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Migration Management at a Crossroad: The EU Migration Pact and the Role of the EU's Periphery

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Abstract

The New Pact on Migration and Asylum represents the most comprehensive attempt to reform migration governance since the 2015-2016 migration crisis exposed structural weaknesses of the Common European Asylum System. The Pact introduces new mechanisms and procedures to strengthen external border procedures, accelerate asylum processes, establish a flexible solidarity mechanism among the Member States, and deepen cooperation with transit countries and countries of origin. Whether or not the Pact will be effective, will largely depend on the implementation at the EU's external borders and cooperation with EU's external periphery, including the Western Balkans and North Africa. Differences in priorities among the Member States, limited operational capacity and geopolitical pressure may also complicate implementation. To ensure long-term effectiveness, the EU will need to strengthen solidarity mechanisms, expand operational support capacities, enhance cooperation with partner countries, and maintain safeguards for protection of fundamental rights in migration management.²

Keywords migration, asylum, migration governance, EU, Western Balkans

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² Note: The views expressed in this paper are the author's own and are not necessarily those of the EACS and DCAF.



1 EUROPEAN UNION AT A POLICY CROSSROAD

Migration has been a constant throughout human history and, over the past decade, has had a profound impact on Europe, the European societies, and the EU as a system of interdependent and interconnected actors balancing the benefits of integration against national interests. The question of migration has become one of the defining political challenges for the EU.

Rooted in the 1951 Geneva Convention Relating to the Status of Refugees and its 1967 New York protocol, the EU migration management system is based on principles of humanitarian protection, non-refoulement, respect for human rights, solidarity and shared responsibility. Since 2015-2016, when more than 2,3 million irregular migrants³ arrived in Europe, the EU migration governance has been shaped by a series of crises which exposed weaknesses in the Common European Asylum System (CEAS). Not all Member States were equally affected, and despite several attempts to address the weaknesses, specifically when talking about burden sharing, the EU has struggled to reach consensus.

With the sharp increase in migrant arrivals since 2015, solidarity and burden sharing became more important than ever. The crisis exposed the limitations of the Dublin Regulation⁴, under which the Member State of entry is typically responsible for examining an asylum application and highlighted political divisions among the Member States. While the migration crisis affected the whole of EU, the actual impact varied across countries, and the existing mechanisms proved insufficient both to Member States and the migrants themselves.

Although solidarity and shared responsibility are the core principles of EU migration governance, their practical implication in dealing with the crisis fell short. The EU struggled to agree on an efficient and “fair” solidarity system of burden sharing that would address the unequal distribution of responsibility for asylum seekers across the EU. As response to growing challenges, the EU implemented several emergency mechanisms and temporary measures, including relocation schemes and temporary introduction of internal border controls within the Schengen area.⁵

³ As per IOM and UN definitions, the irregular migration is meant as movement that takes place outside the regulatory norms of the sending, transit and receiving country, meaning that the persons traveling do not fulfil the requirements established by the country they enter, stay or exercise an economic activity. The term »illegal« is generally avoided as it tends to exaggerate an administrative crime.

⁴At the time of writing this paper, the Dublin III regulation was in effect. The Dublin III establishes a hierarchy of criteria to determine the responsible EU MS, e.g., family unity, any existing residence permits, irregular entry into EU, potential visa-free or legal entry, and first application for asylum.

⁵ Although the introduction of border controls within the Schengen area can be done on a temporary basis, as a last resort, and limited to exceptional situations, France has had a reintroduced border control for almost 10 years, while several others (Austria, Denmark, Germany, Sweden) keep prolonging or renewing them.



Several of these measures proved to be politically controversial and only partly effective. The 2015 Council decisions on the relocation of asylum seekers from Greece and Italy⁶ were contested by several EU Member States, particularly Hungary, Poland, Czech Republic and Slovakia. Similarly controversial and partly successful is the EU-Turkey agreement, which arguably outsourced migration control, an approach which a decade later the EU continues to exercise and which is widely criticised. The “hotspot” approach also created significant operational challenges, as reception and processing centres in frontline states quickly became overpopulated and under-resourced.

