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INFORMALITY AND CONDITIONALITY: TWO PILLARS OF THE EU'S EXTERNAL MIGRATION POLICY

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Abstract

The management of migration flows has become a priority on the European Union's (EU) external agenda, particularly since the so-called "refugee crisis" of 2015/2016. This article examines how the EU's external migration policy has evolved, focusing on the growing interaction between informality, conditionality and the externalisation of migration control. Given persistent difficulties in negotiating and implementing formal readmission agreements with countries of origin and transit, it looks at the emergence of informal instruments and the use of different areas of EU external action to secure cooperation on migration control, return and readmission. The article analyses this evolution using EU legal and policy instruments, institutional documents, and the academic literature, focusing on the 2016 EU–Turkey Statement and the partnerships subsequently developed with Tunisia, Mauritania and Egypt. It also examines how migration conditionality has expanded into areas such as development cooperation, visa policy and trade policy. The article argues that the growing use of informality and conditionality reflects a broader change in the EU's external migration policy. This approach gives the EU greater flexibility and raises concerns about transparency, democratic and judicial oversight, and the protection of fundamental rights. It may create tensions between migration-control objectives and the EU's normative identity, while also increasing the EU's dependence on third countries and its vulnerability to migration diplomacy and the instrumentalisation of migration.

Keywords

European Union; external migration policy; informal readmission arrangements; migration conditionality; migration diplomacy.

Resumo

A gestão dos fluxos migratórios tornou-se uma prioridade na agenda externa da União Europeia (UE), especialmente desde a chamada «crise dos refugiados» de 2015/2016. Este artigo analisa a evolução da política externa de migração da UE, centrando-se na interação crescente entre a informalidade, a condicionalidade e a externalização do controlo da migração. Dadas as dificuldades persistentes na negociação e implementação de acordos formais de readmissão com países de origem e de trânsito, o artigo analisa o surgimento de instrumentos informais e o recurso a diferentes domínios da ação externa da UE para garantir a cooperação em matéria de controlo migratório, regresso e readmissão. O artigo analisa esta evolução recorrendo a instrumentos jurídicos e políticos da UE, documentos institucionais e à literatura académica, centrando-se na Declaração UE-Turquia de 2016 e nas parcerias posteriormente desenvolvidas com a Tunísia, a Mauritânia e o Egito. Examina também a forma

como a condicionalidade em matéria de migração se expandiu para áreas como a cooperação para o desenvolvimento, a política de vistos e a política comercial. O artigo defende que o recurso crescente à informalidade e à condicionalidade reflete uma mudança mais ampla na política externa de migração da UE. Esta abordagem confere à UE maior flexibilidade e suscita preocupações quanto à transparência, ao controlo democrático e judicial e à proteção dos direitos fundamentais. Pode criar tensões entre os objetivos de controlo da migração e a identidade normativa da UE, ao mesmo tempo que aumenta a dependência da UE em relação a países terceiros e a sua vulnerabilidade à diplomacia migratória e à instrumentalização da migração.

Palavras-chave

União Europeia; política externa de migração; acordos informais de readmissão; condicionalidade migratória; diplomacia migratória.

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Introduction

International migration is a structural phenomenon, with significant political, legal, economic, and humanitarian implications for countries of origin, transit, and destination. Although the absolute number of international migrants has increased substantially, from approximately 84 million in 1970 to around 304 million in 2024, their share of the world's population has remained relatively stable, ranging between 2.3% and 3.7% (McAuliffe & Ceriani Cernadas, 2026, p. 15).

Migration patterns in the European Union (EU) have followed a similar trend. In 2025, approximately 30.6 million third-country nationals were residing in the EU, representing around 6.8% of the EU's total population (Eurostat, 2026). These figures show that immigration from third countries accounts for a small share of the EU population. Nevertheless, the perception of uncontrolled immigration remains widespread, reinforced, among other factors, by media coverage of maritime crossings in the Mediterranean. Against this backdrop, migration has become an important dimension of EU external action, as the control of migration flows, cooperation on return and readmission, and border management have become largely dependent on cooperation with third countries.

The incorporation of migration into the EU's external relations gained momentum following the Arab Spring in 2011 and, above all, the so-called "refugee crisis" of 2015/2016. From this period onwards, the external dimension of European migration policy became increasingly prominent, as reflected in strengthened cooperation with countries of origin and transit and in the externalisation of certain migration-control functions (Sousa, 2019). This process also brought changes to the instruments through which the EU seeks to influence the behaviour of its external partners, combining formal and informal forms of cooperation with different forms of conditionality.

Against this background, informality, externalisation and migration conditionality can be understood as three interconnected dimensions of external migration governance. In this article, informality refers to the use of political, diplomatic, or operational instruments which, while capable of producing significant practical effects, do not take the form of legally binding international agreements concluded in accordance with the procedures laid down in the Treaties. Externalisation encompasses a diverse range of strategies aimed at transferring migration-control, prevention, and management functions to third

countries, which consequently play a role in containing migration flows towards the EU (Frelick *et al.*, 2016; Wolff, 2024). Migration conditionality, in turn, refers to the use of other European policies, namely development assistance, visas, trade, investment, or financial assistance, as incentives or, conversely, as mechanisms of pressure to secure greater cooperation on migration control, return, and readmission (Frasca & Roman, 2023).

From 2015/2016 onwards, this dynamic became particularly visible. The EU–Turkey Statement of 18 March 2016 (European Council, 2016) marked an important step in consolidating an approach based on political and operational commitments that went beyond the traditional model of formal readmission agreements. Similar instruments were developed with other external partners. This evolution is part of a wider shift in the external dimension of European migration policy, in which migration control has become increasingly important in the EU's relations with countries of origin and transit. Wolff's (2012) analysis is particularly relevant in this regard, showing how issues traditionally associated with European internal security, including migration, came to shape the EU's external agenda in the Mediterranean.

Informality, however, cannot be considered in isolation. Alongside the proliferation of legally non-binding instruments, the EU has intensified its use of migration conditionality, drawing on instruments from other policy areas to influence third countries' cooperation on readmission and migration control.

This transformation of the external dimension of EU migration policy raises a central question: to what extent is the growing use of informality and conditionality to pursue EU migration objectives compatible with the democratic and normative principles that should underpin its external action?

This question is particularly relevant when considering the concept of "European normative power" developed by Ian Manners. Manners (2002) proposed understanding the EU in terms of its capacity to define and diffuse norms and values, such as democracy and the protection of human rights, in international relations. European migration policy, however, poses a particular challenge to this conception, as the promotion of these values may come into tension with objectives of containment, return, and border control. The question, therefore, is whether the EU's use of informality and migration conditionality is consistent with the values it seeks to promote and with its identity as a normative actor.

