

The unsustainability of current migrant narratives in the EU's Pact on Migration and Asylum

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Abstract:

This reflection article examines the narratives about migration (re)produced by the new EU Pact on Migration and Asylum. It provides an overview of the main points proposed by the Pact, demonstrating its significance in advancing the Europeanisation of migration policies. On the other hand, it reveals how the Pact, like many other EU migration proposals, is based on problematic and incomplete narratives about migration that restrain the possibility of a holistic approach to the issue. Building up on that, the article highlights the constraints and criticisms of the Pact, with special attention to the negative consequences migrants may face as a result of its implementation. Finally, it explores ways to counteract and deconstruct these narratives to enable societies to develop a more comprehensive approach to migration.

Key words: Pact on Migration and Asylum, Narratives, Securitisation, Borders

The new EU Pact on Migration and Asylum

The European Union (EU) [Pact on Migration and Asylum](#), presented by the European Commission in 2020 and recently ratified by the European Council and the European Parliament, took effect on June 11, 2024. It establishes a new framework of laws and recommendations governing migration and asylum in the Union, as well as mechanisms to strengthen the management of the EU's common external borders through enhanced surveillance of irregular migrants and cooperation with third countries.

Recognised as a significant step toward a unified European approach to migration, the Pact sought to enhance integration in migration and asylum policies, which remain a shared competence between the EU and its Member States and have been the centre of complex political debates since the establishment of the Schengen zone.

The Pact is built on four fundamental pillars: 1) Secure external borders, which focuses on improving the screening mechanisms and the collection and storage of migrants' personal data in the Eurodac system; 2) Fast and efficient procedures, which harmonise the asylum processes through common rules and standards; 3) An effective system of

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solidarity and responsibility, which establishes a permanent but flexible solidarity mechanism that shares responsibility for asylum applications among Member States; and 4) Embedding migration in international partnerships, which focuses on the control of migration through agreements with origin and transit countries.

The fundamental pillars sustain a [common procedure for asylum](#) (including the ordinary asylum process and a fast asylum process, as well as a [return regulation](#)), a [crisis regulation](#) which foresees exceptional measures in the case of a sudden increase in asylum applications, the [Eurodac regulation](#) improving the collection and storage of irregular migrants' personal data, a [screening regulation](#) establishing common rules for the triage of irregular migrants and asylum seekers, and finally the [management regulation](#) which mandates solidarity between Member States.

Designed to “support Member States that face important migratory pressures and that protect our external borders”², the Pact represents a significant achievement in an area that has caused much disagreement between Member States, making possible a more communitarian approach to migration.

Europeanisation of migration and border policies

The need for a common European response to migration and asylum is a rhetoric frequently pushed by the EU, particularly since the so-called 2015 refugee crisis in the Mediterranean. However, this mantra underscores the effort to develop and implement coordinated migration and border policies involving not only the EU's Member States and the European border agency Frontex, but also third countries such as [Libya](#) and [Turkey](#). The idea that migration is a challenge that can only be addressed by a common response is also the basis for the legislative framework put forward by the new Pact on Migration and Asylum.

The Pact's proposals such as the new effective solidarity mechanism, which substitutes the previous voluntary approach to distributing refugees among Member States, demonstrates how the Europeanisation of migration and asylum policies has increasingly become a reality in the EU. This mechanism establishes that Member States can choose between relocating refugees in their territory or providing financial assistance to and coordinating return operations of people who have not been granted the legal right to remain in the Union, sharing more responsibilities with other Member States. Likewise, the mechanism reinforcing border controls and Schengen governance, through more detailed screening procedures, highlights the steps that the EU has been taking to establish a truly integrated border management³.

Nevertheless, the narrative promoting and justifying the development of such policies – increased migration flows from the global South towards Europe – has been associated with a security discourse that portrays migrants and refugees as potential threats to the EU, which need to be collectively addressed.. Not surprisingly the EU so often speaks about migration using terms such as ‘challenge’ and ‘complex issue’, evoking migration as a problem to be solved. Some authors argue that this is a result of the external dimension of the Union's internal security, whereby the abolishment of borders between Member States naturally diverts the attention to the EU's common external border⁴, and where ‘Others’ are identified as security threats to justify the emergence of hard border

² European Commission (23 September 2020) “Pact on Migration and Asylum”, paragraph 2. Retrieved June 27, 2024, from: https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/migration-and-asylum/pact-migration-and-asylum_en

³ Raimondo, G. (2024). *The European Integrated Border Management. Frontex, human rights, and international responsibility*. Hart Publishing.

⁴ See, for instance, Huysmans, J. (2000). The European Union and the Securitization of Migration. *JCMS: Journal of Common Market Studies*, 38(5), 751-777. <https://doi.org/10.1111/1468-5965.00263>.

mechanisms⁵.

The new Pact on Migration and Asylum shows how this trend has evolved. For example, the Pact's new integrated border procedure equates asylum applications likely to receive a negative decision with individuals who represent a 'security risk' to the Union, without clarifying the nature of this risk. This suggests an ongoing association of migration in general, and irregular migration in particular, with a security threat.

