

# The Impact of EU's New Pact on Migration Diplomacy

## AB'nin Yeni Paktının Göç Diplomasisi Üzerindeki Etkisi

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Bu makale 2021 yılında Londra'da gerçekleştirilen "The Migration Conference" isimli Konferansta bildiri özeti olarak sunulmuştur.

Geliş Tarihi/Received 04.11.2024  
Kabul Tarihi/Accepted 20.12.2024  
Yayın Tarihi/Publication Date 30.12.2024

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Temur, N. S. (2024). The Impact of EU's New Pact on Migration Diplomacy. *Journal of International Relations Studies*, 4(2), 53-63.



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### ABSTRACT

As the European Union launched its New Pact on Migration and Asylum on 23 September 2020, many anticipated certain changes in foreign policies of EU member states. Within this context, migration diplomacy was not the exception. Regarding this inference, this article will examine the following question: How will the EU's New Pact on Migration and Asylum impact migration diplomacy? Concerning this question, this article will defend the idea that although the New Pact strengthens the interdependency between EU member states, immigration towards EU member states will be complicated, which will raise the importance of migration diplomacy among migration-receiving, migration-sending, or transit states. With respect to this claim, after the introduction part, this research paper will first focus on the concept of migration diplomacy, and the discussion of the term from realist theoretical framework. After this, the EU's New Pact on Migration and Asylum will be examined, and its comparison with the 2008 EU's Pact on Migration and Asylum will be made. Before the concluding remark, the impact of the New Pact on migration diplomacy will be discussed. In the conclusion part, an overall evaluation will be made. This research paper will be a qualitative study. In particular, the data about decision taken in the New Pact on Migration and Asylum will be gathered from both primary and secondary resources through document analysis.

**Keywords:** Migration Diplomacy, EU's New Pact, Migration, Asylum

### Öz

Avrupa Birliği'nin 23 Eylül 2020 tarihinde Göç ve İltica Konusunda Yeni Pakt'ı hayata geçirmesiyle birlikte, birçok kişi AB üye devletlerinin dış politikalarında bazı değişiklikler bekliyordu. Bu bağlamda göç diplomasisi de bir istisna değildi. Bu çıkarımla ilgili olarak, bu makale aşağıdaki soruyu inceleyecektir: AB'nin Yeni Göç ve İltica Paktı göç diplomasisini nasıl etkileyecek? Bu soruyla ilgili olarak, bu makalede, Yeni Pakt'ın AB üye devletleri arasındaki karşılıklı bağımlılığı güçlendirmesine rağmen, AB üye devletlerine yönelik göçün karmaşıklaşacağı ve bunun da göç alan, göç veren veya transit devletler arasında göç diplomasisinin önemini artıracığı fikri savunulacaktır. Bu iddiadan hareketle, giriş bölümünün ardından, bu araştırma makalesi ilk olarak göç diplomasisi kavramına ve kavramın realist teorik çerçeveden tartışılmasına odaklanacaktır. Ardından, AB'nin Yeni Göç ve İltica Paktı incelenecek ve 2008 AB Göç ve İltica Paktı ile karşılaştırması yapılacaktır. Sonuç bölümünden önce, Yeni Pakt'ın göç diplomasisi üzerindeki etkisi tartışılacaktır. Sonuç bölümünde ise genel bir değerlendirme yapılacaktır. Bu araştırma makalesi nitel bir çalışma olacaktır. Özellikle, Yeni Göç ve İltica Paktı'nda alınan kararlara ilişkin veriler, belge analizi yoluyla hem birincil hem de ikincil kaynaklardan toplanacaktır.

**Anahtar Kelimeler:** Göç Diplomasisi, AB'nin Yeni Paktı, Göç, İltica

## Introduction

Although the European Union (EU) seems to have focused on the migration issue with the initiation of its New Pact on Migration and Asylum in 2020, the turning point was the European refugee crisis in 2015. More than one million people reached Europe due to the poverty and civil war in Syria in 2015. The movement was expressed as the biggest movement in history. Therefore, how the EU would react to this movement was a matter of debate. In response to this movement, the EU attempted to protect these people's lives and its external borders. The EU tried to facilitate the issue rather than making it complex. The importance of migration diplomacy became evident. Refugee and immigration policies were at the center of the public debates within the EU countries, like the management of migration flows. States adopted various policies to regulate both voluntary and involuntary movements. The purpose was to manage the domestic impact of migration on international diplomacy because "migration flows across national borders affect states' diplomatic interactions with other actors in the international system and become the object of interstate diplomacy" (Adamson & Tsourapas, 2019, p.115). Consequently, as a new beginning on migration in Europe, the EU launched the New Pact on Migration and Asylum on 23 September 2020. The new pact aimed to build trust through useful procedures and a balance between accountability and unity. Regarding this issue, this paper will address the question: How will the EU's New Pact on Migration and Asylum impact migration diplomacy?

