

MIGRATION AND TERRITORIES.

THE EU AND THE RELEVANCE OF CONDITIONALITY

Hilde Caroli Casavola

University of Molise

Universidad de Chile
21 October 2025



Finanziato
dall'Unione europea
NextGenerationEU



Ministero
dell'Università
e della Ricerca



Italiadomani
PIANO NAZIONALE
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Outline



- 1 Migration and the EU (policy and rules)
- 2 Territories (selected cases from Italy and Germany)
- 3 Financial conditionality



1

Migration and the EU

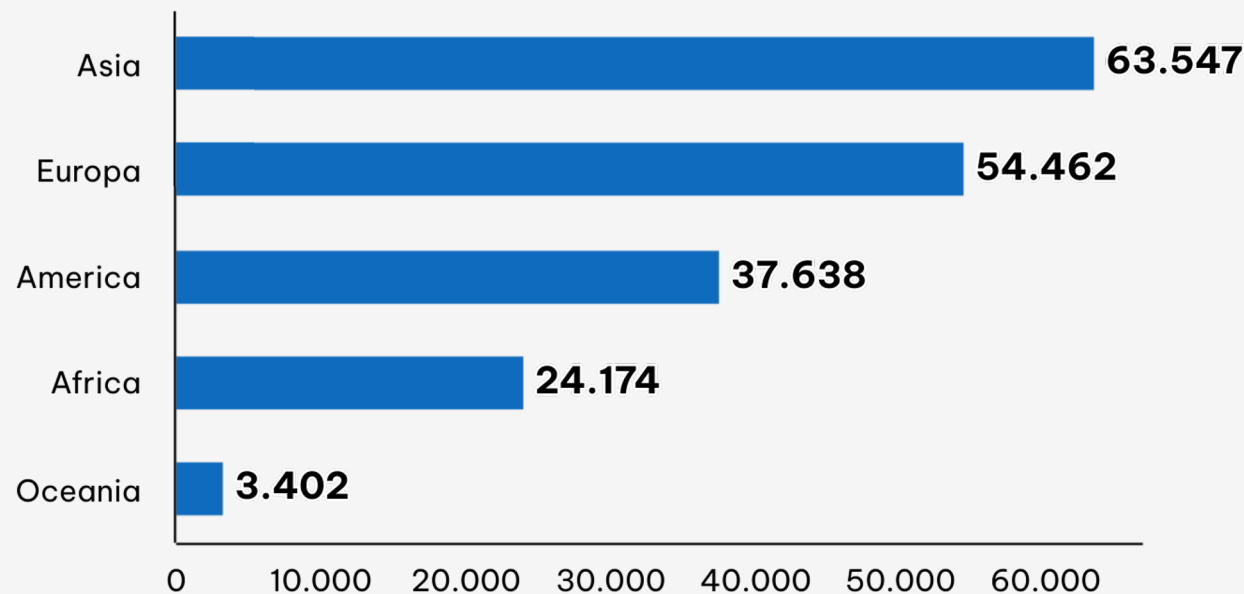
- Data
- Legal Framework
- EU policy

1

Data: International migrants at the end 2022 (295 millions)



Foreigners (persons with citizenship other than that of their country of residence): 183 millions (estimates World Bank)
Main settlement countries of foreigners: United States, Saudi Arabia and United Arab Emirates



❖ **3,6%**

International migrants on global population

❖ **2,3%**

Foreigners on global population

❖ **101 millions**

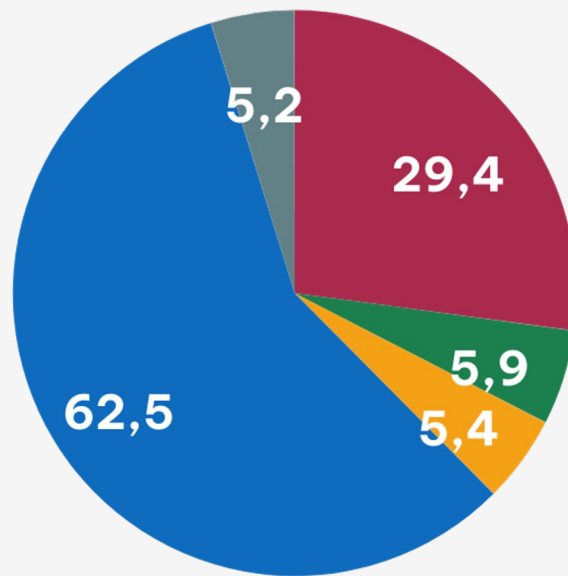
Foreigners living in the Southern Hemisphere

Source: UN and World Bank

1

Data: Forced migrants per legal status (108,4 millions)

- ➔ Compared to 2021 they are increased of 21,4%: in 2000 they were around 20 millions
- ➔ Less than 7% lives in the EU (end of 2022)



■ Rifugiati
 ■ Rifugiati palestinesi
 ■ Richiedenti asilo
■ Sfollati interni
 ■ Venezuelani sfollati all'estero