Recent literature further underscores the importance of this question. Wolff (2024), for example, identifies in the recent development of European migration and asylum policy, particularly through the New Pact on Migration and Asylum, a growing acceptance and institutionalisation of illiberal practices of non-admission of migrants and refugees. According to Wolff (2024), these developments have been influenced by the rise of anti-immigration movements and accompanied by the proliferation of transactional migration agreements with authoritarian regimes, as well as by the increasing geopoliticisation of migration.

This article examines the interaction between informality and conditionality and its implications for EU external action in the field of migration. It draws on an analysis of the EU's legal and policy instruments, institutional documents, and academic literature.

The first part examines the traditional strategy based on formal readmission agreements and the obstacles that have limited their conclusion. The second analyses the emergence of an approach based on informal instruments of cooperation, focusing primarily on the 2016 EU–Turkey Statement (European Council, 2016) and the partnerships subsequently developed with Tunisia (European Commission, 2023b), Mauritania (European Commission, 2024b), and Egypt (European Commission, 2024c). The third examines the expansion of migration conditionality into different areas of EU external action, notably visa policy, development cooperation, and trade policy. Finally, it addresses the normative and strategic implications of this transformation, with particular attention to the protection of human rights, democratic legitimacy, the coherence of the EU's external action, and the growing ability of third countries to use migration as an instrument of political pressure.

The central argument is that the EU's growing use of informal instruments and migration conditionality is part of a broader change in its external action. Although this approach may give the EU greater flexibility to pursue migration objectives beyond its borders, it may also reduce transparency, democratic scrutiny and judicial oversight, weaken the protection of migrants' human rights, and increase the bargaining power of countries of origin and transit along migration routes.

Formal Cooperation on Readmission

The effective return of irregular migrants is an important part of EU migration policy. However, the implementation of return decisions depends largely on the cooperation of countries of origin and transit. Readmission agreements have therefore traditionally been an important tool of the EU's external migration policy.

By 2020, the EU had concluded 18 readmission agreements (Table 1), most of them with European countries, including several states covered by the enlargement process or the European Neighbourhood Policy.

The European Commission also has mandates to negotiate readmission agreements with several third countries, namely Morocco (2000), Algeria (2002), China (2002), Tunisia (2014), Jordan (2015), and Nigeria (2016), but none of these negotiations has produced concrete results (European Court of Auditors, 2021).

Negotiations on these agreements have proved difficult, as the interests of the parties often diverge. Although third countries generally accept the obligation to readmit their own nationals, they tend to resist provisions requiring them to readmit third-country nationals who have transited through their territory. This has made it more difficult to conclude agreements with transit countries such as Morocco and Tunisia (European Commission, 2011).

The assessment carried out by the European Court of Auditors identifies other obstacles, including the preference of some third countries for bilateral agreements with Member States and the perception that readmission agreements primarily serve European interests (European Court of Auditors, 2021).

Table 1. Readmission agreements concluded by the EU

Country	Entry into force
Hong Kong	1 March 2004
Macau	1 June 2004
Sri Lanka	1 May 2006
Albania	1 May 2006
Russia	1 June 2007
Ukraine	1 January 2008
North Macedonia	1 January 2008
Bosnia & Herzegovina	1 January 2008
Montenegro	1 January 2008
Serbia	1 January 2008
Moldova	1 January 2008
Pakistan	1 December 2010
Georgia	1 March 2011
Armenia	1 January 2014
Azerbaijan	1 September 2014
Turkey	1 October 2014
Cape Verde	1 December 2014
Belarus	1 July 2020

Source: European Commission (2026c)

As Wolff (2014) shows, the negotiation of the readmission agreement with Morocco illustrates how the EU's ability to secure the cooperation of third countries depends not only on the incentives it offers, but also on the domestic and regional preferences of its partners and their perceptions of the costs and benefits of cooperation.

As negotiations on formal readmission agreements proved difficult, migration was gradually incorporated into broader cooperation frameworks. The 2000 Cotonou Agreement marked an important stage in this process by bringing migration into the political dialogue between the EU and African, Caribbean and Pacific countries and establishing, in Article 13, an obligation to readmit nationals in an irregular situation and to negotiate bilateral readmission agreements providing for the repatriation of third-country nationals (European Union, 2000). The Samoa Agreement, which replaced the Cotonou Agreement, further developed this dimension (European Union, 2023). Article 74 allows for the adoption of "proportionate measures" where one of the parties fails to comply with the readmission obligations laid down in the agreement (European Union, 2023). This form of negative conditionality was not present in the Cotonou Agreement.

The European Neighbourhood Policy also gradually brought migration into the EU's relations with countries in the eastern and southern neighbourhoods. Following the 2015 review, migration dialogue, the fight against irregular migration, and cooperation on readmission became more prominent features of partnership instruments with these countries (European Commission & High Representative, 2015).

The Emergence of Informal Cooperation Instruments

In view of the persistent difficulties in concluding and implementing formal readmission agreements, from 2015 onwards, the European Commission began to favour informal

instruments with third countries regarded as strategic partners (European Commission, 2015). This approach offers greater flexibility and allows for faster negotiation and implementation of migration cooperation, particularly in the areas of return and readmission, while also drawing on development assistance and other areas of EU external action as incentives for cooperation (European Commission, 2015).

The new Partnership Framework with third countries consolidated this approach (European Commission, 2016) and led to the proliferation of "informal agreements", particularly in the areas of readmission and the fight against irregular migration. These instruments take a variety of political forms, including memoranda of understanding, joint declarations, joint pathways, and operational procedures. Their focus is on operational, informal, and results-oriented cooperation aimed at achieving immediate objectives, notably reducing migration flows and ensuring the effective return of migrants in an irregular situation, including through the use of negative conditionality linked to development assistance and other areas of EU external action (Reslow, 2017; Santos Vara, 2019; Frasca & Roman, 2023).

As widely observed in the academic literature, the use of informal, political, and operational instruments has represented a significant shift in the external dimension of European migration policy (Santos Vara, 2019; Cardwell & Dickson, 2023; Frasca & Roman, 2023; Fernando-Gonzalo, 2023). Informal arrangements allow cooperation to be adapted to the specific circumstances of each partner and make it easier to address practical issues, such as the issuance of travel documents or the organisation of return operations. They also allow different financial and political instruments to be combined within a single cooperation package. At the same time, they give Member States a more direct role in negotiations with third countries, reinforcing the intergovernmental character of the EU's external migration cooperation (Collett & Ahad, 2017).

The EU–Turkey Statement (2016): A Turning Point

The EU-Turkey Statement of 18 March 2016 (European Council, 2016), published as an annex to a European Council press release, marked an important turning point. It showed that significant operational results could be achieved through a political and informal instrument setting out commitments aimed at reducing irregular arrivals on the Greek islands.

The main mechanism provided for the return to Turkey of migrants arriving irregularly on the Greek islands from 20 March 2016 onwards, alongside a set of European commitments. These included the resettlement of Syrian refugees directly from Turkey under the "one-for-one" principle, the acceleration of the visa liberalisation process for Turkish citizens, the revitalisation of Turkey's accession process, and the mobilisation of €6 billion to support the reception of Syrian refugees in the country (European Council, 2016). This financial support was subsequently increased, reaching approximately €12 billion by 2023 through various European financial instruments (European Court of Auditors, 2024; European Commission, 2024a).

