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Theorising the interaction between migration-relevant policies and migration driver environments

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1. Introduction

Over the past decade, there has been great variation in patterns and clusters of migration to Europe from so-called third (non-EU) countries. While the share of non-EU immigrants as a percentage of all foreign citizens has continuously increased over the last twenty years, the composition of EU immigration in terms of their European versus non-European origin varies significantly across EU member states (Czaika et al. 2021a).

While national migration policies may play at least some role, the extent and how these migration patterns result from a combination of migration drivers and policies, operating at local, national or international scales is conceptually and empirically unresolved. The relationships between migration drivers and policies, and their mutual and interactive impact on migration patterns is complex, and in many cases even equifinal. In other words, similar migration outcomes, e.g., in terms of migration flow composition, may result from different causal configurations and trajectorial interactions between migration policies and drivers.

Thus, while the empirical evidence on the effectiveness of migration policies is inconclusive (Czaika and de Haas 2013), the theoretical foundations for explaining the role of states and state policies in shaping forms, compositions, timings and destinations of migration also remain rather weak.

To decipher the complex relationship between states' migration policies, migration drivers and outcomes, this paper proposes a theory of *migration-relevant policy*. This theoretical framework conceptualises *internal* and *external migration-relevant state policies* as embedded within larger and cross-scalar *migration driver environments* (Czaika and Reinprecht 2020).

Analyses of 'migration policy' are often based on an assumed obvious, and often narrowly or undefined understanding of the term. Complex interaction and feedback mechanisms between various policy instruments, implemented and adapted either simultaneously or sequentially, have been anecdotally but not systematically analysed (de Haas et al. 2019). Recognizing the importance of complex policy configurations and interactions, which often trigger feedback or conjoint effects, sometimes mediated by broader socio-economic and political contexts, is decisive to empirically assess the scope and limitations of migration-relevant policy interventions.

The framework proposed in this paper allows assessing migration policy configurations and their effects, for instance in the context of European external migration policy. We introduce the concept of migration-relevant policies based on the assumption that broader migration processes and individual behaviour are not only shaped by tailor-made policy interventions that *directly and explicitly* aim to influence the migratory behaviour of a target population in an intended direction. We know that also other public policies, what we might refer to as *non-migration policies*, that is those public policies not traditionally seen as migration policies, nevertheless shape migration processes and outcomes, and their effects may in certain cases be even larger than those of explicit migration policies (Czaika and de Haas 2013). Specifically, policies in the areas of labour market, public finance, education, welfare, foreign affairs, security, or development assistance, all play a role in (dis-)incentivizing migration decisions of (potential) migrants, and hereby shaping migration processes and patterns of (aggregate) migrant populations (see e.g., Brekke and Brochmann 2015). In other words, we presume that the role of states and state policies in shaping migration processes is much greater than most studies that narrowly and exclusively focus on 'migration policies' alone would suggest.

Whether a country's immigration pattern is dominated by a particular legal or categorical

pathway, by a certain intertemporal dynamic, or by a certain nationality, is largely dependent on the contextual and political interplay that shapes opportunity and risk structures for individual migrants and larger migrant groups. The analytical challenge is to conceptualise some fundamental functional features of the interaction between policies and migration driver environments that may trigger, enable, select, mediate, or deter migrants aspiring to move to EU or other destinations. Our framework integrates the concept of migration-relevant state policies into the aspiration-capabilities framework, and thus clarifies the interactions between policies and migration driver environments across macro- and micro levels (Carling 2002, de Haas 2021).

Based on our understanding that migration decisions are both situational and contextual, we conceptualise migration driver environments as dependent on the time and place in which migration aspirations are formed and decisions taken. We further argue that it is not usually a single driver ('root cause'), but rather the complex combination of economic, political, social, cultural and other factors, developments and events, that may dynamically influence opportunities, willingness, and capability to migrate. The combination and accumulation of migration drivers often leads to certain 'tipping point' situations, at which population movements are likely to occur (Bijak and Czaika 2020).

We elaborate on the role of migration driver environments and migration-relevant policy configurations as distinct but interrelated concepts. Furthermore, we also distinguish between the *internal* and *external* dimensions of migration-relevant policies, which influence migration aspirations and capabilities of prospective migrants. At an aggregate level, all these come together in shaping broader migration outcomes and patterns.

Policies that are, for instance, implemented externally, i.e., outside a country's own borders and territory, are increasingly used as migration-relevant policy instruments shaping migration processes 'upstream', i.e., close to or even in the country of origin (Wunderlich 2012). External migration policies, e.g., on visa, resettlement, return and readmission, often in combination with other external migration-relevant policies, such as humanitarian aid or military interventions, often shape migration indirectly. Such policies can work through their effects on the opportunity and risk structures of the broader migration driver environment and interact with and form complex policy configurations together with *internal* migration-relevant policies.

The remainder of this paper elaborates on these concepts and features including configurations of internal and external policy instruments, their emergence, interaction, and impact on migration and the migration driver environment. The next section discusses the role of states and state policies in migration processes and proposes a theory that conceptualises migration-relevant policy. This theory enables new assessments of migration policy and its impact on people's migration aspirations and capabilities. Section 3 presents some functional features of migration-relevant state policies and their interlinkages with drivers of migration, highlighting temporal, spatial, compositional and interactional features as important dimensions in understanding the complex policy-driver relationship. In Section 4 we present seven 'what if' scenarios as related to the European pre/post-2015 context. Section 5 concludes with a summary of the paper's main argument on the role of states and state policies in shaping migration processes and outcomes. Here we foreground the the interaction between migration-relevant policies and migration driver environments as a recommended approach to this question.

2. A theory of migration-relevant policy

States play a decisive role in migration processes (see e.g., Betts 2011, Castles 2004, Geddes and Lixi 2018, Natter 2018). In addition to the impact of specific mechanisms targeting migration, the very existence of states as manifested through their territorial borders and national governing structures make them key actors in the field. States affect migration far more than simply through the, often narrowly defined, field of 'migration policy'. Yet, the bulk of research on the relationship between states, state policies and migration often adopts a narrow interpretation of the role of states reduced to migration policies and their impact.

A state's position, both geographically and geopolitically, and thus its ambition and ability to manage migration, is often taken for granted in research on migration policy. Yet, ranging from democratic to autocratic models, there are extreme variations in how states can and do relate to migration and, often correspondingly, how migrants relate to states (Natter 2018). Research has tended to focus on stable western-liberal democracies, though recent years have seen more attention to migration governance in both conflict ridden and autocratic states. This includes the growing bulk of research on states in the south and east of Europe, and their engagement with EU external migration governance (Geddes and Lixi 2018).

To clarify the impact states may have on migration processes it is key to widen the analytical scope. To this end, we propose a theory of *migration-relevant state policy*. The theory carves out a typology that differentiates between *internal* and *external* migration-relevant policy, and conceptualises what we call 'policy configurations', 'migration driver environments' and 'policy-driver interactions'. We suggest that our theoretical framework can improve analyses of states and policies' interaction with migration drivers, by bridging it with the understanding of migration aspirations and capabilities as the mechanisms that produce migration processes (Carling 2002). In combination, we believe these theoretical structures enhance existing analytical approaches to decipher migration policy and its impact.

2.1 A typology of internal and external migration-relevant policies

Migration policies are usually explicitly targeted at a specific group or part of the migration process, from the (de-)motivation of migration to the integration, return or reintegration of migrants. Yet, a range of other and *not explicitly* migration-targeting policies may influence migration as much, or even more. For instance, states' labour policy in combination with other sector policies (e.g. industry or agriculture) shape the opportunities of migrants to be included in the labour market. State policies on higher education can enable or disable international student mobility, and welfare policies may affect individuals' possibility to migrate, their decision-making and social protection needs. While none of these fields tend to fall under what is understood as 'migration policy', they are nevertheless implicit components of migration management. While the common trend in migration policy analyses is to focus on specific policies, and the effects of explicitly stated aims, it is key to move beyond this narrow focus and broaden the analysis of policy impact.

Although rarely pinpointed, perhaps because of its obviousness, the geographic location of migration-relevant policy implementation is key to interpret its potential impact. A crucial first step is thus to distinguish between policies with an *internal* versus an *external* orientation. This relates to whether a policy is designed for implementation and impact *within or outside of the borders* of the policy-making state. Policies' geographic location can be external and internal to a state, or to a policy-making federation of states, such as the EU. Meanwhile, research on EU external

migration policy is often carried out in isolation from research on internal policy (see e.g., Reslow 2019 for an overview of research trends). Where the first focuses on bilateral and regional cooperation aimed at managing migration external to the EU, e.g., through readmission and border control policy in neighbouring regions, the latter focuses on policies targeting migrants within the borders of the EU or individual EU states, e.g., integration policy and intra-European mobility policy.

While analytically logical, the dichotomisation of policy as internal or external may conceal a policy's complexity and wider impact. This is relevant to note in relation to theorising migration policy impact, as an external migration-relevant policy may have an internal impact, such as on the number and composition of migrants arriving. By contrast, an internal migration-relevant policy may have an external impact, such as on the aspiration and capability of potential migrants. To illustrate, a policy on the requirements foreign residents must fulfil to apply for family reunification is an internal policy which influences its target populations both internally (the residents with migrant background) and externally (the migrants' family members abroad). Internal non-migration policies may also have an external impact, and thereby also become migration-relevant, for instance – and in relation to the rigorously scrutinised 'welfare-magnet hypothesis' (Agersnap et al. 2020) – a generous internal social security system may affect externally residing people's migration aspirations toward that specific country.

A typology of migration policies can be structured in relation to:

(1) the stated aims of the specific policies (e.g., border control or visa policy) (Solano and Huddleston 2021);

(2) states' governance structures (e.g., focusing on particular ministries or state actors with specific migration-relevant responsibilities);

(3) scales (e.g., international agreements versus local polices);

(4) migration type/target (e.g., family reunification policy, asylum and refugee policy, student mobility policy, labour migration policy, EU mobility versus third-country migration policy).

In line with calls to broaden the scope of analysis of migration policy, recent calls to 'de-center' migration governance research (Triandafyllidou 2020) and to 'globalise' migration policy theory (Natter 2018), we acknowledge the need to move beyond specific and narrow understandings of 'migration policy'. This is particularly important as more research focuses on the EU's external migration policy, but arguably lacks an adequate theoretical frame enabling to situate these policies in relation to other external policy areas and, indeed, to the EU's internal migration policy.

Drawing on typology construction theory (Bailey 2005), we add to the existing understanding of external migration policy by developing the frame in which they are understood. We propose a typology that groups policies by their areas of focus, sorted along two key lines of division: (1) the policy's relation to migrants as an explicit or implicit target group, and (2) the policy's geographic orientation as it is relevant to national/internal or international/external affairs. This theorisation moves beyond classic migration policy understandings as it includes both internal and external policies, directly and indirectly targeted at migration. We purposefully label the policy areas included as 'migration-relevant' as both migration and non-migration policy may have an impact on migration (see Figure 1).

Figure 1 External and internal migration-relevant policies: a typology

Policy Target / Policy Implementation	Migration	Non-Migration
External	• External border control policy (border protection, procedures) • External entry policy (visa issuance) • Visa and admission policy • Irregular migration policy (interventions in countries of transit) • Return and reintegration policy (AVR: assisted voluntary returns, reintegration support) • Diaspora policy (engagement, support transnational practices)	• International trade policy (tariffs and non-tariff barriers e.g., for agriculture or textile sectors) • International security policy (military interventions, police cooperation) • Humanitarian policy (emergency aid – food, shelter, reconstruction) • International development policy (poverty alleviation, human development) • International business policy (support of foreign investment and joint ventures)
Internal	• Labour migration policy (recruitment, labour market integration, skill selection) • Family migration policy (reunification, spousal rights) • Student migration policy (recognition of credentials, post-graduation stay) • Asylum policy (qualification, reception, procedures) • Refugee policy (rights, full vs. subsidiary status) • Integration policy (language, housing, skill) • Citizenship policy (permanent residence, road to citizenship) • Irregular migration policies (irregular entry and stay)	• Finance and tax policy (corporate tax, income tax) • Social security policy (pension portability, welfare benefits) • Health and care services policy (quality, and access) • Labour market policy (activation policies, labour market flexibility) • Transport policy (quality of infrastructure) • Social and cultural policy (inclusive diversity policies) • Education policy (quality of and access to (higher) education) • Climate policy (CO_2 taxation, green development) • Agriculture and industrial policy (subsidies, facilitation of structural change)

Source: own elaboration

While carving out a path to understand external migration policy better by classifying it in relation to internal and non-migration policies, we build on previous theorisation regarding the factors that make and unmake migration policies. Castles (2004) underscores the importance of, among other, economic and social interests, national institutional frameworks and national welfare systems. We incorporate some of these factors as migration-relevant policy in their own right. Indeed, non-migration policy regarding economic, societal and welfare structures can be highly relevant to migration processes and outcomes (Carrera et al. 2019). For instance, internal migration-relevant policy can thus comprise national labour-market policy or education policy, and external

migration-relevant policy may include trade, climate or development policy. A typology of internal and external migration-relevant policies enables research to overcome the limitations set by existing migration policy understandings, and to recognise the wider – direct and indirect - impact a policy may have on migration processes and outcomes.

2.2 Policy configurations, migration driver environments, and their interaction

With the growth in policies aiming to regulate migration over the past decades, there has been a concurrent rise in the measurement and analysis of policy outcomes. Many of these studies focus on policy *effectiveness* in terms of whether policies fulfil their stated objectives and tend to conclude either that migration policies serve as effective tools for controlling migration, or the opposite, that migration policies fail to control migration (Castles 2004; Czaika and de Haas 2013). This binary framework is insufficient for explaining the fuller impact of policy, including EU external migration policy. Another line of research examines policy *effects*, rather than effectiveness, and includes a wider set of policy outcomes, including 'secondary', 'unintended', 'knock-on', 'substitution' and 'paradoxical' effects (Burlyuk 2017; de Haas et al. 2019; Reslow 2019; Vitus and Jarlby 2021).

