To harmonize or to externalize?

EU decision-making in times of migration crises

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Contents

Tables and Figures

Articles

Article 1: Parochialism as driver of non-cooperation: the case of the static position of Poland on EU migration policy

Article 2: The importance of being in good standing: Why the Visegrád group contributes to the external dimension of EU migration policy

Article 3: Crisis-Induced Leadership: Exploring the Role of the EU Commission in the EU–Jordan Compact

Article 4: How strategies of refugee host states are perceived by donor states: EU interpretations of Jordanian migration diplomacy

Summary

Migration policy is among the most politicized and disruptive issue in modern democracies. Because of diverging interests between the EU Member States in the area of migration and asylum, it has been difficult to reform migration policies. This has become particularly apparent during the migration crises of the past decade. This thesis focuses on decision-making processes behind EU migration policies in light of recent crises, looking at the period 2015–2022. This period covers three significant external shocks. First, the civil war in Syria, causing the displacement of millions of Syrians. Second, the so-called Belarus–European Union border crisis of 2021. Third, the Russian war in Ukraine. These crises vary in scope, from a few thousand migrants on the border to several million migrants in Europe, and they have been met with very different policy responses from the EU and from individual Member States. The comparative perspective this allows provides an opportunity to examine what conditions lead to different policy responses. This thesis answers the research question: *In times of migration crises, what determines the extent to which EU migration policies are characterized by internal coordination or by externalization?* Using a case study approach, it examines the conditions under which migration crises lead to harmonization or externalization.

Through case studies, this thesis explores the roles of the European Commission (hereafter Commission) as the main proponent of common EU migration policies, and the Visegrád group (consisting of Hungary, Poland, Slovakia and the Czech Republic) as the main opponent. It investigates the policy processes behind notable examples of external EU migration policies – the EU–Jordan Compact and the EU Emergency Trust Fund for Africa (EUTF) – as well as investigating negotiations behind EU migration policies on the internal dimension.

The thesis concludes that both harmonization and externalization can occur in response to migration crises. Externalization policies, exemplified by the EU–Jordan Compact and the EUTF, were policies that were acceptable both to the Commission and to the Visegrád group. Member States that opposed cooperation on the internal dimension, even those that were not directly affected by the crisis, supported these external measures. The Commission wanted to find solutions that all stakeholders could agree on and pushed for external migration policies that were aligned with its own (sometimes non-migration related) policy goals. Weak internal harmonization occurred in the immediate response to the Ukraine crisis, when even the most reluctant Member States (the Visegrád group), agreed to solidarity measures, but only in a

temporary scheme, and only concerning a very limited group of refugees. The analysis demonstrates that crises can lead to harmonization or externalization depending on two conditions. First, the need to 'signal' to an external audience your readiness to respond to a crisis, and this need arises from the ambition to live up to international norms. Second, the level of constraints to cooperation on the internal dimension.

EU migration policy is an example of strategic policymaking in a multi-level institutional setting where normative factors such as concerns over identity, solidarity and reputation have a strong influence. Normative factors play a significant role in determining whether migration crises create the conditions for internal or external cooperation. For example, concerns over sovereignty, security and identity can represent a constraint to cooperation on the internal dimension. Examples of concerns that can motivate signalling are humanitarianism, solidarity and reputation.

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List of Abbreviations

DG ECFIN	Directorate-General for Economic and Financial Affairs
DG DEVCO	Directorate-General for International Cooperation and Development
DG ECHO	Directorate-General for European Civil Protection and Humanitarian Aid Operations
DG HOME	Directorate-General for Migration and Home Affairs
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DG TRADE	Directorate-General for Trade
EEAS	EU External Action Service
EU	European Union
EUCAP	European Union Capacity Building Mission in Mali
EUTF	The European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa

'Never before have I seen such little common ground between our Member States.'

'This is Europe at its best. A Union of determination and solidarity.'

Jean-Claude Juncker

Ursula von der Leyen

State of the Union address 2016

State of the Union address 2022

1. Introduction

International migration is intrinsically both an internal and external phenomenon. It may originate outside a state's border and have effects inside its territory. A state's core functions include regulating its borders and managing migration. Even so, in the case of the EU, Member States cooperate on this 'core state power' (Genschel and Jachtenfuchs, 2017) on three levels. First, they cooperate internally within the EU's borders in three ways – free movement between the countries in the Schengen agreement; the Dublin agreement regulating which Member State is responsible for the asylum procedure of new arrivals; and by harmonizing migration procedures between Member States. Second, Member States cooperate on the European border, for example, through their common border police, the European border and coastguard agency, Frontex. Third, Member States cooperate on migration outside the EU's borders, with third countries, and this is referred to as external migration policy. These levels are inherently linked because the Member States' ability to cooperate closely on the internal dimension is reliant upon effective border and external migration policies. This linkage becomes apparent when the system is put under pressure, such as during times of crises. External migration shocks and increased migration flows have revealed that cooperation between the Member States on the internal dimension is fragile. Furthermore, we have seen that relying on external measures leaves the EU vulnerable to exploitation by third countries.

There is dire need for international cooperation in the management of global migration and the EU has great potential to demonstrate leadership within and beyond its borders. However, migration policy is among the most politicized and disruptive issue in modern democracies. Because of diverging interests between the EU Member States in the area of migration and asylum, it has been difficult to reform migration policies. This has become particularly apparent during the migration crises of the past decade. Several scholars underline that migration crises such as those of 2005 (Ceuta and Melilla) and 2015 (Syria) have caused an externalization of EU migration policy (Lavenex and Kunz, 2008; Niemann and Zaun, *forthcoming*; Reslow, 2019a). Furthermore, research has indicated that externalization is detrimental to human rights and makes the EU vulnerable to threats from third countries (Greenhill, 2016). However, recent events cast doubt over such accounts. The Russian war against Ukraine caused the most severe migration shock the EU has faced in several decades, yet the EU's response has been marked by consensus rather than disagreement.

This thesis focuses on decision-making processes behind EU migration policies in light of recent crises, looking at the period 2015–2022. This period covers three significant external shocks. First, the civil war in Syria, causing the displacement of millions of Syrians. Second, the so-called Belarus–European Union border crisis of 2021. Third, the Russian war in Ukraine. These crises vary in scope, from a few thousand migrants on the border to several million migrants in Europe, and they have been met with very different policy responses from the EU and from individual Member States. The comparative perspective this allows provides an opportunity to examine what conditions lead to different policy responses. Through case studies, this thesis explores the roles of the European Commission (hereafter Commission) as the main proponent of common EU migration policies, and the Visegrád group (consisting of Hungary, Poland, Slovakia and the Czech Republic) as the main opponent to these policies. It investigates the processes behind notable examples of external EU migration policies – the EU–Jordan Compact and the EU Emergency Trust Fund for Africa (EUTF) – as well as investigating negotiations behind EU migration policies on the internal dimension.

EU migration policy is an example of strategic policymaking in a multi-level institutional setting where normative factors such as identity, solidarity and reputational concerns have a strong influence. This thesis sheds light on how decision-makers, at different levels with different constraints and audiences, identify policies in a highly politicized issue area that please their respective audiences.

Research Questions

This thesis focuses on decision-makers and policymaking processes in order to answer the main research question:

In times of migration crises, what determines the extent to which EU migration policies are characterized by internal coordination or by externalization?

To answer this overarching research question, I focus on the main proponent of common migration policies – the Commission – and the main opponents of such policies – the Visegrád countries – in four case studies. The following four sub-questions shed light on different aspects of the main research question.

    1) *What explains the Polish (op)position to EU migration cooperation on the internal dimension?*

In Article 1, I explore the Polish position on EU migration policy during three crises: 2015, 2021 and 2022. Poland has been among the most vocal opponents to harmonization of migration policy in the EU following the 2015 migration crisis. Understanding their opposition can help us to understand what inhibits the internal harmonization of EU migration policy. The case study sheds light on how crisis dynamics and migration issues can mobilize individuals and addresses the role played by the government in the mobilization.

2) *Why did the V4 support external EU immigration policies (especially but not exclusively under the EUTF Africa) after 2015?*

Article 2 unpacks the Visegrád group's decision to contribute significantly to the external dimension of EU migration policy after 2015. In order to understand what prompts cooperation on the external dimension, we can seek to understand the motivations of those who arguably have the least to gain from cooperation. The article explains how a group of Member States that oppose migration cooperation on the internal dimension, and that have little to no immigration from Africa, became among the largest contributors to the EU's main external migration policy tool: the EU Emergency Trust Fund for Africa.

3) *How has the migration crisis of 2015 affected the Commission's ability to create coordinated, strategic action in external policy?*

Article 3 explores the role of the Commission in creating the EU–Jordan Compact in response to the 2015 migration crisis. The article demonstrates how the Commission can leverage crises to increase their influence on external policy. It finds that the Commission were able to reframe the economic crisis in Jordan in order to motivate the Member States and trade policy officials to adopt the Commission's foreign policy strategy.

4) *What explains the EU's motivation to meet Jordan's demands during the migration crisis?*

In Article 4, I explore how host countries outside Europe effect EU policymaking. The article explores the international negotiations between the EU and Jordan after 2015. The article concludes that the EU representatives felt that Jordan's request was morally justified, and that they themselves were in a poor negotiating position because of the EU's inability to aid the refugees in their territory.

2. Literature review: EU migration policy on the internal and external dimension

The following sections review the existing literature on EU migration policy in the internal and external dimension respectively. It presents existing research gaps and addresses how this thesis aims to fill these.

Internal migration policy

The existing research on EU internal migration policy in times of crises has focused on how crises have disrupted EU cooperation and caused politicization and controversy (Dennison and Geddes, 2018; Lavenex, 2018; Schimmelfennig, 2018; Zaun, 2018). Such accounts have often highlighted distributional differences between Member States as an explanation as to why the interests of Member States vary so much (Zaun, 2018). For example, there have been several attempts to redistribute asylum seekers in Europe, from the EU's border states in the South to Member States who experience less migratory pressure (Zaun, 2018). While the countries with the most migrants would benefit from burden-sharing instruments, the Member States that face little immigration pressure would not. Based on this logic, we would expect that the more migrants a Member State hosts, the more that Member State will push for solidarity measures, and the fewer they host, the more reluctant they will be to support solidarity measures.

Some Member States have shouldered a disproportionately large hosting burden, such as Germany after 2015. Thielemann (2017) argues that in a migration crisis, large and resourceful countries (such as Germany) will contribute relatively more than expected, to ensure the public good of 'security and stability'. This follows the logic of public goods (Olsen and Zeckhauser, 1966) which explains why larger actors will often have to make a larger effort while the smaller members of the group 'free ride' and choose not to participate in burden-sharing efforts. Poland, Hungary, Slovakia and the Czech Republic (the Visegrád states) are prime example of countries that 'free ride' (Thielemann, 2017). They have had relatively small refugee hosting responsibilities and consequently have little to gain from solidarity measures.

Existing research has also explained the positions of Member States on burden-sharing efforts by looking at domestic constituencies' preferences. In light of recent crises, electorates now pay closer attention to migration issues, making it difficult to reach a compromise between Member States (Hooghe and Marks, 2018; Lavenex, 2018). The electorates put pressure on

their government to limit immigration burdens, either by insisting on harmonization in the EU to shift their large hosting burdens on to other Member States, or by refusing such measures to ensure that they do not have to accept migrants (Zaun, 2018).

The latest migration crisis in Europe – the Ukraine crisis – challenges some of the aforementioned findings. For example, Poland has become the largest refugee hosting state in Europe, despite previously being identified as a 'free rider'. Moreover, despite their new role as a host country, Poland remains firmly against the relocation of refugees. Greece and Italy, who are already burdened with large hosting responsibilities towards asylum seekers, have fully supported solidarity measures towards Ukrainian refugees in Europe, despite having little to gain from the redistribution of Ukrainians.

While the existing literature has demonstrated how the crises have caused division and controversy between Member States, it has done so without adequately addressing how the EU copes with such disruption. The Member States engage in institutionalized continuous cooperation, and they benefit from this cooperation. It is therefore relevant to investigate how they find ways to maintain their relationship with other Member States and the EU institutions in times of intensive conflict.

This thesis goes some way to addressing the above-mentioned gap. It does so by investigating the more recent Ukraine crisis and by focusing on cooperation efforts in times of crises and on highly politicized topics.

External migration policy

Externalization of EU migration policy is not a recent development. In the 1990s, there was a shift from the national level to the international level in the control of immigration (Guiraudon, 2000). Existing research has explored the origins of EU cooperation with third countries on migration issues (Boswell, 2003; Guiraudon, 2000; Lavenex, 2006). Such research has identified the constraints to migration policy that policymakers face at the national and supranational levels (Guiraudon, 2000; Lavenex, 2006). Moreover, the different types of external policies have been described (Boswell, 2003; Jurje and Lavenex, 2014). The 2015 migration crisis arguably symbolizes a paradigm shift in EU migration policymaking. Thus, it is important to revisit how decision-makers deal with the (new) constraints when developing migration policy.

In light of the increased use of external migration policy measures, the literature on externalization has grown. The recent literature suggests that externalization was a response to the 2015 migration crisis (Greenhill, 2016; Niemann and Zaun, *forthcoming*; Reslow, 2019a). Since 2015, we have seen several examples of policies with a developmental focus in EU external migration policy (Zaun and Nantermoz, 2021). Some examples are the EU–Lebanon Compact; the EU–Jordan Compact; The EUTF; Migration Partnership Frameworks; EUCAP Sahel. This trend has not gone unnoticed, and researchers have discussed the legal nature of external policies (Carrera et al., 2019; Poli, 2020) and the effects of such policies (Brumat and Feline Freier, 2021; Bøås, 2019; Reslow, 2019b; Seeberg and Zardo, 2020; Stock et al, 2019; Üstübici, 2019). The policymaking processes that enable such external policies in times of crises have not been adequately examined. This thesis covers different recent migration crises to explore under which conditions crises lead to externalization and under which conditions they do not.

There is a growing body of literature on migration diplomacy, which highlights migration as an important aspect in international relations. A country's position vis-à-vis another country, such as migration sending, migration transiting or migration destination, has important implications for their relative power (Tittel-Mosser, 2018). The traditional migration receiving countries in the Global North, including the EU Member States, generally have the advantage of being economic powers, which they can potentially leverage in negotiations with migration sending or transit countries to impose external migration policies. The migration diplomacy literature, however, has mainly focused on the power that migration sending and transit countries hold over migration destination countries (Adamson and Tsourapas, 2019; Gürkan and Coman, 2021; Greenhill, 2010; Greenhill, 2016; Tsourapas, 2019). For example, Greenhill (2010; 2016) has demonstrated how migration sending and transit countries, such as Libya and Turkey, have leveraged their strategic position as gatekeepers of migration to Europe to gain economic or political benefits. Moreover, research has shown how such states can even orchestrate migration crises through coercive engineered migration (Greenhill, 2010). Gürkan and Coman (2021) discuss how destination countries are especially vulnerable to such strategies because they need to balance human rights principles against political preferences against immigration. Adamson and Tsourapas (2019) and Tsourapas (2019) investigate the strategies used by countries like Jordan and Lebanon who seek 'refugee rent' from the global community for their migration hosting efforts.

The existing migration diplomacy literature focuses heavily on host states and how they act vis-à-vis donor states, meaning that the effects of their strategies on the donor states' decision-making has been left implicit. The donor state perspective is necessary, I argue, in order to draw conclusions on the effectiveness of arguments put forward by host states when they seek gains from donor states.

3. Theory

In order to answer its main research question on EU migration policy responses in times of crises, this thesis draws on theories on crisisification, parochialism and international cooperation. The following sections introduce the key assumptions that follow from these theoretical perspectives and outline how the thesis engages with philosophy of science.