While these measures helped manage immediate migratory pressure, they did not address the structural problems of CEAS or provide a suitable long-term solution. These challenges ultimately contributed to the development of the New Pact on Migration and Asylum, which aims to replace ad-hoc measures with a more structured system of solidarity, streamlined border procedures and coordinated migration governance across the EU.

Today, certain EU Member States face different but interconnected challenges. Some countries must manage the EU’s external borders and large-scale arrivals by land or sea, often leading to overcrowded reception centres. Others face secondary movements of migrants within the EU and high number of asylum requests, which put pressure on national asylum systems and social policies. Despite these differences, all Member States share the responsibility of respecting the international humanitarian and refugee law.

However, the international protection framework, established under the 1951 Refugee convention, was not designed to address the scale and complexity of contemporary migration flows. This creates operational challenges for national authorities in asylum procedures and identity verification procedures. Migration dynamics has also become more complex due to abuse of asylum procedures, the activities of organised smuggling networks, and the exploitation of migrants through practices such as trafficking in human beings, debt bondage, and other forms of abuse.

Furthermore, the border crisis between EU and Belarus in 2021, where Belarus deliberately facilitated illegal migrant crossings into Latvia, Lithuania and Poland, demonstrated how migration can be instrumentalised for geopolitical interest, acting as a form of hybrid warfare against the EU. At the same time, migration across the Mediterranean Sea continued to put pressure on EU’s most southern countries, particularly Italy and Greece.

These developments outlined several challenges:

- Uneven distribution of migration pressures among the EU MS,
- Slow (and inefficient) asylum procedures,

⁶ Decision 2015/1601 and Decision 2015/1523.



- Limited return policies and their execution,
- Humanitarian concerns at external borders.

In the context of the current geopolitical developments and tensions, however, it is also clear that the EU lacks the capacity to respond to large-scale migratory events, which are likely to have the following dynamics: first, increased movement of people fleeing armed conflicts and instability, second, potential instrumentalization of migration as form of hybrid warfare, particularly along EU's eastern border, and third, they will likely happen on several fronts simultaneously.

While the European border and coast guard (Frontex) is developing a deployable EU border force through its Standing Corps, the current EU capacities are insufficient to effectively respond to complex large-scale migration scenarios. Strengthening the EU's flexible reaction capacity therefore remains essential, both through Frontex and European Union Agency for Asylum (EUAA), and through expanded capacities within national structures and infrastructure.

In response to challenges which brought on by the 2015/16 migration crisis, and the tensions between the EU Member States, the New Pact on Migration and Asylum was proposed by the European Union in 2020. The Pact was agreed on in 2023 and is expected to be fully implemented by June 2026.

The question remains, however, whether the Pact can effectively manage migration pressures while reconciling different interests and capacities of the EU's peripheral and core Member States.

2 THE NEW EU MIGRATION AND ASYLUM PACT

The New Pact on Migration and Asylum was introduced as a response to divisions among the EU Member States which were highlighted during the height of the migration crisis. Although the Pact is often associated with the solidarity mechanism, it is in fact a broader legislative package, aimed to address the entire migration management cycle.

While the most controversial element of the Pact is the relocation of asylum seekers, it also introduces reforms to border screening, asylum procedures, and related databases. More broadly, it aims to establish a comprehensive framework for migration governance around four thematic pillars.

Secure external borders

Within this pillar, the Pact focused on strengthening and accelerating border procedures. Migrants arriving irregularly at EU's external border will first undergo a uniform health, identity and security check, followed by mandatory screening procedures. In certain cases, asylum claims may be processed through accelerated border procedures before individuals are allowed to enter the territory of the EU.



During these procedures, migrants may be accommodated in reception and processing centres with restricted freedom of movement, to limit secondary movements and reduce pressure on national asylum capacities.⁷ Applicants whose claims are considered unlikely to be approved, who have misled the authorities or who present a security risk, may be subject to expedited return procedures. These measures aim to shorten asylum processing times and discourage the travel of persons who do not fulfil the conditions for international protection, by increasing the likelihood of swift returns.

The Pact also expands the Eurodac Regulation to improve tracking of asylum applications and irregular movements within the EU. The database will include facial images, additional identity data, copies of identity/travel documents, while the minimum age for biometric data collection will be lowered from 14 to 6. This change aims to improve protection of children and families, particularly in cases of separation or human trafficking.

