

WHY MIGRATION MATTERS – EVOLVING CONCEPTS AND POLICIES WITHIN THE EU

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ABSTRACT

This article examines the multifaceted nature of contemporary migration, emphasising both individual motivations and the broader geopolitical dynamics that influence migration policies and international relations. Globalisation and recent crises, including the European Union's 2015–2016 migration crisis and the refugee influx from Ukraine, have significantly intensified migration flows. Migration also plays a strategic role in diplomatic negotiations, with states leveraging migration patterns to achieve political and economic objectives. The EU's response to irregular migration, highlighted by its 2024 Pact on Migration and Asylum, aims to balance security concerns with humanitarian obligations. Additionally, the politicisation and instrumentalisation of migration, seen in cases like the Belarus-EU and Russia-Finland border contexts, underscore the security implications of migration as a tool for political influence. These dynamics reveal an ongoing tension between national sovereignty and EU-wide policy harmonisation, underscoring the need for adaptive, cooperative frameworks to address the evolving challenges of migration.

INTRODUCTION

Migration has been a fundamental aspect of human history and remains one of the most significant global challenges today. Crossing national borders transforms individuals' legal status, often netting them the label of "migrants". This phenomenon is highly complex, driven by diverse and evolving factors. In recent decades, globalisation has significantly accelerated international migration in various forms. People move freely within regions like the European Union, migrate for education, employment and family reunification, or seek refuge from persecution. Some leave their home countries to escape poor living conditions, pursue better economic opportunities or respond to environment-related and security challenges. Beyond individual motivations, migration also plays a strategic role in international relations, as states use it in bilateral and multi-lateral negotiations to advance their national agendas, such as meeting labour market needs, or political goals, such as managing migration flows and offering economic aid. It has also become a key element in power dynamics, as seen in recent examples such as the Belarus-EU border crises. This highlights the complex and often politicised nature of global migration today.

1. UNDERSTANDING MIGRATION

A simplified approach to understanding migration involves push and pull factors and distinguishing between voluntary and forced migration. Push factors, or determinant factors, are negative conditions in the country of origin that drive people to leave, such as unemployment, poor quality of life, poverty, extreme weather conditions, war and civil unrest. By contrast, pull factors are the positive attributes of another country that attract individuals seeking better opportunities, such as improved economic prospects, a safer environment, political stability and possible community waiting ahead (Tataru, 2019, pp. 13–14).

The second approach to understanding migration distinguishes between voluntary and forced migration. Voluntary migration means that the migration process is free from coercion. A more nuanced understanding involves three key elements. First, migrants must have reasonable

alternatives at home that would allow them to achieve an adequate quality of life without needing to move. Second, migrants should have viable exit options, such as the ability to change employers or return home, to alter the conditions of their movement. Third, migrants need access to accurate information about their journey, ensuring that their decisions are not based on traffickers' influence or unrealistic expectations stemming from false information (Bakewell, 2021, pp. 6–7). By contrast, forced migration involves some form of coercion, which can be selective, targeting specific individuals or groups, or generalised, such as in situations of war or natural disasters. This category includes civilian or military captives, war-trafficking victims, Convention refugees¹, asylum-seekers and internally displaced persons (Bakewell, 2021, p. 3).

Thus, migration can be voluntary or forced and can occur for a variety of reasons, ranging from seeking better economic opportunities to escaping environmental processes such as severe drought. Beyond the reasons prompting individuals to leave their home countries, migration can be categorised based on factors such as purpose, duration and legality. For legal and normative purposes, it is crucial to understand the intentions of a migrant, such as whether they are seeking employment, education, asylum or family reunification. From the perspective of the state, there is a fundamental distinction between regular/legal and irregular migration, which determines the policies, processes and legal frameworks that apply. This distinction influences how migrants are processed, the rights they are afforded, the duration of their stay, and the conditions under which they may remain or be required to leave. Legal migration typically involves regulated processes, such as visas or work permits, that define the duration and purpose of the stay. By contrast, illegal migration often bypasses formal channels, raising complex legal, social and security concerns.

¹ 1951 Convention defines a refugee as someone who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of [their] nationality and is unable or, owing to such fear, is unwilling to avail [themselves] of the protection of that country; or who, not having a nationality and being outside the country of [their] former habitual residence, is unable or, owing to such fear, is unwilling to return to it.”

