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Mapping Global Migration Governance

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Abstract

The concept of global migration governance is widely used but remains quite confusing and often poorly defined. This paper attempts to provide a mapping of this notion, in order to understand its different meanings, its usefulness and weakness, and the key questions it raises in terms of understanding and analysing migration politics. It starts by examining matters of definition, before reviewing the multi-actor and multi-level nature of global migration governance. It then moves to a critical discussion around several difficulties raised by the reliance on this notion. The last section provides a tentative historical perspective, to contextualise the concept of global migration governance.

Keywords: migration governance, migration politics, global migration

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1 Introduction

The concept of global migration governance is widely used, but remains quite confusing and often poorly defined. This paper attempts to provide a mapping of this notion, in order to understand its different meanings, its usefulness and weakness, and the key questions it raises in terms of understanding and analysing migration politics. It starts by examining matters of definition, before reviewing the multi-actor and multi-level nature of global migration governance. It then moves to a critical discussion, around a number of difficulties raised by the reliance on this concept. The last section provides a tentative historical perspective, to contextualise the notion of global migration governance.

2 Definition

The confusion surrounding global migration governance should not come as a surprise, given that the three words that compose the notion are themselves open to different and sometimes conflicting definitions. This section proposes a brief and tentative overview of the different meanings potentially associated with global migration governance.

2.1 Global

The word *global* is an arguably overused adjective. According to the Cambridge Dictionary, it has two different meanings. The first definition is ‘relating to the whole world’. Here, *global* stands in opposition to *local*, and what matters in this definition is the level: something is *global* if it concerns the entire world, and is not specific to a sub-unit of the world (region, country, city, etc.). The concept of global is then close to *supranational* (or to other variations like *transnational* or *international*). The second definition is ‘considering or relating to all parts of a situation or subject’. In this meaning, the word *global* is close to *comprehensive* and its opposite would be *partial*.

When it comes to global migration governance, it is unclear whether the adjective *global* applies to migration and/or to governance. Other expressions are more explicit: one can speak of the *global governance of migration*, for instance, in which case it is clear that it is *governance* (and not *migration*) that is *global*. If one applies the two meanings of *global* to the notion of *governance*, it turns out that global governance may refer to: (1) governance at the world level, with a consequent emphasis on multilateral cooperation between states, on international law, and on international actors (like international/intergovernmental organizations, multinational corporations or international NGOs); and (2) governance mechanisms that would take into account all aspects of a given reality (see below for a discussion of what this may entail when it comes to migration).

If applied to migration, the adjective *global* makes for the confusing notion of *global migration*, which conveys the idea that migration is a global phenomenon, taking place everywhere in the world and affecting all aspects of reality. This makes sense, but it is equally true that migration is also a local reality, embedded in specific places, histories, sociocultural dynamics, power relations, etc. Moreover, this is true not only of migration but of any other social reality. By contrast, the concept of *international migration* is much more relevant, as it refers to migration across countries and stands in opposition to *internal migration*.

2.2 Migration

The next step in the definition of global migration governance is to understand what exactly is governed by global migration governance – and hence what is meant by *migration*. There are many different definitions of this notion (and of related notions like *migrant*) and there is a contrast between the potentially broad scope of the notion of migration, on the one hand, and the relatively narrow range of issues with which migration governance initiatives are concerned.

In its *Glossary*, IOM proposes a very large definition of migration as ‘a process of moving, either across an international border, or within a State’, and as ‘a population movement, encompassing any kind of movement of people, whatever its length, composition and causes’. This therefore includes the ‘migration of refugees, displaced persons, uprooted people, and economic migrants’ (IOM 2019: 41). By contrast, other definitions are more specific. The UN distinguishes between ‘short-term or temporary migration’ (of a duration of three to twelve months) and ‘long-term or permanent migration’ (at least one year).¹ The UNHCR maintains a clear distinction between migrants and refugees, upon the assumption that migration is deemed voluntary (and primarily linked to work or economic motivations) whereas asylum is forced, and that the two should not be governed in the same way.

People also move for many other reasons (to study, to reunite with family members, to escape environmental degradation and natural disasters, etc.) and often switch from one category to another. Foreign students, for instance, initially move for a few months, but sometimes end up settling down permanently. Moreover, the line is thin between migration and other kinds of human movement. With the advent of free movement inside Europe for EU citizens, the movement of, say, Italians to Germany is no longer called *labour migration* (as it used to be during the decades following WW2), but rather addressed as *mobility* (Piccoli *et al.* 2024). ‘Expats’ represent another category of people on the move, who migrate but are not commonly perceived as migrants. So are leisure migrants, like people who settle down in another country upon their retirement, and who seem to be half-way between long-term tourism and migration.

The object of global migration governance is thus potentially very large, from refugees to tourists. In practice, however, it is about a much smaller group of people on the move. In the absence of a clear and standard definition of global migration governance, it is difficult to provide a precise list of all the migration patterns that fall under its realm. But one can suggest that, overall, global migration governance is about migration patterns perceived as problematic, in one way or another. One can for example mention the 2030 Agenda for Sustainable Development, adopted by the UN in 2015, a document that outlines the key priorities of the international community. When it comes to migration, it refers mainly to human trafficking and the sexual exploitation of women and children, forced labour and access to decent work, remittances and the impact of migration of less-developed countries, and more generally the need for ‘well-managed migration policies’ to counter unauthorized movements of people (Piper 2017). The underlying picture is that of a world divided into poor and rich countries, with people migrating from the former to the latter and facing all kinds of problems and abuses, in a way that sometimes escape states’ capacity to ‘manage’ them.

