017 (“Tunisie: l’emploi des jeunes”, 2017). In addition, the persistence of protests in marginalised regions, particularly by unemployed youths, as well as the phenomenon of irregular migration, shows that structural problems are far from being addressed. This has also translated into a further change in the construction and understanding of the youth category in Tunisia in light of the emergence of the problems of violent extremism and locally-grown terrorism (Author’s interview with a civil society activist working on youth de-radicalisation, Tunis, 5 February 2018). From the positive category of revolutionary heroes, marginalised youth have come to represent a fertile ground for instability and insecurity for the country, undermining national cohesion and the prospects for development (Paciello et al., 2016). Turning to youth participation in public life, this also records low rates: 3% among them feels engaged in the society, few join political parties, while 91.2% in rural areas and 68.7% in urban areas have no confidence in political institutions (United Nations Fund for Population Activities [UNFPA], 2015). It is a matter of fact that youths prefer to participate in informal political activities for several reasons: “political parties are perceived as weaker and less effective than informal politics; civil society is an easier avenue to enter than politics; and civil society provides better incentives for young people than formal politics” (see Figure 1 below) (Yerkes, 2017).

Figure 1. Formal and Informal Participation in Politics by Age



Source: Arab Barometer

As far as the gender-dimension of marginalisation is concerned, it is possible to observe a gap between the image enjoyed by Tunisian women at the international level and in the broader Arab region, on the one hand, and the realities on the ground, on the other. Starting from the Code de statut personnel of 1956 granting Tunisian women progressive rights in comparison to the situation of women in other Arab countries, the image of

Tunisian women as emancipated and modern has been sustained by some undeniable and continuous progress made in achieving a more balanced relationship between men and women. After the 2012 heated debates about the use of the expression “complementarity” in the new Tunisian Constitution to describe gender dynamics in the country, the concept of equality has made its way into the final text of the Constitution with Article 20 stating that: “all the citizens have the same rights and the same duties. They are equal in front of the law without any discrimination” (“Tunisie: l’égalité hommes-femmes”, 2014). In addition, Article 45 defines the state role as a guarantor of women protection (Ibid). This has resulted in Tunisian women having increased access to public roles in political life, including the current eight women ministers. These achievements have constantly been praised by the international community, including by the EU, which has encouraged Tunisia to further move in the direction of full equality between men and women in all sectors. In July 2017, a new law introducing the concepts of violence against women, moral and sexual violence, and economic exploitation was adopted (“En Tunisie, la nouvelle législation donne espoir”, 2018). This achievement was made possible by the vast and competent mobilisation and lobbying of women CSOs throughout the country (Author’s interview with a civil society activist working on gender issues, Tunis, 2 February 2018). There are even projects for a green line (telephone assistance) for women victims of violence and a centre to host and help them (“La Tunisie, capitale de la femme arabe”, 2018). Besides that, Tunisia is classified as 19th in the fight against women violence and on the occasion of the 37th session of Arab Women Commission, Tunisia has been chosen as the “Arab Women Capital” for 2018-2019 (Ibid). At the same time and connected to these achievements, critical voices have been raised by conservative forces both inside and outside Tunisia. For example, an Egyptian magazine has published a fatwa inviting Muslim men not to get married to Tunisian women, describing them as infidels (Mourad, 2018).

With regard to the concrete realities on the ground and despite these impressive results and the ongoing progress, women in Tunisia, either individually or as a group, tend to suffer from marginalisation in political and socioeconomic terms disproportionately more than their male counterparts. This partially stems from the endurance of mentalities and habits that are associated with traditional and conservative culture. These habits uphold forms of discrimination against women that are hard to die, such as the concept that the man is the head of the family or the lack of equality in heritage issues (Vinchon, 2017). However, the biggest share of responsibility lies with broader, structural socioeconomic and political circumstances that make it hard not just for women but for the Tunisian population in general to have access to jobs and participation opportunities. Not surprisingly, such phenomena are naturally more acute in rural areas where mentalities are harder to change and structural challenges are more ingrained.

The Way Forward in EU-Tunisia Relations and the Role of Civil Society

Seven years since the Revolution, the success of democracy in Tunisia depends on ending marginalisation in all its aspects and thus fostering inclusiveness, on the one hand, and the engagement with civil society, on the other (Schäfer, 2016). Concretely, inclusiveness could be a way to rebuild mechanisms of dialogue, consensus and trust. Civil society can play a crucial role in fostering inclusiveness. It is obvious that Tunisian civil society has experienced many changes since 2011, becoming more mature and “professionalised”. This dynamic is partly the result of the way in which external funds have been channelled into the fragmented Tunisian civil society arena. However, since the initial proliferation of CSOs after 2011, starting from 2013 the civic space has shrunk considerably. A huge number of CSOs have been frozen or forcibly dissolved on charges of financing terrorism (also through foreign funds) or of financial irregularities. In 2015, Tunisia’s National Dialogue Quartet was awarded the Nobel Peace Prize in recognition of the pioneering work relentlessly done by its member CSOs to advance the country’s democratic transition. Nevertheless, “a reward doesn’t change the fundamentals of a country in transition,” wrote Marc Pierini three years ago, and as a result of the stalemate, the missed opportunities and the mounting challenges, “Tunisians are still reeling between pride and anger, between optimism and frustration” (Pierini, 2015). With regard to the crucial role played by civil society in the democratisation process, it becomes crucial to strengthen its role as interlocutor of the governments. This involves finding innovative formula to integrate civil society into the negotiation process and the different steps of the implementation of the EU-Tunisia partnership. These below are some policy recommendations:

Making inclusiveness the cornerstone of Tunisia’s transition to democracy and of a renewed EU-Tunisia partnership

- Fostering a dialogue on the Rule of Law at the national level. Challenges related to the Rule of Law are multi-faceted in nature, including several aspects ranging from the non-application of laws and regulations to the non-implementation of judicial decisions (according to the Ministry of Justice, half of the court decisions are not implemented) and from the spread of corruption, nepotism and clientelism to the resistance to procedures of accountability and transparency. All this represents prominent barriers preventing young people from entering the job market and fulfilling their potential. Although many initiatives addressing the shortcomings of the Rule of Law in Tunisia already exist, including the regular bilateral dialogue sessions between the EU and civil society ahead of the EU-Tunisia sub-committees, this is not enough as they are usually devised as piecemeal endeavours that involve only a limited

number of the national stakeholders that should be around the table. It is indeed necessary to rethink the role of each and every stakeholder in the process that leads to the full implementation of the Rule of Law (legislators, law enforcement agents, the judiciary, different departments of different ministries, different unions) but also of other potential stakeholders involved (education sector, media).

Promoting regional development

- The failure of the post-2011 governments to improve the economic conditions of Tunisians living in the interior and border regions reflects a strong need for an EU support for a mechanism similar to the cohesion fund, which plays an important role in developing the internal market's poorest regions. Actually, transferring the structural funds methodology to neighbourhood countries is a claim that has been regularly made by Morocco and Tunisia. Tunisia can rely on EU expertise in the field of regional funds and the reduction of regional disparities to address the problem of regional development. A partnership could be established between the European Commission Directorate General that oversees the European Regional Development Fund (ERDF) and the Tunisian Ministry of Development, Investment and International Cooperation to help the transfer of expertise. It is important to think about complementing the sectorial assistance by assistance that takes into account the integration of Tunisia into the single market in the long term. The access to financial instruments related to social cohesion policy would be very interesting to reduce regional inequalities in Tunisia. The access to cohesion funds would greatly help Tunisia to articulate its decentralisation reform with a regional development strategy. With a decentralisation process that is going through ups and downs with a serious risk that the centre would keep monopolising the most important prerogatives, regional development will lag. The promotion of cooperation between regions could be an excellent way to support the decentralisation process in Tunisia.
- Promotion of the private sector in the interior regions as a driver of regional development. A partnership between the "bank of the regions", which is a project that is currently under development, and the European Bank for Reconstruction and Development (EBRD) would provide powerful leverage for regional development. The creation of the "bank of the regions" was announced in the 2016-2020 development plan as a priority to foster regional development. The EBRD could play an important role as a strategic partner in the transfer of knowledge and the promotion of the private sector in agriculture, the agro-food industry, renewable energy and the green economy.

Redressing the negative image of the youth in Tunisia and tapping into their potential

- Address the mismatch between jobs demand and supply. The problem lies not so much in the supply of adequate skills and capacities by the Tunisian youth, some of

whom hold higher education diplomas, but in the poor demand for labour connected to quality jobs. This is linked to the fact that the Tunisian economy remains weak and the local private sector is largely uncompetitive and unable to attract the necessary investments.

- Foster youth entrepreneurship in a way that makes such endeavours sustainable. This means tackling the problem of corruption and creating an environment that facilitates youth entrepreneurship as a means to curb informality and precariousness.
- Based on the project of a Tunisian National Youth Council (United Nations Educational Scientific and Cultural Organisation [UNESCO], 2016), create regional youth councils as a means to channel youth energy and initiatives and influence the policy-making bodies and processes both at the national and local levels (Marzo, 2016). The goal of such regional youth councils would be to raise youth participation in public affairs and increase their perception of being part of the system, so reducing any feelings of marginalisation or stigmatisation.

Making Tunisian civil society a veritable actor for change

- The Tripartite Dialogue is interesting in itself as a format and has potential but it is necessary to rethink the role of EuroMed Rights in order to foster more civil society ownership.
- Inclusiveness and engagement with civil society have to be streamlined into all the policies in EU-Tunisia relations.
- A policy unit within the government for policy coordination, involving civil society in order to be inclusive in the policy-making process itself. The same could be replicated at the local levels. Coordination between Tunisia and European partners must be strengthened. A policy unit that reports directly to the head of government would help achieve this, acting as the privileged interlocutor for EU partners. It would comprise a multi-sectorial planning function and coordinate cooperation with European partners, addressing the fragmentation at the heart of government.

Conclusions

Europe's southern neighbourhood has been unstable since the 2010-2011 upheavals. This widespread instability is raising serious concerns for Europe's security and should be prompting a rethink of relations with its southern neighbourhood. In this context, Tunisia should be considered an absolute priority. Reinforcing this fragile resilience requires a stronger European commitment towards fostering inclusiveness and promoting the role of civil society.

There is a need to articulate economic logics with social and development logic. Supporting inclusiveness through the promotion of the role of civil society should go hand in hand with economic programmes designed to ensure some sort of harmonisation of the Tunisian economy and legislation with European standards. This implies the involvement of civil society as a partner in the institutions and commissions in charge of negotiating with the EU. Far from being limited to technical aspects and official relations, this partnership should take into consideration the views and interests of the people and guarantee venues to express them.

Regional disparities are today a source of many of the key tensions facing Tunisia and hindering a wider democratic transition. The series of on-going tensions points to the manner in which it risks undermining hard-won and regionally-threatened stability. On the other hand, it points the way in terms of addressing some of the country's key on-going challenges in terms of reducing the pool of potential recruits for Jihadism, promoting jobs and opportunities and showing Tunisians that democracy is working to help them in practical ways. Promoting regional development through some sort of cohesion mechanism would strengthen Tunisia's resilience. Tunisia is losing its main asset: young people. Young people in the peripheries are in need of a new approach. Integrating peripheries must involve integrating the youth and strengthening civil society in these regions. This would empower local elites and advocates for these regions and help to promote advocates able to speak on their behalf.

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What Kind of Future for the EU-Tunisia DCFTA?

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Introduction

The European Union (EU) is by far Tunisia's most important trade partner as around 65% of its global trade is with the EU. It is therefore no surprise that the legal framework for EU-Tunisia trade features prominently in discussions on the future of the EU-Tunisia partnership. In particular, this debate focuses on the negotiations of the EU-Tunisia Deep and Comprehensive Free Trade Area (DCFTA). The EU has already negotiated such broad and ambitious trade agreements – as part of new Association Agreements – with Ukraine, Moldova and Georgia (Van der Loo, 2016a) and is now envisaging similar DCFTAs with Tunisia and Morocco in the context of the European Neighbourhood Policy (ENP) (Van der Loo, 2016b). DCFTA negotiations were launched with Tunisia in October 2015.

The key objective of the DCFTA is not only to liberalise most goods and services and to cover all other relevant trade-related areas but also to gradually integrate Tunisia into the EU Internal Market on the basis of legislative and regulatory approximation. The EU offers Tunisia progressive and asymmetrical liberalisation, which will offer Tunisian companies immediate access to the EU market while Tunisia will only need to open its market progressively. In addition to strengthening trade relations, the DCFTA will be instrumental in the ongoing modernisation process of Tunisia's economy. The DCFTA can be used to trigger, support and strengthen the much-needed economic reforms in Tunisia. The negotiation and implementation of the DCFTA will therefore need to go hand in hand with the domestic economic reforms in Tunisia. However, this will require a clear vision on the Tunisian side on how it wants to modernise its economy, which role it wants to play in the regional and global trade system and how it wants to use the DCFTA to realise these objectives. Moreover, the implementation and proper enforcement of this far-reaching trade agreement will require strong institutional reforms and capacity-building. On the EU's side it will be important to negotiate a realistic DCFTA that does not overburden the Tunisian economy with EU legislation, which is not an appropriate blueprint for economic reforms for Tunisia but instead leaves room for flexible adaptations.

The EU-DCFTA negotiations also take place in a new domestic political environment in Tunisia. First, Tunisia's long-term strategy that remains to be consolidated will have to be reconciled with the EU's more pragmatic policy options. The 2011 revolution created a critical juncture in EU-Tunisia relations, which generated discrepancies between the expectations of each party. On the one hand, "old" solutions do not seem satisfactory to address "new" opportunities and "new" problems. On the other hand, the new domestic environment framed by Tunisia's democratic transition has not challenged the path-

dependent dynamics that still prevail in the EU's external relations towards its eastern and southern neighbourhood.

Second, recent developments have revealed new patterns in the bilateral relationship that has not only suffered from a lack of common perceptions, clearly identified expectations and shared priorities but also from a growing confidence gap between both parties, as further explained in the first chapter of this volume. While Tunisia's commitment to clarify its priorities towards the sequencing of the DCFTA negotiating process and its capacities to deliver are seriously called into question in some EU capitals, some recent EU policies or decisions disappointed policy-makers in Tunis. For example, despite strong opposition from some MEPs, the Commission's decision in February 2018 to add Tunisia to the European blacklist of third countries thought to be at "high risk" of money laundering and terrorist financing was perceived in Tunis as a lack of EU support for the country. If not addressed, this atmosphere will hinder the prospect for deepening the EU-Tunisia partnership.

Third, the impact of Tunisian domestic politics on the bilateral partnership has never been more tangible than it is today. Given the new dynamics brought by the democratic transition, discussion about the scope and content of the EU-Tunisia partnership is no longer monopolised by a small elite in Tunis but is now the subject of intense internal democratic scrutiny since Parliament, public opinion, civil society organisations, trade unions and experts have become vocal on a number of issues, especially the negotiations of a DCFTA with the EU.

After discussing the current legal and economic context of EU-Tunisia trade relations, the key principles and objectives of the DCFTA will be explored. Then the potential scope and content of the DCFTA is discussed, focusing on the chapters on trade in agricultural goods, Sanitary and Phytosanitary Measures (SPS), Technical Barriers to Trade (TBT), and trade in services. Although the negotiations are still ongoing, the EU's proposal for the DCFTA, published on the website of the European Commission, gives a good indication on what the EU is envisaging (European Commission, 2016a). Finally, the domestic Tunisian context of the DCFTA negotiations is analysed.

