



KUDWA
Migrants shaping the EU

In collaboration with



POLICY REFLECTION

THE EU PACT ON MIGRATION AND ASYLUM

KUDWA – MIGRANTS SHAPING THE EU
IN COLLABORATION WITH NEW WOMEN CONNECTORS

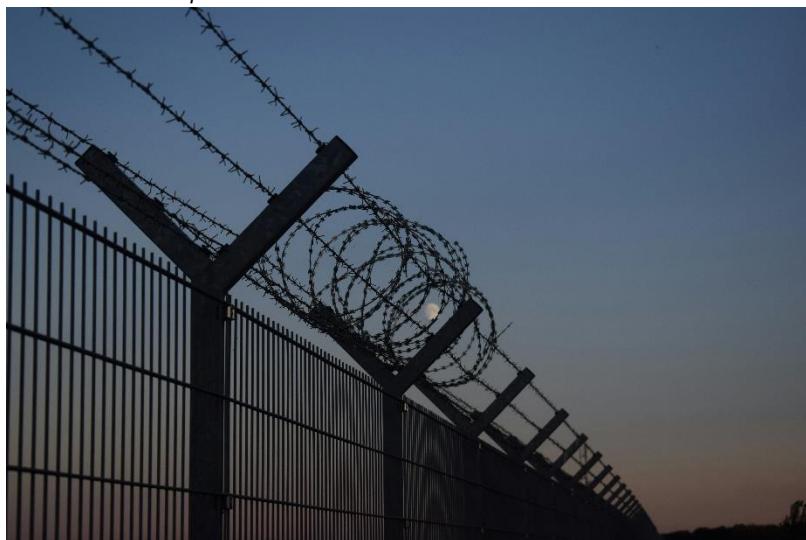
Introduction

The EU Pact on Migration and Asylum represents a major “reform” of how migration is governed across the EU. First proposed in 2020 and recently adopted, the Pact consists of 4 key pillars and 7 regulations that will soon become binding across all EU Member States.¹

Kudwa in collaboration with New Women Connectors hosted an online session to discuss the Pact and introduce its themes to migrants and refugees, away from jargon or political agendas. The session offered a space for open, accessible, and migrant-led dialogue about what the Pact really means. It brought together migrant voices, policy experts, and concerned individuals to question, simplify, and reflect on the future of migration in Europe.

Discussion

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than on protection, dignity, and fairness.

Participants widely agreed that the Pact was designed to serve **political alignment** among EU-27 Member States, rather than to uphold the rights of migrants or people in need of international protection. The underlying objective appeared to be about regaining “control” over who enters Europe, with a strong focus on **deterrence and categorization**, rather

When discussing the “impact” of migration policies, it was evident that the desired impact of the Pact was less related to individuals and their experiences in border crossings, shelters, waiting rooms, and administrative processes. Rather, the Pact concerns efforts on how EU Member States can “manage” migration, prevent “unwanted types” of

¹ https://home-affairs.ec.europa.eu/policies/migration-and-asylum/pact-migration-and-asylum/legislative-files-nutshell_en#union-resettlement-framework

migrants from entering the territory and ways to avoid committing to the principle of non-refoulement under international human rights law.²

In the webinar, we discussed **postponed hopes, split families, and uncertain futures**. A discussion that seemed absent from the policy making discussion.

Another element absent from those rooms —both at the European level and within Member States, was the people who are most affected. They were frequently the ones being most distant from the rooms where these policies are created. **The feeling of exclusion was among the most powerful**. Although they were rarely invited in, migrants were frequently discussed. They were usually required to share their, often, painful and emotional stories. Although their stories were heard, their opinions were not given much weight. A strong sense of weariness with tokenism was expressed at the webinar, along with a demand for genuine, significant involvement in choices that impact their lives.

Migrants want to help shape the system – not just survive it.

Participants stressed that such exclusion not only dehumanized migrants but also represented a missed opportunity for collaborative, humane policymaking.