Concerning this question, in this article, I will defend the idea that although the New Pact strengthens the interdependency between EU member states, immigration towards EU member states will be complicated, which will raise the importance of migration diplomacy among migration-receiving, migration-sending, or transit states. For this claim, after the introduction part, this research paper will first focus on the concept of migration diplomacy and the discussion of the term from a realist theoretical framework. After this, the EU's New Pact on Migration and Asylum will be examined, and its comparison with the 2008 EU's Pact on Migration and Asylum will be made. Before the concluding remark, the impact of the New Pact on migration diplomacy will be discussed. In the conclusion part, an overall evaluation will be made. This research paper will be a qualitative study. In particular, the data about the decision taken in the New Pact on Migration and Asylum will be gathered from both primary and secondary resources through document analysis. Indeed, primary sources will be composed of official documents about the New Pact. These will be used mostly to compare the New Pact (2020) and the previous pact (2008). Secondary sources will be composed of relevant books, articles, academic journals, research papers, and newspapers. These will be used to discuss migration diplomacy and the impact of the New Pact on it.

## Migration Diplomacy

To understand the impact of the EU's New Pact on Migration and Asylum on migration diplomacy, it is first necessary to discuss the concept of migration diplomacy in terms of its definition and scope. There are various definitions of the concept that focus on different sides. The mostly referred definition is the description of Tsourapas. Indeed, he defined the term 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" (2017, p.4). Hence, he described migration diplomacy as adopting diplomatic instruments by states to deal with human movement or mobility. He argued that migration diplomacy is crucial to emphasize the significance of human mobility for interstate relations. Later, with Adamson, they developed the definition and argued that "any state's ability to effectively use diplomatic tools and processes concerning migration processes will be dependent on other factors, such as its overall power and available resources" (2019, p. 116). Therefore, they indicated that the efficiency of this diplomacy is dependent on different factors like power or resources. Moreover, they considered migration as a mean and an end at the same time for diplomatic relations between states.

Another definition is made by Meredith Oyen. Although she took states as the main actor, similar to Adamson and Tsourapas, she described the migration term only as a diplomatic end and defines the concept as "the process of using migration policy for diplomatic ends" (2015, p.4). Hence, she bridged the diplomatic history of states with their behavior in migration diplomacy. She assumed that migration is an inherent part of the foreign policies of every state that should be in the policymaking process of these states. Although all these authors perceived states as the main actor in this migration diplomacy concept, other views argued that states are not the only actors. For instance, according to Thiolllet, migration diplomacy could be defined like migration as diplomacy, in which both refugees and migrants are vital actors in this diplomacy. They form the transnational bridge (2018, p.110; İçduygu & Üstübcici, 2014, p.44). Hence, for Thiolllet, not only governments but also refugees and migrants are part of the migration diplomacy. Considering all these definitions, migration

diplomacy can be described as the use of diplomatic instruments by states to solve migration issues by considering the impact of migrants and refugees too.

Apart from the general definition of migration diplomacy, Tsourapas discussed two types of it: cooperative and coercive migration diplomacy. On the one side, he illustrated the cooperative migration diplomacy as “the promise or act by a state, or coalition of states, to affect either migration flows to/from a target state or its migrant stock as a reward, provided that the target state acquiesces to an articulated political or economic demand” (2017, p.5). To put it differently, he described the term as an interstate bargaining process for shared advantage without offensive acts. On the other side, he delineated coercive migration diplomacy as “the threat or act by a state, or coalition of states, to affect either migration flows to/from a target state or its migrant stock as a punishment, unless the target state acquiesces to an articulated political or economic demand” (2017, pp.4-5). In other words, he explained the concept as a one-sided approach for interstate bargaining process using threat of violence. Regarding both definitions, although states use different tools for dealing with migration flow, the interaction between states is part of interstate diplomacy, and migration is the crucial part of the bi/multilateral diplomatic relations.

Concerning all these definitions, there are three main scope conditions of migration diplomacy. The first one is that migration diplomacy addresses state actions and diplomatic purposes by engaging with international organizations. The second condition is that migration diplomacy and migration policy terms are not the same thing. Therefore, states can have different migration policies apart from their migration diplomacy unless states accept applying them. The third one is that migration diplomacy deals with the administration of cross border movements that affect interstate relations. Therefore, it should be considered separate from other migration issues. Indeed, migration diplomacy deals with “internal displacement, the regulation of immigrants’ citizenship status or access to rights, tariff rules determining which goods migrants are able to transport, diaspora politics, and the welfare of refugees” (Adamson& Tsourapas, 2019, pp.116-117).

