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Making migration and migration policy decisions  
amidst societal transformations

# Unpacking the EU 'Route-based Approach' to Migration: The Role of Safe Pathways

Policy Brief

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## Executive Summary

In 2022-2023, EU efforts to support Member States in managing migration movements at their external borders led to the adoption of four Action Plans focusing on the main 'migration routes' to Europe (Central Mediterranean, Eastern Mediterranean, Western Mediterranean and Atlantic, and the Western Balkans). According to the European Commission, those Actions Plans and the concrete initiatives they include should be considered as the operational component of a 'two-track approach' to migration management, alongside the process of structural legislative reform carried out within the context of the EU Pact on Migration and Asylum.

The four Action Plans seek to operationalise a 'route-based' or 'whole-of-route' approach to irregular and mixed migration to Europe. The notion of a route-based approach originates within the context of international initiatives to address mixed movements under the leadership of UNHCR and IOM. From a conceptual perspective, a route-based approach envisages simultaneous actions by state authorities, international and civil society organisations along the entire 'migration route'. Those interventions should aim at better addressing the needs and vulnerabilities of people on the move, expanding access to protection and durable solutions for refugees, and providing viable alternatives to irregular journeys for people not in need of protection.

Facilitating access to safe and regular pathways for migrants and refugees is a key component of a comprehensive approach that considers the circumstances and protection needs of migrants in transit and supports international solidarity with third countries. While the above-mentioned Action Plans include references to the need of expanding the availability of regular pathways "as an alternative to irregular and dangerous journeys", this component of the EU policy toolbox has remained significantly underdeveloped. On the contrary, EU and national responses have been geared towards border management, counter smuggling and readmission, as testified by the larger financial envelopes allocated to those policy areas.

This Policy Brief starts from this identified gap and provides a review of policies aimed at expanding access to safe pathways for refugees and migrants adopted at the EU level and in a selected group of Member States (Austria, Germany, Italy, the Netherlands, Slovakia, and Sweden). It focuses on three interlinked components which are key to ensure effective access to those pathways: (1) information provision on safe migration avenues to Europe through information campaigns and migrant information centres; (2) protection pathways for people in need of protection in the form of resettlement and complementary pathways of admission; and (3) labour pathways that could be used by potential migrants in countries of origin or transit.

The analysis identifies a set of limitations of existing policy and legal instruments, which prevent them from acting as predictable and effective alternatives to dangerous journeys. In particular, the analysis shows how the range of EU and national information campaigns and migrant information centres aimed at influencing migrants' decision making have been predominantly shaped by the objective of dissuading people from moving, thus reducing their potential role as tools to inform migrants about available safe channels.

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While the last few years have seen new efforts to expand the scale and predictability of safe and regular pathways (both protection-based and in the field of labour migration), not least through the targeted deployment of EU funding, the current policy landscape is still characterized by a high level of fragmentation, with different levels of commitment and divergent approaches across Member States. Some recently adopted initiatives, for example the adoption of a Resettlement and Humanitarian Admission Framework as part of the EU Migration Pact or the foreseen implementation of EU Talent Partnerships to facilitate the admission of workers from selected third countries in EU Member States, hold the promise to expand access to safe pathways for a wider group of people.

However, this analysis underlines how creating the conditions for EU and national admission schemes to operate on a larger scale would require reconsidering some of the main assumptions underpinning Member states' admission policies. This includes recognising how a rigid distinction between the circumstances of different groups of people on the move (e.g., between people in need of protection and those seeking better livelihoods) does not reflect the complex political and social dynamics shaping migrant decision-making processes. It also implies acknowledging how in reality the boundaries between people in a 'regular' or 'irregular' situation are not easily drawn, and that such status is impacted by a range of contextual factors (e.g., administrative and practical barriers, lack of adequate international protection systems in countries of first arrival) which may change during migration journeys.

A comprehensive and protection-oriented approach to human mobility along key routes can contribute to address gaps in assistance to people on the move and help connect them to safe pathways. This Policy Brief suggests that, for that potential to materialize, EU and national policy makers should consider the following priorities:

**1) Design integrated responses linking information provision, referral mechanisms and targeted support in accessing safe pathways.** EU and national policies should be driven by a protection rationale and focus on providing migrants comprehensive information on how to receive assistance according to their needs, coupled with referral mechanisms that can support them in accessing safe mobility options. Besides establishing new pathways, progress is needed to identify and tackle bottlenecks that characterize the admission systems of existing channels. Building an effective (digital) infrastructure linking migrants and refugees with actors or services in destination countries that can support their admission and inclusion process (e.g., private sponsors, civil society organisations, or employers) is key to ensure that individuals can autonomously access existing pathways, irrespective of factors such as the country in which they reside or the possibility to seek support from specialized agencies or intermediary organizations.

At the same time, an expanded use of digital technologies in this field needs to be accompanied by strong monitoring and evaluation frameworks to ensure respect of data protection and privacy standards and avoid the risk that digital tools (e.g., 'matching' algorithms to connect refugees with sponsors and services) end up reinforcing biases and produce discriminatory outcomes towards specific individuals or groups.

**2) Incorporate evidence on migrant decision-making processes in the development of safe pathways.** An evidence-based and context-specific understanding of the dynamics shaping migrant decision-making is key to assess the potential impact that different types of safe pathways may have

on mobility decisions, including their role in reducing incentives to irregular movements. Policy responses need to consider evidence on the key factors (economic, social or policy-related) shaping the perceptions and expectations of people on the move, and how their decisions evolve in response to the specific circumstances they face at different stages of their journeys.

**3) Acknowledge the limited effectiveness and (un)intended consequences of EU migration control policies on human mobility.** A focus on the steps needed to expand the scope (and accessibility) of safe admission pathways should be accompanied by a comprehensive assessment of existing EU efforts to control and deter migration, in particular their negative impacts of on mobility patterns in different regional contexts. EU policy makers should carefully assess and mitigate potential negative impacts resulting from ongoing initiatives that engage third countries in counter smuggling efforts, as in the case of Anti-Smuggling Operational Partnerships (ASOPs) launched with a group of countries (such as Morocco and Tunisia). Specific attention should be given to reduce the (concrete) risk that such initiatives may lead to increased criminalisation of migrants and refugees, restrictions to their freedom of movement and barriers to accessing protection. Additionally, policy responses should consider evidence showing how adopting a narrow law enforcement approach to smuggling and irregular migration – which disregards the extent to which migration facilitation activities are embedded in the social and economic fabric of countries of origin and transit – may end up reinforcing (rather than breaking) the 'business model' of criminal smuggling groups.

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# 1. Introduction

The management of migration and asylum remains a priority for the EU and its Member States. In 2023, UNHCR reported 270,180 arrivals across the main Mediterranean routes towards Europe, reaching a 7-year high.<sup>1</sup> People on the move along these routes face high risks: they are often forced to undertake long and dangerous journeys and are exposed to violence, abuse, and human rights violations. IOM reported at least 3,105 deaths in the Mediterranean Sea in 2023, showing a constant increase over the previous three years.<sup>2</sup>

EU institutions finalised the adoption of the Pact on Migration and Asylum in May 2024, after a four-year long negotiation process. To manage the transition process towards the new legislative framework, the European Commission put forward a 'two-track approach' combining a focus on ensuring the successful completion of the Pact legislative process with an 'operational track' consisting of priority actions to provide support to Member States facing arrivals at their borders.

In 2022 and 2023, the implementation of this operational track led to the adoption of four Action Plans that identify a set of priorities for the main identified migratory routes to Europe: Central Mediterranean, Western Mediterranean and Atlantic, Eastern Mediterranean and the Western Balkans, plus a '10-point plan for Lampedusa' aimed at providing immediate support to Italian authorities. The above Action Plans seek to operationalise a 'route-based' or 'whole-of-route' approach to mixed migration in cooperation with countries of origin and transit (see section 2 below). Priority actions fall within different categories: counter smuggling and trafficking, border management, return and readmission, resettlement and complementary pathways for refugees, as well as labour migration pathways for people not in need of protection.

A closer look at the initiatives listed in the Action Plans, however, indicates that EU and Member States' efforts have predominantly focused on counter smuggling, border control and readmission, while actions aimed at opening up safe and regular pathways to Europe have remained significantly underdeveloped. This Policy Brief zooms on this latter component of the EU 'route-based approach' and provides a critical overview of existing initiatives that give access to pathways in Europe for people travelling along migratory routes. It focuses on three interlinked components which are key to ensure effective access to those pathways: (1) information provision on safe avenues to Europe through information campaigns and migrant information centres; (2) protection pathways for people in need of protection in the form of resettlement and complementary pathways of admission; and (3) labour migration pathways that could be used by potential migrants in countries of origin or transit.