EU-Tunisia Trade Relations Today

The Current Legal Framework: The Euro-Mediterranean Association Agreement

The current legal framework for Tunisia's trade relations with the EU is the Euro-



Mediterranean Association Agreement (EMAA). The EU signed such EMAAs with the Southern Mediterranean countries in the late nineties in the context of the Barcelona Process (EU, 1997; EU, 2000; EU, 2002; EU, 2004; EU, 2005 & EU, 2006). The 1995 Barcelona Declaration envisaged the gradual establishment of a Free Trade Area by 2010 “covering most trade with due observance of the obligations resulting from the WTO.” This Euro-Mediterranean Free Trade Area had to be realised by (i) the conclusion of bilateral FTAs between the EU and the Mediterranean partners – as a component of the overall EMAAs – and (ii) regional integration among the Mediterranean partners.

The EU-Tunisia EMAA was signed on 17 July 1995 and entered into force on 1 March 1998. Despite the ambitious trade agenda of the Barcelona Declaration, the scope and contents of the FTAs established by the EMAA were rather limited. The EU-Tunisia FTAs provided trade liberalisation of industrial goods with elements of asymmetry in favour of Tunisia: since the day of entry into force of the agreement, all industrial products covered by the agreement could be imported by the EU from Tunisia tariff-free, while Tunisia benefited from a transitional period of 12 years. Tunisia dismantled all its tariffs on EU imports by 2008, two years ahead of schedule. With regard to agricultural products, the EMAA created only a limited market opening, excluding most sensitive products from tariff elimination. Moreover, the liberalisation of services and establishment was not covered by the agreement. The EU-Tunisia EMAA only confirms the General Agreement on Tariffs and Trade (GATS) principles, but includes a *rendez-vous* clause stating that five years after their entry into force the Association Council has to consider further liberalisation in the area of services and establishment. In 2008 such negotiations were launched with Tunisia. However, these negotiations have been unsuccessful and the EU and Tunisia have agreed to continue services and establishment liberalisation in the framework of the DCFTA negotiations.

The EMAA also hardly covers other sectors that have become increasingly important in the EU and global trade agenda such as public procurement, competition, Intellectual Property Rights (IPR), TBT, and SPS, etc. In addition, the agreement’s provisions on legislative approximation – a crucial element of the envisaged DCFTA – are very vague. The agreement only includes a soft commitment stating that “cooperation shall be aimed at helping Tunisia to bring its legislation closer to that of the Community in the areas covered by the agreement” (European Commission, 1998).

Although the initial EMAA FTAs were modest trade agreements, from the very outset (i.e. the 1995 Barcelona Declaration), the parties agreed to further broaden and deepen the EMAA FTAs and to gradually establish a free trade area covering most goods and

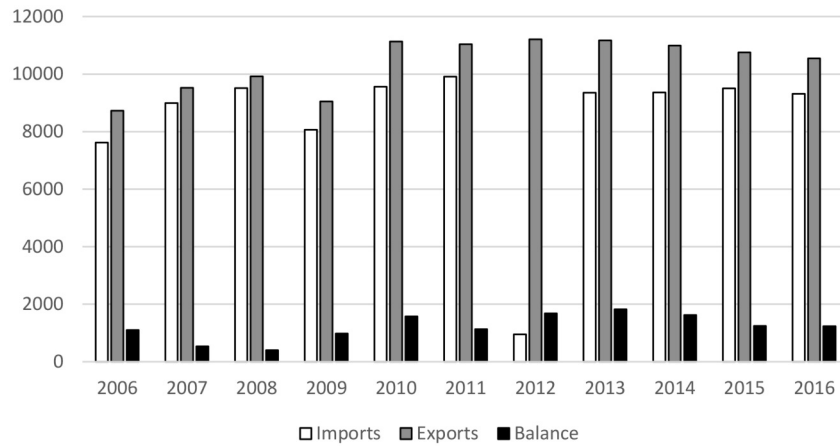
services by 2010. Although this deadline was “missed” (De Ville & Reynaert, 2010), several bilateral EMAA FTAs were gradually updated and broadened to match them with the revamped trade objectives of the ENP and the Union for the Mediterranean (UfM). In the last decade the EU has concluded several trade-(related) sectoral agreements with different EMAA countries, which were added as Protocols to the respective EMAA. For example, the EU concluded bilateral agreements on agricultural, processed agricultural and fisheries products with several Mediterranean partners which, once concluded in the form of an Exchange of Letters, were added as a protocol to their respective EMAAs. The EU and Tunisia also concluded a protocol on a dispute settlement mechanism, reflecting the procedures of the WTO Dispute Settlement Understanding (DSU) (EU, 2010). Such agricultural protocols have been concluded with Israel and Egypt (entered into force in 2010), Morocco (entered into force in 2012), Jordan (entered into force in 2007) and Palestine (entered into force in 2012) (EU, 2006; Eu, 2009; EU, 2010; EU, 2011 & EU, 2012). These protocols significantly widened the scope of the EMAAs but sensitive agricultural products are still only partially liberalised. The EU and Tunisia never succeeded in further liberalising agricultural products. However, after the terrorist attacks in Sousse on 26 June 2015, the EU decided as a support measure to boost the Tunisian economy by temporarily broadening the Tariff Rate Quotas (TRQs) for olive oil (Tunisia’s main agricultural export). The EU unilaterally offered an additional duty free TRQ of 35,000t annually for 2016 and 2017 under the form of autonomous trade measures. This additional volume was opened once the existing duty-free tariff rate quota of 56,700t, enshrined in the EMAA, were exhausted. This measure was approved by the European Parliament on 25 February 2016 but, to meet concerns of the EU olive producers, MEPs inserted additional safeguards, such as a mid-term assessment, which gives the Commission the competence to adopt an implementing act in order to introduce corrective measures if it turns out that they harm EU olive oil producers and a “tracking clause” obligation, which has to ensure that all olive oil under the quota is obtained entirely in, and transported directly from, Tunisia.

Evolution of EU-Tunisia Trade under the EMAA

Since the EMAA entered into force, trade in goods between the EU and Tunisia has increased significantly: between 2002 and 2016, the total trade in goods increased by 43%, from € 13.9 billion in 2002 to € 19.8 billion in 2016. In this period (i.e. 2002-2016) EU exports to Tunisia rose by 36% (the EU exported mainly machinery and transport equipment [37.0%], textiles and clothing [12.0%], chemicals [11.9%] and fuels [7.5%]) (European Commission, 2017a). Tunisian exports to the EU increased by 51%. In 2016, Tunisia mainly exported to the EU machinery and transport equipment (41.9%), textiles and clothing (24.3%) and agricultural products (6.6%). Significantly, Tunisia trades

essentially with only a few EU member states: 75% of its exports are destined to only three EU member states, i.e. France, Italy and Germany (European Commission, 2017a).

Table 1. EU-Tunisia Trade



Source: European Commission, 2017a

The EU has a very asymmetrical trade relation with Tunisia. Whereas the EU is Tunisia's main trading partner as 63% (see Table 2) of its total global external trade is with the EU (in 2016, the EU accounted for 77.5% of Tunisian total exports of goods, and 54% of its total imports), in 2016 Tunisia was only the EU's 32nd trading partner, accounting for 0.6% of the EU's total trade (European Commission, 2017b)

Table 2. Tunisia's Top Trading Partners in 2016

Partner	Value Mio €	%World
World	28797	100
EU 28	18352	63,7
China	1669	5,8
Algeria	1254	4,4
Turkey	925	3,2
USA	845	2,9
Russia	605	2,1
Libya	427	1,5
India	363	1,3
Switzerland	318	1,1
Ukraine	294	1

Source: European Commission, 2017b

Significantly, EU-Tunisia trade has stagnated since 2011. Due to the economic difficulties in Tunisia, the total trade even decreased slightly between 2014 and 2016, mainly driven by decreasing EU exports to Tunisia (while Tunisian exports to the EU remained stable). A specific dip was also noted in the services sectors, as the security situation in the country had a negative impact on the tourism sector. The total trade in services between the EU and Tunisia decreased between 2010 and 2015, from €5.9 billion in 2010 to €4.8 billion in 2015 (European Commission, 2017a).

A sensitive issue in the EU-Tunisia trade relations relates to the TRQs for several agricultural products. Although Tunisia regularly asks to increase TRQs for several key products, it has to be noted that several of these TRQs are not fully used by Tunisia. For example, with regard to olive oil, Tunisia completely used in 2016 the original quota of 56,700t foreseen in the EMAA; however it only used 30% of the additional 35,000t granted by the EU as a support measure (cf. supra), mainly due to a bad harvest (European Commission, 2016b; European Commission, 2017 & European Commission, 2018). Also in 2017 Tunisia did not fully use the additional TRQs for olive oil (Ibid). However, after a better harvest in the season 2017/2018, the entire TRQ for olive oil was already filled in the first week of 2018 (Ibid). The fill rate was average for other products such as sweet oranges (43%) but remained low for prepared tomatoes (15%), wine (7%) or cut flowers (2%). Several reasons explain the lower fill rate for these products, such as an inadequate production capacity and challenges for Tunisian exporters to meet the EU's SPS requirements.

Towards the Mediterranean DCFTAs: “Deep” and “Comprehensive” FTAs?

Key Principles and Objectives of the DCFTA

As mentioned above, the concept of “DCFTAs” was developed in the framework of the ENP. The first Commission Communication on the ENP contained the vague objective of offering the ENP partners “a stake in the EU Internal Market” and further integration and liberalisation to promote the free movement of the four freedoms (European Commission, 2003). These objectives were further developed, and in 2006 the Commission proposed to conclude “deep and comprehensive free trade areas (DCFTAs)” with the ENP partners (European Commission, 2016c). According to the Commission, these DCFTAs have to go beyond traditional FTAs – which mainly address tariffs and quotas for trade in goods – by substantially covering all trade in goods and services, addressing non-tariff barriers and including legally binding commitments on legislative approximation, which will contribute to the gradual integration of the partner countries into the EU Internal Market.

The “comprehensive” dimension implies that this trade agreement aims to have a broad range, covering all relevant trade-related areas that are currently not covered in the EMAA. The EU-Tunisia DCFTA does not only envisage mutual market opening for trade in goods but also to gradually liberalise services and investment and to include ambitious provisions related to TBT, IPR, SPS, public procurement, customs and trade facilitation, competition, energy, and so on. As such, the comprehensive character of the DCFTAs is not revolutionary since all the recent EU FTAs have such a broad scope. The EU-Tunisia DCFTA will include the following chapters:

1. Trade in Agricultural and Fishery Products
2. Trade Remedies
3. Technical Barriers to Trade
4. Sanitary and Phytosanitary Measures
5. Customs and Trade Facilitation
6. Trade in Services and Investment
7. Current Payments and Movement of Capital
8. Public Procurement
9. Intellectual Property
10. Competition
11. Trade-Related Energy and Raw Materials
12. Transparency
13. Trade and Sustainable Development
14. Small and Medium-Sized Enterprises

The “deep” dimension of the DCFTA refers to the process of integration into the EU Internal Market on the basis of legislative approximation. As it is clear from the EU’s proposal, the EU-Tunisia DCFTA will aim to gradually integrate Tunisia into the EU Internal Market on the basis of regulatory and legislative approximation. The EU and Tunisia will need to agree on a selection of EU legislation that Tunisia will implement in its domestic legal order. The idea behind this is to tackle non-tariff barriers. If Tunisia approximates its trade-related legislation to the EU *acquis* and technical standards, Tunisian exporters will automatically meet the EU standards and norms and will be able to export to the EU market. In addition, this legislative approximation aims to create a common legal space. The goal is to create a level playing field with uniform rules for economic operators, based upon EU Internal Market rules. Moreover, the EU *acquis* can offer a blueprint for economic reforms, which can lead to a stable legal environment for businesses attracting more foreign direct investments. The specific objective of the DCFTAs to “integrate” the partner country into the EU Internal Market on the basis of binding legislative approximation clauses is unique. With the exception

of the DCFTAs recently concluded with Ukraine, Moldova and Georgia, no other EU FTA requires the partner country to approximate to a predetermined selection of EU *acquis* in order to obtain a far-reaching access to the EU Internal Market, going beyond “traditional” trade liberalisation. Obviously, such an ambitious form of liberalisation or economic integration is only feasible with countries with a smaller economy – in transition – that have less to gain from setting their own standards and that mainly trade with the EU due to, for example, geographical proximity. On top of this economic rationale, the partner countries must also politically be willing to liberalise trade relations in such a “deep and comprehensive” way and to partially align with EU legislation. ENP countries such as Tunisia and Morocco (south) and Ukraine, Moldova and Georgia (east) fall clearly in this category.

State of Play of the Negotiations

As just mentioned, within the context of the ENP, the EU initially (in 2006) proposed to negotiate DCFTAs with only the eastern ENP countries. It was only after the Arab Spring that DCFTAs were offered to the Mediterranean partners as “an economic and trade answer” to the revolutionary developments in the region (Lannon, 2014). The Council adopted negotiating directives for DCFTAs with Morocco, Jordan, Egypt and Tunisia in December 2011. These countries were targeted because they are all World Trade Organization (WTO) members, a condition *sine qua non* for the EU to launch (DC)FTA negotiations.¹ Moreover, these countries made already some progress in sub-regional economic integration (which was a key objective of the Barcelona Declaration). They are all parties to the 2004 Agadir Agreement and have each concluded several bilateral FTAs with other Mediterranean partners. However, despite these different “south-south FTAs”, trade among the different Southern Mediterranean countries remains very limited. Intra-regional trade in the Southern Mediterranean is a small fraction (5.9% in exports, 5.1% in imports) of the countries’ total trade, one of the lowest levels of regional economic integration in the world (European Commission, 2017d). Third, it was considered – at that time – that these countries made sufficient progress in economic and political reforms, including the bilateral ENP Action Plans. For example, Morocco and Jordan obtained in the context of the ENP an “Advanced Status” and Tunisia a “Privileged Partnership”, reflecting the ambition to strengthen bilateral cooperation with the EU and to further support economic and political reforms.

Negotiations with Tunisia were launched in October 2015 (European Commission, 2015b). In February 2016, the European Parliament also expressed its strong support for the Tunisian DCFTA in a resolution and urged the Commission to negotiate “a progressive and asymmetrical agreement which takes into account the significant economic disparities between the parties, to demonstrate flexibility, responsiveness, openness to innovation, transparency and adaptability in the negotiations, and to bear in mind that the agreement

¹ Several Mediterranean ENP countries are still not WTO Members: Lebanon, Syria, Libya and Algeria.

must benefit the economies and societies of Tunisia and the EU” (European Parliament, 2016). The European Commission (EC) published in April 2017 the initial texts of most DCFTA chapters as proposed by the EU as a first basis for discussion. The first round of negotiations took place on 18-21 April 2016 during which the EU and Tunisia confirmed the guiding principles of the negotiations:

1. **Asymmetry**, taking into account the different level of development between the two parties.
2. A **progressive** liberalisation accompanied by the necessary support to strengthen the competitiveness of the Tunisian economy.
3. Regulatory and legislative **approximation** in the priority areas identified by Tunisia (Accord de Libre Échange Complet et Approfondi [ALECA], 2016a).

In addition, the different chapters of the Commission’s proposal were discussed during this round of negotiations. A joint technical meeting on the DCFTA took place in February 2017 to deepen technical discussions on the Commission’s proposal and to prepare the next round of negotiations (ALECA, 2017). Whereas Tunisia highlighted the importance of technical preparations, studies and ongoing reforms, the EU invited Tunisia to clarify its priorities. Since then, progress in the negotiations has slowed down because Tunisia first wants to study the results of an ex-post impact assessment of the EU-Tunisia EMAA, mainly as a reaction to increasing concerns of civil society civil on the impact of the DCFTA on key sectors of their economy and the government’s ability to regulate economic and social sectors. It has to be noted that negotiations were also launched with Morocco in March 2013. Despite considerable progress on most chapters during the first four negotiation rounds, Morocco insisted on introducing a break in July 2014. Before continuing the trade talks, the Moroccan government wants, similar to the Tunisian government, to assess the results of its own sectoral impact assessments after concerns expressed by civil society (European Commission, 2018). Moreover, the re-launch of the negotiations is further complicated by several judgments of the EU Court of Justice, which state that the EU-Morocco EMAA and the Agricultural and Fisheries Agreements do not apply to the territory of the Western Sahara.