As the Statement was not an international agreement concluded under Article 218 TFEU, the General Court held in 2017 that it could not be attributed to the EU for the purposes

of judicial review and therefore lacked jurisdiction to hear actions brought against it (General Court, 2017a, 2017b, 2017c).

At the same time, the implementation of the returns envisaged by the Statement raised concerns about its compatibility with the right to asylum, the prohibition of collective expulsions, and the principle of *non-refoulement*, as provided for in Articles 18 and 19 of the Charter of Fundamental Rights of the European Union. The designation of Turkey as a safe third country was strongly contested in the literature, given the geographical limitation that Turkey maintains on the application of the 1951 Geneva Convention to European nationals, as well as its record of human rights violations (Farcy, 2015; Carrera & Guild, 2016; Greenhill, 2016; Ulusoy, 2016; Alpes *et al.*, 2017; Ciger, 2024).

The Expansion of Informal "Readmission Agreements"

Following the EU–Turkey experience, the Union developed informal "readmission agreements" with Afghanistan, Guinea, Bangladesh, Côte d'Ivoire, Ethiopia, and Gambia (European Commission, 2026c). These include the 2016 *Joint Way Forward on Migration Issues* with Afghanistan (European Union, 2016), which was replaced in 2021 by the *Joint Declaration on Migration Cooperation between Afghanistan and the EU* (European Union, 2021), as well as operational procedures agreed with Bangladesh in 2017 for the identification and return of migrants (European Commission, 2017).

These instruments have several features in common. As Frasca and Roman (2023) and Strik (2023) observe, they offer greater institutional flexibility than formal agreements and allow operational issues to be addressed more quickly, such as the acceptance of repatriation flights or European *laissez-passer* documents, often without binding commitments on human rights protection. Because they are developed outside the procedures governing the conclusion of binding international agreements, they are not subject to the same degree of democratic scrutiny by the European Parliament or judicial review (Cassarino, 2023; Strik, 2023; Fernando-Gonzalo, 2023; Wolff, 2024).

Greater flexibility does not, however, necessarily mean greater effectiveness. As Cassarino (2023) and Fernando-Gonzalo (2023) observe, there is still no robust empirical evidence that informal instruments are more effective than formal readmission agreements.

Nevertheless, informal migration cooperation aimed at preventing migration flows towards Europe and facilitating the return and readmission of migrants in an irregular situation has assumed an important role in the EU's external migration policy. This role is expressly recognised in the New Pact on Migration and Asylum (European Commission, 2020) and, more recently, in the 2026 European Strategy for Asylum and Migration Management (European Commission, 2026b).

Comprehensive Migration Partnerships: Tunisia, Mauritania and Egypt

The approach that developed after 2016 became particularly evident in the partnerships the EU established with countries of origin and transit since 2023, notably Tunisia,

Mauritania, and Egypt. These partnerships represent a further development, as they combine objectives relating to readmission, border control, and the prevention of irregular migration with areas such as macroeconomic assistance, development, trade, investment, and mobility. As Wolff (2024) observes, they also involve the European Commission and the Member States most directly concerned through the so-called "Team Europe" approach.

The partnership with Tunisia is one of the clearest examples of this approach. The increase in migration flows from Tunisia in 2022–2023 led to a high-level "Team Europe" meeting in July 2023 involving the President of the European Commission, Ursula von der Leyen, the Italian Prime Minister, Giorgia Meloni, and the then Dutch Prime Minister, Mark Rutte, together with the Tunisian President, Kais Saied. The meeting preceded the signing of a Memorandum of Understanding establishing a comprehensive partnership between the EU and Tunisia. The memorandum, known as the *Migration Deal*, was published as an annex to a European Commission press release and covers five areas of cooperation: macroeconomic stability, economy and trade, the energy transition, people-to-people contacts, and migration and mobility (European Commission, 2023a).

The partnership covered a broad range of issues, but migration became one of its main areas of focus, particularly Tunisia's commitment to preventing irregular migration, strengthening border controls, combating migrant-smuggling networks, and readmitting Tunisian nationals expelled from Europe (García Andrade, 2024; Pijnenburg, 2023; De Leo, 2023; Strik & Robbesom, 2024). In return, the EU announced a range of financial support measures, including potential macro-financial assistance, dedicated funding to combat irregular migration, support for legal migration through a Talent Partnership, and assistance in the field of education (European Commission, 2023b).

The Tunisian case illustrates the growing interaction between informality and conditionality, as noted by several authors (García Andrade, 2024; Strik & Robbesom, 2024; Wolff, 2024). Migration cooperation is part of a broader package that uses instruments such as development assistance, trade, investment, and macro-financial assistance to encourage Tunisia's cooperation on migration containment.

At the same time, the agreement generated significant concerns about its legal basis, the role of the institutions, and the protection of human rights. As García Andrade (2024) points out, under European Union law, neither the European Commission nor the High Representative can conclude political agreements on behalf of the EU without prior authorisation from the Council. The agreement was also widely criticised for its informal nature, the limited degree of democratic and judicial scrutiny, and the lack of specific human rights safeguards. Critics also raised concerns about providing funding to an autocratic regime at a time when credible reports of ill-treatment of sub-Saharan migrants had multiplied, including collective expulsions to the desert, arbitrary detention, and racist attacks (García Andrade, 2024; Pijnenburg, 2023; De Leo, 2023; ECRE, 2023; Amnesty International, 2023; Strik & Robbesom, 2024; Wolff, 2024).

The partnership with Mauritania follows a similar approach. An increase in migrant arrivals to the Canary Islands prompted the mobilisation of "Team Europe", comprising the President of the European Commission, Ursula von der Leyen, and the Spanish Prime Minister, Pedro Sánchez, and led to the announcement of a financial package of approximately €210 million in connection with a partnership aimed at containing

migration flows (Koné, 2024). In March 2024, a Joint Declaration on a partnership with Mauritania was signed with the aim of strengthening migration-management capacities, cooperation on readmission, border control, the fight against smuggling networks, and the protection of refugees in Mauritanian territory (European Commission, 2024b).

In addition to criticism relating to cooperation on readmission (Koné, 2024), the instrument was challenged by refugee-protection organisations because of its potential humanitarian implications, including the risk of diverting migration flows towards even more dangerous routes (ECRE, 2024).

The comprehensive partnership with Egypt was formalised through a Joint Declaration signed in Cairo by Ursula von der Leyen and Egyptian President Abdel Fattah el-Sisi (European Commission, 2024c). As in the Tunisian case, the instrument is informal and covers several areas of cooperation, including macro-financial assistance, investment, trade, and migration. Under the partnership, the EU committed to mobilising approximately €7.4 billion for the period 2024–2027 (European Commission, 2024d), while Egypt agreed to strengthen efforts to combat irregular migration and reinforce border controls.

