Moving People: Implications of Migration for Societies and States in North Africa; EUMEF 21st New Faces Conference; Tunis, June 19-22, 2014

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Dina Fakoussa and Christian Achrainer (eds.)

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About the EU-Middle East Forum

The EU-Middle East Forum (EUMEF) is a dialogue and networking program for young and mid-level professionals from North Africa as well as Turkey and Europe. The Forum was created in 2011, and it conceptualizes and organizes policy workshops like the New Faces Conferences and International Summer Schools. Every two years, all alumni of the New Faces Conferences and Summer Schools come together for an alumni reunion in Berlin. The forum tackles and analyzes different political, economic, and social issues and developments in the Arab region and Turkey, and it gives critical scrutiny to German and EU responses and policies. EUMEF is the follow-up project of the International Forum on Strategic Thinking (2006–2010) and the Forum European Foreign and Security Policy (1997–2005).

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Foreword

Migration in the Mediterranean region goes beyond images of small boats overloaded with refugees trying to cross the sea in pursuit of a better life in Europe. These images and the associated narratives fail to provide a comprehensive picture of the multitude of reasons and effects of people moving in the region. The area including North Africa, the Levant, Turkey, and the EU has always been the site of many of these different movements, and since the uprisings of 2011, new dynamics and alarming realities have been added to the phenomena. To mention a few examples, Libya, which had been the destination of labor migration for decades, became a starting point for refugees during the war in 2011. Tunisians who had migrated to the Gulf States and other countries returned when political change was underway in their homeland. And in Syria the brutality of the civil war and the dramatic deterioration of living standards has forced millions of people to flee, either becoming internally displaced or seeking refuge in neighboring countries or other countries in the region, including North African countries.

Migration flows are complex and varied phenomena. People leave their countries of origin for different reasons, either forced by violent conflict or responding to political, social, or economic factors, or a combination of both. Their movement is not necessarily unidirectional, as exemplified by multiple internal displacements, return movements, and seasonal migration. In all cases, movements of people alter and influence societies, both in sending and receiving countries. For example migrants can be powerful political actors transforming their host as well as their home countries through active political engagement, but they can also shake fragile political

and social equilibriums and contribute to destabilization with a "spillover effect" on neighboring countries. They can positively contribute to economies through work and remittances, but they can also cause "brain drain" and antagonize the local work force. In this context, migrants are often confronted with xenophobia and racism and serve as scapegoats for all sorts of grievances, which only adds to the misery caused by traumatic experiences, material hardship, and bureaucratic burdens.

As a consequence, the presence of migrants heavily shapes discourses and notions of citizenship, identity, and statehood, directly affects social cohesion and stability, and hence confronts states and international organizations with enormous challenges. International organizations do play a role in providing relief for affected people. But in the absence of a binding global regime to govern the international movement of people, migrants depend primarily on the interests of and cooperation between nation states.

This conference aimed primarily to analyze more recent flows of people stemming from, or targeting, countries in North Africa and to explore their political, social, and economic impact on sending and receiving societies. It enabled cross-country comparisons and exchange of experiences and brought together academics, practitioners, and activists working in the field. It shed light on migration policies of relevant actors and identified necessary, missing measures that place the human rights dimension at the center of the debate and the policy-making process.

Dina Fakoussa
Head of EUMEF

Summaries of Presentations

This report presents a selection from the total of 26 presentations that were delivered during the conference, including partial summary of the subsequent panel discussions.

Intimate Movements:
Tracing the Effects of Migration in North Africa

Rather than focusing solely on the processes and agents, the presentation aimed at questioning and further developing the very concept of migration. Through multi-year anthropological research on the imaginative and tangible meaning of migration for the local population in Morocco's Tadla region, the speaker highlighted its pervasiveness beyond the limited circle of those directly involved in the movement of people across borders. A local's remark that "the outside is everywhere here" reflects that migration has grown into being a fundamental aspect of local life in Tadla, "becoming the entity through which kinship relations are nurtured, the passing of time is measured, and gendered subjectivities emerge and are recognized."

The speaker stressed that understandings of life's building blocks were affected by migration as it intruded even into intimate parts of daily life. Temporality is only one dimension of this, as the coming and going of people and goods is determined by bureaucratic regimes in Europe, and life is, accordingly, at least partially synchronized with for example the French calendar of public holidays. These findings suggest, amongst others, that migration studies should move beyond merely assessing causal relations of the movements of mobile bodies to considering ontologically the concept and imaginaries related to migration. Such a refocus could render the concept not only sharper but also closer to those who are affected by it.

Participants widely appreciated the shift of focus from the dominant socio-economic dimension of migration and the emphasis on its impact on biographies. Subsequently, this led to a discussion on the gender dimension in the case of Tadla and cross-Mediterranean migration more generally. In Tadla, young men, and especially those without university education, are almost expected to cross the Mediterranean at some point, whereas it is socially far less accepted for unmarried women to migrate on their own. Therefore, the vast majority of emigrants are young and unmarried males. However, both men and women returning with official papers of residence in Europe are seen as an "asset" for the local marriage market. There is also a whole strand of literature dealing with women who stay in their country of origin while their husbands migrate in order to work abroad. According to the speaker, on the one hand, they do gain a significant level of independence, but at the same time the disadvantages which arise by waiting for their husbands for years, e.g. postponing having children, should not be underestimated.