❖ **40%**
of forced migrants are **minors**

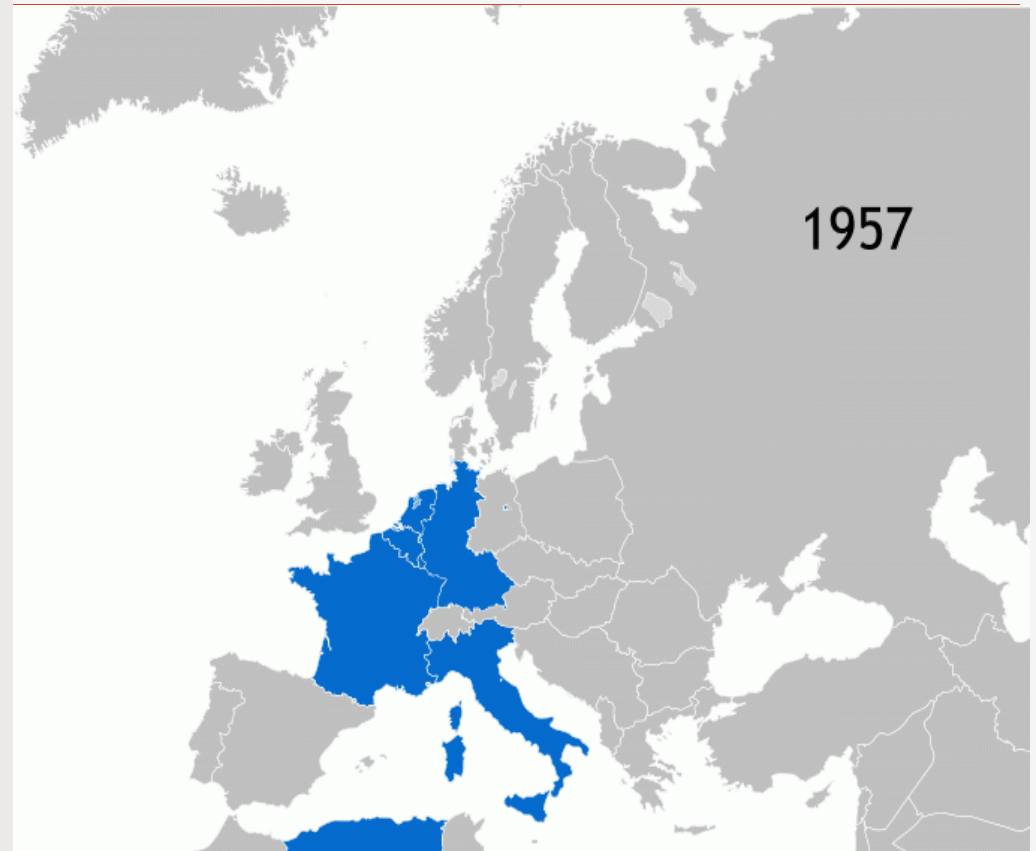
❖ **11,6 millions**
Ukrainian refugees at the end of 2022, including 5,9 millions internal displaced and 5,7 millions refugees abroad

❖ **20,9%**
of asylum seekers is **Venezuelan citizen**

Source: Unhcr, Unrwa and Idmc

1 EU Migration policy and rules

- No Eu competence in the field of migration initially (Treaty of Rome 1957)
- “Europe of Regions” and “Europe of other infra-national authorities/administrative bodies” in the multiple system government
- Treaty of Amsterdam (1997) ‘communitarized’ the matter, but immigration, visa and asylum policy has been long left to intergovernmental cooperation only (until the adoption of the Dublin Convention)
- significant resistance by several MSs to let infra-national autonomies and subsidiarity actively operating within the EU multiple system government



EU Migration policy: background



- The Hague programme: strengthening freedom, security and justice in the European Union (2005/C 53/01) → stages of migration
- The EU Global Approach to Migration and Mobility – GAMM (2011)
- A European Agenda on Migration (May 2015)
- Progress Report on the implementation of the European Agenda on Migration (October 2019)

EU Asylum & Migration discipline: background

THE DUBLIN REGULATION 1990 – 1) prevents more than one Member State from examining an application; 2) requires the application is examined by the first State of entry into the EU

DUBLIN II REGULATION 2003 – criteria to identify the State responsible for an asylum claim: 1) the State where a family member is located is competent; 2) the State that issued a residence permit or visa; 3) international transit zone of an airport; 4) State of legal entry; 5) State of illegal entry or residence

DUBLIN III REGULATION 2014 – Little meaningful change

- frontier and coastal States overburdened with both border control and receiving asylum seekers
- attempts to shift flows lacked coordination
- migrants stuck in legal limbo for long periods
- migrants redistribute themselves to other countries which are unable to send them back due to operation difficulty and cost

EU Migration policy: background



2016 DUBLIN IV Proposal – bigger focus on integration (“...in order to decide which specific Member State should be the Member State of relocation, specific account should be given to the specific qualifications and characteristics of the applicants concerned, such as their language skills and other individual indications based on demonstrated family, cultural or social ties which could facilitate their integration into the Member State of relocation”)