Several participants pointed to the monetization of solidarity, specifically the provision allowing Member States to pay €20,000 per person instead of accepting or relocating asylum seekers—as a stark example of the Pact’s dehumanization of migrants. **Migration was treated as a problem to be solved, rather than a human reality and potential to be nurtured.**

A shift toward enforcement above all else is indicated by the growing use of **detention as a default** and the development of procedures to swiftly return individuals without conducting a comprehensive evaluation. This strategy was recognized to be completely at odds with the principles that Europe professes to support. The European Convention on Human Rights has been ratified by the EU and its member states.³ They have pledged to defend liberty, dignity, and the right to apply for asylum. However, these rights were being compromised in reality. Plans to detain migrants in camps on the outskirts of Europe, set short time frames which would not allow for proper due process, and shorter times for appeal, presented a discrepancy between EU’s legal obligations and its core values.

The Pact’s **lack of serious commitment to safe and legal pathways** was also flagged. While a Union Resettlement Framework was mentioned, it is presented as a secondary

² <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf>

³ https://www.echr.coe.int/documents/d/echr/convention_ENG

measure—an add-on—rather than a core pillar of the migration strategy. Labor programs frequently link migrant workers to exploitative employers, presenting few opportunities and many requirements. **Theoretical promises and practical possibilities are not aligned.**

Many discussed how not everyone is impacted equally by policies like the Pact. One's origins, appearance, and speech still influence how people are treated.

There is a growing concern that border procedures and screening systems encourage structural discrimination and racial profiling.

The Pact's plan to shift border control to countries outside the EU—like Tunisia, Egypt, and others—was met with serious concern. Participants asked: "*How can the EU claim to stand for human rights while funding governments with poor human rights records to keep people out?*" This approach doesn't keep people safe. **It just hides the suffering somewhere else.**

Examples of these practices were already visible. In Tunisia, reports have documented how Black African migrants have been abandoned in the desert, without water or shelter, as part of efforts to prevent onward movement to Europe⁴. In Libya, detention centers funded indirectly through EU cooperation have been sites of torture, abuse, and extortion. These were not isolated incidents—they were systemic patterns that result from shifting responsibility away from the EU and into regions with weak accountability mechanisms⁵.

Externalization may reduce arrivals on paper, but it comes at a high human cost. Instead of sharing responsibility, the EU was outsourcing risk and turning a blind eye to the violence that keeps people out of sight.

One of the key concerns raised during the session was the **limited focus on integration and inclusion** in the EU Pact on Migration and Asylum. This approach not only sidelines efforts to build cohesive societies but also **removes pathways for undocumented migrants to regularize their status**, leaving many in a state of long-term precarity.

Even for those who have secured legal status or citizenship, the **sense of being “foreign” persists**. As one participant put it,

“No matter how long you’ve been here, you’re not seen as fully part of society.”

⁴<https://www.aljazeera.com/news/2024/9/12/in-tunisia-refugees-and-migrants-are-expelled-to-the-desert-left-helpless>

⁵<https://www.amnesty.org/en/latest/press-release/2021/07/libya-horrific-violations-in-detention-highlight-europes-shameful-role-in-forced-returns/>

This speaks to a deeper disconnect between the EU's stated values of equality and inclusion, and the lived experience of migrants. Despite speaking the language, contributing to the economy, and embracing local cultures, many migrants continue to live on the margins—**reminded that legal status doesn't automatically translate into social belonging**. Rights on paper often fall short of delivering the **respect, recognition, and inclusion** needed to truly belong.

Despite the many challenges discussed, there was a **strong sense of collective strength and determination in the room**. Participants exchanged ideas for action, including the need to **monitor border conditions, document and report abuses, and build cross-border coalitions to advocate for change**. While the system was widely acknowledged as complex and weighed against migrants, there remained a shared belief that meaningful change was still possible.

Participants did not speak from a place of seeking permission or charity—they spoke with agency, clarity, and purpose.

The space was recognized as one where migrant voices were not only heard but respected as equal collaborators in shaping a future where migration is a natural, human reality rather than something to be feared or criminalized.

Current and next stages



As of April 2025, the **EU Pact on Migration and Asylum** is in its **implementation phase**. Adopted by the European Parliament and the Council in December 2023 and published in May 2024, the Pact comprises ten legislative acts aimed at reforming the EU's approach to migration, asylum, integration, and border management.

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Current Stage:

National Implementation Plans: Member States developed their National Implementation Plans in December 2024. These plans will outline how each country intends to align its national systems with the Pact's provisions.

Currently, Member States are modifying their national legislation and infrastructure to transpose the Pact regulations. The new legal framework established by the Pact is scheduled to enter into force by mid-2026.