Parochialism theory

Parochialism theory explains individuals' and Member States' opposition to supranationalism and to cooperation on migration policy by referring to values and attitudes. It aligns well with postfunctionlism, which suggests that migration is a particularly potent issue for mobilizing people and may jeopardize EU integration even when integration is functionally beneficial (Hooghe and Marks, 2009). Parochialism theory proposes that individuals' opposition to immigration is a cultural phenomenon and not necessarily connected to personal experience with immigrants (Choi et al., 2019; Hainmueller and Hopkins, 2014). Individual-level opposition to immigration is highly correlated with the perceived threat that immigrants pose to one's economy and identity (Van Hootegem et al., 2020). Furthermore, certain 'core values' that are shared with people through culture and history (Schwartz 2012, Schwartz and Bardi, 1997) fuel cultural and economic fear against immigrants (Van Hootegem et al, 2020). These include the core values tradition, conformity and security which are common among post-communist states, such as in the Visegrád group (Schwartz, 2007; Tartakovsky and Walsh, 2016; Van Hootegem et al., 2020). It is easier to spread fear against immigration, especially from countries with different ethnicity, religion and culture, in groups that hold such core values (Schwartz and Bardi, 1997).

Crisisification theory

Crisisification theory underlines that crisis dynamics create an opportunity for actors to challenge existing arrangements and for imposing new and radical frames (Rhinard, 2019; Trauner and Ripoll Servent, 2016). The thesis investigates how actors at different levels of the multilevel EU system have used strategic framing in times of migration crises. At the Member States level, governments can gain popularity by successfully providing the goods 'safety' and 'security' to their public (Bauman 2001). In order to capitalise on their ability to provide

such goods, governments can use a crisis to reformulate existing anxieties, fears and insecurities related to globalisation and immigration when framing their policy responses (Bauman 2001; Fomina and Kucharczyk, 2018). At the supranational level, the Commission can leverage the state of urgency and calls for action from the Member States that often follow crises to expand their influence (Rhinard, 2019). Building on the assumptions from crisisification theory, I expect that EU actors viewed the migration crises as opportunities to reframe the issue of migration in order to achieve their policy preferences.

International reputation theory

This thesis highlights the relevance of international cooperation theories in the study of EU migration policy decision-making. Axelrod (1984) explains why self-interested actors might cooperate even without standing to make immediate gains from the cooperation. The EU political system is an excellent example of how institutionalized repeated interaction creates an incentive to cooperate now in order to ensure future cooperative behaviour. In the EU political system, a good reputation is important to ensure future cooperation. This thesis adds to cooperation theory by untangling internal and external dimensions of reputation.

I propose that a positive international reputation may be achieved by signalling. Either by signalling readiness to cooperate or by signalling commitment to normatively defined traits such as human rights, liberty, solidarity and justice (Manners, 2002). The literature has gone far in excluding the possibility that EU migration policy after 2015 has been influenced by humanitarian concerns, human rights and international norms (Greenhill, 2016; Gürkan and Coman, 2021; Lavenex, 2018; Rizcallah, 2019). The neglect of normative aspirations in their migration policy has been damaging to the EU's normative stance (Gürkan and Coman, 2021; Lavenex, 2018). In the EU's interaction with external actors, one of its main ways of exerting influence is to export norms and values. Hence, normative power is key (Manners, 2002). Following the assumptions of reputation theory (Kydd, 2015; Signorino, 1996), I expect that EU actors will attempt to make up for the significant reputational losses they have accrued during migration crises. At the intra-EU level, I expect that reputational concerns matter for the EU Member States when they negotiate EU migration policy internally. Thus, they might signal their willingness to adhere to norms of cooperation and solidarity negotiations with other Member States. Moreover, I expect that signalling commitment to norms such as humanitarianism and solidarity is central in the EU's strategy towards third countries in international migration negotiations.

Philosophy of Science

In line with a realist approach to philosophy of science, the thesis and the theories it engages with builds on the meta-theoretical conviction that a social world exists outside the mind of the researcher, and that it is possible through systematic research to measure aspects of the social world and to draw conclusions about how the social world functions. One of the aims of the research is to gain insights into elites' subjective understandings of reality and begin to make sense of their motivations and courses of action. At the heart of this study, and of its methodological, theoretical and analytical focus, are the decisions elites make in times of crisis.

In order to unpack the elites' decisions and shed light on how and why they make decisions, I approach elites as actors who behave rationally in order to achieve their goals, meaning that they follow a 'logic of consequences' when they make decisions (Brannan and Buchanan, 1985; Schultz, 2018). The logic of consequences entails that elites act intentionally, as opposed to automatically, and that they analyse the potential outcomes of different courses of action and base their choice of strategy on this analysis (Schultz, 2018). Crises are social interactions where standardized operating procedures and rules are more likely to be challenged, and therefore moments in time where elites are more likely to act intentionally as opposed to automatically.

In order to understand their decisions, I must try to map their motivations and their goals. Actions can be determined by values – the decision-maker believes that a certain outcome has value, even if they cannot necessarily justify why (Benton and Craib, 2011; Weber, 1947). Alternatively, actions can be practically motivated, and directed at 'concrete, achievable goals' (Benton and Craib, 2011, p.79). Moreover, the elites' analysis may be flawed, because it sometimes builds on limited information and because of limitations in institutional and cognitive information-processing (Schultz, 2018).

4. Research design

Analytical framework: multi-level decision-making

Decision-making in EU external policy is analytically complex due to the many levels involved. Putnam's (1988) concept 'two-level games' depicts international negotiations as a game played between international negotiators at Level I, and between the negotiators and their domestic constituencies at Level II. In EU foreign policy, the conceptualization is even more complicated, and the two-level game model has been adapted to accommodate an additional level, the supranational level (Larsén, 2007). In the three-level game, Level I is the international negotiations between representatives of the EU and representatives of the third country; Level II is the Council negotiations between the Commission and Member States; and Level III is domestic negations within the Member States (Larsén, 2007).

This thesis addresses these three levels in separate case studies. Figure 1 below presents the three levels and illustrates which level each article addresses. The analytical separation of the levels allows a rigorous investigation of the central actors involved at each, while simultaneously addressing significant multi-level dynamics that affect their behaviour. At the highest (Level I), I look at international negotiations with Jordan from the perspective of the representatives of the EU (Article 4). At Level II, I look at the intra-institutional dynamics within the Commission (Article 3). Also at Level II, I look at negotiations between the Member States, particularly the Visegrád group vis-à-vis other Member States and the Commission (Article 2). At Level III, I look at domestic negotiations in a particular member state – Poland (Article 1). By covering each level of the three-level game, this thesis sheds light on the multi-level dynamics that shape EU decision-making in the field of migration.
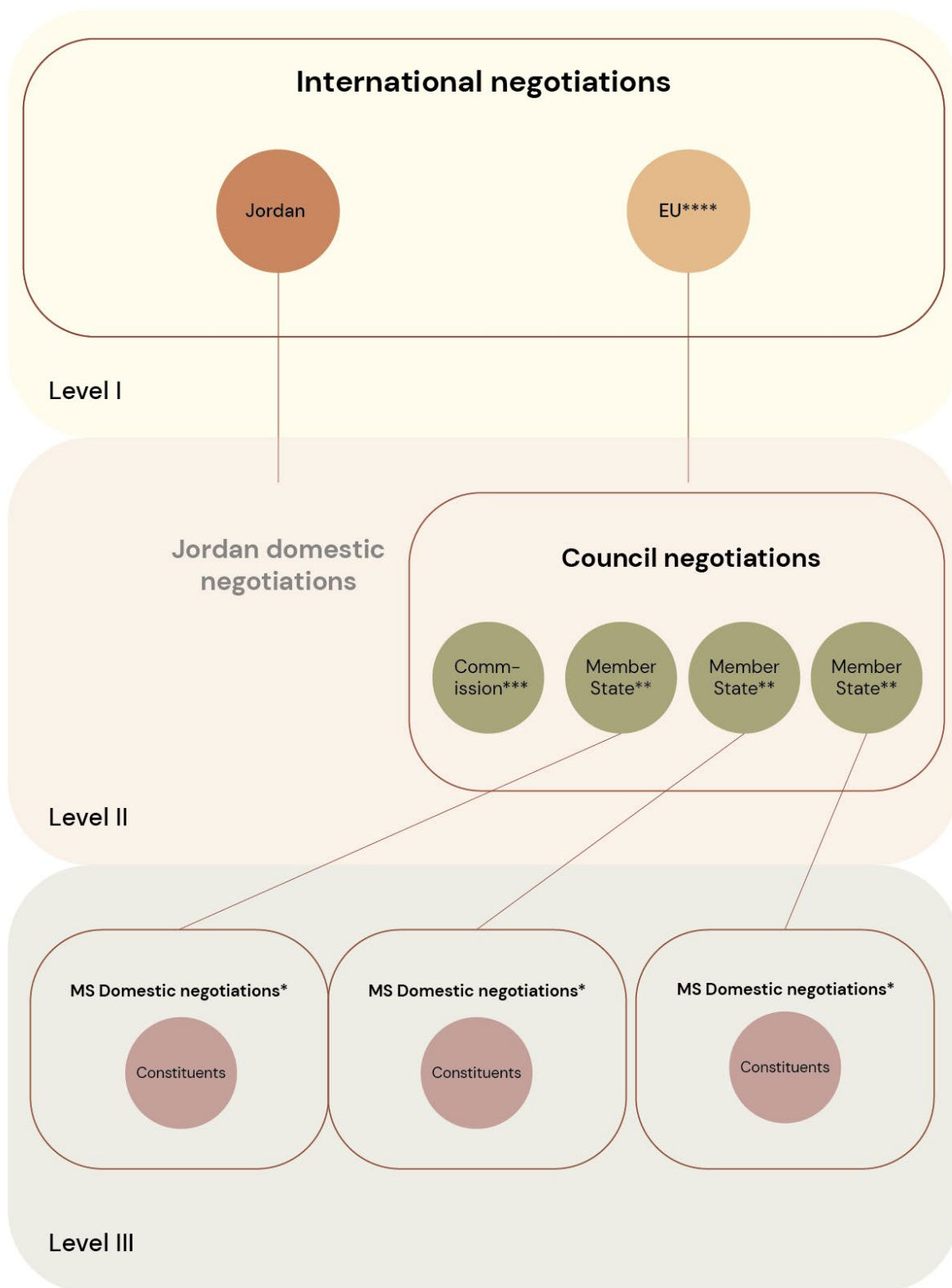
*Figure 1. Adapted from Larsén (2007) *Article 1; ** Article 2; *** Article 3; **** Article 4*

Methodology

Migration governance research tends to make assumptions about decision-makers' logics and motives by investigating observable outputs such as policies and laws (Geddes and Hadj-Abdou, 2018). I have aimed to address this shortcoming by choosing methods and theories that explicitly examine the motives and logics held by the actors involved in the drafting of migration policies. Based on a triangulation of sources (see data section), I unpack the decision-making processes in my selected cases using congruence analysis or process tracing, depending on the scope of the specific case study. Blatter and Blume (2008) explain that process tracing and congruence analysis, although two distinct case methods, build on the same logic; a rigorous investigation of the empirical evidence to arrive at a theoretical explanation. There are differences between case-centred method process tracing and theory-centred congruence analysis. Process tracing aims to unpack how a mechanism works in a specific case and thus build a theory for the specific case, while congruence analysis aims to identify which of competing theories better explains a particular case.

To unpack how a supranational actor can influence policy during a crisis, I chose a case where the Commission played a significant role during the migration crisis (Article 3). I used principles from process tracing to (theoretically) build a temporal causal chain explaining how the Commission was able to influence EU policy and (empirically) find evidence for each step. The scope of this case is narrow, as it focuses only on intra-Commission dynamics in a limited period, allowing the empirical evidence to be rigorously investigated (Beach and Pedersen, 2019). The other case studies have a somewhat broader scope and lean on congruence analysis. Here, I analyse my empirical evidence to review the different theories with the aim of refining and strengthening them. Thus, my case studies can add to existing theories, for example by introducing scope conditions, and the result is improved and contextualized theories that can be used and tested in future research on other cases. In these cases, case selection needs to be justified accordingly.

Case selection

This thesis investigates EU decision-making from January 2015 to August 2022. Within this timeframe, the EU experienced three external migration shocks, each of which have been

categorized as crises in various academic and press outlets (e.g., Al Jazeera, 2022; Pszczółkowska, 2022). First, in 2015, the EU experienced what I refer to as the Syria crisis. In one year, the EU recorded an unprecedented 1.3 million asylum seekers (Pew, 2016). The vast majority were from Syria and Afghanistan and the rest were mainly from Iraq, Eritrea, Somalia and Nigeria (ICMPD, 2015). Second, in 2021, Belarus facilitated migration flows from the Middle East and Africa to its border with Europe, causing around 4,000 migrants to arrive at the Polish border (Reliefweb, 2022). During the Belarus crisis, illegal attempts to cross the border into Poland soared (Statista, 2022). Third, when Russia invaded Ukraine in March 2022, it caused the displacement of millions, in what I refer to as the Ukraine crisis. By August 2022, more than 6.3 million Ukrainians had been registered in Europe (UNHCR, 2021).

These 'crises' vary in scope, from a few thousand migrants on the border to several million migrants in Europe, and they have led to very different policy responses from the EU and from individual Member States. What makes them constitute crises is not the increase in number of migrants, but rather the systemic or political issues that arise subsequently (see Niemann and Zaun, 2019). The Syria crisis resulted in externalized measures such as security policies (Gürkan and Coman, 2021) as well as development policies (Zaun and Nantermoz, 2021). The Belarus crisis was met with security measures on the EU's Eastern border (Pszczółkowska, 2022). The Ukraine crisis has (up until August 2022) been met with harmonizing measures on the internal dimension, such as the adoption of a temporary protection scheme.

The selected cases include actors with vastly differing interests in EU migration policy. The Commission is recognized as the main proponent of common solutions on the internal dimension (Lavenex, 2006; Zaun, 2018) while the Visegrád governments have emerged as the main opposition to common EU migration and asylum policies (Koß and Séville, 2020). There are two main approaches to EU external migration policy, namely the 'securitarian approach' and the 'migration–development nexus' (Boswell, 2003). Policies following a 'securitarian strategy' have been more common in EU external relations, and many of the post-2015 examples of such policies have been thoroughly investigated already. For example, Kalkman (2020) finds 72 peer reviewed articles on Frontex, and the EU–Turkey deal has been thoroughly analysed in recent studies (see Baracani and Sarotto, 2022; Smeets and Beach, 2020).My case studies include prominent examples of the 'migration–development nexus': the EU–Jordan Compact and the EUTF. These cases represent the

developmental approach to external migration policy (Boswell, 2003). Although the developmental strategy has been a goal of the EU since 1999, it did not materialize until more recently (Lavenex and Kunz, 2008), and policies resulting from the strategy remain under-researched.

Data

The main actors in my study are members of the EU institutions and the Member State governments that work on migration or external relations. From the supranational EU level, I include the EU Council, the EU's External Action Service (EEAS) and the Commission, including the relevant Directorate-Generals. At the Member State level, I include actors in government, such as the Prime Minister, the Foreign Minister, and the Minister of Justice, and relevant ministries such as the Ministry of Foreign Affairs and the Ministry of Justice and Home Affairs. The actor-centred dataset entails an empirical focus on the actions of said actors, expressed through their written statements in policy documents or in spoken accounts in interviews.

It can be difficult to secure reliable information about such actors' actions, motivations and perceptions. There are some unique challenges related to 'researching up' that have been addressed in the policy research literature (e.g., Lancaster, 2017; Natow, 2019; Ross, 2001). These challenges can be summarized as *getting access to the elites* (e.g., Dexter, 1970; Glassner & Hertz, 1999; Hertz & Imber, 1995; Kezar, 2008; Odendahl & Shaw, 2002), *biased information* (Natow, 2019; Ross, 2001) and *positionality* (Liu, 2018; van Audenhove & Donders, 2019; Smith, 2006). To mediate these challenges, the thesis uses a triangulation of sources. The dataset includes documents, such as Commission Proposals, Joint statements (from the Visegrád group) and Council decisions. News media articles are included based on media searches conducted in English and in the four Visegrád languages. The selected news articles include articles from the Jordan Times, Euractiv, Politico, Gazeta Wyborcza, and the Polish Press Agency. In addition, survey data from the European Social Survey, Eurobarometer and from the Polish polling service CBOS provides information about attitudes in the Member States.