The analysis builds on a mapping of policy instruments currently in place at the EU level and in six selected Member States: Austria, Germany, Italy, the Netherlands, Slovakia, and Sweden. The methodology for conducting the mapping consisted of desk research covering relevant strategic and policy documents as well as secondary sources, including scholarly research and reports produced by international organizations, think tanks and civil society organisations.

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<sup>1</sup> The majority of arrivals were reported along the Central Mediterranean route connecting North Africa to Italy (157,301). See UNHCR, '[Mediterranean Situation](#)', accessed 28 June 2024.

<sup>2</sup> IOM recorded over 29,000 missing people in the Mediterranean since 2014. See IOM, '[Missing Migrants](#)', accessed 28 June 2024.

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The choice to combine an analysis of EU and Member States' instruments reflects the voluntary nature of EU cooperation in the field of resettlement and other admission pathways and the wide level of autonomy Member States retain in this field. In addition, selected Member States display varied migration situations in terms of spontaneous arrivals, asylum requests and labour migration dynamics. These factors are expected to facilitate the emergence of different approaches to the use of safe pathways, also reflecting the specific policy and legal framework in place in each of the selected countries.

The analysis identifies and discusses a set of conceptual and operational issues associated with EU and national initiatives aimed at scaling up pathways for migrants and refugees which are targeted to the needs and the specific circumstances they face during their journeys. It highlights how the structural lack of safe pathways and the dearth of initiatives to provide substantive information on existing mobility options are grounded in the prevalence of policy agendas prioritising containment over safe and sustainable mobility. In addition, it underlines how informational, logistical and administrative barriers still prevent many potential beneficiaries from accessing existing pathways and navigating complex admission procedures.

The Policy Brief identifies three priority areas for improving access to safe pathways in the context of a route-based approach to migration movements. First, those schemes should be made available early on during the migration journey (i.e., in countries of origin or first arrival) and be designed in a way to lift or at least reduce the multiple barriers currently faced by potential applicants. It also requires working to establish integrated procedures that link information provision, assistance, and referral to services that can support people in accessing mobility options, for example by expanding the scope and functions of existing migrant information centres.

Second, initiatives to facilitate access to safe pathways should be based on an evidence-based and context-specific understanding of the key factors (e.g., political, economic, social, or cultural) shaping migration dynamics and migrant decision-making processes. This aspect is relevant given that EU and national policy discourses support creating additional regular pathways insofar as the latter can contribute to reducing irregular arrivals to Europe. Grounding policy responses on a solid evidence base is also key to avoid overemphasizing the potential impact of specific admission instruments on migration dynamics, and the related risk that the establishment of new pathways may be instrumentally used to justify restrictive migration policies.

Third, a comprehensive approach to migrant and refugee mobility implies looking beyond the role played by specific pathways and focus on the broader impacts that EU and national migration control initiatives have on mobility patterns in different geographical contexts, and their implications on access to protection and sustainable livelihoods for the affected populations. Over recent years, the EU external migration agenda has seen the intensification of diplomatic and financial efforts to increase third countries' cooperation in the field of border control, counter smuggling and readmission. This process, however, has not been accompanied by the establishment of adequate monitoring and evaluation mechanisms to anticipate and address the potential negative impacts of those policies on migrants' fundamental rights, in particular on their freedom of movement and access to protection.

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## 2. Tracing the emergence of a route-based approach to migration

### a) International frameworks and initiatives

International debates and initiatives developed within the framework of the UN Global Compact on Refugees (GCR) and the Global Compact on Migration (GCM) put a strong emphasis on improving existing responses to migrants and refugees' movements through increased collaboration among relevant stakeholders. The GCR, for example, aims at improving responses to displacement situations by applying a Comprehensive Refugee Response Framework (CRRF), which focuses on identifying and registering people in need of protection, enhancing refugee self-reliance and expanding access to third-country solutions (resettlement and complementary pathways of admission).<sup>3</sup> The GCM refers to the importance of considering factors and dynamics shaping migration movements along different migration routes. To that aim, it identifies the following priority areas: expanding access to information and referral mechanisms at all stages of migration journeys, addressing human smuggling and trafficking, and expanding safe migration pathways, including for migrants in a vulnerable situation.<sup>4</sup>

Building on these foundations, UNHCR and IOM have called for a route-based approach to 'mixed' migration movements, arguing that effective protection-based approaches should be coordinated and developed through a regional lens and with a focus on the 'whole' migratory route.<sup>5</sup> While promoting a route-based approach is understood as a global initiative, Europe is considered a key region given its position as the end point of several identified migration routes, including those originating in East, Central and Western Africa.<sup>6</sup>

#### Box 1 – What is a migration 'route'?

A migration route can be understood as a non-linear geographical space shared by people on the move. Movements along identified routes, such as those connecting East and West Africa to the North African coast of the Mediterranean and across the sea, are often described as 'mixed', e.g., including people in need of international protection as well as people seeking better livelihoods. People on the move along these routes are exposed to different forms of abuses and exploitation along the journey, including the risk of becoming victims of trafficking. However, it should be acknowledged that in most cases migration journeys are not linear. People tend to move independently and following a multiplicity of trajectories that hardly resemble an organised and recognisable 'route'. Importantly, migration journeys are impacted by several factors, including shifting security contexts, natural or human-made disasters, and, crucially, border control and migration management policies.

Source: International Federation of Red Cross and Red Crescent Societies (IFRC), ['Assisting and protecting vulnerable migrants along migratory trails'](#), 2021

<sup>3</sup> United Nations General Assembly, ['Global Compact on Refugees'](#), 2018, Part II.

<sup>4</sup> United Nations General Assembly, ['Global Compact for Safe, Orderly and Regular Migration'](#), 11 July 2018.

<sup>5</sup> UN News, ['UNHCR, IOM Outline New Approach to Assist Growing Number of Migrants'](#), updated July 24, 2023. According to UNHCR, people travelling as part of mixed movements may include asylum-seekers, refugees, stateless people, victims of trafficking, unaccompanied or separated children, and migrants in an irregular situation. UNHCR specifies that "often such movements are irregular, in the sense that they take place without the requisite documentation and frequently involve human smugglers and traffickers". UNHCR, ['Refugee Protection and Mixed Migration: A 10-Point Plan of Action'](#), January 2007.

<sup>6</sup> UNHCR, ['UNHCR's Grandi on need for 'panoramic' approach to mixed movements'](#), 21 April 2023.

The main rationale for adopting a route-based approach is that of expanding protection and solutions at key points along migration routes through integrated interventions by states authorities and other key stakeholders, including international humanitarian and civil society organisations. Key components of a route-based approach include ensuring access to territory and promoting the establishment of effective asylum systems, providing assistance to migrants and local communities in countries of first asylum by combining humanitarian aid and development assistance, and expanding safe and regular options for refugees and migrants who would not qualify for international protection status in Europe.<sup>7</sup>

According to international stakeholders, a route-based approach can inform a better understanding of the main building blocks that need to be in place for expanding access to safe pathways for all people on the move, irrespective of their status. Specifically, it may help to foster cooperation among relevant stakeholders and help them design a set of integrated steps that link access to information, counselling, referral to specific options based on individual circumstances, and ensure provision of administrative and logistical support throughout the admission process.<sup>8</sup>

## b) EU-level initiatives

At the EU level, the implementation of a route-based approach has been associated with a set of operational measures deployed by the European Commission to provide support to Member States facing migration arrivals, while enhancing cooperation with third countries.<sup>9</sup> The Commission described this 'operational track' as a complement to the process of legislative reform pursued within the framework of the Pact on Migration and Asylum. In 2022-2023, the Commission adopted four Action plans focusing on specific migratory routes (Central Mediterranean, Eastern Mediterranean, Western Mediterranean and Atlantic, and Western Balkan), and a 10-point plan for Lampedusa which aimed at providing immediate support to Italian authorities facing increased sea arrivals.<sup>10</sup>

Initiatives aimed at preventing irregular migration by combatting smuggling and trafficking in human beings feature prominently among those listed in the above-mentioned documents. As an example, the 10 Point Action Plan for Lampedusa includes the following measures related to counter-smuggling: taking action against the supply chains and logistics of smugglers; increasing awareness and communication campaigns to disincentivise Mediterranean crossings; establishing Anti-smuggling Operational Partnerships (ASOPs) with selected countries of origin and transit.<sup>11</sup>

ASOPs provides a good example of EU external action on counter smuggling. The ASOP launched with Morocco in 2022 aims at supporting enhanced cooperation between Moroccan law enforcement

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<sup>7</sup> UNHCR, '[High Commissioner's opening statement to the Executive Committee of the High Commissioner's Programme](#)', 9 October 2023; [74th Session of the Executive Committee of the High Commissioner's Programme – Statement by Ms Gillian Triggs, Assistant High Commissioner for Protection](#)', 12 October 2023; IOM-UNHCR, '[Serving and Protecting Together: IOM/UNHCR Framework of Engagement](#)', 2022.