To safeguard fundamental rights of migrants, the Member States will set up independent monitoring mechanisms overseeing border screening and asylum procedures.

Another important element is the Crisis and Force Majeure Regulation, which provides quick protocols for crisis situations and instrumentalisation of migration, by third countries. In such cases, Member States may apply faster border, registration and asylum procedures, increased surveillance, and mandatory solidarity measures, e.g. relocations, financial contributions, and alternative measures of solidarity.

Fast and efficient procedures

The Pact introduces stricter rules for handling abusive and subsequent asylum applications. Applicants who do not qualify for international protection may receive return decisions together or immediately after the negative asylum decision. The Asylum Procedure Regulation establishes a common, fair and efficient process for determining eligibility for international protection, while reducing incentives for unauthorised movement within the EU.

At the same time, several safeguarding guarantees intended to protect the rights of applicants are included. The Reception Conditions Directive sets minimum standards for reception conditions and assistance provided to asylum seekers by Member States.

Another important element is the Qualification Regulation, which strengthens and harmonises the criteria for granting international protection. Member States will have to consult up-to-date EUAA guidance on countries of origin, with an important addition, that the countries should assess whether

⁷ By reducing the so-called asylum-shopping, and the abuse of the asylum procedure.



an internal protection alternative exists within the country of origin, specifically, a safe part within a country of origin. This would be grounds for refusal of asylum request.

In addition, the international protection may be withdrawn or denied in cases involving certain criminal offences or if a person poses a security threat.

Effective system of solidarity and responsibility

One of most politically sensitive elements of the Pact is the solidarity mechanism, designed to address the long-standing disputes over responsibility sharing among EU Member States. To reconcile the often-opposing views of frontline and inland countries, the Pact introduces a flexible “solidarity pool”, through which Member States can contribute in different ways while ensuring that no country face disproportionate migratory pressures.

Contributions within the solidarity pool may include relocation of asylum seekers, financial contributions to migration-related actions within the EU or in relation to third countries, operational support, or assuming responsibility for asylum seekers already present on the territory of a specific Member State. This flexible approach to solidarity was specifically intended to overcome political opposition to mandatory relocation quotas by allowing Member States to choose their form of contribution.

While this compromise enabled the acceptance of political agreement, critics argue that the flexibility of the solidarity mechanism may weaken the Pact’s effectiveness by allowing the Member States to avoid accepting relocated asylum seekers.

The Pact also updates the rules determining which Member State is responsible for examining an asylum application. These rules remain largely based on the logic of the Dublin III Regulation. It is also linked to the concept of the safe third country, which allows an application to be declared inadmissible if the applicant could have sought protection in a safe third country.

In practice, however, these provisions are difficult to enforce, partially also due to the ongoing secondary movements of migrants within the EU.

Embedding migration in international partnerships

As part of the external dimension to migration management, the EU has increasingly emphasised partnerships with transit countries and countries of origin. These partnerships aim to address migration challenges through cooperation on border management, fighting migrant smuggling and trafficking, strengthening readmission frameworks, and expanding legal migration pathways.



In practice, the EU supports capacity building through training, equipment, and operational cooperation. In the Western Balkans, for example, Frontex has concluded status agreements, allowing EU border officers to be deployed on the territory of partner countries, outside EU, supporting migration management and strengthening cooperation with the third countries.

Similar cooperation frameworks are being negotiated or expanded also with countries east of the EU, including Moldova, Georgia, and Ukraine⁸ as well as with partners in North Africa, such as Egypt, Libya, Morocco and Tunisia. In North Africa, however, there are no officer deployments, and the cooperation generally focuses on information exchange, risk analyses, training and liaison officers, rather than operational engagement.

One of the EU's key external investments (and development) strategies is the Global Gateway. Launched in 2021, it is expected to mobilise approximately 300 billion EUR by 2027 for infrastructure and development projects in partner countries. Although not primarily a migration management instrument, these investments target certain drivers of migration, thorough economic development, education, energy access, digital infrastructure, and governance support. The investment cooperation is utilised to increase political cooperation with the third countries, specifically readmission agreements, border management support, anti-smuggling operations and similar.