The (Potential) Scope and Contents of the DCFTA

It goes beyond the scope of this project to analyse every DCFTA chapter in detail. However, several important chapters that are crucial in the DCFTA negotiations and trigger important policy choices are discussed below.

Trade in Agricultural and Fishery Products

As industrial goods have already been liberalised in the context of the EMAA, the DCFTA will only cover agricultural and fishery products. To accommodate Tunisia's concerns about the differences in level of development, the EU's proposal foresees an asymmetrical liberalisation: whereas the EU will liberalise the covered products immediately after the (provisional) entry into force of the agreement, Tunisia will benefit from a transition period up to 10 years, depending on the product. Also important to note is that Tunisia and the EU have agreed to liberalise agricultural and fishery products on the basis of a "negative list". This means that as a general rule all the products will be liberalised, with the exception of sensitive products listed in the agreement for which specific rules will apply (e.g. TRQs). Therefore, the EU and Tunisia will need to agree during the negotiations on the duration of the transitional period, the list of sensitive products and the specific treatment for those products (e.g. the level of the TRQs). The EU also committed to adjust the entry-price regime, which is a considerable barrier for several agricultural products. It is no secret that southern EU member states and MEPs from these countries are reluctant to liberalise sensitive agricultural products, such as olive oil and different types of tomatoes. In a resolution on the Tunisia DCFTA, the European Parliament stated in February 2016 that "the EU and Tunisia have everything to gain from better reciprocal access to their agricultural markets" but added that the EU and Tunisia should take into account "the fact that there are several sensitive agricultural products on both sides of the Mediterranean, for which exhaustive lists will have to be agreed upon in the negotiation process, and to provide for transitional periods and appropriate quotas for these sensitive products, or even their exclusion from the negotiations" (European Parliament, 2016). In addition to tariff-barriers, compliance with the EU's Sanitary and Phytosanitary Measures (SPS) is often a considerable trade barrier for Tunisian agricultural exporters. This issue is further discussed in the following section.

Sanitary and Phytosanitary Measures

An important area linked to trade in agricultural and fisheries products are SPS. These rules ensure the safety of production and trade in agriculture, food and feed production and aim to protect human, animal or plant life or health while facilitating trade between the parties involved. Complying with the EU's SPS standards is a burdensome procedure for Tunisian exports and is an important non-tariff barrier in trade in agricultural products. For example, with regard to food of animal origin, although Tunisia is allowed by the EC to export seven categories of food of animal origin (e.g. wild game meat, raw milk and dairy products, processing plants), only in the category of fisheries products are a considerable number of exporters (around 300) listed by the Tunisian authorities as approved "establishments" (i.e. exporters

that meet the specific EU SPS requirements) and are therefore an allowed export to the EU (European Commission, 2017b).

The DCFTA chapter will go beyond the WTO's SPS agreement by including provisions on transparency and labelling of products, bilateral consultations and verification and certification procedures. The agreement also provides the possibility of “determination of equivalence”, which means that the EU can accept Tunisia's SPS measures as equivalent (and vice versa) if Tunisia can objectively demonstrate that they achieve the same level of protection. This would facilitate Tunisia's export to the EU but requires that Tunisia aligns with the EU's SPS-related legislation. Over the years Tunisia has already made efforts in this area but the DCFTA aims to go a step further with regard to Tunisia's alignment with EU legislation in this area. The EU's proposal foresees that the EU and Tunisia agree on an SPS programme that identifies the priority areas where Tunisia will align with the relevant EU *acquis*. The EU will support Tunisia's institutional capacities to implement this programme. The specific joint EU-Tunisia SPS committee will need to adopt this strategy within a certain period after the entry into force of the agreement (the Commission's proposal mentions one year), and will be annexed to the agreement. It will be crucial that this SPS programme is linked to Tunisia's much-needed plans to modernise its agricultural sector, including increasing productivity, managing the resources in a sustainable way, guaranteeing supply, and addressing agricultural challenges related to climate change. The priority areas identified in Tunisia's agricultural reforms need to be reflected in the SPS programme so that the DCFTA can strengthen and complement the modernisation and productivity of Tunisia's agricultural sector. Another important issue concerning Tunisia's approximation to the EU's SPS legislation that needs to be considered carefully by the negotiators relates to the question of whether the identified EU's SPS legislation will apply to the entire Tunisian agricultural sector, or only to the export-oriented companies and industries. In the former scenario, the situation should be avoided so that also small agricultural producers that only produce for the domestic – or even local – markets will need to comply with each and every element of the EU's demanding SPS requirements, as this can lead to significant costs for such producers and in several cases will even be unrealistic. Approximating to the EU's SPS legislation should be managed in such a way that it is an instrument to increase the number of approved “establishments”, to modernise Tunisia's agricultural sector and to improve the productivity, competitiveness and consumer protection, while at the same time avoiding overregulation of the domestic (and local) market.

Technical Barriers to Trade

The chapter on Technical Barriers to Trade will aim to reduce obstacles to trade arising

TBT. Before Tunisian exports can be placed on the EU market, they have to comply with the EU's health, safety and environmental requirements, which is often a burdensome procedure for Tunisian exporters. This chapter aims to facilitate these procedures while guaranteeing the health and safety of the EU's and Tunisia's consumers. It will include provisions on the affirmation of the WTO TBT agreement, rules on marking and labelling of products and cooperation in the field of technical regulations, standards, metrology, market surveillance, accreditation and conformity assessment procedures and cooperation and consultation procedures. An important element of this chapter is Tunisia's approximation to the EU's TBT-related *acquis* in order to conclude an Agreement on Conformity Assessment and Acceptance of Industrial products (ACAA). An ACAA is a kind of a Mutual Recognition Agreement (MRA) that foresees mutual recognition of regulatory and verification procedures for industrial products. By concluding an ACAA, the parties agree that industrial products listed in the annexes of an ACAA, fulfilling the requirements for being lawfully placed in the market of one party, may be placed on the market of the other party without additional testing and conformity assessment procedures, thus leading to a partial "integration" into the EU's Internal Market. In other words, trade between the EU and Tunisia for products covered by an ACAA will take place on the same conditions as trade between EU member states. At the same time, the level of health and safety protection existing in the EU would not be compromised as Tunisia will first need to align its national legislation and institutional framework to the EU's system. Therefore, the EU applies a strict conditionality before concluding such an ACAA as Tunisia will first need to implement and enforce the relevant EU *acquis* and adopt the required administrative procedures and institutional framework. The EU has concluded an ACAA with Israel. However, this ACAA only covers good manufacturing practice (GMP) for pharmaceutical products (European Union, 2013). In particular, Tunisia will need to approximate to the EU's New Approach Directives, which are currently being updated by the New Legislative Framework (European Commission, 2017c). These Directives define, on the one hand, (by product group) the "essential requirements" related to health, safety and environmental issues that products placed on the EU market have to meet (i.e. sectoral Directives) and, on the other, how the institutional framework related to accreditation, market surveillance, conformity assessment and verification of product safety should be organised (i.e. horizontal Directives). In addition, Tunisia will need to progressively transpose the corpus of European standards, the voluntary use of which shall be presumed to be in conformity with the essential requirements of the New Approach Directives. The EU will only conclude an ACAA, and add it as a protocol to the agreement, if it concludes, after a monitoring procedure, that Tunisia has sufficiently implemented these approximation commitments.

Given that the legislative and institutional requirements for the conclusion of an ACAA are so demanding, it will be crucial that Tunisia prioritises specific sectors that it wants to cover by an ACAA, instead of aiming at an immediate and full approximation to all the vertical and horizontal New Approach Directives. Consequently, in this area it will also be crucial to link the DCFTA to the Tunisian economic reform agenda, in particular its industrial policies. Prioritising is possible because an ACAA consists of a framework agreement, providing for the recognition of equivalence of the conformity assessment and accreditation procedures, and one or more annexes setting out the different product areas covered. Tunisia should clearly identify those sectors that are competitive to export to the EU and where it makes sense to align with the relevant EU sectoral directives. Tunisia has already identified electronic and electrical products and construction materials as priority sectors.

Services and Establishment

Trade in services is important for the Tunisian economy as it represents around 60% of Tunisia's GDP. However, total trade in services between the EU and Tunisia decreased between 2010 and 2015, from €5.9 billion in 2010 to €4.8 billion in 2015, mainly owing to the weak performance of the tourism sector, mostly due to security issues. The DCFTA chapter on investment will cover Investment; Cross-Border Supply of Services, Temporary presence of natural persons for business purposes; Cooperation and regulatory cooperation; and Electronic Commerce. The chapter will also include general provisions and principles, such as the explicit confirmation of the right to regulate in order to pursue legitimate policy objectives.

The section on investment will cover market access (e.g. restrictions on the number of investors) and the principle of national treatment and "most-favoured-nation treatment (MFN)". However, for several economic activities both the EU and Tunisia will have reservations that restrict national treatment or MFN treatment, (partially) replicating several of the parties' reservations under the GATS. The list of EU reservations will be complicated due to the fact that it includes both EU-wide and member state-specific reservations. The EU's proposal does not yet include a chapter on investment protection or a dispute settlement mechanism for investor-state disputes (i.e. the EU's new Investment Court System) but this can be included in the negotiations at a later stage.

The section on Cross-Border Supply of Services will cover the supply of a service (i) from the territory of a party into the territory of the other party (GATS Mode 1) and (ii) in the territory of a party to a service consumer of the other party (GATS Mode 2). The EU

and Tunisia will have to accord services and service suppliers of the other party market access and national treatment, but both parties will again apply reservations. In the sectors where market access commitments are undertaken, the EU and Tunisia will not be able to (i) limit the number of service suppliers, (ii) limit the total value of service transactions or assets in the form of quotas or the requirement of an economic needs test, and (iii) limit the total number of service operations or the total quantity of service output by quotas or the requirement of an economic needs test.

The section on Temporary presence of natural persons for business purposes will cover measures concerning the entry into and temporary stay in their territory of categories of natural persons for business purposes (GATS Mode 4), such as key personnel, graduate trainees, business sellers or independent professionals and contractual service suppliers. The EU and Tunisia will have to allow the entry and temporary stay of these different categories of persons. However, they will again insist on several reservations and conditions. Tunisia will be particularly interested in obtaining concessions in this area. However, the liberalisation of Mode 4 services is complicated by the fact that each party remains free to regulate the entry of natural persons to their territory (e.g. visas and work permits), as long as these measures are not applied in such a manner as to impair the DCFTA concession. Therefore, the liberalisation of GATS mode 4 services should be linked to the EU-Tunisia mobility partnership and the envisaged visa-facilitation agreement, further addressed in the fourth chapter of this volume.

Finally, the services and establishment chapter will include a section on “regulatory cooperation and approximation”. This section will include principles applying to the regulatory framework affecting services and investment such as licensing and qualification requirements, transparency, mutual recognition of qualifications, and so on. Significantly, the EU’s proposal also envisages legislative approximation in the area of postal and courier services, electronic communications services and maritime services “with the final objective to integrate into the EU Internal Market.” This ambitious integration into the EU Internal Market is not specified in the EU’s proposal. However, several lessons can be drawn from the EU-Ukraine DCFTA, which includes similar commitments. Pursuant to this agreement, Ukraine needs to approximate to a list of EU services-related legislation in several areas, and if the EU has determined that Ukraine has effectively implemented this selection of EU *acquis*, the EU and Ukraine may decide (within a joint DCFTA committee) to grant the reciprocal “internal market treatment” with respect to the services concerned. The internal market treatment means that there shall be no restrictions on the freedom of establishment

of juridical persons of the EU or Ukraine in the territory of either of them and that juridical persons of one party shall be treated in the same way as juridical persons of the other party (European Service External Action [EEAS], 2010a,b,c). In practice, this means that for these specific sub-sections the reservations of the EU and Ukraine to market access and national treatment, listed in the corresponding annexes, will be lifted (Ibid). The scope of EU legislation to be approximated in the Ukraine DCFTA is considerable. Therefore, it will be crucial that during the negotiations Tunisia will need to link these approximation efforts to the modernisation of its services sector. This way, the DCFTA can be used to trigger and complement the modernisation of Tunisia's service sector. Moreover, the EU and Tunisian negotiators will need to carefully consider how and to what extent the EU's services *acquis* in certain areas is the appropriate blueprint for the modernisation of Tunisia's services sector. For example, the Commission itself concluded recently that the DCFTA commitments with regard to Ukraine's approximation to the EU *acquis* in the area of financial services are "not feasible" considering the significant changes related to regulation of the EU financial sector after the financial crisis (European Commission, 2017e).

The DCFTA in the Domestic Tunisian Context

The Institutional and Political Constraints

It should be recalled that the current institutional landscape and the domestic political scene have introduced radical elements of change in the EU-Tunisia cooperation dynamics that were at work when the DCFTA process was initiated nine months after the 2011 Revolution. In fact, it was the EU-Tunisia Task Force, co-chaired by non-elected and interim Tunisian Prime Minister at the time, Mr. Béji Caïd Essebsi, and the then High-Representative of the Union for Foreign Affairs and Security/Vice-President of the European Commission, Ms. Catherine Ashton, which took place in Tunis on 28 and 29 September 2011, that endorsed the prospect for the economic integration of Tunisia in the Single Market. The two parties stated at the time that: "With a view to ultimately establish a common economic space, and in the context of the establishment of a privileged partnership, the EC and the Tunisian authorities have agreed to envisage as soon as possible the negotiation of an agreement, which will contribute to the progressive integration of their markets, as soon as conditions allow" (EEAS, 2011). What was stated as conditional in the first place seems to have set a dependent path to the subsequent more "legitimate" governments that never seriously addressed the emerging internal criticisms by strengthening collective ownership of what could be characterised as a strategic national decision.

The EU and Tunisia initiated the preliminary discussions on the DCFTA in 2012, following the 9th Association Council that established the Privileged Partnership in November 2012. In the meantime, the National Constituent Assembly (NCA) voted a new Constitution on 26 January 2014. Although the Constitution has recognised a preeminent institutional role to the President of the Republic on foreign policy – and security and defence issues – under a moderate parliamentary system, the DCFTA has never figured prominently on the President’s agenda despite a very active presidential diplomacy towards the EU and its member states. A stronger presidential commitment to the DCFTA would have provided the necessary political impetus and support to the high-ranking officials and diplomats who have been engaged half-heartedly in what has become a highly costly process.

In addition, the Tunisian Parliament, which is supposed to play a central role in the political decision-making, has not yet the financial and administrative autonomy that would allow it to build its own capacities and expertise resources to effectively undertake its legislative role, consolidate its oversight of government activities and closely monitor the ongoing negotiation process as well as the implementation of the DCFTA once ratified. Despite the serious concerns expressed by MPs from all parliamentary groups, including the most critical voices within the opposition, there is no claim to suspend the negotiations on the DCFTA or to reject in principle the prospect of deepening trade relations with the EU (Interviews conducted by the authors with members of the People’s Representatives Assembly (PRA), Tunis, February 2018). Addressing regional disparities, building the capacities of the public administration, preparing the agricultural sector and protecting the textile industry are among the priorities that policy-makers on both sides should put on their agenda, according to the most vocal MPs on the DCFTA.