Yet, research on both effectiveness and effects remains largely focused on whether policy influences the numbers, forms, modes, geographies or overall dynamics of migration. Migration-relevant policy aims are increasingly complex and interlinked with other policies areas, e.g., security, development and trade, as is particularly visible in the EUs external policy. Thus, it becomes important to acknowledge that policy impact on migration may vary and may reach beyond migration. Indeed, migration-relevant policies, consisting of a variety of policies directly or indirectly targeting migration, may have a broader impact on societies, economies, governance structures, international politics and more. However, it is difficult to scrutinize how such impact comes about, and how it may play out. To this end, we propose a conceptual trio to start unpacking the black box of policy impact: (1) policy configurations, (2) migration driver environments, and (3) policy-driver interactions.

Within the EU external migration agenda, policies are rarely found to aim at a single measurable, or even clearly identifiable, goal. In addition to being influenced or complemented by developments and goals in other policy areas (Kalm 2012), policy-making processes and configurations involve many actors who often have diverging ideologies and/or agendas. The field of EU external migration policy is marked by power divisions within and between relevant stakeholders (de Haas et al. 2016; de Haas et al. 2019; Natter 2018; Gamlen 2008). What may be theorised as 'discursive', 'implementation' and 'efficacy' gaps (Czaika and de Haas 2013, see also Lutz 2021), or political willingness, governance capacities and legal and local structures, are crucial for making and implementing binding laws and regulations on migration (Betts 2011; Geddes and Lixi 2018).

To understand the more comprehensive impact of policy mechanisms that interact and diffuse along the spiral of policy implementation, we propose that migration-relevant policies can have an impact independently, but also in configuration with one another. The impact of such *policy configurations* can differ starkly from the original aims of any specific policy, and even contradict the impact of a policy when studied as working in isolation. An illustrative example of policy configurations in the EU external policy landscape is the introduction of visas for Moroccans travelling to Spain when it joined the Schengen area. While the number of regular entries of Moroccan seasonal workers to Spain has decreased, the structural demand of the agricultural and

tourism sector has led to a continued inflow of – now irregularly entering – labour migrants (de Haas 2008).

The complex structures that influence migration – at its outset, during the process and later, can be conceptualised as *migration driver environments*. This notion covers all the various processes that drive migration, at macro and micro levels, and including what has been referred to as e.g., root causes, push-pull factors, migration drivers, or migration aspirations and capabilities (see e.g., Carling and Talleraas 2016). Migration driver environments encapsulates the broad array of structural factors that directly or indirectly influence migration processes. Migration-relevant policies interact with migration driver environments either by influencing migration directly, or indirectly - by influencing other actors or elements that are part of the migration driver environments. To understand the impact of migration-relevant polices, beyond their direct and more easily identifiable impact, it is useful to look at the relationship between the policies and the other factors at play in the migration driver environments. These elements may mutually influence and interact with one another, as policies may be shaped by and shape other migration drivers, in what we conceptualise as *policy-driver interactions*.

The ways and extent to which migration policies create intended and unintended effects has been found to depend on the characteristics of the wider social, economic and political context within which policy configurations are implemented (Van Hear et al. 2018). For instance, while skill-selective policy tools, such as tax incentives, shortage lists, pension portability schemes, or immediate permanent residency, aim to attract high-skilled migrants, other policies, or socio-economic factors (e.g., unemployment) may at the same time undermine their intended effects, for instance by deterring the highly sought-after target-group. Policy-driver interactions, however, are not static, but change dynamically. This is observable e.g., in relation to the deterrence effect of visa restrictions along business cycles (Czaika and de Haas 2017), or in the interactions between economic and security-related migration drivers (Crawley and Skleparis 2018).

As with specific states' migration-relevant policy, EU external migration-relevant policy can affect the broader migration driver environment in different and indirect ways. This means that both migration and non-migration policies may, directly and indirectly, influence other structures and actors that drive or facilitate migration. To illustrate, a concrete policy mechanism, e.g., a new visa scheme, may have a direct impact by enabling or hindering migration capability, while a policy to reduce the local impact of climate change may influence life prospects and thereby also individual aspirations to migrate.

2.3   Policy impact on migration aspirations and capabilities

The aspiration and capabilities framework suggests that migration is produced by the mechanisms that form migration aspirations and make individuals capable of acting upon those aspirations (Carling 2002; de Haas 2021). This logic fits well with the assumption that migration-relevant policies and policy configurations can have direct and indirect impact on migration through their interactions with migration driver environments in the pre-migration phase. In other words, the complex environment of living conditions and prospects can be influenced by policy interventions, which again may influence individual aspirations and/or capabilities to migrate (Pagogna and Sakdapolrak 2021). Yet, as migration processes are highly dynamic, in the sense that they do not occur in isolation, but rather are intrinsically shaped by individual agency and societal structures before, during and post-migration, we suggest that the aspirations and capabilities framework can be usefully extended to cover the entire migration processes. Building on this, the migration driver environment, which interacts with internal and external migration-relevant policies remains acutely relevant in shaping conditions and prospects throughout migration journeys. In isolation

or configuration, directly and/or indirectly, migration-relevant policies may then affect migrants and their mobility also during and post migration, as illustrated in Figure 2.

Figure 2 A model of the potential impact of external and internal migration-relevant polices.
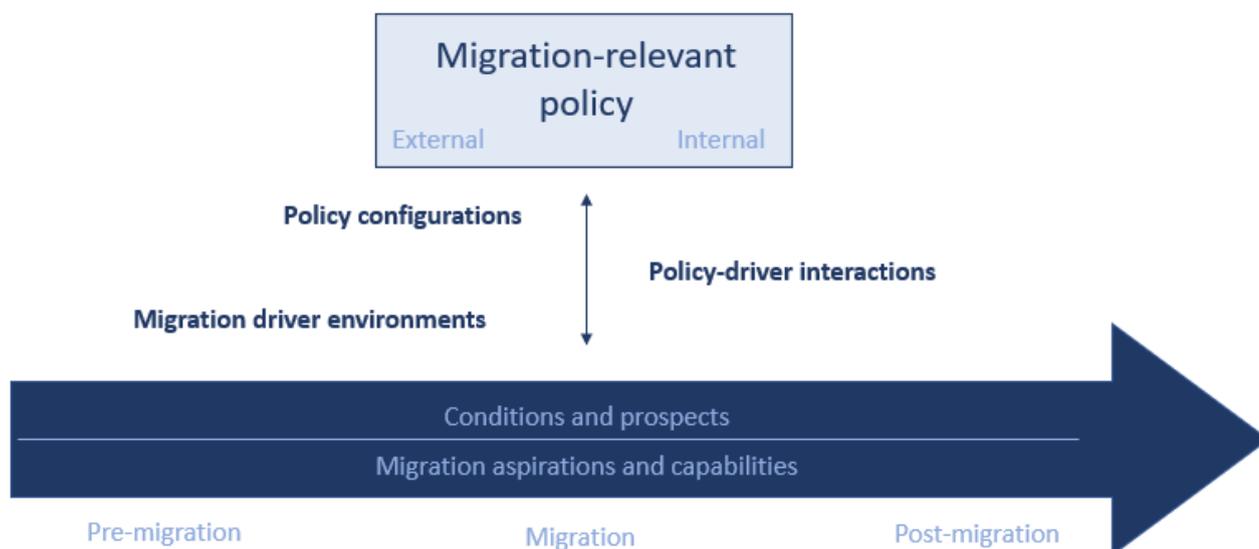
By interacting with mediating governmental actors and structures that are relevant for migrants at different stages of a migration process, policies may dynamically impact the migration process. To illustrate: during migration, external and internal migration-relevant policies may affect – among other – the geography, temporality or modality of migration, by influencing the options available and the migrant's ability to continue as planned (Schapendonk et al. 2020). For example, increased border surveillance or a new visa restriction can push a migrant to choose a different path, travel mode, or destination. Finally, during the post-migration stage, for instance in the desired destination, the effects of internal migration-relevant policy can influence prospects for settlement and integration, or limit or enforce re-migration, including external migration – e.g., circular mobility and return migration (Vitus and Jarlby 2021).[1]

3. Functional features of policy-driver interactions

This section explores how internal and external migration-relevant policies are designed, interact, and cluster into broader sets of migration-relevant policy configurations. By looking at the complex interactions between policy and migration driver environments, operating in a mutually influential relationship across migration processes, we characterise some key functional – i.e., spatial, temporal, compositional, and interactional – features of the policy-driver relationship.

In addition, policy-driver interactions between migration policies and drivers in the country of

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[1] While we theorise that policy-driver interactions can take place throughout the migration process, and have various effects on migrants before, during and after migration, it is important to underscore that we do not understand the 'migration journey' as a point of departure for research on migration (Schapendonk et al. 2021). We support the understanding of migration as an ongoing phenomenon, and therefore underline the migration process and not any specific journey.

destination may be complemented by similar policy-driver complexes in the country of origin, and bilateral or international policy interactions between countries of origin *and* destination. Policy-driver interactions occur when the effects of a policy depend on the presence, relevance, and magnitude of a migration driver. Interaction effects indicate that a contextual (or, structural) factor ('driver') has a mediating effect on the (causal) relationship between a migration-relevant policy and the migration outcome.

According to Ragin (1987), a configuration of causes (e.g., policy interventions) emerges from the interaction of relevant pre-conditions (e.g., policies and other migration drivers). The relevance of a driver as a mediating factor of a migration policy effect is conceptualised by the fact that in the absence of this factor, the respective migration outcome does not occur. For instance, a restrictive immigration policy, such as a quota or income threshold for foreign workers, is usually mediated by (1) contextual factors including good economic prospects and development, (2) the simultaneous presence of various compensating or attracting policies, such as access to measures of a labour market activation policy, or public infrastructure (transportation, health services, education, administrative governance) of high quality. Similarly, emigration-reducing policies may be countered by a long-term economic recession that may further increase economic inequality and enhance social tensions, which altogether may result in people aspiring to leave.

Figure 3 Policy-driver interaction roles in shaping migration patterns
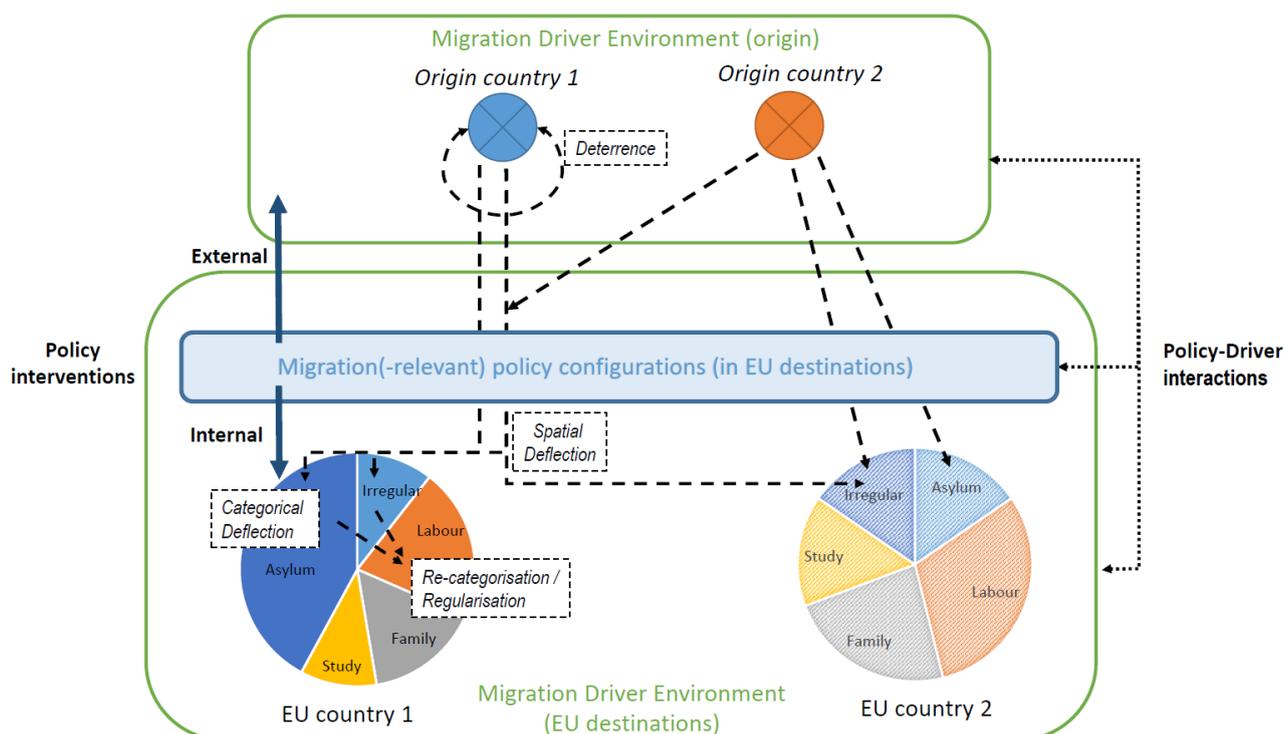
Figure 3 illustrates some key features of the interaction between migration-relevant policies and the broader migration driver environment and their conjoint effect on individual migration outcomes and migration patterns including deterrence, spatial and categorical deflection, and re-categorisation (cf. Czaika de Haas 2013, Bjerre 2017). This framework forms the basis for the following discussion in which we present the key features of the formation and mutual interaction of internal and external policies with the migration driver environment.

Interaction of migration-relevant policies and migration driver environments

3.1 Geography: Policy targetedness and heterogenous compositional impact

Migration policies can be distinguished by their geographical scope. A key geographical functional feature of state's migration-relevant policy is its planned location of impact (see also Zardo 2020). While internal (or, domestic) migration policies focus on citizens and non-citizens residing on the state's territory, external migration policies employ policy instruments that target populations residing outside the country (again, both citizens and non-citizens). These can be potential immigrants and returnees, or citizens abroad who have left the country as (temporary) emigrants, and who states aim to target by means of their diaspora engagement policies (Erdal 2016; Gamlen 2008; 2014).