Moreover, the thesis draws on 42 expert interviews. Between April 2019 and June 2022, I conducted 32 face-to-face online interviews with representatives from EU institutions (EU Delegations, Commission, EEAS) and from the governments of Jordan and EU member states

(see Table 1, below). Most of my interviews were recorded and transcribed (23 of 32), but not all participants wanted to be recorded and in those cases I simply took notes during the interviews (9 of 32). The remaining 10 interviews were conducted by Natascha Zaun (7 interviews) and Oskar Chmiel (3 interviews).

Table 1. List of interviews, (KV=Karin Vaagland; NZ= Natascha Zaun; OC= Oscar Chmiel)

Interviewer	Interviewee
KV	1. Representative from EEAS
KV	2. Representative from DG TRADE
KV	3. Representative from ECFIN
KV	4. Representative from Cabinet for [anonymized] Commissioner
KV	5. Representative from the EU's Amman delegation
KV	6. Representative from DG NEAR
KV	7. Representative from DG TRADE
KV	8. Representative from DG NEAR
KV	9. Representative from the EU's Amman delegation
KV	10. Representative from DG ECHO
KV	11. Representative from the EU's Amman delegation
KV	12. Representative from DG TRADE
KV	13. Former researcher from the WANA institute in Jordan
KV	14. Former representative from the EU's Amman delegation
KV	15. Former representative of Ministry of Planning in Jordan, and of Compact Unit
KV	16. Representative from Institut Français du Proche-Orient, in Amman
KV	17. Former representative from Ministry of Finance, Jordan
KV	18. Former [anonymized] minister
KV	19. Representative from EEAS
KV	20. Representative from DG ECHO
KV	21. Representative from DG HOME
KV	22. Representative from DG DEVCO
KV	23. Representative from EEAS
KV	24. Representative from DG HOME
KV	25. Representative from Swedish Foreign Ministry
KV	26. Representative from Polish research institute
KV	27. Representative from the Polish Institute for International Affairs
KV	28. Representative from Ambrela Platform for Development Organizations
KV	29. Former representative from Norwegian Embassy in Hungary
KV	30. Special advisor to [anonymized] Commissioner
KV	31. Deputy Head of [anonymized] Unit in DG HOME
KV	32. Special advisor to [anonymized] Commissioner
NZ	33. Representative from DG ECHO
NZ	34. Representative from DG DEVCO

NZ	35.	Representative from EEAS
NZ	36.	Representative from EEAS
NZ	37.	Representative from Cabinet for former Commissioner for DG Home
NZ	38.	Representative from DG HOME
NZ	39.	Representative from DG DEVCO
OC	40.	Polish researcher
OC	41.	Polish NGO activist
OC	42.	Polish researcher

The interviewees represent the actors this thesis is interested in as well as experts with second-hand knowledge about the key actors or the decision-making processes. To identify the relevant people to interview, I used snowball sampling. I started with the Commission website (Commission, 2022) where there is a list of every person working in each unit, and I identified units that worked on relevant topics for my research. To allow a triangulation of information, I included actors from different units. At the end of each interview, I would ask the participant for suggestions on who else I should contact for an interview, and this often led me to individuals that I would not have found myself by looking at the website.

I have selected a few specific negotiations to investigate in this thesis and because only a small number of actors are directly involved in the negotiations, I do not need a large sample of interviewees to ensure representativeness. I had mixed experiences regarding getting access to interviews. In the EU institutions, I found it easy to reach relevant people. In the final rounds of interviews with EU representatives on a particular topic, the participants would often suggest other EU representatives I had already spoken to, indicating that I had already spoken to all the relevant actors. These interviews were conducted online, as the COVID-19 pandemic prohibited travelling during the data collection period. A variety of programs facilitated the interviews. Depending on what the interviewee preferred, I conducted interviews over Skype, Zoom, Webex, WhatsApp or Microsoft Teams. I had a high success rate of getting interviews with the relevant actors from the EU during lockdown, the majority of whom were working from home. The context of the pandemic and home office/online setting allowed a quick development of a good rapport. Several participants spoke to me from their bedroom and I did not have the typical experience of researching elites where one meets them in their (intimidating) spaces with security measures. I found that the online/lockdown

context helped mediate the typical challenges associated with elite interviews (access, biased information, positionality).

However, it was much more difficult to get interviews with actors from the Visegrád governments. I contacted these actors after lockdown had ended, and during the Belarus crisis and later during the Ukraine crisis, at moments when it is reasonable to assume that they were under tremendous pressure. Still, it was surprising how little response I received even when I went through their colleagues in the Commission. The consequence is that the Visegrád governments are not directly represented in the data. The motivations and strategies of these actors are deduced from former government officials who remain thoroughly anonymized; second-hand sources, such as non-governmental agencies or their negotiation counterparts in Brussels; and document and media analyses.

Ethical considerations

In line with Norwegian research and privacy standards, the interviewees have the right to insights into all data relating to them, the right to rectify the data, and to object to all data relating to them and demand they be anonymized. All interviewees were given this information before the interviews and The Norwegian centre for research data (NSD), now called Sikt, approved the project before I began data collection.

Contrary to many migration researchers, I have not experienced moral dilemmas related to researching groups that are typically considered 'vulnerable'. Because the scope of my thesis is limited to elites and decision-making processes, I have instead dealt with issues of 'researching up'. Issues related to anonymity and confidentiality are particularly pressing when interviewing elites on politicized issues (Lancaster, 2017). However, Lancaster (2017, p. 99) argues that even elites can be considered vulnerable because of their position when they disclose information about sensitive policy processes. The main ethical dilemma I have encountered working on this thesis is the balance between the elites' need for anonymity with my need to demonstrate the reliability of my data. My interview material would be much easier to defend if I could disclose the position of my interviewees. During data collection, I recognized that the more controversial a policy was, the more difficult it was to get access to the relevant individuals to interview. The few individuals who were willing to participate therefore became very crucial sources of information. These individuals were even more concerned about being completely anonymized in my publications. Instead of referring to an

interviewee as a government official of a country, we agreed I would refer to them as an expert.

This dissertation has produced little travel-related carbon emissions. The COVID-19 pandemic prohibited me from travelling and conducting my planned fieldwork. As a result, all my data collection took place online.

5. Presentation of articles

Article 1: Parochialism as driver of non-cooperation: the case of the static position of Poland on EU migration policy

The article is co-authored by Oskar Chmiel and will be submitted to Journal of Common Market Studies

The first article addresses domestic-level dynamics within a Member State and focuses on the EU's internal migration policy negotiations. The article provides a comparative basis for this thesis on *external* migration policy by highlighting the EU's inability to find agreement on the internal dimension after 2015. It analyses the position of Poland on EU migration policy negotiations across three recent European migration crises: Syria (2015), Belarus (2021) and Ukraine (2022). Throughout these crises, Poland has become a significant migration border country and one of the top refugee-receiving countries. Existing theories on Member States' preferences in EU migration policy highlight distributional differences and cost-benefit analysis as central explanations. They hypothesise that Member States that host many migrants and refugees will push for relocation measures, while Member States with little immigration will oppose any such measures because it would entail increased costs for them. Such accounts cannot explain Poland's unchanging position on EU migration cooperation as the country went from not being affected by the migration crisis in 2015, to being the largest refugee-hosting Member State. Where the distributional differences analysis falls short, we suggest a values-driven approach. In this article, we build an analytical framework for exploring how the Polish government were able to instrumentalise 'parochial attitudes' in the public that highlight locality and the in-group, and the exclusion of out-groups. Poland's (op)position to EU cooperation on migration is analysed through this lens.

The article uses congruence analysis to assess the explanatory value of the parochial framework against economic-interest theories. In a mixed-methods approach, we draw on survey material from the European Social Survey and Polish opinion polls (CBOS) to analyse the domestic-level attitudes and changes in them. To address the strategy of the government, we include qualitative press analysis of Polish news media and five original interviews with experts from the EU and from Poland.

The article concludes that Poland emerged as an oppositional player in the EU's migration policy negotiations on the internal dimension during the 2015 Syria crisis. The Polish government used the migration crisis to frame immigrants as a threat to Polish culture and security, and EU migration cooperation as a threat to Polish sovereignty and security. Since then, Poland has remained firmly opposed to EU migration cooperation, despite the changing migration contexts of the country. Even now, as the major host country in Europe, Poland is still reluctant at best on issues such as solidarity measures, relocation and the New Pact on Migration and Asylum. The article concludes that the parochialism framework has explanatory value in this case, and that Member State preferences on EU migration cooperation cannot be fully understood from a distributional differences analysis.

Article 2: The importance of being in good standing: Why the Visegrád group contributes to the external dimension of EU migration policy

The article is co-authored by Natascha Zaun and has been submitted to the Journal of European Public Policy

The second article addresses the inter-Member State level. Member States such as Poland, Hungary, Slovakia and the Czech Republic – the Visegrád group (V4) – have been uncooperative on the internal dimension of EU migration policy. In the midst of the 2015 EU migration crisis, these countries opposed any attempts to resolve the issues internally, such as unburdening the border countries in the South or agreeing to asylum reform. This left them in a position of bad standing in the EU. Although there is limited research on right-wing populism and foreign policy, there is an explicit expectation that populist governments employ an aggressive foreign policy in order to score points domestically (Öniş and Kutlay, 2020). This article, however, argues that the V4 governments decided to contribute significantly to the external dimension of EU migration cooperation in order to improve their international standing, and that this explains why they became the third largest donors to the EU Emergency Trust fund (EUTF) aimed at limiting migration from Africa.

Their large contributions to the fund are striking, given that these countries do not have any relevant immigration from this region. Moreover, the V4 do not have strong development policy preferences in the region, and they have not shifted their foreign policy focus towards this region in recent years. Using congruence analysis, and drawing on 13 original interviews, we find support for our theory that the V4 decided to contribute in order to improve their

reputation in the EU. Reviewing the external and internal dimensions of reputation, we find that the V4 wanted to signal solidarity and readiness to cooperate to the EU, while maintaining their credibility at the domestic and EU level. They therefore pushed for an external approach to migration policy as an alternative to the relocation of refugees and made substantial contributions to the EUTF. Development policy was a suitable option, given the low levels of politicization and public visibility of EU action in this area. They made an effort to show cooperation and solidarity to the EU, while avoiding communicating their actions to their domestic audiences.

Article 3: Crisis-Induced Leadership: Exploring the Role of the EU Commission in the EU–Jordan Compact

I am the sole author of this article; it is published in Politics and Governance 9(3) 2021

The third article addresses the supranational level. Postfunctionalist and (new) intergovernmentalist accounts suggest that EU crises in recent decades have caused a transfer of power from the supranational level to the Member State level. Crisisification theory on the other hand posits that supranational institutions can leverage crises to expand their influence (Rhinard, 2019). This article adds to the somewhat vague and general crisisification theory and explores how the supranational institution the Commission was able to leverage the context of the EU migration crisis to influence policy.

The paper examines the intra-EU negotiations that led to the EU–Jordan Compact (hereafter Compact). The Compact has been identified as a groundbreaking, comprehensive approach to global refugee protection, linking EU trade policy with migration management. Thus far, research on this underexplored case has mainly focused on the effects of the Compact. The policy process leading to the adoption of the Compact, as well as the motivations of the EU (i.e., the main donor), have not yet been investigated, thus far. This article explores how the Commission was able to leverage the EU migration crisis in order to create coordinated, strategic action in the EU's external policy.

Through process tracing, the article unpacks the negotiations and develops a causal model that explains how the Commission was able to overcome existing silos and efficiently draft a policy proposal linking the issues of migration and trade. The analysis is based on 13 original in-depth interviews with EU decision-makers. The Commission created cohesion by

reframing the economic crisis in Jordan as a migration crisis, by identifying the relevant policy tools with which to address it, and by reframing the responsibilities of the relevant directorate-general, DG-Trade. Furthermore, by utilizing the urgency of the crisis, the Commission enabled rapid policy drafting and created an explicit linkage between refugee policy and trade policy. This linkage provided the Member States with the motivation to adopt the proposal as a solution to the ongoing migration crisis.

Article 4: How strategies of refugee host states are perceived by donor states: EU interpretations of Jordanian migration diplomacy

I am the sole author of this article; it has been approved by peer-review and was accepted on 8 December 2021 for publication in a Special Issue with the Journal of Ethnic and Migration Studies. The entire Special Issue is currently under review with the journal editors for coherence and we should hear back shortly.

The fourth article introduces third countries into the analysis. It investigates the bilateral negotiations between the EU (Commission) and Jordan that took place in the establishment and re-negotiation of the Compact. The paper sheds light on the diplomatic consequences of the EU's inability to find internal solutions to increased immigration. It argues that the morally inferior position of the EU in negotiations with Jordan – host to a large number of refugees – effected the power dynamics.

Existing research in the field of migration diplomacy has empirically focused mainly on host and transit states, meaning that their interaction with donor states and the effect of their strategies on the donor states' decision-making has been left implicit. This paper addresses this gap by analysing international migration negotiations from the perspective of the host state. Drawing on original interviews with decision-makers, it provides a unique insight into the interaction between host state and donor state, and sheds light on how the strategies of the former translate into policies of the latter. The paper addresses the following research questions: how do donor countries interpret the actions of host countries, and what makes donors respond? To address these questions, the paper investigates EU decision-makers' perceptions of the negotiations with Jordan, which led to the establishment of the EU–Jordan Compact in 2016 and its revision in 2018. Through analysis of 19 original interviews with the negotiation participants and official documents, the paper demonstrates how the EU perceived

Jordan's proposal as morally justified and how this made it difficult for them to decline. Furthermore, it finds that the threats that Jordan made were not perceived as credible and had little effect. The case demonstrates the importance of bringing donor states into the analysis when investigating the effectiveness of host state strategies.

The relationship between the articles in the thesis

The articles in this thesis all investigate EU migration policy processes in times of crises in the period 2015–2022. The articles focus on the Commission as the main proponent of EU migration cooperation, and the Visegrád group as the main opponent. Articles 1 and 2 focus on the members of the Visegrád group, and Articles 3 and 4 focus on the Commission. Three of the four articles investigate the policy processes behind two notable examples of EU external migration policy, the EU–Jordan Compact (Articles 3 and 4) and the EU Emergency Trust Fund for Africa (Article 2). Meanwhile, Article 1 examines the policy processes on the internal dimension of EU migration policy. The articles collectively cover the three different levels of EU foreign policy decision-making processes (see Figure 1). All four articles draw on interviews with decision-makers and document analysis. Article 1 also includes survey material in order to investigate domestic attitudes.

The focus on different actors at different levels and on both external and internal migration policy decision-making processes allows a very thorough analysis of EU migration policymaking in times of crises. In negotiations between Member States (Article 2) and globally (Article 4), the articles demonstrate that international standing and reputation can serve as motivation for externalization measures. At the domestic level, Article 1 demonstrates that identity and security concerns were leveraged and exacerbated by the Polish government, creating opposition to EU common solutions. At the supranational level, Article 3 demonstrates how the dissensus on the internal dimension can be leveraged by supranational actors in order to increase their influence and shape foreign policy.

6. Main findings

In the discussion that follows, I will revisit the main research question of the thesis:

In times of migration crises, what determines the extent to which EU migration policies are characterized by internal coordination or by externalization?

In the case studies included in this thesis, both external and internal policies were adopted in times of crises. Externalization policies, exemplified by the EU–Jordan Compact and the EUTF, were policies that were acceptable both to the Commission and to the Visegrád group. Member States that opposed cooperation on the internal dimension, even those that were not affected by the crisis, supported these external measures. The Commission wanted to find solutions that all stakeholders could agree on and pushed for external migration policies that were aligned with its own (sometimes non-migration related) policy goals. Weak internal harmonization occurred in the immediate response to the Ukraine crisis, when even the most reluctant Member States, the Visegrád group, agreed to solidarity measures, albeit only in a temporary scheme, and only concerning a very limited group of refugees.

