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The relational dimension of externalizing border control: selective visa policies in migration and border diplomacy

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Abstract

The paper traces the crucial role of visa policies in externalizing border control. Since the European Union has agreed upon a highly selective visa policy in 2001, most neighbouring countries are (newly) confronted with visa requirements for short-term travel. Because of this standardization of travel opportunities, visa-free travel to the European Union has become a rare and valuable political asset both for third country nationals and their governments. Consequently, visa liberalization became a major issue in bilateral negotiations with the EU over cooperation in migration management and is frequently used as an incentive by the EU institutions. However, the EU is not the only cooperating partner that strategically engages in border and migration diplomacy. As the case studies of Moldova, Morocco and Turkey show, all governments involved use issues of mobility regulation as a foreign policy tool, though with varying success in regard to visa liberalization.

Keywords: Externalization, Visa policy, Border and migration diplomacy, European Union, European Neighbourhood policy, Republic of Moldova, Morocco, Turkey

Introduction

A young woman stands in front of a huge billboard with the words ‘no visa’ emblazoned on it in big letters; in the background we see the Moldovan flag. With a smile on her face, the woman holds up her Moldovan passport, appearing proud and full of joyful anticipation. This picture from 2014 illustrates the key message of a newspaper article titled ‘Moldovan citizens may travel visa-free to the EU’ [own translation] (Schwengsbier & Chiochina, 2014). We see an individual willing to travel, the legislative means to do so, namely her passport, and her nationality, symbolized by the Moldovan flag. The reason for this person’s joy is an amendment to the agreement between the European Union (EU) and the Republic of Moldova (Moldova) facilitating the issuance of visas, the result of over 10 years of international cooperation and, in particular, the European Neighbourhood Policy (ENP).

The connection between the three elements represented in the 2014 photograph is central to this contribution. These interconnected elements include individual opportunities for visa-free cross-border travel; the strategies of Western countries, such as EU member states, to exclude or selectively include citizens from third countries; and the political use of the politics of mobility in the EU neighbourhood. To shed light on

this complex interplay, I propose to analyze international visa policies from the perspective of border control externalization and global inequality. Since this special issue aims at a more balanced approach in analyzing externalization, this paper will contribute by focusing on how visa policies increasingly open up a space for border and migration diplomacy between so-called countries of destination, transit and origin. Accordingly, the paper highlights the crucial role of visa policies in externalizing border control in two ways. First, a highly selective visa policy by the EU/Schengen member states turns out to be a key instrument for externalizing border control. Second, because of the standardization of chances for visa-free travel to the EU, visa policy has become a major issue in bilateral negotiations with the EU over cooperation in migration management since the early 2000s.

To unpack the first aspect of visa policies, I will show how European countries are using visa policy as a means to externalize border control. The EU and its neighbouring countries serve as the most prominent example of the externalization or delegation of control tasks, costs and responsibilities in the context of regulating 'unwanted' migratory flows (Guiraudon, 2003; Laube & Müller, 2016; Lavenex, 2006). Relocating admission control to the embassies of the countries of origin has proven to be one of the most effective tools of external border control. At a very early stage of the mobility process, persons are divided into those who are deemed worthy of the legal possibility of entry; those deemed unworthy are denied access to their destination country before they even start their journey. In this way, the issuing of visas acts as a filter and may turn those who would have otherwise crossed the border legally into irregular migrants. Over the last 20 years, the EU has developed visa policies that act as a filter and serve to control short-term mobility from third-countries while allowing for a common area of free mobility within the EU/Schengen macro-territory. In the process of harmonizing migration management and opening internal borders, the Schengen states have all agreed to a binding list of countries whose citizens need to apply for a visa before crossing the external borders of the EU/Schengen area (Council of the European Union, 2001). This harmonization of the Schengen visa policy lead to a full-scale standardization of chances to visa-free travel for third country nationals. With self-collected data on visa policies in 167 countries for the years 1969, 2010 and 2014, this paper points to the results of this comprehensive standardization of opportunities for visa-free mobility.¹ This standardization clearly contributed to a global stratification of chances to free mobility based on nationality. By restricting access to this privileged region of the world, visa-free access to the EU became a desirable objective in third countries, first and foremost, in the EU neighbourhood.² A global inequality perspective enables us to take into account the asymmetry in the international relations in question and the global distribution of this politically limited resource, namely visa-free travel as a right attached to one's nationality.

The second aspect of visa policies that we need to analyze is its emergence in agreements on international cooperation with a focus on migration management. How do EU member states and their neighbouring countries use visa policy as a foreign policy tool to achieve their respective goals? While the concept of externalization of control has brought to the fore the strategic shifting of responsibility for migrants and refugees, it often underestimates that this strategy makes EU member states heavily dependent on countries of origin or transit in the wider European neighbourhood. To explore the dynamics of this cooperation, necessary

to externalize control, the paper will draw on literature on the topic of EU conditionality but will expand that discussion by consulting a more recent approach coming from the field of international relations. The newly introduced approach on 'border and migration diplomacy' provides us with a perspective that sheds light on the interactive political process that evolves during the negotiation of bilateral agreements and cooperation programmes. It assumes that all governments involved strategically use issues of migration and mobility as a foreign policy tool (El Qadim, 2017b; İçduygu & Aksel, 2014; Tsourapas, 2017).

To deepen our insight into the dynamics in this space of border and migration diplomacy between the EU and its neighbouring countries, I chose to study three country cases and analyze each's approach to cooperation with the EU. An examination of Moldova, Morocco and Turkey demonstrates that assumptions of the more powerful party in such negotiations simply asserting its will are actually wrong. Instead, we observe long-standing bargaining processes with outcomes that cannot be anticipated beforehand. The analysis of state actors and their responses to conditions for cooperation shows that the issue of visa facilitation or liberalization has been a major subject in this exchange of interests since the early 2000s. For this empirical part of the study, 1999 will be the starting point with the Tampere Summit and the coming into force of the Amsterdam Treaty. At that time, the EU Commission obtained the mandate to develop common policies on asylum and immigration (Boswell, 2003). Amongst other things, this put the Commission in the position to negotiate with third countries and prepare for 'stronger external action outside the EU' (European Commission, 2002b, p. 3). Just as now, documents of the EU Commission and the European Council published since 1999 emphasize the importance of cooperation with third countries to the EU (European Commission, 2011; Reslow, 2012).

