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France's Strategy on Migration Issues in the Mediterranean

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The Mediterranean Sea is recognized by France as the most important adjacent area and also the gate to Africa, France's vast sphere of influence beyond the Mediterranean. The political turmoil here since the Arab Spring has begun, especially emergence of a flood of refugees coming to the EU, was a serious problem for France. The current situation of EU, which is shaken over the acceptance of immigrants and refugees, is grave for France, having a strategic pillar which is to raise the own presence in global politics by obtaining the leadership in the EU. France sets out to put the migration and refugee issues to rest, to maintain EU's political power and to seize the initiative in the EU. This article will analyze such a national strategy of France focusing on the process from Chirac's administration to Macron's.

Keywords: France, diplomacy, EU, migration, Mediterranean

Introduction

The Arab Spring, which started in Tunisia in late 2010, brought about political change towards democratization in many countries in the area from North Africa to the Arabian Peninsula, and abrupt political changes took place around the world, creating a significant number of immigrants and refugees. Immigrants and refugees from North African countries, such as Libya, have crossed the Mediterranean, whilst from Syria they have targeted the EU via a land-based route through Turkey. The EU member states that have served as the geographical points of entry for this large-scale influx of migrants were Italy and Greece, but migrants travelling via Italy have often moved on to neighboring France (although this may not necessarily be their final destination). When the first such "wave" surged out of Tunisia in 2011, France was forced to deal with the sudden increase of migrants and refugees, and blocked the operation of the railways across the Italian border in order to prevent this influx¹. Although this was a temporary measure, the Italian government responded by saying that France's response was in violation of the Schengen Agreement, and this can be seen as the beginning of a debate on the EU's response to the migrants and refugees, including how to maintain the Schengen Agreement thereafter.

France has long been a host country for immigrants (Sakai, 2016), with many immigrants residing in locations such as Paris, the capital city, and Marseilles, France's second-largest city which faces the Mediterranean. The gateways for the large-scale movement of immigrants and refugees accompanying the Arab

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¹ Le Monde, 19 Avril 2011.

Spring have indeed been Italy or Greece. However, for France, which has a history of accepting immigrants, and which similarly borders the Mediterranean, the migration issue in the Mediterranean has by no means been somebody else's problem. With regard to immigration policy in France, there has been research from a sociological perspective, such as that of Wihtol de Wenden (2017) and Wieviorka (2014), and research on historical narratives by Rabaud (2014), as well as empirical studies by Chérigui (1997) and Henry (2012) on France's Mediterranean policy. However, in the setting of the Mediterranean, there has been no comprehensive political analysis on the phases of immigration issues that have predominated for France in terms of its Mediterranean policy, after identifying events influencing EU's processes of developing policies on immigration and refugees. Therefore, in this paper, we examine France's strategy in relation to the migration issue in terms of its impact on policy formation at the EU level on the migration issue based on its Mediterranean policy, while attempting to form a comprehensive picture of the positioning of the migration issue in the Mediterranean, a region where France's priority in terms of policy has been placed.

Geopolitical Phases in the Mediterranean and Changes in the French Response France's Perspective on the Mediterranean

The east-west axis extending from France has established stability and security in the east which had once been a source of threats by promoting European integration through cooperation with Germany, and has strengthened stability in the west by enhancing its transatlantic relations through its partnership with North America. The axis extending south into Mediterranean and vertically intersecting with this is linked to Africa, forming a sphere of influence throughout the colonial era, and has further geopolitical importance in opening up the way to Asia via the Suez Canal. It is this Euro-Mediterranean cooperative framework ("intégration euro-méditerranéannean") that has structured the axis extending to the southern Mediterranean (Dufourq, 2014, p. 71). The Mediterranean can be understood as a place with two features. Firstly, as an "intersection" (carrefour), and secondly as a "bridge" (passerelle); the former description encourages solidarity and the expansion of common interests, whilst the latter supports the coordination of the northern Mediterranean (i.e. Europe) in the development of the southern Mediterranean and the constructive framework of the "Euro-Mediterranean" (Dufourq, 2014, p. 72).

What elements may we refer to as the "common interests" mentioned above for this case? In a broad sense, it is political stability and economic development of the area, with the purpose of creating a "win-win" relationship between Europe and the southern Mediterranean by each actor providing their unique resources in order to achieve this. One example of such a scheme is the development of the southern Mediterranean, wherein advanced technology from Europe, oil assets from the Gulf states, and labor from Africa are combined (Dufourq, 2014, p. 74).