Table 2. Conditions for internal and external EU cooperation in response to migration crises

		Need to signal	
		Low	**High**
Constraints (to cooperate on internal dimension)	**Low**	National response	Internal cooperation
	High	National response	External cooperation

In line with previous research, I find that migration crises can inadvertently lead to externalization of EU migration policy. Moreover, I find that Member States do cooperate on migration policy even in instances where they themselves are not directly affected by

immigration, but only under two conditions. In Table 2, the conditions for internal and external cooperation are illustrated. As shown in Table 2, in the absence of the two conditions for cooperation, no cooperation will take place and instead we can see varying degrees of national responses to crises.

First, crises can lead to externalization only if decision-makers at different levels need to signal (to their respective audiences) a readiness to act in response to the crisis. This need is likely to arise when there is unequal distribution of efforts because those that have done 'too little' need to compensate by demonstrating to those who have done more (their target audience) that they have a willingness and ability to act. The Member States and the Commission signal to different audiences (see Table 3). If third countries outside the EU are perceived to have done disproportionately more than the Member States, the Commission will likely signal to said third countries that the EU is taking action. Likewise, if certain Member States are perceived to be shouldering a larger burden than others, the under-achieving Member States are likely to feel the need to compensate by taking action.

Second, crises can lead to externalization only if decision-makers face constraints to cooperation on the internal dimension of EU migration policy. The Member States and the Commission face constraints at different levels (see Table 3). The Commission faces constraints in the Council where the Member States might oppose its proposals. The Commission can also face constraints in the form of individual Member States refusing to implement EU migration policy decisions. The Member States, meanwhile, can face constraints in the form of their constituents opposing the harmonization of migration policy.

Similarly, harmonization of EU migration policy can occur under two conditions (see Table 2). If the Member States perceive a strong need to signal readiness to act, and simultaneously experience low levels of constraints, harmonization is likely to occur. If there is little need for signalling, harmonization and externalization are not likely to occur. If a migration crisis has symmetric effects on the individual Member States, there is likely less need for the Member States to signal readiness to assist others. Likewise, if a crisis hits third countries and the EU equally, or only the EU, there is no external audience the EU needs to signal towards.

Normative factors strongly influence the institutional context within which the decision-makers operate. Normative factors therefore play a significant role in determining whether migration crises create the conditions for internal or external cooperation. For example, concerns over sovereignty, security and identity can represent a constraint to cooperation on

the internal dimension. Examples of concerns that can motivate the Commission or Member State governments to signal readiness to act are humanitarianism, solidarity and reputation. Constraints and the need to signal are not a priori, but are rather contextual and interpreted by decision-makers. Furthermore, the constraints to cooperate are mouldable and can be taken advantage of, especially in times of crisis. Member States can exaggerate fears to increase opposition to cooperation with the EU and opposition to immigration (Article 1). The Commission can frame their policy solutions as relevant to solving the migration related issues the Member States are facing (Article 3). The need to signal willingness to cooperate or to demonstrate solidarity is a perceived need that decision-makers at the supranational level can face in negotiations with refugee hosting nations (Article 4). Even the populist governments in the Visegrád group experienced a perceived need to signal cooperation to other Member States and to the Commission (Article 2).

Table 3. Target audiences for signalling and sources of constraints for Commission / Member States

	Target audience	Constraints
Commission	• Third countries (Level III) • Member States (Level II)	• Member States (Level II)
Member States	• Third countries (Level III) • Member States and Commission (Level II) • Domestic audience (Level III)	• Domestic audience (Level III)

Across the three crises addressed in this thesis, there were variations in the perceived need for signalling, and in the constraints to harmonization on the internal dimension. The policies that were adopted in response to the crises were consequently to varying degrees characterized by internal coordination or externalization. In the following, I briefly outline the findings of the

case studies, first with emphasis on domestic constraints to harmonization on the internal dimension, followed by an account of the need for signalling.

In 2015, the Visegrád countries framed the Syrian refugees as a threat to their populations' security and identity. Moreover, they portrayed any EU measures to relocate refugees as a threat to their country's security and sovereignty. In 2021, the Polish authorities responded to the migration crisis on their border with Belarus in much the same way, framing the migrants as a security threat in order to justify security measures and not asking for EU assistance. In 2022, the extreme and unprecedented rapid inflow of refugees did not immediately cause concerns over security or identity among policymakers in Poland. In this instance, decision-makers across all Member States were willing to support common EU solutions (through the temporary protection mechanism), but for Poland, it was important that such cooperation was temporary and only limited to a narrow group of refugees.

The domestic constraints that Member State policymakers face in migration policy should be understood in light of the strong influence of normative factors, such as identity, which are easier to leverage in some migration contexts than in others. Decision-makers adopted a strategy of portraying refugees as a threat only in the context of increased immigration from countries with different ethnicity and religion from the majority population. Sovereignty concerns, however, have remained a central constraint to internal migration cooperation in Poland across migration contexts.

In 2015, the disproportionate distribution of refugees and the reluctance of specific Member States to relocate immigrants severely affected the standing of these Member States, both vis-à-vis other Member States and vis-à-vis the EU institutions. External migration policies were considered both relevant and viable options for the Visegrád governments to signal cooperation and willingness to other Member States and to the EU institutions. The EU's international reputation was also damaged, and in particular its standing vis-à-vis the countries that hosted large shares of Syrian refugees. Consequently, in response to the 2015 crisis, the EU adopted several development-focused migration policies in third countries, in an attempt to please external actors.

Compared to the 2015 crisis, the 2021 Belarus crisis did not cause such significant reputational losses for specific Member States nor for the EU institutions. Consequently, the crisis did not create a need to signal cooperation or solidarity to specific audiences. The Member States that were affected by the crisis dealt with the issue more or less on their own,

and without asking for solidarity measures from what could potentially be unwilling Member States. The EU's dismissal of the migrants in Belarus did not directly necessitate that a third country step up to host them, as was the case with the Syrian refugees. As a result, there were no direct distributional inequalities. Similarly, in the 2022 crisis, the migration flows were handled without disruptions to relationships within the EU or with third countries. An agreement on a temporary solution for hosting the Ukrainians was reached without grievances over distribution within the EU or outside.

7. Implications of the thesis and suggestions for future research

In response to the 2015 crisis, EU cooperation on the internal dimension of migration policy completely collapsed, causing a humanitarian crisis, a policy crisis and a reputational crisis. The more recent crisis of 2022 has (so far) not lead to a similar collapse. However, I argue that this is no cause for optimism for the future in terms of the EU's ability to handle mass inflows. In fact, if anything, the crises of 2021 (Belarus) and 2022 (Ukraine) have fortified the positions of opponents of the integration of EU migration policy on the internal dimension. Furthermore, the recent crises have weakened the norm of solidarity because the burdened Member States, such as Poland, have largely dealt with migration pressures on their own. Poland's concern for Member State sovereignty over migration and asylum policy remains strong and their claim for sovereignty has arguably gained credibility.

It is likely that future external migration shocks will cause the same crisis reaction that was witnessed in 2015 because the EU has as of yet not established a binding agreement on long-term redistribution of refugees and migrants. Unequal distribution will cause grievances, and as long as the Member States want to ensure future cooperation, they will seek to signal their readiness to cooperate and search for venues where they are able to do so. So far, external migration policy has stood out as a relevant arena to signal cooperation. A trade-off between internal harmonization and externalization is therefore likely to persist.

With the increased externalization of migration policy, or the 'migrationization' of EU foreign policy, development policy and security policy, an important question for the future is whether this will lead to the increased politicization of external cooperation. In response to this, a new research agenda is forming around the politicization of foreign policy (Hackenesch et al, 2021; Zaun and Nantermoz, *forthcoming*; Öniş and Kutlay, 2020). By extension, important questions can be asked about what the politicization of EU external cooperation would mean for future EU migration policy. Could the domestic constraints to internal harmonization that we have seen already be reproduced in domestic constraints to external cooperation?

Even though I have included the Ukraine crisis as a case study, this thesis can only be considered a study of the preliminary effects of this (at the moment of writing) still unfolding crisis. I am confident that the future will bring a plethora of research on the Ukraine crisis. I

would especially welcome contributions that consider the more long-term effects of hosting large refugee populations on the position of Member States such as Poland on internal EU migration cooperation. If the Ukrainian refugees are forced to remain in host communities outside Ukraine for an extended period, this could challenge the reluctant stance of certain Member States on burden-sharing efforts in the EU.

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I

II

III

Article

Crisis-Induced Leadership: Exploring the Role of the EU Commission in the EU–Jordan Compact

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Abstract
The EU–Jordan Compact (hereafter Compact) has been identified as being a groundbreaking, comprehensive approach to global refugee protection. Thus far, research on this underexplored case has mainly focused on the effects of the Compact. The policy process leading to the adoption of the Compact, as well as the motivations of the EU (i.e., the main donor), remain blackboxed. This article explores how the migration crisis affected the EU Commission's ability to create coordinated, strategic action in external policy. It does so by tracing the internal EU negotiations and developing a causal model that explains how the Commission could overcome silos and efficiently draft a policy proposal linking the issues of migration and trade. The analysis is based on 13 original in-depth interviews with EU representatives. The article contributes to crisisification theory by presenting a mechanism that explains how the Commission can make use of crises. The Commission created cohesion by reframing the crisis, identifying the relevant policy tools with which to address it, and by reframing the responsibilities of the relevant directorate-general. Furthermore, by utilizing the urgency of the crisis, the Commission enabled rapid policy drafting and created an explicit linkage between refugee policy and trade policy. This linkage provided the member states with the motivation to adopt the proposal as a solution to the ongoing migration crisis.

Issue
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1. Introduction

In 2015, the number of refugees entering Europe surged to over one million. In July 2016, the EU–Jordan Compact (hereinafter referred to as the Compact) was signed to provide the refugee-hosting state of Jordan with economic support and trade benefits. The Compact is recognized as being a groundbreaking and 'holistic' idea because of its innovative use of trade concessions as a tool in refugee policy (Betts & Collier, 2017; Temprano-Arroyo, 2018). It is even considered to be a relevant model that can be exported to other refugee-hosting nations (Brandt & Kirisci, 2019; Temprano-Arroyo,

2018). This article explains the actions of the units within the EU Commission (hereinafter referred to as the Commission) in the intra-institutional negotiations, thus unpacking how the Compact was created and why it was adopted. The EU has been criticized for not coordinating external action across policy fields (i.e., Börzel & Risse, 2004; Gebhard, 2011; Monar, 2015; Wolff, 2008). A lack of coordination has been explicitly demonstrated in the case of external migration and trade policy (Jurje & Lavenex, 2014). I argue that the external relations units within the Commission along with the External Action Service leveraged the migration crisis to increase their influence within the Commission by arguing that trade concessions

were the most appropriate measure and by reframing the responsibilities of the directorate-general (DG) for Trade, and furthermore that they created interest alignment with the member states through issue-linkage. Building on and further expanding crisisification theory (Rhinard, 2019), the article demonstrates how actors utilized the migration crisis to overcome internal silos and create a rapid policy response. The study has relevance for EU external policies more broadly, as it contributes to models of intra-institutional bargaining and shows how actors, through the reframing of issues and responsibilities, can contribute to changing the position of a powerful and conservative actor such as the DG for Trade (McKenzie & Maissner, 2017, p. 837; Sicurelli, 2015).

The Compact is a bilateral agreement between the Hashemite Kingdom of Jordan and the EU and its member states, adopted by the EU–Jordan Association Council in July 2016. According to Poli (2020, p. 83) it can be argued that the Compact is a legal hybrid because although the EU–Jordan Association Council has legally binding powers, their decision was only to recommend that the Compact be implemented. It was inspired by the UN Compact, but the EU launched its own Compact with stronger commitments using the more efficient policy tools at the EU's disposal (Betts & Collier, 2017). The EU offered Jordan trade concessions aimed at increasing exports to Europe, contingent on Jordan providing Syrian refugees with access to their labor market (Council of the European Union, 2016). The Compact was negotiated at the height of the EU migration (management) crisis when migration was a highly contentious and politicized issue. The contribution of this article lies in its demonstration of how the Commission used the crisis to influence policy. Furthermore, this contribution relates to the *Politics and Governance* thematic issue on The Impact of Rule Change on Policy Outputs, by highlighting the effects that external shocks can have on the relative power of EU institutions and on policy output.

Research on the Compact has thus far been mostly limited to reports, many of them done on assignment for the Compact's main donors, i.e., the UN and the EU (e.g., Agulhas, 2019; Center for Global Development, 2017; Overseas Development Institute, 2018; Temprano-Arroyo, 2018). The exceptions include academic articles that focus on the (thus far disappointing) effects that the Compact has had on refugees' access to rights and the labor market (Gray Meral, 2020; Lenner & Turner, 2018; Mencutek & Nashwan, 2020; Turner, 2021). The policy process behind it has so far only been explored from the Jordanian side (Seeberg, 2020; Seeberg & Zardo, 2020). Donor state engagement is identified as a key factor in the success of refugee compacts without explaining donor state involvement in Jordan (Gray Meral, 2020; Lenner & Turner, 2018; Mencutek & Nashwan, 2020). An exploration of the legal aspects of the Compact has been offered by Poli (2020). Although she hints that there may be pragmatic reasons for the hybrid format, she does not explain this (Poli, 2020,

p. 83). Furthermore, she argues that the Compact is an example of the rising number of practical and informal agreements in the EU's external migration policy, which have negative consequences for the balance of power between the EU institutions as it undermines the role of the EU Parliament (Poli, 2020, p. 80). This article explains donor state involvement and sheds light on the crisis policy process that leads to such sui generis policy outcomes.

The article is structured as follows. Section 2 presents the driving forces behind the external dimension of the EU's migration policy, first from its emergence in the 1980s until the crisis, and then since the migration crisis. In Section 3, the causal model explaining how the migration crisis affected the Commission's ability to create the Compact is presented. In Section 4, the methodology behind the data collection is described. Section 5 presents the analysis, tracing the negotiations. Section 6 provides a summary of the empirical findings and a discussion of the theoretical implications of the case study.

2. EU External Migration Policy

2.1. Before the Migration Crisis, 1980s–2014

While the external dimension of migration policy has recently gained more interest, it is by no means a new phenomenon. Since the 1980s, the member states have increasingly collaborated with countries outside of the EU on issues of migration (Guiraudon, 2002). The external dimension of migration policy was officially embraced at the EU level in 1999 (Lavenex & Kunz, 2008). At the Tampere European Council in 1999, the member states declared their ambition for a 'comprehensive approach' to migration, which they defined as addressing political, human rights, and development issues in countries and regions of origin and transit (European Council, 1999). However, a review of the literature reveals that the expressed will for a comprehensive approach failed to translate into policy and that there are two main explanations as to why. The first being that the comprehensive approach has been sidelined by a securitization approach pursued by actors in the member states who found less containing factors at the EU level and with the external dimension in their pursuit of policy goals (Boswell, 2003; Guiraudon, 2002; Lavenex, 2006, 2018). Law and order officials strategically moved migration discussions to the EU level where they faced less opposition from political parties and civil society than at the member state level (Guiraudon, 2002) and further on to the external dimension (Lavenex, 2006). They achieved this by framing migration as a security issue and linking it to other global security threats that demanded transnational solutions (Guiraudon, 2002, p. 260).

The second reason for the failure of the comprehensive approach is that the Commission has not been able to cooperate across issue areas to create and push for comprehensive policy proposals (Boswell, 2003; Jurje &

Lavenex, 2014). Immigration ministers favored security policies rather than policies that fall under the portfolio of development and foreign affairs officials because they wanted to limit migration without losing autonomy (Boswell, 2003, p. 626; Lavenex, 2006). This tension went both ways, as development and foreign affairs officials were not interested in having their policy field downgraded to merely being a tool for reducing migration (Boswell, 2003). At the Commission level, such tension resulted in resistance against integrating migration prevention goals into the EU's external policy (Boswell, 2003, p. 626). The EU's ability to create coordinated, strategic action in its external relations has been questioned (Börzel & Risse, 2004; Gebhard, 2011; Jurje & Lavenex, 2014; Monar, 2015; Wolff, 2008). An example of this is migration and trade policy. Jurje and Lavenex (2014) find that the EU has not leveraged its market power to push its migration agenda in trade negotiations. The content of EU trade agreements reflected the institutional setup of the EU rather than relevant aspects of the third country, such as the number of migrants (Jurje & Lavenex, 2014). Jurje and Lavenex (2014) argue that international migration was characterized by competing frames that cut across bureaucratic divides, which made it difficult to find shared ideals. This article makes an important contribution because it demonstrates how the Commission was able to bridge migration and trade in external policy by reframing the crisis in Jordan as a developmental and economic issue and by reframing the responsibilities of the DG for Trade. This argument has implications for the broader literature on EU external policies that often use models of institutional bargaining and which emphasize the tension between actors that pursue values and those that pursue commercial interests (see, for example, Gstöhl & Hanf, 2014; McKenzie & Maissner, 2017; Meunier & Nicolaïdis, 2006; Sicurelli, 2015).