In exchange for agreeing on strengthening border controls, developing asylum systems and signing readmission agreements that regulate deportation procedures, the EU introduced the prospect of accession and, later on, the possibility of visa-free or at least facilitated travel to the EU for the Eastern and Southern European periphery (Lavenex & Stucky, 2011; Trauner & Kruse, 2008). Some of these collaborations on migration and mobility, such as the so-called 'Mobility Partnerships,' were established without difficulty. But studies from several partnering countries indicate that those political actors also engage in border and migration diplomacy by not accepting a partnership, non-compliance with EU regulations on mobility or even threatening the EU with letting irregular migrants pass (Carrera, Cassarino, El Qadim, Lahlou, & den Hertog, 2016; Reslow, 2012; Tsourapas, 2017). In these ways, third countries try to improve their bargaining position and exert pressure on the EU and its member states. We might even speak of a reversed conditionality here since third countries formulate for their part under which conditions they are willing to enter a collaboration with the EU.

By combining those two insights from visa policy research, we gain essential insights into a complex relation between cooperating parties in the process of externalization; the EU may achieve further externalization of border control but also enters into further dependencies. For third countries, by considering taking over border responsibilities, a space for migration diplomacy opens up that most likely ensures an improved bargaining position vis-à-vis the EU as well as increasing mobility chances for their population.

How EU visa policies developed into a highly effective tool of external mobility control and fostered the unequal distribution of global free movement

As a reaction to globalization processes and an increasing number of people on the move, the rich industrialized countries of the Global North have developed border regimes that do not exclusively rely on closure, deterrence and control, but instead step up a comprehensive system of selectivity (Mau, Brabandt, Laube, & Roos, 2012). From the perspective of externalization, the overall aim is to identify potentially mobile persons as early and as far away as possible to decide whether the mobility of this person should be encouraged or prevented. Therefore, most Western countries have introduced a number of policy instruments that relocate border controls to places beyond their territory (Guiraudon, 2006; Walters, 2006; Zolberg, 2003). By way of these external and selective controls, cross-border traffic has been significantly accelerated. For most states, border control today has to serve two political ends: the securitization of borders as well as an efficient and effective regulation of increased cross-border mobility (Mau et al., 2012).

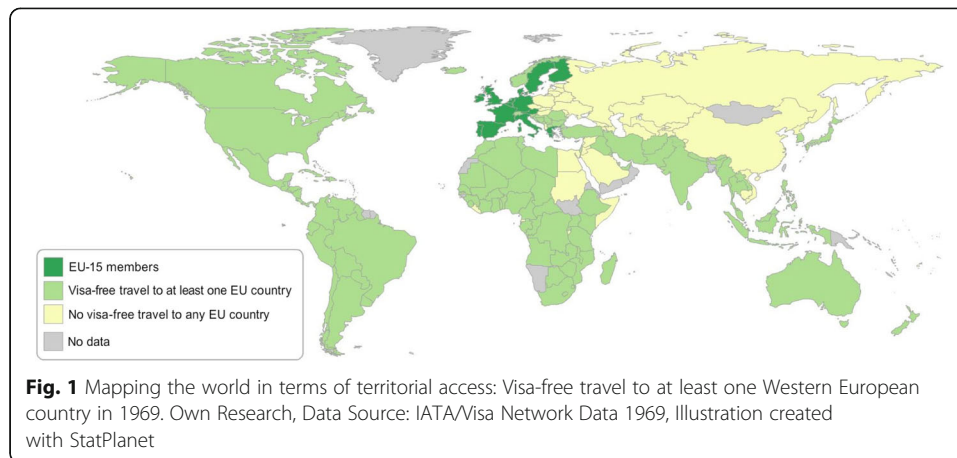
Visa requirements for short-term mobility have been identified as possibly the most important instrument in externalizing border controls, since they best allow states to easily differentiate at a very early stage between legal and 'wanted' mobility on the one hand and illegal and 'unwanted' mobility on the other (Bigo & Guild, 2005; Guiraudon, 2006). Nevertheless, border and migration scholars used to neglect visa policy and its role in regulating global mobility in their research. That visa policies are consistently exploited as means of migration control (Bø, 1998) has only found considerable scholarly attention since the 2000s (Czaika, de Haas, & Villares-Varela, 2017; Mau, Gülzau, Laube, & Zaun, 2015; Neumayer, 2006). Short-term visas are usually associated with tourists and business people and thus a generally privileged and legal way of travelling the world. But the procedure of visa application takes place in embassies or consulates located in the country of origin or legal residence and presents the first encounter between a mobile person and the state authorities of his or her destination country. Therefore, visa controls have also been labelled as 'the first line of defense' (Torpey, 1998, p. 252) or as 'frontlines of migration control' (Infantino, 2016, p. 5). For many potential travellers or migrants, this represents the first and major hurdle of putting their plans and dreams, such as immigrating to Europe, visiting family or taking a holiday to a foreign country, into practice. Moreover, visa policies particularly affect asylum seekers. To claim their right to protection, asylum seekers inevitably need territorial access to a secure country. This is often blocked by the externalization of controls, especially if they cannot apply for a visa for practical reasons, such as financial means, lack of documentation, security concerns or the distance to the closest consulate (Lahav & Guiraudon, 2000; Laube, 2013).

After World War II, it became an international standard of statehood to define rules for the short-term mobility of non-citizens and establish visa procedures. While many countries did not possess migration or even asylum laws yet, the International Air Transport Association (IATA), founded in 1945 by the airline industry, was able to collect information on travel visa requirements for an impressive number of almost 170 states by 1969. In the 1950s and 60s, states had typically implemented visa requirements for almost all foreign countries and were only starting to waive certain visa

requirements for countries in their neighbourhood or countries with which they had a special historical, political or cultural link (Laube & Heidler, 2016; Neumayer, 2006). The lifting of visa requirements is usually interpreted as a friendly political gesture by government officials (Laube, 2013, p. 167). The interpretation of a visa waiver as a chance for freedom of movement for citizens of a respective state emerged only later in the European debate on visa policies (Mau et al., 2012, p. 54ff). The increased capacity of large parts of the world's population to travel internationally resulted in the perception that a visa waiver creates the risk or chance of unprecedented migration flows. Since the 1990s, EU member states have constantly aimed at erecting not only a fortified external border but also a 'buffer zone' against unwanted migrants and asylum seekers (Collinson, 1996; Wallace, 1996). Visa restrictions have been put in place for countries from which illegal migration has been detected and/or those used as transit countries. In a global perspective, visa restrictions are the normal case, while the lifting of visa requirements is the exception to the rule. Therefore, I assume that the selection of countries that are offered a visa waiver reflects conscious political decisions, though taking into account that the background for such decisions may change considerably over time due to different political as well as economic intentions. In the case of the EU, the process of opening their internal borders forced member states to take common decisions on who may enter freely and who would need a visa prior to crossing their external borders. After many years of negotiations, the EU-15 adopted a uniform list of countries whose nationals needed a visa before travelling to the EU external borders (the so-called 'black list') as well as the complementing list of countries to whom the EU offered a common visa waiver (the so-called 'white-list') (Bigo & Guild, 2005; Council of the European Union, 2001). This consensus had been difficult to reach, since the EU member states had quite different international relations to all kinds of countries in the world concerning trade, colonial links, war experiences, political closeness, and so on. The unanimous agreement on each third country resulted in the withdrawal of many visa waivers by EU member states.