The *Migration Deal* with Egypt was also criticised for the lack of democratic and judicial scrutiny, inadequate human rights safeguards, and its potential impact on migrants' living conditions, including the risk of diverting migration flows towards alternative and more dangerous routes (Moorsel & Bonfiglio, 2024; Jakob & Malichudis, 2025).

These cases point to a broader shift towards informal partnerships, linking cooperation on readmission, border control, and prevention of irregular migration to financial support and other forms of conditionality.

Migration Conditionality across Different EU Policies

The EU's external action in the field of migration is also characterised by the increasing use of migration conditionality. As Strik (2023) observes, the difficulties in securing the cooperation of third countries through formal readmission agreements, combined with the lack of a strong incentive such as the prospect of EU accession, have led the EU to rely increasingly on instruments from other areas of its external action to influence partners' behaviour on migration-related matters.

Migration conditionality can take different forms. In general, it involves linking a third country's cooperation on migration to the granting, maintenance, or withdrawal of benefits provided through other EU policies. It can follow a "more for more" approach, where greater cooperation on migration allows a third country to obtain additional benefits, or a "less for less" approach, where insufficient cooperation may result in the reduction or suspension of certain benefits (Frasca & Roman, 2023).

Accordingly, development cooperation, trade policy, and visa policy have increasingly been used to encourage or pressure countries of origin and transit to strengthen border controls, align their visa policies with those of the EU, cooperate on the readmission, protect refugees, and combat irregular migration (Frasca & Roman, 2023).

Conditionality is not a new phenomenon. In the field of development assistance, the EU has long used conditionality to promote political and institutional reforms in partner countries, particularly in the areas of the rule of law, democracy, and human rights, in line with the objectives of EU external action set out in Article 21 TEU. What has changed in the EU's external migration policy is primarily the purpose for which these instruments are used. As pointed out by Frasca and Roman (2023) and Strik (2023), mechanisms previously associated with development objectives or the promotion of European values have increasingly been used to pursue specific migration-policy goals, such as reducing migration flows or increasing the number of returns of migrants in an irregular situation.

This development raises important questions. First, as several authors have stressed, it may undermine the fundamental objectives of development cooperation set out in Article 21(2)(d) TEU and Article 208(1) TFEU, particularly poverty reduction and eradication, if migration-related criteria become more important in decisions on the allocation of assistance (Gabrielli, 2012; Latek, 2017; García Andrade, 2022). As García Andrade (2022) points out, countries with significant development needs but less strategic relevance for the management of migration flows towards Europe may become relatively less important in determining the priorities of European development cooperation.

At the same time, as Castillejo (2017) observes, many third countries resist becoming "buffer zones" or accepting the readmission of migrants expelled from Europe because of the domestic political costs and economic implications involved. For many countries of origin, remittances sent by emigrants are an important source of income and make a significant contribution to reducing poverty and unemployment. According to the *World Migration Report 2026*, remittances to low- and middle-income countries amounted to approximately US$685 billion in 2024 (McAuliffe & Ceriani Cernadas, 2026), accounting for a significant share of GDP in several countries. As de Haas (2023, p. 98) notes, "migration is the most effective form of development aid", since resources reach families and local economies directly, without state intermediation or diversion.

This helps explain the limitations of positive conditionality. Gabrielli (2012) argues that, for some third countries, the benefits of emigration and remittances may outweigh the incentives offered by the EU for greater cooperation on migration control. Since 2016, the EU has also strengthened mechanisms to penalise what it considers insufficient cooperation on migration (Frasca & Roman, 2023; Strik, 2023).

Indeed, in the New Partnership Framework with third countries, the European Commission identified closer operational cooperation with countries of origin and transit as a priority of the external dimension of European migration policy. It sought to mobilise, in a coordinated manner, different instruments of European external action, including neighbourhood policy, development cooperation, trade, energy, security, and visa policy, around the objectives of reducing irregular migration and increasing return and readmission rates (European Commission, 2016). Countries willing to cooperate in preventing irregular migration, strengthening border controls, and facilitating readmission could receive increased financial support, visa facilitation, or closer political relations with the EU. But insufficient cooperation could lead to reductions in financial assistance or affect bilateral relations (European Commission, 2016). One of the main changes introduced by the New Partnership Framework was the more systematic use of conditionality, including the punitive "less for less" approach (Sousa, 2019).

The combination of incentives and restrictive measures reflects a broader change in the use of conditionality. The EU no longer relies solely on its resources to make migration cooperation more attractive; it also uses the potential costs of non-cooperation as a mean of exerting influence. This shift is particularly visible in the 2019 reform of the Visa Code, which introduced a clear "carrot and stick" approach (Vavoula, 2019). New Article 25a, introduced by Regulation (EU) 2019/1155, allows the Commission to assess third countries' cooperation on readmission and, under certain circumstances, to propose measures designed either to facilitate or restrict the issuing of visas, depending on whether cooperation on readmission is considered satisfactory or insufficient. Restrictive measures include increased visa fees, limitations on access to simplified procedures, and restrictions on the issuing of multiple-entry visas (European Parliament and Council, 2019).

This reform has been criticised by several authors, who question its proportionality, effectiveness, and compatibility with European values (Guild, 2019; Vavoula, 2019; Frasca & Roman, 2023; Strik, 2023). Guild (2019) considers the reform potentially unfair and discriminatory, describing it as a form of "collective punishment" that affects individuals who have neither responsibility for nor control over the national authorities' decisions concerning cooperation with the EU on readmission. Moreover, such sanctions may prove counterproductive by increasing diplomatic tensions with third countries (Guild, 2019; García Andrade, 2022). Visa restrictions may also conflict with broader migration-policy objectives, as reducing opportunities for legal mobility could increase incentives to use irregular channels. Finally, as Strik (2023) points out, such restrictive measures may directly or indirectly affect the mobility of people seeking international protection, raising important questions about fundamental rights.

The externalisation of European visa policy is another part of this strategy. According to Landini and Sciortino (2023), visa requirements are effective only when neighbouring countries with visa-free regimes adopt visa policies aligned with those of the EU. Cooperation on visa policy has therefore become part of a broader strategy aimed at preventing irregular migration before it reaches the EU's external borders. This dimension was reinforced by Regulation (EU) 2025/2441, which expanded the grounds for suspending visa exemption. These include insufficient cooperation on readmission, misalignment between a third country's visa policy and that of the EU where such misalignment contributes to irregular migratory movements, the use of migration as an instrument of political pressure, and the establishment of citizenship-by-investment schemes (European Parliament & Council, 2025).