Besides the distinction between internal and external migration policies, which foreground the state's territoriality and the extra-territorial reach of specific policies, as well as our proposed typology of internal and external migration-relevant policy, there can also be a more specific and targeted locus. Thus, there may be variation in the scale of a policy in its target location(s), beyond whether these are internal or external to the state's territory. For instance, while generic admission regulations are applied at the national level, some targeted integration measures are sometimes implemented at sub-national levels resulting in certain policy variations between different localities within the state. Such policy variation may be the outcome of differences in implemented integration measures, e.g., where some cities have specific programs, but might also be the result of different capacity to implement policies in different regions and municipalities, nevertheless contributing to variation in outcomes.

More centrally to this article's argument, external migration policies involve a spatial dimension. External migration policy can focus on regions – e.g., the Sahel or West Africa, particular nation-states, such as Niger or Senegal, or be more locally focused on specific areas of countries. The EU Trust fund (EUTF) for Africa was established in 2015 to deliver an integrated and coordinated response to the diverse causes of instability, irregular migration and forced displacement (Zardo 2020), or the mobility partnership agreements of the EU with neighbouring third countries for the purpose of dialogue and practical cooperation on migration and mobility related issues, are both concrete examples of policy instruments which materialise the externalisation of migration policy on the ground in particular locations outside the EU (Zardo 2020).

Much external migration policy has been centred around the border – especially in the EU context (Bialasewicz 2012; Hampshire 2016). Meanwhile, the border, while in one sense territorially fixed, in the context of external migration policy is more malleable (Cobarrubias 2020; Mezzadra and Neilson 2013). For, the border – or rather the externalisation of border control – is mobile and moves along the migratory routes which migrants travel, in this particular context, toward the EU (Andersson 2014; Vaughan-Williams and Pisani 2020). The geography of migration policy thus means it can sometimes be challenging to pinpoint its locations of implementation and impact, even more so when considering the use of surveillance, not least using big data harnessed from mobile phone usage (Pollozek and Passoth 2019).

Geography as a functional feature of migration policy may be aptly illustrated as more than a descriptor of location, especially when locations of implementation are movable, such as with the example of the UK's 'hostile environment' (Yuval-Davis et al. 2019). This is an interesting example in relation to external migration policy, for the territoriality of this set of policy instruments and tools, often migration-relevant more indirectly, starts at home. Thus, the geographic location of the

'hostile environment' policy is on the one hand, in the UK, which seeks to brand itself as 'hostile' to those without legal right to remain on the state's territory. Meanwhile, the actual territorial locus which the policy aspires its audience to see, is there where migrants who may seek to enter (or remain) illegally within the UK may be located[2] (Collyer et al. 2020; Welander 2021). However, the geography of this migration policy takes another twist, as in fact its greatest impact may nevertheless be at home, among the electorate, who is relating to the 'hostile environment' policy, whether with support or with distaste.

Migration policies can be assessed in relation to the extent to which a regulation or intervention is directed at a specific group. The target group can be internal or external to the state's territory, depending on the objectives of the policy. Such defined target groups might be specifically qualified individuals needed in the labour market, or the target group might be based on geographic context and circumstances such as in the case of resettlement of refugees (Bose 2020). Policies may not explicitly discriminate between groups, for instance on nationality, gender, or other grounds, but may nevertheless influence migration opportunities and behaviour differently for alternative groups of (potential) migrants. For instance, many countries have implemented occupational shortage lists which provide preferential admission for selected professions. At the same time, work permit applicants often have to pass an income or wage threshold as an indicator of their high qualification. However, even though income thresholds are not directly discriminatory, they nevertheless affect certain groups more than others, in particular female applicants are often disadvantaged by this requirement (Boucher 2018).

Targetedness as a functional feature of migration-relevant policy – as part of policy design but also policy interactions – is closely associated with modes of (self-)selectivity. One might distinguish targetedness as the functional feature which by design intends to target a specific subgroup, based on certain traits, whereas selectivity might be understood as the outcome, whereby certain people or groups of people are more likely to be impacted by – or to react to – certain migration policies or interactions of policy outcomes.

To illustrate targetedness of migration policies and migration-relevant policies, we might consider three examples. First, programs which are targeted toward supplying necessary labour, e.g., for seasonal work, such as the Spanish-Senegalese strawberry picker programme(s) for agricultural work. Here the targetedness is embedded in the design of the migration policy in a very direct way.

Second, we might look at a less intuitive example, namely policies to attract international students to the higher education institutions of a specific country. These are not, arguably, usually conceived of as migration policies, but are clearly migration-relevant policies, and involve a set of instruments which e.g., allow international students to study without or with a reduced fee, and which accommodate work alongside a student visa up to a threshold of income – or hours worked per week, and which allow for particular duration, with conditionalities which are targeted toward international students (e.g. connecting to study progress or completion of degree, etc.).

Third, another example of a targeted policy, is that of resettlement of refugees, where the state actively selects the refugees who are to be resettled – from abroad, and implements specific

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[2] See also "Hostile Environments in the Mediterranean" lecture by Michael Collyer
https://www.upf.edu/web/euromedmig/news/-
/asset_publisher/MOVcvf3TGtsZ/content/id/232447975/maximized#.YVRD9TFBxaR (accessed 3 August 2021).

instruments aimed at their integration (Curry et al. 2018). Often, however, the functional feature of targetedness becomes relevant due to a lower degree of clearly demarcated target group, in terms of which people and where, are specifically being targeted – by design – by a specific policy. Often these groups might be interchangeable clusters of individuals, with differing characteristics, who thus can be expected to behave or react differently to alternative sets of policies and policy instruments. As a functional feature alone, one might assume that the higher degree of targetedness, might be associated with a higher degree of intended impact. However, as we see from complementary functional features, notably how temporality and intensity of policy change can manifest, but also of interactivity which we turn to below, a particular policy's targetedness by design, does not necessarily predict precisely what outcomes might be, as research on policy configurations also illustrates, e.g., through examples of equifinality.

Thus, migration-relevant policy interventions can affect different societal groups in varying ways, often also mediated by interaction with the migration driver environment. Even if policy interventions are tailored towards a certain target group, cross-individual heterogeneity may result in very different self-selection outcomes. The ways in which migration-relevant policies can have very different impacts also depends on economic resources, educational levels and types of work. For instance, how requirements for financial means as an entry point for applying for family reunification permits will impact different migrants, depends less on which nationality they have per se, than it does on their economic position.

Another example where policy targetedness and (self-)selection describe the policy outcomes are Assisted Voluntary Return (AVR) programmes (Cleton and Chauvin 2020; Koser and Kuschminder 2015; Leerkes et. al. 2017). How migrants eligible for these programmes respond to the offer of AVRs varies – not only in terms of nationality, or where in the country of origin they come from and where they are planned to be returned to, but also in terms of whether the offer is deemed as acceptable or not. While some potential returnees engage in these programs to prepare their return and reintegration process to the country of origin, other migrants either ignore, avoid or use these programs and the (financial) support they provide instrumentally, including as steppingstones for future re-migration from the country of origin (Koser and Kuschminder 2015; Schuster and Majidi 2013). Selectivity in this case refers to the wide array of possible outcomes, a given migration-relevant policy may have.

3.2 Temporality: Policy adaptation and the elasticity and immediacy of impact

Migration policies adapt to new circumstances in a transitory, or semi-permanent way as part of broader migration policy transitions (Cerna and Czaika 2021). Migration policies are regularly changed, refined, extended, corrected, and sometimes reversed. The frequency of policy changes has continuously increased over the past decades, while the average magnitudes of the policy changes have declined (Czaika et al. 2021b). Policy changes and adaptations result from new political realities, or shifts in the social, economic or migratory context. For instance, visa policies are sometimes modified (e.g., liberalised) due to a re-evaluation of the risk that a visa-free mobility regime is massively abused for irregular entry and long-term residence. Migration policies may also be adapted when policy objectives are not realised, e.g., when assisted return programmes are not delivering the expected number of assisted voluntary returns, or when policies cause major unintended effects, e.g., when visa liberalisation leads to a rise in asylum applications, or if policy priorities change significantly due to electoral outcomes.

Consequently, migration policies are never 'static' but are continuously adapted and changed, for

instance because of electoral outcomes, political power shifts, or discursive pressure. Interestingly, while electoral cycles often lead to changes in larger policy trends, administrative 'fine-tuning' changes of some specific policy elements can often simultaneously go in both a more restrictive and liberal direction (de Haas et al 2016). Most migration policy changes are clustered within major reform packages; at the same time, minor policy changes – towards more or less restrictive arrangements – occur relatively frequently in form of 'fine-tuning' adaptations. Figure 4 indicates the yearly fluctuations in the number of *migration policy changes* towards either more liberal or restrictive arrangements.

Figure 4 Migration policy changes towards more liberal (blue) and restrictive (red) regulations, 1990-2020
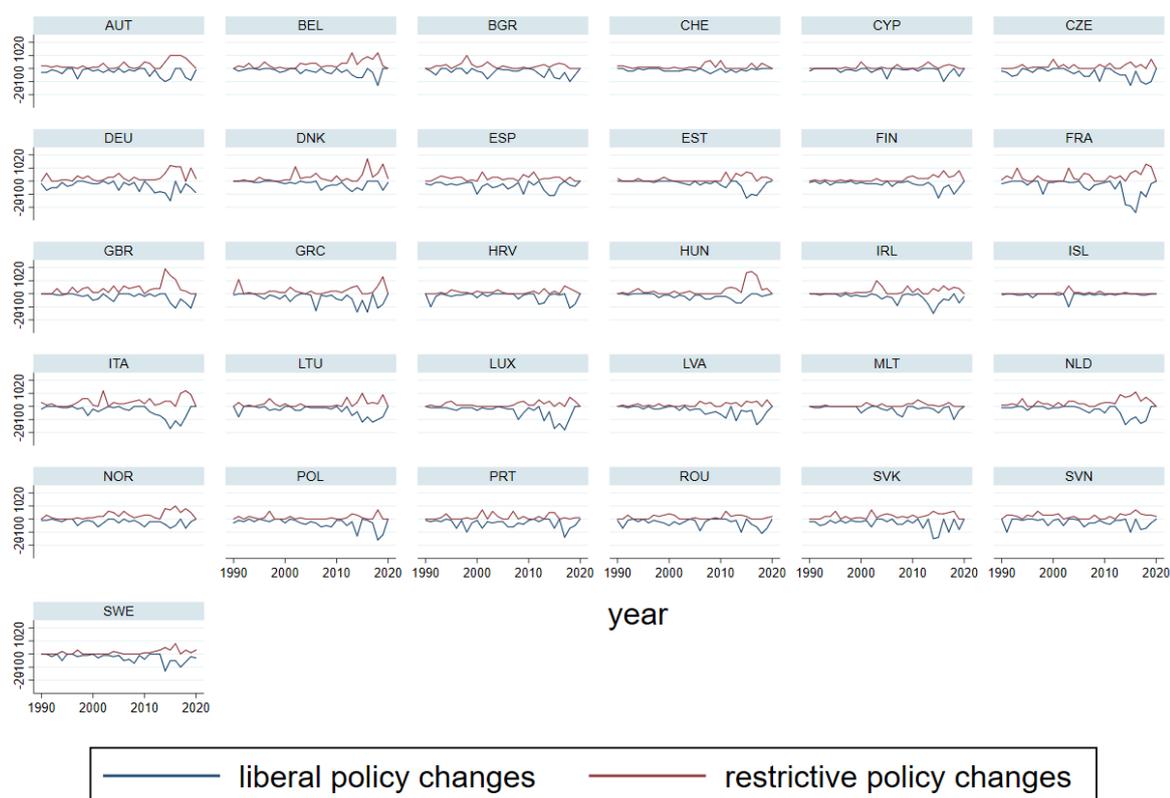
Data source: DEMIG-Quantmig Migration Policy Database (2021)

Besides electoral cycles, fundamental changes of the socio-economic environment, such as gradual demographic shifts or transitions in the economic structure, affect both the type and volume of foreign labour. Migration policy makers, for instance, often respond to and address calls from the business sector for implementing regulative measures supporting the private sector in attracting, selecting, and recruiting international labour (Czaika 2018). However, the large body of other migration-relevant policies may remain relatively stable over time and may only change infrequently, and then usually for other reasons than enhancing labour recruitment.

For instance, while visa policies may frequently change for security or public health reasons (cf. mobility restrictions in and after March 2020 due to Covid-19), fundamental shifts in the citizenship law are very rare. Similarly, while requirements on certain criteria of a points-based labour immigration system may be regularly changed, the paradigmatic decision about a supply-versus a demand-driven labour migration system is taken once in decades. This implies that

migration policy changes should not only be characterised by their frequency, but also by their magnitude. Migration policy changes can also take different procedural forms. While major immigration reforms are rare events, but receive wide public attention, numerous minor administrative changes are mostly based on bureaucratic procedures behind closed doors and remain rather 'unnoticed' by the wider public. For instance, cosmetic fine-tuning changes such as a change in the income threshold required for acquiring a work visa is hardly noticed by the public while major policy reforms are often preceded by long and heated public debates.

While minor administrative policy changes serve the purpose of adapting flexibly to short-term contextual changes or seek conformity with new legal requirements, they can also be the result of policy diffusion processes following international trends of policy harmonisation or are the consequence of policy emulation by which regulatory frameworks or specifications are copied by other states. This emulation can be motivated by the principle of implementing 'good practices' other states have gained experience with or are the result of policy externalities by which states aim to reduce or avoid the negative consequences of other states' policy decisions.

For instance, European visa policies have been largely harmonised and streamlined by the Schengen acquis and the respective whitelist of visa-free nationalities (Figure 5). Before joining the EU, many Eastern European states had more restrictive travel or mobility policies implemented on a larger range of foreign nationals, but when joining the EU, and even more when joining the Schengen area, visa policies have been fully harmonised.