To demonstrate the changes in visa policies by EU member states since 1969 and their effects, the following maps display visa-free access to the former group of the EU-15.³ These member states constitute a privileged region,⁴ which has been a destination of enormous attraction for tourists and migrants from all over the world ever since. The EU-15 group was chosen for both points in time for a methodological reason, namely to have a fixed point of comparison. Only in that way it became possible to trace the harmonization of European visa policies, despite the fact that the EU-15 did not exist as a political entity in 1969 and had already been enlarged by 2010. The EU-15 countries are indicated by a dark green colour, and all countries whose citizens enjoyed visa-free travel to at least one these EU-15 countries in 1969 (Fig. 1) and in 2010 (Fig. 2) are a light-green colour. Since the Schengen agreement was not yet in place in 1969, one access option did not equal permission to travel freely within the whole region. In 2010, however, visa-free travel for a limited period meant freedom of movement in the whole Schengen area. Countries that held no visa waiver to any of the EU-15 countries in 1969 or 2010 are a yellow colour.

In 1969, apart from the Eastern Bloc countries, China and a few countries in the Middle East and North Africa region like Egypt and Saudi Arabia, citizens from all regions in the world had at least one visa-free travel option to Western Europe. In



comparison, the 2010 map (Fig. 2) displays the consequence of EU visa policy harmonization.

As we can see, the vast majority of visa waiver agreements with African and Asian countries were withdrawn by the EU-15. The very diverse distribution of visa waivers that characterized the map of 1969 was lost. One of the central points of the common EU visa policy was to (re)introduce visa restrictions for countries with former colonial ties or close economic relations to only one of the EU member states (Laube & Heidler, 2016). If we look at the three case countries, Moldova, Morocco and Turkey that will be discussed in detail below, this pattern is apparent here as well. While in 1969, two of the three countries, namely Morocco and Turkey, had several visa-free travel options to Western European countries, all citizens of the USSR (including those from the area that is now Moldova) were excluded from free mobility towards the West (see Table 1). Due to colonial history, and economic and cultural exchange, as well as the considerable immigration of guest workers at that time, many EU countries facilitated mobility with Morocco and Turkey as well as recognized the existing connections.

In preparation for the harmonization of EU visa policy in 2001, bilateral visa waivers were radically withdrawn from these two neighbouring country in the Mediterranean. Since then, Moroccan and Turkish citizens have had to complete visa procedures for

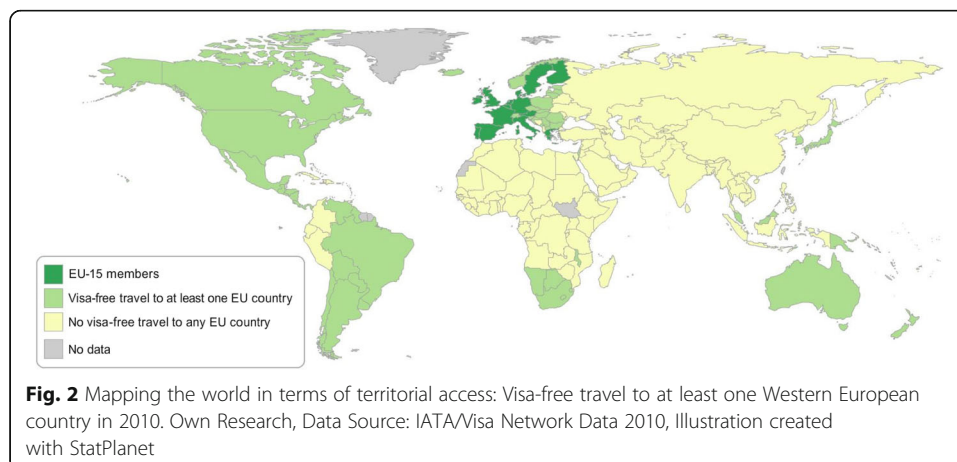


Table 1 Visa-free travel to the EU/Schengen area in 1969 and 2010 for citizens from Moldova, Morocco and Turkey

	Moldova	Morocco	Turkey
Visa-free travel in 1969 to			
Austria	no	no	yes
Belgium	no	yes	yes
Denmark	no	yes	yes
Finland	no	yes	yes
France	no	yes	yes
Germany (West)	no	yes	yes
Greece	no	yes	no
Ireland	no	no	yes
Italy	no	yes	yes
Luxembourg	no	yes	yes
Netherlands	no	yes	yes
Portugal	no	no	yes
Spain	no	yes	yes
Sweden	no	no	yes
United Kingdom (GB)	no	no	yes
Total visa-free travel possibilities	0	12	14
Visa-free travel in 2010 to			
All Schengen countries	no	no	no

Own Research, Data Source: IATA / Visa Network Data 1969 and 2010

all short-term travels to the Schengen area. However shortly thereafter, the EU commenced negotiations with these countries, as well as with other candidate countries that had never before enjoyed visa-free travel to the EU-15 – including Moldova – on a (re-)introduction of visa liberalization. After first radically limiting visa-free travel, the EU then turned towards expanding this ‘visa-free zone’ (Özler & Toygür, 2011, p. 123) bit by bit. The list of visa waiver countries (third countries to the EU) included 44 countries in the beginning. Ever since, it has seen several changes and was enlarged to 61 countries in 2017 (European Union, 2017).

This full harmonization of the Schengen visa policy produces a situation in which third countries either acquired at least 26 visa-free travel options at once (by finding themselves on the ‘white list’ for all states fully implementing the Schengen agreement) or found themselves fully excluded from visa-free travel to this region. In fact, the resulting inequality in terms of visa-free travel between countries of origin is even greater, since potential new EU members – as well as neighbouring countries cooperating on issues of migration management – also have to align their visa policies to the Schengen *acquis*, as we will see in the following sections of this contribution. Thus, being on the list of countries whose citizens do not need to apply for a visa before crossing the external borders of the EU/Schengen area has developed into a very limited resource and hence an highly attractive good for many third countries and their citizens alike. In general, democracies tend to appreciate freedom of movement, while it is characteristic for autocratic regimes to rather limit the outbound mobility of their citizens (Alemán & Woods, 2014). Thus, gaining a maximum number of visa-free mobility

options for their own members is of great value to liberal Western societies. Following the process of democratization in the 1990s and 2000s, many governments surrounding the EU have also developed a strong interest in negotiating, maintaining or regaining the privilege of freedom of movement. As polls show, for the citizens of non-EU countries, visa liberalization is one of the tangible benefits they hope to achieve from political concessions by their governments to the EU (Özler & Toygür, 2011).

