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***Europeanization and Conditionality
in EU Migration Policy: The
Externalization of Migration
Control
(1999-2016)***

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Introduction

Managing migration represents one of the most complex and politically sensitive challenges facing the European Union. It involves many of the Union's foundational principles, including freedom of movement, respect for fundamental rights, and solidarity among Member States. As Angela Merkel stated at the height of the 2015 refugee crisis, "If Europe fails on the question of refugees, then it won't be the Europe we wished for." The statement reflects the extent to which migration governance has become intertwined with the very identity and normative foundations of the European project.

Migration, however, is neither a temporary emergency nor an exceptional disruption of social order. In his aspirations–capabilities framework, Hein de Haas emphasizes that mobility is structurally embedded in processes of social change. As long as inequalities persist and life trajectories evolve, migration remains a recurring feature of human societies. Efforts to suppress mobility through restrictive measures are therefore unlikely to eradicate it; instead, they may reshape its form, often increasing irregularity and vulnerability rather than reducing movement itself.

Despite the structural and persistent nature of migration, what makes it analytically significant in the European context is not migration per se, but the way it has been progressively institutionalized at the supranational level. Since the late 1990s, migration governance has undergone a substantial transformation within the EU, shifting from predominantly intergovernmental coordination to an increasingly Europeanized policy domain. This transformation did not merely expand internal competences; it also reshaped the external projection of EU migration policy. Over the time, mechanisms of conditionality became central instruments through which the Union sought to influence third countries' cooperation on migration control. The gradual consolidation of these mechanisms laid the groundwork for what is commonly described as the externalization of migration governance.

Against this background, this thesis seeks to trace the evolution of EU migration policy between 1999 and 2016, conceptualizing Europeanization as the main driver of policy development in this field. Beginning with the Tampere European Council in 1999, which marked the first comprehensive attempt to establish a common European migration and asylum framework, the Union progressively expanded its competences

and governance instruments. Over time, this internal consolidation was accompanied by a growing external dimension.

This thesis argues that the emergence of externalization in EU migration policy should not be understood as a sudden response to the 2015 crisis. Rather, it represents the structural outcome of a longer process of Europeanization. Within this process, conditionality became the key mechanism through which migration governance was projected beyond EU borders. By linking financial assistance, trade benefits, visa facilitation and political cooperation to commitments on migration control, the EU progressively externalized aspects of its migration management.

The central research question guiding this study is the following: to what extent did Europeanization enable the externalization of migration control through conditionality mechanisms in EU migration policy between 1999 and 2016? The thesis hypothesizes that externalization constitutes the policy outcome of a Europeanization process that institutionalized conditionality as a core governance tool.

Methodologically, the research adopts a qualitative approach based on the analysis of EU treaties, legal acts, policy documents, official communications and academic literature. The EU–Turkey Statement of 2016 is examined as a case study illustrating the practical operationalization of conditionality and the shifting of migration control responsibilities beyond EU territory.

The thesis is structured as follows. Chapter One reconstructs the historical evolution of EU migration policy from the Tampere European Council in 1999 to the consolidation of its external dimension, highlighting the gradual expansion of EU competences and governance instruments. Chapter Two develops the theoretical and conceptual framework, defining Europeanization, conditionality and externalization and clarifying their analytical interrelation. Chapter Three examines the role of conditionality through enlargement policy, financial instruments and cooperation agreements, showing how it enabled the projection of migration governance beyond EU borders. Chapter Four analyses the EU–Turkey Statement as a case study illustrating the practical implementation of externalization and the shifting of migration control responsibilities to third countries. The thesis concludes by reflecting on the implications of this governance model for European integration and responsibility sharing.

Chapter 1: Historical Evolution of EU Migration Policy (1999–2016)

The period between 1999 and 2016 registered a gradual shift from internal management of migration procedures towards an externalised approach. Increasing responsibilities have been gradually assigned to entities outside the EU. This change was adopted to reduce irregular arrivals before migrants reach the EU thus reducing risks of irregular migrants from entering the Schengen area.

The Schengen Agreement came into force in 1995 although its full application was achieved only years later by all Member States. In this period, the risk of irregular migrants circulating within the free border zone increased significantly thus triggering growing concerns within Member States. In parallel, migration pressure increased in the same period reaching its peak in 2015/2016 concentrating its impact on a limited number of Mediterranean Member States and registering difficulties in enforcing relocation quotas.

The growing political pressure, concerning irregular migration in the above period, is reflected in a series of subsequent agreements and legislative measures adopted at EU level that are presented below.

1.1 From Tampere to the Hague Programme: the rise of EU competence in migration and asylum

Traces of the first attempts to establish a common migration policy date back to 1993 with the Maastricht Treaty, which placed these matters under the Justice and Home Affairs Council, followed by the Schengen Agreement that strengthened external border control, harmonized visa rules, and laid the foundations for a coordinated asylum framework. However, the real turning point came on 1st May 1999, when the Treaty of Amsterdam entered into force: migration, asylum, and border management were transferred from the intergovernmental third pillar to the competence of the European Community under the first pillar. This institutional shift was immediately followed in 1999 by the Tampere Programme, the first multi annual programme in the AFSJ (Area of Freedom, Security and Justice), which provided the political mandate and the overall policy agenda. The Tampere Programme laid the foundations of what would later become the Common European Asylum System and defined the first policy priorities for the

newly established Area of Freedom, Security and Justice. Rather than introducing fully fledged legislation, Tampere set the political mandate for the adoption of common standards on reception, procedures, qualification, responsibility allocation and information systems such as EURODAC¹. In this sense, Tampere operationalised the new Community competence and marked the beginning of a truly European approach to migration and asylum.

Building on this framework, the second multi annual programme in the AFSJ, the Hague Programme adopted in 2004, expanded the Union's ambitions in the field of migration and asylum. It prioritised a balanced approach towards migration, combining legal pathways with measures against irregular flows; strengthened the integrated management of the Union's external borders, including the reinforcement of Frontex and the development of EU information systems such as the Visa Information System; advanced the creation of a common asylum procedure as part of the second phase of the CEAS; and promoted the long term integration of migrants by encouraging Member States to develop a European framework for integration.

1.2 The Stockholm Programme and the consolidation of external dimension

The Hague Programme was replaced by the Stockholm Programme, the five year programme for the AFSJ. In December 2009, under the Swedish Presidency of the Council of the European Union, a five-year plan with guidelines for justice and home affairs of the member states of the European Union for the years 2010 through 2014 was prepared and adopted. After decisions-making by the ministers of the interior and the ministers for justice on 1 December 2009 was presented to the European Council.

The Programme outlined the objective of creating “a common area of protection and solidarity based on a common asylum procedure and a uniform status for those granted international protection” (Council of the European Union).

¹EURODAC (the European Dactyloscopy Database) was established by Regulation No 2725/2000, which created the system for comparing fingerprints to support the application of the Dublin Convention. The database was further developed by Regulation (EU) 2024/1358 aims to transform the existing Eurodac database into a comprehensive asylum and migration database with more accurate and complete data on various categories of migrants, including applicants for asylum and people arriving irregularly in the EU.

A particularly relevant innovation is the explicit inclusion of an entire section dedicated to the “external dimension of asylum”. This marks the beginning of the formal institutionalisation of externalisation within EU migration governance. The Programme identifies several priorities for the external dimension, including capacity building in third countries, the implementation of Regional Protection Programmes, and the development of a Joint EU Resettlement Programme.

Through these measures, the Stockholm Programme consolidates the external dimension as a structural component of EU asylum policy and provides the political framework for its expansion in the years ahead.

