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The many (ugly) faces of migration diplomacy

Does migration diplomacy help or hinder migrants' rights? The answer could depend on future power dynamics

Migration has undeniably taken centre stage in political discourse, not only as a domestic hot topic but also as a subject of intense international debate and diplomacy. Whilst domestically, many actors strategically politicise migration to bolster their voter base, internationally, migration is used by states in bilateral and multinational diplomatic negotiations as a tool to push their national agendas.

On 10 April, the European Parliament passed the EU Pact on Migration and Asylum, which had been in the making for almost a decade. One of the four pillars of the Pact is 'Embedding migration in international partnerships', which is described by the EU as a new paradigm based on comprehensive partnerships with countries of origin and transit to the EU'. In short: migration diplomacy. While, in most cases, the outcomes of migration diplomacy are rather negative for migrants themselves, there are some examples where states could exert power to realise better outcomes for the protection of migrants.

Hard-line migration management

Migration diplomacy comes in many shapes and forms. A common and well-known form involves high-resourced 'destination' countries using their diplomatic powers and resources to engage 'transit' and 'origin' countries, primarily in the Global South, to assist in controlling and curbing existing irregular migration towards their borders (also known as 'externalisation'). This relationship is often transactional involving incentives to countries of origin or transit but often include direct funding to migration management activities as well (e.g. through capacity building initiatives).

In exchange, the receiving state is required to cooperate, for example by facilitating offshore processing, strengthening border controls or increasing support to existing refugee and migrant populations as an

incentive to remain put.

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Of note is the 2016 EU-Turkey deal, which aimed to address the sharp uptick of arrivals to Europe by placing responsibility on Turkey to stem further movement of refugees and migrants into Europe. Alongside billions of euros in funding, the EU offered Turkey the opportunity to begin concession talks about visa-free travel into Europe, and eventual talks on EU membership, however, they have remained stagnant thus far. The effects of this controversial deal, alongside associated containment measures, have been primarily negative for migrants, although Turkey has managed to leverage billions in support for Syrian refugees within its borders. Through the deal, the EU has also resettled over 30 000 Syrians.

In terms of offshore processing, unfortunate examples include Australia's controversial establishment of detention centresin exchange for aid and development assistance. Under this system, asylum seekers are forcibly transferred to Nauru or Manus Island and denied the opportunity to ever permanently settle in Australia, with resettlement to a third country or remaining in Nauru or on Manus Island as their only options. Even though this kind of offshoring has resulted in well-documented human rights violations, Australia's approach has increasingly generated significant interest from other countries pursuing 'hard-line' migration management.

Addressing the 'root causes' of migration via funding

Similar dynamics also underscore development funding from 'destination' states to 'origin' countries, aimed at addressing the 'root causes' of migration by fostering greater economic opportunities and diverting people away from considering irregular journeys. This form of aid and development funding is usually conditional and while it may result in benefits for nationals of recipient countries, there are also many, well-documented flaws in both logic and implementation.

A prime example is the EU Trust Fund providing funding to the Sahel, the Horn of Africa and North Africa. Funding for border management is

often integrated into these agreements, resulting in the lines between 'externalisation' and 'root causes' development funding being blurred. Indeed, a significant proportion of the Trust Fund allocation has not actually gone to development projects, but rather to migration and border management projects.

Accompanying both 'externalisation' and 'root causes' development funding is often a 'carrot-and-stick approach', whereby origin or transit states may face consequences, such as cuts in funding, if they fail to cooperate with the terms of the agreement, or conversely, they may receive incentives, such as trade benefits, visa liberalisation or other positive measures, in exchange for cooperation. Returns agreements are a perfect example — 'origin' and 'transit' countries agree to accept the return of migrants deemed not to have a lawful right to remain in 'destination' countries in exchange for a set number of legal migration pathways for the receiving state. While the 'carrot-and-stick' approach can be a powerful component of migration diplomacy, it is usually effective only when wielded against significantly lower-power states with limited geopolitical relevance to the destination state.

Shifting power dynamics

Nevertheless, paradoxically, 'powerful' states often initially enter into a migration deal with a 'weaker' party, but only find themselves in a very uncomfortable negotiation position afterwards. Critics for example argue that the EU's focus on migration as a security threat and commitment to externalisation has not prevented irregular migration, but rather, has 'bankrolled' and legitimised dictators.

An example of the instrumentalisation of migration by transit and origin countries is the EU's agreement with Tunisia, where 150 million euros of migration-related funds given to Tunisia last year allegedly ended up directly in the president's pockets. Migrants in Tunisia were also used as scapegoats by the president, resulting in terrible outcomes for them; violence was instigated against migrants, they were left for dead in the desert and the result actually led to an increase in migration departures towards Europe. In essence, by engaging so actively in migration diplomacy, destination states have effectively left themselves vulnerable to blackmail by less powerful states who can instrumentalise migration.

Along with instrumentalising existing migration dynamics, the *creation* of novel migration dynamics to exert diplomatic power is also a form of migration diplomacy. An obvious case in point is when, in 2021, Belarusian President Aleksandr Lukashenko directed thousands of migrants towards the border with Lithuania, Latvia and Poland, aiming

to retaliate against sanctions and criticism from the EU.

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To exemplify the extent to which such instrumentalisation has made it to the top of the political agendas, the new EU Pact on Migration and Asylum includes specific crisis protocols and action against instrumentalisation. These protocols would allow for Member States to derogate from or restrict the rights of asylum seekers – including denying entry – in situations perceived by a Member State as a crisis because a third country allows or facilitates the movement of asylum seekers towards the EU.

Even though the result of instrumentalising migration is usually – and unsurprisingly – not positive for migrants, there are isolated examples where positive outcomes have been achieved. Between 2014-2022, in response to multiple instances of abuse against Filipino domestic workers, the Philippine government instituted a temporary migration ban to two higher-resource countries, Kuwait and the United Arab Emirates. Though initially sparking concerns from rights groups regarding its potential negative effect on migrants, the Philippines successfully secured a range of rights including Filipino workers not having to hand over their passports or mobile phones to Kuwaiti employers.

Right now, most destination states engage in migration diplomacy to reduce arrivals, and origin or transit states know they will receive incentives for playing along. While international competition for migrant workers already happens now, the increasingly pressing labour shortages and ageing societies in many high-resource destination countries could potentially turn things upside down. In future migration diplomacy dynamics, destination countries might have to use their political and economic power rather to convince origin countries to send more migrants, instead of stopping them.

What remains to be seen is whether origin countries will use their own migrants more as bargaining chips, putting their own economic gain and political interest ahead of the rights, wellbeing and interests of their citizens abroad, or – as the Philippines did – use such a position to bargain for better outcomes for their citizens abroad. If they do so, those shifting power relations could have a positive impact and transform the predominantly negative migration diplomacy dynamics into a force for positive change for the working conditions and protection of migrants in

destination countries.

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