

BLOG — POST

On the usefulness (or otherwise) of a strategic debate on migration



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The European Council has planned to hold a strategic debate on migration at its meeting on 16 October 2026. One might, of course, view this strategic debate as reflecting the European Union's desire to strengthen its cooperation and address migration challenges collectively and strategically, as well as the need to coordinate Member States' policies.

However, this decision was taken at the initiative of European leaders, notably Mette Frederiksen and Giorgia Meloni, who are calling for an increasingly restrictive approach to migration and asylum. The disapproval, by a majority of them, of Spain's decision to regularise the status of 500,000 irregular migrants, and their desire to swiftly establish return platforms in third countries following the entry into force of certain provisions of the new Return Regulation^[1], were at the root of this request.

The reaction of these same leaders to the events in Ceuta in July unfortunately confirmed that the instinct to retreat into national isolationism, behind the re-establishment of internal border controls, still takes precedence over European solidarity.

^[1] https://home-affairs.ec.europa.eu/news/commission-welcomes-political-agreement-return-regulation-2026-06-02_en?prefLang=en

It took an informal Council meeting for a clear message of solidarity and support for the country whose border had been stormed to be clearly expressed, including by the President of the Commission.

One might therefore question the added value and substance of this strategic debate, given that the number of irregular arrivals on EU territory and asylum applications has fallen considerably in recent years, and that there is now a legal framework capable of better regulating and managing migration and asylum, as well as arrivals at the EU's borders, which must be fully implemented, collectively and in a spirit of solidarity.

In her State of the Union address on 16 September, the President of the Commission quite rightly reminded Member States of their duties: to implement the Pact on Migration and Asylum, which those same States adopted in May 2024 and for which they had two years to put in place the necessary national legislative amendments and practical measures to bring it into force last June.

However, the level of preparation, commitment and compliance is still far from satisfactory. The Pact is based on a delicate balance between increased responsibility on the part of countries of first entry for handling irregular arrivals and asylum applications, in return for mandatory and predictable solidarity from other countries. The first exercise in solidarity – namely, the establishment of the solidarity reserve for 2026 – proved difficult and less ambitious than hoped for^[2]. One of the reasons for this was Italy's refusal to take back individuals for whom it is responsible for examining asylum claims and who have fled to another Member State. To date, this position has not changed, foreshadowing similar difficulties in establishing the next solidarity reserve for 2027. Conversely, offers of solidarity, particularly regarding resettlement, have been very limited, with some countries making no offers at all. As for the minimum capacity requirements for the accelerated procedure at the border, these have not yet been met everywhere, and the alignment of national legislation with the Pact is still far from complete in a number of Member States. The priority is therefore the collective and solidarity-based implementation of the Pact. The process of adopting it must now be transformed into genuine and effective implementation.

The Commission President also pointed out that migration does not begin at the Union's borders but stems from the difficulty many migrants face in making a decent living in their countries of origin, whether for political, economic, climatic or other reasons, and proposed 'offering young people in these countries concrete prospects for employment, training and apprenticeships so that they are not forced to risk their lives, as part of a new Mediterranean initiative for youth skills and employment'. In line with this proposal, the migration diplomacy set out in the Commission's five-year strategy should form an integral part of a long-term vision for relations with third countries of origin and transit within the framework of the 'Global Europe' approach, based on an understanding of the mutual interests of each party.

^[2] <https://institutdelors.eu/en/publications/the-european-pact-on-migration-and-asylum-in-the-starting-blocks/>

Comprehensive and balanced partnership agreements—not limited to migration issues, but including opportunities for economic investment, trade facilitation, as well as a positive policy on visas and mobility, legal migration, cooperation against migrant smuggling, and border and migration management—should be a funding priority for the next multiannual financial framework, which Member States should commit to supporting.

Conversely, the agreements provided for in the Return Regulation, designed to enable Member States that so wish to establish return platforms in third countries where rejected asylum seekers could be sent whilst awaiting readmission to their country of origin, raise questions regarding their consistency with this long-term vision. Being highly transactional and targeted in nature, their effectiveness and sustainability will depend on the strength of relations with the partner country and will, in effect, increase the EU's dependence on the partner countries, at a time when greater strategic autonomy is being called for. Furthermore, these platforms do nothing to address the problem of certain third countries' reluctance to take back their nationals. They also leave unresolved, for the time being, the issue of those who can never be returned to their country of origin, for whatever reason.

These questions regarding the appropriateness of such measures are compounded by doubts about the effectiveness of the platforms, as illustrated by all previous attempts to externalise migration management^[3], a point highlighted by President Emmanuel Macron and the Spanish Prime Minister Pedro Sánchez. However, as soon as the regulation was adopted last June, a request for funding from the EU budget was made by the 19 countries that had supported the creation of these platforms. Many of them are also strong advocates of reducing the financial framework proposed by the Commission for the period 2028–2034. It is therefore worth asking whether EU funds might not be better spent on improving long-term cooperation with third countries of origin and transit within the framework of the aforementioned comprehensive partnership agreements, and on promoting organised channels for legal migration.