In parallel to the Stockholm program, the Treaty of Lisbon entered into force in December 2009 and significantly shaped the evolution of EU asylum and migration policies. The Treaty expanded EU competences by moving beyond the minimum standards approach established by the Amsterdam Treaty, allowing the Union to legislate more coherently and to pursue greater harmonisation. The Treaty of Lisbon represented a constitutional cornerstone for the European Union enabling the Stockholm Programme policy to operate under a strengthened the strategic framework.

Legal innovations foreseen under the Treaty of Lisbon allowed to draft the contents of the Stockholm Programme with a closer focus on objectives to be achieved and thus move towards tangible policy outcomes rather than simple treaty provisions.

1.3 Institutional actors and legal instruments shaping migration governance

The European Commission plays a central role in the design and delivery of EU migration policy. As the institution with the exclusive right of initiative, it acts as the architect of legislation in the fields of migration, asylum and border management. The Commission prepares legislative proposals, oversees their implementation and manages the financial and operational instruments that support these policies. Its position allows it to shape both the strategic orientation and the technical content of EU migration governance.

The European Parliament and the Council of the European Union are the main policy makers. They form the core of the legislative governance system and are required to work together as co-legislators. Through the ordinary legislative procedure, the Parliament

provides the democratic dimension of Union decision making, while the Council reflects the preferences and priorities of the Member States. Together they adopt the directives and regulations that constitute the Common European Asylum System and the broader framework of EU migration legislation.

Unlike internal legislation, international cooperation instruments in the field of migration are often adopted outside the full legislative procedure. The Parliament therefore plays only a limited role in their negotiation and approval. The Council remains more involved than the Parliament, especially when formal agreements require its authorisation, but much of the external dimension is shaped directly by the Commission and the EEAS through diplomatic and operational arrangements.

A crucial element of EU migration governance is the increasing relevance of specialised agencies, which have grown in both mandate and operational capacity as migratory pressures intensified. Agencies such as the EUAA - European Union Agency for Asylum and the European Border and FRONTEX - Coast Guard Agency and several others² now stand at the centre of policy implementation. Their expanded competences allow them to support Member States through joint operations in areas such as border surveillance, return procedures and assistance with asylum processing. Sector experts describe this development as the emergence of an “integrated European administration”, where supranational and national authorities cooperate within a shared operational framework.

The role of these agencies is no longer confined to the internal dimension. They are progressively active in third countries through bilateral and multilateral arrangements that enable capacity building, risk analysis and operational coordination beyond EU territory. This external engagement reflects the broader strategy of the Union to externalise migration management and protection responsibilities. This trend towards external engagement anticipates some of the developments that would become central in later years, including the forms of cooperation exemplified by the EU’s arrangements with Turkey in 2016

² eu-LISA – EU Agency for the Operational Management of Large-Scale IT Systems; EMN – European Migration Network; FRA – EU Agency for Fundamental Rights.

EU migration governance relies on a set of legal instruments that structure both asylum and border management. Key regulations such as Dublin³ and Eurodac allocate responsibility for examining asylum applications and organise information sharing across the Union. Directives on qualification, procedures and reception conditions harmonise national standards, while instruments on family reunification and long term residence govern legal migration. These acts define the operational and normative environment within which institutions and agencies implement EU policy.

1.4 Political and geopolitical context: security, enlargement and crises

A central element of the political context shaping EU migration governance is the progressive securitization of immigration. Since the 1990s, migration and asylum have increasingly been framed in connection with terrorism, transnational crime and border control. This narrative shift located migration regulation within an institutional setting traditionally associated with the protection of internal security rather than with mobility or humanitarian policy. As a result, migration gradually developed into a security issue in both political discourse and institutional practice (Huysmans, 2000).

This process was reinforced by the spillover effects generated by the creation of the internal market and the abolition of internal border controls. The removal of internal barriers was perceived as exposing Member States to new security vulnerabilities, since transnational flows of goods, capital, services and people were expected to challenge public order and the rule of law. The Schengen Agreement of 1985, particularly Article 7, explicitly linked the abolition of internal borders to the strengthening of external border controls, anchoring migration management within a broader security rationale.

The development of a common migration policy in the European Union further institutionalised this approach. The adoption of restrictive and control-oriented instruments reflected a shared emphasis on limiting and regulating population movements. The Dublin Regulation established the principle that each asylum application should be examined by only one Member State, deterring multiple claims in Western Europe. The Eurodac system complemented this by enabling fingerprint based

³ Regulation 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person.

identification of asylum applicants. Coordination of visa policies and the conclusion of readmission agreements with third countries completed this regulatory framework, embedding migration management within mechanisms designed to ensure both control and security.

Long before the financial and economic crisis, changes in how migration and asylum were perceived had already begun to shape European policy debates. During the early Cold War period, refugees were largely welcomed in Western Europe, as their arrival was interpreted as evidence of the political and economic attractiveness of democratic systems compared to communist regimes. Over time, however, this perception gradually shifted.

From the 1980s and 1990s onwards, Western European states increasingly focused on the social and economic implications of refugee protection. As asylum systems expanded and welfare states came under pressure, individuals seeking protection were more frequently portrayed as placing a burden on public resources. As a result, asylum seekers were often suspected of exploiting national welfare systems rather than fleeing genuine persecution. This shift contributed to the growing framing of migration and asylum as matters of public order and control, reinforcing their treatment within security oriented policy frameworks.

The securitisation of migration was further intensified by two interconnected crises that placed the EU asylum system under exceptional strain: the financial and economic crisis that began in 2008 and the migration crisis of 2015. The economic downturn severely affected several frontline Member States, including Greece, Italy, Hungary and Bulgaria, which were confronted with increasing numbers of asylum seekers while operating under strict budgetary constraints. Limited financial resources weakened national asylum systems and reduced the states' capacity to ensure adequate reception conditions and procedural safeguards.

These pressures exposed the structural imbalance embedded in the Dublin system, which assigns responsibility for examining asylum applications to a single Member State, typically the country of first entry. The assumption underlying Dublin that Member States offer comparable standards of protection proved increasingly unrealistic. The combined impact of budgetary constraints and increased migratory pressure exposed the structural weaknesses of the Dublin system. Greece became the most emblematic case, as deficiencies in asylum procedures and reception conditions led to judicial intervention at

both European and international levels and to the temporary suspension of Dublin transfers. While Greece represented an extreme situation, similar concerns regarding inadequate asylum capacity were later identified in other frontline Member States, revealing a broader systemic vulnerability within EU asylum governance.

The migration crisis of 2015 represented a further breaking point. The arrival of over one million asylum seekers within a short period revealed the limits of the existing governance framework and led several frontline states to effectively disregard the Dublin principle of first country of entry. In the absence of an effective responsibility sharing mechanism, asylum seekers were allowed to move onward across the Union, exposing deep fractures in intra-EU solidarity and reinforcing emergency driven and security oriented policy responses.

Chapter 2: Europeanization, Conditionality and Externalization

2.1 Europeanization of migration policy: definition, dimensions, and mechanisms

Migration has been at the centre of both political and media attention for several years, not only concerning the management of migration flows but also the governance of interethnic coexistence within societies. As a multidimensional issue, migration is regulated through what is commonly referred to as migration governance, a complex set of policies, institutions, and frameworks designed to regulate human mobility across borders. These policies are shaped by a wide range of actors, including national and local governments, as well as international and regional organisations.

In the European setting, migration policy illustrates how regional cooperation can gradually move beyond the purely intergovernmental level. Over time, the EU has gained a more active role in shaping how states manage borders and mobility, not by replacing national policies but by encouraging common standards and shared approaches.