This type of EU's strategy of externalising elements of migration management has, however, faced criticism. Human rights organisations have raised concerns that cooperating with certain countries may contribute to practices that violate human rights and even increase deaths among migrants. Such cases include “desert dumps” in Tunisia and Libya coast guard maritime activities.

3 THE EU'S PERIPHERY: STRUCTURAL REALITIES AND DIVERGENT INTERESTS

Understanding the implications of the New Pact on Migration and Asylums, especially in the context of EU's management capacities, requires examining also of the EU's periphery. While periphery includes the Member States located at the external border and responsible for the integrity of the external EU Border, the complexity of migration governance extends beyond the scope of EU territory, and also includes transit states, which play a crucial role in migration routes.

In this context, the EU's migration periphery consists of three groups of countries:

⁸ War in Ukraine has shifted cooperation toward border support and humanitarian logistics. In Moldova, over 200 officers were deployed to assist the Moldovan authorities with border surveillance, managing migration flows and fighting cross-border crime.



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1. Internal EU frontline states located at EU's external borders, including southern states such as Cyprus, Greece, Italy, Malta, and Spain, as well as eastern border states such as Bulgaria, Estonia, Hungary, Latvia, Lithuania, and Poland;
2. Immediate transit countries, particularly the Western Balkans; and
3. External partner countries, primarily in Northern Africa, which play a key role in migration cooperation with the EU.

Internal peripheral or frontline Member States are located along the main migration routes, the Central Mediterranean route, Eastern Mediterranean route, Western Mediterranean route and the Eastern land border route. These often experience the first impact of migration flows, often facing sudden increases in arrivals and face challenges of overstretched asylum administration, lack of reception infrastructure, limited judicial capacity for asylum appeals.

These challenges are additionally affected by economic disparities within the EU. Several frontline countries have lower GDP per capita and more limited labour markets than wealthier Member States. For example, countries like Bulgaria and Greece⁹ face greater financial constraints than countries such as Germany or Netherlands. Since migration management and international protection require housing/accommodation, social services, language trainings, education, etc., weaker economies may struggle to sustain these systems.

The Western Balkans, as the **immediate transit periphery**, plays an important role in managing migration flows. The region became extremely prominent during the 2015-2016 migration crisis, when large numbers of migrants travelled from the Eastern Mediterranean through the Western Balkans towards Central and Western Europe. Today, countries such as Bosnia and Herzegovina and Serbia continue to serve as key transit points for migrants attempting to reach EU.

Over the past decade, the EU has intensified cooperation with the Western Balkans through border management support, migration monitoring and data sharing, and financial assistance for reception capacities. For example, reception centres in Bosnia and Herzegovina were until recently largely managed by the IOM with EU support. The EU has also expanded operational cooperation through Frontex, as previously mentioned.

The Western Balkans functions as a migration “buffer zone”, and intersects with the EU's enlargement strategy, security cooperation and regional stability. Migration management greatly depends on cooperation with Western Balkan countries to manage transit flows, and the EU provides

⁹ Greece, for example, has limited governmental budget due to its sovereign debt crisis, and is greatly dependent on the support of the EU with regard to migration management.



substantial financial assistance through instruments such as the Instrument for Pre-Accession Assistance (IPA).

However, this reliance on transit countries raises questions about long-term sustainability and the institutional capacities of the countries. Furthermore, concerns have been raised regarding the balance between migration management, or better yet – control, and protection of fundamental rights.

External periphery states primarily include transit countries in North Africa. Countries such as Algeria, Egypt, Libya, Morocco and Tunisia, serve as key transit points for migrants traveling from sub-Saharan Africa, and parts of the Middle East.

In the past decade, the EU has been heavily focused on cooperation with countries that serve as transit hubs along major migration routes, and has engaged in externalisation of migration management, extending elements of migration control beyond its borders through cooperation agreements, financial assistance, and operational partnerships with third countries. In a *quid pro quo* for developmental support and political cooperation, partner countries are expected to strengthen their migration management capacities, including preventing irregular departures, improving readmission cooperation and combating migrant smuggling networks.

While these measures have contributed to reducing migration flows along certain routes,¹⁰ they have also raised political and ethical questions regarding accountability, human rights standards and long-term sustainability of such arrangements. The EU has also faced criticism for externalising migration and has been accused of turning a blind eye to human rights violations, and questionable practices implemented by some authorities in the name of migration management.