No externalization without cooperation: a new space for migration diplomacy

By now, we have elaborate concepts of 'externalization' in the research field on migration control policies (Bruns, Happ, & Zichner, 2016; Lavenex & Schimmelfennig, 2009; Ryan & Mitsilegas, 2010). Though these approaches reflect different aspects of the consequences of externalization, they mostly concentrate on the political actors that give away, delegate or relocate responsibilities and thus externalize activities and costs. For this reason, they often underestimate how heavily this strategy relies on international cooperation and makes EU member states, for example, greatly dependent on countries of origin or transit in the wider EU neighbourhood. That is why the effects and reactions to migration control policies in countries of the Global South are almost absent from the academic analysis.

To guarantee a more balanced view on externalization, both parties involved have to be included in the study of migration control policies. In line with Reslow (2012) and others, I aim to show that third countries are important actors in the EU's external migration policy. Therefore, this section focuses on both cooperating partners – the EU as well as the case countries of Moldova, Morocco and Turkey – and how they use the issue of regulating mobility and migration as a tool for foreign policy. Central to this analysis is the study of the relational dimension inherent to instruments of externalization, looking at how EU member states delegate control tasks to third countries and ensure their cooperation and compliance. In his analysis of European readmission agreements, Cassarino (2010) has shown that the conclusion of such agreements builds on reciprocity, albeit – based on the unequal geopolitical power of the parties concerned – an 'unbalanced reciprocity' at play. Following from that, the EU countries have to offer something in exchange for the willingness of neighbouring countries to take back their own citizens once their permission to stay has expired or if they illegally entered the EU's macro territory. The examination of bilateral agreements between EU member states and states neighbouring the EU, as well as the negotiation process, has turned out to be valuable in understanding the dynamics of global migration management when state actors on both sides are included (Cassarino, 2014; Reslow & Vink, 2015; Wolff, 2014).

Notably, at the supranational and global political level, a 'balanced approach' to migration management and the need to cooperate or partner with other countries is increasingly being emphasized (Brouillette, 2018; Lavenex & Stucky, 2011). In 2011, the European Commission launched the 'Global Approach to Migration and Mobility' (GAMM), stressing 'the need to strengthen its external migration policy by setting up partnerships with non-EU countries that address issues related to migration and mobility in a way that makes cooperation mutually beneficial' (European Commission, 2011, p. 2). Moreover, in adopting the New York Declaration for Refugees and Migrants in 2016, the 193 United Nations Member States

recognized the need for a comprehensive approach to human mobility and enhanced cooperation at the global level (IOM, 2018). Moreover, the important function of third countries in EU migration management became widely acknowledged both politically and amongst social scientists since the so-called refugee crisis (Lessenich, 2016; Zaiotti, 2016). Against this background, İçduygu and Üstübici (2014) rightly criticize that, irrespective of the importance of issues of border and international mobility for international relations, surprisingly little research has been conducted so far.

It has been only recently that a few empirical studies have been produced under the umbrella of 'border and migration diplomacy'. This new approach provides us with a perspective that sheds light on the interactive political process that evolves during the negotiation of bilateral agreements and cooperation programmes. It assumes that all governments involved strategically use issues related to the regulation of migration and mobility as foreign policy tools (İçduygu & Aksel, 2014; Trauner & Kruse, 2008; Tsourapas, 2017). Critically, '[m]igration diplomacy is defined as the use of diplomatic tools, processes and procedures to manage cross-border population mobility, including both the strategic use of migration flows as a means to obtain other aims, and the use of diplomatic methods to achieve goals related to migration' (Tsourapas, 2017, p. 2370). In addition, Tsourapas distinguishes between cooperative and coercive migration diplomacy, which enhances the concept by applying it to very different habits of negotiating partners. This approach enables us to take into account cases of classical EU conditionality, with its system of incentives (Schimmelfennig & Sedelmeier, 2004), as well as the practice of threatening discussion partners, for example with the prospect of ceasing to stem the flow of irregular migration. Studies by Cassarino (2010), Tsourapas (2017) and others have analyzed the politics of return and re-admission, a subfield of migration policy that is of profound interest to destination countries. In the following section, we will complement this focus with an analysis examining the role of visa policies in opening up a space for migration diplomacy. Visa policies particularly qualify for the approach of border and migration diplomacy because the lifting of visa requirements always involves many bilateral aspects, such as the aforementioned positive political gesture or the potential for an increased exchange between two countries.

One additional aspect of visa policy requires taking the relational dimension of externalization processes more seriously. As the prospect of EU accession diminishes (Bruns et al., 2016; Trauner & Kruse, 2008), the prospects of visa facilitation and visa liberalization become a powerful way to convince third countries to the EU to engage in migration management (Özler & Toygür, 2011; Trauner & Manigrassi, 2014). The EU, currently facing the challenge of large amounts of irregular migrants and asylum seekers, is under pressure to find more efficient ways of returning rejected asylum seekers. Against this background, I argue that migration and mobility regulation gains in importance as a bargaining chip and that the usage of migration diplomacy is very likely to provide leverage to less powerful states. Those could turn the so-called European refugee crisis to good account and improve their diplomatic position. The following examples of Moldova, Morocco and Turkey as negotiating partners to the EU shall elucidate the working of this cooperative facet of externalization.

Three third countries to the EU and their strategic use of migration and border diplomacy

To integrate the perspective of EU member states and the EU's neighbouring countries regarding cooperation on migration control, the analysis has to go beyond identifying the EU's interest in and approach to externalization. Therefore, I chose three countries in the wider European periphery to examine. Firstly, Moldova serves as an example of intensive cooperation within the framework of the ENP and the Eastern Partnership, including the signing of an Association Agreement in 2014. However, historically, this successor state to the Soviet Union had only a weak relationship to the EU before 1991. Secondly Morocco, which is also part of the ENP, has had a less developed and rockier relationship with the EU in the last two to three decades. The historical background is quite different since Morocco had been split amongst Spain and France as colonial powers in the early twentieth century. Since its independence in 1956, the Kingdom of Morocco has experienced close connections but also regularly recurring conflicts with the Southern European countries, most recently because of the political and economic dispute over the Spanish enclaves of Ceuta and Melilla. Thirdly Turkey, originally a candidate country to the EU, has had an association agreement already since the 1960s. As a strong political counterpart with a westward orientation and as a NATO member, Turkey can rather be considered as an equal partner to EU member states and the EU as a whole compared to Moldova and Morocco. Regardless, the EU has recently suspended the prospect of future membership for Turkey and shifted its approach to merely stressing its relevance as a strategic partner concerning migration issues. All three countries have been negotiating with the EU on visa facilitation or liberalization for the last 15 years.