2. THE DYNAMICS OF IRREGULAR MIGRATION

Irregular migration has been a topic of ongoing debate both in Europe and globally. In Europe, it gained heightened attention during the migration crisis in 2015 and 2016, when the EU experienced an unprecedented influx of refugees and migrants. More than a million people arrived in the EU, most of them fleeing from war and terror in Syria and other countries. Although most of the people arriving needed international protection, the EU shifted its focus towards improving its security at the external borders, combating migrant smuggling and increasing cooperation with third countries. Irregular migration remains a significant challenge that especially reflects geopolitical instabilities in the EU's neighbouring countries and is driven by innumerable factors.

According to Frontex (European Border and Coast Guard Agency) statistics, there was a significant increase in irregular border crossings in 2023, estimated at approximately 380,000 people, driven by economic, social and security instability in parts of Africa. Over the last 15 years, Frontex has detected 1.4 million irregular border crossings by African nationals (Frontex, 2024).

As irregular migration is a complex phenomenon, the EU will continue to face increasing migratory pressure from Africa. One reason is rural-urban migration in Africa (which has the lowest average per capita income in the world). Another reason is the continent's worsening security situation. War in Sudan (which triggered 6 million displacements in 2023), ongoing tensions in the Democratic Republic of Congo and persisting patterns of violence and instability in the Sahel are all increasing displacement and refugee flows from Africa. Risks on the eastern route, connecting the Horn of Africa to the Gulf states through Yemen, will also add pressure and lead to an accelerated escalation of security measures along the EU's external borders (Pinto, 2024).

African countries along migration routes will maintain, and likely increase, their influence over the EU, especially as regards EU states more exposed to irregular migration, like Spain or Italy. In this context, Europe will remain vulnerable to the instrumentalisation and weaponisation of migration and migration crises, triggered by economic collapse or civil unrest (in Tunisia, for example) or by tensions over the Western

Sahara (between Algeria and Morocco or between Morocco and the EU) (Pinto, 2024).

Eurostat data shows that in 2023, more than 1,250,000 persons were found to be illegally present in the EU. Given Europe's relatively secure external border controls, it is thought that most of them entered the given country legally with a residence permit or visa but are working illegally, either because the job is not declared or because their residence permit does not allow them to work or because they stayed beyond their legally permitted time in the country. But persons staying illegally may also be migrants who have entered the country clandestinely, who have no residence permit and who are staying and working illegally. In a special category are children who were born to illegal immigrants and who are illegally staying although they have never crossed an international border.

3. THE EVOLVING PERCEPTION OF MIGRANTS – REDEFINING REFUGEES

The 20th century saw a profound shift in the perception of migrants, largely due to the upheaval in Europe caused by the First and Second World Wars. Thousands were left stateless; conflicts scattered people across the continent and separated families; and the Cold War divided East from West. These events created millions of refugees, making it critical to recognise and address their plight, including by expanding the refugee concept. The 1951 UN Refugee Convention formally defined the term “refugee”, established refugees’ rights and set international standards for their protection. As a vital notion, the concept of refugees emphasised not why they left their country but why they could not return to it (Bakewell, 2021, p. 4). Core principles such as “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion”, “non-refoulement” and minimum standards of treatment have remained the same to this day.

In response to the evolving nature of forced migration and the complexities surrounding displacement, the EU started to work towards

establishing a Common European Asylum System (CEAS) at the end of the 1990s. The main intention was to harmonise asylum policies across member states and ensure fair and effective protection for those in need. The CEAS reform also introduced subsidiary protection for individuals who did not meet the criteria of a refugee, marking a significant step towards expanding the scope of international protection and adapting to new migration challenges (European Commission, 2024).

However, the global landscape has evolved further, posing new challenges to these foundational principles. Migration has been increasingly exploited as a political tool by authoritarian regimes, exposing the structural weaknesses and possibilities for misuse of the EU's common asylum system during crises. Additionally, there is a growing need to address climate change and natural disasters as fundamental drivers of migration. Thus, the evolving landscape of migration has prompted the development of the New Pact on Migration and Asylum, which was adopted in 2024 and is one of the biggest migration reforms in the EU. The negotiations on the EU Pact on Migration and Asylum started in 2016 as a response to the 2015–2016 migration crisis, which exposed significant shortcomings in the EU's existing migration and asylum systems. As a result, the European Commission acknowledged that a new, durable European framework was needed to manage the interdependence between member states' policies and decisions and to respond properly to the opportunities and challenges in normal times, in situations of pressure and in crisis situations (European Commission, 2020).