2024 Entry into force of the new EU A&M PACT and rules (Entry into application 1st.7.2026)



Secure external borders

Robust screening

Eurodac asylum and migration database

Border procedure and returns

Crisis protocols and action against instrumentalisation



Fast and efficient procedures

Clear asylum rules

Guaranteeing people's rights

EU standards for refugee status qualification

Preventing abuses



Effective system of solidarity and responsibility

Permanent solidarity framework

Operational and financial support

Clearer rules on responsibility for asylum applications

Preventing secondary movements



Embedding migration in international partnerships

Preventing irregular departures

Cooperation on readmission

Fighting migrant smuggling

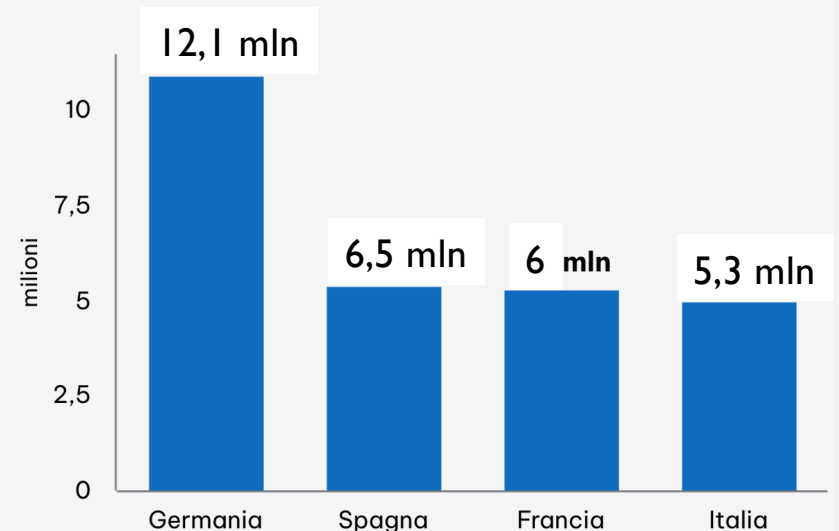
Promoting legal pathways

Demographic relevance



- The structural character of migration challenge the traditional policy of the European institutions that has long been characterized, on the one hand, by the effort to pursue the common interest, on the other hand, by the protection of the Member States national prerogatives (art. 79 e 80 TEU).
- The net immigration to the EU has become a more significant source of population growth than natural change
- The composition of the flows of immigrants entering the EU is changing; in some years immigration has been primarily driven by economic motives and family reunification, in the last few years Europe has experienced an overwhelming wave of the refugees.
- Immigrants are going to impact positively on the growth of the workforce in EU for the next years. Substitution effect: migrants take the vacancies left by the native workers, but sometimes migrants take jobs complementary to jobs taken by the natives.

Non-EU citizens resident in absolute value
29 mln (6,4 % of the EU population, I. I. 2024)