Figure 5 Visa policy restrictiveness of EU / EFTA member states, 1990-2020
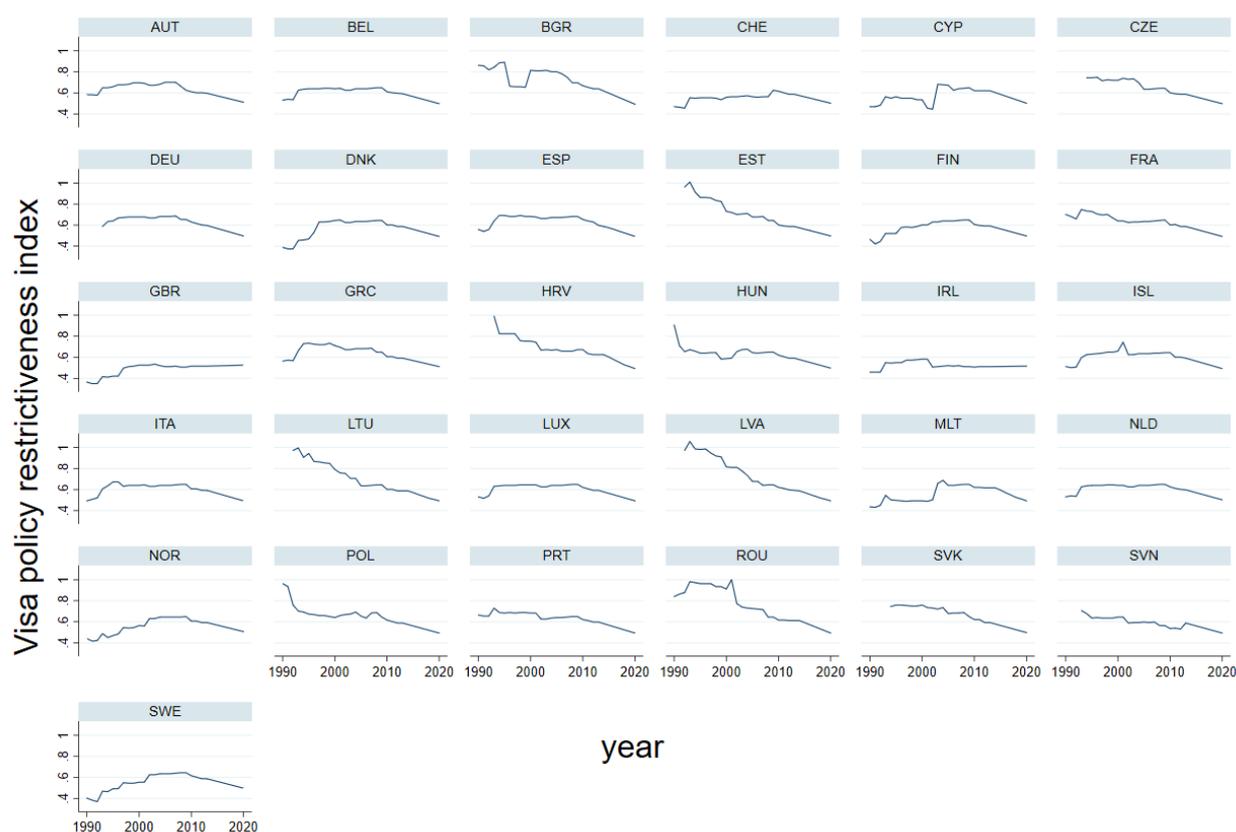
Note: Data between 2014-19 is linearly interpolated between 2013 and 2020. Index values as proportion of all nationalities (N=200) that require a travel visa for entering the reporting country. Data source: DEMIG VISA (2015), extended in 2021.

Similarly, in the area of return migration, European states incrementally expand the scope for voluntary and sometimes forced return of migrants without regular status by signing readmission agreements with third countries of origin. While most EU member states had signed only very few readmission agreements in the early 1990s, many if not most EU and EFTA member states have signed (or the EU on behalf of the member states) dozens of agreements forming the legal basis in support of assisted and forced return of migrants (Cassarino 2010). Figure 6 displays that this is a long-term trend that includes all EU and EFTA member states alike, even though countries like Switzerland or France are forerunning this process.

Figure 6 Readmission agreements signed by EU/EFTA member states, 1990-2020
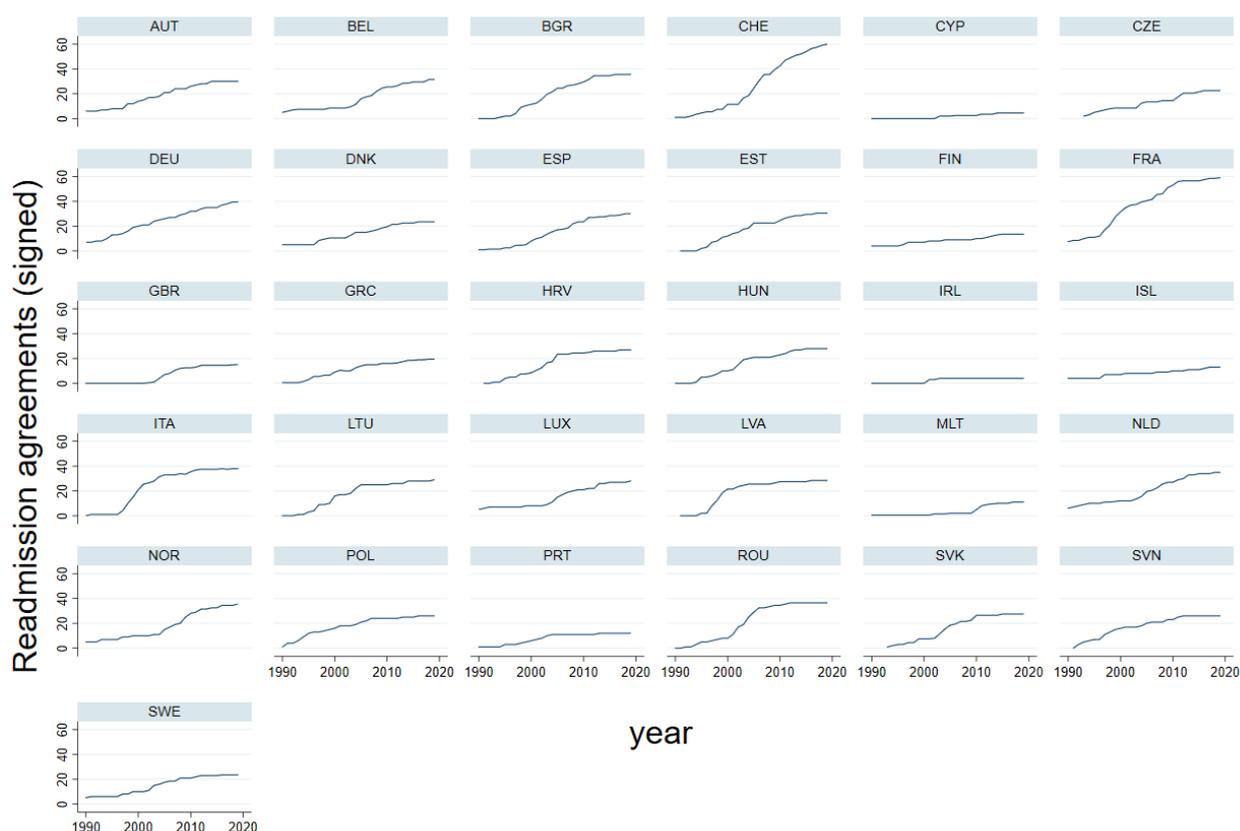
Data source: own elaboration

However, there are also exceptions to this trend of growing international policy diffusion and harmonisation. For instance, resettlement of recognised refugees by an EU member state is an area of external migration policy that is not showing signs of international policy convergence (Figure 7). Only very few European countries engage in this policy area that provides a legal pathway for people seeking protection from persecution to enter the European Union. Most EU member states either do not resettle refugees at all or only very occasionally, only a few European states (France, Germany, Sweden, Norway and the UK) resettle in larger numbers (Figure 7).

Figure 7 Resettled persons by EU / EFTA member states, 1990-2020
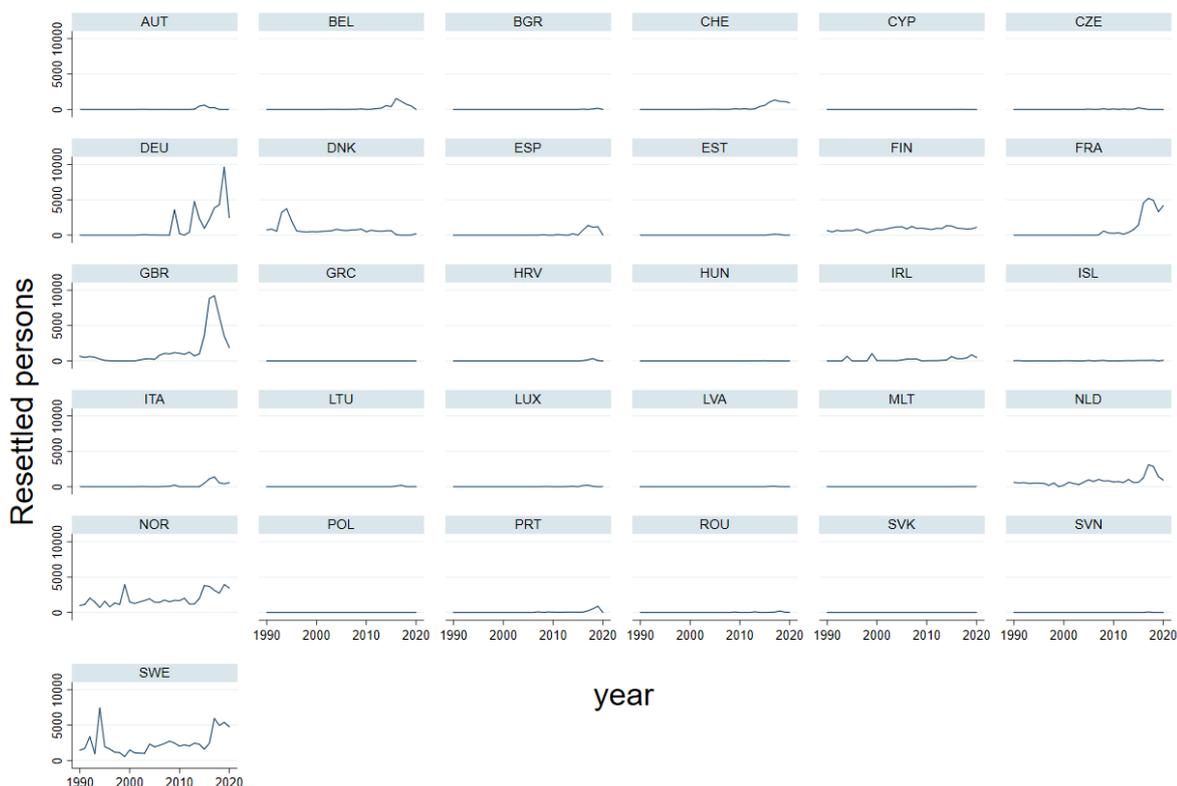
Data source: UNHCR (2021)

Often as compensation for lacking resettlement rather than in combination with limited resettlement, EU and EFTA states provide development and humanitarian aid to refugee-hosting countries in the so-called Global South to support countries with resource scarcity and the task of managing the effects of crises and instability in the region. It is mostly the economically better endowed European states that provide a higher share of their GDP to countries of origin or transit, which are often in need of support.

However, this ought not to be seen as altruism, rather often this follows an 'aid in place of migration' logic (Böhning and Schloeter-Paredes 1994) by which the so-called root causes of migration shall be addressed 'upstream' (i.e., at the place of origin) so that potential migrants refrain from emigration but invest themselves in the (re-)development of their countries (Lanati and Thiele 2018, Carling and Talleraas 2016).

Longitudinal policy impacts refer to the temporal dynamic, by which the target group responds to the policy change or by which certain outcomes become effective. This adaptation period may be very short when effects materialise immediately, but usually it can take many months or even years until a given policy has developed its full effect.

For instance, implementation of visa restrictions may only incrementally reduce the number of migrants as migrant networks may still facilitate the temporary continuation of migration flows. Czaika and de Haas (2016) found that it may take up to ten years until migration flows to respond significantly to a visa introduction – often because migrant networks continue to facilitate cross-border migration. In contrast, the removal of a visa requirement has an almost immediate effect on inflows. The adjustment process after visa removals is much quicker compared to policy changes towards more restrictiveness. Such intertemporal policy effects ('policy lags') exist also in other internal and external migration policy domains, such as the labour recruitment and selection policies, or border enforcement.

Interaction of migration-relevant policies and migration driver environments

3.3 Interactivity

Migration-relevant policies exist and operate together, in different ways. Interactivity refers to the ways in which migration-relevant policies may operate in parallel with and/or mutually affect one another, and in different ways be affected by the driver environment. Such interactivity may also refer to the ways in which policies are changed and adapted simultaneously, though possibly for very different reasons. Thus, a framework for migration governance is configured by hundreds of legal provisions, which in their entirety establish a complex regulatory system, an immigration policy package. The implementation of legal provisions may cause interactions between these policies and their effects. For instance, the existence or introduction of a certain policy may affect the political incentives of governments to introduce or change other related policies. Policies may also interact in their effects. For instance, a certain migration policy intervention such as a tax allowance for skilled foreign workers may affect the distributional and welfare effects of other public policies. Or, more restrictive visa policies may counter the effectiveness of policies that aim to attract foreign students and professionals.

Interactivity between migration-relevant policies can be a functional feature by design but may also be an unplanned and unforeseen outcome. Such an outcome might be desirable, or undesirable, as related to particular policy aims, also if unintended. An example which illustrates interactivity of migration-relevant policies, which is well-known, yet arguably was not an intended policy interaction by design is the case of Filipino nurses who arrive in European countries as au pairs (Anderson 2009; Bikova 2015; Korzeniewska and Erdal 2021). The au pair program of cultural exposure and exchange is not a migration policy as such; however, it does regulate the immigration of third country nationals. In the case of Filipino nurses entering European countries as au pairs, a long-term goal may be anticipated to be taking up employment within the health sector in the country of destination or another country in Europe, North America, or elsewhere. The interactivity of migration and migration-relevant policy becomes apparent as a Filipino nurse seeks to shift from an au pair permit to a different residence and work permit – often also involving seeking authorisation to practice nursing in a new country, thus mobilizing educational policies and approval schemes, and in the case of nurses also health related institutional policies (Yeates and Pillinger 2019).