To account for this transformation, scholars of European integration have widely employed the concept of Europeanization. As Claudio M. Radaelli (2003) observes, Europeanization may be understood as “processes of (a) construction, (b) diffusion, and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles,

‘ways of doing things’, and shared beliefs and norms which are first defined and consolidated in the making of EU public policy and politics and then incorporated into the logic of domestic discourse, identities, political structures, and public policies” (p. 30). What Radaelli suggests is that Europeanization cannot be reduced to a simple transfer of rules from Brussels to the Member States. It unfolds as a two-way interaction in which domestic actors interpret and reshape EU norms within their own institutional settings: Europeanization is neither a synonym for European integration nor a one-way imposition of supranational authority. It rather describes the circulation of ideas, norms, and practices between EU institutions and Member States, a process that may lead to adaptation, resistance, or even reinterpretation within domestic settings.

Börzel and Risse’s contribution is particularly relevant for understanding the conditions under which Europeanization produces observable domestic change. They argue that such change is unlikely to occur automatically; it depends on the degree of misfit between European and national structures. Where national institutions and policy traditions already align with European norms, adaptation tends to be minimal. By contrast, significant divergence, what they term a “low goodness of fit”, creates adaptational pressure that may prompt institutional adjustment or policy reform. As the authors note, “the lower the compatibility between European and domestic processes, policies, and institutions, the higher the adaptational pressure” (Börzel & Risse, 2000, p. 5). When EU norms and procedures are largely compatible with domestic arrangements, compliance problems are less likely to emerge, and Europeanization may remain a largely rhetorical exercise rather than a substantive transformation.

Yet Börzel and Risse are careful to note that a misfit between European and domestic arrangements is only a starting point for change. It creates pressure to adapt, but the outcome depends on how European demands meet domestic structures and politics. Sometimes this pressure reshapes national institutions. Other times it triggers only small adjustments or no change at all. They describe three possible outcomes: absorption, accommodation and transformation . Their model shows that Europeanization works in different ways across countries. It is not a single, uniform process but one with varied results among Member States.

The treaty of Amsterdam operationalized the adaptational pressures of Europeanization, by transferring asylum, migration, and border issues from national to the supranational

sphere. With its entry into force in 1999, cooperation in the field of Justice and Home Affairs (JHA) underwent a profound transformation, inaugurating a new phase in the Union's approach to migration and asylum governance. Matters concerning asylum, immigration, and the management of external borders were shifted from the third pillar, previously governed by unanimity and intergovernmental decision-making, to the first pillar, which introduced a framework of shared competences between the Member States and the EU institutions. Through this process, these policy areas became effectively communitarized, reflecting a growing recognition that migration and asylum could no longer be addressed solely at the national level but required coordinated action at the European scale. In doing so, the Treaty generated the kind of misfit that Börzel and Risse associate with domestic adaptation, compelling Member States to adjust their policies and institutions to the emerging EU framework.

The Tampere European Council (October 1999) represented the first tangible result of the Europeanization of migration and asylum policy. While the Treaty of Amsterdam had provided the legal foundation for cooperation in Justice and Home Affairs, Tampere gave this framework a clear political direction. For the first time, the Heads of State and the Government of the European Union collectively endorsed a set of shared principles for an immigration and asylum policy grounded in the values of freedom, security, and justice. As stated in the Presidency Conclusions, "the European Council is determined to develop the Union as an area of freedom, security and justice by making full use of the possibilities offered by the Treaty of Amsterdam" (European Council, 1999, para. 9). This declaration sent a strong political signal that migration governance had become an integral component of the EU's broader integration project, translating the institutional innovations of Amsterdam into a concrete policy agenda. The Tampere European Council also agreed to make migration a horizontal, 'cross-pillar' issue in EU external relations, and to incorporate standard readmission clauses in all association and cooperation agreements concluded with third countries (Lavenex & Uçar, 2004). This shift marked the moment when migration was embedded not only in the EU's internal governance but also in its external action, laying the groundwork for the externalization of migration control.

Building on these institutional and political developments, the process of Europeanization generated the administrative structures and normative coherence that enabled the Union

to act beyond its borders. As Lavenex and Uçarer (2004) argue, the Europeanization of migration and asylum policy has produced external effects by creating an expanding network of institutional linkages between the EU and third countries. Through varying degrees of association, from accession partnerships to neighbourhood cooperation, the Union established the mechanisms and policy frameworks that would later support the external projection of its migration regime. In this sense, Europeanization not only transformed internal governance but also created the policy space and institutional capacity for the externalization of migration control.

2.2 Conditionality as a governance tool: enlargement, neighbourhood, and external relations

Conditionality is not synonymous with Europeanization, but rather a mechanism through which the effects of Europeanization are projected externally, particularly toward third countries. It fits within the broader framework of the EU's external governance, as it seeks to extend the *acquis communautaire* and the Union's regulatory standards beyond its borders. It emerged during the process of the European Union's Eastern enlargement, when the Central and Eastern European countries were encouraged to adopt and implement EU rules and standards as part of their accession process. In this context, the EU developed a policy of conditionality, to prepare them for membership, where the CEECs had to meet specific criteria in exchange for tangible rewards, such as financial assistance and, ultimately, accession to the Union.

According to this strategy, the EU sets rule adoption as a condition for obtaining rewards. If a target government complies with the EU conditions, the EU will pay the reward, and if it fails to comply, the EU withholds it. The rewards may vary from financial assistance to different forms of association, with full membership as the ultimate prize. The effectiveness of conditionality is thus understood as a function of a strategic calculation by the target government, which complies with EU rules only if the benefits of the reward outweigh its domestic material, political, and power-related costs. The logic of conditionality follows what Schimmelfennig and Sedelmeier (2004) term the *external incentives model*. In this framework, the EU offers rewards, such as financial aid, trade advantages, or the prospect of membership, conditional on compliance with its norms and rules. Conditionality, therefore, operates as an instrument of strategic rule transfer, grounded in bargaining and reciprocity rather than persuasion or normative socialization.

The success of conditionality during the Eastern enlargement can be attributed to the highly asymmetrical interdependence between the European Union and the Central and Eastern European countries. This asymmetry worked in favour of the EU: candidate states were far more interested in obtaining membership than the Union was in proceeding with enlargement. As a result, the EU possessed significant leverage, since it could credibly threaten to withhold accession if the candidates failed to meet the required conditions. The lower the EU's own material and political dependence on enlargement, the stronger its bargaining position and the greater the effectiveness of conditionality as a tool for rule transfer.

As accession has become a less viable option for many neighbouring states, accession-based conditionality has gradually lost its momentum, giving way to new mechanisms and forms of governance and Europeanization. This shift reflects the post-enlargement context, in which the EU, facing institutional constraints and enlargement fatigue, redirected its influence from accession-driven conditionality toward broader forms of external governance. With the launch of the European Neighbourhood Policy (ENP) in 2004, conditionality was adapted to a different context: while the ENP replicated several instruments of enlargement, it explicitly excluded the prospect of membership. In doing so, it established a model of external governance that projected EU norms and migration control practices beyond its borders without offering accession, an early and structured form of externalization.

As in other policy fields, conditionality for membership has proved a powerful instrument of EU foreign policy, promoting the diffusion of strict immigration control standards beyond the territory of the Member States (Lavenex, 2007). Enlargement politics, and in particular the requirement that candidate countries adopt the complete EU and Schengen acquis, served as a vehicle to expand the reach of EU migration governance to Central and Eastern Europe. Comparable dynamics emerged with newer and potential candidates such as Turkey and the Western Balkans, where cooperation on border management and readmission became conditions for closer association. These processes demonstrate how conditionality evolved from an enlargement instrument into a broader mechanism of migration governance, extending EU control practices outward and reinforcing the externalization of migration management.

