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Offshore, off course

Europe's push to shift asylum procedures to third countries risks outsourcing not only refugees, but also its moral and political responsibility

The debate on reforming the European asylum system has gained significant momentum following the agreement reached by EU interior ministers earlier this week. Alongside questions of solidarity and distribution, the possibility of establishing 'return hubs' outside the EU was at the heart of the meeting. Outsourcing asylum procedures – or at least those concerning rejected asylum seekers – has long been a desire of many heads of state and government, and the European Commission now aims to make this possible by creating the necessary legal foundations, for example by scrapping the so-called connection criterion. In future, rejected asylum seekers would therefore no longer need to demonstrate a personal link to the third country to which they are transferred. Previously, such links included earlier stays or family members living there. Yet the EU remains a long way from concrete implementation.

One reason is the high cost of such outsourcing projects. According to the UK's National Audit Office, the British Rwanda deal cost the equivalent of more than €800 million, with limited effect: only four asylum seekers were relocated over two years. Under Prime Minister Keir Starmer, the plan was shelved for good due to excessive costs and minimal benefit. And despite the heated migration debate in the United Kingdom, a revival appears unlikely. Denmark faced a similar situation with its own Rwanda plans, which the country put on hold in 2023 due to unfeasibility. And then there is the much-cited Italy–Albania agreement, whose original idea – conducting asylum procedures under Italian law on Albanian soil – was never implemented.

Practical implementation remains doubtful

What third countries gain from allowing such outsourcing on their territory is obvious: money, and even more importantly, political capital.

Speaking on a panel at the 'Time to Decide Europe' conference organised by the Vienna-based ERSTE Foundation, Albania's Prime Minister and Socialist Edi Rama stated openly that his small country of just under three million people must join any alliance willing to take it in. This includes – and above all – the EU. For Albania, which is an EU candidate country, it therefore makes sense to appear accommodating to a not insignificant member state with which it is also historically closely connected, and to help solve its unpopular 'migration question', at least to the extent that refugees arriving in Italy do receive protection, but, in practice, 'not in my backyard'.

So far, however, this principle has not been put into action due to objections raised by Italian courts. That is also why – and to put the costly asylum camps built in the Albanian towns of Shëngjin and Gjadër (construction and operations are believed to have already cost hundreds of millions of euros) to some use – the European Commission created the option of return hubs, which were formally adopted this week at the meeting of EU ministers. Italy can therefore repurpose the facilities originally intended for asylum procedures as deportation centres for asylum seekers who were already on Italian territory and whose applications have been legally rejected. Here too, the number of cases remains limited, and it is unclear on what legal basis those transferred there could be held for extended periods to prevent them from re-entering the EU via Montenegro and Bosnia. De facto detention, however, would present yet another legal complication, even if the connection criterion and other EU-law barriers are removed.

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There is, therefore, still a long way to go before any concrete return hubs become reality. Not only because, in the usual trilogue process, the European Parliament must also give its approval — and some MEPs, including Birgit Sippel of the Socialists and Democrats group, have already announced their opposition. But even if a parliamentary majority can be secured, the practical implementation remains doubtful: where are the trustworthy and willing third countries; how can infrastructure be built there; how can respect for human rights standards be monitored and enforced from Europe (which proves difficult even within an EU member state such as Hungary); and how should looming legal disputes be handled?

Among the countries mentioned so far are several that themselves

regularly appear among the places of origin of refugees arriving in Europe. Alongside Rwanda, the East African state of Uganda is frequently cited; it already hosts the largest number of refugees from other parts of Africa, especially from Sudan, South Sudan, Burundi and the Democratic Republic of Congo. Like Rwanda, it lies directly next to regional conflict zones; the protection rate for Ugandan nationals in European host countries stands at around 60 per cent. The country is considered authoritarian — and precisely for that reason, it has an interest in striking an outsourcing deal with EU member states, such as the one it has already concluded with the Netherlands. Such an agreement implicitly acknowledges and legitimises the Ugandan government. The notorious EU–Turkey Statement of 2016 demonstrated how refugees accommodated in third countries can repeatedly be used as leverage in foreign policy disputes, for example when Prime Minister Erdoğan had them bussed to the Greek border to put pressure on the EU. EU strategists may euphemistically call this 'migration diplomacy', but for the layperson, it is simply blackmail.

The example of Uganda illustrates not only how Europe, through deals with third countries, outsources not just refugees but also bargaining power and control; it also reflects the fundamental imbalance in a one-sided debate on externalisation. Already today, 71 per cent of all refugees find protection in developing and emerging countries, with 66 per cent hosted in neighbouring countries in the Global South or the Middle East and North Africa. Anyone striving for 'fair burden-sharing' would therefore have to redistribute *towards* Europe, not away from it.

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This leads to the fundamental questions that EU policymakers appear increasingly unwilling to ask, let alone answer: How does Europe want to position itself in future with regard to global refugee protection? How will people in need of protection from persecution – whose numbers are rising in an ever more unstable world – gain access to that protection? How can the liberal post-war order be preserved, including and especially the Geneva Conventions, which were created in response to the lessons of the two World Wars and the Shoah? How should Europe position itself vis-à-vis an increasingly illiberal, in parts authoritarian United States, which now tends to view Europe more as an adversary than a partner?

A confident response to the new US national security strategy – which

claims that migration threatens Europe with 'civilisational erasure' – must lie in emphasising Europe's civilisational achievements since 1945. These include, above all, the prohibition of torture enshrined in Article 3 of the European Convention on Human Rights: it applies absolutely, and therefore also to asylum seekers who are obliged to leave and who may not be deported to countries where they risk inhuman treatment. This is precisely where the line between civilisation and barbarism lies. Furthermore, a united Europe that wants to stand its ground against attacks from former allies must recognise societal diversity as one of its strengths, and acknowledge the indispensable contribution that migrants – from guest workers and refugees to highly skilled expats – have made to Europe's reconstruction and prosperity.

Europe's answer cannot, under any circumstances, be to emulate the Trump administration by resorting to ever-tougher asylum policies that effectively validate the American assessment. For that would indeed amount to an obliteration — an obliteration of the founding idea of a united, open and liberal Europe which, let us not forget, received the Nobel Peace Prize in 2012 and stands for a rules-based order that has ensured decades of peace as well as economic prosperity. In short: for the very life that we are fortunate enough to enjoy day after day, in diversity, security and freedom.



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