Moving People, Moving Conflict:
How Forced Migration transforms Conflicts

Acknowledging the often-quoted state-centrism of political science, especially in comparison to anthropology, this presentation offered a critique of migration studies and suggested alternative approaches. In the analysis of migration studies' shortcomings, three important dimensions were identified. Firstly, state thinking seems all but entrenched in the discipline, with scholars not only focusing on, but also thinking like states. The fact that polities, policies, and politics are primarily shaped but also analyzed with a state-nation-citizen trinity in mind, renders refugees an aberration and ultimately "disposable people." Secondly, compartmentalization is reflected in research as questionable legal categories are used by scholars. And lastly, policy-orientation is crowding out investigations on a variety of profound questions.

By referring to a transnational analysis of Kurdish forced migration, the speaker sought to utilize deterritorialized space as the unit of analysis and treated displacement as a means of statecraft. In Turkey, the Kurdish question arose as a consequence of the Sykes-Picot agreement which established nation states in the region for the first time. What followed was a low-intensity war in Eastern Turkey that led to internal displacement within the country, but also emigration to Germany, among other countries. The Turkish government's official narrative until 2001 was that 370,000 people were evacuated from the region for security reasons. The strategy of displacement, however, boomeranged back at the state as the dispersion of Kurds created a new space for politics and identity: diaspora and transnational activities allowed Kurds to create new communities and to utilize new ways of nation-building and identity-formation, challenging Turkish politics through international advocacy networks as well as gaining a new distinct legal status in host countries. In the discussion it was noted how the issue of compartmentalization pertained to other cases, such as Syrian refugees across the MENA region, where it had profound implications for their rights in host countries.

Migration and Mobility in Tunisia:
Human, Societal, and Political Dimensions

The upheavals in Libya in 2011 led to a sudden wave of refugees. Due to the geographical concentration of economic activity, and hence population, in the Tripolitania

area, Libya's western neighbor Tunisia received the stunning number of 230,000 refugees, while it was simultaneously undergoing political transition. Moreover, not only Libyans fled the chaos and fighting in their home state. The country has long been a destination for migrants itself. The multinational makeup of the Libyan workforce meant that persons with more than 120 different nationalities escaped across the border to Tunisia.

At the same time, the speaker noted that there was a concurrent wave of migration from Tunisia to Europe. The major destination was the southern shore of Italy. As a re-action to the sudden influx of refugees, Italian authorities started to grant residence permits that allowed migrants to move freely in the Schengen area. This was discussed controversially and criticized by most other European states. In particular the French government, which tried to reduce immigration in its own country, was censorious toward this step. Hence, the issue seriously challenged Italy's relationship with France and at least briefly even put the entire Schengen regime into question as the two countries quarreled about its implementation. Nevertheless, Italy recognized the Tunisian authorities' difficulties to control their own coasts during the upheavals and became one of the leading partners in strengthening border control in early 2011.

The European Union reacted to the uprisings, and not least to the potential increase in migration, by offering negotiations about a mobility partnership and a deep and comprehensive free trade agreement as part of its privileged partnership with Tunisia. Those instruments were not newly designed in order to tackle the altered situation in the EU's Southern neighborhood but were rather invented already a decade ago, with the aim of deepening the EU's relations with its Southern neighbors. They were not only offered to Tunisia, but also to several other Arab states. However, while the interim-government in Tunis instantly accepted to start negotiations and in March 2014 eventually signed the proposed mobility partnership, Egypt for example refused to take part in talks until the day of the conference. In Tunisia, civil society organizations as well as migration experts have expressed severe apprehensions with regard to the agreement, describing it as lacking transparency and criticizing the fact that it was signed by a transitional government, even though it is a long term agreement. It was also denounced on the claim that it does not place human rights and refugee and asylum seeker rights as a priority. Moreover, it would primarily serve the EU's interests, whereas Tunisia would not benefit equally.

The discussion that followed addressed the number, status, and perception of Libyan migrants in Tunisia. While some media outlets claim that there are over one million Libyans residing permanently in Tunisia, the speaker called this number exaggerated and estimated that 300,000 Libyans actually lived in Tunisia, whereas one million were perpetually traveling between the two countries. Those who traveled back and forth were mainly doing so for business and accordingly, their relations with the Tunisian people were very different from those of Libyans who were not involved in commerce but had rather fled the country, in most cases because they were supporters of the former regime. According to the speaker, even though it is very unlikely that they will be able to return in the near future, they reject being considered refugees. In addition, the Tunisian authorities do not see them as such because otherwise Tunisia would, in a single blow, become the biggest host to Libyan refugees. This in turn would have severe implications for their legal status and increase the authorities' responsibilities.

Being asked about the role of civil society regarding migration to and from Tunisia, the speaker distinguished between three types of involvement. Firstly, several Tunisian and African NGOs work together on defending the rights of sub-Saharan African migrants. He considered those to be the most valuable organizations, because even sub-Saharan African students with a legal status often receive ill-treatment in Tunisia and racism is a prevalent problem. Secondly, some Tunisian NGOs, like the Tunisian Forum for Social and Economic Rights, intervene in cases of accidents at sea and defend and support the families of migrants who come to harm during their passage. And thirdly, after 2011 and with the influx of refugees from Libya, several associations were founded to assist them and provide immediate support. The work of these organizations was and is accompanied by the actions of individuals who primarily help the incoming Arab refugees from Libya.