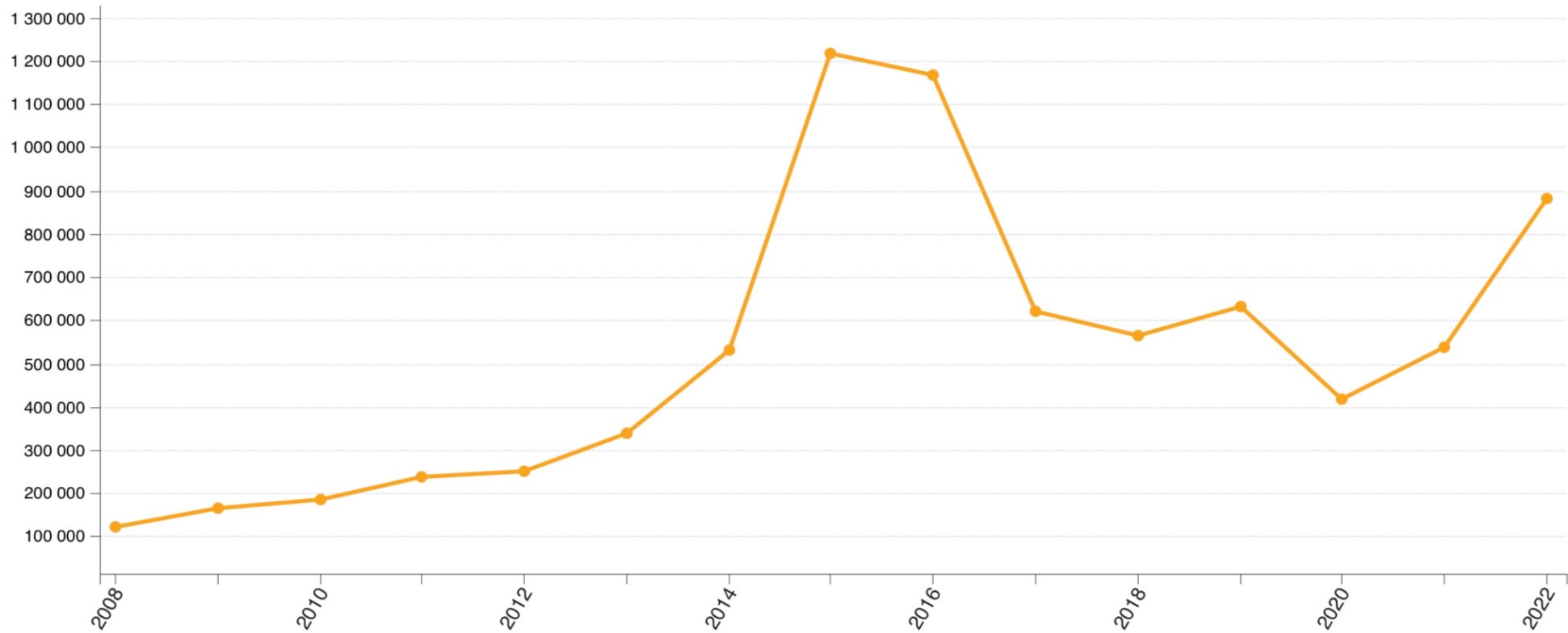


Source: Eurostat

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EU Migration

First-time asylum applicants (non-Eu citizens), EU, 2008-2022

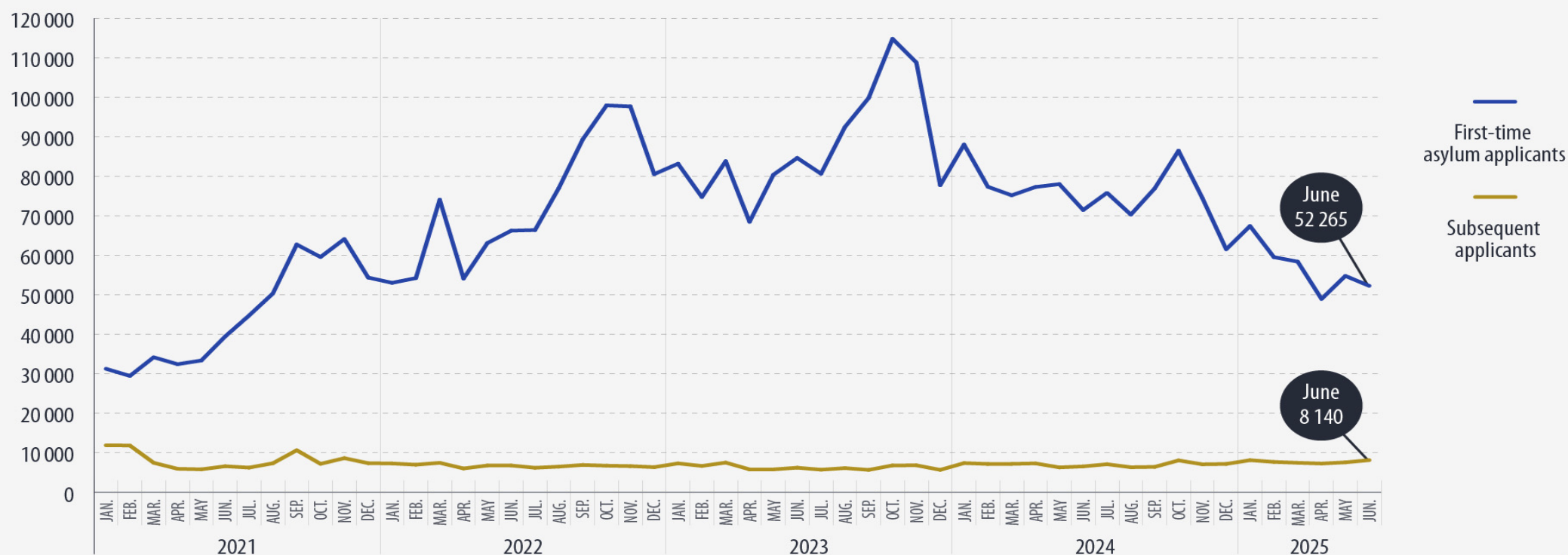


2008 - 2013: sum of available data.

Source: Eurostat

First-time and subsequent asylum applicants in the EU, January 2021 - June 2025

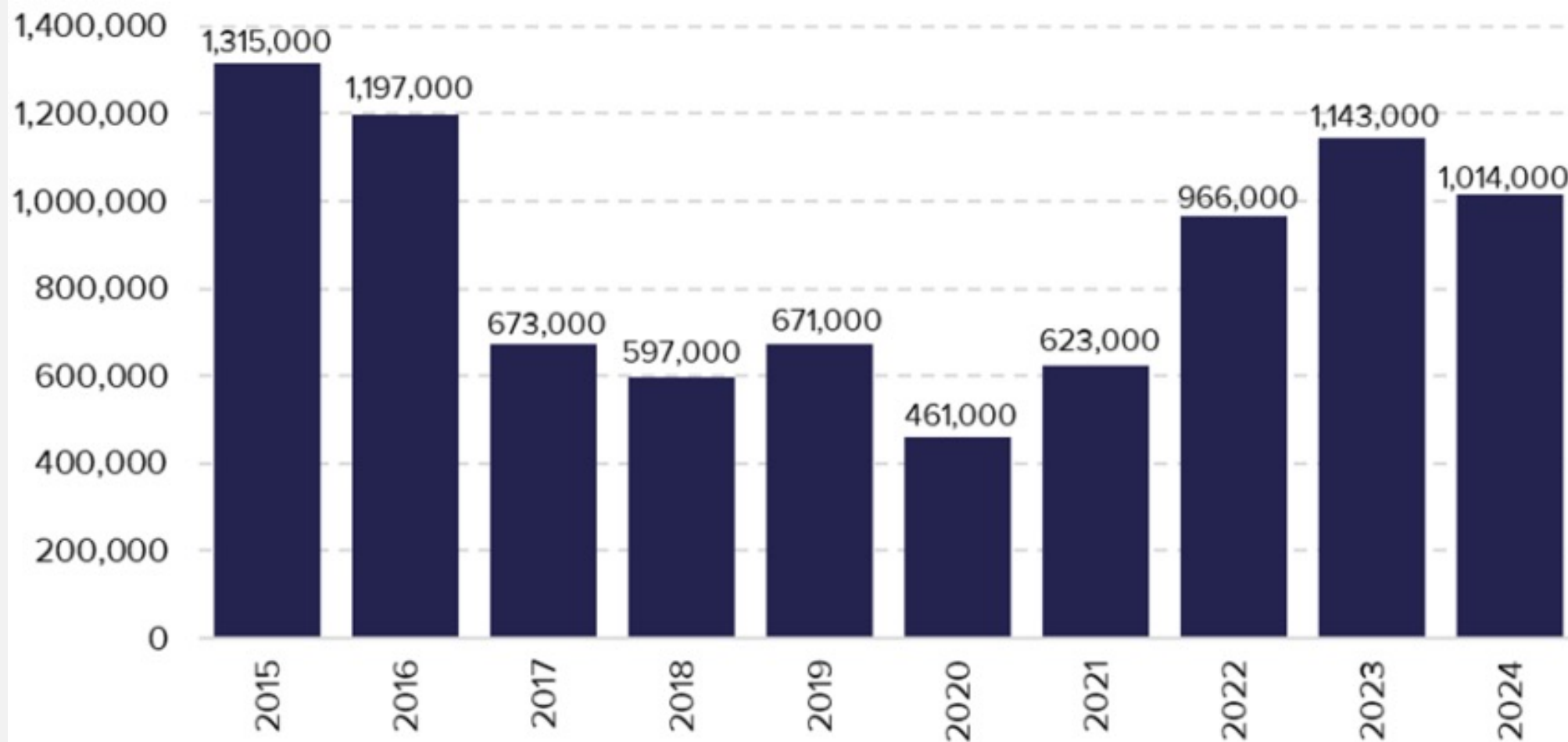
(number of applicants)