<sup>8</sup> UNHCR, '[Mapping of Protection Services April 2024. A Routes-Based Approach to Protection Services Along Mixed Movement Routes](#)', 2024.

<sup>9</sup> European Commission, '[Achievements of the von der Leyen Commission. Managing migration responsibly](#)', June 2024 ; '[Progress made to manage migration and asylum in the EU](#)', Press release, 12 March 2024.

<sup>10</sup> European Commission, '[EU action plan for the Central Mediterranean](#)', 21 November 2022; '[EU Action Plan for the Eastern Mediterranean route](#)', 18 October 2023; '[EU Action Plan on the Western Balkans](#)', 5 December 2022; '[EU Action Plan on the Western Mediterranean and Atlantic migration routes](#)', 6 June 2023; '[10-Point Plan for Lampedusa](#)', 17 September 2023.

<sup>11</sup> European Commission, '10-Point Plan for Lampedusa'.

authorities and EU agencies (Europol and CEPOL); it also aims at implementing awareness-raising and information campaigns in Morocco on the risks related to irregular migration.<sup>12</sup> A similar operational partnership was concluded with Niger in 2022 but its implementation was put on hold following the regime change in the country in July 2023.<sup>13</sup> The Commission also launched ASOPs with countries in the Western Balkans during the EU-Western Balkans Justice and Home Affairs Ministerial Conference on 3 November 2022.<sup>14</sup> An ASOP with Tunisia was announced in April 2023.<sup>15</sup> The possibility to develop similar partnerships with Bangladesh and Pakistan is currently being explored.<sup>16</sup>

ASOPs seek to operationalise a comprehensive approach to counter smuggling as laid down in the 2021 EU Renewed Action Plan against migrant smuggling (see Figure 1 below). This approach combines a focus on law enforcement measures – such as strengthening criminal sanctions against smugglers and reinforcing operational cooperation and sharing of information between Member States' authorities, EU agencies and third countries – with a focus on actions aiming at influencing migrants' behaviour at different stages of their journeys.<sup>17</sup> A way in which this latter objective is pursued is through information provision tools (i.e., information campaigns and migrant information centres) that seek to alter migrants' perceptions and beliefs about the risks associated with irregular migration and inform them about regular migration alternatives.<sup>18</sup>

However, the possibility that migrants would opt for safe and regular routes rather than moving irregularly is premised on the concrete availability of those pathways.<sup>19</sup> As underlined in the next section, facilitating access safe pathways has remained an underdeveloped component of the EU policy toolbox. Furthermore, ongoing EU and Member states' initiatives that seek to use safe pathways as a way to reduce irregular migration call for further investigation of their conceptual assumptions, as well as the specific operational modalities through which they seek to achieve their stated objectives.<sup>20</sup>

<sup>12</sup> European Commission, '[Joint press release: European Commission and Morocco launch renewed partnership on migration and tackling human smuggling networks](#)', 8 July 2022.

<sup>13</sup> European Commission, '[Update on the state of play of external cooperation in the field of migration policy](#)', 5484/24, Brussels, 6 February 2024.

<sup>14</sup> Council of the European Union, '[Western Balkans route](#)', accessed 28 June 2024.

<sup>15</sup> European Commission, '[The European Commission and Tunisia have expressed the willingness to establish a stronger partnership on migration, anti-smuggling and the promotion of legal migration](#)', News Article, 27 April 2023.

<sup>16</sup> European Commission, 'EU Action Plan for the Eastern Mediterranean route'.

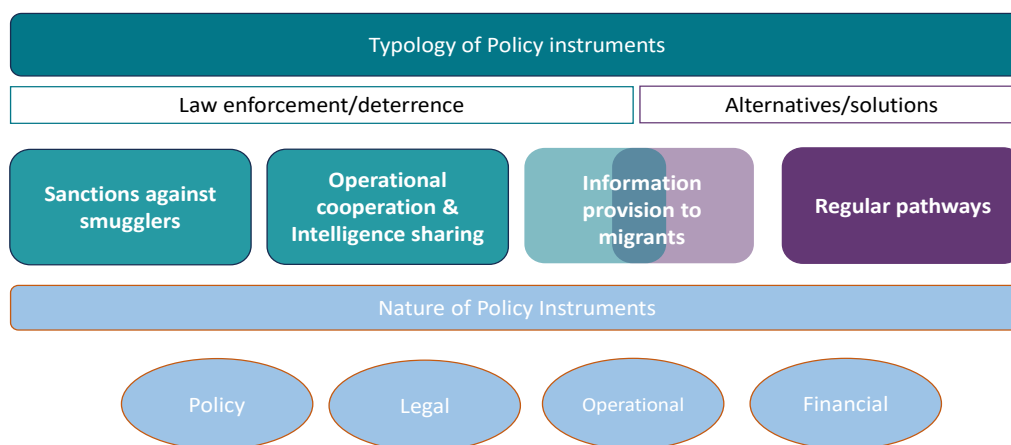
<sup>17</sup> European Commission, '[A renewed EU action plan against migrant smuggling \(2021-2025\)](#)', Brussels, 29.9.2021, COM(2021) 591 final, p.1.

<sup>18</sup> Seefar, '[Study on best practices in irregular migration awareness-raising campaigns](#)', Final Report, 2021.

<sup>19</sup> European Commission, '[Call To Action On A Global Alliance To Counter Migrant Smuggling](#)', November 2023; European Commission, 'A renewed EU action plan against migrant smuggling'.

<sup>20</sup> Jeff Crisp, '[Unpicking the notion of 'safe and legal' routes](#)', Mixed Migration Centre, 6 December 2022.

**Figure 1 – EU 'comprehensive approach' to counter smuggling**



Source: author's own elaboration based on European Commission, '[A renewed EU action plan against migrant smuggling \(2021-2025\)](#)'.

### 3. Safe migration pathways to Europe: State of play and limitations of current policies

This section provides an overview of the most relevant instruments created at the EU-level and in the six selected Member States to expand safe pathways for refugees and migrants. The section describes the main policy features of those instruments and discusses the extent to which they can provide predictable and effective alternatives to dangerous journeys towards Europe.

The analysis focuses on three main interlinked policy tools:

- a) **Information provision instruments.** These may include different kinds of information or awareness raising campaigns as well as migrant information centres targeting people on the move and potential migrants in countries of origin. While those instruments may pursue different objectives, including raising awareness on the risks associated with irregular journeys, one of their stated aims is that of offering information on 'alternatives' to irregular migration, including available safe pathways.
- b) **Protection pathways, in the form of resettlement and complementary pathways of admission for refugees** (such as channels based on labour, study or extended family reunification programmes). Those programmes may be implemented by EU Member States bilaterally or linked to joint schemes coordinated or funded by the EU.
- c) **Labour pathways for people who are not in need of international protection.** These may take the form of permanent or temporary labour admission instruments, and target people with different

skill levels. Labour pathways can be established as part of bilateral or multilateral labour migration agreements, such as in the framework of skills partnerships.<sup>21</sup>

## a) Information provision instruments

Migrant information campaigns have emerged as key component of EU and national strategies to address irregular migration in cooperation with third countries, such as in the context of the above mentioned ASOPs.<sup>22</sup> According to a 2021 Study requested by the European Commission, more than 100 information and awareness-raising campaigns targeting potential migrants had been supported through EU and Member States' funding since 2014.<sup>23</sup> At the EU level, information campaigns have been funded through Justice and Home Affairs (JHA) funding, such as the Asylum Migration and Integration Fund (AMIF),<sup>24</sup> as well through development funding, for example the EU Trust Fund for Africa until 2021 and, since then, the NDICI Global Europe instrument.<sup>25</sup> The implementation of information campaigns has been entrusted to Member States' agencies, international organisations (such as IOM and UNHCR), local NGOs and private actors, including telecommunications and technology companies.<sup>26</sup>

The review of information campaigns currently implemented in the six Member States covered by this Policy Brief shows how the main focus of those initiatives has been on informing potential migrants about the risks of moving irregularly and countering 'misinformation' spread by smugglers. Only to a limited extent those initiatives have focused on providing information on existing safe and regular alternatives.<sup>27</sup>

Information campaigns are not the only tool that has been used by EU and national governments to provide information and try to influence migrants' decision-making processes. Migrant information centres have been established in a several countries of origin and transit.<sup>28</sup> For example, Migrant Resource Centres (MRCs) implemented by IOM are presented as based on a 'holistic' approach that combines information initiatives aimed at preventing irregular migration, facilitating legal migration

<sup>21</sup> While not the subject of this Policy Brief, other channels that can contribute to expand safe migration options to EU Member States include family reunification and study pathways. See IOM, '[Family Reunification 20th Anniversary of Directive 2003/86/EC](#)', Research Brief, December 2023; European Migration Network (EMN), '[Attracting and retaining international students in the EU](#)', EMN Synthesis Report, September 2019.