Narratives on migration and the EU Pact on Migration and Asylum

Since the end of the Cold War, Western states have been complicit in depicting international migration as a security problem. A wide range of academic literature attributes this to the end of a well-defined external threat – the Soviet Union – which led to the need to define new external threats⁶. Linking migration to security concerns has also been described as a scapegoating tactic, where politicians divert attention from their own role in creating political problems by blaming these issues on the presence of foreigners within the state's territory⁷.

As a result, multiple narratives on migration have emerged in the Western world, and particularly in the EU. Sociologist Hein de Haas⁸ describes four main narratives about migration, which together form the dominant discourse that fuels the establishment of migration and border policies as they currently stand:

- 1) **The mass migration narrative:** Characterised by the use of apocalyptic language, such as unprecedented 'waves' of migration.
- 2) **The migrant victim narrative:** Frequently employed by the EU to depict refugees and asylum seekers as vulnerable individuals at the mercy of violent smugglers.
- 3) **The migration threat narrative:** Reflecting the fears of host societies that they cannot 'absorb' migrants neither economically nor culturally.
- 4) **The migration celebration narrative:** Used by pro-immigration advocates to argue that societies need migrants.

The first two of these narratives appear in many of the EU's discourses regarding the new Pact on Migration and Asylum and are mutually reinforcing. For example, the mass migration narrative enables the EU to develop border policies based on the premise of unprecedented migratory pressure which requires special action. The Pact on Migration and Asylum, like the previous actions proposed by the EU such as the [Agenda on Migration](#) in 2015, are essentially sustained by discourses that reproduce this narrative. "Sudden increase of arrivals"⁹, "The number of asylum applications in the EU [...] increased to one million"¹⁰, and "pressure on our external borders has continued to

⁵ Ibrahim, Y., & Howarth, A. (2018). Communicating the 'migrant' other as risk: Space, EU and expanding borders. *Journal of Risk Research*, 21(12), 1465-1486. <https://doi.org/10.1080/13669877.2017.1313765>

⁶ See, for example, Buzan, B., & Wæver, O. (2003). *Regions and powers: A guide to the global security order*. Cambridge University Press, and other scholars contributing to the Copenhagen School of Security Studies.

⁷ See Bauman, Z. (2017). *Strangers at our door*. Polity Press.

⁸ De Haas, H. (2024). Changing the Migration Narrative: On the Power of Discourse, Propaganda and Truth Distortion. International Migration Institute, Working Papers, paper 181. Available in: <https://www.migrationinstitute.org/publications/changing-the-migration-narrative-on-the-power-of-discourse-propaganda-and-truth-distortion>

⁹ European Commission (10 April 2024) "Commissioner Johanson's Plenary Speech on the Pact on Migration", paragraph 34. Retrieved June 26, 2024, from: https://ec.europa.eu/commission/presscorner/detail/en/speech_24_1950

¹⁰ European Commission (9 January 2024) "Speech by President von der Leyen on the occasion of the New Year reception of the State Chamber of Industry and Commerce for the Elbe-Weser region", paragraph 39. Retrieved June 26, 2024, from: https://ec.europa.eu/commission/presscorner/detail/en/speech_24_102

increase”¹¹ are only but a few examples of the use of the mass-migration narrative to legitimise the Pact.

Concurrently, the migrant victim narrative supports this dynamic by portraying refugees and asylum seekers as vulnerable individuals at the mercy of violent smugglers, thereby justifying the [EU’s military operations in the Mediterranean](#) and partnerships with third countries. For example, sentences such as “Shipwrecks with massive loss of life”¹², “So many refugees have been suffering”¹³, “we need to counter smugglers”¹⁴, and “we need to pull our weight together to fight smugglers”¹⁵ provided context for EU action through the Pact on Migration and Asylum.

Constraints of the EU Pact on Migration and Asylum

The problem with the narratives about migration, argues de Haas, is that they are misleading and fail to provide a comprehensive approach to migration. The policies they justify often have counterproductive effects, exacerbating the very problems they aim to solve. For example, the EU’s efforts to fortify its external borders to combat smuggling have been [linked to the strengthening of smuggling networks](#). This is because tighter border controls limit migrants’ entry options, driving them to seek alternative methods, such as paying smugglers.

For this reason, despite constituting a notable step towards European integration, the Pact on Migration and Asylum was strongly criticised by many [NGOs](#). They argue that the enhanced surveillance of migrants, proposed by the Pact, involves invasive technologies based on the collection, storage, and analysis of personal data. This data could be used to justify biased decisions according to the applicant’s nationality, potentially leading to unequal treatment. For instance, the data collection process now includes not only biometric data (fingerprints), but also facial photographs of applicants and information of where they have travelled. Additionally, fingerprints of irregular migrants are now stored in databases for five years instead of eighteen months. Similarly, the [smart borders package](#) violates the [minimisation principle](#) which establishes that a data controller should restrict the collection of personal information to what is directly pertinent and essential for achieving a specified objective, as well as retaining the data only for the duration necessary to accomplish that objective.