As we have seen, the harmonization of the EU visa regime in 2001 largely closed the Schengen area to neighbouring countries in the East and South. By 2010, citizens of these case countries did not enjoy visa-free travel when crossing the EU's external borders. Thus, we assume the wish to (re)gain visa-free travel to the EU macro territory to be a relevant political objective for these neighbouring countries. The chance of gaining visa liberalization, however, is likely to depend in parts on the current and historical development of population movements and migration policies between EU member states and the third countries in question. On the one hand, the EU has categorized these countries as transit countries (El Qadim, 2014), which has turned them into strategic sites for the EU's political struggle against irregular migration. However, the extent to which migrants either come from these countries or use them for transit varies considerably; the EU has seen post-colonial migrations as well as an inflow of guest workers from Morocco and Turkey for a long time while Moldova's relation with the EU is not characterized by such historical notions. Today, this pattern has changed. The issue of irregular migration, often being transit migrations, from or through Morocco to Spain and from Turkey to Greece are of major concern to politicians at the national as well as at the EU level (Wolff, 2014). Moldova, in contrast, is not considered to be a major gateway for irregular migrants. These debates are rather characterized by the issue of visa overstaying or irregular employment of Moldovan citizens in the EU. Following from that, readmission agreements for transit migrants are probably more important to the EU in its negotiations with Turkey and Morocco than in the Moldovan case.

Moreover, as previously demonstrated, the prior history of visa relations between the EU and the case countries differs distinctively. Moldova aims at gaining visa liberalization for the first time while Morocco and Turkey were offended by the recent withdrawal of visa-free travel and are trying to regain freedom of movement, which would also result in less irregular migration from these countries to the EU. Also because of this previous history, I expect to find varying understandings of what the national approach towards cooperation should be and of the extent to which concessions towards the EU are conceivable.

My aim is to identify and compare the usage of migration diplomacy in negotiations on future visa policies with the EU in Moldova, Morocco and Turkey. Therefore, I draw on bilateral agreements and dialogues (on visa facilitation and liberalization, Mobility Partnerships, etc.), EU-third country action plans and the respective implementation reports by the European Commission, as well as EU legal documents on mobility, including regulations and joint declarations. The EU's approach and expressions of interests are well documented and easily available. For studying the cooperative approach in Moldova, Morocco and Turkey, I mostly rely on a secondary analysis of several single case studies.

Moldova

After integration was no longer the major response to shifts in the geopolitical constellation of Europe (Bruns et al., 2016), the European Commission changed its political strategy and started to offer negotiations on visa facilitation and liberalization to neighbouring countries through the EU Visa Dialogue. Previously, as the cases of the Western Balkans, Bulgaria and Romania indicate, EU officials and national bureaucrats had depicted the process of visa liberalization as a first step towards integration into the EU (Laube, 2013; Müller, 2014).

In 1991, the Republic of Moldova gained independence and entered into a new era of bilateral relations beyond Russia. Major geopolitical shifts were taking place in Moldova at that time, including the subsequent conflict over the region of Transnistria. Together with the Ukraine and Georgia, Moldova still belongs to the contested area between the regional powers of the EU and Russia. The beginning of EU-Moldova relations was marked by the project Technical Assistance to the Commonwealth of Independent States (TACIS) founded in 1991 and the Partnership and Cooperation Agreement signed in 1994, which established relations with the Soviet successor states but did not yet address Moldova specifically (Bosse, 2010, p. 1296). Today, Moldova is situated at the EU external border of Romania and is part of the ENP which aimed from the outset at the establishment of 'a constructive dialogue on visa-cooperation between the EU and Moldova, including an exchange of views on possibilities of visa facilitation in compliance with the *acquis*' (European Commission, 2005, p. 3). The Mobility Partnership is a policy instrument that aims at closer collaboration between the EU and Moldova on aspects of mobility and migration and was signed in 2008. This document stresses that the effective implementation of an EU-Moldova visa facilitation agreement should go hand in hand with a readmission agreement. Both partners promoted the idea of a better framework for legal mobility at the same time as an 'arrangement to counter illegal migration and related cross-border crime' (Council of the European Union, 2008, p. 5). This emphasis on a mutual benefit is a recurring motif in bilateral agreements

between the EU and Moldova in the 2000s. Against this background, Brouillette points to disappointment in the limited mobility opportunities for Moldovan nationals, reported in the first evaluation of the Mobility Partnership in 2012. According to its title, it 'holds the premise of offering greater mobility perspectives to the nationals of the participating third country', a premise that had yet to materialize (Brouillette, 2018, p. 12). Later, the EU opened an EU Visa Dialogue on visa cooperation with Moldova that explicitly aimed at 'a waiver of visa obligations for short-term stays for Moldovan nationals travelling to the Schengen area' (European Commission, 2012), which could effectively mitigate the phenomenon of visa-overstaying. However, to safeguard the process of visa liberalization, the EU introduced a general mechanism for the temporary suspension of visa waivers in an emergency and only included those Moldovan citizens in possession of a biometric passport. Moreover, cooperation on legal mobility options indeed specifically included the EU-Republic of Moldova Readmission Agreement in force since 2008 (European Union, 2007) and the respective bilateral Implementing Protocols with member states. Finally, in 2014, 10 years of intensive cooperation resulted in the 'visa suspension mechanism', and Moldovan citizens are free to travel to the EU without applying for a visa first.

Even before the EU Visa Dialogue started, Moldova had already lifted visa obligations for most EU member states. Thus, already in 2010, the visa policy of Moldova was widely harmonized with that of the Schengen visa regime. Drawing again on the Visa Network Data (2010 and 2014), 30 out of 44 nationalities that were allowed to travel visa-free to Moldova were part of the EU/Schengen area. In addition to this set of countries, Moldova kept visa freedom for its regional neighbours like Tajikistan, Azerbaijan, Uzbekistan, Georgia, Kazakhstan, Kirgizstan, Belarus, Armenia and Russia. During the following years, Moldova extended the list of countries that enjoyed visa freedom from 44 to 53 countries. These are mostly third countries to the EU that already have a visa waiver agreement with the EU (Australia, Chile, Ecuador, Hong Kong, South Korea, Malaysia, New Zealand) as well as Croatia, which acceded to the Union in 2014. This reform of the Moldovan visa policy clearly indicates adoption of the Schengen visa policy.