States adopt migration diplomacy according to their interests, power, and positions in the web of migration movement in the world. Indeed, states shape their migration policy regarding their position as receiving, sending, or transit states. For instance, receiving states are interested in the act of immigration and the inflow of migrants. Sending states are interested in the act of emigration and outflow of migrants. In contrast, transit states are interested in transit migration and the transit flow of migrants (Adamson& Tsourapas, 2019, pp.118-119). While states are concerning about different flows according to their bargaining positions in their migration diplomacy, they also follow two different strategies for their gain; zero-sum or positive-sum gain strategies (Powell, 1991, pp.1309-1310). States chose either of these strategies according to their expectations on gain. Indeed, zero-sum strategy refers to relative gain in which only one side benefits, and its gain is measured relative to the other side of the party. Whereas positive-sum strategy refers to absolute gain in which each side can benefit, but the gain level can be different. The bargaining process is held considering the absolute gain. Considering these differences, although all immigration, emigration, and transit migration diplomacies are generally constructed with the relative gain considerations under the zero-sum strategy, these states can also follow positive-sum strategies and consider absolute gain (Adamson& Tsourapas, 2019, pp.121-124; Norman, 2020, p.1162).

Having explained the strategies that states can follow in migration diplomacy, now it is necessary to discuss the purposes of states to use migration diplomacy. States are following migration diplomacy, depending on various reasons. Some of these reasons are building up their security, enriching their economic interests and improving their soft power, so forth (Keohane& Nye, 1997; Tollison& Willett, 1979; Nye, 2004). According to Adamson& Tsourapas, there are also other reasons, which are “to expel, deport, to transfer individuals or groups citing internal security concerns, for nation-building, weapons, and military aid, and lastly, to enhance economic and diplomatic relations” (2019, pp.120-121; Norman, 2020, p.1162). For Koinova and Tsourapas, other reasons for using migration diplomacy are to achieve economic and public diplomacy (2018). Apart from general reasons, others focus specifically on the migration movement from Global South to North. For instance, it is argued that “states in the Global South can use migration policy as a bargaining chip to bolster their standing or to project international influence” (Norman, 2020, p.1161; Greenhill, 2010; Tsourapas, 2017). Consequently, it can be observed that there are different reasons for states to use migration diplomacy through their bilateral or multilateral relations with others, and they base their interrelations according to their position in the migration network.

Returning briefly to the analysis of migration diplomacy from a realist theoretical framework, it can be inferred from most of the scholars in the literature that the main assumption regarding migration diplomacy is the main actorness of state. According to the literature, states are the key actors within this diplomacy, and they sustain the relations by deciding on reasoning, and steps to follow. Therefore, migration diplomacy is followed through a traditional state-centric perspective

and can be conducted among states according to this view (Hamilton & Longhorne, 2011, p.13; Cooper et al., 2013, p.6). Thus, the state places at the center, and can decide on tools within the migration diplomacy process. Regarding migration diplomacy, security concern is another point that can be discussed under a realist theoretical framework. Indeed, at some point, international migrants were perceived as a potential security threat for immigration states (Weiner, 1992, p.95; Teitelbaum, 1984, p.443). Since international movement is perceived as a security threat due to its impact on political stability, and ethnic tensions resulting from diverse population, state authorities act accordingly. While governments maintain migration diplomacy, they consider this security threat issue, but sometimes they may use this threat as a tool (İçduygu and Aksel, 2014, p.360; Greenhill, 2010). For instance, “elites in conflict-prone countries are willing to exploit threats to launch migration waves vis-à-vis liberal regimes to coerce them into concessions because of costs imposed on their civilian populations” (Tsourapas, 2017, p.3-4). However, it should be noted that while states refer to security threats for migration movement, they refer not to the regular migration but to the irregular migration. Hence, migration diplomacy is analyzed from a realist theoretical framework in the literature, and the emphasis is given on state actorness, and security concerns.

In short, migration diplomacy is the use of diplomacy for migration purposes. States follow immigration, emigration, or transit migration according to their position in the global migration network. They make zero-sum or positive-sum strategies for conducting their diplomacy based on various reasons. Also, all these issues are framed from a realist perspective. Having defined what is meant by migration diplomacy, the following section will address the EU’s New Pact on Migration and Asylum.