2.2. The Migration Crisis

Migration and asylum policies have always been politically salient, but the events in 2015 and 2016 changed the dynamics of decision making as they became issues of "high level crisis governance" (Smeets & Beach, 2020, p. 135). In one year, the EU received more than one million refugees and migrants, resulting in a political crisis in which the core principles of EU integration broke down (Zaun, 2018). In addition, the migration (management) crisis hit the EU's image as a human rights promoter, when more than three thousand refugees drowned on the journey toward European shores (International Organization for Migration, 2016). In response to the crisis, the EU attempted to limit migration by striking deals with countries outside of Europe. These agreements are sui generis and often informal, meaning that the European Parliament is left out of the decision-making process (Poli, 2020).

Examples of intergovernmental bargains include the agreements with Turkey, Lebanon, and with countries in North Africa and the Sahel. The agreement with Turkey is an extreme example of a protection strategy, wherein the aim is to control the EU border and limit the inflow of refugees, rather than a comprehensive strategy, which would also address the reasons for secondary movement among refugees in Turkey. Several other, lesser-known strategic partnerships with third countries have been established since the migration crisis. Across North Africa and in the Sahel region, the EU train police forces, monitor border controls, and push for the criminalization of smuggling activities (Bøås, 2019). The Compact with Jordan is another example of a pragmatic bilateral agreement. However, it stands out because it provides a more comprehensive approach to the causes of migration by addressing issues such as job opportunities for refugees (Poli, 2020).

So far, the policy responses to the crisis have been understood as being driven by the European Council (Lavenex, 2018; Smeets & Beach, 2020; Trauner & Ripoll Servent, 2016). Because of the increased politicization of migration policy, the member states wanted to regain national control over the issue (Lavenex, 2018). This has been the main explanation of the rise in intergovernmental bargains between member states and third countries, and protectionist policies (Greenhill, 2016; Lavenex, 2018). This development underlined the relevance of theories such as postfunctionalism and *new* intergovernmentalism (e.g., Bickerton et al., 2015; Hooghe & Marks, 2018; Kleine & Pollack, 2018; Schmidt, 2018; Smeets & Zaun, 2020), which both share the idea that a transition of power and influence has taken place, i.e., from the supranational level to the intergovernmental level. These explanations emphasize that with the rise of the European Council, the Commission and the European Parliament have been marginalized in EU policymaking. However, such accounts fail to explain how the Commission was able to shape external migration policy, as in the case of the EU–Jordan Compact.

3. Explaining the Success of the Commission

The policymaking literature theorizes how actors adapt to changing circumstances and how they utilize change to gain influence (Trauner & Ripoll Servent, 2016, p. 1420). Indeed, changes in the decision-making arena can be caused not only by institutional change but also by external shocks (Håkansson, 2021; Kaunert, 2010a, 2010b; Ripoll Servent, 2019; Trauner & Ripoll Servent, 2016). A decade involving several severe crises has affected EU decision-making procedures, and Rhinard (2019) describes a process of 'crisisification.' Crisisification of decision-making procedures involves "finding the next urgent event, prioritizing speed in decision-making, ushering in new constellations of concerned actors and emphasizing new narratives of what matters in European governance" (Rhinard, 2019, p. 617). A crisis in itself does not affect the influence of different actors, but it is a window of opportunity that

can be leveraged by actors in different ways (Trauner & Ripoll Servent, 2016). A two-stage process drives crisisification (see Figure 1): The first stage takes place in the urgent aftermath of a crisis, wherein there is a demand for a political response, i.e., a 'call for action,' to which symbolic commitments by member states are often the first response (Rhinard, 2019). In the second stage, such commitments are leveraged by the Commission to build momentum for policy change (Rhinard, 2019). In fact, Rhinard (2019, p. 622) goes so far as to argue that when it comes to crisis-related responses the Council will support the Commission in virtually any policy area. However, exactly how the Commission can make use of the crisis dynamic is not explained. This article unpacks stage two of crisisification theory as it peers into the gray box (Figure 1).

I use process-tracing methodology, following the guidelines of Beach and Pedersen (2019), to trace the negotiations that led to the Compact. The case study unpacks the second stage of crisisification theory: how the Commission can build momentum for policy change following a call for action. It explains this as a four-step process, wherein cohesion is created within the Commission and the approval of member states is achieved. The four steps of the mechanism are presented in Figure 2. The Commission was able to leverage the crisis to act as a cohesive actor by reframing the crisis (Step 1) and identifying the appropriate tools, and by reframing the responsibilities of the directorates-general responsible for those tools (Step 2). Furthermore, the Commission was able to efficiently draft a policy proposal covering a broad set of issues by leveraging the urgency of the crisis to assemble a cross-sectoral working group (Step 3). Issue-linkage enabled the Commission to gain the approval of the member states by presenting them with policy solutions to issues made high-priority by the crisis (Step 4). The operationalization of the mechanism is presented in the Supplementary File, which also includes an evaluation of the strength of the data for each step of the mechanism.

3.1. Reframing

For a crisis to be converted into a policy response, double framing is required: First, a situation needs to be identified as a crisis; second, the nature and character of the crisis need to be specified (Voltolini et al., 2020, p. 620). The first stage of crisisification explains that member states will often respond urgently to what they perceive to be a crisis and ask for action. I argue that the Commission leadership can build on this request and specify the nature and character of the crisis (Step 1). For example, they can argue that it is a humanitarian or developmental issue, instead of a security issue. Through such reframing, the Commission can argue for the use of alternative policy tools such as humanitarian aid or trade policy as appropriate measures with which to address the crisis.

Furthermore, a crisis can be used to challenge the perceived appropriateness of existing normative frames such as perceived roles and responsibilities. I argue that the Commission leadership can exploit a crisis to expand an institution's understanding of its responsibilities (Step 2). For example, the terrorist attacks of 9/11 were used to reframe the EU as an actor in 'high politics' (den Boer & Monar, 2002). Through reframing, the Commission leadership can advocate for the use of policy tools governed by one directorate-general on issues administered by another. In this case, the Commission leadership wanted to use trade concessions as a tool in refugee policy. Such policy proposals can be further legitimized by appealing to the EU as a 'Union of values' (Lavenex, 2018), making opposition more difficult.

3.2. Issue-Linkage

The embedded ways of working that are considered to be appropriate can be challenged in an urgent setting, and the Commission can implement administrative reforms to improve its efficiency in response to calls to 'do something' (Rhinard, 2019). I argue that this creates opportunities for establishing new informal working structures
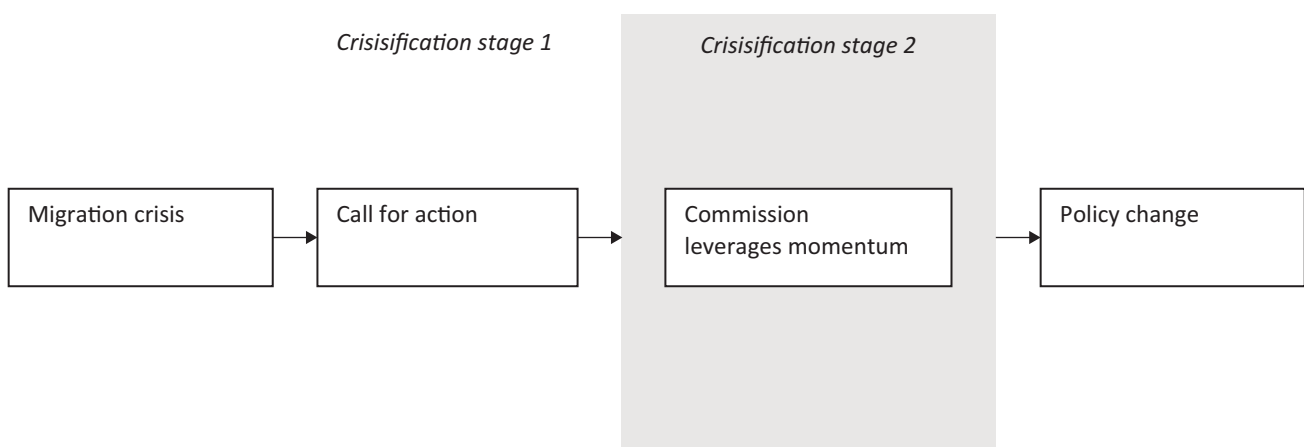

Crisisification stage 1   *Crisisification stage 2*

Migration crisis → Call for action → Commission leverages momentum → Policy change

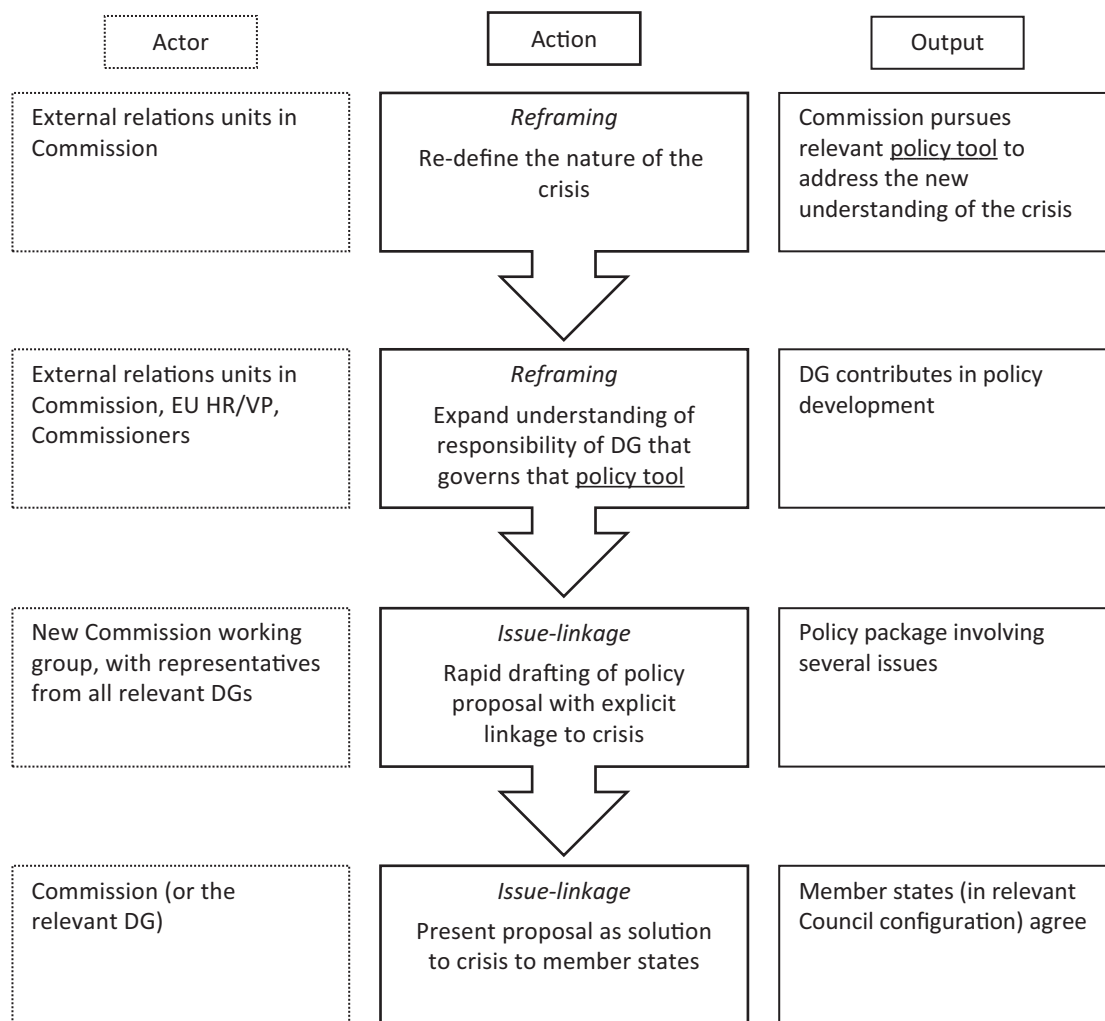**Figure 1.** Crisisification theory illustrated.

Figure 2. Four-step causal model explaining how the Commission leveraged the refugee crisis.

that cut across existing silos, such as a working group or a taskforce (Step 3). Lewis (2010) argues that a high degree of *insulation*, a broad *scope of issues*, and *intensive interaction* all promote cooperative negotiations between member states in the Council (of Ministers). His theory is here transferred to the Commission to argue how cross-sectoral cooperation can be cultivated to achieve efficient policy drafting across issue areas. This influences the efficiency of the technical drafting of a proposal, which happens at a lower level of the Commission. However, cohesiveness in the Commission is a necessary condition for the working group to be successful. Lower-ranking desk officers who take part in the technical drafting do not have the freedom to go beyond their responsibilities which are defined by others higher up in the system.

If the Commission does achieve rapid drafting of a policy solution involving several issue areas, I argue that it increases the likelihood of a policy package being adopted by the member states (Step 4). Through linkage, the Commission can include high-priority issues for the member states in their proposal. However, for this to be successful the Commission needs to be quick in the draft-

ing so that they can leverage the pressure that member states experience during an urgent crisis. This pressure is what makes the issue a priority for the member states and makes issue-linkage effective.

4. Data

The analysis is based on the main document stipulating the Compact, i.e., the annex to the 2016–2018 *EU–Jordan Partnership Priorities and Compact* (Council of the European Union, 2016), as well as on original interviews with EU representatives with knowledge of the negotiations. The interviews were conducted between March and September 2020, online or via telephone. The interviews lasted between 50 and 90 minutes. They were semi-structured (following an interview guide developed after document analysis of the agreement). Fourteen EU representatives were identified by means of snowball sampling. In the final round of interviews, the participants referred me only to people whom I had already interviewed, signaling that I had already identified the key individuals who were involved. Only one interviewee declined because of

limited time, producing a total number of 13 interviews. The interviewees represent most of the relevant Commission units that are likely to have been involved in the process. Interviews were conducted with representatives from the DGs for: Trade, Neighborhood and Enlargement Negotiations (NEAR), Migration and Home Affairs, European Civil Protection and Humanitarian Aid Operations (ECHO), and Economic and Financial Affairs (ECFIN). A member of a Commissioner's cabinet also participated. In addition, representatives from the European External Action Service (EEAS) and from the Amman delegation also participated.

The participants include desk officers, directors, and a cabinet member. Eight of the interviewees were active participants in the negotiations or the drafting, one interviewee was active in the concluding phase, and four were active in the implementation of the Compact. All of them possessed knowledge of what took place during the negotiations, either through direct participation or through accounts given to them by their colleagues who had participated. Although there are obvious advantages of first-hand accounts, second-hand accounts can (arguably) be less at risk of social desirability bias because they have less inclination to exaggerate or to describe the participants in an advantageous way. Accounts that support the steps of the mechanism should be confirmed by several sources (see Table 1 in the Supplementary File for operationalization). By including interviewees from different units and at different levels, and by including participants with first-hand knowledge as well as their colleagues with second-hand knowledge, there is some width in the data collection to allow for triangulation.

All interviewees requested anonymity so that they could speak freely, thus providing me with better data. To ensure this, all interviewees are referred to by the numbers 1 to 13. Because it was a relatively small group of people participating in the policymaking process, revealing their institution or position in the publication might jeopardize their anonymity. I have, however, borne in mind their position and institution while evaluating the strength of the data (see Table 1 in the Supplementary File).