A different type of interactivity of migration-relevant policies may also be identified at the level of bureaucratic implementation. Interactive outcomes may be a functional feature by design – or not, as an explicit or implicit intended result. Often, the interactivity of different policies, in fields far removed from one another, may only become visible after several years of implementation. This might specifically relate to e.g., the ways in which the regulation of international student migration from third countries, interacts with needs in the labour market, the modes by which international student migrants who graduate may or may not seek employment in the country in which they studied, and how this aligns with family reunification requirements and regulations (Dam et al. 2018; Geddie 2015; Maury 2017).

Policies interact also internationally, for instance when governments change their visa policies to respond to, or even retaliate against another country's visa policy, or when countries enter a free mobility arrangement when travel barriers are mutually removed (Czaika et al 2017).

# 4. European migration post-2015 – some 'what if' scenarios

Europe is a continent of immigration, and this increasingly so. The European Union receives more than 2.5 million third-country nationals every year, with a steady upward trend. This, however, is only the broadest picture. Disaggregating the total annual inflows (and outflows) of third-country nationals by their European destination, their legal channel, their nationality, and maybe even further, by their date of arrival, their gender, age, marital status, skill level, length of stay etc., the picture of European immigration becomes very nuanced and multifaceted. The intersections of all these factors that make up the overall composition of international migration flows are far from static but change dynamically – some factors rather slowly, some other factors very rapidly. The reasons why migration flows change over time has to do with the composition of the pool of potential migrants, on the one side, but also with the changes in the opportunity structures in terms of complex changes in the comprehensive set of incentives and constraints that these potential migrants face.

European immigration has seen some temporary, but also some steady and long-term shifts in its composition and dynamic over the past decade. The year 2015 is seen as the peak of the so-called European migration crisis. And this rightly so, as more than a million migrants entered the European Union irregularly stressing the capacity of reception and asylum processing. However, the past decade has seen multiple other trends and changes in the composition of European migration flows which are the result of changes in the broader migration driver environment and interaction with policy at different levels of implementation.

In the following we describe the major shifts in trends and the composition of European immigration, but also the changes that have taken place on the migration policy side. Changes in configurations of migration-relevant policies can simultaneously be *cause* and *effect* of changes in migration outcomes. While a rather factual description of the past and current trends in European immigration patterns and dynamics, on the one hand, and European migration-relevant policies, on the other, is relatively straight forward, the assessment of the causal link between the two is much more contested. This requires sound analytical and methodological tools, in addition to high-quality data. Yet, knowledge of migration theory and an understanding of the basic functional features allows reflection about alternative 'what if' policy scenarios and possible, perhaps even likely, compositional, spatial, and intertemporal effects on migration outcomes. Section 4.3 offers seven retrospective policy scenarios, all of a hypothetical but not unrealistic nature, illustrating the usefulness of the functional features we presented in the previous chapter.

4.1 Post-2015 migration patterns in Europe

Figure 8 displays immigration flows of third country nationals into the European Union since 2008, disaggregated by the legal entry channel and measured by the type of first residence permit (Eurostat 2021). Between 2008 and 2014, the average annual inflow of *labour migrants* into the EU-27 was 503,110. Since 2015, this number has continuously increased to an average of 882,779 per year. Drivers of this trend were e.g., Poland (91,160 to 524,997), Germany (22,366 to 47,995), and France (19,007 to 29,152). Southern European countries like Italy (169,706 to 12,023), Spain (74,421 to 48,818), Greece (7,386 to 2,252) experienced a trend in the opposite direction. Some EU countries, Cyprus downward until 2013, Portugal downward until 2016, or Slovakia downward until 2014, saw a trend reversal (U-shape) in labour immigration.

Figure 8 EU migration flows before and after 2015, by legal category

	Average 2008-2014	Average 2015-2019	Percentage change
Labour migrants	503 110	882 779	75,5%
Family migrants	585 525	743 092	26,9%
Asylum migrants	284 584	745 861	162,1%
Study migrants	255 702	355 175	38,9%
Border refusals	303 330	441 469	45,5%
Voluntary return (EU-24)	24 730*	43 077	74,2%
Enforced return (EU-24)	42 320*	37 829	-10,6%
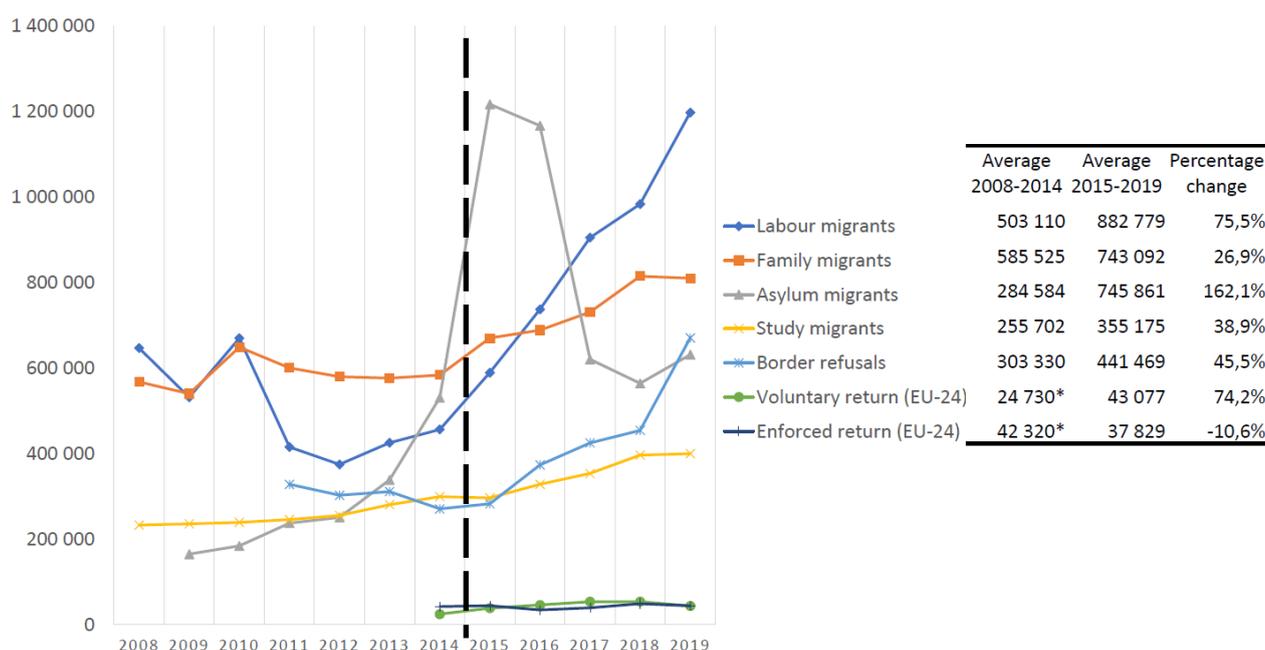
Note: (*) indicates figures only for the year 2014. Data source: Eurostat (2021)

The inflow of *family migrants* into the EU-27 between 2008 and 2014 averaged at about 585,000 per year. Between 2015 and 2019, it increased to about 743,000 per year. Most member states followed this EU-wide trend including Bulgaria (1,979 to 3,530), Czechia (10,782 to 20,918), Germany (64,688 to 157,229), Cyprus (1,313 to 2,698), Luxembourg (1,792 to 3,345), Malta (862 to 1,711), Netherlands (22,815 to 30,060), Slovakia (1,267 to 2,835), or Sweden (39,631 to 52,712). A few countries, however, such as Romania (4,586 to 3,856), but also the United Kingdom (109,251 to 95,240 (up to 2018)) have seen a decline in the annual arrivals of family migrants post-2015.

The most striking trend is for *asylum migration*. Between 2009 and 2014, the average inflow of asylum seekers in the EU-27 was about 285,000 per year. This number almost tripled in and after 2015 with an increase in the average number of asylum applications between 2015 and 2019 to more than 745,000 per year. While some EU member states have seen an upward trend in the number of asylum migrants throughout the entire period (for instance, Czechia (569 to 1,320), Portugal (302 to 1,775), Greece (8,584 to 61,681), Spain (3,526 to 54,136), Slovenia (255, to 2,280), Ireland (1,528 to 3,385), France (52,640 to 108,406), United Kingdom (28,227 to 39,148), or Cyprus (2,000 to 6,905)), the 'spike countries' have seen a particularly stark rise in the period 2014-2016 but converged afterwards towards pre-2015 levels. These 'spike countries' include, for instance, Germany upward until 2016 (76,958 to 306,279), Italy upward until 2017 (29,045 to 84,048), or the Netherlands upward until 2015 (13,508 to 19,595). Countries which had a peak in 2015 but followed otherwise no clear trend were Norway, Belgium and Finland.

An increasingly relevant group of immigrants are international students. The average annual inflow of *study migrants* increased from about 255,000 between 2008 and 2014 to more than 350000 (355,175) per year in the period after 2015. Countries that followed this EU-wide trend were Czechia (5,304 to 13,682), Poland (13,107 to 33,931), and France (61,269 to 79,865), while Italy (28,467 to 19,899), or the United Kingdom (224,099 to 192,505 (up to 2018)) saw a decline in the average number of newly enrolled international students over the past decade. Only Austria saw

a decline after 2015 in the number of international students, following a continuous increase between 2008 and 2015.

Besides the inflow of third country nationals by means of regular entry, most countries noticed a significant number of migrants entering their countries irregularly. While Denmark, Germany, Ireland, Lithuania, Poland, Portugal, Romania, and Sweden experienced a continuous increase in the annual number of newly entered *undocumented migrants*, some other countries like Bulgaria (downward until 2016), Estonia (downward until 2014), Greece (downward until 2014), Spain (downward until 2015), or Finland (downward until 2016) saw a declining trend, only reversing in and after 2015.

All EU member states are destinations for all forms of migration, obviously to a varying degree. Figure 9 indicates for all EU member states the dominant legal migration channels between 2008 and 2019. While some countries persistently have a dominant form of immigration, other EU destinations saw significant compositional and intertemporal changes over the past decade. 22 of the 28 EU destination countries changed clusters at least once over the course of the past 12 years (Czaika et al 2021a). For instance, while Spain was dominated by family migration for most of the past decade, Italy's composition of immigrants changed frequently; at first dominated by labour immigration, then family and labour migration, around 2015 by asylum migration, and in the latest period, family migration again became the dominant form of immigration (Figure 9).

Figure 9 Transitions in dominant forms of immigration, EU-28
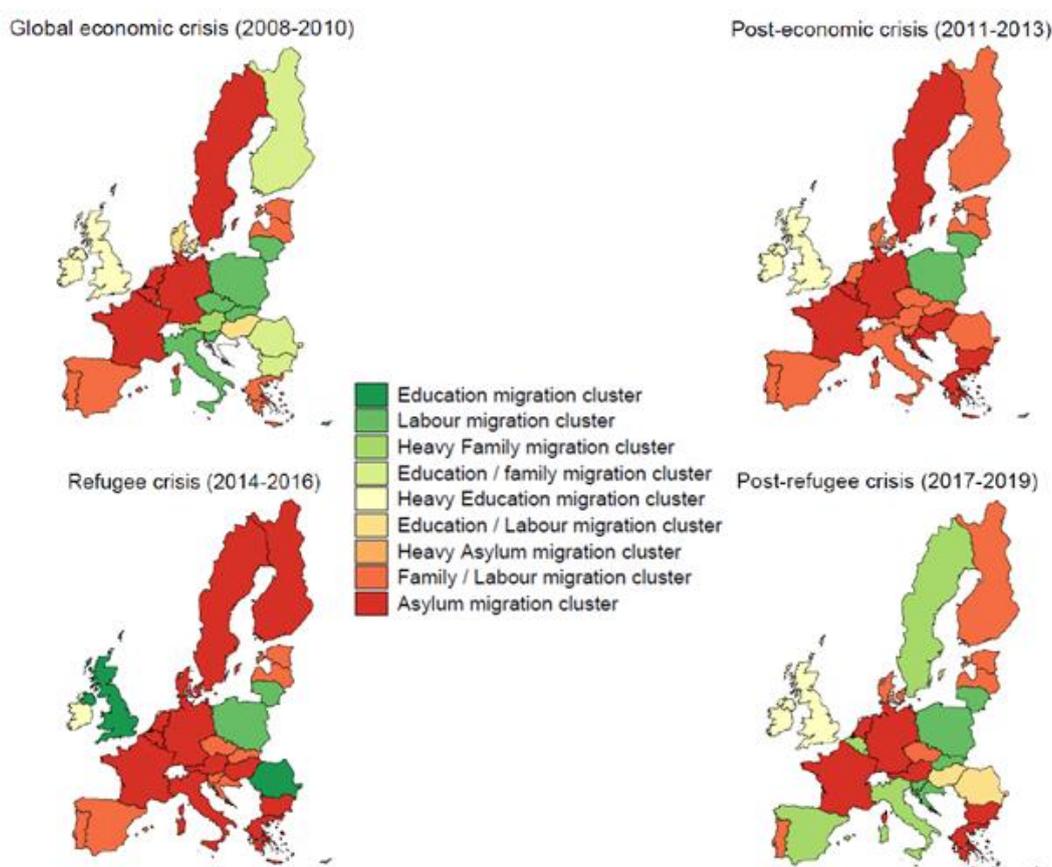
Source: Czaika et al (2021a)

4.2 Trends in migration-relevant policies since 2015

Since 2015, the EU and its member states have introduced a wide range of policy mechanisms of relevance to migration flows towards Europe. In response to the European migration crisis, different policy discourses and initiatives emerged in parallel, including national and local 'welcome' policies, internal and external border control mechanisms, the reform of the Dublin system, and new return and asylum assessment policies. In retrospect, the post-crisis policy changes marked a restrictive turn, which may be explained by and framed as a crisis-induced window of opportunity for path-breaking policy change (see e.g., Bosilca et al. 2021, Salgado 2021, Hagelund 2020).[3] Yet, the continuously shifting migration landscape induced contrasting and erratic developments in both migration and non-migration policy areas – all of which played into and affected other policy areas, and ongoing migration. This section briefly summarises some of the key trends in European policymaking, including 'migration' and 'non-migration', yet migration-relevant, policy changes, since 2015.