Critical Questions

A few questions posed by this reflection are as follows:

- **Who has the power** to influence how the Pact is implemented on a national level?
- **How can civil society monitor** the execution and national interpretations of the Pact?
- **What mechanisms exist to uphold** fundamental rights and dignity in practice—not just on paper?
- How can **migrant-led and community-based voices** play a role in shaping EU policies going forward?

This is not just a policy issue. It's an opportunity to change our listening habits, our values, and the type of Europe we wish to inhabit.

Reflections and Recommendations

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Decision-makers need to acknowledge the expertise and leadership of immigrant communities in order to proceed.

Institutions at the national and EU levels need to commit to:

- 1. Centering migrant voices and lived experience in both European and national policymaking processes.**
- 2. Ensuring migrant voices and lived experience are embedded in implementation and oversight:**
 - ➔ Although the National Implementation Plans have already been submitted, it is not too late to ensure they are applied in ways that reflect the realities and needs of migrants. Member States must now create mechanisms to meaningfully involve migrants and their representative organizations in the oversight, evaluation, and ongoing adjustment of these plans. This includes participatory spaces where migrant voices can help shape how policies are rolled out at national, regional, and local levels—and highlight unintended consequences or gaps.
- 3. Involving local and regional authorities in implementation:**
 - ➔ Migration is often managed at the local level—housing, education, health, and integration efforts are handled by **municipalities and regional actors**. Yet, these voices are often missing from national strategies. Member States must create formal roles for **local governments and civil society organizations** in the planning and oversight of the Pact's application.
- 4. Establishing transparent and independent monitoring mechanisms:**
 - ➔ To ensure that implementation respects fundamental rights, Member States should set up independent monitoring bodies—with participation from migrants, legal experts, human rights organizations, and ombudspersons. Monitoring should focus on border practices, detention conditions, access to asylum, and the treatment of vulnerable groups. Findings must be publicly accessible and acted upon.
- 5. Shifting from a logic of control and deterrence to one of shared responsibility and protection:**
 - ➔ National plans should move away from prioritizing deterrence-based approaches and toward models grounded in human rights, solidarity, and shared responsibility. This includes reframing how migration is spoken about publicly emphasizing human potential, interdependence, and inclusion, rather than “managing flows” or “securing borders.”

6. Prioritizing and investing in safe and legal pathways, not only after fortifying borders:

→ Legal pathways to protection, work, and residence should not be afterthoughts. Member States must invest in robust resettlement programs, humanitarian visas, family reunification procedures, and accessible education or work-related migration channels. These efforts must be well-funded and visible, not token gestures used to balance out restrictive border policies.

7. Advocating for a rights-based approach to external cooperation, ensuring EU funding does not contribute to abuse:

→ Externalization, the practice of outsourcing migration control to third countries, must not lead to rights violations or unaccountable partnerships. National implementation strategies should include clear criteria for cooperation with non-EU countries, ensuring that human rights due diligence is conducted, and that EU funds are not used to enable abuse, detention, or refoulement.

Conclusion

The EU Pact on Migration and Asylum represents a pivotal moment in the Union's approach to migration. While it promises greater coordination among Member States, the discussions during the webinar made it clear that the Pact, in its current form, leans heavily toward control and deterrence rather than protection, inclusion, and human dignity. Migrants continue to be spoken *about* more than spoken *with*, and their lived experiences are too often sidelined in favour of abstract policy goals.

As the Pact moves into its implementation phase, it is not too late to change course. The recommendations offered by participants point toward a path that centres migrant agency, community-led oversight, and transparent monitoring mechanisms. National and EU institutions must commit to real participation—not just consultation—ensuring that policies are informed by those most affected. Involving local authorities and civil society is equally essential, as they are often the frontline actors of integration and support. A true commitment to human rights demands more than legal compliance; it requires political will to shift from a mindset of exclusion to one of solidarity and shared responsibility. Investing in safe and legal pathways, rejecting harmful externalization practices, and fostering belonging through inclusive policies are not only possible—they are necessary.

This moment presents not just a policy challenge, but a moral and democratic test for Europe. The future of migration governance must reflect the values the EU claims to

uphold, such as dignity, equality, and justice. ***Migrants are not a burden to be managed—they are vital contributors to the societies they live in and must be treated as such.*** Listening, including, and acting on migrant perspectives is not charity—it's the foundation of legitimate, effective policymaking.