Cyprus: due to temporary derogations, data on subsequent applicants are not available until December 2023, therefore Cyprus is not included in the total calculated until December 2023.
Spain: provisional data used since March 2025. Portugal: June 2025 data not available, May 2025 data used to calculate the EU totals.

1

Number of asylum applications for international protection in EU+ countries, 2015-2024



Source: EUAA EPS data as of 3 February 2025

EU Migration policy and rules



- The EU has established new mechanisms for managing migration, including the Solidarity Pool and a coordinator for solidarity
- The Solidarity Pool is based on annual negotiations among Member states
- EU sets minimum annual quotas for migrant relocations (30,000) and financial contributions (€600 million)
- Decisions on asylum and return are recognized across Member states to simplify procedures and ensure efficiency (transnational connection)
- Agencies like Frontex and EUAA, play a key role in operational coordination and execution of migration policies

- Overcoming the Dublin system
- **Member States must put national strategies in place in order to ensure that they have the capacity to run an effective A&M system**, with respect to EU law and international legal obligation.
- asylum seekers will be required to apply in the member state of first entry or legal stay but the rule will continue to apply whereby if certain criteria are met (e.g. presence of a family member), **another member state may become responsible for dealing with that asylum claim**. If the applicant has a **recent diploma** (not older than six years) from an EU country, **that country should examine the application for international protection**.
- **Harmonization of the procedures**: focus on border pre-screening procedures oriented to quick and summary decisions - basically, of “no entry”.
- More Partnerships with Third Countries
- **A new solidarity mechanism: mandatory solidarity** to support member states dealing with a mass of irregular arrivals + **flexibility** as regards the choice of the individual member states' contributions, at their own discretion (who **shall act in a way to grant not only their own interest, but also that of other member states**).

Solidarity Principle

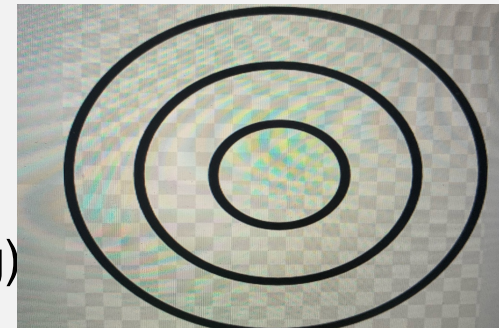
art. 80 TFUE: “The policies of the Union set out in this Chapter and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications, between the Member States. Whenever necessary, the Union acts adopted pursuant to this Chapter shall contain appropriate measures to give effect to this principle”.



The new AMMR (Reg. 2024/1351): Concentric Circles Governance



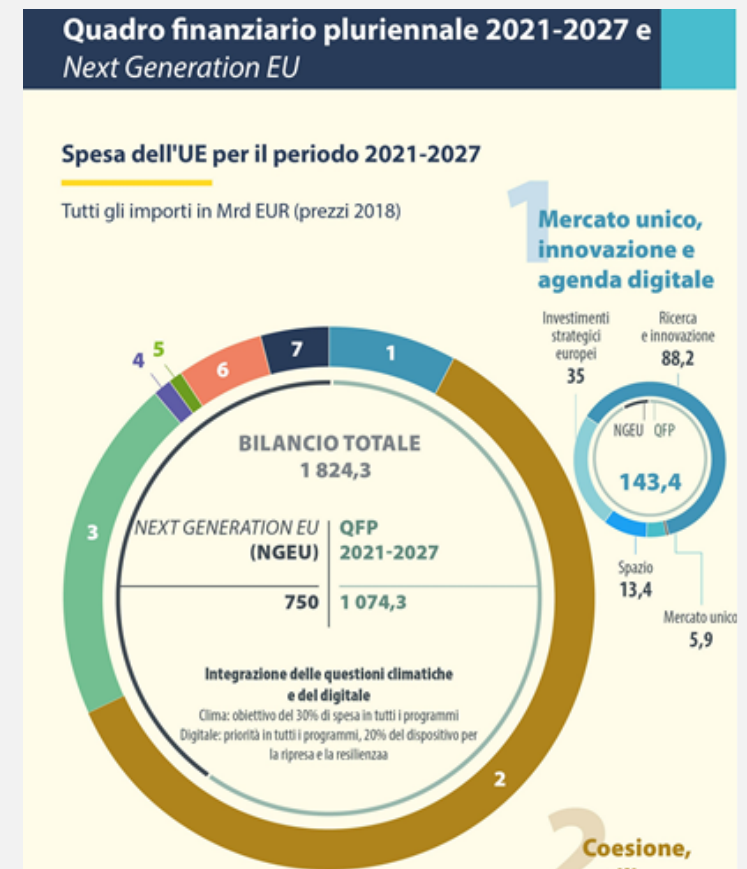
- the **outer circle** represents the area where a simplification and acceleration of national admissibility procedures on the territory is realised, also through the recognition of national administrative decisions on asylum and return of Member States other than the one of the administrations that took them (so-called transnational connection);
- The **intermediate circle** ensures an operational link between the various levels of the integrated European administration by the agencies of the Area of Freedom, Security and Justice (with the strengthening of the operational functions and executive powers of, in particular, Frontex and EUAA);
- The **inner circle** consists of internal coordination mechanisms for risk mitigation and crisis management, such as the *solidarity pool* and the so-called *solidarity coordinator*, responsible for its implementation in relation to the commitments made by each Member state regarding relocations of asylum seekers and holders of international protection, financial contributions to projects in third countries and alternative solidarity measures (i.e. capacity building, staffing)