Civil Society, Sectoral Concerns and Linkage Issues

When the DCFTA negotiations were launched in October 2015, the domestic debate was subject to centrifugal forces since the public sphere had become overcrowded by critical voices from the political and administrative elite, civil society organisations and even the emerging epistemic community. The EU is often criticised or perceived in civil society and among MPs as “hegemonic”, and with regard to the DCFTA it is feared that the EU “will take over the Tunisian market, destroy Tunisian agriculture and its fragile services sector.” (Ibid). These concerns are similar to those of a “Fortress Europe” in the area of mobility and visa-facilitation, as further explained in the fourth chapter of this volume.

Since September 2015, a coalition of civil society organisations and NGOs, including the *Union Générale des Travailleurs Tunisiens* (UGTT), the *Association tunisienne des*

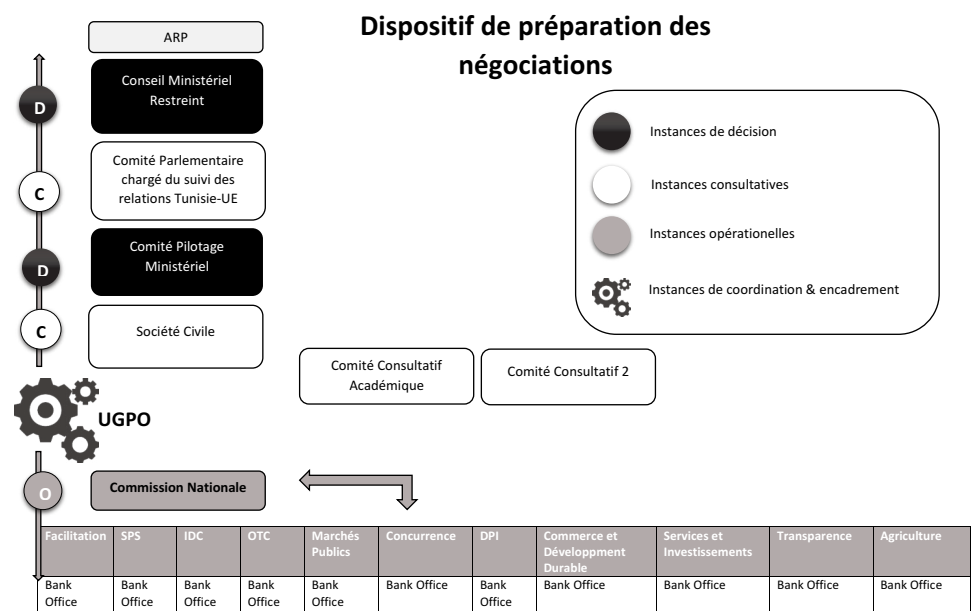
Femmes Démocrates (ATFD), the *Forum Tunisien des Droits Economiques et Sociaux (FTDES)* and *Solidar Tunisie*, has demanded a role for civil society in the negotiations that should not start before an impact assessment evaluation is conducted. They pointed to the risk of an increase in the budget deficit, a rapid deterioration of the trade balance and a destabilisation of the agriculture sector.

The concerns expressed by civil society and representatives of industrial sectors were echoed by senior diplomats and experts (Baati, 2016; Mahjoub, 2016). They argue that the discussion on the DCFTA was problematic from the outset as it interfered with an internal debate on which development model Tunisia should adopt in the post-authoritarian context.

The Capacity-Building Problem

The capacity-building of Tunisian public administration has remained one of the challenges facing policy-makers, especially in the international cooperation policy area. Resources and institutional capacities within the public administration are still limited. A key EU technical support measure in this is the different Twinning and TAIEX programmes that aim to improve and modernise the public administrations of the beneficiary countries. However, in the current context, it appears that the twinning projects that are linked to the areas of the Privileged Partnership between the EU and Tunisia have not yet reached their potential despite the progress in some policy and decision-making areas. A clear strategy and a stronger commitment on the Tunisian side would contribute to making an optimal use of these programmes. For instance, the “Programme in Support to the Association Agreement and the Integration Process P3AI”, which was launched in 2015 (European Commission, 2015a), has benefited some key decision-making structures concerned by the negotiations of the DCFTA such as the Management Unit “Objectives/DCFTA” (*Unité de Gestion par Objectifs/ALECA*), referred to as the “Unit”. The latter is dedicated to the monitoring and the supervision of the negotiations between Tunisia and the EU and operates under the authority of the Head of Government. Government decree No. 464 of 8 April 2016 related to the creation of a unit of action according to specific objectives in the negotiations between Tunisia and the European Union on the DCFTA and the regulation of the organisation and its modes of operation (ALECA, 2016b). In practice, it remains to be seen whether the “Unit” will manage to ensure a good coordination between the ministerial departments, civil society organisations, the PRA and stakeholders since the decision-making process and the dynamics within the steering mechanism are still opaque and the permanent and structured dialogue with the parliament is still missing.

Table 3. The Decision-Making Structures in Charge of the Negotiations of the DCFTA



Source: ALECA, 2018

In addition, the P3AI would be a useful tool if its beneficiaries refer to a clear national strategy dedicated to the reform of the Tunisian public administration. It could also be optimal if better synergies are created with EU member states' programmes and development policies, such as the programme in support of the reform of the governance of the public enterprises in Tunisia signed in January 2018 with the Agence Française de Développement (Agence Française de Développement, 2018).

Politics vs. Technocracy

The DCFTA has also raised a complex issue that should not be underestimated: the EU-Tunisia partnership has been more characterised by continuity than change as technocracies still have the upper hand on the agenda-setting and the agenda-shaping as well as on the desired outcomes, given the nature of the interests at stake and the institutional dynamics underlying the strategies and the preferences especially of the EU actors, notably the EC and its Directorate General of Trade (DG Trade). While the domestic political scene is “overly-politicised”, foreign policy decision-making in Tunisia is still “overly-technocratic”. Bridging the gap between these two dynamics will help develop a more balanced approach to the DCFTA, where elected officials on both sides

will have to take informed decisions based on the knowledge of experts and the experience of practitioners. This is particularly relevant as the DCFTA could trigger a process of legislative approximation in Tunisia, where in addition to the executive also the parliament will play an important role in the adoption of new legislation to align with the EU *acquis*.

Conclusion and Policy Recommendations: Towards a “Gradual” DCFTA?

It is clear from this analysis that the DCFTA will be a key element of the envisaged new EU-Tunisia partnership. The DCFTA will not only almost completely liberalise EU-Tunisia trade, it will also aim to gradually integrate Tunisia into the EU Internal Market and the global world economy. Moreover, the DCFTA, in particular the envisaged legislative approximation commitments, can offer a blueprint for economic reform. The DCFTA needs to be used to trigger, support, complement and strengthen the much-needed economic reforms in Tunisia. The negotiation and implementation of the DCFTA will therefore need to go hand in hand with the domestic economic reforms in Tunisia. By the same token, as long as Tunisia does not develop a clear economic reform programme to modernise the different sectors of its economy, it makes little sense to negotiate a DCFTA. For example, as illustrated in this study, the “deep” dimension of several DCFTA chapters such as SPS, TBT and services needs to be linked with the domestic reform process in the areas of, respectively, agricultural policy, industrial policy and the services sector.

In the case that Tunisia is not able, due to capacity reasons or the political context, to deliver such economic reform policies in the short term, the EU should reconsider first negotiating a more limited “traditional” FTA, which requires less interaction with the domestic economic reform process. Such an FTA could include, for example, a chapter on the liberalisation of agricultural products and provisions that go beyond the EMAA and the WTO rules in the area of public procurement, SPS, TBT, IPR, services, transparency and competition. Such a “traditional” FTA, which for instance asymmetrically and progressively liberalises agricultural products, can take away some of the concerns that politicians and civil society have about the DCFTA – and the EU in general (i.e. the EU as an “hegemon” that will “take over the Tunisian economy”) and restore trust between Tunis and Brussels in this area. Such a more limited “traditional” FTA can function as a stepping stone towards a more ambitious DCFTA. For example, this traditional FTA can in several sectors/chapters include a *rendez-vous* clause that allows

a joint institution (e.g. the Association Council) to broaden and deepen the FTA by including more ambitious commitments (e.g. approximation to the EU *acquis*) from the moment Tunisia has developed a clear strategy and policy in this area. This way the limited “traditional” FTA can gradually be developed into a “DCFTA” at the pace of – and in line with – the domestic economic reforms in Tunisia. In the meantime, the EU (and the member states) should continue – and step-up – their technical assistance and capacity-building programmes to support these reforms.

The DCFTA negotiation process also requires some institutional reforms in Tunisia. The DCFTA negotiations fall within the foreign policy area, which is one of the major powers of the President of the Republic according to the 2014 Constitution. A National Dialogue under the auspices of the Presidency could be launched on the DCFTA, comprising parliamentarians, members of government, major national and civil society organisations, political parties’ representatives, academics, experts and other stakeholders, such as local elected officials. Drawn upon the success of the Tunisian National Dialogue Quartet (2014), the National Dialogue on the DCFTA can contribute to build a domestic consensus on the most sensitive issues raised by the DCFTA negotiations, including linkage with the domestic economic reforms, while raising the level of political support to the negotiation process. The position of Chief Negotiator should enjoy stability and lasting political support, which would allow him/her to be immune to governmental instability and to short-term political calculations. With regard to the Tunisian government, the Head of Government should provide more visibility to the “Unit”, which is also in charge of the inter-ministerial coordination between all the ministerial departments involved in the DCFTA negotiations and in the sectoral bilateral cooperation with the EU. Finally, the Tunisian government should speed up the envisaged impact assessment evaluation and the ex-post evaluation of the socioeconomic impact of the 1995 Association Agreement. Policy-makers on both sides should also address the executive-centric approach to the EU-Tunisia partnership. In this regard, they should interact with the PRA to strengthen the parliamentary oversight of the PRA and to foster an effective monitoring of the ongoing negotiations. Regular meetings and hearings with Tunisian as well as EU policy-makers and senior officials should be organised at the PRA in order to share views and to develop convergent positions on the most sensitive issues of the future agreement. The involvement of the PRA during the DCFTA negotiations is essential as the Parliament will in the end be responsible for adopting the legislative agenda enshrined in the (gradual) DCFTA.

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Migration and Mobility: The Challenge of Thinking Outside the “Crisis Box”

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Introduction

The tragic shipwreck of a boat occurred 60 kilometres off the Tunisian Island of Kerkennah on 8 October 2017, causing the death of 46 migrants trying to reach Italy (International Organisation for Migration [IOM], 2017), has put Tunisia back under the spotlight. While European leaders are cautiously welcoming the decreasing number of arrivals by sea and deaths in the Mediterranean, the fourfold increase of departures from the Tunisian coasts compared to 2016 (United Nations High Commissioner for Refugees [UNHCR], 2017) has drawn the attention of European Union (EU) institutions and many member states. Concerns are less related to the number of people reaching the European shores than to the fact that sea-crossings involve mostly young Tunisian citizens fleeing unemployment and lack of prospects. According to the Italian Ministry of the Interior, the Tunisian nationality is the second nationality declared by migrants who arrived in Italy in 2018 (see Table 1), and 81% of Tunisians irregularly leaving the country in 2016 are aged between 15 and 30 (Forum Tunisien pour les Droits Économiques et Sociaux [FTDES], 2017). These are exceptional numbers compared to 2012-2016 when Tunisia figured low in the list of registered nationalities after the post-uprisings increase.

Table 1. Nationality of migrants arrived in Italy through the Central Mediterranean Route

Arrivals 2012		Arrivals 2013		Arrivals 2014		Arrivals 2015		Arrivals 2016		Arrivals 2017		Arrivals 2018	
Tunisia	2.268	Syria	11.307	Syria	42.323	Eritrea	39.162	Nigeria	37.551	Nigeria	18.118	Eritrea	1.312
Somalia	2.179	Eritrea	9.834	Eritrea	34.329	Nigeria	22.237	Eritrea	20.718	Guinea	9.665	Tunisia	755
Afghanistan	1.739	Somalia	3.263	Mali	9.908	Somalia	12.433	Guinea	13.342	Ivory Coast	9.485	Pakistan	279
Eritrea	1.612	Egypt	2.728	Nigeria	9.000	Sudan	8.932	Ivory Coast	12.396	Bangladesh	9.036*	Nigeria	252
Pakistan	1.247	Nigeria	2.680	Gambia	8.691	Gambia	8.454	Gambia	11.929	Eritrea	6.924	Libya	233
Egypt	1.223	Gambia	2.619	Palestine	6.082	Syria	7.448	Senegal	10.327	Mali	7.225*	Ivory Coast	202
Bangladesh	622	Pakistan	1.753	Somalia	5.756	Senegal	5.981	Mali	10.010	Tunisia	6.007	Senegal	170
Syria	582	Mali	1.674	Senegal	4.933	Mali	5.826	Sudan	9.327	Sudan	6.347*	Guinea	168
Nigeria	358	Senegal	1.314	Bangladesh	4.386	Bangladesh	5.040	Bangladesh	8.131	Senegal	5.996	Algeria	151
Gambia	348	Tunisia	833	Egypt	4.095	Morocco	4.647	Somalia	7.281	Morocco	5.991	Morocco	137
Others	1.089		4.920		40.597		33.682		40.424		34.575*		1.064
Tot.	13.267		42.925		170.100	Tot.	153.842	Tot.	181.436		119.369		4.723
				Tunisia	1.247*	Tunisia	551*	Tunisia	948*				

* = not verified value

Source: UNCHR and Italian Ministry of the Interior

It comes as no surprise, indeed, that the second round of parallel negotiations of the EU-Tunisia readmission agreement and the EU-Tunisia visa facilitation agreement in November 2017 took place in a re-politicised environment. After being on the backburner

of political dialogue, the migration and mobility dossier is likely to become the litmus test of a renewed EU-Tunisia partnership for at least two reasons.

First, setting up a joint agenda on migration and mobility also affects the extent to which the EU and Tunisia will plan and deliver results in other key policy areas such as trade, security, regional cooperation and research. The relevance of mobility issues in the negotiations of a Deep and Comprehensive Free Trade Agreement (DCFTA) recently pointed out by the Tunisian Chief Negotiator Hichem Ben Ahmed during a meeting with his European counterpart is telling in this respect (Accord de Libre Échange Complet et Approfondi [ALECA], 2018). Then, joint commitments on both migration and mobility will account, far more than other realms, for the level of trust between Tunisia and the EU, and for internal cohesion within the Tunisian and European domestic contexts. Indeed, over the last year this dossier has been channelling malaises and mistrusts in Tunisia and in Europe, leading to political stalemates and social tensions.

This chapter tries to disentangle the short-, medium- and long-term challenges of cooperation on migration and mobility and understand how the interconnected aspects of what looks like a “couple illégitime” (EEAS, personal communication, November 2017) could feature in a renewed and effective bilateral partnership. The extent to which this dossier will be part of a long-term mutually beneficial partnership mainly depends on how the EU and Tunisia will succeed in developing a common understanding of mobility and migration. However, the outcomes of the EU’s and member states’ initiatives in the region, such as talks with Morocco and Algeria to securitise the western and central Mediterranean routes or missions in Libya and the Sahel, might also play a role in EU-Tunisia negotiations, as they could reshape both the regional migration landscape and the perceptions of risks and opportunities.

The first section outlines the evolution of the migration and mobility landscape in Tunisia while the second part focusses on the EU-Tunisia migration and mobility cooperation policies, both at a macro-level, looking at political dialogue and framework agreements, and at a meso-level, concentrating on the progress and deadlocks in the implementation of the bilateral and regional programmes launched since the regime change. The last and third part points to the main challenges for Tunisia and the EU, not only in cooperating with each other on mobility and migration but also in addressing these topics internally. We will also put them in a short-, medium- or long-term perspective in order to draw the conclusions in a final section and suggest some policy recommendations.