The research literature on EU-Moldova relations is characterized by quite diverging assessments of Moldova's role in pursuing its interests vis-à-vis the EU. Brouillette (2018, p. 13) finds that Moldova has not been able to influence policy-making in favour of its interests because the long-term perspective of rapprochement to the EU prevented them from being more assertive in their claims. However, she also highlights that Moldova strategically used Europe as a resource to gain visa-free mobility to the EU rather than responding to pressure.

As the EU/Moldova Action Plan states, 'Moldova is invited to enter into intensified political, security, economic and cultural relations with the EU' (European Commission, 2005, p. 1). In contrast to Brouillette, Hagemann concluded from his analysis of EU-Moldovan relations that 'governments are still free to choose other options; they do not have to bow to external pressure' (2013: 768). He alludes to the argument that, without the powerful incentive of membership, EU leverage in the ENP is much lower (Langbein & Börzel, 2013). Moreover, Moldovan public opinion is not clearly in favour of the EU. Though many citizens wish for extended freedom of movement, they are quite divided over the question of allegiance to either Russia or the EU (Hagemann, 2013).

However described, Moldova achieved its goal of rapprochement to the EU and, more importantly, was one of the first third countries to secure visa liberalization for its citizens by cooperative means.

In that sense, the term border and migration diplomacy proves to be more appropriate than the more limited perspective and semantics of EU conditionality (Lavenex & Schimmelfennig, 2009; Schimmelfennig & Sedelmeier, 2004). The latter only implies the formulation of rules and conditions under which a third country might receive the honour of an offer to be partially included. The concept of border and migration diplomacy, however, is better able to grasp the same development as a more cooperative policy approach and remains open to new spaces of governance and state actions for both partners.

Morocco

Morocco is situated in the Southern Mediterranean region and is an important country of origin of immigrants in Europe. Moreover, it has increasingly become a country of immigration and transit for migrants from Asia, sub-Saharan Africa, and recently also from Syria. Some of these migrants expect to use Morocco as a stopover on their way to Europe (Natter, 2016, p. 13), a fact to which the EU obviously pays special attention. In 2018, Spain has seen a record of new arrivals by sea, many of them coming from Morocco (Viúdez, 2019). Due to its colonial history, Morocco has longstanding political and economic relations with the Southern European countries. In 2000, it formalized its relations with the EU, as a distinct entity, by signing the Association Agreement as part of the broader 'EU-Mediterranean Partnership'. Throughout the 2000s, negotiations with EU representatives on migration, mobility and security issues have taken place, initially with a special focus on an EU-wide readmission agreement (El Qadim, 2017a)⁵ aimed at the deportation of undocumented migrants who transited through Morocco but were not necessarily Moroccan citizens.

Just as with Moldova, the EU compiled an EU-Morocco Action Plan within the framework of the ENP in 2005, but in contrast to the latter, Morocco was not 'invited' to enter cooperative relations. Instead, the document highlights that 'Morocco and the EU wish to deepen their political, economic, social and cultural relations, as well as their security cooperation. For Morocco, rapprochement with the Union represents a fundamental foreign policy choice' (European Commission, 2004, p. 7). Thus, the EU pictures this relation as more symmetrical and reciprocal than in the case of Moldova. Apart from this attitude, the Joint Action Plan sets the same goals, including the prospect of a 'constructive dialogue on visa issues' for 'facilitating, simplifying and speeding up procedures for the issue of visas in line with the *acquis*' (European Commission, 2004, p. 28). As Nora El Qadim argues in a study on EU-Morocco relations, for a population that is subject to visa requirements, visa policies appear as a form of control. Given that Morocco had lost visa-free travel options to the EU through the harmonization of the Schengen visa policy only lately, this argument is all the more plausible. The negotiations on visa policies and regaining freedom of movement have thus an important symbolic as well as moral dimension that can even be connected to questions of dignity and self-respect (El Qadim, 2017a, 2017b, p. 143). Since the Moroccan government did not wish to appear as the enforcement arm of the EU, the

readmission of transit migrants or third country nationals specifically remained a barrier to such cooperation for Moroccan actors. Moreover, they were concerned that the EU would not manage to secure readmission agreements with other countries in the region, which would leave Morocco as the *sole* country of return and compel it to take over too large a share of the responsibility to stop illegal migration (Wolff, 2014, p. 83).

In 2013, the Kingdom of Morocco and the EU finally signed a joint declaration establishing a Mobility Partnership, which was the first one in the Southern Mediterranean region. One central aim of this partnership is 'to pursue cooperation between the EU Member States and Morocco on simplifying the procedures for access and legal stays (including the possibility of issuing multiple-entry and longer-term visas, and waiving administration fees for certain categories of people)' (Council of the European Union, 2013, p. 4). At that time, visa policy was of central relevance in the bargaining process between the EU and Morocco. But while cooperation with the EU led Morocco to establish more restrictive border and migration controls at certain points (de Haas, Natter, & Vezzoli, 2016), the country still showed considerable resistance to EU rules throughout this process. For example, Morocco, while negotiating over the readmission agreement with the EU, found the 'incentive' of limited mobility opportunities 'insufficient' and rejected the first proposal for visa facilitations (Carrera et al., 2016, p. 7). Thus, negotiations on the readmission agreement for the EU in combination with visa facilitation for Moroccan citizens came to a halt. After 10 years of negotiations, the Moroccan strategy was described as a case of 'successful avoidance of a readmission agreement by the representatives of a so-called origin or transit country' (El Qadim, 2014, p. 244).

In 2018, the EU undertook a new attempt to persuade Morocco to become more involved in border security and prevent irregular migrants and refugees from taking the Western Mediterranean route to Spain. The EU made an additional 30 million euro available for coastal surveillance in Morocco, but this did not seem to be enough. Diplomatic circles in the EU suspected that Morocco even relaxed border surveillance to persuade the EU to increase their offer of financial assistance, which surely would indicate the usage of migration and border diplomacy through coercive measures (Finken-zeller, 2018; Rössler, 2017; Schulze, 2018). Both with the readmission agreement and border surveillance, Morocco repeatedly insisted on maintaining its freedom to turn down claims and offers formulated by the EU and its member states to pursue its own interests. In light of these developments, the conclusion expressed by Carrera et al. (2016) is convincing; more funding or 'incentives' cannot guarantee such agreements, let alone their implementation.