Refugees occupy a peculiar position here. As in IOM’s approach, they are at times included in this picture, as one category among others of people whose mobility stems from world disorders, leads to abuses, and challenges states. They then belong to the perimeter of global migration governance. But there are also major differences between refugees and migrants. The legal framework, in particular, is not the same: unlike migration, asylum is a fundamental right, as the Universal Declaration on Human Rights establishes the human right to seek protection abroad.

The perimeter of global migration governance is therefore not predefined. It is part of the process itself, as governance embraces different categories of people on the move. There is obviously no pre-established distinction between ‘problematic’ and ‘unproblematic’ migration: all patterns of mobility are potentially problematic, and all require some kind of cooperation between states. Student migration, for example, rests upon complex agreements between countries and universities to ensure the compatibility of curricula, the welfare of students, their integration into foreign institutions, etc. Student migration may also lead to problems: foreign students sometimes suffer from culture shocks or isolation and, in certain countries (like the UK), financial dependency upon foreign students is a destabilizing factor for universities and local students. But student migration is not considered problematic and remains largely outside global migration governance.

¹ <https://refugeesmigrants.un.org/definitions>

2.3 Governance

Governance is one of the most widely used concepts in social and political sciences. It is omnipresent not only among researchers, but also among policymakers and practitioners. But it remains a fairly vague and ill-defined notion, associated with many different interpretations and with major ambiguities, and routinely criticized for its intellectual and political biases. A thorough discussion of this concept is beyond the scope of this chapter, but there are a few relevant observations that can be made before moving forward.

To go back to the Cambridge dictionary, *governance* is defined as ‘the activity of governing something’. This is complemented by another definition of *governance* as ‘the way that organizations or countries are managed at the highest level, and the systems for doing this’. This makes clear that the concept applies to both ‘organizations’ and ‘countries’. Regarding the former, there are many types of organizations (private companies, CSOs, unions, etc.), but the concept predominantly characterises the fields of organization theory, management and economics and serves to investigate how enterprises are governed (*corporate governance*). By contrast, as far as *countries* are concerned, the concept is potentially counterintuitive: at first sight, countries are governed by *governments* and the question is how *governance* is different from, or relates to, *government*.

To move forward in the discussion, it is useful to turn to the first definition (‘the activity of governing something’). Rather than answering the *who* question (as in ‘who governs a country/an organization’), this definition looks at the *how* and at the process of governing something. The assumption is that the connection between the *who* and the *how* may be a complex one, and that the activity of governing something is not neatly tied to specific actors, but diffused across several of them.

This is useful to capture the complexity of certain situations. Let us for example look at the education of children. Children have the right to education: governments must therefore monitor education systems and ensure that they are accessible to all of them. But in practice, governments may do so by relying upon non-governmental actors, in which case they outsource education matters to private institutions, for example, or to non-profit actors (like CSOs, but also churches). The concept of *education governance* is then useful to consider the complex patterns of interactions that involve not only the state, but also non-state actors, and to understand their respective role in the ‘activity of governing’ education. This applies to virtually all fields of policy. Welfare, for example, involves a variety of actors contributing to health, pensions, anti-poverty measures, etc. At the international level, the standard diplomatic relations between states coexist with the many non-state actors that populate the fields of development or cooperation. Even when it comes to sovereign issues, like defence or security, states are not alone but work with private companies, such as private security companies, technology firms, the defence industry, and so on (Krahmann 2003).

An approach in terms of governance reflects the complexity of modern societies, particularly as three core aspects are concerned. First, with the advent of the industrial revolution and capitalism, modern societies are characterized by the prominent role of the market. This grants private entities, whether firms or enterprising individuals, a large degree of freedom and an important role in social transformations. Second, modernity also rests upon a process of individualisation and the progress of individual freedom: in Europe, with Enlightenment thought and the French Revolution, freedom became both a collective reality (making for rights-based and democratic societies) and an individual aspiration (enabling protection from abuses and poverty, but also self-determination and self-realization). More recently, the collapse of communism or the Arab Springs have further exemplified these trends. Third, another recent trend that has made modern societies more complex is globalization, as progresses in communication and transport facilitate the connections between societies and make countries increasingly interdependent (Wagner 1993).

These three trends make for increasingly complex societies, which governments cannot merely govern by setting up laws and rules and imposing them upon their citizens. They must work with the

multiplicity of initiatives taken by largely autonomous market-based or civil society actors, while also coping with the growingly international nature of virtually all aspects of social life.

3 Global migration governance

Based on the observations above, we can define *migration governance* as the ways in which migration is governed, upon the assumption that this is done by different actors and not only by the state. *Global migration governance* further accentuates this meaning, with the second definition of *global* as *comprehensive* - and hence with an emphasis on all aspects of (and all actors involved in) migration governance. In addition, with the other meaning of *global* (as *supranational*), global migration governance refers not only to all actors, but also to the international level. In what follows, I examine the implications of these two approaches, in terms of actors and levels.

3.1 Actors

Traditionally, migration is associated with governments and with states' right to control the entry and stay of foreigners. As far as the *who* question is concerned, the principle of state sovereignty under international law grants states the right to govern migration. By contrast, the concept of *migration governance* looks at the *how* question: recognizing that migration is rooted in complex market and social realities, it sheds light on the non-state actors that contribute to migration governance. While the list is potentially long, these usually include at least three kinds of actor: (1) the private sector, (2) civil society and (3) criminal groups. In turn, the interactions between them make for complex multi-actor configurations.

As far as the private sector is concerned, it is widely known that millions of undocumented migrants work in the global North. If one sticks to the idea that governments regulate migration, this should not be possible: only governments are entitled to issue work permits and employers should not be allowed to recruit undocumented workers. In practice, however, modern capitalist societies grant a large autonomy to market actors, which are therefore in a position to play a prominent role in the 'activity of governing' migration.