5. Tracing the Negotiations

5.1. Reframing

Jordan had long wanted to increase its exports to Europe and had formally requested a relaxation of the rules of origin before the Syria conflict began. This demand was rejected by the Commission partly because DG Trade was reluctant to grant just one country in the neighborhood special conditions (Interviews 3, 5, 7, 13). The first two steps of the mechanism explain how units within the Commission were able to leverage the crisis to create internal unity, which was necessary to successfully have the Compact adopted. The first entails a reframing of the nature of the crisis. DG NEAR and the EEAS had

very similar understandings of the situation in Jordan. Several of the interviewees from DG NEAR and the EEAS underlined that the dire economic situation in Jordan already existed before the refugee crisis, as a result of the many years of conflict and a lack of stability in the region (Interviews 1, 10). They also argued that the additional burden of hosting 650,000 refugees had made the situation worse. Furthermore, there are accounts that support the notion that economic issues in Jordan were their main motivation for the Compact: "Obviously, the narratives and the response to the Syrian crisis contributed to the discourse around development assistance in the southern Mediterranean, but I don't think that they were the main driver in this case" (Interview 10). Another interviewee referred to the importance of having a stable partner in the region, one that is a good ally for the EU in geopolitics, and further stated:

> All these factors make it very important for us that Jordan remains there as a stable country, so this is really the long-term interest. It would be tragic if Jordan were to fall, and everything is targeted towards the objective of making them sustainable in the long term. (Interview 1)

Across the different DGs in Commission, they all perceived the situation in Jordan to be an urgent crisis; furthermore, the DG NEAR and the EEAS considered the crisis to be economic in nature and that it was further exasperated by the refugee situation. They argued that the crisis was economic in nature and reframed it from a refugee issue to an economic and development issue. Representatives from DG ECFIN expressed that they understood the crisis in Jordan to be an economic one (Interview 3) and this explains why also they were in favor of granting Jordan trade preferences. DG ECHO wanted to better the livelihoods of refugees living in Jordan, and so they welcomed policies that could provide jobs for refugees (Interview 11). By successfully reframing the crisis as an economic and developmental one, the interests and understandings of some of the different units in the Commission were aligned.

Furthermore, by framing the crisis as a developmental and humanitarian one, trade policy was made an appropriate measure with which to respond to the crisis. This meant that DG for Trade, i.e., the DG governing EU trade policy, became a key actor when moving forward in the negotiations. In the initial inter-service consultations in the Commission, DG ECFIN, DG NEAR, and DG ECHO were all very much in favor of providing trade preferences linked to assisting the refugees in Jordan (Interview 3). DG for Migration and Home Affairs was not much involved, because so few refugees from Jordan travelled onwards towards Europe, they were not stakeholders in the process (Interview 8). However, DG for Trade was initially reluctant. This leads to the second step of the mechanism, which entails getting the support of the relevant DG.

DG for Trade did not agree that external migration policy fell within their responsibilities. DG for Trade was described by several interviewees as being orthodox, mercantile, and working primarily for the protection of the economic interests of member states (Interviews 3, 6, 10, 13). Another perspective on this is that the DG for Trade was very sensitive and responsive to the member states' positions in trade policy because they regularly discussed it with them in the Trade Policy Committee. This means that the DG for Trade knew what the member states would, and would not, be able to accept. In order to get the DG for Trade to work toward the political goal set by the EEAS and DG NEAR, which was now a goal shared by other DGs in the Commission such as DG ECHO and DG ECFIN, tremendous pressure was placed on the DG for Trade to support the proposal (Interviews 4, 9, 13). The High Representative of the Union for Foreign Affairs and Security Policy, i.e., Federica Mogherini, and directors in both DG NEAR and the EEAS, as well as Trade Commissioner Cecilia Malmström were all pushing the DG. The United Kingdom was an important ally and advocate for Jordan and the Compact, with the British ambassador visiting a DG for Trade director to present trade concessions as a solution to the crisis in Jordan (Interviews 5, 7). This broad alliance of players from both within and outside the Commission argued that there was a sense of urgency because of the crisis and, furthermore, that trade policy was the relevant tool to use in order to resolve the crisis. This argumentation was effective in persuading the DG for Trade to expand their responsibilities and created unity in the Commission in the pursuit of the Compact. This confirms the second step of the mechanism. By February 2016, the DG for Trade was very much leading the policy process. They were chef de field in the negotiations within the Commission as well as vis-à-vis the member states in the Trade Policy Committee in the Council (Interviews 3, 7, 13). One DG for Trade representative expressed that trade was considered the most appropriate solution:

> Of course, helping Syrian refugees is a political objective, if I may put it that way, but it is a trade-related initiative contributing to a political objective because at that moment it was considered to be the most appropriate one.

One high-ranking official within the DG for Trade at the time explained this shift partly with the ambition of the DG for Trade to be responsible outside of their immediate issue area:

> I thought that we had to demonstrate that [our DG] could be responsive to this kind of political and social situation, like the one that had been generated by the refugee crisis, and that it was, therefore, better that we were proactive and that we started from the beginning to try to explore solutions.

Even though the DG for Trade took ownership over the Compact, this does not necessarily signify a more permanent expansion of the DG's responsibilities to include migration issues. Interviewees from inside and outside of the DG for Trade did not believe that this signified a permanent shift in the understanding of their role (Interviews 4, 9, 13). The case does, however, demonstrate how DG NEAR and the EEAS were able to use the momentum of the crisis to create internal cohesion.

5.2. Issue-Linkage

Crisisification theory explains that a call for action by the member states will follow shortly after a crisis (Rhinard, 2019). In 2015, the Council asked the Commission and the EU delegation in Amman to do "anything possible" for the ongoing refugee crisis (Interview 5). This enabled the Commission to move forward with a rapid drafting of the policy proposal—step three of the mechanism. The call for action triggered a change in working structures, as a small working group was set up with members from the EU's Amman delegation, the EEAS, and technical expertise from the DG for Trade and DG NEAR (Interviews 5, 9, 13). The small working group engaged in cooperative negotiations by working in a separate and small group of people allowing a high level of trust, working on broad scopes of issues, and working very intensively over a short period. They succeeded in creating the first draft by October 2015. The draft was, in fact, written by a desk officer in the DG for Trade, which demonstrates the necessity of getting the DG to contribute to the policy process. Members of the working group described the process as being unique in that it was highly intensive, and they worked very closely together day and night. One member claimed that some did not last long there because of the pressure (Interview 9). Furthermore, they argued that it was the sense of urgency caused by the crisis enabled this new working structure (Interviews 3, 5). People who were not part of the initial negotiations supported the claim of how remarkably quick the development of the proposal was (Interview 2). The very novel idea was remarkably drafted within only a few months of the group being given the assignment.

In this working group, the novel idea of linking trade concessions to the employment of refugees was further developed from a vague idea into a highly technical policy proposal (Interview 2). In February 2016, at the London Syria Conference, the EU made their first public commitment to offering Jordan trade concessions contingent on Jordan granting work permits to Syrian refugees (Interview 3).

During the final phase of the negotiations, from February to July 2016, there were expectations that the EU would deliver on the commitments made to Jordan at the London Conference and to the Syrian refugees living in Jordan. The member states' refusal to receive more refugees provided further motivation to assist the refugee-hosting countries outside of the EU

(Interviews 6, 9). The tragic number of deaths at sea further escalated domestic pressure for EU action (Interviews 1, 5). The final step of the mechanism involves convincing the member states to adopt the policy proposal. The Compact was not supported by all member states initially, but the crisis led to increased pressure for them to act:

> Some member states initially were not terribly enthusiastic. They insisted that they could accept it because of the very special political situation and provided that there was a very strong linkage to refugees. (Interview 7)

DG for Trade was identified as a crucial advocate for the Compact. Because the DG for Trade benefits from a position as trusted experts in trade, and because trade is an exclusive competence of the Commission, they were able to push the member states to agree to the trade concessions (Interview 13). They achieved this by presenting projections for expected imports from Jordan indicating that there was little risk involved for any member states. The member states with large textile industries were particularly concerned because textile products would benefit from the trade preferences (Interview 2). The member states were also worried about other countries with larger economies, such as Morocco or Tunisia, asking for similar benefits. The DG for Trade drafted the agreement in such a way that the trade preferences only applied to businesses in Special Economic Zones in Jordan that employed a minimum share of refugees, ensuring that no other country would be able to ask for a similar agreement (Interviews 2, 7, 13). The important role the DG for Trade played in convincing the member states underlines the importance of internal cohesion within the Commission (Step 2 of the mechanism). Furthermore, the Commission realized that linking the migration crisis to their proposal was a clever way of motivating the member states to adopt the proposal:

> 2015 was, of course, the year of migration crisis for the EU, so there was a recognition that we did not want refugees to leave their countries of temporary residence bordering Syria. For me, it is quite a clever way of dealing with the issue and it would have been attractive to many people in the EU system and to many of the member states. (Interview 6)

This suggests that step four of the mechanism is present. Another participant noted how time-sensitive the proposal was, arguing that only a few months later, the discussions in Europe were completely different in nature and that there would have been little political will to prioritize aid to refugees outside of Europe (Interview 4). This demonstrates how important it is that the drafting (Step 3) be efficient for the mechanism to work. The European Parliament was not formally involved in the negotiations, but they were briefed on the proposal by the Commission (Interviews 3, 4). The Commission wanted to convince the Parliament that the Compact was necessary because they wanted to have as broad a coalition as possible to avoid any push back (Interviews 4, 5).

The sense of urgency that was necessary for the Commission to succeed in drafting and defending the Compact shed some light on the sui generis format of the Compact. The format was pragmatic in the sense that it ensured swift drafting and adoption. The EU–Jordan Association Council adopted the Compact in July 2016, but as pointed out by Poli (2020, p. 83), in the joint decision the parties only recommended implementation (EU–Jordan Association Council, 2016, p. 1). The phrasing of the implementation as a recommendation rather than something more binding reflected concerns on the Jordanian side regarding the granting of Syrians' access to work permits (Interviews 12, 13).

6. Conclusion

Through tracing the internal EU negotiations that led to the Compact, this article demonstrates the presence of a causal mechanism explaining how external relation units within the Commission and the EEAS can leverage a crisis to influence external EU policy. They argued that there was a dire economic situation in Jordan and that the additional burden of hosting 650,000 refugees had made the situation worse. This reframing of the refugee crisis meant that development assistance tools such as trade concessions became appropriate measures with which to address the situation. As trade policy is governed by the DG for Trade, pressure was put on the DG from a broad alliance of players including the Commissioner for Trade, the High Representative of the Union for Foreign Affairs and Security Policy, the EEAS, DG NEAR, DG ECHO, DG ECFIN, and the United Kingdom. The DG for Trade assumed this responsibility and went on to lead the negotiations internally as well as vis-à-vis the member states in the Trade Policy Committee in the Council. However, accounts suggest that this was a temporary expansion of responsibilities that may not be long-lived. The Commission set up a cross-sectoral working group that was tasked with the urgent assignment of creating a policy proposal for the Compact. The group efficiently created a highly technical proposal with explicit linkages between refugee policy and trade policy. This proposal was presented to the member states as an important solution to the ongoing migration (management) crisis that was playing out in Europe, and the member states accepted the proposal after being convinced by the DG for Trade. The conclusion of informal agreements with third countries such as the Compact with Jordan is not prohibited by EU law, but as Poli argues (2020, p. 80), it does have consequences for the balance of power between the EU institutions. This article has demonstrated how a crisis can be leveraged by actors in the Commission who aim to influence policy outcomes, and how this results in informal policy processes that do not

include the European Parliament. In addition, this article has explained how reframing contributed to the DG for Trade assuming the role as a reluctant initiator of the Compact—this has implications for institutional bargaining models used to explain EU external policies more broadly, such as trade (Gstöhl & Hanf, 2014; McKenzie & Maissner, 2017; Sicurelli, 2015).

The causal mechanism presented in this article expands crisisification theory, which suggests that the Commission can make use of crises to influence policy (Rhinard, 2019). The mechanism described in this article explains only one of many processes that have contributed to the Compact. The roles of several important actors, such as the Jordanian government, the UN Refugee Agency, the United Kingdom, and the European Council, are not included in this study. Additional case studies on the Commission's role in external EU policies during crises are needed, as they could contribute to strengthening or revising the mechanism presented in this article.

Finally, this article provides important empirical findings on the negotiation process behind this hitherto under-researched Compact. If the Compact approach is to be replicated in other refugee-hosting nations, it is important to understand how it came about from the perspective of the main donor, i.e., the EU. Based on the empirical findings presented in this article, it is doubtful that a similar policy output will be replicated in the future. It is not likely that the DG for Trade will contribute to the same degree in future contexts, and it is doubtful that the member states will find themselves in an equally politicized crisis.

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Conflict of Interests

The author declares no conflict of interests.

Supplementary Material

Supplementary material for this article is available online in the format provided by the author (unedited).

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IV

How strategies of refugee host states are perceived by donor states: EU interpretations of Jordanian migration diplomacy

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Abstract (max 200 words)

Research in the field of migration diplomacy has so far empirically focused mainly on host and transit states, meaning that their interaction with donor states and the effect of their strategies on the donor states' decision-making has been left implicit. Building on original interviews with decision-makers, this paper provides a unique insight into the interaction between host state and donor state, and sheds light on how the strategies of the former translate into policies of the latter. The paper addresses the following research questions: *how do donor countries interpret the actions of host countries, and what makes donors respond?* To address these questions, the paper investigates EU decision-makers' perceptions of the negotiations with Jordan, which led to the establishment of the EU-Jordan Compact in 2016 and its revision in 2018. Through analysis of 19 original interviews with the negotiation participants and official documents, the paper demonstrates how the EU perceived Jordan's proposal as morally justified and how this made it difficult for them to decline. Furthermore, that the threats that Jordan made were not perceived as credible and had little effect. The case demonstrates the importance of bringing donor states into the analysis when concluding on the efficiency of host state strategies.

Word Count: 8430 (total including references)

Introduction

The migration diplomacy literature demonstrates that refugee host states hold significant power over donor states such as the member states of the European Union (EU). The number of displaced people in the world is at its highest since World War II, and the vast majority of these people are hosted by developing countries. Hosting large refugee and migrant populations is recognised as placing a significant burden on the host countries and communities. However, it might also be advantageous in negotiations with developed countries. The emergence of migration diplomacy as an academic field is a recognition of the patterns that occur in the relations between countries influenced by their positions as either a refugee host or transit country, or a destination country (Adamson and Tsourapas, 2019a). The migration diplomacy literature has provided knowledge on the motivations and strategies of host countries from case studies (Natter, 2013; 2018), and theories have been developed on the power that host states hold vis-à-vis the Global North (Adamson and Tsourapas, 2019a; 2019b; Greenhill, 2010, 2016). However, as has been recognised by Adamson and Tsourapas (2019b:870), the host states ability to capitalise on migration is directly related to the Global North states' policies of externalising migration management. In concurrence with this, I argue that we need to understand the actions of both the host states and the donor states in order to get a full picture of the policy process that shapes the policies in external migration management. Otherwise, we risk making wrongful assumptions about the motivations of host states in migration diplomacy.

At the centre of all diplomacy is the interaction between actors. Research in the field of migration diplomacy has so far empirically focused mainly on host and transit states, meaning that their interaction with donor states and the effect of their strategies on the donor states decision-making has been left implicit. Building on original interviews with decision-makers, this paper provides unique insight into the interaction between host state and donor state, and sheds light on how the strategies of the former translate into policies of the latter. The paper addresses the following research questions: *how do donor countries interpret the actions of host countries, and what makes donors respond?*

To address these questions, the paper investigates the EU decision-makers' perceptions of the negotiations with Jordan which led to the establishment of the EU-Jordan Compact in 2016 and its amendment in 2018. Jordan has a long history of hosting refugee populations and leveraging this position to gain benefits from the global community (Tsourapas, 2019; Seeberg and Zardo, 2020). In 2015, Jordan was housing around 650.000 Syrian refugees (UNHCR, 2015). In response to this, the EU-Jordan Compact of 2016 stipulated that the EU would provide aid, macro-financial assistance and, more significantly, that the EU would relax trade barriers that apply to Jordanian exports. These significant gains were achieved by a country that, unlike Turkey, had no direct way of impacting the flow of refugees onto Europe.