Being more rigorous in granting the right to asylum and controlling border entries need not be incompatible with the sound management of European funds or with respect for fundamental rights. The criteria for recognising safe third countries have been relaxed and will thus allow people to be returned to countries with which they have no connection, or through which they have not transited, provided that an agreement exists with those countries to process their asylum claims. As with the aforementioned platforms, such an agreement may only be concluded with countries offering sufficient guarantees regarding effective protection and non-refoulement. This revision of the criteria for defining safe third countries presents undeniable risks of non-compliance with the Charter of Fundamental Rights, which the Commission is obliged to ensure that it is upheld. It is essential that the Commission exercises its role of monitoring the proper application of EU law with courage and authority. Whilst it is likely that the real aim of these new provisions is to deter irregular arrivals, they nevertheless create a situation of considerable legal uncertainty. Care must also be taken to ensure that any agreement between a Member State and a third country does not have the effect of diverting irregular arrivals to other Member States, which would be highly detrimental to the proper implementation of the Pact.

^[3]<https://institutdelors.eu/en/publications/externalisation-of-migration-management-a-need-for-clarification/>

In her State of the Union address, the Commission President announced a “new European emergency response framework which will only be activated under strictly defined criteria and will allow for time-limited and strictly defined flexibility in standard procedures.” However, the Crisis Regulation adopted under the P5^[4] already provides for a series of derogations and flexibility measures in standard procedures that are time-limited and strictly defined. It applies “to exceptional crisis situations, including exploitation, and cases of force majeure in the field of migration and asylum within the Union through temporary measures.” It may be activated upon a reasoned request from the Member State concerned to the Commission. Spain did not deem it necessary to invoke these provisions and, with the cooperation of the Moroccan authorities, returned the vast majority of those who arrived at the border without any asylum applications having been made.

What, then, might a new ‘emergency framework’ achieve? The temporary suspension of the right to asylum in the event of a mass influx (which is not included in this regulation) is a recurring demand expressed by certain Member States, notably Greece, which reiterated it this summer following the events in Ceuta^[5]. Including such a provision in this new European emergency response framework would be legally very risky, as this right is guaranteed by the Geneva Convention on Refugees and the Charter of Fundamental Rights of the European Union. On the other hand, supplementing the aforementioned crisis regulation with operational assistance and rapid support measures for countries whose borders are under threat, as well as strengthening services for monitoring and anticipating population movements at borders, would be desirable and far more realistic. The five-point plan proposed by the Commission on 29 September to prevent, anticipate and respond to sudden and mass irregular arrivals is a timely step in this direction.

A strategic debate on migration at the October European Council will therefore only be useful if it results in a firm commitment from EU Member States to:

- Implement the Pact on Migration and Asylum in a spirit of solidarity, effectively and in full. This is the essential prerequisite for restoring trust amongst Member States in a reliable and sustainable management system and, ultimately, for ensuring the long-term viability of the Schengen Area. The tools are in place; they must be utilised before any thought is given to revising them.
- Manage the Union’s external borders collectively and in a spirit of solidarity, given the interconnection of digital management systems and the necessary cooperation between border police services and the authorities responsible for migration and asylum. Without unwavering solidarity, Europe will be vulnerable to those – whether state actors or criminal organisations – who seek to destabilise it. The forthcoming review of Frontex should ensure a genuine pooled reserve of border guard and coastguard capabilities, in the same spirit of trust, speed and solidarity as the European Civil Protection Mechanism.

^[4] https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202401359

^[5] <https://www.politico.eu/article/greece-kyriakos-mitsotakis-eu-tools-weaponized-migration/>

- Facilitate safe, well-prepared and collectively organised legal migration as part of a long-term vision of partnership agreements with countries of origin, respecting the mutual economic and political interests of both parties. Spain's decision to regularise the status of 500,000 migrants – which was poorly communicated to its neighbours – provoked reactions driven more by electoral posturing than by a dispassionate analysis of the measure's merits. Italy has adopted a decree for the period 2026–2028 offering the same number of residence permits to third-country nationals, without causing the slightest stir amongst its European partners.

The time has now come for action rather than debate, for solidarity rather than division, for preserving the area of free movement rather than undermining it, and for pooling our resources rather than retreating behind internal border controls that are more costly than they are effective.

Just as Jacques Delors did in his day, it is important that the Commission reminds Member States, as often as necessary, of this overriding European interest in solidarity, of which it must be the unwavering guardian and guarantor.