Tunisia's transformation from being a transit to a host country was discussed intensively and there was a consensus that the state as well as society need to acknowledge this reality and start shaping the discourse and policies accordingly. The usefulness of the term "illegal migrant" was also questioned. As human beings cannot be illegal, but rather their act of crossing borders, "irregular migrant" was widely preferred and it was noted that it was indeed the term used by international organizations such as the European Union. One participant noted the biased nature of focusing on economic motivations for migration as this distorts understanding of the issue: curiosity for what is beyond one's own country's borders is not limited to

Europeans, but may well motivate many (North) Africans, too. At the end, the high political sensitivity and emotionality surrounding migration was manifested in the developments that followed the relatively small number of Tunisians entering Italy after the uprising and travelling on to France, as this incident alone shook the whole Schengen agreement.

Migrants' Lives and the Local Population in Oujda City, Morocco

Oujda, a provincial capital close to the Algerian border as well as the Mediterranean, lies in a strategic location for people who try to transit Morocco on their way to Europe. Their situation in the city and their interplay with local actors lay at the heart of this presentation.

The speaker pointed out that, in general, the residents of Oujda do not distinguish between "ordinary" migrants and refugees who had fled from a conflict. Keeping distance initially, the local population, nevertheless, soon acknowledged the humanitarian problems associated with migration, and in the past years, there were more signs of proximity and social empathy. The media did play an important role in that respect as the portrayal of migrants has had a decisive impact on their perception. Traditionally associated with crime and other problems, the coverage has recently become more balanced.

The majority of migrants in Oujda are residing in a temporary settlement on the grounds of the Law Faculty of University Mohamad I, which has subsequently been dubbed "The African Union Camp," due to the make-up of nationalities. Under the condition of adherence to basic rules, the university offers migrants the possibility to stay on its grounds for a fee of 200 Moroccan Dirham, and thereby utilizes its legal freedoms under Moroccan legislation. Nigerians, who are not permitted on the faculty premises, have carved out an alternative camp in the Sidi Maafa woods.

Representatives of the different migrant groups, mainly defined by nationalities, regularly convene in a tent to discuss problems and settle disputes. The majority of the migrants in Oujda rely on begging as their only source of income, while only a small minority runs small-sized businesses. Some civil society organizations' efforts to support them are met with mixed reactions. While material support with food, shelter, and basic needs is appreciated, attempts to raise awareness about migrants' rights are mostly met with disinterest.

The discussion first revolved around the legal status and the self-organization of migrants in Oujda. The speaker's remarks led to amazement as the participants were

surprised to hear that the leadership selection among the migrants worked by way of a wrestling challenge against the current leader. It was similarly peculiar for most attendees that the reason for Nigerians' ban in the camp was that they never lived in the same area as Cameroonians. Lastly, there was speculation as to who benefited from the entry charge of 200 Dirham, with one participant suggesting that high-ranking staff in the university administration may take part of this fee. Underlining the freedoms enjoyed by institutions of higher education, the Moroccan participants described university presidents as "little kings" in Morocco.

One participant elaborated on a comparable case in another part of Morocco: the *forêt gourougourou*. This area is also occupied by migrants who have set up what is effectively their own statelet, including ministers of finance and international relations.

Interpreting Morocco's Exceptional Regularization Program

One of the most significant recent developments regarding migration in North Africa was the regularization program announced by the king of Morocco in September 2013. In the past decade, the discourse in Morocco was one of criminalization and racist practices. According to the speaker, the initiative can hence be interpreted as a policy shift, which can be explained with national as well as regional ambitions and policies.

The presenter explained that a list of criteria defines who is eligible for regularization, such as being a UNHCR recognized refugee and having a proven residency of at least five years. Until today, about 1,000 of the 40,000 already submitted applications have been accepted. Most incoming migrants are from sub-Saharan African countries, even though the picture has changed over the past decades, and Asians, Filipinos, or French irregular workers are now also part of the increasingly mixed migrant population. This new reality gradually questioned the policies of strict border control and anti-immigration policies from 2003. In autumn 2005, 1,400 migrants tried to climb the border fences and were shot at, eventually leading to a diplomatic crisis and bringing even more public attention to the issue of migration. An increasing number of stakeholders pushed for reform and change and challenged the established discourse, not least because Moroccan civil society has become more vocal. All of this triggered the Moroccan state to begin considering the need for policy reform. After the Arab uprising the issues of democracy and human rights came to the forefront again, significantly affecting the discussion on migrants' rights because

they were integrated in the discourse on democratization of state policies as such. The constitutional reform of 2011, accordingly, enshrined for the first time specific rights for refugees and migrants.

The domestic context alone, however, is insufficient to understand and explain the policy change. In the past, Morocco's economic priorities and policies were highly linked to the EU's agenda, but the economic crisis in Europe pushed Morocco to rebuild stronger relations with African countries. This is exemplified by the Moroccan king's tour through the continent in February 2014, which seems to be a step toward reintegrating into the African Union, which Morocco had left in 1987. This, of course, is not compatible with the denial of sub-Saharan African migrants' rights in Morocco.