Using congruence analysis (Blatter and Blume, 2008) of documents and original interviews with the negotiation participants, the paper inductively builds a theory explaining EU response to the Jordanian strategy. The policy documents include official EU documents monitoring the EU free trade agreement with Jordan (European Commission, 2018), a report from the World Bank (2020), the original EU-Jordan Compact (EU–Jordan Association Council, 2016), and the amended scheme of 2018 (EU-Jordan Association Committee, 2018). Moreover, I have conducted 19 original interviews. Ten of these are with decision makers from the European Commission (DG Near, DG Trade, DG Home, DG ECFIN, DG ECHO), four are from the EU's External Action Service (EEAS), three from the Jordanian government, and two are academic experts on Jordan migration and labour policy. The interviews were conducted online in 2020 and 2021 and lasted between 45 and 75 minutes. The

negotiation participants from the EU were identified through snowball sampling and include people who worked on the initial drafting of the EU-Jordan Compact and people who worked on the implementation and the re-negotiation of the Compact. From Jordan, a senior bureaucrat who worked on the implementation and two senior politicians who participated in the negotiations also contributed. In the analysis, all interviewees are referred to by numbers (1 through 19) to ensure the anonymity of the participants.

The paper commences by introducing the two strands of literature that aim to explain EU agreements with migration host states: the EU externalisation literature and the migration diplomacy literature. It then presents an alternative approach to analysing migration diplomacy, namely focusing on donor states and their interpretations of host state's strategies. The paper argues that if the EU perceives a host country and their proposed policies as morally justifiable, the EU is likely to respond. Moreover, that moral arguments are more persuasive than threats under certain conditions. Thereafter, the EU-Jordan negotiations of 2015/2016, and the re-negotiation in 2018, are analysed in light of the EU decision-makers interpretations of the Jordanian arguments. The paper concludes that the EU assessed the credibility of threats and of normative claims, and that the normative aspects of Jordan's strategy have had significant effect in motivating the EU decision-makers. An important lesson for the migration diplomacy literature is that in order to conclude on the efficiency of different strategies that host states engage in, we need to bring the donor states into the analysis.

Why we need to consider the host and donor perspectives when studying international migration cooperation

There are currently two strands of literature that aim to explain external migration policies, and none of them adequately consider the interaction between hosts and donors. International agreements, compacts and policies in migration management, are often explained either from a Global North perspective where countries or international institutions of the Global North externalise the burden of migration governance towards the Global South. Or from a Global South perspective where the countries and institutions of the Global South aim to leverage their position as migrant hosts or migrant transit states to gain benefits from the Global North. The former perspective is represented by the EU externalisation literature, which has focused on explaining the external policy outputs by looking at internal dynamics within and between EU member states. An example from this issue is the contribution of Zaun and Nantermoz who explain the creation of the EU development policy tool "the EU emergency Trust Fund for Africa", as the result of EU actors attempting to depoliticize solutions to their ongoing migration management crisis. There is a growing divergence between the EU's values of refugee protection and its protectionist policies, and Lavenex (2018) refers to this mismatch as organised hypocrisy (see also Niemann and Zaun, introduction, p. 8). Cusmano and Riddervold (this issue) problematize the EU's continued dependence on fragile and undemocratic states such as Libya in their governance of irregular mobility. External dynamics, such as the EU's role as a global actor and its international reputation is not addressed in the literature. Much research has focused solely on policy outputs (Geddes and Hadj-Abdou, 2018), which consist of mainly protectionist policies aimed at limiting migration. It has perhaps therefore seemed unlikely that external dynamics such as international reputation has been an important motivator for EU decision makers in migration policy, but this has not yet been explored.

The migration diplomacy literature on the other hand has a tendency to focus on the politically and economically weaker states in the Global South and how they gain influence by leveraging their key

role in migration management. For example, Tittel-Mosser (this issue) demonstrates the importance of third country agency in the development of the Mobility Partnerships with the EU. While the Global North benefits from globalisation and the free flow of goods across borders, they simultaneously employ a territorial legal and political logic creating a liberal paradox because they need to limit immigration in order to protect the rights of its citizens (Hollifield, 2004; Adamson and Tsourapas, 2019b). This puts the Global North in a position that can be leveraged by actors with influence over migration flows or that hosts large refugee populations. In the most extreme instances, the governments of host or transit countries deliberately create (or threaten to create) cross-border movement of migrants, this is referred to as coerced engineered migration (CEM) (Greenhill, 2010). In a milder version of CEM, governments act as 'opportunists' who exploit an existing migration crisis by threatening to close borders and thus induce a humanitarian emergency, or by offering to alleviate the crisis against a pay-off (Greenhill 2010). The migration crisis of 2015 demonstrated how vulnerable European states are to coercive behaviour from states who are capable of alleviating the crisis, such as Turkey (Greenhill 2016; Gürkan and Coman, 2021). Several case studies have focused on the motivations and the policy making process in host and transit states (Natter, 2013, 2018; Turner 2015; Seeberg 2020). Additionally, several studies link the host and transit countries behaviour to gains that they aim to receive from donor countries in the Global North such as the EU (Adamson and Tsourapas, 2019b; İçduygu and Üstübici, 2014; Greenhill, 2010, 2016; Tsourapas, 2019). Most notably, Tsourapas (2019) has unpacked what determines the strategy a host countries employs vis-à-vis the donor states, in a comparative case study of Turkey, Lebanon and Jordan during the Syria crisis. He finds that Jordan chose a back-scratching strategy, proposing a policy solution that would benefit both the EU and Jordan, instead of a blackmailing strategy. Furthermore, that choice of strategy is dependent on the size of the refugee population and the perceived geo-political importance of the country (vis-à-vis the donor state).

To incorporate the perspective of the donor states in the analysis, I focus on how donor states perceive the strategies of host states. By investigating the same case study, namely Jordan during the Syria crisis, but shifting the empirical focus towards the donor side, this paper addresses how the Jordanian strategy was interpreted and perceived by the donor and why they responded the way they did. This perspective is necessary, I argue, in order to draw conclusions on the efficiency of arguments put forward by host states when they seek gains from donor states. From communication theory we learn that messages are interpreted through complex processes where both previous experiences and the current context (in which the message is sent) are crucial for their interpretation. Edwards (2011) explains the two dimensions of message interpretations. One is *top down*, where previous knowledge and experience informs the recipient of the message. The second is *bottom-up* where the current situation contextualizes the messages and how it is perceived. Geddes and Hadj-Abdou (2018:147) warn that there is a tendency in migration governance research to work back from observable outputs such as policies, laws and institutional responses, and that the result is often wrongful assumptions about policy maker's motivations and logics. Instead, we should focus on understanding policy-makers interpretations in order to unpack the policy outputs in external migration policy (Geddes and Hadj-Abdou, 2018). By focusing on the interpretations of the policy makers, hereto undiscovered explanations of EU external policy might come to light.

Leveraging the perceived moral superiority of host states

The normative ambitions of the EU in world politics have been demonstrated in various contributions, most notably those by Manners (2002; 2013). Since the Syrian war and the resulting increasing migratory pressure, the EU's ability to uphold its values in internal and external relations has arguably been compromised (Gürkan and Coman, 2021; Lavenex, 2018). This is at odds with the

normative ambitions of the EU and challenges the self-image of the EU. Furthermore, it damages the credibility of the EU when they promote liberal migration policies in third countries. This has left the EU in a vulnerable position. If the EU receives requests from countries that, unlike the EU, have shown openness to refugee populations, it is difficult for the EU to refuse. Because the EU has not lived up to the set up norms that it claims to hold, and that the EU imposes on external partners in migration management, the EU is in an inferior moral position that can be leveraged. If the policies proposed by refugee-host states are perceived by the EU as being morally justified, the EU will be inclined to accept.

There is both an internal and an external dimension to why the EU would respond to requests that they believe are morally justifiable. Internally, the policies would appeal to domestic pressures for a rights-based approach to refugees. As politicization of migration increased in the EU in 2015, so did the claims for more just policies for refugees and migrants. Externally, the EU wants to protect its reputation and standing in the international community and this can be achieved by adopting such policies. Furthermore, if the EU wants to encourage third countries to host refugee populations while still keep some credibility, the EU cannot only respond to requests made by states that use threatening strategies. The EU needs to also reward good behaviour. Studies have shown that threats (or blackmailing) are effective (Adamson and Tsourapas, 2019a; İçduygu and Üstübici, 2014; Greenhill, 2010, 2016; Tsourapas, 2019), and this implicitly suggests that the EU is motivated by limiting migration. I argue, that the EU decision-makers also have other considerations that impact their decision making. Under the specific conditions presented below, I argue that policies that are perceived as morally justifiable are more motivating to the EU than threats are.

First, migration policy has to be perceived as a common issue, shared by the host state and the EU for threats to be efficient. Direct migratory pressure on the EU is most often the cause of migration being viewed as a common issue (Boswell, 2003; Lavenex & Kunz, 2008), but politicisation of migration policy could occur even without migratory pressure. For a policy to be perceived as morally justified, however, the EU must also view migratory pressure on host communities outside their own borders as a problem, even if this problem is not directly related to migratory pressure on their own territory. Because the EU is often unwilling to alleviate the burden by accepting migrants and refugees themselves due to political constraints, they lose moral standing and reputation both internally and internationally. This can potentially be somewhat restored by offering other compensation to host countries and to refugees living there.

Second, the credibility of threats matter. Tsourapas (2019) hypothesises that the host states perception of their geo-political importance vis-à-vis the donor state partly explains whether they pursue a black-mailing strategy or not. I argue that the EU's interpretation of the credibility of threats matter for whether or not they respond to them. Threats to mistreat refugees or to push them across borders will not persuade the EU if the EU does not believe that the host country is likely to do so. The credibility of threats can be informed by a top-down interpretation of threats, considering the host country's history of refugee policy, or it can take the form of a bottom-up interpretation taking in the current context in which the threat is made, such as domestic pressure in the host country, and if the country shares a border with Europe. If the host country does not share a border with the EU, and is unlikely to be able to directly cause increased migratory pressure towards the EU, threats will have little impact. Moral arguments, however, are not affected by distance to the EU.

Third, a pre-existing relationship of mutual trust is necessary for the EU to respond to moral arguments. Stutz (this issue) uses qualitative comparative analysis to demonstrate that existing relations with third countries is the single most important factor in determining EU migration cooperation. The credibility of normative arguments is difficult to measure; therefore, a top-down

interpretation of their credibility is crucial. The pre-existing relationship with the host country and the host country's track-record in upholding its end of agreements informs the EU's interpretation of credibility. EU agreements with third countries in migration governance have taken the form of informal deals with a non-binding nature (i.e. Cassarino, 2017; Poli, 2020; Seeberg and Zardo, 2020). The weak legal nature of these deals makes the credibility of the claims made by host countries arguably even more important in migration governance than in other issue areas where agreements are often more formalised and have legal consequences. Furthermore, if a deal is made on a normative basis, the consequences of failed agreement could negatively impact the normative standing of the EU, meaning there is a high cost associated with failure and, therefore, credibility and trust is essential. Moreover, requests from host countries often involve policies that will boost the economy of the host country as a whole and not just the refugee population. Such requests will be better received by the EU if the request is sent from a well-regarded country and even an ally, because it will be in line with EU interests to secure their economy regardless of their role as host country.

How the EU was motivated to use trade policy as a tool in refugee policy

In order to create policies that the EU could perceive as morally justifiable, there needed to be a clear linkage between refugee policy and the gains that Jordan sought. The Jordanian economy was negatively impacted by severe external shocks following the war in Iraq, the 2007 financial crisis, the Arab spring, and the subsequent civil war in Syria (European Commission, 2018:271; World Bank, 2020:42). Jordan had previously requested a relaxation of the rules of origin agreement that applies to their exports to Europe, to give them easier access to the European market. This request had been rejected by the EU, in part because of the European principle of treating its neighbouring countries equally in trade policy, which makes the EU reluctant to grant Jordan as one of many member of the Pan-Euro-Mediterranean Convention (PEM) an exception (interviews 4, 8, 13, 16). By 2015 the economic situation in Jordan was dire, they had a consistently high fiscal deficit since 2011 (World Bank, 2020:110; World Refugee & Migration Council, 2021:4). Jordan had received humanitarian aid and funding from the international community since they started receiving refugees from Syria in 2011, but by 2015 they were experiencing donor fatigue (interviews 6 and 18). This situation prompted a new approach to secure benefits from the international community according to a senior government official in Jordan; by linking the dire economic state of Jordan to their role as host state they could ask for trade benefits (interview 18). This linkage had already been made strategically in domestic politics in Jordan. The government blamed refugees for the economic troubles they were experiencing in order to avoid looking inwards on their own (mis)handling of the economic crisis (interview 18). This issue-linkage could be used vis-à-vis the EU to morally justify a similar trade agreement to the one Jordan benefitted from with the US. The US offered Jordan a relaxation of the rules of origin as part of the Middle East peace process, which caused a boom in exports to the US (Temprano-Arroyo, 2018). The idea was that, under the circumstances of the Syria crisis, they could create a similar agreement with the EU. Trade concessions would be a way to ensure that the external assistance Jordan would receive during the migration crisis would benefit the country as a whole and not just the refugee population (interview 7).

A formal request was made from the government of Jordan to then EU Trade Commissioner Malmström, in December 2015, and this request initiated the process that resulted in the EU-Jordan Compact. They asked for a relaxation of the rules of origin that applied to Jordanian exports to the EU, in order to boost Jordan's exports and thereby creating additional employment opportunities for Syrian refugees and Jordanians alike (EU-Jordan Association Council, 2016). The policy was framed in a way to secure Jordan's ability to provide jobs for Syrian refugees, rather than Jordan saying they

would not integrate Syrians unless they were given trade benefits. This is an example of a 'plus sum game' (Adamson and Tsourapas, 2019a) where the EU is encouraged to facilitate the implementation of policies that Jordan are proposing, but that also benefit the EU. EU decision makers argued that economic development of Jordan was indeed necessary for Jordan to be able to continue and deepen the integration of Syrian refugees into their labour market. A participant from Jordan explains the idea for the Compact as the following:

> How can we sustain the support to Syrian refugees, but also have Syrian refugees also become […] more integrated in Jordanian society and Jordanian economy? To help the country and its development as a whole. (Interview 16).

This framing was mirrored among EU decision-makers: "*So, it is a win-win: I open up my market, but you have to help me financially and to help the companies to have an easy access to the European market*" (Interview 12). The dire economic situation in Jordan was heavily leveraged by the Jordanian negotiators to secure external support (interview 18). From the EU perspective it was recognised that the Jordanian labour market was strained, and that the absorption capacity was low, and that trade flexibilities could help facilitate labour integration of Syrian refugees (interviews 4, 10). At the same time European decision makers recognised that Jordan used the Syria crisis to attempt to replicate the trade deal they had with the US:

> Certainly, they were looking into the example of this successful US-Jordan agreement on rules of origin and they were hoping on being able to duplicate this success with some help from the Syrian refugees. (Interview 2)

The issue-linkage that Jordan provided was completely necessary in an instrumental way, according to the EU decision makers. Because the EU was reluctant to provide exceptions to the PEM system, which Jordan was a part of, the EU could only offer something that was limited in scope and time and only applicable to Jordan (interviews, 2, 8).

> One thing that we wanted to be particularly mindful is to avoid doing something vis-à-vis Jordan that would immediately lead to request by other countries in the region which is the reason why we insisted to Jordan that we understood that there were particular circumstances arising from the refugee crisis, but that any scheme that we would develop would have to have very clear rationale linked to the employment of refugees. (Interview 8)

Not creating precedent in the PEM system was important to Europe, because countries such as Tunisia and Egypt, which belonged to the PEM, were a threat to the European textile industry. The norm in EU trade policy is universalism, and in order to provide Jordan with an exception they had to make it very specific and make it apply only for a limited time and only to businesses that employ a minimum share of Syrian refugees.