Evolving Landscapes of Migration and Mobility

Tunisian participation in the informal consultative platform Dialogue on Mediterranean Transit Migration (MTM) in 2003 can be fairly interpreted as the first step towards cooperation with the EU on migration and mobility. Until then, despite the early signing of a readmission agreement with Italy in 1998 and the increasing relevance of Tunisia as a transit country, the presence of nationals abroad and irregular migration from its coasts were not key priorities for the regime. While migration was part of people's personal experiences usually discussed with family and friends, it was not part of the Tunisian political agenda or public debate (Bartels, 2015). As clearly stated by a representative of the European External Action Service (EEAS), "for Tunisia, migration simply did not exist" (EEAS, personal communication, October 2013). Cooperation with the EU on migration management and border politics was therefore passive for a long time (Fargues, 2004) unless it suited Ben Ali's attempts to bolster the external legitimacy of his regime, strengthen his control over society at large and youth in particular (Paciello et al., 2016), and monitor the political engagement of Tunisians abroad. Reluctance to deal with this dossier did not prevent Tunisia from engaging in a variety of regional frameworks and initiatives such as the 5+5 Dialogue launched in Rome in 1990 and the Rabat Process launched in 2004. The bilateral 1995 Association Agreement and the 2004 Action Plan under the European Neighbourhood Policy (ENP) also included migration as a joint priority but very few activities were planned and implemented.

The regime change and the regional upheavals in 2011 have altered both internal and external dynamics. On the one hand, they have transformed and complexified the internal migration landscape, with the departure of thousands of Tunisian citizens towards Europe and to Gulf countries and the arrival of about 1 million displaced people – Tunisian workers, Sub-Saharan migrants and Libyan citizens – fleeing Libya, but also the gradual arrival of European citizens looking for opportunities in the country¹. On the other, the transition boosted bilateral relations, up to the signing of a Joint Declaration on a Mobility Partnership in 2014 and the launch of negotiations on a readmission agreement and a visa facilitation agreement in 2016.

The post-uprisings context has not, however, fully unlocked dialogue, and progress on actual implementation has been modest (Weinar, 2017). Tunisia and the EU still have very different priorities in this realm, the former being interested in free mobility for its citizens towards the EU and the latter focusing on fighting undocumented migration but also controlling legal migration. In other words, the dossier occupies a leading position in the EU's hierarchy of priorities but is relatively on the back-burner of the Tunisian domestic agenda.

¹ The number of European citizens living in Tunisia rose from 9,700 in 2004 to 15,000 in 2014 according to the last available 2014 Census, the main countries of origin being France and Italy.

Therefore, while the new frameworks have surely “brought better management of operational and financial support” as stated in the 2017 EU Joint Communication on Migration on the Central Mediterranean Route, the limited convergence described above, combined with the complexity of the Tunisian transition and the multifaceted crisis of the EU, explains the mixed results of bilateral programmes and political negotiations.

In the wake of the revolution, Tunisia witnessed not only a massive irregular departure of around 28,000 Tunisians towards Europe but also an inflow of nearly 1 million people fleeing the crisis in Libya (United Nations High Commissioner for Refugees [UNHCR], 2011). As controls were restored at the borders, the number of Tunisian arrivals in Italy dropped to less than 1,000 in 2013 and 2014 (Natter, 2015). In the meantime, Tunisia continued to receive thousands of Libyans, though their exact numbers are difficult to obtain since the majority are not registered as refugees. Following this upsurge from its borders and from the whole region, international partners called for increased cooperation on controlling migratory flows and repatriating irregular migrants.

This novel situation challenged Tunisia’s existing legislation and capacities in terms of migration management. At the same time, Tunisia’s domestic policy-making process started evolving in a way that brought civil society more prominently into the political arena, advocating “a human-rights-based immigration policy” (Natter, 2015) and reconfigured the national institutional framework. Thus, both internal and external factors put the Tunisian migratory system under pressure towards the development of a national strategy on migration.

The new Tunisian Constitution reflects this changing environment as it enshrines the right to political asylum (Article 26). In July 2016, the Assembly of the Representatives of the People (ARP) adopted Law 61/2016 on the prevention of and the fight against human trafficking, and an ad hoc National Authority for the fight against human trafficking (*Instance nationale de lutte contre la traite des personnes*) was set up in February 2017 and formally inaugurated in January 2018. However, the country still lacks an asylum law, whose adoption remains delayed for both technical and political reasons, and the UNHCR remains in the meantime responsible for refugee status determination.

The National Strategy on Migration (NSM) approved by the government in January 2018 should provide a comprehensive framework to deal with this moving landscape. The strategy sets five broad objectives: 1) reinforcing good governance of migration; 2) ensuring the rights and interests of Tunisian migrants and strengthening their links to Tunisia; 3) strengthening the role of migration in social and economic development at

national, regional and local level; 4) encouraging the regular migration of Tunisians and preventing irregular departures; and 5) protecting the rights of migrants in Tunisia, including economic migrants, asylum seekers and refugees.

These priorities reflect Tunisia's endeavours to come to terms with both peoples' aspiration to travel freely and the socioeconomic development of the country (Ministry of Social Affairs of Tunisia, personal communication, December 2017). In fact, with high unemployment rates, especially among young graduates (more than 30%), and legal migration opportunities available only for high-skilled people, Tunisia could be permanently losing its competences. The dearth of available employment opportunities and a rather discouraging workplace environment are pushing the country's highly skilled people to move abroad in pursuit of higher wages and better career prospects, be it in Europe, North America or the Gulf. Recent reports reveal that Tunisian universities suffer from shortages of university lecturers in many specialties, which then has an impact on graduate students who are no longer able to find thesis supervisors (Jamel, 2017). The health sector endures similar challenges as an increasing number of health professionals are leaving the country due to "structural and financial deficiencies" in this sector (Zayat, 2017).

These trends raise a serious problem not only because this brain drain deprives Tunisia of highly skilled people that are urgently needed for its development but also because education is largely subsidised by the government. When developing countries invest in the training of qualified professionals who then move to benefit destination countries, the poor countries end up "subsidising wealthier countries" (Chapman & Benegal, 2013). What further compounds the problem is that current austerity measures that emphasise the reduction of public recruitment can only deepen this phenomenon.

Moreover, with around 1,223,000 Tunisians living abroad in 2012, representing 11% of the country's total population according to the last available census, the NSM seeks to strengthen and renew the country's historical efforts to engage the diaspora. Until 2011, diaspora policies promoted by the Ministry of Social Affairs, Solidarity and Tunisians Abroad and the Office for Tunisians Abroad as its executive body mainly tackled integration in the hosting countries and the transfer of remittances (Katterbach, 2010, as cited in Weinar, 2017). Since the Revolution, the approach stretches to increased participation of Tunisians abroad into domestic politics through the election, for the first time in the country's history, of 18 Members of Parliament representing the diaspora as well as into economic and social development. According to the Tunisian government and in line with the EU approach, the goal of fostering development through migration

implies redirecting remittances to private investments, supporting them by means of public-private partnerships and boosting the contribution of Tunisians abroad to scientific research.

The strategy further accounts for other migratory trends. In general, immigration to Tunisia has been traditionally low with only 53,000 foreign residents registered in the country in 2014. But Tunisia seeks to grow as an attractive destination for sub-Saharan students: the government has announced its intent to raise their numbers from the current 6,000 to 20,000 by 2020 as it perceives cooperation on education as central to revamping its ties with sub-Saharan countries (“La Tunisie prévoit d’accueillir 20 mille étudiants subsahariens”, 2017). Moreover, the country hosts other foreign residents, among which nearly 1,000 refugees and asylum seekers as registered by the UNHCR (United Nations High Commissioner for Refugees [UNHCR], 2018) and an undetermined number of irregular migrants² for whom very limited support and legal guarantees exist.

Both old and new Tunisian actors are currently shaping the governance system. The strengthened role of the Ministry of Social Affairs through its State Secretariat for Migration and Tunisians Abroad³ and the Ministry of Vocational Training and Employment⁴ to complement the traditional activities of the Ministry of Foreign Affairs, the Ministry of Development and International Cooperation and the Ministry of the Interior speak of the effort to enact a comprehensive approach to migration and mobility. Besides, a law establishing the consultative National Council for Tunisians Abroad was adopted in August 2016. The strategy also foresees the involvement of local authorities to mobilise the contribution of migrants to local and regional development. Against this background, coordination will be a key challenge in the short and medium term. It is not surprising that an inter-ministerial committee, as well as thematic working groups, have already been planned as a pivotal point of the NSM.

While the regime change in 2011 “revolutionised the space of mobility” (Garelli & Tazzioli, 2017), local agency and internal drivers alone cannot account for the complex framing process described above. The EU and the member states are both triggering and constraining change, and the multilayered system of migration governance (Kunz et al., 2011) currently under pressure is puzzling even further the moving Tunisian landscape.

Partnership at Work

The negotiation of Chapter 6 of the 2013-2017 EU-Tunisia Action Plan dealing with “migration, mobility, and security” was an uphill struggle (Permanent Representation

² According to a public official of the Ministry of Social Affairs of Tunisia interviewed on that subject, data and estimates are not available yet, since the Ministry has recently started a mapping exercise to tackle the issue accordingly.

³ The State Secretariat for Migration and Tunisians Abroad includes the General Directorate for Planning and Follow-up, the General Directorate for International Cooperation on Migration, the Office for Tunisians Abroad, and the National Observatory on Migration.

⁴ The Ministry of Vocational Training and Employment acts through its Bureau of Foreign Labour and its public employment agency (ANETI).

of a member state to the EU, personal communication, May 2013). It took several rounds for the European and Tunisian counterparts to reach a compromise, the latter trying to strengthen the references to circular migration and complaining about limited concessions and the former being focused on controlling migration flows towards Europe. Early cooperation programmes and projects reflected this lack of common ground. The first funded activities aimed at launching a joint dialogue, conducting a peer review of border management systems in the country and empowering local actors. Implementation has been, however, largely EU-driven and has progressed slowly, as if “the EU was trying to convince us [the Tunisian government] that the topic was a priority for our agenda” (Ministry of Foreign Affairs of Tunisia, personal communication, March 2014).

Since 2014, EU funding in the realm of migration and mobility has substantially increased, as illustrated in Table 2, and cooperation programmes are gaining more consistency. The European Partnership Instrument (ENI) is supporting the establishment of an integrated border management and international protection system while the Development Cooperation Instrument (DCI) is funding the development of the Tunisian National Migration Strategy through the Lemma project. Furthermore, out of the €23 million planned for the Security Sector Reform (SSR) programme, “an important component” should integrate cooperation on border management (European Commission, 2015), and €11.5 million under the Emergency Trust Fund (EUTF) for North Africa have been committed to: i) operationalise the National Migration Strategy; ii) involve the diaspora in local development; iii) support reintegration; and iv) link migration and local development. A constellation of regional activities mainly targeting the protection of migrants and displaced people, regional dialogue on migration management and local entrepreneurship complements national projects.

Delays are still occurring due to the bureaucratic burdens (e.g. at the time of writing, contracting is ongoing for SSR and for the Trust Fund, despite its more flexible nature) and to Tunisian political instability, but actors on both sides confirm that EU-funded activities better target local needs. They have, in particular, triggered coordination among local actors dealing with migration, both institutional and non-institutional, and have improved the content of domestic and international dialogues. The report on the tripartite dialogue between the Tunisian government, civil society organisations, and the EU prior to the first round of negotiations of the Readmission and Visa Facilitation Agreements in October 2016 confirms this progress, as does the National Migration Strategy approved by the government.

Table 2. EU funded projects on migration and mobility 2012 - 2017

Project	Year	Amount	Found	Level	Contractor
EU-Tunisia Agenda on migration	2012	€ 800.000	ENPI	ational	ICMPD (Aut)
La maison tunisienne du droit et des migrations	2012	€ 246.640	ENPI	National	Association France, terre d'asile
Programme EUROMED	2012	€ 5.000.000	ENPI	Regional	ICMPD (Belgique), Pays du Voisinage sud
DIAMED	2013	€ 2.344.350	ENPI	Regional	ADER Méditerranée, CONECT, ACIM, MEDAFCO Consulting, ANIMA Investment Network, FCE
START	2013	€ 9.000.000	ENPI	Regional	OIM, ONG, MFPE Tunisiene
JMDI phase II	2013	€ 7.400.000	ENPI	Regional	UNDP
SIME	2013	€ 1.883.775	ENPI	Regional	OIM
SALEMM	2014	€ 1.450.000	ENI	Regional	Fonds Provincial milanais pour la Coopération internationale en partenariat avec OIM et l'Association ANOLF Piémont
Integrated Border Managment	2014	€ 3.000.000	ENI	National	ICMPD
Protection and assistance for refugees and Asylum seekers in Tunisia	2015	€ 900.000	ENI	National	UNHCR
ADEM	2015	€ 473.000	ENI	National	Terre d'Asile Tunisie en partenariat avec l'association Beity

Project	Year	Amount	Found	Level	Contractor
LEMMA	2016	€ 5.000.000	DCI	National	Expertise France
BRISER LE CHAINES - Fight against human trafficking in Tunisia	2016	€ 500.000	ENI	National	Avocats sans Frontières, le Forum Tunisien pour les Droits économiques et Sociaux et NOVACT
Program EUROMED MIGRATION IV	2016	€ 6.800.000	ENI	Regional	ICMPD
RDPP	2016	€ 3.000.000	ENI	Regional	OIM, ITALY, Save the Children
Towards an informed, chosen and resilient migration in west and north africa	2016	€ 1.980.000	ENI	Regional	N/A
DIAFRINKINVEST	2016	€ 2.000.000	ENI	Regional	ANIMA Invest network
RECOLTHEA	2016	€ 622.750	ENI	Regional	Terre d'Asile Tunisie
MEET AFRICA	2016	€ 1.700.000	ENI	Regional	Expertise France
CITY TO CITY	2016	€ 2.500.000	ENI	Regional	ICMPD
Trust Fund for North Africa	2016	€ 11.500.000	ENI/EUTF	National	ICMPD, Expertise France, GIZ, OFII, AFD

Source: EU-Tunisia Progress Reports 2012-2017

Yet a balance between migration and mobility in bilateral and regional cooperation is far from being achieved. Return, be it voluntary or forced, reintegration and prevention of departures overshadow cooperation efforts aimed at improving legal access to Europe for Tunisian citizens not only in political discourses but also in terms of numbers and level of implementation of funded initiatives. Despite the promise of balancing sticks and carrots underpinning the Mobility Partnership, this is a trend common to many other third countries (Den Hertog & Titter-Mosser, 2017). Moreover, mobility opportunities still target high-skilled citizens and do not represent an alternative to undocumented travels. Paradoxical as it may seem, even Tunisian project and programme beneficiaries themselves sometimes struggle to travel to Europe for project-related activities (public official, Ministry of Development and International Cooperation of Tunisia, personal communication, November 2017).

In that context, migration management ends up being perceived by Tunisia as a synonym for migration deterrence and is undermining mutual trust. This is even more relevant if one considers that “the scale of transit through and number of departures from Tunisia is low” compared to other key countries of transit and origin (European Commission, 2017a), thus leaving more leeway for pursuing a balanced approach and acting beyond emergency.

The first round of parallel negotiations on an EU-Tunisia readmission agreement and a visa facilitation agreement took place in October 2016. On that occasion, the EU Commissioner for Migration, Home Affairs and Citizenship Dimitris Avramopoulos announced that “Tunisia could be the first country to benefit from an ambitious visa facilitation agreement” (European Commission, 2016). While the start of the negotiations on these two agreements was initially positively welcomed by the EU (European Commission, 2016), the latter recently noted that these talks have not “progressed as needed” (European Commission, 2017b). Similarly, the Tunisian side is dissatisfied with what it perceives as highly asymmetric and “not so parallel” negotiations. The second round of negotiations that took place only in November 2017 occurred within a “tense” political climate, and contentions involve both the readmission and visa facilitation dossiers.