### **EU’s New Pact on Migration and Asylum**

One of the most significant current discussions on the migration issue is the EU’s New Pact on Migration and Asylum, printed on 23 September 2020. The pact aims to have a process of solidarity and balanced responsibility-sharing among EU member states towards managing migration and asylum issues based on common trust. The pact highlights cooperation, burden-sharing, and facilitation of legal actions about asylum-seekers and migrants within the European borders. Indeed, the pact stresses three main points. The first one is to intensify EU member states’ cooperation with the sending and transit states. The second one is to manage and build its external borders. The third one is to have balanced responsibility-sharing and bolster solidarity while addressing the asylum and migration issue. Thus, with this new pact, EU member states underline the significance of their interdependence on operating decision-making process about migration and asylum-seekers, especially during crisis cases. In brief, it is argued in that the pact “will close gaps between the various realities faced by different Member States and promote mutual trust by delivering the result through effective implementation. Common rules are essential, but they are not enough. The interdependency of Member States also makes it indispensable to ensure full, transparent, and consistent implementation on the ground” (COM2020, 609, p.2).

The pact focuses on seven main action plans. The first one is “A common European framework for migration and asylum management” (COM2020, 609, p.3). With this task, the aim is to force EU member states to a cooperative action for responsibility-sharing and solidarity. Accordingly, to manage the external borders, the pact proposes pre-entry screening and border procedures for preventing illegal or unauthorized movements. Moreover, the pact includes a recent solidarity mechanism that focuses on fair responsibility-sharing of member states to take part in response to migration, especially for the relocation or return of migrants. It also highlights that for effective border control, national policies should be coherent within themselves and with the European manner and cooperation. The pact also focuses on the regulation for vulnerable groups and children. They will have the priority for the acceptance procedure with assurance and protection standards. Another point in this pact is to have a common return policy within the EU, which requires operational support with the leading of Frontex. It also requires collaboration between the EU and third countries for returns and the readmission process. The pact indicates that for this cooperation, a powerful governance structure is necessary. Therefore, a Return Coordinator will be chosen by the European Commission with the assistance of “High Level Network for Return”. Lastly, the pact states that information about these people is demanded for proper management of the asylum and migration process. Hence, the pact suggests the improvement of Eurodac for the enhancement of the database about migrants and asylum-seekers (COM2020, 609, pp. 4-9).

Under this pact, the second action plan is “a robust crisis preparedness and response system” (COM2020, 609, p.10). It is argued that like the 2015 Refugee Crisis, there may be a different crisis in the future, and EU member states need to be prepared for these unforeseen issues. The pact offers to print a “new Migration Preparedness and Crisis Blueprint” to assist member states for handling with crisis and force majeure issues. The Blueprint will guarantee to the flexibility to member states for responding to these issues and to maintain the solidarity mechanism to these crises situations. Hence, the Blueprint will be a guide for member states for emergency situations and force them to act in a collaborative and responsible way.

The third one is “Integrated border management” which is a crucial tool for coherent and cooperative insurance of external borders of the EU without the management of internal border and for the protection of the Schengen area. For this purpose, the Commission proposed a “multiannual strategic policy and implementation cycle” to have a unified instruction for member states to follow for their border control and it suggested the “European Border and Coast Guard” (COM2020, 609, p. 11-12). Indeed, the pact offered the usage of IT systems that will oversee the migrant and asylum-seekers and give information to member state officials about them for external border control. Moreover, the pact argues for more effective cooperation between member states and third countries to avoid irregular and unsafety movements, including human trafficking and smuggling. Lastly, to protect external borders, the pact advised the Commission to prepare a strategy for an active and powerful Schengen area (COM2020, 609, pp. 11-15).

The fourth one is “Reinforcing the fight against migrant smuggling”. The pact seeks ways to deal with human smuggling, and it proposes that the Commission will be a guide for member states on this issue through legal commitments and criminalization of migrant smuggling. The pact emphasizes that to prevent migrant smuggling, cooperation and coherence of member states and external border control are crucial. Moreover, for dealing with smuggling and to obstruct the migrant smuggling structure, the association between EU member states and third countries is essential. Lastly, the pact prioritizes “Common Security & Defense policy” for resisting illegal migration and human smuggling (COM2020, 609, pp. 15-16).

The fifth one is “working with our international partners”. The pact argues that it is crucial to have a partnership for a functioning relationship between the sending, transit, and receiving states. Hence, for functioning cooperation, bilateral, multilateral, or regional promises are necessary. Indeed, it is asserted that a common advantageous partnership is essential. Thus, the pact demonstrates that a dialogue process should be followed between the EU and its neighbors or partners, including Africa, Western Balkans, Asia and Latin America. Moreover, the pact advocated that it is the duty of EU member states to protect migrants, asylum-seekers or displaced people during emergency situations and the need for humanitarian support. Another point regarding the partnership issue is the development assistance of the EU. The pact asserts that EU assist its partners, cooperate on different issues including education and economy, and focus on the root reasons of migration for a common fight against irregular migration. Furthermore, the pact indicates the importance of the aid of the EU to its partner countries on expanding their migration governance and governance capacity for a strong partnership. The pact also indicates the necessity of a powerful cooperation between the EU and third countries for readmission and reintegration issues. The usage of “Voluntary Return and Reintegration Strategy” is recommended for the development of new strategies and power of third states. Lastly, the pact supports the idea that the initiation of the “EU Talent Partnership” with its partners will promote legal migration and legal movement (COM2020, 609, pp. 17-24).