The EU Financial Framework



- **The EU** Multiannual Financial Framework (**MFF**) 2021-2027 provides for a long-term EU budget of EUR 1074.3 billion for the EU-2, including the integration of the European Development Fund (750 billion).
- the EU budget 2021-2027 allocates around **€23 billion** (2% of the total amount) for immigration, primarily for border management («Fortress Europe»)
- Within the **external border management**, it is planned to hire up to 10,000 border guards at the disposal of the European Border and Coast Guard Agency by 2027;
- New **negotiations** with Third Countries.



2

Territories

- EU policies and objectives
- Learning from experiences

2

Territories: EU policies and objectives

■ The EU focuses on **Visa Requirements**:

- Citizens from 102 countries, including all African nations, most of the Middle East (except Israel), Central Asia, and parts of East Asia and Latin America, require Visas to enter the EU.
- Asylum and international protection are not valid reasons for obtaining a Visa. Consulates actively screen applicants to prevent misuse of Visas for asylum or work purposes.

■ Exemptions from **Visa requirements**:

- Countries like Ukraine and Venezuela benefit from Visa exemptions, allowing their citizens to enter the EU for 90 days and apply for asylum without being subject to the Dublin Regulation (for Ukrainians, Temporary protection directive is applied).
- This policy has reduced irregular migration and human trafficking while enabling legal and safer migration routes.

2

Territories: EU policies and objectives

■ Resettlement Programs:

- Resettlement involves transferring vulnerable refugees from first-asylum countries to EU states, granting them permanent residency.
- The EU has increased resettlement quotas but still accommodates only 2-3% of asylum seekers. Participation by Member States is voluntary, incentivized by financial contributions (€10,000 per person resettled).

■ Humanitarian Corridors:

- Initiatives like Italy's "humanitarian corridors" allow NGOs to sponsor refugees' legal entry, covering travel and integration costs. This model has been replicated in France and Belgium, benefiting 8,400 refugees.

2

Territories: EU policies and objectives

■ **Bilateral Migration agreements:**

- EU and individual Member States have signed agreements with almost all North African and Middle Eastern countries bordering the Mediterranean, investing billions of euros to combat irregular departures.

■ **Conditionality measures:**

- In some cases, to gain the cooperation of partner countries in achieving entry control objectives, trade and economic relations, mobility in the broad sense, military and security cooperation, and the diplomatic dimension may be involved as leverage. Positive conditionality might imply a 'reward' through financial incentives. Negative conditionality is referred to cuts in the annual Visa's quota devoted to the respective citizens, or in increasing costs to obtain it or mere funds cutting.

2

Learning from experience: Third Country Nationals' integration

- Integration of TCN has long been out of the focus of EU institutions, excluded from the range of their competences and ignored by numerous MSs that didn't care enough about no-EU citizens' life conditions as common interest (see CJEU decision 9.7.1987 → **active role of CJ**);
- **First definition of integration** (of TCNs long-term residents) as «a key element in promoting economic and social cohesion, a fundamental objective of the Community stated in the Treaty» (considering n. 4 of the Council Directive 2003/109/EC of 25.11.2002, concerning the status of **TCNs long-term residents**);
- What does integration mean? The fundamental tool for a successful integration of TCN in the socio-economic context is a **fair and equal access to labour market** (outside the circle of the s.c. *ddd* jobs);
- A crucial point is that “better conditions for social inclusion and access to labour market (employment) of TCN are often experienced in more restricted and low 'social complexity' contexts, i.e. in territories outside particularly large urban areas or metropolitan realities, characterised by a strong demographic concentration, by a more frenetic and competitive life, by selective (sometimes excluding) mechanisms, by mediation structures that regulate social relations, making them increasingly indirect and anonymous, thus increasing the sense of alienation, marginalisation, and non-belonging” (Cnel IX Report 2013).

2 TCNs' Integration's Factors and Juridical Issues



- **Economic Factor** → a job with a regular labour contract is crucial for the emancipation of the TCN worker.
 - Preliminary steps: previous local language acquisition; flexible labour market access; feasible labour market regulation; effective prevention and control systems against discrimination, abuses, slavery.
- **Social Factor** → housing, education, health care and access to Welfare benefits: main role played by national administrative systems
 - Issue: EU Polity of social cohesion executed by national agencies (the variable: the Ital. administrative issue).
- **Cultural Factor** → cultural diversity is a characteristic of contemporary European society.
 - Issue: EU is facing momentous challenges, and the intercultural dialogue is not yet well developed. EC/EU Law can have a significant and positive impact to this regard.