Migration conditionality has also extended to trade policy. As Lavenex (2023) observes, since the Seville European Council of 2002, the EU has sought to include provisions in trade, cooperation, and association agreements aimed at strengthening third countries' cooperation on migration control and readmission. More recently, the EU has begun to use the Generalised Scheme of Preferences (GSP) within the framework of its migration policy. The new Regulation (EU) 2026/1395 on the GSP provides, in Article 22, for the temporary withdrawal of tariff preferences in situations involving serious and systematic deficiencies relating to the readmission of nationals of beneficiary countries when such persons are migrants in an irregular situation in the EU (European Parliament & Council, 2026).

According to Lavenex (2023) and Strik (2023), this development marks a significant change in how the GSP is used. The GSP no longer serves only to promote development and broader objectives of EU external action, such as human rights, labour rights, environmental protection, and good governance. It may also be used as a sanctioning instrument in the field of readmission, making access to trade benefits conditional on the beneficiary country's cooperation with the EU's migration-policy objectives.

This trend is likely to intensify. The *European Strategy for Asylum and Migration Management*, presented by the European Commission in January 2026, expressly states that the EU should pursue an "assertive migration diplomacy", strengthening links between migration policy and other areas of external action and using instruments such as visa policy, trade, and external financing as incentives and means of influence to secure third-country cooperation on migration containment (European Commission, 2026b). The Strategy specifically refers to the use of the mechanism under Article 25a of the Visa Code, the suspension of visa exemption, and the possibility of temporarily withdrawing trade preferences to sanction insufficient third-country cooperation on return and readmission (European Commission, 2026b). The same approach is reflected in the EU Strategy for Visa Policy, also presented in January 2026 (European Commission, 2026a).

The proposal for the new *Global Europe* Regulation for the 2028–2034 Multiannual Financial Framework likewise reinforces this approach by providing for mechanisms to suspend financial support to countries considered insufficiently cooperative on readmission (European Commission, 2025).

These developments point to a form of migration conditionality that combines external instruments to encourage third-country cooperation on readmission and migration control with measures to penalise insufficient cooperation. Migration conditionality is also extending into policy areas that have traditionally served different purposes within European external action. This is significant because it is changing the way different EU external policies are used and connected to one another. Development, trade, and mobility are increasingly considered not only in relation to their own objectives, but also according to their contribution to migration-related goals, particularly return and migration control.

Unintended Consequences: The Erosion of EU Normative Values and Vulnerability to Migration Diplomacy

The growing use of informality and conditionality in the external dimension of EU migration policy has implications that extend beyond the immediate effectiveness of cooperation on migration control and readmission. By prioritising flexible instruments, conditionality, and the externalisation of migration control, the EU risks creating two related problems: growing tension between migration-control objectives and the normative values underpinning its external action, and increasing dependence on third countries, which may, in turn, make the EU more vulnerable to the instrumentalisation of migration.

In the international system, the EU seeks to present itself as an actor committed to fundamental values, particularly democracy, the rule of law, and respect for human rights, as reflected in Articles 2 and 21 TEU. This is, as Ceccorulli and Fassi (2022) emphasise, an important element of the international identity that the EU seeks to project.

However, as Gammeltoft-Hansen (2006) and Völkel (2014) observe, the external dimension of European migration policy, centred on border control, migration containment, readmission, and the fight against irregular migration, frequently comes into tension with broader objectives of EU external action, including the promotion of democracy and human rights. Abrisketa Uriarte (2017) stresses that transferring functions relating to border control, the prevention of irregular migration, and return to third countries may have significant implications for access to asylum procedures, as it may, in practice, restrict refugees' access to international protection mechanisms. The use of the concept of a "safe third country" likewise reflects this dynamic, as it allows protection responsibilities to be transferred while increasing the risks of return operations that violate the principle of *non-refoulement* (Guild, 2022; Frasca & Roman, 2023). The issue is therefore not only whether third countries can control migration flows, but also whether they are able and willing to provide adequate protection to people who are prevented from reaching the EU or who are returned from European territory.

The normative tension is equally relevant in the use of informal instruments. As Fernando-Gonzalo (2023) points out, by operating outside the formal framework for concluding international agreements laid down in Article 218 TFEU, these instruments reduce the involvement of the European Parliament and limit the scope for judicial review. At the same time, they enable return operations and the transfer of migration-management responsibilities, with significant material effects on migrants' rights. As highlighted in the literature, this may reveal a prioritisation of migration-policy objectives over fundamental values (Ceccorulli & Fassi, 2022; Frasca & Roman, 2023; Cassarino, 2023; Strik & Robbesom, 2024). This concern has also been raised by the European Parliament, which has criticised the proliferation of informal agreements without adequate mechanisms of democratic or judicial oversight (European Parliament, 2021).

The problem is particularly serious when migration cooperation involves authoritarian regimes or countries with weak human rights standards. As Strik (2023) observes, by financing efforts to combat irregular migration in such countries, the EU may expose migrants to significant risks of abuse and violations of fundamental rights, in ways that conflict with the principles it seeks to promote internationally.

EU cooperation with Libya provides a particularly significant example. Despite political instability and evidence of arbitrary detention, torture, and inhuman treatment of migrants intercepted and detained in the country, the EU continues to cooperate with the Libyan authorities on migration control (Ceccorulli & Fassi, 2022; Strik, 2023). Morocco presents similar concerns. As Carrera, Cassarino and Qadim (2016) point out, increased cooperation on migration control has been accompanied by reports concerning the conditions in which migrants from sub-Saharan Africa are detained and expelled, including allegations of violence, arbitrary detention, and summary expulsions.

A similar tension can be observed in recent cooperation with Afghanistan. Although the EU does not formally recognise the Taliban regime, its recent contacts with Afghan

authorities to facilitate the return and readmission of Afghan nationals raise serious concerns, given the risks of persecution, torture, or other inhuman or degrading treatment faced by certain groups in the country (Ghafori, 2026). Ghafori (2026) argues that such cooperation may contribute to normalising the Taliban regime and could undermine the EU's credibility as an international actor committed to protecting human rights.

The implications of this development, however, extend beyond the protection of human rights and the EU's normative credibility. By becoming increasingly dependent on third-country cooperation to prevent migrants from reaching its territory, the EU creates a relationship of interdependence that may allow these countries to use their increasingly important role in migration management to extract concessions from the Union. As highlighted in the literature, countries such as Turkey, Libya, Tunisia, and Morocco have increasingly used migration cooperation as a bargaining tool to obtain financial support, economic advantages, or greater international legitimacy (Völkel, 2014; Münch, 2018; Guild, 2022; Cassarino, 2023).

Cassarino (2023) refers to this dynamic as "reverse conditionality": while the EU seeks to make financial, commercial, or political benefits conditional on third-country cooperation on migration, these countries can also use their cooperation on migration to influence the EU's own decisions. The ability to control migratory flows has therefore become an important source of bargaining power for countries of origin and transit, particularly those controlling routes that are considered strategic by the EU. Guild (2022) develops this argument, arguing that the excessive delegation of migration control has weakened the EU's position. According to the author, the greater the importance attached to reducing arrivals, the greater the ability of third countries may be to use migration as a bargaining chip in negotiations with Brussels, obtaining political, economic, or diplomatic advantages in other areas. As Strik (2023) notes, the EU's growing dependence on cooperation from these countries tends to reduce its diplomatic room for manoeuvre, leading to more cautious responses to human rights violations perpetrated by neighbouring authoritarian regimes.