In the case of France, one could focus on the "5 + 5 Dialogue" promoted by the President François Mitterrand in the late 1980s as a specific framework for the convergence of these benefits. We may recall that the President had issued a proposal to the National Assembly in 1958 to create a "Franco-African Community"

² France, Spain, Italy, Portugal, and Malta from European side, Mauritania, Morocco, Algeria, Tunisia, and Libya from southern part of Mediterranean. Established in 1990. Ministère des affaires étrangères, "Méditerranée—Dialogue 5 + 5: quels objectifs pour la 13e réunion des ministres des Affaires étrangères de la Méditerranée occidentale?" Last access: 17 September 2018.

as a space for projecting French power³. As a leader of the French Socialist Party, Mitterrand was trying to strengthen bilateral relations with southern European countries such as Greece, Italy, Spain, and Portugal, based on the ideological cooperation of the socialist parties in each. However, when he took office in 1981, he changed this vision and instead aimed to build a multilateral framework of "Euro-Africa" in the Mediterranean. This was a prelude to the pursuit of an expansion of power by France, and also a major change in the direction of the relationship between France and the southern European countries (Ch érigui, 1997, p. 131). The new vision of Mitterrand in relation to the Mediterranean was, of course, related to pursuing the national interests of France, but it was also an escape from the restraints of socialist ideology and was part of the institutionalization of multilateral regional cooperation in order to achieve comprehensive peace and prosperity over a range of factors ranging from the economy to national security. A speech by Mitterrand in Tunisia on October 27, 1983 provided an outline of the kind of international coordination he was aiming for in the Mediterranean. In the speech, Mitterrand explained that, as the expansion of the European Community (EC) into southern Europe progressed, issues in Europe had become issues in the wider Mediterranean, and that not only France but also the entire EC would become a partner in dialogue with Tunisia (and other North African countries). He further explained that point at issue in region was in addition to the economy, peace, and institutionalization of Mediterranean institutions (Chérigui, 1997, pp. 134-135). Mitterrand thus emphasized the issue of peace and security. When the 5 + 5 Dialogue resumed during his term in office in 2001 after several years of interruption, in 2004, Mitterrand created a security sector within the framework. However, the 5 + 5 Dialogue was also subject to a backlash from participating countries, saying that France's national interests had been prioritized (Ch érigui, 1997, pp. 147-159).

The Historical Reason to France's Response⁴

The Fifth Republic, in which Mitterrand served as president, began under the period of President De Gaulle in the late 1950s, but since De Gaulle, successive administrations had struggled to strengthen the material and ideological relationship between France and the Arab states. With regard to immigration, France had long been an immigrant host country. Since other southern European countries such as Italy, Spain, and Portugal turned to host countries in the mid-1980s and began to work on immigration acceptance policies, in principle, France maintained an initiative for responding to accepting immigrants from southern Mediterranean countries until the 1980s (Ch érigui, 1997, pp. 114-116).

Pompidou, who became president in 1969, saw the need to develop and take the lead in "the hinterland of Europe" (hinterland européen) to strengthen France, and developed a philosophy in Mediterranean policy that "historically and geographically France has been given the role of being the extension of [the hinterland of Europe] and the Mediterranean and Africa". Efforts were made to strengthen and maintain a privileged relationship with the three countries of Maghreb (Algeria, Tunisia, and Morocco), and to strengthen France's longstanding influence while protecting the interests of Europe in the Middle East (Colard, 1978, p. 283).

Subsequently, Mitterrand, who assumed office after Giscard d'Estaing, engaged in the Mediterranean through appointing an "advocate of the third world" (Henry, 2012, p. 44) and promoted the institutionalization of cooperative relationships. In the EU, France took the lead role in this process, with French people occupying posts in the European Commission (EC), which plays a central role in EU-Mediterranean relations. In this role,

³ Le Monde, 5 Fevrier 1958.

⁴ See Sakai, 2015, pp. 64-66.