<sup>22</sup> European Commission, 'A renewed EU action plan against migrant smuggling (2021-2025)', p. 13; European Commission, '[Joint press release: Strengthening cooperation in the fight against migrant smuggling: the European Union and Niger launch operational partnership to tackle migrant smuggling](#)', Press release, 15 July 2022.

<sup>23</sup> Seefar, 'Study on best practices in irregular migration awareness-raising campaigns', p. 23.

<sup>24</sup> European Commission, '[Information and awareness raising campaigns on the risks of irregular migration in third countries and within Europe AMIF-2022-TF1-AG-INFO](#)', 2022.

<sup>25</sup> Oxfam, '[From Development to Deterrence? Migration spending under the EU Neighbourhood Development and International Cooperation Instrument \(NDICI\)](#)', Briefing Paper, September 2023.

<sup>26</sup> See, for example, UNHCR, '[The Central Mediterranean Route: Working on the Alternatives to Dangerous Journeys 2017](#)'; IOM, '[About the EU-IOM Joint Initiative](#)', accessed 28 June 2024.

<sup>27</sup> Examples of recent awareness raising campaigns focusing on the risks of irregular migration funded by the selected EU Member States include: '[Aware Migrant](#)' (Italy); '[Rumours about Germany – facts for migrants](#)'; '[International Information Campaign](#)' (Sweden). See also ICMPD, '[The role of information campaigns in addressing irregular migration](#)', Policy Brief, July 2022; Pierluigi Musarò, '[Aware Migrants: The role of information campaigns in the management of migration](#)', *European Journal of Communication*, 34(6), 2019, pp. 1–12.

<sup>28</sup> IOM, '[Nigeria: Migrant Resource Centres Instrumental in Reducing Irregular Migration](#)', Press Release, 13 November 2018; '[IOM Opens New Office and Migrant Resource Centre in Key Migration Route in Eastern Sudan](#)', Press Release, 27 June 2021; '[IOM's Response Centres Offer A Crucial Lifeline For Stranded Ethiopian Migrants](#)', 13 November 2023.

and promoting sustainable return.<sup>29</sup> MRCs have also been implemented by ICMPD as part of the project 'Improving Migration Management in the Silk route countries' (Afghanistan, Bangladesh, Iraq, Pakistan, Tajikistan and Sri Lanka).<sup>30</sup> Information on regular pathways provided in those centres covers existing resettlement programmes, and possible employment and scholarship opportunities in destination countries.<sup>31</sup>

Some Member States have also established their own migrant information centres. In 2023, Germany launched its 'Centres for Migration and Development' in Egypt, Ghana, Indonesia, Iraq, Jordan, Morocco, Nigeria, Pakistan and Tunisia. According to German authorities, those centres aim to offer neutral advice to potential migrants residing in those countries to realistically assess their migration options and make informed decisions. In addition, those centres provide training programmes that either prepare migrants to move to Germany for work or training purposes or support the socio-economic reintegration of returnees in their countries of origin.<sup>32</sup>

**Table 1 – Types of Information provision instruments**

	Specific Themes/Activities	Targeted Group	Communication Methods	Examples
Information Campaigns	<ul style="list-style-type: none"> <li>Risks of being victim of trafficking /smuggling.</li> <li>Risks associated to irregular migration journeys.</li> <li>Alternatives to irregular migration (regular pathways).</li> </ul>	Potential migrants and communities at large in countries of origin and transit.	<ul style="list-style-type: none"> <li>Peer-to-peer messaging, workshops, social activities (e.g., parades, concerts, sport-related activities).</li> <li>Multimedia communication channels: TV and radio programmes; newspapers, billboards, flyers; social media platforms (e.g. YouTube).</li> </ul>	<p><b>AT:</b> 'Smugglers are lying'</p> <p><b>DE:</b> 'Rumores about Germany'</p> <p><b>IT:</b> 'Aware Migrants', 'CinemArena'</p> <p><b>NL:</b> 'Surprising Europe'; 'Migrants as Messengers'</p> <p><b>SE:</b> 'International Information Campaign'</p>
Migrant Information Centres	<ul style="list-style-type: none"> <li>Risk of irregular migration journeys.</li> <li>Regular pathways and procedures for legal migration and employment.</li> <li>Services for migrants (e.g. legal and medical counselling and training modules).</li> <li>Return processes and reintegration support.</li> </ul>	Potential migrants and returnees in countries of origin and transit (e.g. major cities or transit 'hubs').	<ul style="list-style-type: none"> <li>Meeting spaces, information/help desk, counselling offices.</li> <li>Multimedia communication channels: e.g. hotlines, websites, newsletters, online training modules.</li> </ul>	<p><b>EU funded:</b></p> <p>'Silk Route' Project: ICMPD Migrant Resource Centres established in six Central and South Asian countries.</p> <p>IOM Migrant Resource Centres: established in countries of North Africa, the Sahel and Lake Chad region, and the Horn of Africa (supported by the EU-IOM Joint Initiative).</p> <p><b>DE:</b> Centres for Migration and Development</p>

Source: author's own elaboration based on Seefar, '[Study on best practices in irregular migration awareness-raising campaigns](#)'. Final Report, 2021; IOM, '[Information/Resource Facilities](#)'; '[IOM's Migrant Resource Centres](#)'; ICMPD, '[Migrant Resource Centres \(MRC\)](#)'

The proliferation of migrant information initiatives has gone hand in hand with an increased recognition among policy stakeholders that limited evidence is available regarding the effectiveness

<sup>29</sup> See IOM, '[IOM's Migrant Resource Centres](#)', accessed 28 June 2024.

<sup>30</sup> ICMPD, '[Improving Migration Management in the Silk Routes Countries](#)', accessed 28 June 2024.

<sup>31</sup> ICMPD, '[Migrant Resource Centres \(MRC\)](#)', accessed 28 June 2024.

<sup>32</sup> Federal Ministry for Economic Cooperation and Development (Germany), '[Centres for Migration and Development](#)', accessed 28 June 2024.

of those initiatives in influencing migration decision-making.<sup>33</sup> Challenges related to measuring the effectiveness of awareness raising campaigns are compounded by a lack of clarity regarding their underlying objectives, as they often combine humanitarian and protection considerations with the goal of reducing irregular migration and countering migrant smuggling.<sup>34</sup> Even more limited is the evidence related to the impact of activities carried out within the context of migrant information centres.<sup>35</sup>

One of the assumptions underpinning awareness raising initiatives is that individuals who decide to migrate to Europe are not fully aware of the risks associated with irregular movements.<sup>36</sup> Existing research, however, supports the conclusion that potential migrants are well aware of the risks they will face during their journeys.<sup>37</sup> They choose to move irrespective of those risks because they see migration as the only feasible alternative, and as a 'safer' option than remaining in their countries of origin (or transit).<sup>38</sup>

Additionally, evaluations of past information campaigns have underlined how the likelihood that migrants would change their intentions to migrate irregularly is linked to the concrete existence of viable alternatives, either in the form of sustainable life opportunities at home or regular migration opportunities in another country.<sup>39</sup> Importantly, when information campaigns refer to regular migration opportunities in a generic manner, without adequate support or counselling on how to access those channels in practical terms, these measures have limited effect in altering migrants' decisions. Even worse, the promise of safe mobility options without concrete indications on how to access them and on the time needed for finalising the admission process may contribute to raise false expectations and undermine people's trust in existing and future policy measures.<sup>40</sup>

<sup>33</sup> Seefar, 'Study on best practices in irregular migration awareness-raising campaigns'; Marika McAdam, '[To what extent and how should individuals and communities other than migrants be targeted by awareness raising campaigns as an effective strand of EU migrant smuggling prevention policy?](#)' Progress Policy Brief, London: Chatham House, 2023; Evie Browne, '[Impact of communication campaigns to deter irregular migration](#)', GSDRC Helpdesk Research Report 1248, Birmingham, UK, 2015; Jasper Tjaden, Sandra Morgenstern, Frank Laczko, '[Evaluating the impact of information campaigns in the field of migration. A systematic review of the evidence, and practical guidance](#)', IOM's IOM Global Migration Data Analysis Centre, Issue No. 1, 2018.

<sup>34</sup> Seefar, 'Study on best practices in irregular migration awareness-raising campaigns', p. 29.

<sup>35</sup> As an exception, see James Dennison, '[Impact assessment of the Migrant Resource Centres in the Silk Routes Region, ICDPM, Improving Migration management in the Silk Routes](#)', ICMPPD, September 2022.

<sup>36</sup> IOM, '[Do awareness-raising campaigns on the risks of irregular migration support safer migration decisions? IOM research provides new evidence](#)', Migration Data Portal, 25 January 2023.

<sup>37</sup> Antoine Pécoud, 'Informing Migrants to Manage Migration? An Analysis of IOM's Information Campaigns'. In M. Geiger & A. Pécoud (Eds.), *The Politics of International Migration Management*, Palgrave Macmillan, 2010.