At the same time, the policy shift was also a signal toward the EU. Morocco promoted itself as a leader for migration policy making in the Maghreb, thereby playing the role of "Europe's gendarme." Moreover, the regularization program could be used by the Moroccan government during the negotiations with the EU about a mobility partnership because it strengthens Morocco's position, not least with regard to the regularization of Moroccans in Europe.

The new policies as well as the reliability of recent activities were discussed controversially. One participant highlighted that regularization was a time-consuming and selective process not all migrants were capable of going through. Moreover, it was still unclear if the regularization policy would be permanent and if it would be accompanied by other legal benefits. Another participant argued that the shift occurring in Morocco did not present a clear cut picture, because on the one hand, migrant rights were being embraced but on the other hand, certain sub-Saharan African migrants were still discriminated. Hence consensus was that laws and regulations need to be complemented with a shift in perceptions and attitudes and that this mind set is essential for a successful integration of migrants from sub-Saharan Africa. It was also criticized that civil society organizations had not been involved in the drafting of the new policies. Besides, the Moroccan state authorities are usually very defensive as far as human rights are concerned; people who demand human rights are regularly treated as spies.

A Holistic Approach toward Underprivileged Host Communities and Obstacles to African Refugee Integration in Cairo

In the past, Egypt was primarily regarded as a transit country but, as the speaker argued, it is gradually becoming a host nation for refugees as well. Resettlement is diminishing because an increasing number of migrants gets rejected on their passage to Europe and, hence, settle in Egypt. As there are no refugee-camps in the whole country, the majority of them are living in regular residential neighborhoods together with underprivileged Egyptians who struggle with economic hardship themselves. Accordingly, refugees often have to fight for their space within the informal sector of economy and problems with the host communities arise frequently. Therefore, greater attention should be paid to the situation of the host communities, besides the mainstream research focus on analyzing policies and the work of civil society.

Based on interviews with underprivileged Egyptians, their local leaders, and activists who work in awareness-raising projects such as Tawasol, the speaker argued that refugees were primarily perceived as guests who were expected to follow local social norms but not considered fellow inhabitants and citizens. This perspective is fostered by Egyptian nationalism, which plays an important role for the Egyptian identity and the legitimization of the current regime. Therefore, the demarcation from the "other" is core, so the argument, which has significant implications for the situation of refugees: the more similar they are the more accepted. The importance of religion with regard to the treatment and integration of migrants was highlighted as well. It influences attitudes and reactions of Egyptians. One participant shared her experience that Sudanese girls who wear the *khimar* (body covering) and speak a specific dialect were widely perceived as being closer to Egyptians, especially in contrast to black Africans. Another example mentioned were Somalian refugees who study at Al Azhar. They are usually treated with more respect than other refugees from Somalia. And in a conservative Muslim neighborhood, a Muslim woman would probably be more integrated than a Christian woman, while a veiled Muslim woman would more likely be considered part of the community than a non-veiled Muslim woman.

Nevertheless, tensions, differences, and not least competition in economic terms lead to ill-treatment of refugees. Here again, the degree of "otherness" is decisive, as refugees from Syria, for example, experience significantly less discrimination. Yet, it is a common sight to see local children throwing stones at refugees or to hear Egyptians making negative remarks about their skin color. Nonetheless, the majority of interviewees refused to accept the label racism but rather referred to the "normal fun-loving, humorous Egyptian attitude" to explain their behavior. Based on the findings, the speaker concluded with three recommendations. Firstly, the Egyptian government

should revisit its reservations such as banning refugee children from public schools. Secondly, the Egyptian public should develop a more inclusive attitude and a sense of shared responsibilities with regard to the change from Egypt being a transit to a host country. Thirdly, civil society organizations should do more to take into consideration the desires and needs of the host communities and not only focus on the refugees themselves.

In the subsequent discussion, the analysis and especially the shift of focus toward the host community were widely regarded as being extremely valuable. One major point of interest was the change from being a transit to being a host country. Egyptian participants explained that this fact was neglected by the authorities as well as the migrants themselves. The Egyptian state denies that problems such as racism and ill-treatment even exist and does not want to provide services. Therefore, it uses the excuse that Egypt is only a transit country and, moreover, is too occupied with its own problems. On the other hand some refugees themselves do not want to be seen as permanent inhabitants because they are not willing to believe that they might live in Egypt for a long time. Rather, they hope to continue their journey to Europe. Accordingly, they do not put a lot of effort into becoming integrated.

The Situation of Syrians in Post-Morsi Egypt

As the speaker's analysis was mainly based on personal experiences with the Center for Refugee Solidarity, the work of the NGO was introduced. Its main objectives are to generate awareness, make the refugee's voices heard, and ensure the implementation of international standards through advocacy. An important part of this work is the documentation of rights abuses, a lack of which was noted by the initiators of the project when compared to the relatively wide availability of, for example, legal advice. This task is currently challenged by the authorities' ongoing crackdown on human rights activists.