2.3 Externalization of Migration Control: Governing Mobility Beyond EU Borders

In the field of EU migration policy, externalization describes how the European Union pushes parts of its migration and border control beyond its own territory. It means that policies once considered purely internal, such as Justice and Home Affairs (JHA), have become linked to the EU's external action. As Rijpma and Cremona (2007) explain, this shift allowed the Union to use foreign policy instruments to pursue internal security goals. The Council's 2000 document on *Objectives for external relations in the field of JHA* captures this change well: JHA remained a separate policy domain, but the EU could now insert migration issues into its relations with third countries whenever it deemed this necessary to protect internal stability.

This institutional evolution was soon matched by a practical one. Externalization also refers to the concrete ways in which migration control is exercised beyond EU territory. Cuttitta (2020) defines it as the process through which destination countries promote, support, or directly conduct migration and border management activities abroad—for example, in countries of origin and transit or even in international waters—to prevent unwanted arrivals. In this sense, the EU manages migration “at a distance”, delegating and funding border enforcement far beyond its borders.

Taken together, these two dimensions show that externalization is not merely a policy tool but a broader mode of governing mobility. It combines an institutional transformation—the inclusion of JHA within the EU's external relations—with an operational strategy that relies on third countries to contain movement before it reaches Europe. In this thesis, externalization is understood as the outcome of the dynamics explained in the previous sections: Europeanization built the framework, conditionality supplied the mechanism, and externalization represents the result—the EU governing migration beyond its borders through others.

Over time, externalization has evolved in both scope and form. Initially characterised by unilateral actions undertaken by individual States to prevent irregular arrivals, it has progressively developed into patterns of bilateral and multilateral cooperation. These newer arrangements often involve several States as well as international or regional organisations. The European Union represents the clearest example of this

transformation. Through the conclusion of so-called *migration deals* with third countries and the operational involvement of agencies such as the European Border and Coast Guard Agency (Frontex), externalization has become an integral feature of EU migration governance and of what Lavenex terms the “external governance” of internal security.

Contemporary externalization is also marked by its functional diversification. It no longer concerns solely the management of borders but increasingly includes activities such as the extraterritorial processing of asylum claims, the delegation of protection responsibilities, and other preventive measures designed to deter irregular movements before they reach EU territory. This functional shift reflects a strategy of managing migration “at a distance”, in which cooperation with third countries becomes instrumental to maintaining internal stability.

At the same time, externalization displays a territorial dimension that extends beyond actions performed outside the Union’s borders. It can also occur within EU territory whenever control or responsibility for migrants is displaced beyond the immediate jurisdiction of Member States or of the Union itself. As Tan (2021) notes, measures such as accelerated asylum procedures, safe-third-country designations, or return operations often produce the effect of shifting protection obligations elsewhere.

The externalization of EU migration control is operationalised through a set of policy instruments that institutionalise cooperation with third countries. Among them, Mobility Partnerships, Readmission Agreements, and Visa Facilitation Agreements constitute the main pillars of the EU’s strategy to govern migration “at a distance”. Together, they illustrate how the Union combines incentives and obligations to encourage partner countries to participate in the management of migration flows beyond EU borders.

Mobility Partnerships (MPs) represent the most comprehensive framework for bilateral cooperation between the EU and its partners, covering the areas of mobility, migration, and asylum. According to the European Commission, an MP is based on *mutual offers of commitments and project initiatives*, reflecting both EU priorities and the partner country’s specific needs. These frameworks are designed to create what the Commission terms a “*win-win-win situation*” for migrants, partner countries, and EU Member States. Each partnership differs in scope and focus, depending on prior relations and the institutional capacities of the partner country.

Among the benefits and achievements identified by the EU are progress in visa policy and people-to-people contacts, strengthened institutional and legislative capacities, enhanced migration management, and improved diaspora engagement. In exchange for these potential advantages, third countries are often expected to make concrete commitments: the readmission of their nationals and transit migrants, the prevention of irregular migration, the reinforcement of border controls, and measures against trafficking and document fraud. To support these objectives, the EU and participating Member States provide financial and technical assistance (European Commission, ICMPD 2020). As Brocza (2015) notes, Mobility Partnerships have become a flexible yet asymmetrical instrument: while framed as cooperative, they consolidate the EU's external control architecture by embedding conditionality into ostensibly development-oriented frameworks.

Readmission Agreements (RAs), by contrast, form the core legal mechanism of externalized migration control. Negotiations on EC readmission agreements began in 2001, initially targeting countries such as Hong Kong, Russia, and Pakistan. These agreements oblige partner states to readmit their own nationals and, in certain cases, third-country nationals who have transited through their territory before entering the EU irregularly. They typically regulate return procedures, proof of nationality, transit operations, time limits, and cost-sharing arrangements (Schieffer 2003; Trauner & Kruse 2008). The most sensitive issue remains the readmission of third-country nationals and stateless persons, as it raises both evidentiary and human-rights challenges. From the EU perspective, these agreements provide a legal and operational foundation for removals; for the partner countries, they often entail significant administrative and social burdens, potentially destabilising domestic systems of migration management.

Initially, Member States encountered difficulties persuading third countries to sign these agreements, which were perceived as highly asymmetric. To overcome this resistance, the EU began linking readmission to positive incentives, giving rise to Visa Facilitation Agreements (VFAs). This linkage—first formalised with Russia (2004) and Ukraine (2005)—made the granting of simplified visa regimes conditional upon the conclusion and effective implementation of readmission commitments (Trauner & Kruse 2008).

The Visa Facilitation Agreements serve two functions: they reward cooperation on migration control and seek to mitigate the negative perceptions created by the EU's

restrictive visa regime after the Eastern Enlargement. Their primary purpose is to simplify, on the basis of reciprocity, the issuance of short-stay visas (90 days within 180) for specific categories of travellers such as businesspeople, students, journalists, and participants in cultural or scientific exchanges. Each agreement fixes visa fees (usually €35), shortens processing times, and sets transparent procedures for documentation and appeal. Although long-stay visas remain a national competence, all VFAs acknowledge the long-term objective of visa-free travel.

In practice, these instruments are often concluded together: readmission as the obligation, visa facilitation as the incentive, and mobility partnerships as the overarching framework. The combination forms a coherent governance package through which the EU extends migration control beyond its borders, aligning the interests of partner states with its own security and stability goals. As Franco Frattini, then European Commissioner for Justice, Freedom and Security stated, the EU seeks to enhance internal security “through global visa facilitation and readmission agreements aimed in the longer term at the Union’s neighbourhood countries, on the model currently being developed in the Balkans” (Agence Europe 2006).

Ultimately, these instruments illustrate the practical dimension of externalization: they translate political ambitions into operational arrangements that rely on third countries’ cooperation. By combining conditionality with incentives, they enable the EU to externalise migration management while preserving the appearance of partnership. Yet their asymmetric implementation continues to raise questions regarding equality, accountability, and respect for human-rights obligations.

2.4 Linking Europeanization, conditionality, and externalization

This final section brings together the concepts developed in the previous parts of the chapter and sets out the analytical framework that guides the thesis. The objective is to show how Europeanization, conditionality and externalization form an interdependent sequence that structures the evolution of EU migration governance from 1999 to 2016. Rather than treating these concepts as separate fields of scholarship, the framework understands them as three stages of a single explanatory chain.

The point of departure is Europeanization. As explained by Radaelli, Europeanization refers to a process through which European rules, norms and practices become embedded

in domestic and EU level governance. In the field of migration policy, this process transformed Justice and Home Affairs from an intergovernmental domain into an increasingly supranational one. The Treaty of Amsterdam and the Tampere Programme created the institutional and legal environment that enabled harmonisation of asylum and migration rules inside the Union. Europeanization therefore represents the structural condition that made EU level migration governance possible. It introduced new competences, new instruments and a new logic of integration.