The sixth action plan is “attracting skills and talent to the EU”. With this plan, the pact aims to construct closer relations between the EU and third states to attract talented migrants to the EU for its benefit. It is argued that these talented migrants will fill the job gap within EU member states. The pact also highlights that the “EU Blue Card Directive” should be completed to attract these skilled workers from third countries. Besides, to attracting them, the pact suggests that the “Revised Directive on Students and Researchers” should be put into action (COM2020, 609, p. 25). Lastly, the pact argues that “the Commission will propose a Skills and Talent package including a revision of the Long-term Residents Directive and a review of the Single Permit Directive, as well as setting out the options for developing an EU Talent Pool” (COM2020, 609, p. 26).

The last and the seventh action plan is “supporting integration for more inclusive societies”. The pact argues that integration will benefit not only migrants or asylum-seekers but also EU member states. It stated that the Commission would ratify an Action Plan on the issue of integration, especially the migrants with their families between the term 2021-24. This integration will help migrants to profit from social rights within EU member states. Lastly, it is argued that the integration of these migrants will lead to the possible cooperation between EU and third countries on labor migration through partnership (COM2020, 609, pp. 26-27).

In conclusion, the EU’s New Pact on Migration and Asylum highlights the EU’s cooperation and partnership with third countries and its neighbors, responsibility-sharing acts, adaption of the return policy and promotion of legal migration. When this act is compared with the Pact on Immigration and Asylum that was issued in 2008, some differences can be observed. For instance, to start with the change in the names of pact is visible; the name of the 2008 Pact comprehends only immigration and asylum, whereas the 2020 Pact comprehends migration and asylum. Thus, it can be inferred that with this new pact, the EU tried to follow a broader policy towards the migration issue. Another main difference is the partnership relations between member states and third countries. In the 2008 Pact, it was suggested that every member state has their own responsibility to form a partnership with third countries according to their interest. Whereas in the 2020 Pact, a

cooperative and coherent partnership with third countries in line with a common EU interest is highlighted. Moreover, there is difference in terms of border control. For instance, in the 2008 Pact there was the discussion for the elimination of internal border control and individual control of external borders, whereas in the 2020 Pact, the discussion is only on external border control by cooperation among member states. Another difference is about regulations for economic and humanitarian reasons. Indeed, in the 2008 Pact, it was suggested that regulations should be made according to cases, and they should not be applied generally, whereas, in the 2020 pact, there is a call for unified, common and collective regulations for humanitarian and economic issues, especially the regulations on vulnerable people and labor migration. The last difference is about the parties to this pact. The 2008 pact argued that the parties who are the European Council, the Commission, the Parliament and member states should participate in this pact for only their parts for the initiation of common immigration and asylum pact. But the 2020 Pact offers the consultation of each of these parties together for a unified pact (COM2020 609; COM 2008,13440/08). Ultimately, although there are some developments in the new pact of EU on Migration and Asylum when compared with the pact in 2008 in terms of cooperative action of EU member states, member states need to lay their emphasis on migration diplomacy with third countries for the benefit of both sides. So far, this paper has focused on the definition of migration diplomacy and the EU's New Pact on Migration and Asylum. The following section will discuss the impact of this new pact on migration diplomacy.

### **The Impact of the New Pact on Migration Diplomacy**

Before discussion the impact of the 2020 new pact on the migration diplomacy of the EU, it would be better to discuss shortly the focus of previous pact that was adopted in 2008 and importance of migration diplomacy in 2008 EU's migration pact. When the 2008 pact was considered, in general, the pact focused on border security and illegal migration. The pact highlighted the importance of protecting the security of borders and consequently to prevent illegal migration (European Pact on Immigration and Asylum, 2008). For this purpose, the pact emphasized the cooperation of member states with third countries. Therefore, the pact was focused on the benefit of the member states of the EU. In other words, with this pact, the purpose of the EU was to maintain its internal borders and manage its external borders. In line with this purpose, readmission agreements were signed with third countries and provided development aid to third countries.