2 Learning from Experience: Italian cases

- The Case of Apples Production in Trentino
- The Case of Molise and MeCI Research output



ITALIA

31.12.2022

RESIDENTI STRANIERI: 5.050.257*

SOGGIORNANTI NON UE: 3.727.706

PERCENTUALE NATI DA GENITORI STRANIERI*

14,1



su 392.598 nuovi nati

PERCENTUALE NATI IN ITALIA SU STUDENTI STRANIERI

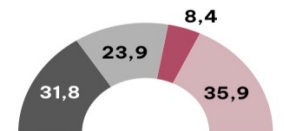
67,5



Studenti stranieri iscritti all'a.s. 2021/2022: 872.360

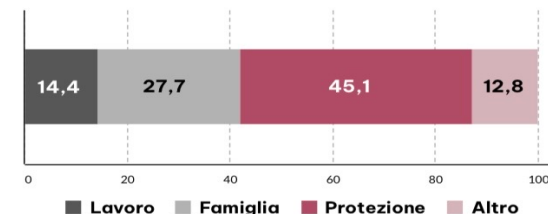
IMPRESE CONDOTTE DA NATI ALL'ESTERO: 647.797

% comparti di attività



■ Commercio ■ Costruzioni
■ Alloggio e ristorazione ■ Altro

NUOVI PERMESSI RILASCIATI NELL'ANNO: 449.118
% motivi di rilascio

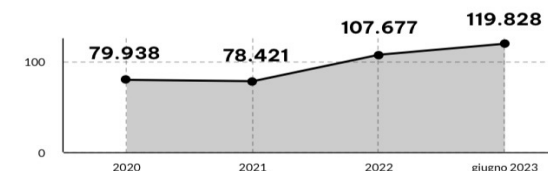


20,8%
Minori su totale residenti stranieri*

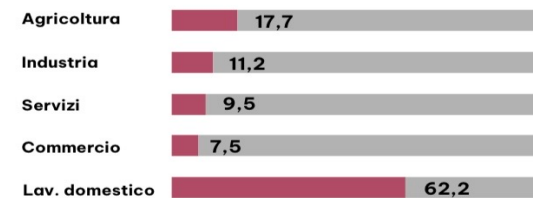
60,1%
Soggiornanti di lungo periodo

26,4%
Tasso acquisizione di cittadinanza*

MIGRANTI IN ACCOGLIENZA



LAVORATORI STRANIERI: 2,4 MILIONI
% sul totale occupati per settore e principali comparti



*dati provvisori

FONTE: Centro Studi e Ricerche IDOS. Elaborazioni su dati Istat, Ministero dell'Interno, Miur e Inforcamere/Centro studi G. Tagliacarne

INFLOWS DECREE AND INTERNATIONAL PROTECTION' APPLICATIONS 2007-2026

Year	No Seasonal Work Permits	Seasonal Work Permits	Total Work Permits	International Protection Applications
2007	170.000	80.000	250.000	13.310
2008	150.000	80.000	230.000	31.723
2009	No adoption	80.000	80.000	19.090
2010	104.080	80.000	184.080	12.121
2011	No adoption	60.000	60.000	37.350
2012	17.850	35.000	52.850	17.352
2013	17.850	30.000	47.850	26.620
2014	17.850	15.000	32.850	64.886
2015	17.850	13.000	30.850	83.970
2016	17.850	13.000	30.850	123.600
2017	13.850	17.000	30.850	130.119
2018	12.850	18.000	30.850	53.596
2019	12.850	18.000	30.850	43.783
2020	12.850	18.000	30.850	26.963
2021	27.700	42.000	69.700	53.609
2022	40.000	30.000	70.000	77.195
2023	53.450	82.550	136.000	135.820
2024	61.950	89.050	151.000	159.000
2025	71.450	110.000	181.450	64.000 (Jan-July)
2026	76.850	88.000	164.850	-

2 An Italian Case: Integration As Matter of Definition?

- Art. 4 *bis* Ital. Immigration Code : *Integration Agreement*

Art. 4 *bis*

Integration Agreement

The word integration is referred to « that **process** aimed at promoting the coexistence of **Italian and foreign citizens**, respecting the values enshrined in the Italian Constitution, with a **mutual commitment** to participate in **the economic, social and cultural life of society** »



Circular Migration and Seasonal Jobs in Agriculture

5 significant aspects:

- Positive role played by the employers/local farmers' **trade union** in promoting simplified, quick entry procedures and bureaucratic visa requirements;
- First, **fidelization strategy** of circular migrants to optimize the initial necessary investment in job training, and based on the existing social/family networks; then a refugeeisation of the workforce;
- Active involvement of **local authorities** (and efficient control mechanisms);
- **Adaptiveness** of the system to the variable migratory influx in the EU (as first, in the early 2000, regular foreign workers coming from Romania, Poland and Slovakia; since 2017, asylum seekers from Nigeria, Senegal and Sub-Saharan African Countries);
- Coordination and cooperation among employers, local farmers (in finding replacement of farm workers during Covid time).