After years of negotiations, the official proposal of the Pact was submitted by the Commission in September 2020. The political agreement was reached in December 2023, and the final adoption of the Pact by the Council of the EU took place in May 2024. EU member states have two years (until 12 June 2026) to apply the new rules, with the exception of the Union Resettlement and Humanitarian Admission Framework Regulation, which is already applicable.

The Pact is a set of new rules managing migration and establishing a common asylum system at the EU level. It builds on and amends previous reform proposals in the area of migration, offering a comprehensive approach to strengthen and integrate key EU policies on migration, asylum, border management and integration. With firm but fair rules, it is

designed to manage and normalise migration for the long term, providing EU countries with the flexibility to address the specific challenges they face and necessary safeguards to protect people in need (European Commission, 2024). Whilst the Pact consists of various legislative acts, the main components are secure external borders, fast and efficient procedures, an effective system of solidarity and responsibility and embedding migration in international partnerships. At the same time, concerns have been raised by civil society as to whether the pact is indeed protecting the rights of refugees and migrants as it should.

4. BALANCING NATIONAL- AND EU-LEVEL MIGRATION POLICIES

National migration policies in Europe have been shaped by a complex interplay of historical context, domestic factors, geopolitical positioning, external pressures and, particularly in Europe, EU-level agreements. In the post-war era, migration policies were primarily driven by the need for labour to rebuild war-torn economies. This need was addressed through guest worker programmes, such as Germany's agreement with Turkey, which resulted in a significant Turkish community that remains today. Similar labour migration schemes were employed across many European countries, though there was minimal coordination of these foreign workers within a unified migration policy framework.

The 1990s marked a significant shift towards more restrictive migration approaches due to conflicts in the Balkans and the collapse of the Soviet Union. This period saw the tightening of border controls and the emergence of new immigration laws as newly independent states in Eastern Europe began to formulate their own migration policies. These policies were often conservative, reflecting a response to the large-scale immigrations that occurred during the Soviet era and aiming to manage the complex dynamics of post-Soviet national sovereignty and security.

In the EU context, key milestones in migration policy include the Schengen Agreement, which established free movement within the EU, and subsequent EU enlargements. Events such as the 9/11 attacks and the 2015 refugee crisis intensified debates about harmonising migration

policies at the EU level, while simultaneously pushing many member states towards stricter approaches focused on combating irregular migration and enhancing border security. Migration policy influences various societal aspects, including the labour market, education, housing, integration and internal security. Thus, it remains crucial for sovereign states to retain control over certain decisions, such as granting citizenship or determining the grounds for residence permits and revocation of the right to stay.

Today, the pursuit of common migration policies and minimum standards at the EU level reflects a significant effort to harmonise diverse national approaches and a somewhat fragmented legal framework. While member states have exercised caution in delegating decision-making competences to the EU, this balance allows EU-wide regulations and national adaptations to coexist. The EU's migration framework is constantly evolving, with examples of successful harmonisation such as the CEAS and strengthening the external borders.

Migration is increasingly influenced by globalisation, the race for talent in the context of entrepreneurship, education, technology and particularly the green transition, and the need to establish sustainable partnerships and coordination frameworks with third countries. In the EU, the challenges of an ageing population and a growing demand for skilled labour have highlighted that intra-EU mobility alone is not enough to meet these needs. On the other hand, there is a growing need to protect external borders, as migration has been weaponised by authoritarian regimes, posing significant security threats. Events such as the 2015–2016 refugee crisis, the 2021 Belarus-EU border crisis and the full-scale Russian war against Ukraine since 2022 have underscored the difficulty of balancing humanitarian obligations, border security and internal political pressures.

This situation has been described as the paradox of Europe's borders – where the EU and its member states are simultaneously dismantling some borders, relocating others and constructing new ones. These borders are not just physical (land, sea and air) but also organisational (governing access to the EU and its welfare systems) and conceptual (shaping questions of identity and belonging) (Geddes et al., 2020, p. 11).