The signing of an EU readmission agreement with Tunisia, as with the other North African countries, has always been a priority for the EU and its member states. The current migration crisis has only put that tool on top of the EU agenda to “help avert the risk of irregular immigration from Tunisia and manage its consequences” (European Commission, 2016). As a response to disputed and still low readmission rates, this agreement is expected to “lay down the procedures to be followed by both sides in order to clarify, simplify and speed up cooperation in this area” (European Commission, 2016). While both sides are bound by international law to readmit their own nationals, readmission of third country nationals (TCNs) is not a legal duty. This clause is pivotal for the EU to dissuade non-Tunisian migrants from undertaking the journey to Europe through Tunisia and, if that happens, to be able to send them back to the country of transit.

For Tunisia, readmission is, in turn, a very sensitive topic – in its relations with the EU and internally – and a bargaining chip towards Europe. Tunisian authorities and civil society organisations criticise the practices and procedures for readmission, both of Tunisian citizens and TCNs, included in the first draft agreement discussed in October 2016 (representative of Tunisian civil society, personal communication, November 2017). These involve, for instance, very short deadlines (two to eight working days)⁵ for Tunisian embassies and consulates to respond to the EU requests during the readmission process. Besides, the EU proposal to grant a laissez-passer to migrants to be readmitted

⁵ The average time limit for replying to the readmission application is 13 working days, according to a comparison of the EU Readmission Agreements currently in place.

in case of delayed or no response by the Tunisian authorities has raised serious concerns about the violation of Tunisia's sovereignty.

The clause of readmission of TCNs is even more controversial. Already in 2014, its inclusion in the Mobility Partnership led to strong criticism by Tunisian civil society. The main argument put forward against this clause is the weakness of the Tunisian institutional and legal framework to deal with the readmitted TCNs, such as the lack of an official regularisation policy or of voluntary return programmes. Moreover, fears about the social and economic impact of hosting an increasing number of migrants are not uncommon in a context of strong economic crisis and social and political transition. The Evaluation of EU Readmission Agreements carried out in 2011 by the European Commission confirmed that the TCN clause is often rejected by the non-EU negotiating counterparts (European Commission, 2011). It also recommended to use it only when the country concerned is "geographically relative to the EU or where there is a big potential risk of irregular migration transiting its territory to the EU" and to complement the agreement with "appropriate incentives" (European Commission, 2011). While proximity is a fact, the European Commission itself acknowledged that "transit through Tunisia is low" (European Commission, 2017a). This makes the debate on the suitability of TCN clause for the Tunisian case even more delicate from a political point of view, and the negotiation of "appropriate incentives" more crucial.

According to the EU practice,⁶ the costs and benefits of the readmission dossier are negotiated in parallel with the possibility to "see the relaxation or elimination of certain of the requirements laid down by the Visa Code, at least for some groups of people" (European Commission, 2016). In this regard, expectations differ and are exacerbated by both the European and Tunisian crisis. In times of Brexit, economic turmoil and rise of populist and right-wing parties, free movement of workers – even from within the EU is a sensitive issue. It is not surprising, though, that the EU offer has been vague or, as a European diplomat recently put it, "there is no real appetite in Europe for granting more visas" (public official, embassy of a EU member state in Tunisia, personal communication, November 2017).

Mobility opportunities for Tunisian students and researchers offered by the EU through the Horizon 2020, Erasmus+ or Creative Europe programmes, and the idea of enlarging them even further to also reach young entrepreneurs and apprentices (Nawaat, 2018) are attempts of openness. They do not represent, however, the step forward that the Tunisian authorities and civil society are demanding and cannot compensate for what is perceived by Tunisia as a blurred offer both in the medium and long term.

⁶ The link between the negotiation of readmission agreements and visa facilitation agreement dates back to early 2000 when, as a response to the limited progress on readmission with Russia and Ukraine, the EU decided to include visa facilitations as an incentive.

First and foremost, “facilitation remains restricted only to the elites” and does not target young unemployed Tunisians who would like to either look for opportunities abroad or to “travel and see the world” (Public official, Ministry of Foreign Affairs of Tunisia, Nov. 2017). In that respect, the agreement is not an advance compared to the existing bilateral agreements between Tunisia and individual member states (public official, Permanent Representation of a member state to the EU, November 2017) nor the legal alternative to dangerous travels through the Mediterranean. Moreover, the proposal under negotiation does not sufficiently address the difficulties encountered by Tunisian citizens when submitting visa applications, such as the supporting documents to be provided by those categories of citizens not covered by facilitation scheme, the relatively high financial costs (especially when visa processing is performed by external providers), and the often reported opacity of the motivations for visa rejection.⁷

When it comes to the long term, it is remarkable – and powerful in terms of political message – that compared to all the other facilitation agreements signed by the EU and “wider Europe” countries, the draft accord with Tunisia does not mention a visa-free regime as a (very) long-term prospect.

These conflicting ambitions have so far worn out the dialogue. While asking its counterpart for a “more realistic approach,”⁸ the EU has been seeking a compromise by temporarily removing the TCN clause and the European laissez-passer for undocumented Tunisians from the second round of negotiations on the readmission agreement. However, leverage through linkages of the dossiers has not been successful so far, as proved by the Tunisian delays in providing the EU with the professional categories that should be waived from visa requirements under the facilitation agreement.

Towards a Common Agenda

The likelihood of achieving global partnerships on migration has been questioned many times (Lavenex & Stucky, 2011; Cassarino & Lavenex, 2012). While so far the EU and Tunisia have managed to work together on migration issues, partnering involves material and intangible variables, such as trust, capabilities, knowledge and clear priorities, which are still unsettled and unevenly present both internally and in bilateral dynamics.

Tunisia’s Migration Dilemma

The latest wave of protests in early 2018 in Tunisia is perhaps a reminder that what

⁷ Declaration of the members of the working group Migrants and Refugees Rights of the tripartite dialogue between the civil society, Tunisia and the European Union, 10 October 2016.

⁸ Ibid

continues to ail the country are the economic and social demands of the majority of the population more and more strangled by the hardening economic conditions. In such a domestic context, migration hardly features in the government's agenda. In fact, after Tunisia succeeded in sealing its borders in 2012, migration has moved to the back burner. The sudden surge in the number of Tunisian arrivals on Italian shores in the last quarter of 2017, and especially the shipwreck on the Tunisian route, has brought the migration question back under the spotlight.

Several intertwined factors account for the recent spike of departures but young Tunisian's unmet expectations and lack of prospects in the country surely feature high in the list of explanations. The lack of trust in the government's ability to navigate these economic difficulties is fostering young people's alienation from political and economic life in the country; it has also reinforced a sense of non-belonging to their communities, which is an additional push factor for leaving the country (representative of the IOM in Tunisia, personal communication, November 2017). Besides, the perception of migration and the social behaviour around this phenomenon has undergone a critical change by shifting from an individual to a family choice as some families now encourage and help their sons to leave the country (representative of Tunisian civil society, personal communication, November 2017). Most importantly, "traffickers are good marketers" and they manage to prey on these circumstances to promote the business (representative of the IOM in Tunisia, personal communication, November 2017).

While the picture is clear to all actors involved, a clear hierarchy of priorities that is necessary – among other factors – to equally negotiate with the EU on the migration and mobility dossier is still missing. The approval of the national migration strategy suggests that the government is trying to move beyond the securitisation approach, addressing the underlying causes of irregular migration and promoting legal migration. Coming to terms with the new mobility landscape, however, involves investing in education so as to match training with the demands of the job market, promoting regional development that could reduce feelings of alienation and social exclusion and job creation to provide alternative livelihoods. As such these are likely to be long-term objectives whose operationalisation will very much rely on the recovery of the Tunisian economy and the progress of the country's democratic process. In this respect, Tunisia's upcoming municipal elections could signal a positive step in terms of implementing decentralisation that ultimately seeks to reduce regional disparities in the long term.

Besides having explicit priorities to be put on the bargaining table, Tunisia still faces the challenge of developing an overarching approach to migration and mobility capable of

drawing together all the domestic actors – including civil society organisations and citizens – to jointly leverage on the EU. A reform of the migration and asylum system is essential in this respect. Although refugees can enjoy public primary and emergency medical services sponsored by the UNHCR and refugees' children may enrol in public schools (United Nations High Commissioner for Refugees [UNHCR], 2016), the absence of an asylum law that guarantees the rights of refugees and asylum seekers keeps these categories in a highly vulnerable situation. Similarly, regular migrants such as sub-Saharan students face difficulties and delays in obtaining their residence permits, quickly shifting their status from regular to irregular residents in Tunisia. These difficulties not only affect their access to public services but also make them subject to fines for overstaying the permitted time to live in the country. Moreover, episodes of racial discrimination persist in post-revolutionary Tunisia as important social barriers to integration (Law, 2014; Pouessel, 2012; International Organisation for Migration [IOM], 2014).

The renewed civil society activism is contributing to monitoring these issues and raising concerns not only on internal dynamics but also on the impact that international relations could have in improving or worsening the situation. The fierce opposition of civil society to the EU readmission agreement including TCNs is telling in this respect. The government's reluctance to improve conditions and reinforce the social and cultural integration of migrants and refugees in the country could, however, undermine Tunisia's leverage vis-à-vis the EU. As only few constructive and fresh inputs are put forward, also from the Tunisian side, on the reception and integration system (representative of the IOM in Tunisia, personal communication, November 2017), one could expect that negotiations with Europe will reach a deadlock. Strengthening the integration dimension of the Tunisian agenda could also be central to Tunisia's geostrategic interests in view of building stronger relations with sub-Saharan countries and increasing its regional leverage.

The EU's Constraints on a Forward-Looking Agenda

In the EU, the development of a credible agenda to be negotiated with Tunisia is constrained by different challenges. First and foremost, mobility keeps being conceived as a symptom of unrest and troubles, preventing potentially comprehensive instruments such as the mobility partnerships from unlocking their full potential. This narrative, which is no longer limited to migration from third countries but also involves intra-EU circulation, contradicts the relationship of mobility with freedom that is supposedly inherent in the European project itself and contradicts the EU's discourses on supporting the nascent Tunisian democracy. As recently noted in a discussion paper of the International Centre

for Migration Policy Development (ICMPD), the widespread call for addressing the “root causes of migration” is based on the misleading assumption that this human phenomenon can be fully controlled (International Centre for Migration Policy Development [ICMPD], 2017). However, while poverty reduction and the fight against unemployment should be pursued and might lead to less risky journeys, no “selected migration” strategy embedded in visa facilitation agreements can successfully deal with people’s request to travel freely. This is especially true in a country such as Tunisia, where the uprisings have “revolutionised the space of mobility” (Garelli & Tazzioli, 2017) and raised people’s expectations of freedom. Quite the opposite, this approach seriously undermines trust in legal channels and fosters reliance on dangerous alternatives. As reported by some interviewees, “every Tunisian who applies for a visa is somehow perceived as a potential irregular migrant. It is humiliating” (representative of Tunisian civil society, personal communication, November 2017).

This narrow conception of migration, combined with uncertainties related to intra-European dynamics such as Brexit, post-2020 budget negotiations and the rise of populist parties, is affecting the EU’s agenda in such a way that planning crisis-driven cooperation tends to be preferable to developing long-term partnerships. The debate around the potential “misuse” of emergency instruments such as the Trust Funds – resorting to them for activities that traditionally fall into development cooperation (European Parliament, 2016) rather than for crisis response – is telling of this trend. Flexible decision-making and improved coordination among the member states have legitimised a partial reconfiguration of the funding landscape after the refugee crisis (Den Hertog, 2016) and the EUTFs have been regarded as instrumental to enable swift action and pool EU and national resources. Yet not only has the implementation of the activities not been as smooth as expected (public official, EEAS, personal communication, November 2017), thus undermining the criterion of managerial advantage upholding their use but the volatility of national contributions – allocated on a voluntary basis - “necessarily entails projects that are both limited in time and contextual in terms of contents” (public official, Permanent Representation of a member state to the EU, personal communication, November 2017).

Ironic as it may sound from a discursive perspective, the rise of Trust Funds is occurring in the political phase of the EU’s history that is more dominated by distrust among the member states and between the EU and the member states. While pragmatism and flexibility are needed in order to reach agreement on a common agenda and implement it, framing the dossier as a crisis might not be enough to negotiate a far-reaching partnership with Tunisia that goes beyond existing bilateral agreements.

The Challenge of Reconciling Conflicting Agendas

The previous sections have highlighted that material and ideational factors needed to establish an effective and inclusive partnership on migration are not fully settled within the EU and Tunisia. While these respective backgrounds do not prevent the EU and Tunisia from cooperating as interests and perceptions are always subject to changes in any other policy area, reconciling them towards an ambitious joint agenda may require a surge of bravery.

Migration-related cooperation on security does not entail major criticism. With the persistent instability in Libya, border management remains a priority for both the EU and Tunisia and is likely to emerge as a common objective within a renewed partnership.

With regards to diaspora engagement and reintegration of citizens, once they return to Tunisia, dialogue within regional and bilateral frameworks has contributed to developing a common understanding. However, the implementation of these activities is likely to face similar challenges to those encountered by local and foreign businesses. Reforms to improve the Tunisian business environment, such as the Law on Investment of September 2016, are ongoing but these will hardly have an impact in the short term whereas reintegration projects either focus on the start-up phase or have a short duration (six months to one year). Besides, the entrepreneurial rationality behind this approach to migration is at odds with the injunction to remain in one's own place or to be unable to choose where to enact entrepreneurial skills. The asymmetry with the European context in this respect has often been raised by the Tunisian authorities and civil society, especially when dealing with mobility issues during DCFTA negotiations.

Readmission is a more controversial issue because interests largely differ between Tunisia and the EU. In particular, while EU readmission agreements signed so far include a readmission clause of TCNs, Tunisia, like many other transit countries, fears that migrants could remain in its territory with no possibility to return them to the country of origin. Already in 2013, civil society groups blamed the agreement on a Mobility Partnership, which included references to the TCN clause, for being externalisation policy in disguise.

The side effect of this clause has more to do with trust and perceptions than with concrete burdens that Tunisia as a transit country could experience in the case of signing the agreement. The number of TCNs arriving from the Tunisian coasts has been rather limited so far and, as noted by one of our interviewees, "Tunisia's experience when thousands of refugees entered the country fleeing the conflict in Libya demonstrate that migrants did not remain bottled up in Tunisia" (representative of the IOM in Tunisia,

personal communication, November 2017). Nevertheless, from the Tunisian standpoint, the debate on this clause, and in particular its acceptance in exchange for visa facilitation, is channelling the opposition to the EU's externalisation approach and is perceived as a lack of differentiation among the partners in the region. The fact that Tunisia has not yet convincingly reacted to the EU proposal on visa facilitation – by delaying the submission of the categories of citizens covered by the agreement – not only proves that there is no internal agreement so far on how to move forward but also that the two dossiers are becoming a wildcard to leverage on the whole renewed partnership.

In addition to diverging interests, time is a cross-cutting challenge since it underpins both the EU's and Tunisia's political discourses and concrete approaches to cooperation. The former has been using crisis and emergency to legitimise its policies whereas the latter attributes “the difficulties of post-revolutionary Tunisia to the lengthy and complex nature of democratic transitions” (Cohen-Hadria, 2017). Accordingly, the Tunisian government is asking for a long-term vision as opposed to the EU's short- to medium-term offer.

Finally, the regional context is affecting the negotiation process and will continue to do so. In particular, the likelihood that migration flows from Tunisia will grow also depends on changes in trafficking routes. According to many, the recent increase of departures is related to the partial closure of the Libyan route only to a certain degree. Yet smugglers have proved to be able to adapt fast to the circumstances and the fact that Algeria and Morocco are witnessing similar trends is telling in this respect. Moreover, worsening developments in Libya and the terrorist threat could raise security concerns in Tunisia even further, altering the extremely delicate domestic environment and the bilateral bargaining power between the two parties.