4.2.1 Migration policy changes

Asylum policy

As an immediate response to the high levels of arrivals in 2015, many EU member states implemented emergency measures to mitigate the impact of the overwhelming numbers of asylum-seekers. However, most also introduced legal systems to guarantee and/or increase asylum-seeker rights, in particular for unaccompanied minors and vulnerable individuals. The most common immediate responses concerning asylum policies were the introduction of emergency management plans and new monitoring tools. The acceleration of procedures related to the arrival stage was aimed to be achieved by hiring more staff, fast-tracking of some applications (in particular from Syria), and by increasing the reception capacity through expanding and/or restoring existing refugees reception structures (EMN 2015).

The European Agenda on Migration, approved in 2015, introduced the refugee relocation mechanism and the institution of 'hotspots' in three 'frontline' countries, namely Greece, Hungary and Italy. Since its reform process started in 2016, the Common European Asylum System (CEAS) has prompted the majority of states to underpin their asylum and reception policies to the two modified EU directives (APD - Asylum Procedure Directive and RCD - Reception Condition Directive) that established the reformed CEAS (OECD 2017).

In September 2016, the European Asylum Support Office (EASO) released the EASO guidance on reception conditions that introduced standards and indicators applicable to national refugee reception systems across all EU states. In March 2018, EASO issued the EASO guidance on reception conditions for unaccompanied children, which proposed new operational standards and indicators and, albeit not being a regulatory tool, prompted further alignment of internal procedures used by reception authorities and operators working with reception and accommodation of unaccompanied minors seeking refugee status across the EU (EC 2021).

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[3] The theoretical framing of crisis as a policy window for change in migration policies have also been applied in relation to the global economic crisis (see e.g., Roos and Zaun 2016), the Covid19 situation, and may become relevant in the context of the recent migration policy manoeuvres taking place during and following Taliban's takeover in Afghanistan.

In all of the EU, the number of asylum claims dropped from 1,322,000 in 2015 to 744,000 in 2019, yet the contribution of asylum policy to this drop is unclear.

Policies ensuring the acceleration of processing first instance claims for asylum, was necessary to reduce the backlog and to stabilise the average length of the asylum procedure. Attempts to further harmonise procedures and reception standards failed to reduce differences in asylum recognition rates across member states. The 'hotspot' policy led to protracted situations of vulnerability for those who did not qualify for asylum, but who could effectively also not be returned to their countries of origin. Conditions for migrants arriving in countries such as Greece or Italy were difficult and the waiting period for asylum claim processing was very long. So, many migrants chose to move on to other European countries (Brekke and Staver 2018). Increasing security at the Turkish border with Greece prompted more migrants to use the sea routes or to enter Europe via Bulgaria (Cummings et al. 2015).

Labour migration policy

During the period 2014-2019, the EU sought to enable increased labour migration through the relaxation of legal and administrative entry requirements. This was especially the case for highly skilled migrants, and through the EU Blue Card Directive. This is also linked to areas with no explicitly identified labour shortage. The EU Blue Card is still only a secondary entry route for highly skilled migrants, as in most member states national schemes dominate in volume. In the years after 2014, 10 member states changed policies for highly skilled workers and 8 member states changed labour regulations regarding low and medium-skilled workers. Several states increased the rights and legal protection for seasonal and circular migrants (EMN 2019a).

Measures have also been implemented to support access to the labour market for asylum-seekers (EMN 2016). Many member states also implemented policies on labour migrant integration in the job market, including policies on free language training, civic and vocational courses. These policies were largely driven by market needs and the necessity to protect migrants from exploitation, crime, trafficking, or social dumping.

Overall, the policy changes on labour migration have simplified the bureaucracy, introduced labour-related benefits for high- and medium-skilled workers, combated labour exploitation through new measures, and rejuvenated the policies that facilitate circular migration (EMN 2019a). The labour market situation in most member states allowed the continued attraction and absorption of foreign workers. Meanwhile there were continued constraints for asylum seekers in accessing the labour market, also slowing down their opportunities for rapid integration and self-sufficiency. Many of the policy changes initially introduced to help the integration of asylum seekers and refugees have over time had a spill-over effect and ended up benefitting different third-country nationals arriving e.g., for labour and family reunion. For example, Belgium has extended measures for jobseekers who applied for asylum to all third country nationals (EMN 2017).

Family migration policy

The policy changes on family migration have not followed a unified path before and since 2015. Several EU member states moved towards a simplification of family reunification requirements (e.g., Cyprus, Germany, France, Italy, the Netherlands, Estonia, Spain and Slovakia), while others introduced restrictions, tightened requirements and implemented measures to prevent misuse (EMN 2015). However, during the period 2014-2019 the number of individuals entitled to rights and protection greatly expanded.

Despite the high number of asylum applications, family members of asylum-seekers have largely enjoyed the same rights and protection measures. A slightly liberal policy change in the area occurred as many states extended the rights enjoyed by family members of asylum-seekers to include family members of recipients of subsidiary protection (EMN 2016).

In general, the entry of an asylum seeker is usually accompanied or followed by an additional inflow of dependents. That is, liberalising (or restricting) policies on asylum create (or prevent) opportunities for family members.

Return and readmission policy

In September 2018, the European Commission sought to achieve 'a more effective and coherent' return policy by recasting the 2008 Return Directive. A recent assessment of return and readmission implementation in member states found that the EU has increasingly resorted to informal cooperation with and incentivisation of third countries. This has obscured the lines between humanitarian principles and development assistance in relations with third countries. The internal dimension of the return policy has been informalised, which has led to an increased emphasis on enforcing the return of migrants without regular status, e.g., though closer collaboration with Frontex (Eizele et al. 2020).

A majority of EU member states do not implement the Return Directive fully. Instead, many use its derogations, meaning that the Directive is applied only in part or differently, e.g., when EU states refuse entry at the borders or *forcibly* return third country nationals (EMN 2017). An implementation assessment report from the European Parliament in 2020 (Eizele et al. 2020) found several shortcomings in the implementation of the Return Directive from many member states that led to human rights infringements. In particular, the use of return to third countries directly at the border, rather than applying formal agreements, where the rights of migrants are clearly stated. But also, the lack of checks on the risk of refoulement for asylum seekers who had their asylum request rejected and were issued a return order. According to the report, many member states believe the non-refoulement protection is guaranteed during the asylum claim evaluation process, but this is not necessarily the case. Therefore, some migrants are returned to countries where they face torture and persecution (Eizele et al. 2020).

According to the EU Commission, the lack of incentives for third countries to reach a formal agreement with EU states, and the unwillingness on the part of some EU states to compromise on "technical" issues, may have contributed to the delays and difficulties in concluding EU readmission agreements (EMN 2014). In general, the EU experiences that EU initiatives that aim to facilitate the return of migrants without regular status in the EU to their country of origin, are met with resistance or reluctance by these migrant origin states. What does make the return and readmission process faster is the existence of bilateral readmission agreements or Memoranda of Understandings between EU member states and countries of origin (EMN 2017).

4.2.2 Non-Migration policy changes

While the immediate changes in policies directly related to migration have been assessed briefly above and thoroughly elsewhere (see e.g., Geddes 2018, Hatton 2020, Hagelund 2020, Hernes 2018), the links between the European migration crisis and policy changes in non-migration policy areas remain unexplored. This paper cannot provide a coherent overview and analysis of all changes in non-migration policies that interact with migration processes and drivers. Yet, in order to illustrate the importance of non-migration policies, we include some remarks on non-migration policy changes of relevance to migration in the post-2015 period.

In terms of labour market policy, migration-relevant policy changes included a simplification of administrative procedures, and the reduction of costs associated with lay-offs, compensated by higher protection of workers through unemployment benefit programmes. In addition, many countries tightened the access to sickness and disability schemes. While this was meant to enable improved monitoring and regular assessments of benefit entitlements, it also served the purpose of enforcing back-to-work plans. Measures were introduced to reduce unemployment benefits gradually after a set period of time, and the conditions for eligibility became stricter (see e.g., OECD 2014; EC 2017b). While these changes were not targeted specifically at non-EU migrants, it is very likely that they influence both migrants and non-migrants across many European countries. Previous research has, for instance, pointed out that migrant's choice of destination is associated with countries' expenditures on active labour market policies (see e.g., Grubanov-Boskovic et al. 2017).

In terms of (higher) education policies, EU countries have since 2015 been encouraged to introduce quantitative targets for under-represented groups to widen participation in higher education. This also includes targets related to completion rates. Countries that introduced these targets between 2015 and 2019 were: Belgium (the Flemish Community), Ireland, Greece, France, Cyprus, Malta, Netherlands, Austria, Romania, United Kingdom (England, Wales and Scotland) (EC 2019). This is relevant to potential and existing migrants, as it influences their chances of gaining higher education. Indeed, for migrants with young children, access and quality of education is central. In Germany, for instance, links may be drawn between the education system and migrants' choice of Germany as a country of destination (see e.g., Mallett and Hagen-Zanker 2018).

Links to migration-drivers and decision making may also be found in the area of taxation policy. After the European migration crisis, labour income tax increased in most EU countries; this has influenced migrants and non-migrants alike. In terms of interaction with migration-drivers, evidence suggests that tax rates may be a driver of mobility, but mainly for individuals with high incomes (Kleven et al. 2020).

From the external policy scene, a key area to consider in terms of non-migration policy changes and their potential impact on migration, is development aid policies. Before 2014, most relevant actions related to circular migration, and to mitigate "brain drain" through international development assistance. Financial support to improve remittances services in third countries was also high on the agenda (EMN 2017). A range of new policy initiatives emerged post-2015. Highly relevant here, is the EU Emergency Trust Fund for Africa which from 2015 onwards funded border security initiatives (Fine et al. 2019). An assessment from 2018, showed that 30% of the funds (3.6 billion Euros) were dedicated to programmes on managing migration flows, 26% to programmes dedicated to strengthening community resilience, 22% on supporting the creation of economic and employment opportunities, and 20% on supporting governance and conflict prevention (Cesareo 2019).

Funding the tightening of border controls through development aid may have led smugglers to forge new dangerous routes for migration, crossing borders irregularly. Yet, evidence also suggests that development aid in general has little prospect of reducing migration flows (Fine et al. 2019; Restelli 2018). While it may indeed impact migration drivers, irregular entries to Europe are not necessarily influenced by development aid. After the launch of the EU Emergency Trust Fund for Africa, the number of irregular entries remained on the upward trend that had already been accelerating since 2015 (Vespe et al. 2017).

4.3 Hypothetical migration patterns, forms and dynamics in Europe after 2015 as a consequence of alternative policy scenarios

This section introduces seven alternative 'what if' policy scenarios. We reflect on the potential effects, 'if' the geography, temporality or interactivity of specific migration-relevant policies had been different. Each scenario draws on existing knowledge of migration theory and reflects upon the hypothetical effects in terms of policy interaction, and compositional, spatial or intertemporal impact on migration outcomes.

4.3.1 Scenario 1: Implementation of the EU-Turkey migration agreement in 2013 - rather than in 2016

As a direct consequence of the challenges posed by the increase in arrivals to Europe, the EU and Turkey signed the 'EU-Turkey statement' in March 2016. The agreement, which in 2020 was prolonged to 2022, enabled the systematic deportation of migrants from Greece to Turkey, and increased the resettlement of refugees (with recognised refugee status) from Turkey to the EU. The agreement also sought to disincentivise migrants from taking the irregular route to Europe via Turkey (EMN 2016, Tantardini and Tolay 2020). The EU-Turkey deal had several and observable effects, both in terms of migration patterns and in relation to international politics and policies. Some of the effects occurred because of the high level of migration at the time, but others were less affected by the specifics of the context. When hypothesising on the alternative impact of policy, had the agreement been signed e.g., in 2013 rather than 2016, it is sensible to assume that some of the same effects would have taken place, while others not, or in a different manner.

A direct impact of the treaty was that the immediate number of returns from Greece to Turkey increased (UNHCR 2020). Some sources show that the number more than doubled from 627 in 2015 to 1504 in 2017 (EC 2017a). These returns were related to the high number of arrivals at the time, and therefore, it is unlikely that the increase in the number of returns would have been as high in the years following 2013. That said, had the agreement already been in place before 2015, one may assume that the cooperation on return from Europe to Turkey had been more systematic, and more apt to manage the crisis when it emerged. The resulting returns could potentially have taken place more efficiently, earlier on during the 2015-crisis period, and perhaps with more attention paid to the human consequences and to returnees' situation in Turkey, which was harshly criticised in the aftermath of the 2016 deal (see e.g., Terry 2021).

By contrast, the longer-term impact of the 2016 deal was not as remarkable as the first drop in numbers. Throughout the 2018-2020 period, the number of returns from Greece has decreased from 322 to 139 (UNHCR 2020). While this again may be a result of fewer arrivals, it may also signal that the implementation of the deal has a temporal dimension, i.e., that a 2013 EU-Turkey deal would not be as efficient two years on, when the European migration crisis unfolded.

The EU-Turkey Statement also affected the drivers of migration toward Europe, as was observable through the decrease in number of arrivals to Europe via Turkey. It has been argued that the deal was among the key policy related drivers of this drop, and in particular with regard to the flows to Greece (EC 2017a). This impact on migration flows would potentially not have been as observable in a 2013 scenario, as the reduction in numbers would be far lower. While the decrease in arrivals by sea to Greece decreased from 850,000 in 2015 to 170,000 after the deal (IOM 2018), this would not have been possible in 2013-2014.

Yet, the perhaps most pertinent question is whether a 2013 deal would have hindered the high

numbers of arrivals in Greece in 2015, and indeed to the EU in general. To hypothesise about this, it is important to acknowledge the salience of implementation, as a well-functioning deal might deter potential migrants, while a less well-functioning deal would not have made much difference to the number of crossings - once a potential and immediate signal-effect had worn off.