In Egypt, domestic as well as regional and international political developments significantly influence the policies and general attitudes toward refugees. Accordingly, observers noted key changes since the uprisings of 2011. While the refugee community was initially completely neglected due to the political turmoil, two months into the presidency of Mohamed Morsi, Egypt opened the borders for Syrian and Palestinian refugees. However, only one week after the army had ousted Morsi from office, Syrians were required to apply for a visa and go through security checks to enter Egypt. This links in with a revival of Egyptian nationalism fomented by the army, which

necessitates the role of "the other," filled in this case by the Muslim Brotherhood. As the authorities suggested an association of Syrians and Palestinians with the Brotherhood in the course of their security crackdown, they not only de-nationalized the Brotherhood but also created a strong anti-Syrian and anti-Palestinian sentiment. This led the Syrian refugees to attempt to be less visible, but soon those participating in protests were detained and travel restrictions against Syrians in general increased. Tensions between the Egyptian society and Syrian refugees arose, deepened by the regime's rhetoric but also by measures such as the distribution of 259,000 food vouchers to Syrians by the World Food Program, which angered many Egyptians who felt entitled to food and aid as well. Another example is the relocation of Syrians to a new hospital with better facilities by UNHCR, which deepened Egyptians' frustration. While 140,000 Syrian migrants are registered under the mandate of UNHCR, between 40,000 and 50,000 are not but hope to return to Syria as soon as possible. Many migrants choose not to register because the issued "yellow card" is not only supplemented with a six month residency and regularized access to education and health but also with a stamp in their passport that limits mobility.

In the following discussion still the relatively good legal status of Syrians in Egypt was highlighted. For example, Syrians not only have the right to work, but also enjoy access to the public health system. This status stands out in comparison with other refugee groups who do not necessarily enjoy such rights. Despite their high number (140,000 estimated at the time of writing), the presence of Syrian refugees is still not felt too strongly. Given Egypt's large population of over 80 million people, Syrians do not constitute a very big group within the country. Finally, it was reiterated that the government simply avoids admitting that there are problems such as racism. The media is not helping to reconcile the Egyptians with the migrants either but on the contrary further fuels the situation. For example, they portray Syrians negatively and some TV presenters have even threatened them live on air.

Representation of Syrian Refugees in Turkish Newspapers before the Municipal Elections, 2014

When it comes to the representation of Syrian refugees in the Turkish press, the first thing one might notice is that estimations about how many Syrians are in the country differ significantly. While the Turkish foreign minister claimed that in November 2013 there were 200,048, an agency of the prime ministry counted over 490,000 in

June 2013, and the latest UNHCR data provides estimates of more than 640,000. The discrepancies arise mainly from different methods of counting. But more important than the precise numbers is the public sentiment that "Syrians are everywhere" in Turkey.

It was the bombings in the border province Hatay in May 2013 that brought the conflict in neighboring Syria into public consciousness in Turkey. From its previous "zero-problems" policy toward neighboring states, the AKP government quickly repositioned itself as an anti-regime force in support of the Muslim Brotherhood and other Sunni Islamist groups in the region, including those fighting against the Assad regime in Syria. This new partisan policy toward the Syrian conflict was also reflected in the government's domestic dealing with refugees as well as the coverage of the media.

Pro-government papers tended to focus their coverage on the ordeals suffered by Sunni refugees, and only a small minority of publications dedicates any space to the fate of, for example, Shia, Alevi, or Kurdish refugees, who often face difficulties in gaining access to camps. They portray Syrian refugees often as needy, oppressed, dangerous, and a drain on domestic resources such as the state budget. Beyond the already difficult humanitarian situation, such reporting reinforces an "us-versus-them" dichotomy in public perception. While the majority of outlets convey in their reporting a sentiment that Syrians in Turkey should show gratitude for being allowed to stay, pro-government publications use this to convey generosity in the government's policy.

Concerning the impact of political change in Egypt on the politics of the wider region, the peculiar development of the "Rab'aa sign" in Turkey was reported. This symbol – the show of four fingers – first emerged in Egypt to express opposition to the removal of then-president Mohamed Morsi by the country's military after protests on Cairo's Rab'aa square had been aggressively dispersed by security forces. In Turkey, the sign quickly became popular across the political spectrum. It then turned into a partisan symbol suggesting support for the AKP government and was even used by Turkish Prime Minister Recep Tayyip Erdogan at a public event.

The Qaddafi Loyalists "Azlam" in Egypt

Exchange between Libya and Egypt has a centuries-long history, with many intermarriages and economic links between the countries. In more recent decades, the respective governments have also frequently tried to capitalize politically on the presence of their neighbor's citizens in their country, for example by harboring political opponents of the regime.

In addition to humanitarian refugees, the conflict in Libya in 2011 also forced supporters of the Qaddafi regime to flee the country. Upon the outbreak of fighting, the Egyptian authorities initially practiced an open door policy toward all Libyan refugees and Egyptians living in Libya as well as allowing Libyans access to medical services in Egypt. This was later tightened due to security concerns and 18–40 year-olds in particular found it harder to enter the country legally. More recently, the Libyan authorities granted $40 million to support their diaspora in Tunisia and Egypt – a measure that will further improve their relatively safe economic situation, which is also based on businesses and investments that have their origin before the Arab uprisings. Conversely, the Egyptian authorities have cooperated with the new Libyan government in judicial affairs, including the prosecution and handing over of high-profile cases of Libyans in Egypt.