The EU perceiving Jordan's request as morally superior to the EU-Turkey Statement

Jordan had started issuing work permits for Syrian refugees even before the formal adoption of the Compact (EU-Jordan Association Committee, 2018). The EU wanted Jordan to continue this behaviour: "*Now the question is how we can encourage and promote this positive policy of Jordanians to continue hosting the Syrian refugees? So, the EU had to make an effort*" (interview 12). Participants from Jordan's claim that Jordanian openness towards Syrian refugees made it easier for the EU to have confidence in Jordan (interview 16). This supports the notion that the moral standing of Jordan was important in the negotiations with the EU. European policy makers confirm this, saying

that it would have been difficult to refuse the request from Jordan, given that their idea was mutually beneficial and, moreover, given Jordan's openness to refugees:

> We could not say no to the Jordanians. I mean they came up with – which was certainly very innovative – this type of win-win situation: I am ready to host, but at the same time I need some compensation in terms of socio-economic development. (Interview 12)

What Jordan was doing, opening up for refugee populations, is exactly the behaviour that the EU is attempting to encourage other countries to do with conditional development policies. It was difficult for the EU not to grant Jordan this, just because they were already doing it without the EU's encouragement (interviews 1, 7, 9, 12). There was very little pressure in the form of threats from the side of the Jordanians, unlike the situation in Turkey. In fact, if anything, the Turkey deal boosted the moral of the arguments of Jordan in the eyes of the EU decision makers. Representatives from Jordan recognised that other countries such as Turkey put pressure on the donor communities in "*unethical ways*" and furthermore, the fact that the EU responded to such pressures was a bad signal to countries like Jordan (interview 16): "*what kind of message are we sending to the world? Are we rewarding a model like Myanmar, are we rewarding a model like Turkey? Or are you rewarding a model like Jordan?*" (Interview 16). Jordan strategically distanced themselves from the Turkish approach of blackmail. The deal with Turkey made it politically very difficult for the EU to refuse Jordan's legitimate request for assistance. According to EU policy makers the Turkey deal was used as an argument by Jordanians: "*they used to say: well to Turkey you give billions and billions. And here you negotiate with us for each and every Euro.*" (Interview 15). European decision makers confirm that this argument was efficient:

> Look, when a country is officially hosting 650.000 refugees through UNHCR numbers, while at the same time the EU was negotiating a deal of 6 billion Euro with Turkey, it was difficult to argue differently. (Interview 12)

Jordan achieved a good negotiating position through moral arguments. First, by showing openness to refugees, in line with European values, and second, by distancing themselves from states that contrast with the values that the European decision makers want to uphold. Already in March 2015, the King of Jordan made a speech to the European Parliament where he highlighted Europe's commitment to global development, the economic situation in Jordan and how Jordan, despite its scarce resources, has lived up to its moral obligations towards refugees in the region (European Parliament, 2015). He concluded the speech with "*Your support sends a message, not only to my people, but all those who seek to move forward in peace and moderation: Europe is with you*." (European Parliament, 2015). The speech blatantly plays to the normative aspirations of the EU and that helping Jordan is a way to boost this reputation.

First condition: a common issue

For Jordan, having influence over refugee populations only becomes a source of influence in external relations if external actors care about this issue. At the time when Jordan proposed the Compact idea, the EU was experiencing a political crisis, while attempting to limit migration into Europe. Jordan was aware of the political climate in the EU and recognised that the EU interest was to keep migrants in the Syrian neighbourhood (interview 16, 18). At the same time, Europe was having a debate on refugees' rights (interviews 1, 6). Jordan perceived that the refugee issue was an embarrassment for the EU (interview 18, 19). The request from Jordan was timely because it appealed to domestic pressures in European member states and the progressive European institutions, while simultaneously appealing to the more protectionist voices, as it offered a way to shift the pressure abroad (interview 4). It became a solution to overcome organised hypocrisy

(Lavenex, 2018). Thus, the EU Trade Commissioner responded positively to Jordan's request and the EU-Jordan Compact was beginning to take form. This EU decision to move forward with the Compact idea was motivated by internal pressure within the Commission and the EEAS, but not so much external pressure from Jordan (interviews 1, 4, 7, 13). The timing was extremely important according to several participants from the EU and some even suggested that had the request from Jordan come only months later, the outcome would have been very different (interview 5). This underlines the importance of migration being perceived as a common issue in order for a third countries to be able to leverage their position to gain benefits. Furthermore, it demonstrates that politicisation of refugee policy in donor states can be leveraged by third countries, not only through threats, but also by appealing to the rights-based discourse in the donor states.

However, well after the European migration crisis, in 2018, there was a re-negotiation of the Compact in which the initial conditions for the trade concessions were further relaxed. Following a disappointing status report in 2017, by which time only three Jordanian companies had been able to export under the scheme, Jordan requested that the Compact be reviewed and that additional flexibilities be added (Jordan Times, 2018, interview 8). This initiated much more strained internal negotiations on the EU side than when the compact was initially launched (interview 5). This round of negotiation took place after the state of emergency linked to migration had passed, and a much wider relaxation of the rules of origin was on the table. The EU very publicly made commitments to Jordan at the London Conference in February 2016. In the re-negotiation, the EU's ability to live up to the commitments, and to be a credible player in the international community, was made a key argument: "*Because it was considered to be an important, but also visible sign of the EU's help. And of the realisation of the commitment from the Compact and from the London conference*" (Interview 2). Jordan also argued that it would be in the EU's best interest to live up to their commitments from a reputational perspective (interview 18):

> So, the re-negotiation was not an ask from the Jordanian government, more a wake-up call from the Jordanian government, to say: hey, do you really want to celebrate something that is not yielding any benefits? So, for the EU - out of their interest - it would not have looked good if they don't change it. (Interview 16)

While the politicisation of migration policy in Europe was necessary for the creation of the Compact, it was not necessary to further expand the Compact during the re-negotiation. Through the failed implementation, the Commission also realised that the original agreement had been too restrictive for companies to actually be able to benefit from it (interview 4). Furthermore, the EU needed to make the Compact work in order to redeem their international standing as key actor in response to the Syria crisis. There is an element of path-dependency when morally justified migration policies are set up, making politicisation less crucial in securing longevity.

Second condition: the credibility of threats

In addition to perceiving Jordan's request as morally justifiable and mutually beneficial, the EU also recognised several threats in Jordan's arguments (Tsourapas, 2019). Shortly before the major donor conference in London in February 2016, the King of Jordan participated in a BBC interview where he stated that the infrastructure in Jordan was under tremendous pressure and that "*the dam is going to burst*" (BBC, 2016). According to the EU decision-makers, they were aware that Jordan incorrectly highlighted the refugees as the main cause of the economic state of the country (interview 1). The analysis in the EEAS was that the huge deficit in Jordan was an unpopular issue and it was easier for Jordan to blame the refugees both internally vis-à-vis their own population and towards the international community (interview 1). The EU recognised the dire economic state in Jordan but

traced its origin to before the influx of Syrian refugees (interviews 4, 5, 10). The EU did not find this threat credible, and so it did not affect their decision making towards Jordan in a positive way.

Another dimension of the tactic to exaggerate the burden the refugees had on their economy was to inflate the refugee numbers (Tsourapas, 2019: 469). The EU decision makers were aware that for every public meeting with the EU, Jordan had their own official numbers which they would raise "*which were not collaborated by any hard data*" (interview 1). The EU made it part of their strategy not to oppose Jordan on refugee numbers and to try to avoid the topic all together "*We don't oppose them on this, we just try to avoid the problem*" and "*this is a little tricky and we don't want to antagonise them with this*" (interview 1). If anything, the strategy of inflating the refugee numbers strained the negotiation and made the process more difficult. Jordan officials confirm that this strategy was also used in the past with the Iraqis, but that by 2015 it was not efficient anymore (interview 18). Consistently, the EU representatives interviewed referred to UNHCR numbers when addressing the numbers of Syrians in Jordan, signalling that the inflated numbers Jordan provided were not believable. The EU decision-makers referred to how Jordan had a history of exaggerating refugee numbers, most notably with the Iraqi refugee population (interview 1). Exaggerating the number of refugees and the impact of the refugees on the infrastructure and economy of Jordan was part of Jordan's approach, however, it did not have an effect on the outcome because the EU did not respond. It seems like the Jordanian government also realised this "*by 2015 Jordan realised that all the lying will not get them more money*" and so they changed their approach into proposing policies that would be mutually beneficial (interview 18).

Furthermore, Jordan was not in a position to make threats about forcibly moving refugees to Europe and this had implications for the decision-making process (Tsourapas, 2019). According to EU diplomats, Jordan was angry about the Turkey deal. Sometimes Jordanian officials would jokingly suggest that they too could somehow threaten to send these refugees to Europe and be rewarded with 3 billion Euro. And the European diplomats could jokingly reply that "*Okay, you don't have borders with the EU, so how will you send them?*" (interview 15) thus signalling that any such threats were not believable. Jordan's inability to make such threats meant that the moral argument of providing refugees with rights became their main strategy.

> The whole debate was a lot of appreciation of the work that was done by Jordan in hosting the refugees. And, actually, very few refugees from Jordan ended up in Europe because the journey to Turkey and then later on to Europe by crossing the sea was not easy for a Syrian refugee in Jordan. (Interview 12)

An important implication of the lack of credibility of threats of forced movement is that on the EU side, the Directorate-General for Migration and Home affairs (DG HOME) was not involved in the policy making process. DG HOME is considered a less liberal, and more protectionist and conservative actor in EU migration policy (interview 3, 7). Several European decision makers underline that DG Home was instead focused on the border countries such as Turkey, which more directly impacted refugee numbers in Europe (interviews 3, 7, 10). Focused on Jordan were parts of the Commission, which are more inclined to provide assistance to the European neighbourhood and more concerned with international standing, such as the EEAS, DG NEAR, DG ECFIN, and DG ECHO (interviews 9, 11, 13). The Compact was decided at the Supporting Syria Conference 2016 in London, which was hosted by the EU and the UN. This launched a conference series on the future of Syria, co-hosted by the UN and the EU, and held in Brussels semi-annually (interviews 4, 10). It was a strategic choice for the EU to name the agreement with Jordan 'a Compact' because it signalled that the EU was in line with the UN Global Compact on Refugees, and furthermore, that the EU and UN shared objectives and instruments (interview 10). The Jordan Compact was spearheaded by the EEAS and

DG NEAR, and it became a tool to boost the international standing of the EU in international cooperation. Had Jordan shared borders with the EU, other actors within the Commission with different motivations would be active in the policy making and, arguably, a different strategy on the part of Jordan would have been successful.

Third condition: pre-existing relationship with Jordan

What Jordan proposed was a policy that would benefit the Jordanian economy as a whole. Several EU participants underlined that it was very much in the interest of Europe to keep Jordan out of economic disaster. This meant that there was a keen interest to assist Jordan financially, in addition to wanting to assist the refugee population. One European decision maker underlined how strategically important Jordan is to the EU "*even up until now it remains one of the closest partners in the region for the European Union, for NATO and for the US as well*" (interview 15). The fact that Jordan was a close and strategic ally, experiencing economic hardship and turmoil, was an important incentive for the EU to react.

Furthermore, Jordan benefitted from a very good reputation and it was believed that they would live up to their commitments: "*There was a good track record and we knew that the Jordanians would certainly try to deliver on their side of the bargain*" (interview 15). One EU decision maker compared Jordan's ability to implement policies to that of, for example, African countries, arguing that Jordan was a much more efficient and trustworthy partner (interview 15). This reputation for efficient implementation and ability to provide assistance to refugees was instrumental because "*It helped to make sure that there was support in the member states, that there was support in the European Parliament*" (Interview 5).

Because the Compact was used to boost the EU's standing in the international community, it was important that Jordan was deemed a credible actor that lived up to the normative standards that the EU was trying to portray by supporting Jordan. The EU-Jordan Compact was viewed as a political signal from the EU, saying that the EU believes in Jordan and Jordan's ability to live up to their commitments to the Syrian population (interview 5). In other words, had the EU not had a high level of trust in Jordan, they would not have been able to grant Jordan's request. One EU decision maker highlighted that even though the Compact was an extremely novel idea, it was comparatively easy to get the EU interests aligned because everyone was keen to help Jordan, and this is not always the case when the EU negotiates with third countries (interview 5).

Conclusion and discussion

This paper has taken the EU-Jordan Compact negotiations as a point of departure to explore how the strategy of refugee host states are perceived by donor states, and how the strategies of the former translate to policies of the latter. The case demonstrates how donors assess the credibility of threats and of normative claims made by host countries and that this assessment is essential in how donors respond. Furthermore, it argues that given the EU's protectionist policies in migration governance, they are in a difficult negotiating position vis-à-vis hosting states, making it difficult for them to turn down what they perceive as legitimate requests.

The paper puts forward scope conditions for when donors are likely to respond to threats or moral arguments. If migration is considered a common issue because there is migratory pressure on the donor state, threats can be efficient. For a policy to be perceived as morally justified, however, the donor state must also view migratory pressure on host communities outside their own borders as a problem. Because the EU was unwilling to alleviate the Syria crisis by accepting refugees, while at the same time had strong interests in refugee rights, they depended on other countries to host refugee

populations. This meant that the EU perceived Jordan's request as justified and that the EU owed them compensation. For threats to have effect, they need to be perceived as credible. The threats that Jordan made were not considered credible by the EU because of the geographic context. This impacted what EU actors were involved in the policy making process and which interests and motivations that played a part. For moral arguments to be efficient, the donor state must have pre-existing good relationship with the host state. This is necessary for the donor to be able to trust that they will deliver on morally justified policies. Because Jordan was perceived as an ally and an actor that efficiently implemented policies, it was easy to convince EU stakeholders. Furthermore, the EU believed that Jordan, an important ally, was in severe economic trouble and stabilising the Jordanian economy was therefore in line with EU foreign policy, and this provided additional incentive to grant Jordan's request.

Jordan's approach in migration diplomacy is well-documented, however, it has thus far only been explored from the Jordanian side (Tsourapas, 2019; Turner 2015; Seeberg, 2020; Seeberg and Zardo, 2020). This analysis demonstrates that even though Jordan has been successful in achieving significant gains by leveraging the refugee crisis, not all aspects of the Jordanian strategy have been successful. For example, inflating refugee numbers and exaggerating the effects of the refugees on the economy was not deemed credible by EU negotiators. Furthermore, the normative aspects of Jordan's strategy have had significant effect, such as distancing themselves from the blackmailing approach of Turkey and creating policy solutions that appeal to the refugee-rights values of the EU. The EU found Jordan's request for trade concessions morally justified because of the openness Jordan had shown to the refugees in a context where the EU felt morally inferior. Previous research has highlighted how the migration crisis of 2015 made European states vulnerable to coercive behaviour from host or transit states, such as Turkey (Greenhill 2016; Gürkan and Coman, 2021). This paper has demonstrates how the crisis and the EU's response to it has weakened the perceived moral standing of the EU in migration governance, and furthermore, that this has impacted how EU decision makers view requests from host countries as legitimate and justified.

Relating the findings of this paper to the EU externalisation literature, it raises the important lesson that EU policies do not derive from internal EU dynamics alone. The policy process should be understood as an interaction involving external actors, and the strategies of these actors vastly impact the policy process. The EU is held accountable for its protectionist policies when negotiating with external actors and this puts them in a compromised situation where they are more likely to find external actors' claims justifiable. When researchers explain EU external policy responses in different third countries and at different points in time, the strategies of these countries should be an important part of the analysis as should the EU's perception of these. In addition, this paper has shed light on the hereto unaccounted for normative motivations of EU decision-makers in external migration policy. This finding demonstrates the necessity of looking beyond policy output when making claims about the motivations and interests of decision-makers in migration policy.

Moreover, this paper opens up a new path for migration diplomacy research. The migration diplomacy research agenda has moved from a Euro-centric (and North American) focus to increasingly incorporating the strategies of the Global South. For example, Brumat and Freier (this issue) have demonstrated that states in South America responded to restrictive EU policies by adopting legislative liberalisation. It is now time re-examine the Global North migration management policies with awareness to how the Global South has acted. Future researchers are encouraged to employ this approach in their studies of European and North American migration policies, and to take the literature down the unexplored path of Western counterstrategies to refugee host states' migration diplomacy policies.

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