A crucial aspect in this scenario is the recognition of the potential geographical effects of a policy change. Previous work has revealed that the closing of some routes may lead to increased use of other migration routes (DRC 2016, Tyldum and Lillevik 2021). Acknowledging that the 2015 migrations were partly conflict induced, we can hypothesise that many migrants felt no option but to leave. If the routes via Turkey had been closed off, partly because of an EU-Turkey deal, and partly because of the related closing of the Balkan route, a higher proportion of migrants would have travelled further, with longer and perhaps more dangerous journeys, before crossing a border to Europe. It may be that fewer migrants would have ended up in Europe in the early phases of the European migration crisis, as those that would arrive would have had to travel longer distances. Further detours, or sudden incapability to move on, could have resulted from other geographic, economic, social or political barriers on the way. Potentially, some migrants would have ended up elsewhere, due to different preferences about preferred destination, while a potential change in the geography of journeys would have led to a higher number of deaths and increased human costs, e.g., through encampment, imprisonment or detention along the way.

On the policy-level, a hypothetical 2013 EU-Turkey deal would potentially have spurred increased recognition of the importance of collaboration with third-countries in terms of migration policy. While it would have signalled an earlier and more restrictive turn in EU's externalisation policy, it could have pushed the EU and individual European countries to initiate other bilateral and international agreements, e.g., on return and readmission, or on the exchange of migrants who fall under different legal categories. Indeed, as has been found elsewhere, the existence of readmission agreements can have a 'domino' effect as it may incentivise other third countries to pursue similar agreements (Carrera 2016).

4.3.2 Scenario 2: Active recruitment of conflict-displaced persons and refugees as temporary workers by the Gulf states

The conflict in Syria, insecurity and unrest in MENA countries following the Arab spring, the ongoing conflict in Afghanistan and hard to access legal pathways of migration to Europe from most third countries, arguably, all contributed to the rise of numbers of irregular arrivals in 2015/2016. Here we consider 'what if' there was an active and expansive policy of recruitment of people displaced by conflict as temporary workers by the Gulf states?

In the context of the violent conflict in Syria, and the fact that neighbouring countries in the region, notably Jordan, Lebanon and Turkey, host the vast majority of Syrians who have left their country, questions have been posed as to the responsibility and role(s) of the Gulf states. Whereas Lebanon and Jordan are not signatories to the 1951 Refugee convention (and its 1967 Protocol), Turkey is a signatory state (though not of the 1967 Protocol) (Janmyr 2016; 2017; 2021).

However, the mere fact of being a signatory state (or not) is not a good indicator of either whether a country hosts refugee population – or indeed their circumstances, in practice, and as compared to local populations (Fábos 2015). The Gulf states are also *not* signatories to the 1951 Refugee convention, and indeed prefer largely to support refugee populations elsewhere (Hitman 2019). Yet, this is only part of the picture, for the Gulf states hosted many temporary workers from Syria prior to the outbreak of the civil war in 2011, and the numbers of Syrians sponsored by employers and staying in Gulf countries has increased since 2010 (Zakaria 2018). Meanwhile the numbers of Syrians residing in Gulf states then may have fallen between 2013-2017, perhaps also due to

departures for Europe, although data on this question is not readily available. Indeed, data on exactly how many Syrians reside in the Gulf states is incomplete yet estimates from 2018 indicate between 1-1.5 million Syrians might live and work in these countries (Zakaria 2018), and that half of them arrived since 2011.

This suggests that it is relevant to posit a 'what if' scenario, around the hypothetical scenario that the Gulf states had scaled up their temporary work programs for populations displaced by conflict, both Syrians, and others, including e.g., Afghans, but potentially also from conflict-affected areas elsewhere. Such a 'what if' scenario in the context of conflict affected populations would likely impact onward movement of people who are either already internally displaced or already in a neighbouring country. It is perhaps less likely that a direct effect on migration drivers would be observable, but an effect on the capabilities of migrants leaving conflict areas to realise further aspirations of securing a dignified life. The 'what if' scenario of increased opportunities for temporary work in the Gulf states, would be likely to affect the direction of migration – i.e., one might *hypothesise* that legal pathways to secured employment in a Gulf state, might be preferred to irregular pathways to insecurity in European countries, for a proportion of migrants leaving conflict-affected areas.

A crucial potential impact of such a scenario would furthermore have been alleviating other countries in the region, arguably contributing to potentially avoiding the 'tipping point' in 2015/2016, where many Syrians decided that since neither return or a plausible way of life in their places of refuge were forthcoming, leaving for (an uncertain future in) Europe, via risky and sometimes deadly routes, presented a more sensible option.

The 'temporary' nature of work opportunities in the Gulf states, including in this hypothetical scenario of expanding such opportunities further for conflict-affected populations is in one sense, akin to the *temporary protection* which the Refugee convention as a point of departure refers to. However, many countries in practice offer permanent status and pathways to naturalisation. Other countries may not legally offer this, but in practice (reluctantly) acquiesce to the long-term presence of displaced populations.

For this 'what if' scenario to work in relation to having an actual impact on the migration outcomes in this period, and in Europe (as well as regionally), the *nature of this temporariness* matters. As Akinci-Perez (2021) finds, onward movement of Gulf-born children of Syrian parents, is common, and often has to do with seeking to secure a European nationality, meanwhile keeping open the option of returning to live in the Gulf thereafter but knowing that there is an exit route to a safe destination, should the need arise. Her research underscores the malleable nature of temporariness in the Gulf States, which this scenario also draws on: temporariness can last in some cases (Akinci 2020). But her research also underscores the classed nature of different types of temporary work statuses in the (different) Gulf States (Akinci 2019). In practice, the poorer and most vulnerable conflict affected populations almost always remain displaced internally – but whom among those who leave their countries of origin, might a temporary work option in the Gulf states attract? The engineers, the skilled construction worker, or the manual day-labourer? The doctor, nurse, teacher or the domestic maid? (See also: Bastaki 2018; Charles 2021; Fargues 2018; Martin and Ruhs 2019; Ruhs 2019; Valenta 2020; Valenta and Jakobsen 2016).

This 'what if' scenario points to a spatial diversion as compared to the actual migration patterns seen around 2015. One might hypothesise, that in the event that the Gulf countries had offered safe passage and employment to another million Syrians, the pressure on neighbouring countries, including Turkey, would have been significantly smaller, perhaps to a degree where the mass-migration toward Europe, and the ensuing EU-Turkey deal would never have become reality.

4.3.3 Scenario 3: Fully harmonised and liberalised EU 'open door' policy for foreign professionals

Most industrialised and post-industrialised states consider the immigration of skilled workers as an important means to decelerate the decline and aging of national workforces. In this context, most European states have developed strategies and introduced policies to address the growing shortages and demand for certain types of skills (Boucher 2015; Cerna 2014; Czaika 2018). While an increasing number of states outside Europe are also starting to recruit and retain high skilled workers, the international competition for this sought-after group of professionals is continuously intensifying. As a consequence, over the past decade, European states, somewhat driven by the European Union (EU) Blue Card Directive, have further enhanced or sophisticated the implementation of skill-selective immigration policies for specifically attracting well-qualified migrants.

This 'competition for talent' has geographical manifestations at the local, European, and also global scale. It is not only countries or multinational companies seeking to fill their labour shortages, but also many, often more rural regions are seeking to recruit medical doctors, care workers, engineers and technicians, among others. The tense competition also requires that regions and countries implement policies as a response to measures and actions taken by competitors on this international market for human resources. This tendency adds to 'beggar-thy-neighbour' policies by which states are poaching other European and non-European countries of their human capital. An emulation of migration policy instruments for recruiting skilled foreign labour has led to limited policy innovations. In this case, policy diffusion leads to lack of distinctness, and limited policy effectiveness.

Yet, 'what if' EU countries would fully harmonise and also liberalise the admission of, and introduce 'fast lane' policies for, skilled foreign workers, from outside Europe? It is very likely that a significant relaxation, for instance, of the selection criteria of the EU Blue Card would have had only limited impact on the absolute number of highly skilled workers entering the EU labour market from abroad. For most highly skilled workers, legal restrictions on admission and residence are not primary factors in their migration decision (Czaika and Toma 2018). A more liberalised EU high skilled migration policy may possibly have some compositional effects on the type of professions and occupations which may enter in larger numbers. Yet, the market of highly skilled workers is not characterised by an excess supply which would lead to a 'flooding' of the EU labour market, if access criteria would be further or even fully liberalised (for instance by lowering or removing the income threshold or replacing temporary work permits by more permanent ones). It could have spatial implications, since the supply of highly qualified workers for European states and companies is not equally distributed across European Union member states, i.e., some countries would certainly benefit significantly more from a fully liberalised regime for skilled foreign professionals, than others. But more importantly, the effect of an 'open door' policy for highly skilled migrants would probably be far below expectations because of (i) the size of the global pool of highly skilled workers, and (ii) the proportion of this global pool that can be successfully attracted by Europe in the context of an intensifying 'global competition for talent'. The latter has to with the enabling migration driver environment, in particular the quality of the professional environment that many highly qualified workers mention as decisive in their mobility decisions (Florida 2006).

Consequently, if the share of the global pool of professionals that can realistically be attracted to the European labour market is rather limited, even in an 'open door policy' scenario, alternative policy options are to be considered. For instance, what if European states and companies would

start to invest more internationally in the development and subsequent attraction and recruitment of 'promising yet unfinished' human capital, that is young people in high schools, students and young professionals in the context of training and mobility partnerships (cf. Clemens 2015)? Bilateral investment in human capital and its long-term development may increase – in the long term - the pool of 'recruitable' young professionals and skilled workers. Targeted international education and skill development policies may shift the prevalent policy configuration from reactive admission policies, aiming to ease access for an undefined pool of highly qualified professionals, to more proactive and long-term approaches building up a 'tailor-trained' pool of talent which has already acquired destination-specific qualifications, professional experience, networks and social capital including language, cultural, or institutional competences.

Existing 'immigration policy packages' (Papademetriou et al 2008) often miss out on the more long-term migration-relevant policies including external human capital development and recruitment strategies. Targeted bilateral skill partnerships may impact the character and dynamic of the global competition for talent if global recruitment of 'finished' human capital is increasingly replaced by targeted development and prospective recruitment of un- and 'semi-finished' (Khadria 2001) human capital.

4.3.4   Scenario 4: Implementation of an enhanced Europe-wide resettlement scheme for protection seekers

Resettlement in third countries is one of the three durable solutions to displacement situations, long advocated by the UNCHR (Troeller 2002; Jubiut and Carneiro 2011; Kerner 2018). However, the willingness of countries to scale up the numbers of refugees resettled out of conflict areas, to third countries, to provide long-term protection, has been limited. As a result of, and as part of the Global Compact on Refugees implementation, the UNHCR has initiated a three-year strategy (2019-2021) to increase the proportion of refugees for whom durable solutions to displacement are indeed found and implemented. As part of this strategy, one million refugees are to be resettled, whereas two million refugees are meant to access durable solutions via complementary pathways[4]. This 'what if' scenario considers what *could have* been the case, had a Europe-wide resettlement scheme for protection seekers been in place, say by 2012-2014.

To place this 'what if' scenario in some empirical context: in 2020 a total of 8500 people in need of protection were resettled from third countries to EU member states. Meanwhile some 280 000 people were offered some form of protection in EU states in total in 2020. Of these Syrians made up 27%, Venezuelans 17% and Afghans 15%. The tiny fraction of people offered protection which those resettled make up, is a point of departure here (see also Garnier et al. 2018; Hathaway 2018).

Resettlement would allow for orderly and regular migration routes into Europe, a legal right to stay, and a set-up for access to the labour market, language acquisition and other integration facilitating-measures upon arrival – or even before. What if, such a scheme was accessible to a significant proportion of Syrians in Lebanon, Jordan and Turkey in 2012 or 2014? It is reasonable to assume that the human costs of irregular migration routes, notably involving deaths in the Mediterranean, as well as the costs associated with the panic and sense of crisis in at European borders in 2015, could have been reduced, if not avoided (see also Appleby 2017)?

In 2020, the proportion of refugees (and persons with other protection status) in the EU is 0.6% - this 'what if' scenario would not necessarily change this as an outcome, but would change the

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[4] https://www.unhcr.org/protection/resettlement/5d15db254/three-year-strategy-resettlement-complementary-pathways.html

mode of entry, and mean that upon arrival, migrants already have a status confirmed as in need of protection, and thus can start integration processes immediately, reducing the salience of the issue of return of persons who are found to not have a need for protection, based on current legislation.

A further hypothetical impact of this 'what if' scenario is associated with the mechanism of seeking asylum. Whereas this is a fundamental human right, in 2020, 42% of those seeking asylum in the EU received protection. Meanwhile, more than half did not. This 'what if' scenario could hypothetically have led those with a realistic claim to protection in the EU to a more efficient pathway to such protection. Conversely, leaving those without a realistic claim to protection in the EU, but nevertheless with a legitimate need to move, to pursue other pathways of migration, such as the complementary pathways discussed in both the Global Compact on Refugees and the Global Compact for Migration.

This 'what if' scenario thus builds on the exiting frameworks for asylum and protection but proposes that a hypothetically different organisation of access to protection in EU member states, could have allowed for a very different scenario of events in the summer and autumn of 2015. Thus, this 'what if' scenario illustrates how an emphasis on 'targetedness' in considering policy responses can matter, although within the EU, a challenge lies in the responsibility sharing between member states, which was the case in 2015-2016, and is likely to have been similar in the case of such a resettlement scheme if implemented earlier also.

This 'what if' scenario on a coordinated resettlement scheme among EU member states, is also worth reflecting on in light of the 2021 Afghan emergency, where high numbers of people are in effect being provided rapid resettlement in EU member states, but without a prior plan[5]. Again, one might hypothesise about the possible benefits of such a scheme, especially in relation to the orderly and safe migration journeys it offers, and the managed arrival phase, including a possibility for planned settlement.