Civil society is here defined as encompassing all the organizations that enjoy a certain degree of autonomy and freedom from both the state and the market. As far as migration governance is concerned, this is generally associated with associations and CSOs active in the field of migration. Some of them campaign against migration, through sometimes violent anti-migration activism (Castelli Gattinara 2018). Others provide support to migrants, especially to those in vulnerable or undocumented situations, through the distribution of food, the provision of shelter, or legal advice, for example. This may stand in explicit opposition to governments, as CSOs disagree with states' treatment of migrants. But governments can also outsource certain activities to CSOs, because this is cheaper or politically more convenient (Cuttitta *et al.* 2023). In Italy, for example, the government periodically engages in the regularization of undocumented migrants: this implies the examination of migrants' situation, in terms of their employment status, linguistic skills or readiness to integrate – a task that the government entrusts to associations with strong local expertise. The decision to regularize is ultimately in the hands of states, but CSOs contribute to the regularization of undocumented immigrants (Bonizzoni and Hajer 2023).

Unions make for another key civil society actor. As far as migration is concerned, they play a role in foreign workers' integration on the labour market, in terms of their wages, rights, and socioeconomic incorporation. Their role is ambivalent. On the one hand, and in line with a Marxism-inspired internationalism, unions aspire at uniting the workers of the world to establish labour solidarity across borders. This is favourable to migrants as it calls for protecting workers whatever their nationality and status. But unions have also long feared the competition between national and foreign workers, upon the assumption that labour migration was a strategy designed by employers and employers-friendly governments to lessen the rights and protection of the working-class. This has motivated protectionist,

and sometimes even nationalistic or xenophobic, strategies to protect citizens to the detriment of migrants (Lucassen 2023).

Civil society also includes institutions that, while not necessarily private and sometimes fully public, enjoy a certain degree of autonomy. This is the case of universities, for example. As noted above, student migration is a major pattern of migration. Here again, the situation is formally in the hands of governments: no foreign student can study abroad without having been authorized to do so by the state. But the actual ‘activity of governing’ student migration is mostly done by non-state actors, like universities themselves (which attract and select foreign students), but also various private intermediaries that connect students and universities (Beech 2018).

This discussion can be enriched by looking at another aspect of migration governance, namely border control, which is formally under the exclusive responsibility of the state. Border governance should not be confused with migration governance, as the former serves other purposes than migration control (like drug control, for example). Yet, international migrants cross borders, and this is particularly the case with the migration patterns deemed problematic – precisely the kind of flows border control is designed to stop. Even though border control is part of the sovereign *pré carré*, one can observe that the actual governance of borders includes non-state actors (Rumford 2006).

Private security companies provide states with the technology to control borders (like biometrics or surveillance infrastructures such as walls or drones). This is also the case with airline carriers, which control their passengers’ right to enter the country of destination. Consulates also rely on private companies to process visa requests, while governments outsource certain control tasks to the private sector (like the construction or management of detention centres). Such situations create interdependences between governments and private firms, enabling the latter to intervene in a field that is strongly associated with state power (Simonneau 2023).

Borders are also the site of CSOs’ interventions. For example, since the mid-2010s, thousands migrants have died in the Mediterranean following the shipwreck of the boats on which they were trying to reach Europe. In this context, NGOs like *Médecins sans frontières* started patrolling at sea and set up ‘search and rescue’ (SAR) operations to prevent migrants’ deaths and transport the survivors to Southern European countries like Italy or Greece. NGOs do not aspire at controlling borders, but at fulfilling the humanitarian imperative to save lives. The result is the coexistence, at the maritime border, of both state and civil society actors (Esperti 2020). Here again, CSOs can also work against migration: at the US-Mexico border, for example, militias patrol the desert to prevent irregular migration and ‘defend’ their homeland (Parsons 2022).

A third category of actors is criminal groups. These are difficult to situate. They are a non-state actor, even though governments and certain politicians sometimes have strong ties to them. They are not formally part of the market economy, even if they make well function along a market and business-oriented logic. They could be placed within a broadly-defined civil society, but the somewhat uncivil nature of their activities makes this a bit counterintuitive. Whatever their status, there is ample evidence that criminal groups contribute to the activity of governing migration (Achilli 2024). For example, the asylum system in Europe does not allow for the regulated arrival of asylum-seekers: they must therefore arrive irregularly, which in practice implies the reliance on smugglers and traffickers – thereby making the European asylum partly dependent upon criminal groups. By contrast, in other situations, criminal groups do not facilitate migration, but contribute to its control: this is the case in Libya, for instance, where militias run detention centres and are integrated into the migration control apparatus.

To sum up, if one approaches *migration governance* as the ‘activity of governing migration’, one can observe that this is an activity closely associated with states and their sovereign right to do so, but also with non-state actors. This is well captured by the notion of *multi-actor migration governance*, as well as with one of the meanings of *global migration governance* (with *global* as *comprehensive*). But as discussed, there is another dimension to the word *global*, pertaining to the non-local, supranational level at which migration is governed. This is the object of the next section.

3.2 Level

The different actors reviewed in the previous section do not only differ in terms of their status (private actors, CSOs, etc.), but also in terms of the level at which they are active. Some are *local* actors while others are worldwide *global* entities. To go back to the governance of migration in the Mediterranean, for example, major international NGOs (like MSF or the Red Cross) coexist with small grassroots organizations, sometimes composed of a handful of local citizens who want to help. Likewise, the interventions of the Greek or Italian authorities are accompanied by actions taken at the regional level (by the EU and organizations like Frontex) and at the global/international level, by international organizations such as IOM or the UNHCR (Calarco 2024).