Conditionality follows as the specific mechanism through which the effects of Europeanization extend beyond EU borders. Building on Schimmelfennig and Sedelmeier, conditionality is understood as a rule transfer mechanism based on incentives and compliance. It operates whenever the EU offers benefits such as financial assistance, closer political association or eventual membership in exchange for the adoption of EU norms and standards. In migration policy, this mechanism shaped interactions with candidate countries during the Eastern enlargement and later with neighbouring and transit countries through readmission agreements, visa dialogues, Mobility Partnerships and various cooperation frameworks. Conditionality links the internal consolidation of EU migration norms to their external projection by creating structured expectations and bargaining power asymmetries.

Externalization is the outcome of this sequence. In the context of EU migration governance, externalization refers to the relocation of migration control activities outside EU territory through geographical, functional and normative practices. It becomes possible when Europeanized norms exist at the EU level and when conditionality provides a mechanism for negotiating their adoption by third countries. Through this interaction, the EU can pursue internal security objectives beyond its own borders by promoting readmission cooperation, strengthening third country border capacities, supporting surveillance activities and concluding diplomatic arrangements such as the one adopted with Turkey in 2016. Externalization therefore reflects the ability of the EU to shape and govern mobility not only within the Union but also across neighbouring regions.

The analytical framework proposed in this thesis therefore conceptualizes these three elements as a single chain. Europeanization is the process that creates the governance architecture and the *acquis*. Conditionality is the mechanism that transforms this *acquis* into an instrument of external governance by linking compliance with incentives.

Externalization is the resulting reconfiguration of migration control beyond EU territory. This sequence provides the lens through which the historical evolution of migration policy, the instruments used by the EU and the case study of the EU and Turkey are examined in the following chapters.

This framework also guides the thesis hypothesis. Between 1999 and 2016, the EU gradually built a system in which conditionality became the main tool through which migration control was pushed beyond EU borders, and this development was made possible by the earlier Europeanization of migration policy. The combination of internal rule making, the use of incentives to promote compliance by third countries and the steady expansion of operational cooperation created a distinct external dimension of EU migration governance. The following chapters show how this connection evolved over time and how it became most evident in the 2016 EU Turkey Statement.

Chapter 3: Conditionality in Practice: Instruments and Mechanisms

In the previous chapter, the theoretical foundations of Europeanization, conditionality, and externalization were outlined in order to clarify their conceptual scope and interrelation. Building on this framework, the present chapter shifts the focus on conditionality applied on the field. It will show how conditionality has operated in practice, the instruments through which it has been implemented, and the effects it has produced in the field of migration control. In doing so, it highlights how these practices progressively created the conditions for the emergence of externalization, which will be examined in greater detail in chapter 4.

3.1 Enlargement conditionality and migration control

Within the broader pre-accession strategy, conditionality emerged as one of the EU's most powerful tools for steering candidate countries toward alignment with its rules and standards. Rather than relying exclusively on legal obligations, the EU integrated conditionality into a broader framework combining political benchmarks, financial assistance and institutional support.

A central pillar of this approach was the use of pre-accession financial instruments. In the late 1990's, the PHARE programme⁴ played a key role in delivering technical assistance across various policy areas of the 10 accession countries that became Member States in 2004. Initially designed to support economic reform, PHARE's scope was later widened to include initiatives aimed at strengthening democratic governance and administrative capacity. While the official purpose of this assistance was to facilitate compliance with EU requirements, in practice it also helped shape national reform agendas by connecting financial support to specific accession-related goals. During the early stages of the enlargement pathway, actions primarily focused on liberalizing markets. Emphasis was on economic integration, particularly the free movement of goods, services, capital, and, to a lesser extent, labour. Issues related to migration control and asylum policy remained largely on the sidelines and were not central to the enlargement framework at that time. The Europe Agreements thus functioned as the initial contractual framework governing relations between the EU and the candidate countries, setting broad objectives for integration while leaving the operationalization of compliance largely unspecified.

This focus began to shift with the introduction of the Accession Partnerships in 1999, which signalled a move from a mainly economic agenda to a more comprehensive and politically driven model of conditionality. Under this new approach, PHARE funding became increasingly tied to targeted accession priorities, such as the adoption of the Schengen acquis and the enhancement of border management and asylum systems. The introduction of Accession Partnerships marked a qualitative shift in the EU's enlargement conditionality, transforming broad commitments into concrete, country-specific priorities, complete with timelines and structured monitoring mechanisms.

In the field of Justice and Home Affairs, effective border management had already been identified as a key concern for all applicant states. Yet, as Grabbe points out, this priority was initially vaguely defined, with few clear obligations for candidate countries. Before the launch of the 1999 Accession Partnerships, EU expectations in areas of migration control and border security were largely expressed in general terms, leaving room for broad interpretation and flexible implementation.

⁴ PHARE (Poland and Hungary: Assistance for Restructuring their Economies) was established in 1989 and later became the EU's main financial instrument for pre accession assistance in Central and Eastern Europe.

This changed significantly as the Schengen acquis evolved into a comprehensive framework that combined the removal of internal border checks with stricter regulation of the EU's external frontiers. Accession conditionality became increasingly concrete and demanding, requiring candidate countries to align with common visa regimes, strengthen border controls at land, sea, and air crossings, establish reception facilities for asylum seekers, and enhance police cooperation through tools such as the Schengen Information System. A large portion of EU demands in the Justice and Home Affairs domain—alongside the key priorities of PHARE assistance—thus concentrated on tightening border management and controlling migration flows.

Following the 2015–2016 migration crisis, the EU further intensified efforts to externalise migration management by including migration objectives into development cooperation, foreign policy, and diplomatic relations (Lavenex, 2016). Conditionality has played a central role in this strategy, linking access to EU benefits such as financial support, free trade agreements, visa facilitation, and political cooperation to third countries' committed to cooperate on migration control.

As a result, even before gaining full membership, candidate countries and later third countries were expected to commit substantial administrative and financial resources to migration control, supported by targeted EU funding and technical expertise.

3.2 Mobility Partnerships and readmission agreements

Building on the conceptual analysis of Mobility Partnerships and Readmission Agreements presented in Chapter 2, this section explores their practical implementation as key instruments of the EU's external migration governance. The external dimension of EU migration control predates the formal development of cooperation-based instruments such as Mobility Partnerships and Readmission Agreements. Already during Eastern enlargement, migration control was progressively extended beyond the EU's territory through the compulsory adoption of the Schengen acquis and the involvement of candidate and transit countries in managing migration flows. This logic of extraterritorial control, initially embedded in accession conditionality, later formed the EU's approach to cooperation with non-member states (Lavenex, 2008).

Mobility Partnerships are closely connected to the broader external dimension of EU migration policy, as they involve third countries in the management of migration flows beyond EU territory. Developed in the absence of accession prospects, these cooperative

frameworks engage third countries in key aspects of migration governance, including border management, the prevention of irregular migration, and return policies. While Mobility Partnerships are formally framed as balanced and mutually beneficial arrangements, in practice they embed conditionality within cooperative structures by linking limited incentives—such as selective opportunities for legal mobility and financial or technical assistance—to concrete commitments on migration control. Through this mechanism, partner countries assume an active role in managing migration on behalf of the EU, contributing to the externalization of migration governance.