The implementation of surveillance mechanisms like Eurodac, along with the [deployment of drones](#) along the EU’s external borders, has contributed to the concept of a “Cyber Fortress Europe”¹⁶, which describes a scenario where border control is enforced using advanced technologies, effectively casting irregular migrants as [intensely monitored individuals](#) that are constantly pushed away from the EU by its border regime.

The Pact also provides the grounds for normalising migrant detention and pushbacks at the EU’s external borders, as well as encouraging the return of individuals to countries

¹¹ European Commission (13 December 2023) “Speech by President von der Leyen at the European Parliament Plenary on the review of the Spanish Presidency of the Council”, paragraph 14. Retrieved June 26, 2024, from: https://ec.europa.eu/commission/presscorner/detail/en/speech_23_6585

¹² Ibid. note 6. Paragraph 32.

¹³ European Commission (20 December 2023) “Opening remarks by Vice-President Schinas and Commissioner Johanson at the press conference on the political agreement reached on the Pact on Migration and Asylum”, paragraph 37. Retrieved June 26, 2024, from: https://ec.europa.eu/commission/presscorner/detail/en/speech_23_6787

¹⁴ European Commission (12 March 2024) “Commissioner Johansson’s Speech at the Plenary debate on the Single Permit Directive”, paragraph 7. Retrieved June 26, 2024, from: https://ec.europa.eu/commission/presscorner/detail/en/speech_24_1441

¹⁵ Ibid. note 8. Paragraph 15.

¹⁶ Milivojevic, S. (2013). Borders, technology and (im)mobility: ‘Cyber-Fortress Europe’ and its emerging Southeast frontier. *Australian Journal of Human Rights*, 19(3), 101-123. <https://doi.org/10.1080/1323-238X.2013.11882136>

where they may experience violence despite being designated by the EU as safe third countries. Faster procedures may decrease in quality, leaving room for unfunded returns of individuals who otherwise would have been granted asylum in the EU. Moreover, the externalisation of the EU's borders¹⁷ to third countries materialised through partnerships with origin and transit countries further contributes to the construction of a complex border-scape where migration is controlled in the territory of third countries even before migrants reach European soil.

This stresses the consequences of the migration narratives propagated by the EU and its new Pact on Migration and Asylum. By employing the mass migration narrative and the migrant victim narrative, the EU is able to justify questionable policies and procedures. In other words, by depicting migration as a problem, the EU renders actions that would otherwise be unacceptable as acceptable and necessary, leading to detrimental consequences for those seeking refuge in Europe.

How to counteract the narratives on migration?

Despite the persistent misleading narratives about migration in the EU's discourses and policies, such as the Pact on Migration and Asylum, there is potential for reversing this trend. Firstly, De Haas argues that migration research should be decoupled from policymaking and should focus more on migration as it is. This is because policy-oriented research often reflects the state's perspective and aims to solve perceived problems, reinforcing the notion that migration is problematic. By directing more research toward migrants' perspectives, we can gain a better understanding of migration and recognise the agency migrants have in shaping and challenging certain policies.

In regard to border reinforcement mechanisms such as the screening, surveillance, and return procedures proposed by the Pact on Migration and Asylum, data indicating that most irregular migration in the EU occurs through visa and work permit overstay, rather than at the border, challenges the notion that irregular migration can be effectively controlled at the EU's external borders¹⁸.

Additionally, attention to what scholars term the 'autonomy of migration'¹⁹ reveals that despite extensive efforts to reinforce borders, migration is a highly adaptable phenomenon in which the agency of individuals also shapes how borders are constructed. In other words, migrants find ways to counteract border regimes. This means that there is no way of 'stopping' migration. Thus, to adopt a more sustainable approach it is essential to deconstruct the perspective that Europe is an entity "threatened" by "waves" of migration and therefore needs protection.

Finally, making academic literature more accessible to civil society is crucial for fostering a holistic approach to migration. Presenting data on migration to politicians often proves futile, as their primary goal is to advance their own agendas and interests, sometimes using migration as a scapegoat to gain electoral validation. However, if the general public has access to migration research beyond the confines of academia, there would be a greater chance to demystify migration and approach it in a more informed and coherent manner.

¹⁷ Müller, P., & Slominski, P. (2021). Breaking the legal link but not the law? The externalization of EU migration control through orchestration in the Central Mediterranean. *Journal of European Public Policy*, 28(6), 801-820. <https://doi.org/10.1080/13501763.2020.1751243>

¹⁸ De Haas, H. (2023). *How migration really works*. Penguin Random House.

¹⁹ De Genova, N. (2020). The Convulsive European Space of Mobilities. *Political Anthropological Research on International Social Sciences*, 1, 162-188, <http://dx.doi.org/10.1163/25903276-bja10003>