4.3.5 Scenario 5: Massive expansion of migration-curbing aid interventions

Aid in place of (undesired) migration is an attractive prospect to many policy makers—with added emphasis and funding such as the European Trust Fund for Africa (EUTF) in the wake of the 2015 European migration crisis (Carling et al. 2020). However, the effectiveness of development aid as an external migration policy tool has been continuously contested. The claim that international aid reduces the incentives to emigrate by stimulating development can be rejected primarily on two grounds (Carling et al. 2020). First, international aid is claimed to have limited effect on development (Marchal et al. 2020; Hansen and Tarp 2000). Even if dozens of development projects and programs are deemed effective, they are unlikely to develop measurable aggregate impact by lifting the development path of a country and thereby removing the necessity to migrate. And second, it is often claimed that development in poor countries tends to raise rather than lower emigration (Clemens and Postel 2018; de Haas 2010). Even though Lanati and Thiele (2018) find a modest but significant negative effect of aid transfers on emigration rates, the diversity of aid policy objectives suggest that different programmes or funding mechanisms will have diverging consequences for migration (Carling et al. 2020). That is, it matters how development aid is allocated both across beneficiaries, sectors and countries, and it is another open question whether migration-curbing aid would actually 'benefit' the donor in terms of less undesired immigration. For instance, it is unclear whether aid from, say, Germany, reduces migration to Germany any

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[5] https://ec.europa.eu/commission/commissioners/2019-2024/johansson/blog/timetodelivermigrationeu-no15-high-level-resettlement-forum-afghanistan-4-october-2021-protecting_en

differently from migration to other destinations (Lanati and Thiele 2018).

Carling et al. (2020) identify several mechanisms through which aid interventions may indeed affect migration: first, aid could boost the recognition and prestige of donor countries—or high-income countries more generally—as migration destinations (Berthélemy et al. 2009). Second, development aid could potentially ease prospective migrants' resource constraints and hereby enhance their capability to migrate (Marchal et al. 2020). Third, when development assistance is accompanied by deepening social, economic, and political ties, migration can become more feasible. Fourth, if aid enhances the stay option, the opportunity cost of migration increases. For instance, enhance provision of public goods and services improves the stay option and should lower migration propensities (Lanati and Thiele 2018). And fifth, aid transfers give donor countries bargaining power that can produce policy concessions which make migration control more effective, for instance in case of aid provision being conditioned upon collaboration on readmission and enforced return (Cassarino 2009).

So, what if European and other international donors would have massively increased development aid before 2015 with the aim of curbing and 'tackling the root causes' of undesired migration? Probably not much of an effect would have been measurable, at least not within a reasonable period of time. Depending on the type of aid – budget support or rather technical assistance – and the targeted sectors of support – e.g., support for small and medium businesses, support of public schooling systems, assistance in support of public health, etc. – additional resources would challenge the absorption capacity of local institutions and infrastructures. Investment in the development of local capacities materialise usually more in the longer term, immediate effects are rather unlikely.

The effectiveness of development interventions depends on the capacity of the aid-receiving environment for absorbing the resources and transforming the resources into developmental progress. Unfortunately, most countries and regions that are targeted by development aid interventions do often neither have the absorptive nor the transformative capacity for social, economic and economic changes that would convince young people to stay put. Meanwhile, consumptive and reconstructive aid such as humanitarian and technical assistance provided in emergency situations seem to be effective instruments for increasing the stay options for vulnerable populations, who would otherwise be prone to leave. The temporality of the policy-driver interaction in terms of the immediacy by which targeted aid interventions can bring real change that would positively address the immediate and inter-mediate prospects and perspectives of potential migrants, seems to be the central feature in this scenario.

4.3.6 Scenario 6: Facilitation of labour market access in combination with vacancy-based European labour recruitment and allocation system

Filling explicit needs in the labour market has since World War II been a key aspect of immigration policy in Europe (Bauböck and Ruhs 2021; Vankova 2020; Wright et al. 2017). This 'what if' scenario is concerned with how putting this into place, in the shape of orderly and managed European labour recruitment and allocation systems might have hypothetically impacted the 2015-2016 European migration crisis. If such a scheme were in place by 2010 or 2012, could the European migration crisis – as a human crisis at Europe's borders and the reception crisis in many countries in Europe – have been averted? What might have been different?

Here, we are concerned with *interactivity* – how might labour migration policies, border control, temporary residence and work permits, and the issue of protection, interact? But also, how do such policies and outcomes thereof, interact with key policy concerns in societies which are ageing, and which increasingly have seasonal labour needs, which typically are covered with workers from

abroad, such as in sectors like agriculture or fisheries? Considering the rise in numbers of labour-related permits issued to third country nationals, as discussed in section 4.1, and the linked policy changes as discussed in 4.2, this 'what if' scenario draws on policy mechanisms and thinking which could have foreseeably been in place around 2010, but which were not.

What might such a system look like? Temporary Labour Migration Programs (Wright et al. 2017) have been – and are of course, in operation in Europe. In fact, much of the internal labour mobility – flexible, open-ended, often longer-term than pre-planned – within the EU, also shares many of the key traits of Temporary Labour Migration Programs (Hooper and Le Coz 2020; Vankova 2020). Countries across the EU have specific schemes related to e.g., seasonal work in the agricultural sector (King et al. 2021), in fisheries (Friberg and Midtbøen 2018), berry picking (Hedberg 2021; Mešić and Wikström 2021).

For a 'what if' scenario of what might have been proposed in 2010, it is instructive to consider what the EU has in the period 2016-2020 in fact increasingly worked toward – namely an effort to harmonise temporary, and especially seasonal, work programs across countries (Hooper and Le Coz 2020). However, balancing the need for flexibility, but also predictability, for employers, with states needs to regulate immigration, and migrants needs for rights, is not straightforward (ibid.; Bauböck and Ruhs 2021).

Nevertheless, if – a program of temporary labour migration opportunities, tied to vacancies and needs in particular EU countries – had been in place in 2010-2012, it is likely that many would-be migrants with aspirations of entering Europe, in search of work, an income, and building a better future for themselves – in Europe, or indeed back home – would have considered or even tried to access a scheme. The interactivity of policies here – where particular needs in agriculture, berry picking, fisheries, or for that matter any other sector, could be coupled with vacancy-based temporary migration permits, could contribute to the safe, legal and orderly migration which was called for in the wake of the 2015-2016 European migration crisis.

However, the very specific type of temporary nature of seasonal work, would have caused a challenge, especially for migrants from conflict-affected areas, who would likely also have been granted asylum, if they applied for it, but would not have been able to return, after completing their work periods. Meanwhile, if a system was in place, such a scheme would allow migrant workers to move between EU countries, depending on where vacancies where available, thus allowing for necessary flexibility, whereby some would return (e.g., to South Asia), and re-migrate for another period of work potentially on a later occasion, whereas others (e.g., those originating from Afghanistan or Syria), might find employment elsewhere in Europe.

But such a 'what if' scenario does not take into serious account the fact that people fleeing conflict, but also any migrant leaving for reasons of fear of persecution, has the right to seek asylum. Thus, it is likely that such a 'what if' scenario would – whether by design or in practice, have strong degrees of interactivity also with the asylum and protection policies in EU countries. Nevertheless, in relation to modes of entering the EU, this 'what if' scenario would likely have been a vehicle to reduce irregular border crossings – thus facilitating a better managed migration process, for migrants as well as authorities, with the added value of addressing specific short-term gaps in the labour market.

Temporary Labour Migration Programs have often in Western liberal democracies been questioned and seen as challenging in normative or moral terms. Such programs have been associated with illiberal states, such as in the Gulf, where the rights of workers are tiered, and where temporariness without pathways to citizenship can and does become permanent. As Bauböck and Ruhs reflect: '*We conclude that our proposed new approach to TLMP's [Temporary Labour*

Migration Programs] can help to address, but never fully resolve the inescapable ethical dilemma that such programmes raise under real world conditions (2021: 3). These dilemmas are associated with how global vs. national justice issues are approached, managed and resolved, e.g., in relation to workers' rights, but also when it comes to the right to seek asylum and access to protection.

4.3.7 Scenario 7: International student recruitment as labour migration policy through the backdoor

This 'what if' scenario takes as its point of departure how *interactivity* between student migration, family migration and labour migration policies might be planned for in deliberate ways, and what this could have looked like and meant in the context of the 2015-2016 European migration crisis.

As described in section 4.1 (Figure 9) student migration is indeed a rising phenomenon in Europe (King and Raghuram 2013; Riaño et al. 2018). It appears that student migration often clusters together with family – or labour migration. European countries efforts to attract more international students have largely been successful, and countries approach the potential use of these high-skilled individuals in national labour markets after completing studies with a relatively similar and flexible approach, often accommodating transition from student migration to labour (or indeed family) migration, in different forms (EMN 2019b; Sandoz 2020).

This 'what if' scenario shares some common traits with other scenarios presented above, where there is shifting of categories in different forms. The added twist which this 'what if' scenario offers is that rather than recruiting labour migrants to fill particular gaps in the labour market – this scenario proposes that recruiting student migrants could much more explicitly – hypothetically – be linked with labour market needs.

The 'what if' scenario builds on the simple fact that these dynamics are visible on the ground, yet rarely explicitly accounted for in policies. There are different experiences of pathways to work among student migrants in European countries (Wilken and Dahlberg 2017). These are approaches which are currently being piloted, e.g., by Germany with their 'Skills Partnerships'. Here, in order to meet the challenges with shortages in the labour market associated with the demographic shift as a result of an ageing population, Germany is testing three approaches: i) skilled migration; ii) Origin training; and iii) Destination training (Clemens et.al. 2019). In the context of this 'what if' scenario, it is this last – *Destination training* – option which is particularly relevant, as it illustrates what such a 'what if' scenario combining student – and work – migration in one connected whole might look like.

The interactivity of different migration policies is real. How it is approached, and how interactivity can be harnessed to achieve policy goals, meanwhile remain questions for further exploration. Nevertheless, this 'what if' scenario suggests that if an explicit engagement with student migration - as interacting with calls to address particular needs in the labour market – is sought after, the outcome might both be more predictability and less (risk of) irregularity for those involved. Transposing this to the period prior to the 2015 European refugee crisis, we might imagine more students arriving – as part of e.g., *Destination training* programmes. Whether or not this would have relieved what became the crisis at Europe's borders, is hard to assess. Nevertheless, it importantly would have provided sought after legal options – complementary pathways – which might have been pursued over and above irregular entry modes.

5. Summary and conclusion

The role of states in shaping migration processes is complex but it follows certain features by which policies are designed and affect migration behaviors and its broader dynamic. But how exactly does it work? This paper proposes an analytical framework composed of three fundamental elements: (1) migration driver environments, that constitute the structural pre-conditions, within which (2) configurations of migration-relevant policy instruments conjointly affect (3) migration processes. We argue that, not only multiple policy instruments interact and mutually mediate their effects and effectiveness, but also that policies interact with certain migration drivers and the broader set of drivers in complex and often unexpected ways.

The building blocks of broader policy configurations are numerous internal and external policy instruments that modern nation states have designed to influence migration processes along political objectives. However, we argue that it is not only the migration policy toolbox that matters for affecting migratory outcomes, but also policies and policy instruments that are not specifically designed and implemented for migration management purposes, but nevertheless influence migration outcomes. For this reason, we introduce the inclusive term *migration-relevant policies* that captures any policies that have a direct or indirect effect on migration, no matter whether they are established for a migration-related objective, or not.

We further elaborated on functional features of the relationship between migration drivers, migration-relevant policies, and migration processes. The functional features presented offer a methodological toolkit to assess how spatial, temporal, compositional and interactional dimensions may impact policy outcomes, beyond immediate and linear policy effects. Enhancing our conceptual understanding of policy-driver interactions may not only improve the design of empirical assessment of policy effects and impact, but also help to realistically evaluate the true, limited, and often unintended effects of policy interventions.

Our examples have shown that these features are applicable to many policy areas in the internal and external domains of migration-relevant policymaking, but a more systematic analysis of policy areas regarding such mechanisms is left for future research. In this paper, we have argued for the need to see European migration policy in context, whereby we both include external and internal policy as part of a broader conception of migration-relevant policies, and where we see these as embedded within migration driver environments. The goal might be policy research and development with a higher degree of precision, with the ability to predict policy impact – both intended and unintended, desired or undesired, across migration-relevant areas.

We finally applied these functional features to the context of the European migration situation post-2015. By elaborating on a number of *'what if' scenarios* we illustrate both the relevance of policy configurations (rather than single policies) and their interaction with the broader migration driver environment. The examples we discuss show that these conceptual tools are relevant for a variety of migration contexts. Spatial, compositional, intertemporal, or interactional features are shown to be core elements of a comprehensive analysis of migration-relevant policies.

Any scenario analysis, no matter whether with a retrospective or prospective focus, requires sound theoretical explanations of the various 'what if' alternatives. The conceptual trio of policy configurations, migration driver environments, and the interactions between the two, forms the basis for an understanding of the 'policy-migration complex', that is the multifold interlinkages, effects and repercussions between state policies and migration outcomes. Considering the role of

states and state policies in shaping migration processes and outcomes, this paper offers both an analytical approach, a toolkit of functional features, and a test-run of implementing these, in the 'what if' scenarios developed. On the one hand, migration policy strictly, does indeed seem to fall short of the ambitions of policy makers in the EU that it alone should help direct the numbers, compositions, and timings of migration to particular countries. On the other hand, we propose that considering migration-relevant policy in context, that it is as part of policy-driver interactions, allows for a view where states and state policies have an integral place, alongside other actors, in the arenas where migration processes and outcomes are shaped.

Meanwhile, the complexity of policy-driver interactions – across space, over time, and for different actors, suggests that any quick-fix solutions may be high-risk ventures. For, more often than not, such quick-fix solutions risk remaining very partially effective, and simultaneously, may have more unintended consequences within a broad landscape of policies and outcomes, nationally and internationally. Nevertheless, and despite the pitfalls complexity offers, a carefully crafted approach to states and state policies roles in shaping migration is both highly needed, and a much better proposition than both the lack of such an approach, or piecemeal alternatives.

In applying the analytical framework and toolkit of functional features proposed in this paper to real-world situations, and especially forward-looking scenario thinking, it is worth noting that the complexity we underscore is in profound ways related to the interactions of policies and drivers in the field of migration, and beyond. Turning on a specific 'policy button', or turning it off, or twisting it in one way or another, inevitably will always have both direct and indirect impacts, intended and unintended, on migration and non-migration policy fields, quite often both internal and external to a given nation-state. As such, the proposed analytical approach and toolkit of functional features – together with our tentative and hypothetical 'what if' scenarios – should be seen as an invitation, to further empirical research, to conceptual refinement, but also to developing quality-assured future-scenario-thinking.

6. References

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