The notion of *global migration governance* thus conveys the idea that migration is not only governed at the national/state level, but also above the state. By extension, it calls for exploring the different levels at which migration is governed: above-the-state actors indeed coexist with below-the-state (or local) actors. This is in particular the case with sub-national entities like municipalities, which are at the forefront of the issues raised by the arrival of migrants and refugees. This is captured by the concept of *multi-level* or *multi-layered migration governance*, which this section disentangles by identifying four such levels: two below the state level (local/municipal and sub-national), and two above (regional and international).

At the local level, cities are key migration governance actors. By definition, cities are made of all the people who once migrated there, whether from the countryside or from abroad, and of their descendants. In a world that is increasingly urbanized, they bring together people from different origins, hence making for the context in which immigrant and non-immigrant populations are most likely to meet and interact. In addition, and depending upon the institutional context, cities may be in charge of many aspects of migrants' lives, for example in terms of their access to housing, health, social services or education. But mayors and municipalities have no formal/legal authority over the admission and treatment of migrants. This makes for tensions, especially when governments adopt restrictive migration policies at the national level: this often creates problems at the urban level, which cities must cope with without having the power to change the policy (Spencer 2020).

For example, because of their undocumented status, certain migrants and asylum-seekers are particularly vulnerable to homelessness. While connected to migration policy, this problem rests largely upon the shoulders of local actors like municipal agencies or local associations (Consoli 2023). This has led certain cities to oppose national governments by adopting immigrant-friendly policies. This is the case of so-called 'sanctuary cities', which commit to the protection of immigrants from the enforcement of restrictive migration policies: according to an inclusive logic that aims at fostering immigrants' belonging to the city, they safeguard their access to social services, for instance (Paquet 2022).

Other urban policies have detrimental consequences for migrants. Gentrification strategies, for example, exclude impoverished (and often immigrant) social groups from certain neighbourhoods. Some municipalities also adopt anti-migrants policies: in Northern Italy, a number of cities have taken public order measures, for example to expulse street vendors of foreign origin, or have made registration for public services difficult by an excess of zeal that penalizes immigrants with precarious status (Ambrosini 2013). These strategies do not openly target immigrants, as this would constitute illegal discrimination, but rely on indirect ways of making life more difficult for foreigners.

In-between the local/city level and the national level, there are subnational entities like regions or provinces. Just like cities, they have no formal authority over migration policy, but play a role in migration governance. In certain federal states, regions display differences that have an impact on immigrants: in Germany or Switzerland, for example, welfare provisions vary across provinces. They

may also have different political agendas: in Italy and Spain, left- and right-wing regions differ in the way they govern undocumented migrants' access to health services, with important consequences on migrants' wellbeing and integration (Piccoli 2020). In Canada, provinces develop their own strategies to attract and retain certain categories of migrants, thereby making for different and competing regional migration policies within the same country (Xhardez 2024).

Like sanctuary cities, regions can oppose national policies. In Germany, where regions are in charge of education, the federal immigration authorities asked the *Länder* to gather information on pupils with irregular status as part of their fight against irregular migration; certain regions refused to collaborate, however, which led to the withdrawal of the measure (Laubenthal 2011). Likewise, in the United States, certain states opposed Donald Trump's immigration reforms, especially as far as the construction of a wall at the Southern border was concerned, arguing that the federal administration was interfering with their own prerogatives (Reich 2018).

Above the state, one first finds regional organizations. The best-known example is the European Union (EU), but there are many others: the Economic Community of West African States (ECOWAS); the Southern African Development Community (SADC); the United States-Mexico-Canada Agreement (USMCA, formerly known as the North American Free Trade Agreement, NAFTA); the Southern Common Market in South America (MERCOSUR); the Association of Southeast Asian Nations (ASEAN), and so on. These organizations aim at fostering regional integration, understood as a process through which countries get closer to each other and achieve a number of common objectives, like prosperity, stability or peace (De Lombaerde 2024). The primary areas of cooperation is usually the economy, through free trade agreements and the establishment of common markets (believed to promote exchanges between countries and foster growth). Economic integration is sometimes coupled with political integration, that is to say common political institutions (like the European Parliament in the EU) and the establishment of common policies (like student exchanges under the Erasmus program in Europe).

When it comes to migration, regional governance is both a matter of economic and political integration. It is about the mobility of labour; in Europe for example, the creation of a common market included from the start measures to facilitate the mobility of workers. But this economic objective progressively turned into the right to free movement for all EU citizens, regardless of whether their mobility was about work or not. This is therefore a matter of political integration, as it supports the existence of an EU citizenship and of extensive social and political rights. As noted above, this changed the very meaning of intra-EU migration, which is no longer framed as migration but as mobility – that is to say as a normal, and even desirable, process that sees EU citizens move and behave as Europeans in a borderless Europe.

In addition, regional migration governance is not only about mobility within the region, but also concerns migration from outside. In the EU, free movement inside Europe has logically made the control of migration at national borders much more difficult. European states have reacted by envisaging common rules to govern the entrance of non-Europeans into the European territory. This has proven very complicated, as governments are reluctant to grant the EU too much influence on a topic that has become extremely politicised. So far, it is mainly asylum and irregular migration that are addressed regionally. Regarding the former, the so-called Dublin system foresees that asylum applications are only considered in the first country of arrival to avoid the multiplication of asylum claims. This presupposes the collection of data (fingerprints, biometric information), coupled with data-sharing mechanisms to identify asylum-seekers across borders. The EU has also pooled resources to strengthen migration control at its external border, in particular through the creation of the European Border and Coast guard Agency (known as Frontex). In 2024, the EU adopted a 'New Pact on Migration and Asylum', with the objective of further harmonizing its procedures and ensuring greater solidarity between EU countries in a context in which a small number of states (like Greece or Italy) are disproportionately affected by irregular migration.