Turkey

Of the three case countries, Turkey has the longest history of a relationship with the European community. By 1963, Turkey and the European Economic Community had already signed the Ankara (association) agreement that aimed at Turkey's integration into the customs union as well as later membership in the political union of states. In the 1950s-1970s, many Turkish guest workers moved to Western Europe. Following that, the Turkish community continues to constitute one of the major non-EU migrant populations in the EU. In 1999, the EU recognized Turkey as an official candidate country and opened negotiations on membership to the EU in 2005. The will to reform as well as

indications of policy convergence characterized the years between 2002 and 2005. For example, Aygül (2014, p. 408) identified policy convergence in the field of visa requirements; Turkey imposed the need for visas on citizens of Bahrain, Kenya, Kuwait, Saudi Arabia and the like, which are on the EU visa 'black list' as well. The 2002 EU progress report on Turkey praised this policy development as an effort to align with the EU *acquis* and appreciated the 'progress on harmonization with the EU visa regime' (European Commission, 2002a, p. 115). However, the process of integration has seen several disruptions and phases of stagnation, mainly at the instigation of certain EU member states such as Cyprus, France and Germany. For the time being, the European Parliament suggests that accession talks are suspended. Since 2008, the progress reports have mentioned little to no progress on further harmonization efforts (European Commission, 2009), which Aygül (2014, p. 414) argues is due to the impression of non-reciprocity by EU partners, because the EU still had not offered visa exemptions for Turkish citizens.

Nevertheless, in 2013 the EU launched the Visa Liberalization Dialogue with Turkey and presented a Visa Liberalization Road Map in 2016 with the declared aim to 'end the visa requirement for Turkish citizens travelling to the Schengen area for a short-term visit' (European Commission, 2016b). Shortly before the Road Map, in 2014, Turkey and the EU had managed to sign a readmission agreement by linking the topics of readmission and visa facilitation as expected (İçduygu & Aksel, 2014; Wolff, 2014). The Road Map, however, being part of the so-called EU-Turkey deal, formulated 72 requirements that Turkey needs to meet in order to achieve visa-free mobility for its citizens. This collection of conditions concern topics such as document security, migration management, public order and security, as well as fundamental rights and the readmission of irregular migrants (European Commission, 2016b). Part of the last topic is the solid implementation of the EU-Turkey readmission agreement that also includes the readmission of third country nationals who transited through the territory of Turkey (European Union, 2014, Article 4.1. (c)). The Road Map also contains the expectation that Turkey fully harmonizes its visa policy with the Schengen *acquis*, namely lifting visa obligations for all EU member states, introducing proper visa requirements 'for citizens of countries representing a high migratory and security risk to the EU' (European Commission, 2016b, p. 2). Accordingly, Turkey stopped issuing visas at the border for citizens from 47 sub-Saharan African countries in 2015, has introduced airport visas and (re)introduced or strengthened visa obligations for citizens from Libya, Syria and Iraq. This leaves 19 countries on the list that travel visa-free to Turkey but which are restricted by the EU (European Commission, 2016a, pp. 11–13). Among other issues, this continues to render impossible the lifting of visa requirements for Turkish citizens. At the same time, Turkey has engaged in taking back detained asylum seekers from Greece, if they transited through Turkey and cannot prove entitlement to refugee protection under the Geneva Convention, as intended by the EU-Turkey deal. The continuation of cooperation in the realm of migration management and security policies, despite the stagnation of accession talks, has been interpreted by scholars and politicians as a shift from the perspective of future membership to a strategic and more flexible partnership (Aygül, 2013; see statement by Macron on EU - Turkey relations ("EU should engage more with" 2018).

The so-called European refugee crisis has clarified the central role of Turkey in managing migration to the EU for all actors involved. Due to its geographic location, Turkey plays a crucial role in governing transit mobility along the Eastern Mediterranean route. We have witnessed the emergence of a 'transit state space' in Turkish border practices such as checkpoints and internal travel documents issued to (Syrian) refugees, 'thereby pulling the EU border into the Turkish state' (Isleyen, 2018, p. 31). As the EU-Turkey Agreement and the corresponding Visa Liberalization Road Map show, this readiness to contribute to mobility governance increased Turkey's political advantage. When in late 2016 the European Parliament voted to freeze membership talks, Turkey threatened to end the migration deal and expressed concerns on the modalities of burden sharing with the EU. Likely due to this strategic use of migration diplomacy, the dialogue remains ongoing.

By now, Turkey has a reputation as a 'hard bargainer' at EU institutions (Wolff, 2014, p. 70), while the Commission has repeatedly highlighted that 'challenges are common and responses need to be coordinated' (European Commission, 2015, p. 1). The whole process underscores the need to cooperate if the EU aims at the further externalization of its border control. Due to Turkey's important strategic position as well as relatively stable, longstanding ties to the EU, many scholars attribute them with relatively more leverage in negotiations with the EU on migration management than other neighbouring countries (İçduygu & Aksel, 2014; Neuberger, 2017). The perceived capability and willingness of the Turkish government to assist the EU with the growing migratory pressures produce confidence in EU actors that intensified EU-Turkey cooperation might be able to relieve pressure on the domestic and supranational levels, which aim to maintain safety and order. For the time being, while Turkey helps to reduce onward mobility of asylum seekers to the EU, the EU has not yet abolished visa requirements for Turkish citizens. In the context of negotiations over the readmission agreement, İçduygu and Aksel identified a visa-free regime between Turkey and the EU 'as the only positive outcome that Turkey could gain from this process' (İçduygu & Aksel, 2014, p. 352). In this respect, the current outcome of cooperation raises doubts about overly positive evaluations of the increased bargaining position of the Turkish government.

Concluding remarks: externalization and the role of visa policy in migration and border diplomacy

Each of the three countries chose different strategies in dealing with the EU and its interest in externalizing migration control. Though they all entered negotiations on visa facilitation with the EU over the last 15 years, only Moldova achieved this goal. Moldova opted to respond to the EU's requirements and conditions raised in the negotiation process. In this sense, the classical EU conditionality approach works best for Moldova. Looking at the political aims and concerns of the Moldovan government, we see a clear support for the desire of the Moldovan population to gain visa-free travel options to the Schengen area, and, at the same time, the commitment to a balanced position between Russia and the EU. The visa liberalization somewhat reduced the problem of visa overstaying and irregular employment of Moldovan citizens in the EU for all involved, since it considerably extended the opportunities to move back and forth between the two regions. The fact that illegal transit migration did not play a major role in the EU-Moldovan negotiations facilitated the process of making a

compromise, as did the less historically charged relations between the Republic of Moldova and the EU.

In contrast, Morocco entered negotiations in a much more self-assured manner and was not willing to accept the level of conditionality required to attain facilitated mobility to the EU for its citizens to this day. Due to the high level of irregular migration from or through Morocco to Europe, the country was clearly much more concerned with its expected duty to impede on the migration routes by sea and its burden to take back their own as well as foreign nationals also compared to other African countries. Moreover, the common history of colonialism and the withdrawal of former visa-free travel options to several European countries burdened the relational level and so far prevented an agreement.