5. THE WAR IN UKRAINE – EU’S RESPONSE AND COHESION

The full-scale Russian invasion of Ukraine in 2022 triggered the largest refugee crisis in Europe since the Second World War. Due to the scale of estimated arrivals, the European Commission anticipated that the asylum systems of EU countries would be unable to process applications within the deadlines set. Thus, as early as 2 March 2022, the European Commission proposed the activation of the Temporary Protection Directive, enabling immediate and temporary protection in the event of a mass influx of displaced persons who were unable to return to their country of origin, including access to residency, employment, healthcare and education. The EU’s response to Ukrainian refugees was marked by unprecedented solidarity and swift action, in contrast to the more fragmented handling of past migration waves, such as the 2015 refugee crisis.

Eurostat data revealed that over 4.31 million non-EU citizens who fled Ukraine were under temporary protection in the EU as of 31 December 2023 (EMN-OECD joint inform 2024, p. 4).

However, the EU’s approach to Ukrainian refugees, most of whom come from a culturally and geographically closer context, raised critical questions about the consistency and fairness of broader migration policies. The contrast between this and the handling of past migration waves, such as those from Africa and the Middle East, in which responses were more restrictive and less coordinated, highlights how migration frameworks can evolve but also be uneven in nature.

6. THE INSTRUMENTALISATION OF MIGRATION

Situations where migrants were instrumentalised for political purposes continued to be a key priority for many Eastern European countries. The instrumentalisation of migration is not a new phenomenon in history – there have been more than 60 historical cases in which states have used forced migration to put other states under pressure and to achieve foreign policy goals. More than once, they succeeded in getting

the opposing state to withdraw sanctions, increase economic aid or turn a blind eye to human rights issues (Migration Outlook, 2022, p. 19).

In 2021, Alexander Lukashenko's regime in Belarus began attracting migrants from Afghanistan, Iraq, Syria, Yemen and other countries to encourage and even force them to cross the borders into the European Union. This was Belarus's response to EU sanctions imposed following the regime's elections in 2020 and violent repression of civil society in 2021. Each migrant reportedly paid several thousand euros for the flight, travel documents and accommodation in hotels controlled by the Belarusian authorities. From Minsk, they were transported to the EU's external borders. In all, in 2022, 43,000 illegal entries and attempts to enter were reported by Poland and 4,000 by Lithuania. Poland, Lithuania and Latvia closed their border crossing points, announced a crisis situation and implemented contingency plans to effectively tackle the illegal entry.

Since autumn 2023, Finland has been faced with a similar situation of instrumentalisation of migrants by Russian authorities. This was Russia's way of attempting to weaken Finland's national security and internal order. By the end of 2023, Finland had closed its entire eastern land border. At Finland's external borders, it was only possible to apply for international protection at open border crossing points for air and maritime traffic. In July 2024, Finland approved new legislation on Temporary Measures to Combat Instrumentalised Migration, which aims to protect Finland against threats to its national security. The act lays down the conditions under which a government plenary session can decide to restrict the receipt of applications for international protection in a limited area on Finland's national border. Applications for international protection would not, apart from certain exceptions, be received in the area subject to the restriction, and instrumentalised migrants would be prevented from entering the country. The act will remain in force for one year, and a decision to apply the act may be made for up to one month at a time (Finnish Ministry of the Interior, 2024).

Although that act has been largely criticised by migrant organisations, Finland has decided to be prepared for instrumentalisation cases, as the risk remains high. Given Finland's geopolitical location and the ongoing tensions with Russia, the threat of instrumentalised migration as a

means of exerting political pressure remains a significant concern not only for Finland but for the entire region.

CONCLUSION

Migration continues to be a multifaceted issue that transcends national borders and is shaped by economic, social and geopolitical factors. The evolving dynamics within the EU demonstrate both the challenges and opportunities of managing migration in a complex global landscape. The recent legislative responses to the instrumentalisation of migration, as seen in Finland and other EU border states, highlight the ongoing security concerns and the need for coordinated regional action. The New Pact on Migration and Asylum, adopted in 2024, represents a significant step towards a more coherent and effective EU migration framework, aiming to balance border security with humanitarian obligations and integration efforts. As migration remains a key element of international relations and domestic policies, the EU must remain adaptive, resilient and committed to finding a balance between security, humanitarian obligations and integration efforts.

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