An example of such practice is the increased EU assistance to the Libyan Coast Guard, which includes the delivery of patrol vessels and training on maritime interception capacities. This has been criticised following the findings of the UN Human Rights Council Fact-Finding mission on Libya, which documented serious violations of international humanitarian and human rights law against migrants.

Despite these concerns, partnerships with the third countries are essential for EU migration management. Should these partnerships weaken, migration pressure on the EU could increase significantly. At the same time, calls for adjustment of current practices, including a stronger EU presence in partner countries and improved oversight of migration management activities. However,

¹⁰ The Italy-Tunisia deal of 2024, where Italy pledged 105 Mio EUR in financial aid to Tunisia in return for enhanced migration management efforts, has temporarily reduced the number of migrants traveling from Tunisia by 60 %, and caused an increase in departures from Libya. In early 2025, 400 Mio EUR energy partnership between Italy and Tunisia was announced, with Italian Foreign Minister Antonia Tajani rejecting claims of questionable treatment of sub-Saharan African migrants.



such engagement is hard to achieve due to political sensitivities, sovereignty concerns and the limited mandate of EU agencies operating outside EU territory.

3.1 Divergence of focus within the EU's periphery

Despite facing common migration pressures, the EU's peripheral states are a diverse group of actors with different priorities, capacities and political incentives regarding migration management.

- Southern frontline EU Member States along the Mediterranean routes have traditionally advocated stronger solidarity mechanisms and relocation systems, as they receive highest numbers of irregular arrivals. These countries emphasise increased EU funding and operational support from EU agencies – both Frontex and EUAA.
- Eastern EU border states prioritise border protection, and national sovereignty over relocation mechanism. Their migration policies are shaped by domestic political considerations and the type of pressure they face, particularly concerns about security and the instrumentalization of migration as means of hybrid warfare to destabilise EU.
- Western Balkan countries, especially Bosnia and Herzegovina and Serbia, are closely integrated into EU migration management through operational cooperation, financial assistance and political dialogue. Their engagement largely connected to the EU integration process, as well as practical migration management considerations.
- North African partner states serve both the origin and transit countries. While they cooperate with the EU on migration management, their priorities are often shaped by domestic political priorities, economic interests, and broader negotiations with the EU. At the same time, some authorities have reportedly been associated with human rights violations and questionable migration management practices, which contributed to criticism of the EU's approach to external migration management.

The EU's periphery is far from homogeneous and is made of complex network of actors with different interests and capacities. For the Pact to be effective, it will require delicate balancing of priorities of the frontline Member States, transit countries, and the EU core states. Without a credible solidarity mechanism and sustained political coordination, these differences risk undermining the Pact's implementation.



4 THE PACT THROUGH A PERIPHERAL LENS

While the Pact introduces several mechanisms, its success largely depends on the effective implementation at external EU borders. The key element of the Pact is the solidarity mechanism, which represents one of the biggest breakthroughs in the negotiation process, but which also raises additional concerns.

As noted earlier, the flexible nature of the solidarity pool may result in uneven participation, with countries preferring financial contributions or operational support rather than accepting relocated asylum seekers. As a result, frontline states may end up hosting a disproportionate share of asylum seekers, reflecting a long-standing challenge within the EU asylum system linked to responsibility rules of the Dublin Regulation. These developments may also contribute to political imbalance within the EU, as the peripheral states remain primarily responsible for managing arrivals and asylum procedures, while other Member States benefit from internal mobility.

Furthermore, the 2021 Belarus-EU border crisis at the border between Belarus and Poland demonstrated how migration can be instrumentalised for geopolitical purposes. In such context, solidarity mechanisms may become secondary to border fortification and stricter border control measures.

The Pact introduces accelerated procedures that may improve efficiency, but their implementation depends on the availability of adequate reception facilities, personnel and access to legal assistance. In practice, these requirements may prove difficult to meet, as illustrated by repeated reception capacity crises on Lampedusa, where the number of arrivals at times reached double or even the size of the local population. Such situations have already prompted some Member States to pursue bilateral agreements with transit or origin countries, including cooperation between Italy and Tunisia, as well as the agreement between Italy and Albania agreement, which foresees processing of certain asylum requests in reception centres located in Albania. These initiatives have partly taken place as response to, what some frontline states perceive as, insufficient solidarity and burden-sharing within the EU.