France strengthened the relationship between EC/EU and Mediterranean countries while furthering agreements on developmental cooperation with former colonies (Henry, 2012, p. 44). However, these movements to expand France's presence in the Mediterranean stalled when faced with the reality of the size of the US influence (Chérigui, 1997, p. 49)⁵. Nevertheless, Mitterrand and his successor Chirac promoted the 5 + 5 Dialogue, whilst the Barcelona Process was launched as a comprehensive system led by Chirac in 1995 (the 5 + 5 Dialogue is recognized as a complement to the Barcelona Process by the Mediterranean countries). France's expectation during this period was that it was necessary to strengthen the Mediterranean strategy on the back of tensions and conflicts in the Sahel region and Syria, in order to alleviate these conflicts and counter the prevalence of smuggling and irregular immigration. Furthermore, in order to make effective use of France's available military, diplomatic and financial resources, it was also necessary to link the essential strategic area of European strategy with this Mediterranean strategy. Thus, with the aim of overcoming the stagnation of the Barcelona process, strengthening the common identity of the Mediterranean countries, and stimulating regional cooperation, the Sarkozy initiative leads to the creation of the Union of the Mediterranean (Union pour la Méditerranée) in 2008, which has consistently sought to maintain and improve France's presence in the Mediterranean region (Nabli, 2015, pp. 230-231). The 5 + 5 Dialogue has also been continued in parallel with the Mediterranean Union, and in November 2015, a Mediterranean summit on the issue of immigrants and refugees was held in Malta, with leaders from EU and African countries participating. Subsequently, a meeting of foreign ministers in the 5 + 5 Dialogue, held in Marseille in October 2016, promoted prompt implementation of the action plan issued at the Malta summit⁶.

With François Mitterrand, and even more Nicolas Sarkozy, we can find the idea that France must link its Mediterranean and North African policy to Europe. For his part, Jacques Chirac rather developed relations with the Arab world, by accentuating friendly relations with personalities in power, but also by recognizing certain memory problems such as recognition of the Algerian war of 1999.

France's Strategy and Response: Focusing on Recent White Papers on Defense

In this way, France has been strengthening its responses to the Mediterranean. In this context, what stance does this constitute regarding immigration in particular, and how can we understand what steps are being taken by France as a whole? Additionally, what kind of involvement has France shown with regard to immigration policy which is particularly linked with the EU's response? In this case, based on the recognition that France is strongly concerned with immigration and refugee issues based on the logic of enhancing security (Sakai, 2015), we may assume that France has expanded its response to the Mediterranean to that end. Focusing on defense white papers issued since 1994 after the end of the Cold War, we will examine changes in the concept of safety and in the meaning of "borders".

From the Final Years of Mitterrand to Chirac: Focusing on 1994 White Papers on Defense

The first white paper on defense⁷ was issued after the end of the Cold War in 1994, which was also the end of President Mitterrand's administration over two terms and fourteen years from 1981. The white paper, issued four years after the end of the Cold War following the Malta Declaration in December 1989, indicates a

⁵ On American attitude of intervention in the Mediterranean, see Nabli, 2015, pp. 205-218.

⁶ "Relevé de conclusions", 13e réunion des ministres des affaires étrangères du "Dialogue 5+5" en Méditerran é occidentale, Marseille, France, 28 Octobre 2016, p. 7.

⁷ Livre Blanc sur la D fense 1994. (1994), La documentation française. Hereafter LB 1994.

perception that the Cold War was not entirely a thing of the past, and much of its content reflects security characteristics of the Cold War era (Lecoq, 2016, p. 136). In addition to this there is some mention of terrorism as a "new threat" (LB, 1994, pp. 30-31), but there is no specific mention of the Mediterranean or migrants. However, since the Barcelona Process was spearheaded by Chirac in 1995 immediately after publication of this white paper, it seems that the urgency and importance of addressing the issues in the Mediterranean region emerged at this time (at the latest) within the French administration⁸.

Subsequently, with the 9.11 terrorist attacks in the United States in 2001 as a turning point, the perception of the Ministry of the Armed Forces was also that "the security of the country and foreign security are now linked", and that "the nature of defense is generally amplified by the link between domestic threat and external threat;" thus, clearly presenting public order and national security in seamless alignment, and beginning to show a relative decline of the significance of national borders. Intelligence agencies also proceeded with a reorganization that transcended the boundaries of the Ministry of Defense and the Ministry of the Interior following the inauguration of the Sarkozy administration in 2007 (Lecoq, 2012, p. 697; 2016, pp. 138 & 141).