While the EU is the most advanced case of regional migration governance, it is not the only one. Free movement policies exist elsewhere, as in West Africa (with the ECOWAS). Other regions have set up rules for specific categories of migrants, like investors or expatriates in the USMCA. While no other region than the EU has developed a common strategy towards migration from outside the region, several of them are engaged in informal discussions over migration governance, particularly through the establishment of so-called Regional Consultative Processes (RCPs). Unlike formal regional bodies, RCPs are based on informal exchanges of views and experiences between policymakers from different countries, with the objective of harmonizing their policies. For example, in the early nineties, the so-called Budapest Process brought together countries from East and West Europe to envisage the governance of migration in a post-Cold War era, and the role of former communist states in contributing to the control of the EU's eastern borders.

The final level that must be included in the picture is the global/international one. States cooperate at the world level, in particular through the United Nations and other intergovernmental/international organizations. We can recall the existence of two key institutions: the UNHCR is in charge of asylum, while the IOM is the leading agency in the field of migration. In addition, migration is also a central issue for many other IOs, like the ones that work on development (such as the World Bank) or on labor (in the case of the ILO). These agencies play a role in migration governance in different ways: they establish standards, like the Convention relating to the Status of Refugees, or Geneva Convention (which grounds asylum in international human rights law); they provide services to governments; and they facilitate the cooperation between states.

While it is useful to distinguish between these different levels of migration governance, one should recall that actors may well be present at several levels at the same time. A clear example here is provided by cities: as noted, they are in charge of the local governance of migration, but they are also integrated in global networks that bring together mayors and municipalities from across the world. These networks support a 'city diplomacy' and promote cities' views at the world level (Lacroix 2021, Stürner-Siovit 2023). As noted, the same applies to CSOs: while active at the local level, some of them are also global organizations with activities all around the planet. This is also the case with IOs, whose activities can be strongly embedded in local/national contexts.

4 Critical discussion

The discussion so far has made clear that global migration governance refers to a broad understanding of migration policy, which looks both at the role of state and non-state actors, and at all the levels (from the local to the global) at which migration is governed. But while such an approach usefully captures the complexity of migration governance, it also raises a number of key problems: this section provides a critical review of some of the most important issues in this respect.

4.1 *Non-migration governance*

A first point regards the relationship between migration dynamics and migration governance. According to a widespread (and indeed intuitive) assumption, migration is a social phenomenon that must be governed – and the purpose of migration policy (and of migration at large) is then to monitor the ways in which migration takes place. According to this logic, if migration raises 'problems', then it is up to migration policy/governance to find 'solutions'. This explains that, the more migration is perceived as problematic, the more states adopt new immigration policies, and the more actors get involved in migration governance. Yet, this is a bit simplistic: migration is indeed also governed indirectly, by all kinds of other policies that have little or nothing to do – at first sight - with migration. This calls for broadening the perspective beyond all the actors reviewed above (which are explicitly involved in the 'activity of governing migration').

This is the case with trade for example. Trade agreements organize the world economy and play a key role in shaping the economic opportunities of people. They govern trade between countries and often rest upon free trade principles, according to which the reduction (or even elimination) of tariffs and quotas is the best strategy to achieve growth and prosperity for all countries. This has clear implications for migration governance. According to its advocates, free trade should be good for less-developed economies and will create jobs, which would reduce migration by enabling people to stay in their country. But according to alternative views, trade can have contrary effects and foster migration.

A telling example is that of the poultry trade between Europe and Africa. Free trade agreements between the EU and certain African countries include agricultural products like poultry. This facilitates the export of European poultry to Africa, not least because EU farmers are subsidized and able to sell their products at competitive costs. This is detrimental to African farmers, whose access to the local poultry market is jeopardized, and who therefore consider emigrating. While it is difficult to evaluate the exact magnitude of the phenomenon, it therefore appears that Europe's trade strategy may clash with its objective of reducing migration from Africa: promoting the interests of European farmers is difficult to conciliate with the prevention of unwanted migration (Langan and Price 2021). In a similar vein, the global fishing industry plays a role in shaping African migration. In West Africa, large-scale fishing methods, under the leadership of big commercial companies, lead to overfishing - and to declining opportunities for local fisheries, all the more so in a context of environmental change. Some of the fishers in countries like Senegal consider emigrating, sometimes by using their own fishing boat to reach Europe. Yet, governments do not necessarily connect their trade policy with their migration policy – which means that they can actually govern migration through non-migration governance mechanisms like trade agreements.

Another example regards arms exports. Western countries are key players in this field, which they see as central both for their industry and for their geopolitical influence. But exporting arms can also fuel conflicts, which in turn push people to move (Transnational Institute 2021). The UNHCR notes that 'stopping arms exports to regimes that persecute their citizens and to countries engulfed in violent internal conflicts or wars of aggression against other countries could be the biggest single step towards reducing the number of asylum seekers' (cited in Castles 2004: 865). Arms exports is thus part of migration governance, but in a way that is not necessarily fully recognized, and that may clash with exporters' priorities in terms of preventing migration.

One could list many more examples. By failing to address global warming, climate policy jeopardizes living conditions throughout the world, with possible consequences on migration; welfare or education policies affect migrants' lives and opportunities, and hence contribute to shape their trajectory; foreign policy and military interventions will displace people; and so on. The list of non-migration governance mechanisms that affect migration is potentially endless: virtually all aspects of social, economic, cultural or political transformations, anywhere in the world, can contribute to shape migration flows. It follows that any measures that, in one way or another, affect these transformations could be included into migration governance. According to such a totalizing approach, migration governance is potentially infinite and it becomes impossible to define what belongs to migration governance and what does not, to the extent that the concept is far too broad to be analytically useful.