The 2008 European Pact on Immigration and Asylum was one of the turning points for the migration diplomacy of the EU. As stated above, the purpose of the pact was to regulate the European borders and to manage immigration through third countries. Within this context, the impact of the 2008 pact on the migration diplomacy of the EU can be discussed under four main points which are security and border control approach; partnerships with third countries and strategic use of migration diplomacy; shared responsibility and coordination efforts; limitation of migration diplomacy. To start with the security and border control approach, the pact aimed to empower its external borders and for this purpose the pact highlighted the cruciality of cooperation with third states (European Pact on Immigration and Asylum, 2008). Hence, for this cooperation migration diplomacy was necessary. Readmission agreements with third countries, including Türkiye, was one of the ways for the cooperation of the EU with third states. Regarding the partnerships with third countries and strategic use of migration diplomacy, the pact highlighted the cooperation with sending and transit countries. For the cooperation, migration diplomacy became crucial. The pact aimed to control illegal migration and encourage regular migration. In addition to partnerships with third countries, the pact offered development assistance and incentives.

Regarding shared responsibility and coordination efforts point, the pact emphasized the principle of shared responsibility among member states, but this principle was more of a framework for promoting cooperation with external partners. In the context of migration diplomacy, this cooperation has been a bridge between the EU and third countries. As an important transit country for the EU, Türkiye played a key role during the migration management process. Relations with Türkiye became critical both for reducing the migration pressure and controlling illegal migration. Regarding the limitation of migration diplomacy, an analysis of the pact reveals that it has an approach that prioritizes the EU's interests. Rather than addressing the root causes of migration, the Pact focused more on short-term security measures. In short, the 2008 Pact on Migration and Asylum plays an important role in the EU's migration diplomacy but focuses on the pact's external borders and border security. These limitations have shown that migration diplomacy requires a more inclusive approach and paved the way for more comprehensive arrangements such as the 2020 Pact on Migration and Asylum.

As was pointed out in the introduction to this paper, although the New Pact strengthens the interdependency between EU member states, immigration towards EU member states will be complicated, which will raise the importance of migration diplomacy among migration-receiving, migration-sending, or transit states. Migration diplomacy between states will be crucial because the new pact puts a burden on the shoulders of third countries. According to the pact, third countries have

more responsibilities for the refugees and asylum-seekers. They need to fulfill their responsibility through their interaction with European countries. As stated in the pact, it is necessary to use diplomatic tools and to have close relations between EU member states and third countries for a functioning migration process. This attitude was interpreted by Şeker Aydın as externalization of the EU borders. She pointed out that through cooperation with third countries, the EU tried to manage migration and asylum (2022, p.124).

When the pact is analyzed in terms of migration diplomacy, it can be stated that according to the categorization of Tsourapas, the diplomacy is a cooperative migration diplomacy, rather than a coercive migration diplomacy (2017). The reason for this inference is that with this pact the EU member states do not have the goal to use force or put pressure on third states for doing something regarding their missions, but rather, they try to find ways to cooperate and have coherent solutions to migration and asylum issue. Indeed, both sides follow the interstate bargaining process for shared advantage without offensive acts. Spijkerboer describes this process as a process to deal with irregular migration and asylum-seeking issue is treated as part of irregular migration (2021, p. 61). Moreover, when the pact is considered, it can be argued that although the EU member states are concerning about immigration flows for their bargaining positions in their migration diplomacy, they follow mostly positive sum gain strategy according to their expectation gain. In other words, there is an absolute gain concern in the pact. Indeed, the suggestions in the pact consider the benefit of both the EU member states and third countries with different levels. Hence, the pact tries not only to protect the external borders of the EU, but also want to develop the capacity of countries of origin and transit. Regarding the reasons for the usage of migration diplomacy, the pact lay emphasis on cooperation between EU and third states or its partners, solving the problem of the return of migrants, fighting against migration smuggling, and lastly on building the capacity of third countries. In short, the pact has a huge impact on migration diplomacy.

When the pact is analyzed in terms of its effect on migration diplomacy it can be stated that it proposes different solutions and tools to the migration and asylum issue. The pact can be categorized under three main areas that highlight migration diplomacy, which are the management and identification of migrants and asylums; fighting against migrant smuggling for effective return and readmission process; the capacity-building of partner countries through their cooperation with the EU member states. To start with the management and identification of migrants and asylums, different tools were followed to register and collect related information regarding the migrants and asylums. This collected information was used to take the crossing under control by having close relations between the EU and third states and controlling the movement and the borders (COM2020, 609, p.4). For instance, the pre-entry screening that is proposed in the pact, it can be argued that this system will force both the EU, as immigrant countries and third states, as emigrant countries, to follow migration diplomacy. Indeed, the top officials of both sides should use their diplomatic tools to maintain this screening. Therefore, this process again highlights the cruciality of migration diplomacy between EU countries and third countries because during this identification process, they need to act together in coordination. During this process, refugees will be able to stay in designed centers where they will be held in de facto detention for the duration of the process without any information or assistance regarding the legal procedure (Romeo, 2021, pp.7-8).