The Sarkozy Administration: Focusing on 2008 White Papers on Defense

When Sarkozy was serving as Interior Minister in the Chirac government, he maintained a strict stance against immigration. As a result of this, in 2005 there were riots in areas settled by second- and third-generation north African immigrants outside Paris. With regard to immigration law, Sarkozy introduced the concept of selective immigration, whereby workers with a high educational background, a high level of technical skills, and high potential income are actively selected, thus indicating a tendency to rejecting applications from people with poor academic backgrounds and skills, mainly North African immigrants.

A white paper in 2008, formulated by Sarkozy as president, emphasizes changes in the nature of defense and security, and clarifies new threats, such as terrorism and organized crime. These threats were understood to be pervasive across borders, and a recognition of the continuity between internal security and external security was shown (Lecoq, 2016, p. 137). The entire conceptual framework had changed from "defense" (la défense) in 1994 white papers, to "defense and national security" (la défense et la sécuriténationale) in 2008 (Lecoq, 2016, p. 143). This was based on the fact that traditional military "defense" alone could not cope with the threats encroaching on France, which can be seen as prioritizing the need to take a wide range of measures to ensure security. Against the backdrop of threats such as terrorism and organized crime, "the recognition of continuity between domestic security and foreign security" was brought to the foreground of the EU's "regional security strategy" in 2010, which may have been a reflection of France's own strategy. The perspective of a "transborder threat" can be considered a reflection of an underlying sharp increase in the international migration of people crossing borders both within the EU and elsewhere.

The Hollande Administration: Focusing on 2013 White Papers on Defense

Hollande, who had been the General Secretary of the Socialist Party, won the presidency in 2012 by defeating the incumbent Sarkozy. Whilst Mitterrand was his political mentor, Hollande was dealing with issues, including those relating to immigration, in an international environment that was different from that of the Mitterrand period. The Libyan war of 2011 posed the problem of the border: the Libya of colonel Gaddafi

⁸ La Méditerranée d'une rive à l'autre. Entretien avec Jacques Huntzinger (2009). In *Questions internationales*, No. 36.

⁹ Notes EMA/DAS No.787 DEF/EMA/ESMG et No. 5017 DEF/DAS du 29 Novembre 2002.

traditionally managed the Sub-Saharan migrants, its fall opened a problem accentuated since by the Iraqi and Syrian crises. In a white paper issued in 2013, the concept of "defense and national security" (la défense et la sécurit énationale) was mentioned as in the 2008 white paper. Therein, (1) protection, (2) deterrence, and (3) intervention are presented as the three pillars of the strategy. Subsequently, in response to a request from the government of Mali, in order to counter the penetration of Islamic extremists in the African-Sahara region in Mali, Hollande engaged in military intervention in 2013, as well as participating in Syrian air strikes in 2015 in the turmoil following the Arab Spring.

The 2013 white paper contains the phrases "double demand/single task/various means" (double impératif/une mission/des moyens). The "double demand" refers to the defense of Europe by Europeans, and national security that extends across borders. "One task" refers to the defense of France in the context of a new alliance, and a new military hierarchy between major countries (Lecoq, 2016, p. 143). Although there is no explicit statement regarding immigration issues, as in the 2008 white paper, the broader concept of "defense and national security" continues to be pushed forward. In that sense, we may perceive a continuation along the same path in relation to the transborder threat associated with the increase in the international migration of people, as indicated in the 2008 white paper, and the fact that it is seen as essential to regard national security and public order as a seamless entity for that purpose.

Under these circumstances, regarding Mare Nostrum—a refugee rescue operation carried out by Italy from a humanitarian perspective in response to accidents involving refugee ships sailing from North Africa to the EU, which were frequently occurring in the Mediterranean—Interior Minister Cazeneuve under the Hollande Administration appreciated the rescues and said, "We will be able to introduce humanitarian measures to the fullest extent." However, he also said, "If this can't be controlled at the [migrant's] origin, it won't serve any purpose;" thus, in evaluating humanitarian relief activities by Mare Nostrum, there were also strong concerns about the arrival of irregular immigrants in France. Besides this, Cazeneuve also insisted on the need for FRONTEX to strengthen border controls in the Mediterranean.