<sup>38</sup> María Hernández-Carretero and Jørgen Carling '[Beyond 'kamikaze migrants': Risk taking in West African boat migration to Europe](#)', *Human Organization*, 71(4), 407–416, 2012; Céline Nieuwenhuys and Antoine Pécoud, '[Human trafficking, information campaigns, and strategies of migration control](#)', *American Behavioral Scientist*, 50(12), 1674–1695, 2007; Milena Belloni, '[Risk in context: Decision-making in irregular and mixed migration](#)', Mixed Migration Centre, 6 December 2022.

<sup>39</sup> IOM, '[Migrants' Perspective: Migration Journeys and Decision-Making](#)', accessed 28 June 2024.

<sup>40</sup> Seefar, 'Study on best practices in irregular migration awareness-raising campaigns', p. 45.

## b) Protection pathways

Expanding resettlement and complementary pathways of admission is key to address the vulnerabilities of people on the move and increase their access to durable solutions.<sup>41</sup> Given the limited number of places available to date, resettlement has so far provided only a minor contribution to addressing global protection needs.<sup>42</sup>

Since 2015, a number of EU coordinated resettlement schemes have favoured the admission of around 119,000 refugees in the Member States participating in those initiatives.<sup>43</sup> At the 2023 Global Refugee Forum, Member States pledged 61,000 new places for resettlement and humanitarian admission for the period 2024-2025.<sup>44</sup> The adequacy of those pledges has been put into question, not least in light of increasing global resettlement needs (from 1.4 million in 2020 to 2.4 million in 2024). Observers have noted how the number of participating Member States under the latest scheme has decreased compared to those participating in 2023 (from 17 to 14 participants). Member States have also faced challenges in fulfilling their pledges, failing to meet their combined resettlement targets every year in the period 2020-2023.<sup>45</sup>

The EU Regulation on a Union Resettlement and Humanitarian Admission Framework, adopted in May 2024 as part of the Migration Pact's legislative package, aims to establish a structured resettlement system by setting common eligibility criteria and refusal grounds, as well as common rules regarding the status to be granted to resettled persons.<sup>46</sup> According to the Regulation, EU resettlement efforts should contribute to alleviate pressure on countries hosting a large number of persons in need of protection, while reducing dangerous onward movements. However, the concrete impact of this Regulation in expanding resettlement to Europe remains to be seen, given that Member States will continue to provide resettlement and humanitarian admission places on a voluntary basis.

In parallel, EU and national initiatives aimed at creating complementary pathways of admission have so far remained limited in scale (see Table 2 below). Most of the programmes supported with EU funding are still in the pilot phase.<sup>47</sup> The implementation of those schemes has proved to be time and resource intensive so that their future sustainability remains a key concern for participating stakeholders.<sup>48</sup> In some cases, civil society actors involved in the development of those instruments

<sup>41</sup> UNHCR, '[Mapping of Protection Services April 2024. A Routes-Based Approach to Protection Services Along Mixed Movement Routes](#), 2024.

<sup>42</sup> UNHCR, '[Global Appeal 2024. Resettlement, complementary pathways and family reunification](#)', accessed 28 April 2024.

<sup>43</sup> European Commission, '[Resettlement and other pathways to protection](#)', accessed 28 June 2024.

<sup>44</sup> European Commission, '[EU announces 61,000 new resettlement and humanitarian admission places at the Global Refugee Forum](#)', Press release, 15 December 2023.

<sup>45</sup> International Rescue Committee, '[IRC on the EU's refugee resettlement pledges: "The status quo is simply not good enough"](#)', 18 December 2023.

<sup>46</sup> European Parliament/Council of the EU, '[Regulation \(EU\) 2024/1350 of The European Parliament and of the Council of 14 May 2024 establishing a Union Resettlement and Humanitarian Admission Framework, and amending Regulation \(EU\) 2021/1147](#)', OJ L, 22.5.2024.

<sup>47</sup> European Commission, '[Commission Recommendation \(EU\) 2020/1364 of 23 September 2020 on legal pathways to protection in the EU: promoting resettlement, humanitarian admission and other complementary pathways](#)', L 317/13, 1.10.2020; '[AMIF Funding Call 2020: Complementary pathways for protection and integration](#)', 15 October 2020.

<sup>48</sup> Claire Rimmer, '[Pathways to Protection: Mapping visa schemes and other practices enabling people in need of international protection to reach Europe safely](#)', ECRE Report, March 2024.



have been confronted with ambiguous stances from governmental authorities, which have presented those initiatives as a substitute, rather than a complement, to territorial asylum.<sup>49</sup>

**Table 2 – Resettlement and complementary pathways of admission for refugees**

	Targeted beneficiaries	Examples
Resettlement Programmes	People recognised as refugees by UNHCR who fall within the scope of UNHCR resettlement submission categories (e.g. legal and/or physical protection needs, women or children at risk, survivors of violence and torture, medical needs).	<b>EU:</b> EU-coordinated resettlement schemes <b>DE:</b> NeST - New Start in a Team (community sponsorship) <b>NL:</b> National resettlement programme <b>IT:</b> National resettlement programme <b>SE:</b> National resettlement programme
<b>Complementary Pathways</b>		
Humanitarian Admissions	Individuals with protection needs similar to resettlement. However, beneficiaries are usually admitted with temporary status. Mostly used in situations of large scale displacement.	<b>AT:</b> Humanitarian Admission Programme for Syria <b>DE:</b> Humanitarian Admission Program for Syria; Federal Humanitarian admission Programme for Afghanistan.
Humanitarian Visas	Individuals in clear need for international protection (which are requested to apply for asylum upon arrival). Additional eligibility criteria may include vulnerability or family connection in the country of destination.	<b>EU:</b> 'HUMCore - Humanitarian Corridors' project <b>IT:</b> Humanitarian Corridors
Extended Family Reunification	People in need of protection with extended family connections in admitting countries (e.g. dependent parents, unmarried adult children, siblings).	<b>DE:</b> Federal states' admission programmes
Education Pathways	People in need of protection selected on the basis of their education and language skills to participate in a higher education program.	<b>EU:</b> 'Password' project (Belgium, Ireland, Italy) <b>DE:</b> Leadership for Africa; Students at risk <b>IT:</b> University Corridors for Refugees (UNICORE); 'Mediterraneo' project; 'Pagella in Tasca' project
Labour Mobility Pathways	People in need of protection selected on the basis of their professional qualifications and skills and responding to labour needs of receiving countries.	<b>EU:</b> 'Displaced Talent for Europe (DT4E)' project (Belgium, Ireland, Portugal and the United Kingdom)

Source: author own elaboration based on UNHCR, ['Complementary Pathways for Admission to Third Countries'](#)

Existing research underlines how resettlement and other refugee admission programmes tend to be characterised by complex admission procedures and long processing times, as well as limited transparency over decision-making processes.<sup>50</sup> Improving access to protection pathways requires removing barriers that may prevent applicants from navigating admission procedures, providing adequate information throughout the process and create effective recourse mechanisms for rejected applicants. It further implies fostering individuals' agency and ability to autonomously access available pathways, without having to necessarily address intermediary organisations entrusted with implementing those programmes. To be effective, admission instruments should be context specific and tailored to the specificities of different displacement situations. For example, large-scale displacement situations may require adopting specific approaches, such as lifting visa requirements for refugee-producing countries or using simplified procedures to enable faster access to status.<sup>51</sup>

<sup>49</sup> Amnesty International et al., ['Joint Statement: Seven Priorities to Expand Resettlement and Safe Pathways to Europe'](#), 5 September 2023.

<sup>50</sup> Cathryn Costello, M. Sanjeeb Hossain, Maja Janmyr, Nora M. Johnsen, & Lewis Turner, ['Refugee Recognition and Resettlement'](#), ASILE Project Report, 3 May 2022.

<sup>51</sup> Violeta Moreno-Lax, ['Europe in Crisis: Facilitating Access to Protection, \(Discarding\) Offshore Processing and Mapping Alternatives for the Way Forward'](#), Red Cross EU Office, December 2015.