Turkey has forged its own path, perceived as a hard bargainer who continues to assist in the EU's border governance but also formulates significant demands in financial and political terms for this concession. Despite the political and strategic importance of Turkey, in this case the requirement of visa liberalization seemed to present the highest degree of risk to EU politicians as well as the public in comparison to Moldova and Morocco. Partly since Turkey is itself a populous country but also because currently it is a major gateway for refugees and migrants coming from the Middle East. Nevertheless, exactly the latter circumstance enabled the Turkish government to formulate far-reaching requirements for their willingness to engage in cooperative migration management.

As the case studies have shown, these countries understand the significance of their role and make use of their new bargaining power. Moldova, Morocco and Turkey appear as 'co-designers' (Bruns et al., 2016, p. 12) of cooperative migration management regimes, not just passive recipients of EU proposals (Reslow, 2012, p. 414). In this sense, Cassarino (2010, p. 16) speaks of a 'perceptible empowerment of some source countries as a result of their proactive involvement in the reinforced police control of the EU external borders'.

Decentring the study of EU migration policy has helped to identify various ways in which third countries have engaged in migration and border diplomacy and defined their attitude towards the EU's requests and requirements. While the EU's approach to third countries on issues of mobility, migration and borders has not changed considerably (Reslow, 2012), different domestic preferences in partnering countries have surely contributed to the different outcomes of the negotiation processes so far. I take this as relevant evidence that more emphasis on the active role of third countries in the process of externalization is needed in migration policy studies. By applying the migration and border diplomacy approach, future research should pay more attention to the erratic character of negotiations between the EU and third countries. The politically stronger negotiation partner cannot simply impose its will. What may appear to be a non-achievement for the negotiation partner with a strong interest in gaining visa-free mobility is, at the same time, very likely to also be a non-achievement for the partner that wished to externalize control tasks to other sovereign states in its neighbourhood. The EU clearly uses visa policy as a foreign policy tool and deploys visa-free travel as an incentive in negotiations. However, the neighbouring countries themselves engage in border and migration diplomacy and sometimes successfully limit the EU's influence in comparison to the assumptions underlying the EU conditionality approach.

Thus, visa policy appears to be an important means of externalization, both regarding the control of individual mobility and the conduct of negotiations over cooperative migration management. In the early 2000s, the EU erected a zone of visa-free travel, the Schengen area, then expanded the number of EU/Schengen members, afterwards inviting some neighbouring countries to participate in the 'visa-free zone', despite the lack of a proper perspective to integrate them into the Union. Since the harmonization of national visa policies has always been a *sine qua non* for third countries in order to achieve membership or visa liberalization, this has led to the alignment of international visa policies in the wider European area. The selective distribution of territorial access to this huge and attractive area further contributes to consolidating global inequality and has turned visa-free travel into a rare and valuable political asset. In particular, democratic governments in the wider European neighbourhood strive to receive this benefit in exchange for reducing onward mobility to the Schengen area. Thus, over the past 15 years, negotiations on cooperative migration control have evolved to combine issues of mobility control with the possibility of selective mobility facilitation. As we have seen with Moldova, Morocco and Turkey, negotiating partners came to clearly formulate the conditions under which they were willing to serve as 'gate keepers' for the EU, which attaches reversed conditions to an international cooperation on migration management. The social and political practice of externalizing border control leads to a situation in which the EU member states heavily depend on the cooperation of countries of transit and origin. As El Qadim argues, these practices clearly open 'brokerage spaces' and allow 'state actors from the South to challenge the dominance of the North' (El Qadim, 2014, p. 242).

Nevertheless, policies on short-term visas and readmission aim at ensuring the temporariness of migration and mobility (Cassarino, 2014). That is why the more encompassing term of 'migration *and border* diplomacy', as suggested by İcduygu and Üstübici (2014, p. 44) has proven helpful. Moreover, that approach enables us to adequately pay attention to the often unpredictable progress of bilateral negotiations. To take into account the active role of the third country ensures a more balanced approach to the study of externalization policies. In that way, the tendency to focus solely on the externalizing part of that political process, somehow inscribed on this research perspective, can be avoided. Different partnering countries imply diverging strategies of migration and border diplomacy, due to different national preferences and concerns, as well as their historical relation to the EU and the migration patterns between the participating countries. These national peculiarities have a clear impact on the development and results of EU negotiations with third countries. Comparative studies that reflect asymmetrical bilateral relations and negotiations taking place at multiple levels will greatly enhance our understanding of this complex field of migration and border diplomacy in the greater European neighbourhood. Since visa policy can be used to visually depict and qualify specific interactions between states, as well as between states and non-citizens, it is an effective tool to study the relational dimension of externalization.

Endnotes

¹The data collection 'Visa Network Data (1969/2010/2014)' was collected with the help of several student assistants at University of Bremen and the University of Bonn.

It entails information on (bi-, unilateral) visa waiver agreements worldwide (including all countries with at least 400k residents and a settled international status). The data source has been the TIM Manual published monthly by the IATA. For more information on the data set, please see Mau, Gülzau, Laube & Zaun (2015).

²Very tellingly, Bruns et al. (2016) demonstrate that the term ‘neighbour’ has only appeared in EU documents since 2004, when countries at the external borders of the EU were no longer viewed as prospective members and ‘the former institutional integration [was] replaced with an offer of cooperation with neighbors’ (p. 2)

³The group of EU-15 members includes Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom.

⁴I speak of a privileged world region knowing that the situation in Western Europe was still contradictory in 1969. Germany and Austria, for example, had made some democratic progress, were recovering well economically from the destruction of World War II, and at the height of their programmes to recruit foreign workers. At the same time, Southern European countries were still less developed and some were even under autocratic dictatorships, such as Spain, Portugal and Greece.

⁵Some individual member states already had bilateral readmission agreements in place; Spain, for example, concluded an agreement with Morocco in 1992 (this went into effect only in 2012).

Abbreviations

ENP: European Neighbourhood Policy; EU: European Union; IATA: International Air Transport Association

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Availability of data and materials

The dataset ‘Visa Network Data’ for 1969 and 2010 generated for a previous study and analyzed during the current study is available online, [<https://www.fiw.uni-bonn.de/demokratieforschung/personen/laube/visanetworkdata>]. The dataset ‘Visa Network Data’ for 2014 generated and analyzed during the current study is available from the corresponding author upon reasonable request. The data that supports the findings of this study concerning the relations between the EU and the Republic of Moldova, Morocco and Turkey are available from the respective EU institutions as well as from the respective international newspapers cited in the study.

Authors’ contributions

The author has prepared the data analysis and is the sole writer of this article. The author read and approved the final manuscript.

Competing interests

The author declares that she has no competing interests.

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