The Macron Administration: Focusing on 2017 White Papers on Defense

With the terrorist attack on the *Charlie Hebdo* headquarters in January 2015, and the simultaneous terrorist attacks on Paris in November of the same year triggering the instigation of martial law, domestic public opinion linking terrorism and migrants also became more widespread, with the Front National led by Marine Le Pen also demonstrating a rise in popularity. Macron was seen as existing beyond the framework of established major political parties, gaining firm support in the form of bringing together the political Left and the Right, and was elected president in 2017.

A white paper issued in the autumn after the establishment of the Macron Administration emphasized the continuity of security and defense, as in 2008 and 2013¹¹. Looking at the application of this in different regions, in the case of African countries, France shares much of its history and interests with Africa, and constant stabilization of the (governmental) capabilities of countries on the African continent is described in the white paper as having vital importance in the management of immigration and terrorism (LB, 2017, p. 64). The white paper also highlights the urgency and importance of security against the penetration of Islamic fundamentalist

Lib ération. fr, ler Septembre 2014 http://www.liberation.fr/societe/2014/09/01/migrants-noyes-en-mediterranee-cazeneuve-veut-un-sursaut-europeen_1091627, Last access: 8 August 2018.

¹¹ Revue strat égique de D'éfense et de s'écurit énationale, (2017), La documentation fran çaise [Hereafter LB 2017], p. 21.

forces such as Boko Haram in the Saharan region (in G5 Sahel countries such as Mali), emphasizing the serious impact on the neighboring countries of the Maghreb to the north, and by extension the impact on France and the EU via the Mediterranean (LB, 2017, pp. 21-22).

As far as the Mediterranean is concerned, southern Mediterranean countries have stated that they are unable to control movement of people in addition to controlling their own territory, and with the growing threat of jihadists in Libya, it has played a central role in the migrant and refugee crisis and the risk of terrorism (LB, 2017, p. 24). The eastern Mediterranean is a region that has become highly militarized through the strengthening of Russia's strategic presence, the rise of China, and the acquisition of modern military force by countries in the region (LB, 2017, pp. 24-25). Meanwhile, the western Mediterranean claims that the lack of cooperative structure is preventing the lessening of tensions in the region (LB, 2017, p. 25), demonstrating the vital importance of France in the Mediterranean region as a whole, as well as the increasing instability and the need for a prompt response. In particular, there are fears that the rapid destabilization of nation states in the southern Mediterranean could threaten the security of the EU, which could lead to a refugee crisis and the emergence of jihadist extremists in the eastern Mediterranean and Libya (LB, 2017, p. 25).

The Interpretation of Unconstitutionality by the Conseil d'État Regarding the Introduction of the "Safe Third Country Repatriation" Rule

In the process of standardizing the anti-refugee measures being promoted in the EU, the introduction of a rule of "repatriation to a safe third country" has been discussed as one of the measures to mitigate the influx of irregular migrants. A "safe third country" is a concept (UNHCR, 2017, p. 500) that is applied if a person could have applied for international protection but did not do so in the country where he/she was staying before entry, or when protection has been sought but its status has not been determined. Through repatriating asylum applicants in countries where they have gone (other than their country of origin and the country in which they are currently staying), where they will not be under threat of persecution or torture, in order to ease the conflict within the EU that is becoming more intense over the burden of accepting asylum applicants, the EU intends for refugee screening to be carried out in countries on the Mediterranean coast such as Turkey, Morocco, Algeria, and Tunisia, and initiating repatriation to these same countries 12. If this concept is introduced, France will also automatically repatriate asylum seekers to a "safe third country".

However, on May 16, 2018, the government's administrative and legislative advisory body and the highest administrative court, the Conseil d'État (State Council), interpreted this as being unconstitutional. According to this interpretation, "For France, more precisely for the OPFRA [France's Department for the Protection of Refugees and Stateless Persons], ruling not to accept asylum applications via a safe third country conflicts with the fourth paragraph of the preamble of the 1946 Constitution, which has been passed on to the 1958 Constitution." That is, the clause stating that "all those who have been persecuted because of activities undertaken for the sake of liberty have the right to asylum in the territory of the Republic" fundamentally prohibits the repatriation of asylum seekers. Were a policy of automatic repatriation to be initiated, this would mean that France was failing to accept those who must be protected as as stipulated by the Constitution¹³. This response in France is expected to have an impact on the introduction of rules for the EU as a whole. However, for France as well, a dilemma has emerged between promoting enhanced security in relation to the migrant

Voulu par l'UE, le principe "pays tiers sûr" est jugé inconstitutionnel par le Conseil d'Etat. (2018). In Le Monde, 14 Juin 2018.

issue as evidenced by changes over time in the white papers on defense, and the principles of the preamble of the Constitution of the Fourth French Republic.