### c) Labour migration pathways

EU policy discourses on labour migration combine a rationale based on addressing labour market shortages and attracting talent to Europe with another one that seeks to use labour migration as a tool to reduce irregular movements. This 'dual purpose' approach is visible in recent EU labour migration initiatives, as in the case of EU Talent Partnerships (see Table 3 below).<sup>52</sup> According to the European Commission, Talent Partnerships aim at strengthening cooperation between the EU, Member States and third countries with a view to boost international labour mobility. In parallel, they should help to engage third countries strategically on migration management, in particular in the areas of return and readmission.<sup>53</sup> At the time of writing, Talent Partnerships had been launched with Morocco, Tunisia, Egypt, Pakistan and Bangladesh, while possible partnerships with Nigeria and Senegal are also being considered.<sup>54</sup>

EU Member States have also developed specific policy instruments that seek to use labour migration channels to reduce irregular migration. The so-called 'Western Balkan Regulation', adopted by the German government in 2015, resulted from an attempt to balance the adoption of restrictive asylum measures towards Western Balkan states (Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro and Serbia) with the opening up of labour pathways for citizens of those countries in Germany. The Regulation granted workers from the Western Balkans states special access to the German labour market, without setting any minimum language or professional qualification requirement.<sup>55</sup>

Over the period 2015-2020, German authorities issued around 244,000 (preliminary) approvals for taking up employment under the Regulation, leading to the admission of approximately 98,000 Western Balkans citizens.<sup>56</sup> In June 2023, the German Federal Government passed new legislation which increased the annual quota of the Western Balkan Regulation from 25,000 to 50,000 places. In that occasion, the government expressed the intention to extend the same model to other countries in the context of comprehensive migration agreements.<sup>57</sup> The number of asylum applications from Western Balkans's citizens in Germany dropped significantly after the introduction of the Regulation, from 120,000 applications in 2015 to a yearly average of 5,000 in the period 2018–2022. However, the causal role played by the Regulation in reducing asylum claims is difficult to determine as the initiative was implemented in conjunction with a package of restrictive asylum and border control measures targeting citizens of the same group of countries.<sup>58</sup>

<sup>52</sup> Kate Hooper, '[How Can Europe Deliver on the Potential of Talent Partnerships?](#)' MPI Europe Policy Brief, December 2021.

<sup>53</sup> European Commission, '[Communication on Attracting skills and talent to the EU](#)', Brussels, 27.4.2022 COM(2022), 657 final, p. 10.

<sup>54</sup> European Commission, '[Commission Communication. Striking a balance on migration: an approach that is both fair and firm](#)', COM(2024) 126 final.

<sup>55</sup> The only requisite was a valid job offer by a German employer, subject to a standard priority check by the German employment agency ensuring that there are no other eligible applicants in Germany available to take the job. Priority categories include German citizens, EU citizens, third country nationals legally residing in Germany, including asylum seekers. See Jessica Bither and Astrid Ziebarth, '[Creating legal pathways to reduce irregular migration? What we can learn from Germany's "Western Balkan regulation" Migration Strategy Group on International Cooperation and Development](#)', October 2018.

<sup>56</sup> Martin Wagner, Caitlin Katsiaficas, Gizem Güzelant, '[Germany's Western Balkans Regulation: Inspiration for facilitating refugee labour mobility?](#)', ICMPD Policy Brief, July 2023.

<sup>57</sup> Wagner, Katsiaficas and Güzelant, 'Germany's Western Balkans Regulation'.

<sup>58</sup> Bither and Ziebarth, 'Creating Legal Pathways to Reduce Irregular Migration?', p. 28.

**Table 3 – Labour migration pathways: selected policy instruments**

	Definition	Examples
Skills Mobility Partnerships	Cooperation frameworks that combine the establishment of legal migration opportunities with training and skill development programmes in partner countries. They may cover workers with different skill levels, type of mobility (temporary, permanent) and level of cooperation (bilateral, regional). They may include vocational training initiatives targeting not only migrants but also workers who remain in the country of origin.	<b>EU:</b> EU Talent Partnerships <b>EU/DE:</b> 'Toward a Holistic Approach to Labour Migration Governance and Labour Mobility in North Africa (THAMM)' project; Skills Partnerships between Senegal/Ghana and Germany. <b>DE:</b> 'Sustainable recruitment of nurses (Triple Win)' project; German-Moroccan Partnership for Training and Skilled Worker Recruitment
High-Skilled Admission programmes	They cover migrant workers with higher education qualifications or higher professional skills in accordance with the labour markets needs of the country of destination.	<b>EU:</b> EU Blue Card Directive <b>AT:</b> Red-White-Red Card <b>DE:</b> Job search opportunity card <b>NL:</b> Knowledge Migrant Scheme <b>SE:</b> Residence Permit for highly qualified persons to look for work
Temporary Admission Programmes	Temporary labour migration (TLM) is defined as migration to a country that is not intended to be permanent, i.e. lasting for a specified and limited period of time. TLM programmes may take the form of short-term or seasonal programs as well as longer term programs.	<b>EU:</b> Seasonal Workers Directive <b>AT:</b> Seasonal Workers Program <b>NL:</b> Residence Permit for Seasonal work <b>SE:</b> Seasonal Work Permit
Bilateral Labour Migration Agreements	Legally binding agreements or Memoranda of Understanding (MoU) between two states covering different aspects of labour migration.	<b>IT:</b> Labour Migration Agreements (Accordi Migrazione Lavoro)

Source: author own elaboration based on: EMN-OECD Inform [‘Skills Mobility Partnerships: Exploring Innovative Approaches to Labour Migration’](#), March 2022; EMN, [‘Ad Hoc Query on Existing bilateral agreements and programmes/projects on legal migration between member states and third countries’](#), August 2023.

The purported objective of widening labour migration opportunities as a way to disincentivize irregular journeys does not fit well with the prevalent focus on attracting highly skilled profiles that drives Member States’ selection policies.<sup>59</sup> While recent initiatives, such as EU Talent Partnerships, seek to address this gap by expanding opportunities to people with different skillsets, political resistances to expand labour migration opportunities other than high skills categories remain very strong. The prevailing political approach, however, contrasts with evidence showing that it is precisely the demand for workers with different skill levels across EU Member States’ labour markets which sustains (irregular) migration dynamics towards Europe.<sup>60</sup>

The design of labour pathways programmes has so far not focused enough on removing the range of obstacles preventing migrants from accessing available opportunities and navigating lengthy admission procedures. As illustrated by the case of Italy, the provision of labour migration quotas to workers from specific third countries by law has not resulted in a correspondent level of admissions

<sup>59</sup> See [‘The Expert Council’s Research Unit \(SVR Research Unit\)/Migration Policy Institute Europe \(MPI Europe\) 2019: Legal migration for work and training: Mobility options to Europe for those not in need of protection’](#), Berlin.

<sup>60</sup> Hein de Haas, *How Migration Really Works. The Facts about the Most Divisive Issue in Politics*. New York: Basic Books, 2023.

in the absence of an adequate matching infrastructure linking potential workers with available job opportunities.<sup>61</sup> Administrative bottlenecks and a lack of adequate capacity of visa processing systems have also negatively impacted the implementation of labour migration programmes, as in the case of Germany's Western Balkans Regulation.<sup>62</sup> An analysis of the current European policy landscape thus points to a wide scope for improvement when it comes to expanding access to labour pathways by providing targeted information and building effective matching mechanisms that support individual agency.

## 4. Enhancing access to safe pathways along migration journeys: Identifying policy priorities

### a) Develop integrated responses linking provision of information, referral mechanisms and support in accessing pathways

People on the move towards Europe are exposed to a variety of risks that may be compounded by different vulnerability factors (including factors related to age, gender, or specific health conditions). The specific circumstances in which many people are compelled to travel, for example the need to rely on unsafe means of transportation or resort to smugglers, may expose them to additional risks. As underlined among others by humanitarian organisations, EU and national strategies have addressed migration dynamics mostly through a deterrence logic.<sup>63</sup> Evidence from migration journeys across the Mediterranean and through Western Balkan states, however, shows how policies aimed at tightening border control and criminalising irregular movements have proved to be counter-productive since, rather than dissuading individuals from moving, they have resulted in the search for alternative and often more dangerous routes.<sup>64</sup>

A protection-oriented approach to migration movements along key routes can contribute to fill identified gaps in assistance and expand access to safe pathways. This requires developing integrated responses ensuring that migrants receive adequate information, assistance according to their needs and referral to services that can support them in accessing mobility opportunities. To add value, those responses need to consider a set of policy and operational requirements.

First, the design of safe pathways should be informed by timely and context-specific evidence on the societal, political and economic dynamics shaping migration processes in a region/country or along a specific route. The identification of suitable mobility options should consider vulnerability factors and protection needs associated with the circumstances experienced by migrants (e.g., those related to

<sup>61</sup> Roberta Perna, '[Legal migration for work and training: Mobility options to Europe for those not in need of protection - Italy case study](#)', FIERI Working Paper, July 2019; Camilla Devitt, '[The Admission of Foreign Workers to Italy: Closing the "Gap" with Northern Europe](#)'. In Claudia Finotelli and Irene Ponzio (Eds.) *Migration Control Logics and Strategies in Europe A North-South Comparison*, Springer, 2023, 189-206.

<sup>62</sup> Bither and Ziebarth, 'Creating legal pathways to reduce irregular migration?', p. 25.

<sup>63</sup> Danish Refugee Council, '[EU's actions on migratory routes must prioritize safe mobility and access to protection](#)', 12 December 2022.