In addition, non-migration governance probably plays more important a role in shaping migration than migration governance itself. By shaping the world economy or global conflicts, trade or the arms business are likely to exert a greater influence on migration dynamics than all the rules and regulations adopted within migration governance mechanisms. Yet, even though it enlarges the perspective in a somewhat unmanageable manner, this systemic approach is interesting because it raises the issue of the perimeter of migration governance. The argument here is that what migration governance is about is not predefined: because, as noted, almost every policy issue is related to migration governance, the question then regards why certain issues are included and others not.

Development aid provides a good example here. Since the mid-20th century, in a context of decolonization and global inequalities, developed countries have engaged in efforts to foster

development in less-developed regions (Rist 2019). Even if the success of development aid is open to debate, this is now a well-established and fairly consensual field of governance. Aside from states, many non-state actors – at very different levels of action – contribute to development efforts, including CSOs, private companies and foundations, international organizations, etc.

Development has profound implications for migration (de Haas 2010). It entails the mobility of people, for example from rural areas to cities in the process of industrialization. In return, migration influences development, either positively (for instance by alleviating the demographic pressure in less-developed regions or through migrants' remittances), or negatively (as in the case of the loss of skilled professionals, or 'brain drain'). Yet, despite these interconnections, development governance and migration governance largely ignored each other during the second half of the 20th century. As of the nineties, however, a number of donor countries started to use development aid as a tool in their migration policy. This takes the form of targeted development initiatives in regions with high emigration rates (upon the assumption that development will reduce emigration), but also of the conditioning of development aid upon the cooperation of sending states (for example in readmitting expelled migrants). As a result, migration and development governance became systematically associated, and the so-called 'development and migration nexus' has become a central aspect of global migration governance (Geiger and Pécoud 2013).

This makes for a process of 'issue-linkage', whereby two previously distinct fields of policy are brought together. The question, therefore, is not whether migration is connected to development, or whether migration is connected to trade policy, climate policy, arms policy, welfare policy, etc. All these connections exist. The question is rather to what extent migration governance incorporates them: issue-linkage is a selective process and does not apply to all policy fields. It now connects migration and development, but much less migration and trade, for example.

In other words, the perimeter of migration governance is not predefined: *migration governance* and *non-migration governance* are not neatly separated entities. Formally, migration governance is about all the efforts and initiatives to shape migration flows, in terms of their volume, directions, composition, etc. (Czaika and de Haas 2013). But other types of efforts and initiatives can be included, which are then connected to migration and which will enlarge the perimeter of migration governance. This calls for a constructivist perspective, according to which migration governance changes according to how actors view migration and of how they think about governing it.

4.2 An ill-defined concept?

The previous section has made clear that the external boundaries of global migration governance are porous, as there is no predefined perimeter to it. One can further observe that, internally, the actors that populate migration governance make for an equally ill-defined group. The discussion above has identified the 'usual suspects', namely the private sector, CSOs and criminal groups. While it is useful to recognize this multiplicity of actors, it is also difficult to know where to stop: the number of actors is potentially very high, with the risk of going too far and including so many of them that the concept becomes too catch-all to be analytically useful.

For example, after the Russian invasion of Ukraine in 2022, citizens in several European countries engaged in grassroots mobilization and solidarity movements to welcome refugees. Among other manifestations, local households have supported refugees by providing accommodation in their own house. In certain cases, as in Belgium in 2022, governments have encouraged their population to do so in order to facilitate the welcome of refugees (Rea *et al.* 2023). Clearly, the ordinary citizens involved in these initiatives play a role in migration and asylum governance: they contribute logistically by hosting refugees while also influencing their sociocultural incorporation in receiving societies. But should they be considered as 'governance actors'?

To go a step further in this discussion, one should note that the vast majority of people in Western receiving countries interact with immigrants, including with those in an irregular situation. For instance, whenever people buy goods and services provided by immigrants (in sectors such as domestic work, construction or food supply), they contribute to fuel the need for labour migration. And inversely, whenever people express racist or anti-immigration opinions on social networks like Facebook or X/Twitter, they take part in the elaboration of a migrant-unfriendly environment, which may have very concrete outcomes (like anti-migrant violence).

It would follow that almost every single individual contributes to shape migration, however minimally, and should logically be a ‘migration governance actor’. This perspective is not without interest, as it contributes to a comprehensive and systemic understanding of ‘the activity of governing migration’. But a definition that includes virtually everybody becomes unusable: for any concept to make sense, one needs to know what falls under its realm, and what does not.

4.3 *The role and responsibilities of the state*

The notion of global migration governance emphasises the role of non-state actors. This raises at least two core questions. First, what is the role of the state therein: is it just one actor among others? Or does it hold a particular status, with specific responsibilities? And second, what is the nature of the relationships between (state and non-state) actors: do they work together, or do they compete?

An approach in terms of governance emphasises the many different actors involved in governing migration. While it is useful to recognize the role of both states and non-state actors, this does not necessarily mean putting them on equal footing. From a normative perspective, they do not all have the same status or responsibilities. This question is particularly salient because there is evidence that migration is associated with different kinds of risks, abuses and human rights violations (ranging from border deaths to exploitation on the labour market). In the face of such realities, the issue regards who is responsible for these situations, and consequently who must take action to address them. Non-state actors, like employers for example, have their own responsibilities and legal obligations. But if they do not respect them, then states must take action: only governments have the duty and coercive power to enforce all actors’ obligations, and they are therefore primarily responsible for ensuring the respect of rules and legality.

