



## **The EU External Policies on Migration, Borders and Asylum Policy Transfers or Intersecting Policy Universes?**

### **TRANSMIC Academic Roundtable**

#### **Date**

Tuesday 24<sup>th</sup> of May 2016 (12.30h – 18.00h)

#### **Venue**

CEPS, Working Party Room (3<sup>rd</sup> Floor), Place du Congrès 1, 1000 Brussels, Belgium

#### **Background**

This invitation-only roundtable is part of the ‘TRANSMIC’ project, a Commission-funded Marie Curie Initial Training Network on ‘Transnational migration, citizenship and the circulation of rights and responsibilities’. The roundtable is meant to serve as input into a special journal issue on the same topic, for which several TRANSMIC and external researchers will be asked to prepare contributions. There will be contributions from researchers in different stages of their academic careers.

#### **Outline**

The ‘refugee crisis’ dominated the European Union (EU) policy agenda over the past year. Much emphasis has been given to EU’s cooperation with third countries in the ‘management’ of migration to find a fix to the ‘crisis’. During the last decades the EU developed a complex matrix of instruments delineating the cooperation with third countries in the ‘management’ of migration. These include readmission agreements, visa facilitation agreements, mobility partnerships, high level dialogues and financial instruments. The ‘refugee crisis’ has led to the multiplication and multi-functional uses of instruments with third country cooperation as a key priority. It has allowed EU institutions to use instruments flexibly, while bending ordinary decision making procedures and democratic scrutiny.

This intersection between migration management and foreign affairs policies has found wide attention in the literature covering the ‘External Dimension of EU Migration Policy’ with most of this work focusing on the policy transfer, external governance and implementation approaches. Yet, do these approaches facilitate a proper understanding of why certain instruments are used instead of others by EU actors when cooperating with third countries? This event seeks to address this question by providing an interdisciplinary analysis of why and how the EU responses to the ‘crisis’ call for new theoretically grounded understandings.

The literature has struggled to make sense of this evolving matrix of instruments and ‘modes of governance’ when the EU goes abroad on migration policies. This event aims at re-visiting the policy transfer, external governance and implementation studies literature applied to the foreign affairs-migration nexus. We examine the assumption that there is one clearly identifiable and unified actor (the

EU) which creates ‘a policy’ which is to be transferred to another actor (third country). Scholars have examined the implementation of these policy or instruments in light of their role in international relations or their effects (policy change and learning). The focus on ‘instrumentation’ puts emphasis on the transfer and implementation of the tools and less on the multi-actor dynamics behind their use. Moreover, can the different legal, policy and financial instruments be understood as ways to circumvent rule of law and fundamental rights constraints?

The Chapters aim at illustrating the existence of *intersecting policy universes* when ‘migration management’ becomes part of international relations. The external dimension(s) of EU migration policy show *intersections* of actors, venues and instruments, also producing challenges to EU rule of law and fundamental human rights. Who is ‘the EU’ when migration policies go abroad? Which EU institutional actors are setting priorities and creating instruments? Has the ‘refugee crisis’ affected the instruments’ framing of EU’s external relations on migration?

## PROGRAMME ROUNDTABLE

12.30 – 13.30h Lunch and Registration Workshop

13.30 – 13.45h Welcome and Introduction by Sergio Carrera, Head of Unit and Senior Research Fellow, CEPS and Associate Professor, Maastricht University

13.45 – 15.45h Roundtable I – **The actors and processes of EU instruments for ‘migration management’**

*Chair and discussant:*

- Sergio Carrera, Head of Unit and Senior Research Fellow, CEPS and Associate Professor, Maastricht University

*Presenters:*

- Jean-Pierre Cassarino, Professor, Institut de Recherche sur le Maghreb Contemporain de Tunis (IRMC). *The cunning of reverse diffusion. Situating at the local or domestic level the ways in which EU and international migration instruments affect and empower states’ agency.*
- Nora el Qadim, Lecturer, Paris 8 University. *The funding instruments of the EU’s negotiations on external migration policy. Defining ‘incentives’ for cooperation.*
- Leonhard den Hertog, TRANSMIC postdoctoral researcher, CEPS and Maastricht University. *Between priority-setting and implementing. The role of international organisations in EU external funding instruments on migration.*
- Julien Jeandesboz, Lecturer, Université Libre de Bruxelles (ULB). *Not just instruments: sociotechnical understandings of EU border control databases.*

15.45h – 16.15h Coffee and tea break

16.15h – 18.00h Roundtable II – **The nature of EU instruments at the politico-legal crossroads**

*Chair:*

- Hildegard Schneider, Professor, Dean of the Law Faculty, Maastricht University

*Presenters:*

- Paula Garcia Andrade, Professor, University Pontificia Comillas Madrid. *The division of external competences and the need for coordination between the instruments in the external dimension of the EU immigration policy.*
- Fanny Tittel, TRANSMIC PhD Researcher, University of Minho. *Soft law and legal effects of international migration agreements: implementing EU Mobility Partnerships.*
- Zvezda Vankova, TRANSMIC PhD Researcher, University of Maastricht. *Assessing the circularity of EU labour migration policies in the context of the Eastern Partnership.*

*Discussant:*

- Dora Kostakopoulou, Professor, School of Law, University of Warwick.

18.00h – 19.00h Drinks

19.30h Dinner

**This Roundtable is organized by** Dr Sergio Carrera, Head of the Justice and Home Affairs Section, CEPS, and Associate Professor, Faculty of Law, Maastricht University, by Prof Hildegard Schneider, Professor of EU Law and Dean, Faculty of Law, Maastricht University, and by Dr Leonhard den Hertog, TRANSMIC Postdoctoral Researcher, Justice and Home Affairs Section, CEPS.

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