Mobility Partnerships are not conceived as standardized instruments, but rather as flexible frameworks whose design varies depending on the partner country involved. From the EU's perspective, participation in a Mobility Partnership remains voluntary and is assessed on a case-by-case basis. The content and emphasis of each partnership therefore differ, reflecting both the EU's policy priorities and the specific institutional capacities and migration profiles of the partner country. Previous patterns of cooperation between the EU and the third country play a crucial role in shaping these arrangements, as Mobility Partnerships are intended to complement and build upon existing agreements and forms of collaboration rather than replace them. While officially framed as tailored and mutually responsive frameworks, Mobility Partnerships nonetheless tend to revolve around a recurring set of commitments required from partner countries. These typically include obligations related to the readmission of nationals and transit migrants, the prevention of irregular migration through strengthened border controls, the fight against document falsification and human trafficking, and broader measures aimed at regulating labour mobility. In exchange, the EU and participating Member States offer financial and technical assistance, as well as limited and selective opportunities for legal mobility (Broczka, 2015).

Despite being formally presented as balanced and cooperative frameworks, Mobility Partnerships often reflect asymmetrical bargaining dynamics. In practice, negotiations tend to provide limited scope for substantive modification by partner countries, as the structure and core commitments are largely shaped by EU priorities. Although framed as tailored arrangements, these partnerships frequently reproduce a recurring template centred on readmission, border control and the prevention of irregular migration, suggesting that the EU retains significant agenda-setting power in defining the parameters of cooperation.

The Mobility Partnership concluded with Moldova in 2008 is frequently cited as a flagship example of this form of cooperation. Officially, the partnership was framed around a broad set of objectives, including the facilitation of legal migration and mobility, the prevention of irregular migration and trafficking in human beings, stronger protection for asylum seekers and refugees, and greater recognition of migration's potential contribution to development.

In practice, however, the implementation of the EU–Moldova Mobility Partnership placed particular emphasis on migration control-related commitments. Moldova was required to strengthen border management capacities, enhance cooperation on readmission, covering both its own nationals and transit migrants, and align its migration and asylum systems with EU standards. While the partnership offered incentives in the form of financial and technical assistance, as well as limited opportunities for legal mobility, these benefits remained selective and conditional. In this way, conditionality moved beyond diplomatic leverage and materialized in the relocation of migration control tasks to Moldovan authorities, illustrating how Mobility Partnerships function not merely as cooperative frameworks but as instruments of externalized migration governance.

While the EU–Moldova Mobility Partnership is often presented as a cooperative success story, examining a different regional context allows for a more nuanced assessment of how these instruments operate in practice. The EU–Morocco Mobility Partnership, signed in 2013, was officially presented as a comprehensive framework aimed at managing migration and mobility through enhanced cooperation, including visa facilitation for selected categories and collaboration on return and asylum policies (European Commission, 2013). However, unlike the Moldovan case, the Moroccan partnership reflects a more cautious and negotiated approach, particularly with regard to readmission obligations, highlighting the greater bargaining power of the partner country. Despite differences in regional context and negotiating power, both cases confirm that Mobility Partnerships embed conditionality into cooperative frameworks, effectively shifting key responsibilities for migration control to partner countries.

If Mobility Partnerships represent the flexible and cooperative layer of the EU's external migration governance, Readmission Agreements constitute its legally binding core. In the aftermath of Eastern enlargement, readmission agreements acquired increasing relevance within the EU's external migration policy. As Trauner and Kruse argue, these instruments

became central to the EU's attempt to manage the unintended consequences of enlargement, particularly with regard to migration and internal security concerns. By linking cooperation on return and readmission to incentives such as visa facilitation, the EU sought to strengthen its leverage over neighbouring countries and to promote reforms in the field of justice and home affairs.

While officially framed as mutually beneficial arrangements balancing security and mobility, visa facilitation and readmission agreements primarily served to anchor migration control objectives within the EU's broader foreign policy strategy. Through this linkage, readmission commitments were embedded in a wider framework of conditionality, allowing the EU to advance its migration governance goals beyond its borders while addressing the stabilisation needs of neighbouring states (Trauner & Kruse, 2008).

Through these agreements, partner countries commit to readmitting not only their own nationals, but in many cases also third-country nationals who are considered to have transited through their territory before entering the EU irregularly. As such, readmission agreements play a crucial role in operationalizing the external dimension of EU migration control by shifting responsibility for return and migration management beyond the Union's borders.

In practical terms, readmission agreements establish a detailed and standardized framework governing the return of irregular migrants (Council Recommendations 94/942/EC and 95/435/EC). They define procedural rules for identification and readmission, including time limits for submitting and responding to requests, criteria for proof or presumption of nationality or transit, and provisions on cost sharing. These agreements also regulate transit operations, including returns under escort, and provide for accelerated procedures in border areas.

By introducing standardised procedures and common rules on proof and identification, readmission agreements significantly lower the administrative and legal barriers to return. At the same time, they extend the responsibility for migration control beyond the EU's territory, requiring partner countries to cooperate actively in the enforcement of return policies. This practical dimension highlights the asymmetrical nature of readmission cooperation and reinforces the externalization of EU migration governance.

3.3 Financial instruments and operational cooperation

Although external migration governance is formally organised through legal and cooperative instruments, its concrete implementation depends on the mobilisation of financial resources and operational capacity. From the EU budget, two major financial instruments emerged to enhance the flexibility and speed of externalized migration governance: the four EU Emergency Trust Funds and the Facility for Refugees in Turkey. Their institutionalization from 2014 onwards reflected the convergence of growing migratory pressures, the perceived inadequacy of existing cooperation instruments, and the constraints of the EU's ordinary budgetary framework. Unlike tools such as Readmission Agreements or Mobility Partnerships, which rely on negotiated conditionality and incremental implementation, these financial mechanisms enabled the EU to act more rapidly and operationally, thereby deepening the practical dimension of migration externalization.

EU Emergency Trust Funds are ad hoc financial instruments established under the EU Financial Regulation to pool resources from the EU budget and additional donors in order to enable the rapid and flexible implementation of EU external action, particularly in response to emergency and crisis situations related to migration, displacement and stability (European Commission, n.d.).

According to the European Commission, the EU Emergency Trust Funds are designed to foster stability and peace by addressing the root causes of irregular migration, forced displacement and instability in partner regions. Officially, their objectives include enhancing economic opportunities, strengthening community resilience, improving migration management along key routes, and supporting governance and security in third countries. Framed within a development and stability-oriented narrative, the Trust Funds are presented as comprehensive instruments capable of simultaneously addressing migration, development and security challenges.

However, several scholars have questioned this development-oriented framing, arguing that EU Trust Funds primarily serve migration control objectives rather than long-term development goals. EU Trust Funds are largely managed by the European Commission, granting the European Parliament only limited opportunities for democratic scrutiny. In particular, the Parliament lacks the legal authority to alter the objectives or scope of the

Trust Funds, raising concerns regarding compliance with the EU principle of institutional balance. This principle requires that decision-making powers be distributed among EU institutions in a way that preserves democratic oversight and prevents the concentration of authority within the executive. Concerns have been especially pronounced with regard to the EU Trust Fund for Africa, where the extensive use of flexible funding mechanisms has intensified debates over accountability and the marginalization of parliamentary control (Carrera et al., 2018).

Unlike ordinary EU budgetary instruments, EU Emergency Trust Funds operate outside standard spending procedures. At the governance level, they concentrate significant authority within the European Commission, which acts both as trustee and manager of the funds. Financing is provided through voluntary contributions from the EU budget, Member States and, in some cases, third countries, and is managed through separate bank accounts. While this structure enhances flexibility and rapid deployment, it also contributes to fragmented accountability and limits traditional forms of democratic oversight, reinforcing concerns over the governance of externalized migration funding (Carrera et al., 2018).