This growing dependence on the "migration diplomacy" of third countries has another important consequence, highlighted in the literature: increased exposure to the instrumentalisation of migration as a form of hybrid threat, blackmail, or political pressure by third countries (Sousa, 2022; Guild, 2022; Strik, 2023).

The events at the EU–Belarus border in 2021 provide a clear example of this dynamic. In response to European sanctions, Alexander Lukashenko's regime facilitated the arrival of thousands of migrants at the borders of Poland, Lithuania, and Latvia. A similar episode occurred in Ceuta, when Morocco allowed thousands of migrants to enter in protest against Spain's decision to admit, on health grounds, the leader of the Polisario Front (Sousa, 2022; Guild, 2022; Strik, 2023).

This form of pressure is not new. Muammar Gaddafi's regime had already threatened the EU with an "invasion" of migrants from sub-Saharan Africa, demanding funding and diplomatic rehabilitation (Sousa, 2022). Similarly, in 2019–2020, Turkish President Recep Tayyip Erdoğan threatened to open the borders and allow migrants to cross into Greece, using migration to put pressure on the EU amid disagreements over Turkey's offensive in Syria and the terms of European funding (Sousa, 2022).

All these episodes demonstrate that, by making migration containment a strategic priority of its external action, the EU has ultimately increased its dependence on external partners, some of which have limited democratic standards and problematic human rights records. This, in turn, leaves the EU more vulnerable to the strategic instrumentalisation of migration by third countries.

Conclusions

This article shows how the EU's approach to the external dimension of migration policy has changed. The difficulties in concluding formal readmission agreements with countries of origin and transit have led the EU, particularly since the "refugee crisis" of 2015/2016, to rely increasingly on informal cooperation, while making greater use of migration conditionality across different areas of its external action.

The proliferation of "informal agreements" has allowed the EU to adopt more flexible forms of cooperation focused on immediate objectives, particularly the prevention of irregular migration, return, and readmission. The EU–Turkey Statement of 2016 was an important milestone in this process, not only because of its impact on migration flows in the Eastern Mediterranean, but also because it provided a framework for cooperation outside the traditional model of a formal international agreement. The partnerships developed with Tunisia, Mauritania and Egypt provide further examples of this approach, as migration cooperation has increasingly been included in broader packages covering financial assistance, development, investment, trade and mobility.

At the same time, the EU has increasingly used instruments from other areas of its external action to encourage or put pressure on third countries to cooperate on migration control, return, and readmission.

This approach to the external dimension of migration policy, based on informality and conditionality, nevertheless raises important legal, political and normative concerns. First, the growing use of informal instruments may reduce transparency and limit the democratic scrutiny and judicial review that apply to formal international agreements. This is important in an area where migrants' fundamental rights may be at stake, including the right to access international protection and the principle of *non-refoulement*.

Second, the growing centrality of migration conditionality, in both its positive ("more for more") and negative ("less for less") dimensions, reflects the increasing use of different EU policies in pursuit of migration-control objectives. Visa policy, development cooperation, trade policy and other external-action instruments are increasingly playing an explicit role in securing third countries's cooperation on return and readmission. Although the EU remains formally committed to democracy, the rule of law and human rights, its increasing use of external instruments to contain migration may conflict with these values. In particular, the externalisation of migration control to countries with weak institutions or poor human rights standards may increase the risk of fundamental rights violations against migrants and refugees in those countries. Cooperation with Libya clearly illustrates this tension and raises questions about whether the practices the EU supports externally are consistent with the values it seeks to promote.

The analysis also points to a second, strategic consequence. By assigning countries of origin and transit an increasingly important role in containing migration flows, the EU has also become dependent on such cooperation. This dependence may give third countries greater leverage to use migration in negotiations with the EU, allowing them to seek financial support, economic benefits, political concessions, or greater international legitimacy. The concepts of "migration diplomacy" (Guild, 2022) and "reverse conditionality" (Cassarino, 2023) help explain this dynamic. Influence does not flow only from the EU to its partners; third countries can also use their ability to facilitate or restrict migration to influence European decisions. The more importance the EU attaches to containing migration before migrants reach its borders, the more bargaining power countries controlling the main migration routes have. The cases discussed above, particularly those involving Belarus and Morocco, show how the EU's strategy of controlling migration flows may make it more vulnerable to the instrumentalisation of migration.

The main argument of this article is therefore that the growing combination of informality and migration conditionality is more than a response to the difficulties involved in concluding readmission agreements. It reflects a broader transformation of the external dimension of EU migration policy, in which different instruments are increasingly used to pursue migration objectives, namely reducing migration flows and improving the effectiveness of returns of migrants in an irregular situation. If these objectives are prioritised over transparency, accountability, fundamental rights and the coherence of the EU's external action, greater reliance on informal cooperation and conditionality may undermine the EU's normative credibility and limit its strategic autonomy.

The EU's cooperation with third countries on migration must be consistent with the legal principles and values that guide its external action. For this reason, preserving the EU's credibility as a values-based international actor requires a careful balance between migration control and its commitment to the fundamental principles on which the European project is based.

References

Abrisketa Uriarte, J. (2017). La dimensión externa del Derecho de la Unión Europea en materia de refugio y asilo: Un examen desde la perspectiva del *non-refoulement*. *Revista de Derecho Comunitario Europeo, 56*, 119–158. https://doi.org/10.18042/cepc/rdce.56.04

Alpes, M. J., Tunaboylu, S., & Van Liempt, I. (2017). Human rights violations by design: EU–Turkey statement prioritises returns from Greece over access to asylum. *Migration Policy Centre Policy Brief*, 2017/29. https://www.borderline-europe.de/sites/default/files/background/RSCAS_PB_2017_29_MPC.pdf

Amnesty International. (2023, July 18). EU/Tunisia: Agreement on migration 'makes EU complicit' in abuses against asylum seekers, migrants and refugees. https://www.amnesty.eu/news/eu-tunisia-agreement-on-migration-makes-eu-complicit-in-abuses-against-asylum-seekers-migrant-and-refugees/

Carrera, S., & Guild, E. (2016). EU–Turkey plan for handling refugees is fraught with legal and procedural challenges. *CEPS Commentary*. https://www.ceps.eu/ceps-publications/eu-turkey-plan-handling-refugees-fraught-legal-and-procedural-challenges/

Carrera, S., Cassarino, J. P., & El Qadim, N. (2016). *EU–Morocco cooperation on readmission, borders and protection: A model to follow?* (CEPS Paper in Liberty and Security in Europe No. 87). CEPS. https://www.ceps.eu/ceps-publications/eu-morocco-cooperation-readmission-borders-and-protection-model-follow/

Cassarino, J. P. (2023). Multi-layered cooperation on readmission in the Euro-Mediterranean and Euro-African areas. In J. P. Cassarino (Ed.), *Cooperation on readmission in the Euro-Mediterranean area and beyond* (pp. 18–38). European Institute of the Mediterranean. https://www.euromesco.net/wp-content/uploads/2023/05/Policy-Study28.pdf

Castillejo, C. (2017). *The EU partnership framework: Time to rethink?* (Discussion Paper No. 28/2017). Deutsches Institut für Entwicklungspolitik. https://www.econstor.eu/bitstream/10419/199518/1/die-dp-2017-28.pdf

Ceccorulli, M., & Fassi, E. (2022). The EU's external migration policy and global political justice. In M. Ceccorulli & E. Fassi (Eds.), *The EU's external governance of migration: Perspectives of justice* (pp. 1–23). Routledge.