In the subsequent discussion, participants were divided over the question whether the presence of Qaddafi supporters in Egypt may bring advantages to the host country. A fierce debate erupted when an argument went that Egypt should establish good relations with the Azlam, as they might return to powerful positions in Libya and fill in the political vacuum. Many viewed this as a salutation of a return of the authoritarian Qaddafi system and therefore heavily opposed it.

Return Migration in Morocco: Biographies and Motivations

Even though some researchers refuse to talk about the issue of return migration because they argue that mobility is increasing and the phenomenon of return migration has not yet stabilized, the speaker argued that it was important to focus on return migrants' trajectory and how they bear a socio-economic impact on their society upon return. Findings were gained by a large-scale research project during which 1,500 households in Morocco were interviewed and analyzed.

One of the findings was that the rate of return was very low among women, with only 2 percent. There were several cases of men wishing to return while their wives refused the idea to avoid sliding back into traditional norms. The rate of male returnees was high only among the pioneers and migrants of the first wave of whom 61.3 percent had no education at all and whose return decision was mainly linked to retirement. The large number of 85 percent of interviewed returnees was aged between 60 and 68, wishing to spend the rest of their days in their

home country. 67 percent stated that they had a long migratory experience of over twenty years. Moreover, only 2 percent of them were able to speak or write the language of their destination country which was also one of the main reasons for the wish to return. 97 percent of returnees were household heads with wives and children. In many cases the children decided to remain abroad while the parents returned alone. Strong links between the parents and children were, nevertheless, kept in almost all cases. Therefore, many interviewees said that they "somehow live[ed] between two countries", which might lead to the conclusion that return in those cases is never complete.

During the discussion, the speaker explained that second and third generation return was still not high although the state had offered incentives for people to return, such as a website called "*finkom*?" where migrants can get information on job and investment opportunities. Stable jobs and marriage to Moroccan spouses are also conducive to resettling in Morocco. Little help, however, is offered from Moroccan authorities to encourage emigrants to invest in their home country, and many of their skills remain unexploited upon their return. The newly adopted policies and the openness of the government toward return-migrants since 2011, are seen by many with a certain amount of suspicion. Critics argued that the state is first and foremost interested in access to the money they made abroad but does not care about reintegration. When returning to Morocco, even if it is only for a short period or vacations, migrants have to balance very different, often conflicting expectations toward them. They are requested to make their success abroad visible and be ostentatious, but at the same time run the risk of bragging too much – a balancing act that mostly goes wrong. One participant noted that this was very similar in the case of Turkish migrants returning from Germany. Of special interest for the group were the cases in which women decided to remain in the destination country while their husbands returned. Under those circumstances, these male senior citizens had difficulties to reintegrate and often became isolated, especially when their health was deteriorating.

Transnational Links, Return Migration, and Entrepreneurship: The Case of Moroccans Returning from Italy

Italy is one of the most important destinations for Moroccan migrants. and Moroccans form one of the largest migrant communities in Italy. Yet the number of Moroccans who eventually return after having stayed in Italy for several years is comparably high. After their homecoming, 85 percent become entrepreneurs within five years, even though most of them were not involved in business before leaving Morocco. They are using the skills they acquired in Italy and primarily focus on trade, agriculture, and the building sector.

Different enabling factors make conditions for entrepreneurship favorable in Morocco and, thus, foster this trend. Firstly, Morocco was not hit particularly hard by the financial crisis and the Moroccan market became an even more attractive destination for trade and exports. Secondly, the Moroccan government's integration efforts for returning emigrants include consortia as well as the creation of networks and contacts with Italian entrepreneurs, informing them about investment opportunities in Morocco. The Italian government is equally active in that respect and provides a variety of incentives and opportunities for Moroccans to return home, not least in order to help Italian entrepreneurs to have trusted partners in Morocco who can manage their business ventures and represent them. Thirdly, there are of course also personal, religious, and cultural reasons to return. For example, many parents do not want their children to be alienated from their culture and, therefore, they invest back home in preparation for the eventual return of their children.

Nevertheless, the returning Moroccans and new entrepreneurs face obstacles as well, including the lack of knowledge of the changed society and economy in Morocco, insufficient funding, difficulties in getting access to entrepreneurship programs, bureaucracy, and taxes on EU imported goods and machines with which local workers are not familiar. Interestingly, the healthiest enterprises among those analyzed were the ones that are not supported by financial institutions. Accordingly, the speaker reasoned that financial institutions seemed to rather play a destructive role instead of enabling entrepreneurship.

The subsequent discussion at first evolved around the question how the Italian authorities support the migrants in Italy. The speaker explained that there were many migrant community services, funded by the municipality of Milan for example, which target Moroccans who are involved in private businesses. These municipal projects also work with Ghanaian communities, taking advantage of transnational connections and the possibility to contact business partners in the homeland. Nevertheless, he said it is important to acknowledge that these projects come from municipalities or semi-public organizations but not the Italian government as part of a state designed framework.

At the end it was stressed that the Moroccan government is very well aware of the potential of the Moroccan

Diaspora. Hence, in the last few years the number of institutions working on connecting Moroccans living abroad with their home country's economy is increasing. The state is trying to make even second generation Moroccans interested in their home country by sponsoring trips and visits. Yet administratively, the institutions tasked with the engagement do not cooperate sufficiently, at times competing instead.