Conclusions and Way Forward

On 5 February 2018, during a meeting with the Tunisian Minister of Foreign Affairs Khemaies Jhinaoui, the High Representative/Vice-President Federica Mogherini reiterated the EU's willingness to move EU-Tunisia relations forward so that “2018 would not be just another year in our bilateral relations.” In this regard, there are few doubts that cooperation on migration and mobility will be crucial to unlocking other priorities, such as DCFTA negotiations and partnering on youth.

Our contribution makes clear that dialogue on migration and mobility is catalysing expectations and malaises within the European and Tunisian contexts, as well as in

bilateral dynamics. Dialogue is further needed to reconcile perspectives on migration and mobility and develop a common understanding. It follows that going beyond cosmetic adjustments in this realm implies an incentive structure on both sides that is at the same time material and ideational in order to seriously bring mobility back onto the agenda.

First, increased opportunities to travel through EU programmes such as Erasmus+, Horizon 2020 or Creative Europe but also through decentralised cooperation should be the tip of an iceberg made of efforts to facilitate youth mobility beyond high-skilled citizens. The idea of opening some programmes also to young entrepreneurs and apprentices (Nawaat, 2018) should be integrated with far more information and support for potential beneficiaries in inland regions to seriously tackle the regional divide. This would imply further coordination with higher education institutes, especially in the inland areas of the country to better disseminate information about available opportunities and to reach out to students who could be less likely to be informed about EU programmes. Second, the credibility of support to the migration/development nexus not only lies in the nature of the funded interventions but also in how they are time-framed. A long-term programming of investments for voluntary return of Tunisians and the contribution of the diaspora to development are crucial for their sustainability. Time being a key variable (Carr, 2014, Arowolo, 2000), these activities should feature in large and long-term cooperation programmes rather than in individual projects (which are often managed by European or international bodies), and should go hand in hand with the unfolding decentralisation process and possibly be directly managed by Tunisian actors through budget support rather than through project assistance. As largely demonstrated, the role of states is pivotal in shaping the conditions for a positive impact of bottom-up approaches to development (De Haas, 2010). Stronger synergies between migration and decentralisation could then guarantee that diaspora investment projects “meet” transparency and accountability in the local councils.

Ahead of targeted actions and beyond rhetoric, there is an urgent need to disentangle the different drivers that lead young people to set off on risky journeys to migrate to Europe. Renewed civil society activism and a collaborative research dialogue between Tunisian policy-makers and academics should support this endeavour.

Third, considering the reluctance of many member states to target low-skilled mobility, some steps, more than others, could represent a changing approach and contribute to building an advanced partnership. Drastically limiting the bureaucratic, financial and psychological burden throughout the visa issuing process is one of them, seizing the

opportunity provided by the ongoing procedure for amending the Community Code on Visa (European Commission, 2018). This goal should be strengthened in the visa facilitation agreement under negotiation, and could take the form of a harmonised list of supporting documents when applying for short-stay visas as included in the 2013 facilitated scheme with Ukraine; the establishment of a common application centre as suggested in the Moldovan scheme; or targeted waiving of visa processing fees for broad categories of Tunisian citizens (such as young people under a certain age irrespective of their employment status), as in the case of pensioners in the EU-Georgia agreement. This first set of facilitations should be ideally reached by 2020. As disenchantment and frustration increase, especially among young people, overburdened procedure could not but lead to more irregular departures. Parallel to that, Tunisia should invest in reinforcing vocational training and reforming the education system in line, first, with its labour market, so that mobility programmes could complement rather than be a potential alternative to professional and educational careers.

On readmission, an advanced partnership should ideally exclude the TCN clause. Moreover, the EU and Tunisia should make sure that the Joint Readmission Committee in charge of monitoring the implementation of the agreement also includes representatives of non-governmental organisations (NGOs) and international organisations from both sides, as recommended in the 2011 European Commission Evaluation of EU readmission agreements. The article of the agreement describing the composition of the Joint Readmission Committee should explicitly mention this integration. Procedures and deadlines to respond to readmission requests should be mutually agreed. On the Tunisian side, a serious commitment to process readmission requests of its nationals could effectively leverage the EU towards a less restrictive approach.

Overall, our analysis shows that the EU-Tunisia partnership on migration and mobility can “advance” only if actors frame dialogue and the policy toolbox in a post-crisis scenario. First of all, framing Tunisia as a crisis implies that policy responses on both sides will continue to overlook structural factors that differentiate Tunisian drivers of migration from those characterising other countries in the region. Besides, this narrative contradicts the long-lasting promise of differentiating among neighbourhood partners as well as discourses on Tunisia as a democracy in transition. Eventually, emergency-driven stances have so far strengthened the migration deterrence component of the dossier to the detriment of integration and mobility on both sides, transforming crucial reforms, such as the delivery of an asylum law, into mere bargaining chips.

The quest for viable solutions that could be accepted by all member states should not ignore that the Tunisian long-lasting demand for increased mobility beyond high-skilled citizens deserves a response by 2030 and should not overshadow the specificities that make this country the most suitable candidate for a more effective and more liberal approach to the migration issue. The fight against human trafficking and joint border management are shared priorities that could require even more resources in the future due to security concerns in a volatile region. Yet readmission, return (even if voluntary) and reintegration cannot be on the front burner of cooperation on migration and mobility anymore, nor can the mobility dimension be questioned – if not pushed aside – at any surge in arrivals from the central Mediterranean route. The outcome of parallel negotiations on readmission and visa facilitation, as well as the discursive strategy accompanying political talks, will be a litmus test for change or continuity and might substantially shape the external image of the EU.

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Annexes

ANNEX I
Chronology of EU-Tunisia Relations



EU-TUNISIA RELATIONS 1969-2011

EU and Tunisia: Pioneers in Euro-Mediterranean Cooperation

DATE	EVENTS
March 1969	Signature of the first commercial agreement between the European Economic Community (EEC) and Tunisia
25 April 1976	Signature of the first Cooperation Agreement
27 April 1979	A Delegation of the European Commission opens in Tunisia
1980	Signature of the first Financial Protocol including grants, special loans and EIB loans
1987	A protocol to the cooperation agreement enters into force to take account of the effects of enlargement on trade relations between the Community and Tunisia
1995	Tunisia is the first Southern Mediterranean country to sign an Association Agreement with the EU
1998	The Association Agreement enters into effect
2006	EU-Tunisia action plan is adopted
2008	The removal of customs duties set out in the Agreement is completed, leading to the creation of a Free Trade Area for industrial products

EU-TUNISIA RELATIONS 2011-2017: THE CONSOLIDATION OF A SPECIAL RELATIONSHIP

DATE EVENTS

DATE	EVENTS
14/1/11	Under massive popular pressure President Ben Ali goes into exile. Prime Minister Mohammed Ghannouchi assumes power
14/2/11	The High Representative of the Union for Foreign Affairs and Security Policy Catherine Ashton visits Tunisia
27/2/11	Prime Minister Ghannouchi resigns and is replaced by Beji Caid Essebsi
17/3/11	Official visit of the European Parliament President, M. Jerzy Buzek to Tunisia
12/4/11	European Commission President Barroso official visit to Tunisia
28-29 /09/2011	First meeting of the EU - Tunisia Task Force, co-chaired by HR/VP Ashton and Tunisian Prime Minister Essebsi
23/10/11	The European Union deploys a mission to observe the Constituent Assembly elections in Tunisia
23/10-9/11/11	Ennahda Islamist Party wins the elections. An alliance, also known as Troika, between Ennahda, Ettakatol, and Congress for the Republic (CPRT) parties is set up. Ennahda's Hamadi Jebali is elected Prime minister, CPRT party leader Moncef Marzouki President and leader of the left of center Ettakatol party speaker of
2/2/12	Tunisian Prime Minister Jebali official visit to Brussels
2/10/12	Tunisian Prime Minister Jebali in second official visit to Brussels
19/11/12	EU and Tunisia establish a "Privileged Partnership" and launch an Action Plan (2013-2017)
6/2/13	Left-wing prominent opposition leader Chokri Belaïd is killed in Tunis
19/2/13	Prime Minister Hamad Jebali resigns
25/7/13	Opposition leader Mohammed Brahmi is killed in Tunis
17/12/13	Ennahda and mainly secular opposition appoint Mehdi Jomaa as head of interim government
27/1/14	The National Assembly of Tunisia approved the final draft of the country's Constitution
7/2/14	Official visit of European Council President Herman Van Rompuy
3/3/14	A joint declaration establishing an EU-Tunisia Mobility Partnership is signed
13-14 /03/2014	Commissioner for Enlargement and European Neighbourhood Policy Štefan Füle visits Tunisia
15/5/14	A €300 million Macro-Financial Assistance (MFA-I) programme to Tunisia is approved by the European Parliament and Council
13/6/14	Official visit of the 28 EU Ambassadors of the Political and Security Committee to Tunisia
23/11/14	EU deploys a mission to observe the country's general and presidential elections
22/12/14	Beji Caïd Essebsi wins Tunisia's first free presidential election
5/1/15	Habib Essid is nominated Tunisia's Prime Minister
13/2/15	HR/VP Mogherini official visit to Tunis
18/3/15	Islamic State extremist group claims responsibility for an attack on the Bardo Museum in Tunis, in which 21 people, mainly foreign tourists, are killed
20/3/15	The European Council states that the European Union and its Member States 'will intensify cooperation with Tunisia to counter this common terrorist threat, to strengthen Tunisia's promising democracy and to assist its economic and social development'
31/3/15	European Council President Tusk and HR/VP Mogherini, accompanied by EU Counter-Terrorism Coordinator de Kerchove visit Tunisia to express the EU's full solidarity with the Tunisian people and to explore ways to increase EU support for Tunisia
29/4/15	European Commissioner for European Neighbourhood Policy and Enlargement Negotiations Johannes Hahn visits Tunis

2016	26/6/15	Islamic State gunman kills 38 people, mainly tourists, on a beach resort of Sousse
	20/7/15	On the 20 years anniversary of the EU-Tunisia Association Agreement, Head of Government Habib Essid meets with European Commission President Jean-Claude Juncker in Brussels
	21/9/15	At the First high-level political dialogue on security and counterterrorism in Tunis, the EU proposes additional support to Tunisia complementing the EUR 23 million support programme for security sector reform and modernisation
	October 2015	The Tunisian National Dialogue Quartet (UGTT, UTICA, Ligue Tunisienne des droits de l'homme, Ordre des Avocats) receives the Nobel Peace Prize
	13/10/15	Negotiations on a Deep and Comprehensive Free Trade Area (DCFTA) are launched during the visit to Tunisia by EU Trade Commissioner, Cecilia Malmstrom
	1/1/16	Tunisia is the first Arab country to participate in the EU's Horizon 2020 Research and Innovation Programme, which provides new opportunities to Tunisian researchers and academics
	8-10/02/16	President of the European Parliament Martin Schulz visits Tunisia and delivers a speech at Tunisia Parliament
	12/2/16	The European Commission proposes additional MFA for Tunisia of up to EUR 500 million in medium-term loans to supplement a new IMF support programme for 2016-2020
	06-08/04/16	A tripartite dialogue between the EU institutions, Tunisian civil society and Tunisian authorities is launched by Commissioner Hahn in Tunis to foster relations between CSOs, representatives of the Tunisian and EU authorities
	13/4/16	A special measure to support Tunisia's vital olive oil industry is adopted, increasing the annual duty-free quota for two years to boost the Tunisian economy
	13/4/16	The Regulation (EU) 2016/580 on the introduction of emergency autonomous trade measures for the Republic of Tunisia is adopted by the European Parliament and the Council
	6/7/16	European Parliament and Council adopt a decision to provide a €500 million macro-financial assistance to Tunisia. (MFA-II) Memorandum of Understanding signed on 27 april 2017
	3/8/16	Tunisian president Essebsi names Youssef Chahed as new Prime Minister
	2017	29/9/16
11/10/16		EU to provide additional assistance of €10 million to Tunisia under Erasmus + to increase the numbers of exchanges of students between Tunisia and Europe
12/10/16		Negotiations over Mobility Partnership are launched. This bilateral commitment includes the opening of negotiations on a visa facilitation agreement and a readmission agreement
17/10/16		Council renews its firm commitment to the Tunisian people to support the transition
1/11/16		HR/VP Mogherini visits Tunisia and meets with President Essebsi and with the Head of Government Chahed
29-30/11/16		EU high-level delegation including Commissioner Hahn attends the international investment conference Tunisia 2020, in Tunis
1/12/16		During the official visit of President Essebsi in Brussels, EU and Tunisia launch the EU-Tunisia Youth Partnership
19/1/17		Second high-level political dialogue on 'security and counter-terrorism' takes place in Brussels
11/5/17		13th session of the EU- Tunisia Association Council
30-31/10/17		European Parliament President Tajani visits Tunisia
2018	5/12/17	In their Council conclusions, EU Finance Ministers list Tunisia as one of the 17 non-cooperative jurisdictions for tax purposes
	19/12/17	The EBRD to provide €50 million to the Bank of Tunisia for very small enterprises (VSEs) and small and medium-sized enterprises (SMEs)
	31/12/17	End of the annual duty free tariff rate quota for Tunisia's exports of olive oil to the EU
	1/1/18	Tunisia's participation to the European Commission programme "Creative Europe" takes effect
	5/2/18	EU HR/VP Federica Mogherini receives Tunisian Prime Minister Khemaies Jhinaoui in Brussels
12/2/18	The European Parliament approves the addition of Tunisia to the European Commission's blacklist of third countries at high risk of money laundering	

ANNEX II
Cooperation and Financial Assistance

Table 1. Itemisation of the ENPI /ENI¹ funds (grants) to Tunisia (€ million)²

	2011	2012	2013	2014	2015	2016	2017 ³	2018 - 2020	TOTAL
Governance and Democracy	-	32	-	35	29	85	170	Unknown	351
Economic Reform and Reactivation	130	83	110	106	82,8	-	70	Unknown	581,8
Social Sector, Environment and Local Development	20	45	25	28	75	140	50	Unknown	383
Total	150	160	135	169	186,8	225	300 ⁴	800 (estimated)	1325,8 ⁵

Table 2. Other instruments (€ million)⁶

	2011	2012	2013	2014	2015	2016	2017	Total
Thematic Instruments ⁷	89,2	5,1	4,6	38,35	7,55	4,2	-	154
Aids to Investment	0,9	-	15,4	20	18	36,9	-	91,2
MFA ⁸	-	-	-	100	100	-	300 ⁹	500
Umbrella Funds ¹⁰	-	-	-	50	71,8	90,5	95	307,3
NIF ¹¹	0,8	n/a	15,0	20,54	18	17,20	-	71,5

1 The European Neighbourhood and Partnership Instrument (ENPI) and its successor the European Neighbourhood Instrument (ENI) are two EU instruments that fund the European Neighbourhood Policy, supporting political and economic reforms through cooperation programs

2 Source: Délégation de l'Union européenne en Tunisie. Rapport d'activité. Édition 2017. Pag. 20 to 22. https://eeas.europa.eu/sites/eeas/files/rapport_activite_due_2017_fr_20062017.pdf

3 Source: European Commission : Décision d'exécution de la Commission relative au programme d'action annuel 2017 partie I en faveur de la Tunisie à financer sur le budget général de l'Union: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/annual_action_programme_aap_2017_-_part_i.pdf
https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/annual_action_programme_aap_2017_-_part_ii.pdf

4 The total amount of 300€ million equals to the total 290€ million + 10€ million of EMORI's program budget allocated to the Erasmus+ program

5 The total amount of 1.325,8€ million = 1.315,8€ million + 10€ million allocated to the Erasmus+ program

6 Source: *Thematic instruments and Aids to investment*: Délégation de l'Union européenne en Tunisie. Rapport d'activité. Édition 2017. https://eeas.europa.eu/sites/eeas/files/rapport_activite_due_2017_fr_20062017.pdf

7 The Thematic Instruments section includes the European Instrument for Democracy and Human Rights, the ECHO instrument (help for Libyan refugees), the Financial Instrument on Cooperation for Development –ICD related to migration, and the Stability Instrument –ICSP, among others

8 The Macro Financial Assistance (MFA) is a financial aid to EU partner countries (covered by the European Neighbourhood Policy ENP) experiencing a balance of payments crisis. It can either take the form of grants or loans or a combination of both.