Ciger, M. I. (2024, February). The EU–Turkey cooperation in the field of migration and asylum: What is wrong with it and how to fix it? *ASILE Policy Brief*. https://www.asileproject.eu/wp-content/uploads/2024/02/ASILE-POLICY-BRIEF-Turkey-1.pdf

Collett, E., & Ahad, A. (2017). *EU migration partnerships: A work in progress*. Migration Policy Institute Europe. https://www.migrationpolicy.org/sites/default/files/publications/TCM-EUMigrationPartnerships-FINAL.pdf

De Haas, H. (2023). *How migration really works: A factful guide to the most divisive issue in politics*. Penguin.

De Leo, A. (2023, October 19). The EU–Tunisia memorandum of understanding: A blueprint for cooperation on migration? *The Tahrir Institute for Middle East Policy*. https://timep.org/2023/10/19/the-eu-tunisia-memorandum-of-understanding-a-blueprint-for-cooperation-on-migration/

ECRE. (2023, July 26). Editorial: The EU's dodgy deal with Tunisia is a classic of the genre: Undemocratic, unlawful and unlikely to work. https://ecre.org/editorial-the-eus-dodgy-deal-with-tunisia-is-a-classic-of-the-genre-undemocratic-unlawful-and-unlikely-to-work/

European Commission. (2011). *Communication on the evaluation of EU readmission agreements* (COM (2011) 76 final).

European Commission. (2015). *EU action plan on return* (COM (2015) 453 final).

European Commission. (2016). *Communication on establishing a new partnership framework with third countries under the European Agenda on Migration* (COM (2016) 385 final).

European Commission. (2017). EU-Bangladesh Standard Operating Procedures for the Identification and Return of Persons without an Authorisation to Stay. COM (2017) 6137 final.

European Commission. (2020). *Communication on a New Pact on Migration and Asylum* (COM (2020) 609 final).

European Commission. (2023a). *Memorandum of understanding on a strategic and global partnership between the European Union and Tunisia*. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3887

European Commission. (2023b). *EU comprehensive partnership package with Tunisia*. https://ec.europa.eu/commission/presscorner/api/files/attachment/875383/EU_Tunisia_Partnership.pdf

European Commission. (2024a). *Eighth annual report on the Facility for Refugees in Turkey* (COM(2024) 593 final).

European Commission. (2024b). *Joint declaration establishing a migration partnership between the Islamic Republic of Mauritania and the European Union*. https://home-affairs.ec.europa.eu/eu-mauritania-joint-declaration_en

European Commission. (2024c). *Joint declaration on the strategic and comprehensive partnership between the Arab Republic of Egypt and the European Union*.

European Commission. (2024d). *EU–Egypt strategic and comprehensive partnership*. https://ec.europa.eu/commission/presscorner/api/files/attachment/877847/STR_EU-EG%20partnership.pdf

European Commission. (2025). *Proposal for a Regulation establishing Global Europe* (COM (2025) 551 final).

European Commission. (2026a). *EU visa policy strategy.* (COM (2026) 43 final).

European Commission. (2026b). *European Asylum and Migration Management Strategy.* (COM (2026) 45 final).

European Commission. (2026c, June 11). *An effective, firm and fair EU return and readmission policy*. https://home-affairs.ec.europa.eu/policies/migration-and-asylum/irregular-migration-and-return/effective-firm-and-fair-eu-return-and-readmission-policy_en

European Commission & High Representative. (2015). Review of the European Neighbourhood Policy (JOIN (2015) 50 final).

European Council (2016, 18 March). *EU-Turkey statement*. https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/

European Court of Auditors. (2021). *EU readmission cooperation with third countries* (Special Report 17/2021).

European Court of Auditors. (2024). *Facility for Refugees in Turkey* (Special Report 6/2024).

European Parliament. (2021, May 19). *Resolution on human rights protection and the EU's external migration policy* (P9_TA (2021) 0242).

European Parliament & Council. (2019). Regulation (EU) 2019/1155 of 20 June 2019 amending Regulation (EC) No 810/2009 establishing a Community Code on Visas (Visa Code). *Official Journal of the European Union*, L 188, 25–54.

European Parliament & Council. (2025). *Regulation (EU) 2025/2441 amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism. Official Journal of the European Union*, L 10.12.2025.

European Parliament & Council. (2026). Regulation (EU) 2026/1395 on applying a generalised scheme of tariff preferences. *Official Journal of the European Union*, L 22.06.2026.

European Union. (2016). Joint Way Forward on migration issues between Afghanistan and the EU. https://www.eeas.europa.eu/sites/default/files/eu_afghanistan_joint_way_forward_on_migration_issues.pdf .

European Union. (2021). Joint Declaration on Migration Cooperation between Afghanistan and the EU. https://www.eeas.europa.eu/sites/default/files/jmcd_-_english_version_signed_26apr2021.pdf.

European Union. (2023). Partnership Agreement between the European Union and its Member States, of the one part, and the Members of the Organisation of African, Caribbean and Pacific States, of the other part. *Official Journal of the European Union,* L 2023/2862, 28.12.2023.

Eurostat. (2026). *EU population diversity by citizenship and country of birth.* https://ec.europa.eu/eurostat/statistics-explained/index.php?title=EU_population_diversity_by_citizenship_and_country_of_birth

Farcy, J. B. (2015). EU-Turkey agreement: solving the EU asylum crisis or creating a new Calais in Bodrum? *EU Immigration and Asylum Law Policy.* https://eumigrationlawblog.eu/eu-turkey-agreement-solving-the-eu-asylum-crisis-or-creating-a-new-calais-in-bodrum/

Fernando-Gonzalo, E. (2023). The EU's Informal Readmission Agreements with Third Countries on Migration: Effectiveness over Principles? *European Journal of Migration and Law*, *25*(1), 83–108. https://doi.org/10.1163/15718166-12340145

Frasca, E., & Roman, E. (2023). The informalisation of EU readmission policy: Eclipsing human rights protection under the shadow of informality and conditionality. *European Papers, 8*(2), 931–957.