Conclusion

This article has examined how France has been involved in the process of policy development at the European level over the issue of migrants in the Mediterranean.

Given the development of geopolitical conditions and global environmental change, the priorities for France are diversifying and gradually changing. Thus, it is important to take a look at the whole situation as presented in the figure below. The left of the figure shows the European (EU) response, while the right of the figure lists the responses from outside of Europe (EU).

The Mediterranean, which is the main area examined in this paper, is an area which France has prioritized in terms of foreign policy. In this area, the framework is gradually being reorganized away from Africa towards the Mediterranean, and the institutionalization of cooperation at the regional level and strengthening of cooperative relationships with related countries are being promoted. In a region where the US presence has been in relative decline since the Cold War, stability, security, and prosperity have been pursued against the backdrop of unstable political circumstances in the Middle East and North Africa, and the promotion of cooperation between the EU on the northern Mediterranean side and the southern Mediterranean countries (that is, development from the Barcelona Process to the Mediterranean Union) has been recognized as essential to that end. In addition to this, in order to deal with issues unique to the Mediterranean, it is essential to strengthen ties with southern European countries such as Italy and Spain, and strengthening individual ties with these countries has become an aim of France.

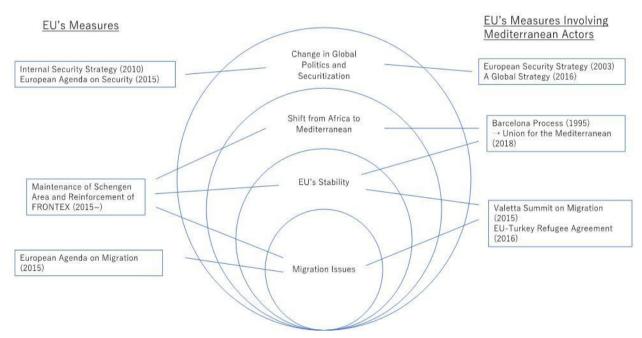


Figure 1. Migration issues in France's strategy in Euro-Med environment.

In addition, while aiming to improve France's presence as a major country in terms of defense within the EU, enhanced security in relation to the migration issue at EU level has been promoted as an effective

implementation policy. Enhanced security has been promoted in relation to various issues, including immigrants and refugees, in response to changes in the international environment, and a seamless continuity between internal and external security has been established as a strategy for the EU, especially since its Internal Security Strategy of 2010. This is the same concept that was manifested in France's 2008 white paper on defense, and it seems likely that the formation of the strategy in France had considerable influence on the EU.

The process of dealing with migrants and refugees stands between the contradictory vectors of humanitarian acceptance and a repulsion to excessive acceptance. This point has emerged as a new issue in the form of friction with constitutional restrictions predicated on France's historical and legal openness. While working with Germany as a driving force in promoting EU integration, and continuing to work with Germany in initiatives to maintain cohesion with the EU, there are signs that the migrant issue may lead to a string of domestic political changes in France, such as the rise of the National Rally (Rassemblement National) led by Marine Le Pen, who contested for the presidency with Macron, although this is not currently as acute an issue as in Central and Eastern Europe.

However, there is no doubt that the migrant issue is a core issue for France in all phases of its development in relation to the EU, the Mediterranean, and globally. In addition to France's historical background of accepting many immigrants and achieving economic development after World War II, when developing diplomacy that makes full use of normative power or soft power underpinned by the EU, France must not abandon its attitude of closeness with immigrants and refugees and undermine its values of humanitarianism and anti-discrimination. As the issue of immigrants and refugees has become a global issue, rather than just a national or regional issue, this has become an essential point in maintaining and improving France's presence on a global level. Seeing the rise of populism symbolized domestically by the Rassemblement National as a "venting" of public opinion (albeit not one leading to insurrection), priority has been placed on taking a central role along with Germany in policy decisions at EU level, and the concept of responding in a way that incorporates the national interests of France into measures by the EU as a whole has gradually taken root over the course of approximately 20 years from Chirac to Sarkozy, through Hollande up to the Macron Administration.

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