<sup>64</sup> Ilse van Liempt, '[A Critical Insight into Europe's Criminalisation of Human Smuggling](#)', Swedish Institute for European Policy Studies European Policy Analysis', SIEPS 2016; Luca Raineri, '[Human smuggling across Niger: state-sponsored protection rackets and contradictory security imperatives](#)'; *Journal of Modern African Studies*, 56, 1, 2018, 63-86.

dangerous land or sea crossings, interactions with smugglers and border enforcement authorities, or lack of essential services when arriving in a new country).

Second, creating mobility pathways targeted to the specific situations of people on the move would require breaking existing operational and policy silos and designing interventions that cut across the mandate of different national agencies and international organisations (e.g. those responsible for humanitarian assistance, refugee protection, and labour migration), while leveraging on the role and expertise of local authorities and civil society organisations.

Third, EU and national policy makers should consider the legal and operational feasibility of replicating policy approaches currently developed in other contexts, such as Canada or the United States, based on a careful assessment of the strengths and limitations of those initiatives.<sup>65</sup> For example, in June 2023, the U.S. government, in cooperation with UNHCR, IOM, and a group of Central and Southern American countries, established Safe Mobility Offices (SMOs), as part of a broader regional strategy to manage migration within the American region (see box 2 below).<sup>66</sup> At SMOs, refugees and migrants are screened for eligibility to resettlement or other pathways, such as humanitarian parole, family reunification, and labour channels, and then referred to relevant procedures. By May 2024, the U.S. government reported that 21,000 people had been approved for resettlement as part of the Safe Mobility initiative.<sup>67</sup>

While SMOs promise to expand the number of people from American countries who are able to access safe pathways to the U.S., the impact of the initiative on regional migration dynamics (and particularly its role in offering viable alternatives to dangerous journeys across the U.S.-Mexico border) requires further investigation.<sup>68</sup> Available evidence shows how narrow eligibility criteria applied in countries where SMOs are located (including the exclusion of nationalities which are common among people moving across those countries) currently prevent many potential beneficiaries from accessing that instrument.<sup>69</sup>

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<sup>65</sup> On Canada's approach to resettlement and complementary pathways of admission see Roberto Cortinovis and Andrew Fallone, [Country Report Canada. An analysis of the Private Sponsorship of Refugees \(PSR\) program and the Economic Mobility Pathways Pilot \(EMPP\)](#), ASILE Project Final Report, 2023.

<sup>66</sup> U.S. Department of State, '[Safe Mobility Initiative](#)', accessed 28 June 2024. See also, The White House, '[Los Angeles Declaration on Migration and Protection](#)', 10 June 2022.

<sup>67</sup> In addition, by January 2024, 281 individuals registered in Costa Rica were referred for resettlement in Spain. Talent Beyond Boundaries, '[Safe Mobility Tracker](#)', Last updated May 14, 2024; The White House, '[Fact Sheet: Third Ministerial Meeting on the Los Angeles Declaration on Migration and Protection in Guatemala](#)', May 07, 2024.

<sup>68</sup> Kathleen Bush-Joseph, '[Outmatched: The U.S. Asylum System Faces Record Demands In Search of Control, United States of America Country Report](#)', Migration Policy Institute Report, 2024.

<sup>69</sup> As an example, research conducted by the Mixed Migration Centre in the period December 2023 – January 2024 showed that SMOs established in Colombia were open only to Cubans, Haitians and Venezuelans who had been in the country before 11 June 2023 and who had a regular migration status or were in the process of being regularized. However, many people from the above nationalities in Colombia did not have regular status and were thus considered ineligible. In Costa Rica, access to SMOs was limited to Venezuelan and Nicaraguans who were in the country before June 12, 2023, excluding people from other common nationalities transiting through the country, such as Ecuadorians, Haitians and Colombians. See Mixed Migration Centre, '[Safe Mobility Offices: Awareness, Migrants' Interest, and Potential Influence on mixed migration dynamics in Latin America and the Caribbean](#)', March 2024.

### Box 2 – Safe Mobility Offices (SMOs)

In June 2023, the U.S. administration, in collaboration with UNHCR and IOM, launched the Safe Mobility Initiative, which is comprised of an online platform (called 'Movilidad Segura') and Safe Mobility Offices (SMOs) established in a group of Central and Southern American countries (Colombia, Costa Rica, Ecuador, and Guatemala). Two other countries – Canada and Spain – have also joined the initiative, offering screening for refugee resettlement and other pathways at the same SMOs. Only nationals from specific countries are eligible to access available pathways through SMOs, depending on the criteria in place in each hosting country. Individuals seeking access to available pathways must first register through the online platform and go through an initial screening process. At SMOs, individuals are then subject to additional screening and receive further information/guidance on the application process for the suitable pathway.

Sources: Movilidad Segura, '[General information on the 'Safe Mobility' initiative](#)', accessed 28 June 2024; IOM, '[Safe Mobility Initiative Fact Sheet](#)', December 2023.

## b) Consider evidence about migrant decision-making when designing safe pathways

Policies that seek to use safe pathways as a strategy to reduce dangerous and irregular journeys often assume a 'substitution effect', i.e., that potential migrants will be incentivised to reach their destinations with a legal channel rather than in an irregular manner.<sup>70</sup> While researchers have attempted to study the effects that an expansion of regular migration options may produce on irregular migration dynamics, there is a paucity of empirical studies on this topic and little evidence that support or disconfirm the hypothesis of a substitution between irregular and regular migration.<sup>71</sup>

A key challenge in establishing a causal link between the opening of a new regular pathway and a reduction of irregular migration is that of isolating the impact of that specific initiative from that of a set of concurrent policy and non-policy factors (e.g., an economic downturn or another migration policy measure being developed in parallel).

Additionally, there are currently few analytical models that consider how different intervening factors (such as the existence and accessibility of smuggling services) may influence migrant decisions to opt for regular or irregular channels and under which circumstances.<sup>72</sup> This gap may be partially addressed by conducting large scale surveys or qualitative interviews with people travelling along different routes, with a view to identify the reasons that motivate individuals to choose between alternative options and shed light on the role that different aspects (policy, social, economic) play at different stages of their journeys.<sup>73</sup> In parallel, it is important to strengthen data collection processes and build solid monitoring and evaluation frameworks of policy instruments seeking to alter migration dynamics by expanding access to regular pathways (such as the above-mentioned Germany Western Balkans regulation). It is key to ground the future adoption of similar instruments on well-defined theories of

<sup>70</sup> Rachel Cooper, '[Legal Pathways' Effects on Irregular Migration](#)', Report commissioned by the UK Department for International Development, 2019.

<sup>71</sup> Martina Belmonte, Simon McMahon, Marco Scipioni, Guido Tintori, '[What relationship is there between irregular and regular migration? An exploratory study of EU residence permits, asylum applications, and orders to leave](#)', Joint Research Centre (JRC) Technical Report, 2019.

<sup>72</sup> Cooper, 'Legal Pathways' Effects on Irregular Migration'; Jessica Bither and Astrid Ziebarth, 'Creating legal pathways to reduce irregular migration?'

<sup>73</sup> See, in particular, the 4Mi data collection system managed by the Mixed Migration Centre of the Danish Refugee Council: '[4Mi: Innovative and global data collection with refugees and migrants on mixed migration routes](#)', accessed 28 June 2024.

change linked to a set of indicators to evaluate how effective those programmes have been in fulfilling their stated objectives.<sup>74</sup>

Another challenge is the risk of overestimating the role that a specific policy instrument can play in influencing complex migration patterns, which are shaped by broader economic, societal and political factors. A narrow focus on the (assumed) impact of regular migration schemes on irregular movements may divert the attention from the wider role that migration and mobility policies play in achieving other relevant policy objectives, such as promoting sustainable development in third countries that may not be considered as a priority for addressing irregular migration. A related concern is that a rhetorical commitment to expand regular pathways may be used to justify restrictive policy approaches aimed at preventing access to protection in the EU through restrictive border control or asylum offshoring practices.<sup>75</sup>

### c) Identify and address the negative impacts of EU migration control on human mobility

An expansion of safe pathways should be part of a comprehensive approach that recognises the role of mobility strategies (and individual agency) in securing durable solutions and livelihoods opportunities for people on the move. Current EU policies address irregular migration mostly through a deterrence and counter-smuggling lens, which focuses on building third countries' border management and law enforcement capacities. This is reflected in the priority actions pursued with the framework of Anti-smuggling Operational Partnerships established with countries such as Morocco, Tunisia and Niger.