This leads to the second question, about the relationship between state and non-state actors. Several patterns can be envisaged. The first is exemplified by the *Global Compact for Safe, Orderly and Regular Migration* (GCM), an UN-sponsored document adopted by the international community in December 2018. Affirming that ‘no State can address migration alone’, the GCM proposes a ‘cooperative framework’, which includes not only interstate cooperation, but also ‘cooperation among all relevant actors on migration’. This is called a ‘whole-of-society approach’, which is based on ‘multi-stakeholder partnerships’ with ‘migrants, diasporas, local communities, civil society, academia, the private sector, parliamentarians, trade unions, National Human Rights Institutions, the media and other relevant stakeholders in migration governance’. This approach conveys the idea that all these actors should work together to ensure successful migration governance: employers would work with governments to manage labour migration; governments would turn to CSOs to deliver certain services to migrants; and so on. In such a ‘partnership’ logic, different stakeholders cooperate smoothly to improve migration governance.

But there are situations in which, far from being cooperative, the relations between these actors are conflictual or antagonistic. To come back to the example of NGOs in the Mediterranean, states and CSOs do not share the same objective: the former want to control borders and prevent irregular migration, whereas the latter want to rescue migrants and protect their rights. Migration governance then becomes a ‘battleground’, with different actors opposing each other (Ambrosini 2021). The issue of responsibility is then very different: states and non-state actors compete on the legal/normative terrain. States blame competing non-state actors for being outside the law (for example by accusing

NGOs of favouring irregular migration and of being complicit of smugglers), while non-state actors develop alternative normative views about migration governance.

A third pattern is blurred forms of interactions and tacit cooperation. Non-state actors are outside the law, but states do not interfere with this state of affairs. When employers recruit undocumented migrant workers, for instance, they contribute to irregular migration and challenge states' control efforts. But rather than blaming them, governments tolerate their behaviour (for example by implementing only light strategies of workplace control). In such situations, state and non-state actors have potentially antagonistic relationships, but rather engage in a form of de facto, implicit, cooperation. This can even be the case with blatantly illegal activities. As noted above, criminal groups take part in migration governance: in principle governments should act to stop their activities, which are outside the law and very detrimental to migrants' rights; but they sometimes tend to accommodate with them (for instance when they grant refugee protection to people who migrated thanks to smugglers, or when they rely on criminal groups to stop unwanted migration). Illegality is then built into migration governance, both as its by-product and as one of its components.

4.4 Analytical vs. prescriptive use

The notion of governance is also ambiguous because it conveys two different meanings. The first is analytical and refers to the ways in which a certain issue is governed, by which actors, through which mechanisms, on what principles, and so on. A second meaning, often framed through the concept of *good* governance, is normative and prescriptive and refers to how a certain issue *should* be governed. In this second sense, the concept of governance is ideologically loaded: by emphasising that governments should work with non-state actors, and especially with the private sector, the notion of good governance often implies that governments are not necessarily the most appropriate or the most competent actor, and that they should therefore leave space for the interventions of non-state actors. This often comes along a neoliberal ideology, according to which non-state actors like private companies (and, to a lesser extent, NGOs) are more efficient than governments, which are portrayed as excessively bureaucratic, not results-oriented, or even corrupted.

This dual meaning also applies to the notion of global migration governance. In the descriptive sense, the concept designates the complex ways in which migration is governed. In this sense, global migration governance is usually described as fragmented, because there are different actors and different norms, at different levels, that contribute to shape migration flows. The issues pertaining to asylum and refugees, for example, are governed by the Geneva Convention and the UNHCR. But migrants who are not refugees are left out of this framework. Certain categories of migrants fall within other types of agreements. In the second normative sense, global migration governance refers to how migration should be governed. The assumption is then that the current way of governing migration is inadequate, because it leads to all kinds of shortcoming and abuses, and that new patterns of governance must therefore be established. This is typically the job of IOs and NGOs, which document existing problems and outline recommendations to remedy them through alternative ways of governing migration.

5 A historical perspective

To complement this critical perspective, it is useful to add a historical dimension to the discussion. It is common to view today's migration flows as a feature of globalization, understood as a process through which countries become increasingly interconnected by the circulation of goods, capital, information, and people. Confronted to such unprecedented cross-border flows, states would face the risk of 'losing control'. Irregular migration, for instance, would testify to the difficulty of maintaining states' sovereign right to control their borders and territory in the context of globalization. It is indeed true that, in 1975, there were approximately 84 million migrants worldwide, making for 2.1 percent of the world population. In 2003, these figures increased to 175 million and 2.8 per cent. There is therefore a clear

increase in the number of migrants; this is in line with the increase of the world population, however, and the growth in relative terms is far less dramatic.

In addition, states' concerns with unauthorized migration are not new. A frequent example in this respect is the Chinese Exclusion Act, adopted by the US government in 1882, and widely understood as one of the very first anti-immigration law in world history. This took place in an era sometimes known as the 'first globalization', which saw an intensification of transnational flows of goods, capital and people. It is therefore misleading to see migration as a 'new' challenge that would be specific to the current period of globalization.

This calls for situating global migration governance in a historical context, and in relation to the changing nature of statehood. A historical landmark here is the Treaty of Westphalia, signed in 1648 to end the Thirty Years' War: although this is historically far more complex, it is widely regarded as the foundation of the modern international order. It established the so-called 'Westphalian system', characterised by the coexistence of sovereign states and the respect for certain key principles, like the inviolability of borders and the non-interference of states in the domestic affairs of other states.

As far as migration is concerned, this 'Westphalian system' is associated with states' right to control 'their' population and 'their' borders – and therefore the entry and stay of non-citizens. Yet, reality is more complex. History also shows that migration/border control only became state prerogatives in the late 19th century and were generalized in the early 20th century. During more than two centuries, the 'Westphalian system' existed, but without implying immigration control (Chetail 2016). This is not to say that migration and human mobility were unfettered. They were the object of alternative patterns of governance, in which the state was not the central actor. This included, for example, situations in which landowners would control the mobility of their workers, making for situations of bound/unfree labour. Guilds and corporations were also able to organize the mobility of their members across European borders.