At the core of these developments lies a conditionality-based logic, whereby access to financial support, political cooperation or mobility-related incentives is made contingent upon third countries' cooperation in managing migration. In practice, this logic has been primarily directed towards sensitive objectives such as the prevention of irregular migration, the strengthening of border control capacities, cooperation on readmission and return, and, more selectively, asylum cooperation and refugee protection in regions of origin or transit. Through these priorities, the EU seeks to externalize key functions of migration control by mobilising third countries as active partners in containment, surveillance and migration management.

Financial instruments and operational cooperation mechanisms, such as the EU Emergency Trust Funds and the activities of Frontex, translate migration conditionality into concrete action. Through them, financial support and cooperation are made conditional on third countries' compliance with EU migration objectives.

In practice, this conditionality operates through a calibrated combination of incentives and disincentives aimed at shaping the behaviour of partner countries. Cooperation is

encouraged through development aid, budgetary support, investment and capacity-building programmes, as well as selective forms of legal mobility such as visa facilitation and mobility partnerships. On the other hand, the EU has progressively strengthened negative conditionality tools, including visa restrictions, the reduction or suspension of financial assistance, trade-related limitations and diplomatic pressure.

Rather than operating through a single, clearly defined legal framework, migration conditionality has evolved into a cross-cutting governance logic that permeates multiple EU policy instruments. Through financial leverage, administrative coordination and agency-led operational cooperation, the EU is able to project migration control objectives beyond its territorial borders. In this configuration, financial and operational instruments do not merely facilitate cooperation; they function as mechanisms of strategic leverage, expanding executive discretion while limiting traditional channels of democratic oversight.

Beyond financial instruments, the externalization of EU migration governance has increasingly relied on forms of operational cooperation, notably through the activities of EU agencies. Among these, Frontex, the European Border and Coast Guard Agency, is an EU agency tasked with supporting EU Member States and Schengen-associated countries in the management of the EU's external borders and in the prevention of cross-border crime.

Cooperation between Frontex and third countries fulfils a dual function: on the one hand, it supports Member States in the management of external borders; on the other, it enables Frontex to effectively carry out its own mandate. As Marin shows, such cooperation is structured through a combination of formal working arrangements and more informal forms of engagement, notably technical assistance, which are provided for under the 2016 Regulation.

While many working arrangements are publicly available, others remain opaque, and additional forms of cooperation take place outside formalized frameworks. This raises significant concerns in terms of democratic accountability, as the European Parliament is often unable to effectively scrutinize these administrative external relations, despite their tangible impact on individuals and on the EU's broader external action. Similar to the

governance of EU Emergency Trust Funds, this model concentrates decision-making power within the executive, thereby challenging the principle of institutional balance.

Beyond institutional accountability, questions of social accountability also arise. The information exchanged with third countries is often drawn from a limited set of governmental actors, resulting in a partial and security-driven representation of migration dynamics. As highlighted by the Frontex Consultative Forum, this one-sided production of knowledge risks marginalizing alternative perspectives and obscuring the broader human and social dimensions of migration.

Taken together, financial instruments and operational cooperation illustrate how externalization has evolved into a multidimensional governance strategy, combining funding flexibility, administrative action and knowledge production beyond the EU's borders.

The reliance on financial leverage and operational cooperation as tools of migration governance raises significant normative and political concerns. The effectiveness of migration conditionality remains inherently unstable, as cooperation with third countries is often fragile and highly dependent on shifting political incentives. At the same time, the externalisation of migration control functions generates profound human rights implications, particularly with regard to the protection of asylum seekers and refugees in countries with weaker legal safeguards. Furthermore, the increasing prioritisation of migration containment risks creating tensions between development-oriented objectives and migration control imperatives, thereby challenging the overall coherence of EU external action.

These dynamics provide the background against which the subsequent case study of the EU–Turkey Statement can be understood, as a paradigmatic example of the consolidation of financial, operational and political conditionality in EU external migration governance.

Chapter 4: Externalization of EU Migration Control: The EU–Turkey Statement (2016)

4.1 From Internal Crisis to External Governance

The EU–Turkey Statement of March 2016 represents a pivotal moment in the evolution of European migration policy, marking a shift from an internally oriented asylum system to a model of externalized migration governance. Triggered by the 2015–2016 migration crisis, the agreement emerged in response not only to increased migratory flows but, more fundamentally, to an internal crisis of EU governance, solidarity, and institutional capacity.

The crisis exposed structural weaknesses within the EU asylum framework, particularly the functioning of Regulation 604/2013 (Dublin III), whose allocation criteria placed a disproportionate burden on frontline Member States such as Greece. Proposals to revise the Regulation by introducing compulsory relocation mechanisms met strong resistance by Member States potentially affected, revealing profound political fragmentation and a lack of solidarity within the EU. Once migrants reached EU territory, asylum and fundamental rights obligations limited the scope for restrictive internal responses. Over the years, migration thus became a source of political destabilization, challenging both national governments and the EU’s legitimacy. As migratory arrivals intensified after 2013, immigration rapidly rose to the top of national political agendas across Member States. Empirical evidence suggests that while public preferences towards refugees did not uniformly harden, the issue became markedly more salient in public debate, increasing pressure on governments to adopt visible and immediate policy responses (Hatton, 2020).

Faced with these internal constraints, the EU increasingly turned outward. Rather than reforming its asylum system and settling internal divisions, it looked beyond its border to manage migration, initiating a new strategy of external governance. The EU–Turkey Statement embodies this shift. Through the return of irregular migrants from the Greek islands to Turkey and the designation of Turkey as a “safe third country,” the EU effectively relocated responsibility for asylum seekers to a non-EU state. In exchange, Turkey received substantial financial assistance, political concessions, and enhanced leverage in its relations with the Union.

This arrangement illustrates the core logic of externalization: preventing migrants from reaching EU territory in order to limit the activation of EU legal obligations. Migration control was displaced geographically while remaining politically effective. Turkey functioned as a buffer zone, containing mobility upstream and allowing the EU to ensure internal stability without resolving its internal governance failures.

4.2. Innovative features and results of the EU-Turkey Statement

The EU–Turkey Statement, adopted on 18 March 2016, was framed as a political declaration rather than a formal international treaty. It emerged in response to the 2015–2016 refugee crisis, when over a million people entered the EU irregularly, mainly through Turkey via the Eastern Mediterranean route involving Greek islands.

At the core of the arrangement was the so-called “one-for-one” resettlement mechanism. For every Syrian national returned from the Greek islands to Turkey, another Syrian would be resettled from Turkey to an EU Member State, in accordance with UN vulnerability criteria. This mechanism aimed to discourage irregular crossings while maintaining a controlled channel for legal resettlement.

As stated above, the agreement was based on the assumption that Turkey was a “Safe Country” according to standards applied to asylum seekers. This allowed Greek authorities to declare certain asylum applications inadmissible and to return applicants to Turkish territory. In parallel, Turkey committed to preventing the opening of new sea or land routes for irregular migration towards the EU and to strengthening border controls in cooperation with neighbouring states and EU authorities.

A substantial financial component accompanied these operational commitments. Through the Facility for Refugees in Turkey, the EU mobilised six billion euros in two tranches, primarily allocated to projects in education, healthcare and humanitarian assistance. Importantly, these funds were largely channelled through international organisations and NGOs rather than directly transferred to the Turkish government.

Finally, the Statement included a series of political incentives, such as the prospect of visa liberalisation for Turkish citizens, the acceleration of accession-related procedures and discussions on the modernisation of the customs union. Although many of these commitments remained only partially implemented, they formed part of the broader political bargain underlying the agreement.