Development and Reform of Diaspora Strategies in Transitional Tunisia

Focusing on the example of Tunisia, the presentation reviewed the altering engagement of states with members of their society who reside outside their borders. According to the speaker, three transitions motivated the sending states to more actively engage with their diaspora communities abroad: increases in the quality and quantity of migration flows, a shift toward the neoliberal economic paradigm, which created more possibilities for global engagement, and a reconsideration of political community and citizenship. Tunisia, being initially a traditional sending country, became increasingly aware of the potential of its emigrants as Tunisia itself began to change politically and economically. Tunisian emigrants had, in the meantime, improved their skills and were thus of high interest for their country. After almost a decade of economic restructuring based on neoliberal lines and upon Ben Ali gaining political power, the state quickly reached out to nationals residing abroad by setting up a special office which was only dedicated to dealing with the Tunisian Diaspora. It introduced the category of "Tunisians residing abroad" (TREs) and granted them the right to vote. However, the government's domestic focus on control, direction, and surveillance came at the expense of its engagement with the diaspora. It thus became little effective and investments and remittances continued to flow outside official channels.

Since the 2011 uprising, positive change has been read into the engagement of TREs in the post-revolutionary institutions. There were personal and institutional changes in their dedicated office. Yet TRE activists are still skeptical about how genuine these changes are and complain about a lack of inclusiveness and follow-up of civil society demands, amongst others. The legacy of authoritarianism is hard to shake off and the discourse around TREs has also changed little; they still are mostly seen as "cash cows" and skills bearers rather than genuine citizens.

Regional comparisons took center stage in discussions. Comparing the Tunisian case to Egypt, it was pointed out how different the Diaspora communities were. Whereas the Maghreb sends most migrants to Western Europe, the majority of Egyptian migrants work in the Gulf. In any case it was stated that for several countries the political changes of 2011 led to a wave of enthusiasm among emigrants who decided to return to their countries in spite of their suspicions. Even though being primarily welcomed, some skepticism remains toward the returners. This can be illustrated with the debates in Tunisia about the right of bi-nationals to run in the presidential elections. It was met with large disapproval. Besides, it was pointed out that Diaspora strategies could conflict with assimilation and integration efforts in the country of destination. Altogether, the role of Diaspora communities was believed to be little studied in the democratization literature, which often simply assumes that returning migrants bring with them the "good habits" of citizenship when in fact there is little empirical work to underpin this.

Prodigal Sons, Partial Fathers: Explaining Variation in Egypt's Treatment of Emigrant Populations

The title of the presentation relates to a biblical story wherein a father has two sons. One of them lived far from home but was the father's favorite while the other son, who stayed closer to his home, did not receive as much love and attention. This was used as a metaphor for the way the Egyptian state treats its different categories of emigrants: those who migrate to the Western states and those who leave for other Arab countries. It is often assumed that a state is either developing a strategy to keep links to the diaspora or that it is not very much interested in maintaining strong bonds in general. This, however, is an over-simplification because empirically states differentiate between the multiple diaspora groups and hence, develop separate policies. The difference is due to the calculations made by the state, which examines the utility of the migrant.

This can be exemplified by taking Egypt as a case study, which has the largest emigrant population in the MENA region and one of the largest in the world, with 10 percent of Egyptians being employed outside of Egypt. At the same time it has a wide variation of policies toward its emigrants. Those who live in Europe, North America, and Australia are referred to as "permanent migrants." The state has developed a comprehensive set of policies to stay connected with them and offers free trips to Egypt for a selected number of migrants as well as publications, conferences, etc. In contrast, Egyptians in the Arab world are referred to as "temporary workers." No elaborate policies are targeting those diaspora groups, but the policies are

mostly minimal and reactive. The private sector regulates this type of migration but not the state. Hence, there is for example only very little reaction to human rights violations in the gulf.

The main difference in the calculation of the Egyptian government is that it would like to bring back the migrants from the Western states, whereas the low and medium skilled workers generally attracted by the Gulf countries are thought to have higher utility when being abroad. The Egyptian government considers their migration as a safety vault against unemployment and overpopulation. The migrants in the Western states, on the other hand, are perceived as being high-skilled and part of the brain-drain problem. They have a negative utility when abroad but if they return home could potentially have an important role in Egypt's development.

Intra-Arab migration was believed to have three advantages for Egypt. Firstly, and historically speaking, it was argued that it helped Egypt to maintain its relevance in the aftermath of the 1967 war and manpower was used to keep linkages with the Arab world. One might even argue that it helped Egypt in terms of reconciliation with its Arab neighbors after the peace treaty with Israel and the ensuing embargo. Secondly, authoritarianism in Arab host countries prevented the Egyptian government from being criticized by the emigrants because Egyptians in Saudi Arabia and Qatar could not be politically active due to restrictions. Thirdly, and regarding Egypt's policies, Egypt primarily tried not to antagonize the host states. The rationale is that if Saudi Arabia for example abuses Egyptian workers, Egypt avoids intervening because it wants to keep exporting its workers. This is not least because Egyptian workers who emigrate from Egypt to the Gulf bring in sum more remittances than those in the West.