9 100€ million of MFA I + 200€ million of MFA II. The MFA II Program 2017-2018, with a total of 500€ million in loans, was approved by the Decision 2016/1112 of the European Parliament and the European Commission on the 6th of July 2016. These 200€ million correspond to the first pack of MFA II (second and third will be 150€ million each) Source: http://europa.eu/rapid/press-release_IP-17-3708_en.htm

10 The so-called "Umbrella Funds" are an incentive mechanism that reward progress made in terms of reforms. Source: https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_en

11 Neighbourhood Investment Facility –NIF substitutes, since 2010, the National Indicative Program –NIP. Source: NIF annual/multiannual reports, https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/neighbourhood-wide/neighbourhood-investment-facility_en

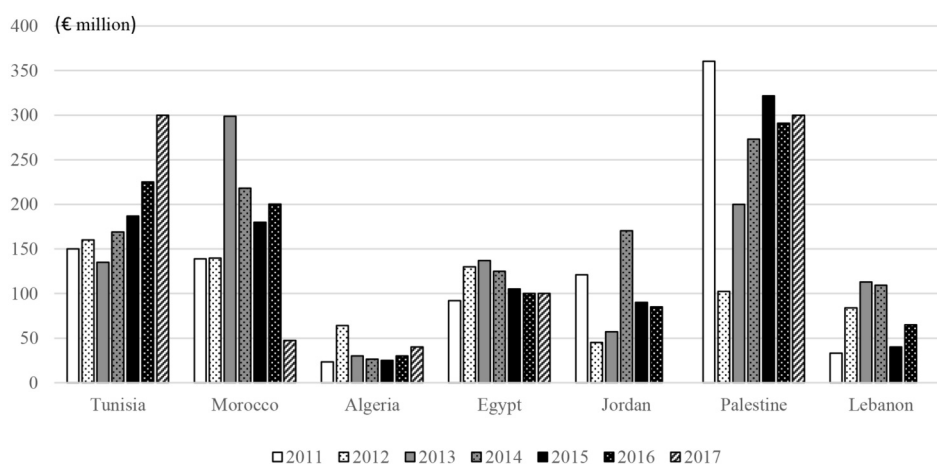
Table 3. Bilateral cooperation of some Member States (€ million)¹²

	2014	2015	2016	TOTAL
Germany	145	215	290,5	650,5
Italy	270	280	330	880
France	300	225	280	805
Belgium	5,65	-	0,32	5,97
UK ¹³	2,34	6,3	9,6	18,24
Denmark	-	-	7	7
The Netherlands	1,51	0,268	7,8	9,578
Spain	0,55	0,86	3,8	5,21

Table 4. Perception of the EU policies among Tunisian population (2014)¹⁴

Knowledge about Development Cooperation Programmes by the EU	Positive perception of the impact of those programmes (among who Know them)	Perception of the Impact among the whole population	Positive impact of the EU in the development of democracy	Preference for a regional leadership of the EU	Perception of the importance of the EU in the political stabilization of the region
19.2%	74.7%	16.7%	41.5%	34%	51.6%

Graph 1. Evolution of ENPI/ENI in Tunisia in relation to other partners



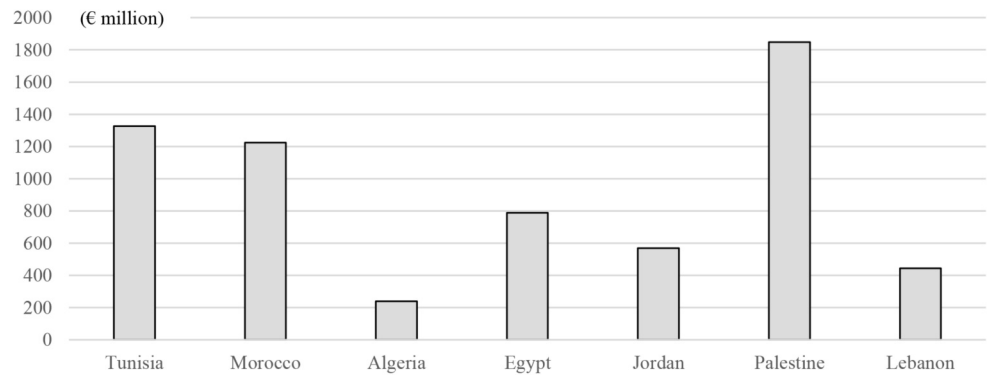
Source: European Commission 2017 ENI Funding Programmes ; Délégation de l'Union européenne en Tunisie. *Rapport d'activité*. Édition 2017, p.20 ; European Commission Annual Action Programmes from 2011 to 2016

12 This table relates to different sources: *Rapports de coopération* of 2014 and 2015 and *Rapport d'activité* of 2017. These figures include grants and loans

13 Exchange rate date : 26 March 2018, according to *The Financial Times* market data: <https://markets.ft.com/data/currencies>

14 Source: Teti, Andrea; Maggiolini, Paolo; Talbot, Valeria and Abbott, Pamela. "MENA Populations' Perceptions of Key Challenges, International Context and Role of the European Union". University of Aberdeen. Arab Transformations working Paper 9. 22 January 2017

Graph 2. Total of ENPI/ENI for 2011-2016



Source: European Commission 2017 ENI Funding Programmes ; Délégation de l'Union européenne en Tunisie. *Rapport d'activité*. Édition 2017, p.20 ; European Commission Annual Action Programmes from 2011 to 2016

ANNEX III
EU and Its Neighbours:
A Comparison Between Different Models

	Political and Legal Framework of the Relation	Trade & Economic Relation
ENP South Countries		
MOROCCO	<p>EU- Morocco Association Agreement signed in 1996 and entered into force in 2000</p> <p>Adoption of a joint document on an advanced status between Morocco and EU in the framework of the ENP, 2008</p> <p>Action Plan for the implementation of the Advanced Status signed, 2015</p>	<p>Negotiations for a Deep and Comprehensive Free Trade Area started in April 2013</p>
ISRAEL	<p>EU-Israel Association Agreement signed in 1995 and entered into force in 2000</p> <p>Action Plan under the European Neighbourhood Policy, 2005</p>	<p>Free Trade Agreement established under the Association Agreement, 2000</p> <p>EU-Israel Agricultural Agreement, entered into force in 2010</p>
Eastern Partnership Countries		
GEORGIA	<p>EU Eastern Partnership, 2009</p> <p>ENP Association Agreement signed in 2014 and entered into force in 2016</p>	<p>Deep and Comprehensive Free Trade Area (DCFTA) as part of the Association Agreement, signed in 2014</p>
UKRAINE	<p>EU Eastern Partnership, 2009</p> <p>Association Agreement signed in 2014, partially provisionally applied since 2014 and for the DCFTA since 2016, entered into force in 2017</p>	<p>Deep and Comprehensive Free Trade Area as part of the Association Agreement signed in 2014, and applied since 2016</p>

Migration & Mobility

Political & Security Cooperation

Political declaration for a EU-Morocco Mobility Partnership was signed in 2013
 Mobility Partnership Negotiations (parallel agreements on visa facilitation and readmission) started in January 2015

Visa-free travel since 2001

Association Council meetings to be held regularly, last one in 2015
 EU-Morocco Summits held on ad-hoc basis, last one in Granada, 2010
 Joint Parliamentary Commission EU-Morocco meets annually
 No mechanism for Morocco alignment with CFSP acts
 Contribution to CSDP operations: EUFOR Althea

No Association Council took place since 2012
 A Diplomatic-strategic dialogue between Israel and the EU in the framework of the CFSP set up in 2008
 Inter-Parliamentary Meeting between the European Parliament and the Knesset held once a year
 No mechanism for Israel alignment with CFSP acts
 No contribution to CSDP operations
 Two civilian CSDP missions deployed: EUPOL COPPS and EUBAM Rafah

Mobility Partnership in 2009
 Agreement between the EU and Georgia on the facilitation of the issuance of visas, 2011
 Visa Liberalisation Action Plan that aims at introducing a visa free regime between the EU and Georgia signed in 2011
 Visa-free travel since 2017

Visa Facilitation Agreement and Readmission Agreement, 2007
 Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas, 2013
 Visa-free travel since 2017

Meetings of the Association Council held at ministerial level at least once a year and when circumstances require
 First high-level EU-Georgia Strategic Security Dialogue in 2017 to be held once a year
 EU-Georgia Parliamentary Association Committee meet twice a year
 Alignment with CFSP positions and actions: Georgia is invited to align itself on a case-by-case basis since 2007
 Contribution to EU CSDP operations: EUCAP Nestor, EUTM Mali, EUBAM Libya, EUFOR RCA (Central African Republic)
 EU Monitoring Mission in Georgia (EUMM) deployed in 2008
 European Union Special Representative for the South Caucasus and crisis in Georgia (EUSR) appointed in 2008

Meetings of the Association Council held at ministerial level at least once a year and when circumstances require since 2014
 High-level political meetings – Ukraine - EU Summits – are held once a year
 EU-Ukraine Parliamentary Association Committee meet twice a year
 Alignment with CFSP positions and measures: Ukraine is invited to align itself on a case-by-case basis since 2005
 Contribution to CSDP operations: EUPM BiH, EUPOL Proxima, EUNAVFOR Atalanta
 EU Advisory Mission (EUAM) to Ukraine deployed in 2014

	Political and Legal Framework of the Relation	Trade & Economic Relation
Candidate Country		
TURKEY	<p>Candidate country: Negotiations formally open, 2005</p> <p>EU-Israel Association Agreement signed in 1995 and entered into force in 2000</p> <p>Action Plan under the European Neighbourhood Policy, 2005</p>	<p>Customs Union agreement, 1995</p> <p>Proposal of the Commission to modernise the Customs Union and to extend the bilateral trade relations to areas such as services, public procurement and sustainable development, 2016</p>
Other models		
SWITZERLAND	<p>EU-Switzerland relations are based on a set of bilateral sectoral agreements:</p> <p>Bilaterals I, 1999</p> <p>Bilaterals II, 2004</p> <p>Ongoing negotiations on an institutional framework for the complex system of existing agreements since 2014</p>	<p>Free Trade Agreement EFTA-EU, 1972 (free trade area for industrial products)</p> <p>Bilateral Agreements I (1999) set the basis for market access in the field of: Free movement of persons, Technical barriers to trade (Mutual Recognition Agreement-MRA), Public procurement markets, Agriculture, Overland transport, Civil aviation</p>
NORWAY	<p>European Economic Area (EEA), 1994</p>	<p>Access to the EU's Single Market (EEA), 1994</p>

Migration & Mobility

Political & Security Cooperation

Visa liberalisation dialogue launched and EU-Turkey Readmission Agreement signed, 2013
 EU-Turkey joint Statement in 2016 to limit the mass influx of irregular migrants entering the EU through Turkey

EU-Turkey High-level meetings - EU-Turkey Summit - are held twice a year
 EEAS-Turkey regular discussions and cooperation on foreign and security policy, including on counter-terrorism
 EU-Turkey Joint Parliamentary Committee (JPC) held once a year
 Alignment with CFSP positions and measures: Turkey is invited to align itself on a case-by-case basis
 Contributions to CSDP operations: EUFOR Althea, EULEX Kosovo, EUPM BiH, EUPOL Proxima, Concordia, EUFOR RD Congo, EUPOL Kinshasa

Switzerland agreed to the free movement of people, 1999 (Bilaterals I)
 Schengen area member (in the framework of the Bilaterals II), 2004

No formalised political dialogue in place; informal political dialogue takes place at Political Director level
 EU-Switzerland Interparliamentary Meeting (IPM) takes place once a year
 Alignment with CFSP positions and measures: although there is no alignment agreement between the EU and Switzerland, Switzerland often align itself to EU positions and measures
 Contribution to CSDP operations: EUFOR Althea, EULEX Kosovo, EUPM BiH, EUPOL Proxima, EUFOR RD Congo, EUPOL RD Congo, AMM Aceh, EUTM Mali

Schengen area member, 2001 (internal free-travel area with a common external border)

Close cooperation in the field of foreign policy, notably on the Middle East (Norway is the Chair of the Ad-hoc Liaison Committee) and Arctic issues
 Regular dialogues take place at all levels
 It is the only non-EU country with a designated liaison officer to the European Parliament with national experts seconded at the EEAS
 EU-Norway Inter-parliamentary meeting (IPM) takes place once a year
 Alignment with CFSP positions and EU restrictive measures: Norway is invited to align itself on a case-by-case basis and it regularly does
 Contribution to CSDP operations: EUFOR Althea, EULEX Kosovo, EUPM BiH, EUPOL Afghanistan, EUNAVFOR Atalanta, EUPOL COPPS, EUPOL Proxima, Concordia, AMM Aceh, EUJUSTLEX, EUCAP Nestor
 Through the Nordic Battle Group, Norway contributed to the EU Battle Groups in 2008, 2011 and 2015

ANNEX IV
Policy Documents

Bilateral relationship/general

Action Plan

- RELATIONS TUNISIE - UNION EUROPÉENNE : UN PARTENARIAT PRIVILÉGIÉ. Plan d'action 2013-2017.
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EuroMeSCo

Founded in 1996 and comprising 106 institutes from 32 European and South Mediterranean countries, EuroMeSCo (the Euro-Mediterranean Study Commission) is the main network of research centres on politics and security in the Mediterranean, striving at building a community of research institutes and think tanks committed to strengthening Euro-Mediterranean relations.

The objectives of the network are to foster influential quality analysis and reflection on Euro-Mediterranean politics and policies; to serve as a platform for dialogue between the members of the network and key stakeholders to discuss the key trends and challenges on the region's agenda; to increase the impact of think tanks and research institutes and to actively contribute to policy-making through dissemination of research outputs of the network to experts and national, European and international institutions linked to Euro-Mediterranean relations.

The EuroMeSCo work plan includes a research programme with five publication lines (Joint Policy Studies, Papers, Briefs, Spot-Ons and reports), as well as numerous activities, including annual conferences, seminars, workshops, presentations, formal and informal meetings with policy makers on the key political and security dynamics. It also includes communication and dissemination related activities (website, newsletter and targeted institutional dissemination) to raise awareness and promote the work of the network and to stimulate debate on Euro-Mediterranean affairs.

IEMed.

The European Institute of the Mediterranean (IEMed), founded in 1989, is a consortium comprising the Catalan Government, the Spanish Ministry of Foreign Affairs and Cooperation and Barcelona City Council. It incorporates civil society through its Board of Trustees and its Advisory Council formed by Mediterranean universities, companies, organisations and personalities of renowned prestige.

In accordance with the principles of the Euro-Mediterranean Partnership's Barcelona Process, and today with the objectives of the Union for the Mediterranean the aim of the IEMed is to foster actions and projects which contribute to mutual understanding, Exchange and cooperation between the different Mediterranean countries, societies and cultures as well as to promote the progressive construction of a space of peace and stability, shared prosperity and dialogue between cultures and civilisations in the Mediterranean.

Adopting a clear role as a think tank specialised in Mediterranean relations based on a multidisciplinary and networking approach, the IEMed encourages analysis, understanding and cooperation through the organisation of seminars, research projects, debates, conferences and publications, in addition to a broad cultural programme.