Furthermore, the Pact foresees restricted freedom of movement during screening and movement, which may, in practice, require the use of closed or semi-closed reception facilities. With limited capacities for screening and processing of asylum request, there is a risk that such facilities could become long-term containment centres, raising concerns from a human rights and the international law perspective. Countries like Greece, located along major migration routes, are likely to host a significant share of such facilities. Although Greece has significantly expanded its reception capacities since the 2015 migration crisis, the long-term impact of the Pact will only be clear over



time. Regardless, reliance on the EU operational support, both the Frontex and EUAA, is expected to remain strong or potentially increase.

Finally, effective return procedures remain a key component of the Pact's external border management framework. These, however, greatly depend on the cooperation with the countries of origin, with non-EU peripheral states bearing the burden of such returns, often lacking diplomatic leverage with third countries. While the EU arguably has such leverage, and has systematically been developing it further, the Western Balkan, or the African countries, lack such resources. Partnerships and strengthened support in return operations from the transit countries will need to be further developed.

5 RECOMMENDATIONS

Effective implementation of the New Pact on Migration and Asylum will require strengthened solidarity not only within the EU, but also with peripheral partner countries. The EU should establish and operationalise genuine and predictable solidarity mechanisms. These should be stable and institutionalised, going beyond the temporary response to ad hoc crises, and should include strengthening relocation frameworks as well as developing a permanent EU rapid-response asylum and migration support capability, flexible and capable of rapid deployment to any EU Member State experiencing sudden surges in migratory pressure.

Such rapid-response capacity could support the national authorities in screening, processing of asylum applications, reception management, and return procedures, while preserving Member State responsibility for asylum decision. Furthermore, it could help stabilise the EU asylum system, reducing disruptions during periods of increased migratory pressure. Given the possibility that several geographical areas experience such surges simultaneously, both the personnel and the technical resources of such a mechanism would need to be substantial. In this context, closer coordination between Frontex and the EUAA would provide a solid foundation.

The EU should invest in the institutional and operational capacities of the frontline states, prioritising modernisation of asylum administration, and expansion of reception infrastructure, and strengthening of judicial systems, to ensure efficient and fair asylum procedures.

Implementation of the Pact must remain based on the protection of the fundamental rights. Independent and robust monitoring mechanisms should accompany border procedures, to ensure that the procedures are aligned with international standards. In this regard, systemic partnerships with NGOs could be explored to a greater extent.



The external policy of the EU should inherently be connected to migration policy, strengthening partnerships with transit countries and countries of origin. Such partnerships, primarily targeting Western Balkans and North Africa should be coordinated at the EU level, and combine border management cooperation (incl. on the ground operational cooperation) with specific development assistance, anti-smuggling efforts and expanded legal pathways to mobility. The EU should exercise stronger political ownership of migration policy across all EU Member States, making sure that neighbouring transit countries support the EU's efforts in migration management in line with EU standards.

6 CONCLUSION

The New Pact on Migration and Asylum is a significant attempt to reform and align migration governance in Europe and address several long-standing weaknesses of the Common European Asylum system, most notably the issue solidarity between the Member States.

Whether or not the Pact will prove to be successful, will greatly depend on the EU's peripheral Member States. As countries located at the external border of the EU, they continue to be at the forefront of migration management and will play a crucial role in implementing new procedures, as well as the solidarity mechanisms of the whole of the EU.

Unless the Member States categorically support the solidarity aspect of the Pact through relocation, instead of support it through financial contribution or operational support, the Pact risks reinforcing the same imbalances and challenges that exist between the EU's central or core Member States and its periphery.

The challenge of the Pact is not of technical nature, but of political commitment. Effective migration management requires genuine commitment to burden sharing and collective responsibility among the Member States. Past crises have shown, however, that such solidarity could not be taken for granted. In this sense, the Pact presents a critical crossroads, not only for the EU migration management approach, but also for the broader cohesion of the EU, especially in the light of recent geopolitical developments. The true test of the Pact will lie in the will of EU Member States to transfer the solidarity mechanism into practice.



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