Taken together, these elements illustrate a structured exchange of responsibilities and incentives, combining operational migration control with financial and political concessions (European Council, 2016).

4.3 Externalization in Practice: Features and Outcomes

Beyond its formal provisions, the EU–Turkey Statement generated concrete forms of externalization in practice. Its implementation affected the geographical location, operational management and legal context of migration control.

First, the agreement effectively displaced migration control geographically. By ensuring that asylum seekers were returned before their claims could be substantively examined within EU territory, it reduced arrivals without formally suspending border regimes or asylum rights. In this sense, containment was achieved upstream rather than through internal legal restriction.

Second, the arrangement entailed a functional delegation of responsibilities. Turkey assumed the burden of hosting and managing over four million refugees who might otherwise have sought protection within the Union. While the EU retained political leverage through funding and diplomatic incentives, operational responsibility for protection and containment was largely externalised.

Third, the Statement produced a form of jurisdictional displacement. As Turkey is not bound by EU asylum law, legal guarantees and oversight mechanisms applicable within EU territory did not apply in the same way. This configuration limited the direct applicability of EU procedural guarantees and constrained the scope of judicial and institutional oversight within the EU legal order. This interpretation was reinforced by the General Court in *NF and Others v European Council*, where the Court held that the EU–Turkey Statement could not be attributed to the European Council as an EU institution, thereby declining jurisdiction over challenges brought against it. As a result, the possibility of judicial review under EU law was effectively curtailed.⁵

⁵ General Court, *NF and Others v European Council*, Joined Cases T-192/16, T-193/16 and T-257/16, Judgment of 28 February 2017; confirmed on appeal, Joined Cases C-208/17 P to C-210/17 P, Judgment of 12 September 2018.

UNHCR statistics indicate a sharp decline in irregular arrivals on the Greek islands after 2016, suggesting a significant shift in migratory dynamics along the Eastern Mediterranean route. Arrivals in Greece decreased sharply in the months following its implementation, with reported reductions of close to ninety percent. Smuggling networks were also significantly disrupted. The apparent effectiveness of this arrangement reinforced its appeal as a template for similar agreements, including the Italy–Libya Memorandum of Understanding of 2017 and subsequent cooperation frameworks with Tunisia and Egypt. These developments suggest that the EU–Turkey Statement marked not merely an emergency response, but the consolidation of a broader externalization strategy within EU migration governance.

4.4 Legal Ambiguity and Accountability

The EU–Turkey Statement was adopted in a period of exceptional migratory pressure on EU Member States and was primarily intended to reduce arrivals and alleviate pressure on Europe’s external borders. Its objective was also to discourage irregular crossings by increasing the costs and risks associated with unauthorized movement. Within this context, negotiations reflected a significant interdependence between the EU and Turkey.

A central issue concerns the legal nature of the Statement. Its informal format and its adoption outside the ordinary procedure under Article 218 TFEU have generated debates as to whether it constitutes an international agreement under public international law or a political declaration concluded outside the EU legal framework. This ambiguity has strongly influenced judicial scrutiny. In *NF and Others v European Council*, the General Court held that the Statement could not be attributed to the European Council as an EU institution and therefore declined jurisdiction. The informal character of the arrangement thus limited the scope of judicial review within the EU legal order.

The enforcement of the Statement, and the possibility to transfer asylum seekers from Greece to Turkey, was facilitated by Greece’s designation of Turkey as a “safe third country”. Under Article 38(1) of the Asylum Procedures Directive, a country may be considered safe only if specific guarantees are ensured. These include the absence of threats to life or freedom on Convention grounds, protection against serious harm, respect for the principle of non-refoulement, prohibition of removal in violation of the

prohibition of torture or inhuman or degrading treatment, and access to effective refugee status determination in accordance with the Geneva Convention.

However, concerns have been raised as to whether these conditions are consistently fulfilled in practice in the case of Turkey. Turkey maintains a geographical limitation to the 1951 Refugee Convention, granting full refugee status only to European nationals. Various reports and judicial findings have highlighted allegations of refoulement and deficiencies in effective protection mechanisms. ECtHR case law has confirmed violations relating to removal practices in certain circumstances.⁶

Notwithstanding these concerns, Greece retained Turkey as a safe third country in its 2021 designation. In practice, this resulted in a significant number of asylum applications being declared inadmissible. Reports indicate that between 2021 and 2023 more than 10,000 claims were rejected on this basis. When readmission was not effectively carried out due to the suspension of returns by Turkish authorities, applicants often remained in prolonged procedural uncertainty. In such cases, asylum seekers were required to submit new applications, facing administrative delays and procedural obstacles under national legislation.

Transparency represents another structural concern. The implementation of the EU–Turkey Statement has not been accompanied by systematic public reporting. Information and data are fragmented and provided irregularly, limiting comprehensive assessment and independent monitoring (Ovacık et al., 2022). It remains difficult to establish with precision the number and profile of persons returned under the arrangement and the procedural safeguards applied in individual cases.

Moreover, the Statement did not establish a formal, independent oversight mechanism dedicated specifically to its implementation. Monitoring has largely relied on existing institutional frameworks and voluntary supervision. The absence of a structured accountability mechanism has raised questions regarding effective remedies and responsibility allocation. Given the Court’s position in *NF*, attributing direct legal responsibility to EU institutions under EU law is legally complex.

From a broader perspective, the Statement focused primarily on containment and operational cooperation. While it was associated with a reduction in arrivals in the Eastern

⁶ Yiota Masouridou and Evi Kyrioti, “The EU–Turkey Statement and the Greek Hotspots: A Failed European Pilot Project in Refugee Policy”.

Mediterranean route, it did not directly address the structural causes of displacement. Academic commentary has argued that the arrangement redirected migratory pressure rather than resolving it, contributing to shifts toward alternative routes (Collett, 2016).

The informal legal status of the Statement, combined with the reliance on the “safe third country concept”, has therefore generated ongoing debates concerning accountability, fundamental rights protection, and the coherence of EU asylum governance. In this sense, the EU–Turkey Statement illustrates how externalization strategies may stabilize migration flows in the short term while simultaneously raising complex legal and normative questions within the EU legal order.

Conclusion

This thesis examined the extent to which the process of Europeanization enabled the externalization of migration control through conditionality mechanisms in EU migration policy between 1999 and 2016. The analysis demonstrates that these three dynamics operated in a mutually reinforcing manner. Europeanization facilitated the gradual expansion and consolidation of EU competences in migration governance. Within such an evolving institutional framework, conditionality emerged as a central governance mechanism through which the Union structured cooperation with third countries. Externalization, in turn, materialized as the policy outcome of this institutional and instrumental evolution.

The persistence of migratory pressures, including the nearly one million first-time asylum applications recorded in 2024, confirms that migration remains a structural feature of the European political landscape. However, the governance tools mobilized in response to such pressures were largely constructed in earlier phases of integration. This supports the central argument of this thesis: externalization did not arise as a purely crisis-driven reaction, but is embedded in the institutional logic of European integration and represents an extension of it beyond the Union’s territorial reach.

The findings further suggest that externalization constitutes a structured form of governance outsourcing embedded in the Europeanization process. Rather than directly managing migration flows at its borders alone, the EU has institutionalized a model in which third countries assume substantial control functions in exchange for political or economic incentives. Through “tailor-made partnerships” framed as balanced and mutually beneficial cooperation, migration governance combines border management,

readmission policies, financial assistance and, in some cases, limited legal pathways, within a conditional framework. Europeanization, therefore, operates not only as an internal process of integration but also as a mechanism for projecting governance outward through conditionality, with externalization serving as its concrete institutional expression.

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