It is in this context that Western states progressively developed techniques to 'embrace' their population. Drawing on Max Weber's definition of the state as the holder of the monopoly of the legitimate use of violence, Torpey (2000) shows that states have relatedly sought to monopolize the authority to control human mobility. A major strategy in this respect was the 'invention' of the passport, as a state-issued document without which cross-border mobility is impossible. This process in the early 19th century and passports only became generalized after the First World War. By making passports compulsory for mobility, modern states have constructed their power by confiscating the right to control mobility from non-state actors. The governance of mobility has long been shared by different (state and non-state) actors, which cooperate or compete to control peoples' mobility. To put it differently, mobility is a resource, especially in an industrial context in which labor must be mobile. And just like for any resource, different actors strive to control it. This means that the control of mobility is an attribute of power, but not necessarily of state power.

This brief history shows at least three things. First, while migration control is today closely associated with state sovereignty, this has not always been the case and non-state actors have long played a role therein. From that perspective, global migration governance is nothing new. The prerogative to organize peoples' mobility is up until today the object of disputes. Formally, the state enjoys a monopoly in this field. But smugglers or traffickers organize this mobility regardless of states' rules; employers recruit migrant workers regardless of their legal status and regularly ask for more influence on policymaking; CSOs help migrants in different ways and thereby also challenge states' monopoly; and migrants themselves exert their agency as they decide when and where to migrate. Despite the apparent consensus on state sovereignty, the competition regarding who can decide over mobility is still ongoing. States' quest for their monopoly is not (yet) complete.

Second, the control of mobility by states adapts to the context. The passport is exemplary of a situation in which mobility is necessary, not least to enable labor mobility and ensure economic prosperity, and in which people enjoy greater freedoms (like the right to leave their country). States cannot therefore

strictly monitor human mobility, but adapt to this situation by crafting a tool that enables them to control at a distance. Here, the term of control is perhaps inappropriate and one should speak of a ‘filter’. With passports, states can decide who has the right to move, and receiving states can know where people come from, and select them on that basis. Nowadays, with modern technology like biometrics and big data, passports enable states to have access to a vast amount of information regarding every single traveler. This is done in the name of security imperatives, to prevent the mobility of people considered dangerous like terrorists or criminals. This enables to go beyond an apparent contradiction: human mobility in all its forms (from refugees to tourists) has grown massively over the past two centuries, while at the same time states have increased their Westphalian control over human mobility. Modernity is thus constructed upon both a Westphalian system (in which states enjoy control over ‘their’ population and ‘their’ people), and upon mobility as a structural feature of the economy: states must design techniques to both let people circulate and control them.

Third, the passport shows the link between the governance of human mobility, the formation of national identities and citizenship. The way in which a country treats foreigners is central in the definition of its own identity. By determining the status of foreigners, states determine the status of their own citizens: they draw a line between insiders and outsiders, and the rights and status associated with citizenship cannot be understood without looking at who is excluded from citizenship. There is a clear difference, for example, between so-called ‘traditional countries of immigration’ (the United States, Canada, Australia and New Zealand) and other countries like Germany or Japan: all these countries experience migration, but treat it very differently. In the former case, immigrants are to join the national community (thereby making for a ‘nation of immigrants’). In the latter, migrants tend to remain at the margin of the society. This is even more evident with naturalizations, a process in which states decide upon the inclusion of new citizens of foreign origin in their national population. From that perspective, and regardless of the actual size of migration flows, migration is central in the definition of statehood and national identity.

6 Conclusion

This paper has attempted to map the ways in which migration is governed, by different actors and at different levels of action and responsibility. The concept of (*global*) *migration governance* has both strengths and weaknesses. It is useful because it underlines the many actors that take part in the process, thereby nuancing the popular refrain according to which migration is an issue of state sovereignty only. By the same token, however, the concept risks diluting the responsibilities of governments, while also promoting a depoliticised and democratically problematic approach to migration politics.

The key idea behind the notion of *governance* is that societies are governed by multiple actors, and according to complex patterns of interactions between states and non-state actors. This may seem quite tautological. After all, governments are never fully and exclusively in charge of their country. There are substantial areas of human lives that are governed by non-state actors – like markets, of course, but also civil society at large, understood as all the social and human ties that connect people outside the realm of states and markets (within families, communities, or more formal associations). This state of affairs is of course essential to the preservation of individual and collective freedoms, as any other scenario is likely to resemble a kind of Orwellian dystopia in which governments would monitor every single aspect of peoples’ lives.

In this respect, migration is just like any other human activity. What is perhaps special is the widespread belief according to which governments are entitled to govern many aspects of migrants’ lives. For example, when people move to join their family or to work abroad, everybody seems to consider normal that they should ask governments for the permission to do so. Certain very intrusive measures are also widely considered normal, for instance when government officials dig into migrants’ intimacy to chase fake marriages. When it comes to citizens, by contrast, governments are much less present: while they

do of course regulate work relations or family ties, they leave more freedom to individuals to organize their lives in their own way.

There is therefore a disjuncture between how migration really works and how states think it should work. Regarding the former, migration is embedded in all kinds of non-state dynamics – and therefore shaped not only by governments' decisions, but by social and economic factors. But as far as the latter is concerned, states (and many of their citizens) tend to believe that governments should be fully in charge. History is important here, as it reminds us that this perfect sovereignty over migration has simply never existed.

The concept of migration governance should therefore be self-evident, as it corresponds to the reality of migration dynamics. But because we are so used to associate migration with governments only, it needs to be re-established to bring into the discussion the role of the non-state actors that shape migration flows – and without which they cannot be properly understood.

7 References

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