Another case is border control. It considers the optimization of the quick check of applications to have safe sending states or safe third states. The harmonization of these countries will be especially significant in the proceeding deals and continuation of discussions between these states (COM2020, 609, p.4). Therefore, for the harmonization of these states, migration diplomacy should be carefully followed. For the returns of refugees whose identification process has resulted in negative results, the process must be carried out effectively and diplomatically. Here again, third countries have a major role to play in border controls. However, some scholars thought that although the pact seems that the new pact will have a humanistic approach, the reality is different. The pact once again pointed out that the solidarity among member states is lacking and the burden put on the third countries. One of the scholars stated that the pact “reinforced policies of border control, detention and deportation—rather than compassion and respect for human rights—while at the same time revealing the disunity and lack of solidarity among member states” (Voet, 2021). Thence, although the pact is not perceived as ideal, it emphasizes the migration diplomacy between member states and third states by giving more responsibility to third countries.

Another tool for the management and identification of the migrants is the usage of IT systems. Since this system will register the necessary information regarding the migrants and asylums for the interactions between the EU and third states this information can be used to inform both sides regarding the crossings. Also, this will make cooperation and coordination between both parties easier due to the exchange of information between both sides. The last tool is the visa policy. The pact suggests the use of a visa policy for exchanging related data to prevent visa abuses and managing the crossing (COM2020,

609, p.21). In brief, the pact offers different diplomacy tools to manage and identify migrants and asylums for promoting the issue on the legal ground through migration diplomacy on bilateral or multilateral relations. However, this point is criticized by some scholars. For instance, Kirişçi, Erdoğan and Eminoğlu (2020) in their work stated that this management and identification process makes the procedure more complex and difficult for the asylum-seekers and refugees. The possibility to get protection under EU countries became difficult with the border controls and identification of these people.

The second area is fighting against migrant smuggling for an effective return and readmission process. The pact offers a tool to prevent migrant smuggling. It proposes the “migrant smuggling partnership” as a solution for strengthening the relations between the EU and migrant-sending or transit states. It is suggested that this partnership will have a great impact on preventing human smuggling and dangerous migration (COM2020, 609, p. 14). Therefore, it can be inferred that forming a partnership between the EU member states and countries of origin and transit is a tool for migration diplomacy. Having a close relationship between them will contribute to the fight against migrant smuggling. Hence, control of irregular migration is necessary to fight against migrant smuggling. At this state migration diplomacy become crucial because the pact “demonstrates the continued efforts at “externalization” of asylum policies that are embodied in the Pact, as well as the continued intrusion of internal policy objectives into external affairs” (European Council on Refugees and Exile, 2021, p.4). Therefore, the pact gives the responsibility to third countries rather than member states. For this purpose, the funding flow reflects this burden. Indeed, according to the review of European Council, “beyond legal changes, funding flows also reflect these attempts, considering that, in occasion of the last revision of the multiannual financial framework (MFF) funds for long-term sustainable development of third countries were partly redirected to pursue internal migration control objectives (e.g. return and border management) through external funding” (European Council on Refugees and Exile, 2021, p.4). In addition to the burden sharing impact on migration diplomacy in terms of fighting against migrant smuggling, the pact offers for an Action Plan for this. It is asserted that under this plan, the EU member states will assist the capacity-building of sending and transit states regarding legal sanctions structure and operational limits by empowering activities through the police or legal authorities (COM2020, 609, p. 16). Thence, when this assistance is considered under migration diplomacy, under an Action Plan for migrant smuggling, the EU tries to find different ways to develop both its relations with third countries and the capacity of them (Hadj-Abdou, 2021, p.11).

The pact seeks different diplomatic tools to fight against migrant smuggling to progress the returns and readmission of migrants and asylum. Indeed, the efficiency of returns of migrants and asylum-seekers changes according to the degree of public standards and limits of member states, just as on relations with specific third nations. A typical EU framework for returns is required, which joins more grounded structures inside the EU with a more successful collaboration with third nations on return and readmission (COM2020, 609, p. 7). For the EU, cooperation with third countries is crucial for the return of migrants and asylum through migration diplomacy tools. At this stage, EU member states need to use their bilateral agreements with third countries to ensure their voluntary return or deportation of the asylum-seekers whose applications were rejected. If the member state fails to follow this process, then this country needs to resettle these people in its own country (Vosyliūtė, 2021, p.292). Therefore, for the settlement and the return stage the migration diplomacy became crucial. Furthermore, the pact offers that “the EU will also improve information exchange with third countries and action on the ground, through support to common operations and joint investigative teams, as well as information campaigns on the risks of irregular migration and on legal alternatives” (COM2020, 609, p. 16). Hence, a successful dialogue between them is the duty of the EU member states with common EU understanding and missions. In short, it can be stated that negotiations between the EU member states, and third states is a prerequisite to prevent migrant smuggling.