A substantial body of research, however, has pointed to the limitations of strategies that address irregular migration by means of a narrow law enforcement approach, calling for a 'paradigm shift' in the way smuggling phenomena are understood.<sup>76</sup> In particular, research has underlined how, rather than being passive victims of smugglers, migrants exercise their agency throughout the migration process, for example when planning the journey, looking for information and interacting with a range of actors facilitating their journeys.<sup>77</sup>

Over the last few years, the EU has entered into migration management agreements with several new countries, including Tunisia, Egypt and Mauritania. Those arrangements respond to shifting trends in migration dynamics across the Mediterranean and are driven by the short-term objective of reducing arrivals to Europe. The containment logic underpinning those arrangements and their failure to advance a genuine responsibility-sharing approach with partner countries have been widely

<sup>74</sup> Jessica Bither and Astrid Ziebarth, 'Creating legal pathways to reduce irregular migration?'; Belmonte et al., 'What relationship is there between irregular and regular migration?'

<sup>75</sup> Rimmer, 'Pathways to Protection', p. 52; Alezini Loxa, '[Complementary Pathways: Pledging Protection at the Edges of EU Law](#)', *European Journal of Migration and Law* 25, 2023, 226–248.

<sup>76</sup> Platform For International Cooperation On Undocumented Migrants (PICUM), '[Migrant Smuggling: Why We Need a Paradigm Shift](#)', Briefing paper, 2022.

<sup>77</sup> Gabriella Sanchez, '[Revisiting the Counter-Smuggling Approach](#)', *Policy Study*, 202,1 p. 23; Thomas Hüsken, '[The practice and culture of smuggling in the borderland of Egypt and Libya](#)', *International Affairs*, Volume 93, Issue 4, July 2017, pp. 897–915; Kheira Arrouche, Andrew Fallon, Lina Vosyliute, '[Between politics and inconvenient evidence Assessing the Renewed EU Action Plan against migrant smuggling](#)', *CEPS Policy Brief*, 2021.

criticised.<sup>78</sup> The longer-term sustainability of those agreements has also been questioned, as illustrated by the cases of Türkiye<sup>79</sup> and Niger.<sup>80</sup>

The case of EU-Niger migration cooperation illustrates well how EU-funded counter smuggling activities may lead to increased criminalisation and heightened protection risks for people on the move.<sup>81</sup> Institutional actors (such as the European Parliament and the European Ombudsman) have expressed concerns regarding the lack of an adequate framework for assessing the fundamental rights impacts of EU-funded activities in the context of migration agreements with third countries.<sup>82</sup> Those same actors have stressed the need to conduct *ex ante* human rights impact assessments and ensure regular monitoring of ongoing activities, linked to procedures for suspending cooperation in case fundamental rights violations are ascertained.<sup>83</sup>

## 5. Policy recommendations

After the finalisation of the EU Pact on Migration and Asylum in May 2024, the focus of EU policies has turned on ensuring the implementation of the newly established legislative framework. While not at the core of the EU Pact, expanding access to safe pathways to Europe is a key component of a sustainable and solutions-centred approach to migration and refugee movements, which can play an important role in advancing broader EU development, humanitarian, and refugee protection priorities.

This Policy Brief has provided a review of EU and national strategic documents and policy instruments in this area and discussed the most relevant obstacles that have so far prevented a structured use of safe pathways as part of a comprehensive approach to migration and mobility. This last section provides a set of recommendations to improve upon current EU and Member States' responses in partnership with key stakeholders.

### **Design integrated responses that combine information provision, counselling and referral to safe pathways**

⇒ EU and national efforts to enhance access to safe pathways in countries of origin and transit should rely on integrated responses that combine information provision, counselling, and referral to NGOs or international organisations supporting migrants in accessing relevant pathways.

<sup>78</sup> Bachirou Ayouba Tinni et al., '[Asylum for Containment EU arrangements with Niger, Serbia, Tunisia and Turkey](#)', ASILE Project, 2023.

<sup>79</sup> Roberto Cortinovis, '[Pushbacks and lack of accountability at the Greek-Turkish borders](#)', CEPS Paper Liberty & Security in Europe, No. 2021-01, 2021.

<sup>80</sup> Amanda Bisong, Leonie Jegen and Harouna Mounkaila, '[What does the regime change in Niger mean for migration cooperation with the EU?](#)' ECDPM Policy Brief 2023.

<sup>81</sup> Kwaku Arhin-Sam, Amanda Bisong, Leonie Jegen, Harouna Mounkaila & Franzisca Zanker, '[The \(in\)formality of mobility in the ECOWAS region: The paradoxes of free movement](#)', *South African Journal of International Affairs*, 2022.

<sup>82</sup> Sergio Carrera, Leonhard Den Hertog, Jorge Núñez Ferrer, Roberto Musmeci, Lina Vosyliūtė, Marta Pilati, '[Oversight and Management of the EU Trust Funds. Democratic Accountability Challenges and Promising Practices](#)', Study requested by the CONT committee of the European Parliament, 2018, p. 76; ECRE '[Commission Refuses to Release Information on its 'Do No Harm' Policy in Libya](#)', 8th March 2024.

<sup>83</sup> Tineke Strik, Ruben Robbesom, '[Compliance or Complicity? An Analysis of the EU-Tunisia Deal in the Context of the Externalisation of Migration Control](#)', *Netherlands International Law Review*, 71, 2024, 199–225.



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- ⇒ Strong mechanisms should be put in place to monitor and evaluate existing and newly established pathways programmes. Admission procedures should include oversight mechanisms to ensure high quality decision-making and adequate provision of information to applicants (including on the status of an application and the reasons for its rejection). Those measures should aim at increasing the overall level of transparency of the admission process.
  - ⇒ Besides the creation of new pathways, progress need to be made to expand access to existing channels by tackling bottlenecks in admission procedures. In the case of both protection-based and labour pathways, efforts should converge towards enhancing predictability of admission procedures and ensure that applicants develop trust in the process. Building an effective matching infrastructure linking migrants with actors in destination countries that can support their admission process (e.g., private sponsors, civil society organisations, employers) is key to scale up existing programmes.
  - ⇒ In this context, digital technologies can be leveraged upon to create the conditions allowing individuals to autonomously access admission programmes, regardless of the country in which they live or the support they may receive from specialised agencies or intermediary organisations tasked with implementing those programmes. It is however key to accompany the development of new technological solutions in this area with strong monitoring and evaluation processes (including by independent actors) to prevent the risk that such tools end up producing discriminatory outcomes towards individuals or groups and guarantee the respect of their data protection and privacy rights. The previous aspect is crucial given the high fundamental rights risks that may result from data breaches or unlawful data sharing practices for the concerned populations (for example possible violations of the principle of non-refoulement).

**Underpin policy responses with robust evidence about migration processes and migrant decision making**

- ⇒ EU policies on safe pathways should be informed by timely and context-specific evidence regarding the societal, political and economic dynamics shaping migration processes in a specific region or country. Evidence-based responses should integrate the existing EU focus on short-term crisis anticipation and response and on monitoring smuggling dynamics with a focus on the longer-term dynamics of human mobility, including the way in which migrants' perceptions and expectations evolve over time and space, and in response to changing conditions they experience during migration journeys.
  - ⇒ It is key to explain the logic of action and assumptions based on which regular pathways are expected to influence mobility dynamics and, specifically, reduce incentives to irregular movements. There is a need for more clarity regarding the different rationales underpinning the establishment of new pathways, in particular to distinguish between protection-based considerations and migration conditionality objectives.
  - ⇒ While current EU policy debates are mostly focused on Member States' priorities, there is a need to incorporate the perspectives, experiences, and realities of migrants and refugees who are going to be impacted by the foreseen initiatives. Adopting this approach will likely result in policies that better support individual agency and empowerment before the start a journey and
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while on the move, a key condition for ensuring the long-term sustainability of safe mobility schemes.

**Identify and address the negative impacts of EU migration control policies on accessing protection and sustainable solutions**

- ⇒ EU and Member States' cooperation on migration and asylum with third countries should be based on a comprehensive assessment of the impacts that the envisaged migration management initiatives may produce on mobility patterns in specific countries and regions, considering the key role that mobility strategies play in ensuing access to protection and livelihoods.
  - ⇒ EU counter smuggling policies are mostly driven by a law enforcement rationale that disregards the complex economic, social and cultural dimensions shaping migration dynamics. EU cooperation with third countries on counter smuggling requires a careful assessment of the potential unintended effects of implemented actions, including the risk that in some contexts initiatives aimed at curbing human mobility and preventing access to a range of migration facilitation activities may end up reinforcing (rather than reducing) the demand for smuggling services provided by organised criminal groups. It is also key to assess the impacts of anti-smuggling policies on fundamental rights, in particular those resulting from an increased criminalisation of migrants and refugees produced by those policies.
  - ⇒ Safe pathways for people in need of protection (including those based on labour or study opportunities) should be fully aligned with international protection standards and provide a clear prospect of achieving a durable solution in the country of destination. An expansion of protection pathways should work in a complementary fashion, rather than as a substitute, to the right of accessing asylum in Europe. The promise or actual implementation of new admission schemes should not be used to deny access to asylum procedures in EU Member States or justify legally dubious schemes for transferring people in need of protection to third countries.
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