The subsequent discussion started by taking a closer look at the usage of "utility" as the core explanatory variable for the state's position or reaction toward different categories of emigrants. The speaker argued that it was the most important indicator but that there were also other factors. One can only assume that the amount of policies indicates whether the state wants those emigrants to return or not. The capacity of the state to deal with different Diaspora groups or the level of remittances, however, can also be an explanation. Moreover, diaspora is made up of both critical and loyal groups. One participant highlighted the example of Turkish Prime Minister Erdoğan who encourages loyal Turkish emigrants in Germany to acquire Turkish citizenship and be involved in Turkish politics from within Germany, while at the same time he tries to exclude critical voices. The brain-

drain phenomenon was also discussed controversially. The speaker explained that it was a taboo of some sort in Egypt. It was for example considered an embarrassment that a scientist would rather work abroad than in Egypt. Moreover, it was pointed out that the issue had a political dimension as well because frequent protests and complaints about the situation in Egypt by these emigrants were negatively affecting the government's image.

Fight or Flight Response? Irregular Secondary Migration and the UNHCR's Role in Northeast Africa

While the UNHCR has been present in northeast Africa for over half a century, it is recently facing an unprecedented situation: the number of people trying to reach Europe from and through the region has increased by a staggering 120 percent between 2013 and 2014.

Over time, the organization's work has changed as it moved from short-term solutions to long-term care for refugees, taking on a surrogate state role in the process. In Egypt, the existing legal framework does not effectively protect refugees, and the situation became even worse when the security situation deteriorated in the wake of the 2011 revolution. In Sudan, the government insists on a policy of encampment, but 80 percent of asylum seekers leave the camps. Many of them are later rounded up or caught at the Libyan border. Resettlement slots to other countries fall well short of necessity.

The massive surge of people in need and their tendency to continue their movement beyond their first contact with UNHCR has put the organization's approach into question. It currently adopts a state-centrist perspective, looking at migration as a problem and essentially hindering mobility with its interventions. It may be time to rethink this approach, so the speaker. Labor mobility schemes for refugees in the ECOWAS states are one relevant example for northeast Africa, as is the idea to allow for offshore asylum applications to European Union states. Meaningful citizenship seems to be an indispensable part of a solution. It may be necessary to stop containing and start managing the movement of people.

The scale of the movement of people once again made participants wonder whether the suggested policy changes were even close to enough. Would rejected offshore asylum applicants not try the illegal crossing to Europe anyway? Are the institutional and legal constraints on organizations like UNHCR not too strong to change track dramatically enough? The speaker stressed the counterfactual: in the absence of UNHCR, the situation would be a humanitarian catastrophe. At the end, states' lack of

interest in and efforts to resolve issues of refugees was pointed out as the major obstacle to constructively tackle the issue. One participant put forward the comparison of the $1.7 trillion of annual world military spending to the UNHCR's budget of just over $5 billion.

Taking the Soft Law Route: The European Commission's Rule-Making to End Limbo Situations Resulting from Non-Removability

It is arguably important to study the consequences of policies but, according to the speaker, it is equally vital to gain an understanding of how the policies are crafted. This is exemplified by the case of migrants with "limbo status" in Europe. Normally, when an individual asks for asylum in the EU, he or she can either be offered the status of a (temporary) refugee or that status can be refused, which means that the unsuccessful applicant has to return to his or her country of origin. There are cases, however, in which migrants whose applications have been rejected cannot return, not for objective reasons such as health problems or an ongoing war but because their embassies refuse to hand out the necessary documents. These therefore end up in an uncertain limbo situation.

In Europe, no unified legislative framework on the EU level exists. Instead there is a jigsaw of national frameworks, with different categories of rights offered by each. A common framework is crucial to effectively deal with the problem outlined above. The speaker argued that the issue should be dealt with at the level of the European Commission, whereby a variety of challenges have to be overcome during the drafting process. The Commission has to take into consideration the positions of the European Council and the European Parliament, as both have to approve its suggestions. This has in other cases been very difficult in the past. Moreover, there is the risk of launching anew the debate over the "return directive" of 2007, putting into question issues that have already been settled. This is dangerous, as it might mean fewer rights for some. Member states are generally reluctant to speak of migration regularization, for this is often interpreted by the public as a factor that attracts further migrants ("pull factor").

The Commission's efforts are frequently criticized for being soft-law mechanisms that do not provide practical solutions. So far, the initiatives include the founding of working groups, an EU-return handbook for practitioners, and an outline of evaluation mechanisms. However, in terms of the final decisions, national courts play the most important role and they differ in their verdicts. For example, courts in the Netherlands ruled that those who cannot be returned must not be punished, while Belgium decided to offer social support to limbo-status migrants. This suggests that the Commission's soft-law approach may become effective. When a case is referred to court, decisions will be made after consulting references such as the handbook, previous studies, and discussions between member states. Hence, the soft law as such becomes a hard law via the judgment of the European courts.

In the subsequent discussion, the situation of the migrants in such limbo situations raised further interest. The speaker explained that they almost lived in invisibility, as they had almost no rights and could neither register nor go to city councils. Moreover, she added that it took very long to clarify their status, as the involvement of national courts makes the whole procedure very bureaucratic and lengthy. Their situation differs markedly from the situation of migrants who go through the regular resettling process, are conventionally granted refugee status before they arrive to the country of destination, and are given accommodation as part of their package. Limbo migrants, in contrast, arrive at the country of destination first, and then apply for refugee status.

The conference was held under the Chatham House Rule.