The last and third area is the capacity-building of partner countries through their cooperation with the EU member states. The essential in tending to this is collaboration with EU’s key partners, above all else dependent on bilateral commitment, with local and multilateral engagement. The pact argues that partnership between EU and third countries can follow shared advantages in the economy, education, development and security. The interrelation between the EU and its partners is not only for the benefit of its partners but also for the EU. Indeed, interacting with its partners benefits the EU to satisfy its commitments to give security to vulnerable people and to be the leading democracy promoter of the world (COM2020, 609, p. 17). Therefore, one of the purposes of the EU through this pact under migration diplomacy is to help its partners for their development and to strengthen their cooperation. Indeed, the pact offers some tools for migration diplomacy between the EU and its partners which are the merging of finance and the ability through different EU Trust Funds (COM2020, 609, p. 18). The pact offers different options for the member states for the control of the borders, resettlement of asylum-seekers and for preventing irregular migration (Spijkerboer, 2021, p.64). The pact also highlights the importance of diplomatic negotiations between the EU and its partners by explaining the benefits of legal migration and the disadvantages of illegal



migration. It is also suggested that the EU can help its partners develop their capacity in terms of border control, protecting their field, developing their capacities for returns, supporting Talent Partnership for legal migration, and lastly, for finding ways to integrate migrants (COM2020, 609, pp. 19-23). Thus, the concern of the pact is to enhance relations between the EU and its partners for the benefit of both sides at the legal level. Also, it is stated that “the New Pact proposes the appointment of a coordinator for returns. This shows that the provision of returns is central to the solidarity dimension” (Şeker Aydın, 2022, p.126). Hence, for the regulation of the returns, a close diplomacy between member states and third countries is a necessity. In brief, the aim of capacity-building of partners through cooperation is one of the tools for migration diplomacy between them.

### Conclusion

In conclusion, this paper aims to discuss the impact of the EU’s New Pact on Migration and Asylum on migration diplomacy. Regarding this purpose, this paper argued that although the New Pact strengthens the interdependency between EU member states, immigration towards EU member states will be complicated, which will raise the importance of migration diplomacy among migration-receiving, migration-sending, or transit states. In relation to this discussion, this article first focused on the concept of migration diplomacy. As a second point, the EU’s new pact was analyzed with its comparison with the previous pact. The last part focused on the impact of the pact on migration diplomacy.

When all these issues were considered, it can be stated that the new pact laid its emphasis on cooperation within EU member states. It is argued that responsibility-sharing should be balanced, and every member state should do their duty on the migration issue. The pact has various options for member states for taking part in this issue, including financial aid, taking a role in negotiations about the return of migrants or hosting migrants and asylum. Thus, the pact offers cooperation and balanced responsibility-sharing between member states. But at the same time, it shows the importance of migration diplomacy between the EU and its partners or third countries. Migration diplomacy gained its importance because of suggestions in the pact. Indeed, the pact is not explicitly focusing on the needs of migrants or asylums but mostly focusing on border management and the control of crossings. Hence, migration diplomacy became the essence of this management due to the necessity for bilateral or multilateral dialogue. Moreover, migration diplomacy became crucial due to the return and readmission policies of the EU, as stated in the pact. Indeed, according to the pact, member states need to work hard to develop the situation in the third countries and need to help them succeed in return and readmission policies. Furthermore, migration diplomacy became crucial for fighting-against illegal migration or migrant smuggling. These concerns require intense bilateral diplomatic negotiations. In brief, the pact highlights the importance of migration diplomacy between the EU and third states to overcome the difficulties of immigration towards the EU due to new decisions.

**Yazar Katkıları:** Fikir-N.S.T.; Tasarım- N.S.T.; Denetleme- N.S.T.; Kaynaklar- N.S.T.; Veri Toplanması ve/veya İşlemesi N.S.T.; Analiz ve/ veya Yorum- N.S.T.; Literatür Taraması- N.S.T.; Yazıyı Yazan- N.S.T.; Eleştirel İnceleme- N.S.T.

**Hakem Değerlendirmesi:** Dış bağımsız.

**Çıkar Çatışması:** Yazar, çıkar çatışması olmadığını beyan etmiştir.

**Finansal Destek:** Yazar, bu çalışma için finansal destek almadığını beyan etmiştir.

**Author Contributions:** Concept - N.S.T.; Design- N.S.T.; Supervision- N.S.T.; Resources- N.S.T.; Data Collection and/or Processing- N.S.T.; Analysis and/or Interpretation- N.S.T.; Literature Search- N.S.T.; Writing Manuscript- N.S.T.; Critical Review- N.S.T.; Other- N.S.T.

**Peer-review:** Externally peer-reviewed.

**Conflict of Interest:** The author have no conflicts of interest to declare.

**Financial Disclosure:** The author declared that this study has received no financial support.

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