Frelick, B., Kysel, I. M., & Podkul, J. (2016). The impact of externalization of migration controls on the rights of asylum seekers and other migrants. *Journal of Migration and Human Security, 4*(4), 190–220.

Gabrielli, L. (2012). El codesarrollo y la externalización europea del control migratorio hacia África. In M. Aboussi (Ed.), *El codesarrollo a debate* (pp. 47–58). Comares.

Gammeltoft-Hansen, T. (2006). *Outsourcing migration management: EU, power, and the external dimension of asylum and immigration policy* (DIIS Working Paper No. 2006:1). Danish Institute for International Studies.

García Andrade, P., & Martín, I. (2015). EU cooperation with third countries in the field of migration – Study for the LIBE Committee. http://www.europarl.europa.eu/supporting-analyses

García Andrade, P. (2022). EU cooperation with third countries within the new pact on migration and asylum. In D. Thym (Ed.), *Reforming the common European asylum system* (pp. 223–238). Nomos. https://doi.org/10.5771/9783748931164-223

García Andrade, P. (2024). The memorandum of understanding between the EU and Tunisia: Issues of procedure and substance. *EU Migration Law Blog*. https://eumigrationlawblog.eu/the-memorandum-of-understanding-between-the-eu-and-tunisia-issues-of-procedure-and-substance-on-the-informalisation-of-migration-cooperation/

General Court. (2017a, February 28). *NF v European Council* (Case T-192/16).

General Court. (2017b, February 28). *NG v European Council* (Case T-193/16).

General Court. (2017c, February 28). *NM v European Council* (Case T-257/16).

Ghafori, S. (2026, May 19). *By normalising the Taliban, the EU is trading its soul for a migration deal.* CEPS. https://www.ceps.eu/by-normalising-the-taliban-the-eu-is-trading-its-soul-for-a-migration-deal/

Greenhill, K. M. (2016). Open arms behind barred doors. *European Law Journal, 22*(3), 317–332.

Guild, E. (2019, May 10). Amending the visa code: Collective punishment of visa nationals? *EU Migration Law Blog*. https://eumigrationlawblog.eu/amending-the-visa-code-collective-punishment-of-visa-nationals/

Guild, E. (2022). The Pitfalls of Migration Diplomacy: The EU Pact and Relations with Third Countries. In D. Thym (Ed.), *Reforming the common European asylum system* (pp. 209–222). Nomos. https://doi.org/10.5771/9783748931164-209

Jakob, C., & Malichudis, S. (2025, January 20). Egypt: The EU's unexpected ally against migration. *Heinrich Böll Stiftung*. https://gr.boell.org/en/2025/01/16/aigyptos-o-aprosdokitos-symmahos-tis-ee-kata-tis-metanasteysis

Koné, H. (2024, April 23). Mauritania: The latest target in migration control. *Institute for Security Studies*. https://issafrica.org/iss-today/mauritania-the-latest-target-in-eu-migration-control

Landini, I., & Sciortino, G. (2023). External control: Policing entries, enforcing exits. In C. Finotelli & I. Ponzo (Eds.), *Migration control, logics and strategies in Europe* (pp. 21–50). Springer.

Latek, M. (2017). *Growing impact of EU migration policy on development cooperation*. *Briefing PE 614.577*. European Parliament.

https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/614577/EPRS_BRI(2017)614577_EN.pdf

Lavenex, S. (2023, September 5). From something to "offer in return" to something to "withdraw". *EU Migration Law Blog*. https://eumigrationlawblog.eu/from-something-to-offer-in-return-to-something-to-withdraw-retracing-trade-conditionality-in-eu-readmission-policy/

Manners, I. (2002). Normative Power Europe: A Contradiction in Terms? *Journal of Common Market Studies*, 40 (2), 235–258. https://doi.org/10.1111/1468-5965.00353

McAuliffe, M., & Ceriani Cernadas, P. (Eds.). (2026). *World migration report 2026*. International Organization for Migration. https://publications.iom.int/books/world-migration-report-2026

Moorsel, J., & Bonfiglio, A. (2024, April 29). A conscious coupling: The EU–Egypt partnership. *Mixed Migration Centre*. https://mixedmigration.org/eu-egypt-partnership/

Münch, S. (2018). EU migration and asylum policies. In H. Heinelt & S. Münch (Eds.), *Handbook of European policies* (pp. 306–330). Edward Elgar.

Palm, A. (2016). *Did 2016 mark a new start for EU external migration policy?* IAI Working Paper. https://www.iai.it/en/pubblicazioni/did-2016-mark-new-start-eu-external-migration-policy-or-was-it-business-usual

Pijnenburg, A. (2023, August 21). Team Europe's deal. *Verfassungsblog*. https://verfassungsblog.de/team-europes-deal/

Reslow, N. (2017). Old wine in new wineskins? The EU's Migration Partnership Framework. *Junge Wissenschaft im Öffentlichen Recht e.V.* https://doi.org/10.17176/20190517-152649-0

Santos Vara, J. (2019). Soft international agreements on migration cooperation with third countries: A challenge to democratic and judicial controls in the EU. In S. Carrera, J. Santos Vara, & T. Strik (Eds.), *Constitutionalising the external dimensions of EU migration policies in times of crisis: Legality, rule of law and fundamental rights reconsidered* (pp. 21–38). Edward Elgar Publishing.

Sousa, C. U. (2019). How to break the security-migration nexus. In C. U. Sousa (Ed.), *The relevance of migration for the 2030 agenda* (pp. 107–147). Universidade Autónoma de Lisboa.

Sousa, C. U. (2022). A instrumentalização de fluxos migratórios. *Janus 2022*, 46–47.

Strik, T. (2023). EU external cooperation on migration. *European Papers, 8*(2), 905–929.

Strik, T., & Robbesom, R. (2024). Compliance or complicity? *Netherlands International Law Review, 71*(1), 199–225. https://doi.org/10.1007/s40802-024-00251-x

Ulusoy, O. (2016, March 29). Turkey as a safe third country? *Oxford Border Criminologies Blog*. https://blogs.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2016/03/turkey-safe-third

Vavoula, N. (2019, September 5). Of carrots and sticks. *EU Migration Law Blog*. https://eumigrationlawblog.eu/of-carrots-and-sticks-a-punitive-shift-in-the-reform-of-the-visa-code/

Völkel, J. C. (2014). Money for nothing. *Comparative Migration Studies, 2*(2), 151–180. https://doi.org/10.5117/CMS2014.2.VOLK

Wolff, S. (2012). The Mediterranean Dimension of the European Union's Internal Security. Palgrave Macmillan.

Wolff, S. (2014). The Politics of Negotiating EU Readmission Agreements: Insights from Morocco and Turkey. *European Journal of Migration and Law*, *16*(1), 69–95. https://doi.org/10.1163/15718166-00002049

Wolff, S. (2024). The New Pact on Migration: Embedded Illiberalism? *Journal of Common Market Studies*, 62: 113–123. https://doi.org/10.1111/jcms.13669