Ripabottoni (Campobasso)
2016

“En Italie, le village qui voulait garder ses « ragazzis » migrants” (2° Mars 2018)

Le Monde

*“The Italian hilltop village fighting to keep its migrants”
24° January 2018*





- Demographic and geo-morphological aspects;
- Consequent public and social services retrenchment (downsizing and conditional welfare);
- Significant depopulation phenomenon of inner (isolated) areas. A National Strategy for Inner Areas was launched in 2014 (72 areas selected for the first national funding – 2014-2020 – plus 43 for the second program period - 2021-2027; 5 of those areas are in Molise). Settlement of migrants is seen – at certain conditions – as the pivot for revitalisation of the Italian land, Alps and Apennines or for small municipalities;
- Since 2015 AMiF with national and regional programs establishing socio-institutional networks for extra-EU citizens' integration: the structural character of migration and the peculiar geographic position that makes Italy one of the main EU “entry countries” on the Mediterranean route, concurred at putting under stress national capacity (and procedures) of the regional and local institutional networks that are active in the field of migration (numerous cities, towns, villages and hamlets took part to a number of AMiF action-projects on integration of TCN asylum seekers and and refugees by granting them access to labour markets).

2

Main Outcomes of the MeCI Research Project

- Integration of migrants in the European society (art. 2 TEU) and the local communities has become an EU policy objective only recently and so, quite late. Still, it is not adequately addressed: the role of infra-national autonomies is in this perspective not valorized and strengthened by legal guarantees enough;
- National states' policies have been in the past (and still nowadays, especially during electoral campaigns) too much exposed to their Executives' short-term political consideration;
- Better integration of TCNs requires to take evidence-based factors into consideration (f.i. depopulated territories, peripheral areas, climatic conditions, **a direct interest of municipalities and citizens in managing reception's facilities**);
- Integration of migrants as Eu policy objective might be usefully framed in connection to the EU territorial cohesion policy too by actively operating subsidiarity within the EU multiple system government.



Focus : What was the strategic response of municipalities to the increased migration in the years 2015/16?

- Municipal integration management includes a **wide range of solutions** (experienced): from informal integration management by volunteers to centralised, professional units, i.e. migration office;
- Spreading around **responsibilities** (among different political levels) prevents a coherent policy' implementation → need of unambiguous distribution of competences and clear legal guidelines;
- District administrations and respective municipalities do work well together, but there are margins for local **knowledge management** (run by the former) to be consistently improved.

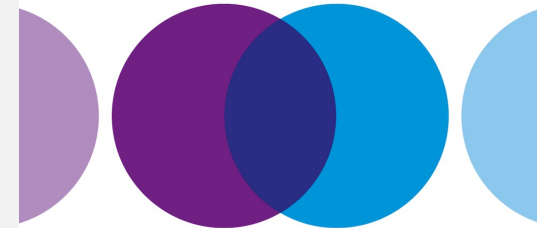


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Two worlds? Integration policy in urban and rural areas

Summary



Hannes Schammann, Petra Bendel,
Sandra Müller, Franziska Ziegler, Tobias Wittchen

German Cases: The “Two worlds?” Research



- One third of the municipalities considered by the study, adopted an inclusive, **whole-of-society approach** to integration policy, meaning to plan integration measures, which are targeted at all residents of the municipality;
- This does not only apply to large cities; eleven municipalities belonging to a district also do this;
- Municipal authorities are willing to have an impact on integrations policy at the State and Federal levels;
- **More than two worlds:** cities are not necessarily better equipped to deal with migration & integration, and rural regions are not automatically unprofessional and underdeveloped with regard to integration policy and pathways.

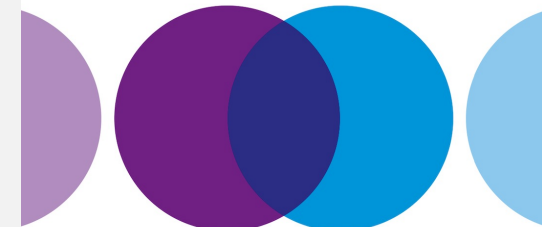


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Two worlds? Integration policy in urban and rural areas

Summary



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What matters?
Macro Level

Sectoral Legislations
(Immigration, Labor,
Integration,
Citizenship, Welfare,
and more)

Coordination among
the different political
levels involved in the
application and
decision-making

The role of Public
administrations (i.e.
organization and
functioning, knowledge
management)

Integration
through
legal tools



What matters?

Micro Level

Evidence-based
Factors in
application

Direct interest of
municipalities and
even **individuals** in
managing integration
process and facilities

Networking
and the role of
the Third
Sector

Integration
through
legal tools



3

Financial conditionality



- The EU uses financial conditionality *vis-à-vis* its MSs to ensure **compliance** with its policies and rules. The sound financial management requires, in fact, the (modest) Union's budget to be used - according to a functionalistic approach - to fulfil tasks (responding to common interests) that must be performed at national level in the different policy field.
- One example is drawn by the Common Agricultural Policy (CAP): in force of the clause of **social conditionality in agriculture** (art. 14, EU Reg. 2021/2115) payments under CAP are tied to adherence to labor and social standards, with penalties for violations.
- Fund conditionality became strategic in the EU economic governance after the **2008-11 financial crisis** and the adoption of the **Next Generation EU**. It is now also applied in other areas, such as environmental and social policies, to align national actions with EU objectives.
- The 2028-2034 Multiannual Financial Framework Commission's proposal emphasizes **regional involvement in Partnership Plans** linked to cohesion and agricultural funding. The proposal streamlines funding and policy, aiming to enhance strategic alignment of national and EU priorities.



- These elements reflect the EU's efforts to create a **cohesive approach** to migration, regional development, and policy enforcement through financial incentives and administrative coordination.
- National observatories are needed to monitor, avoiding the recentralization of tasks that have been decentralized, enabling communication between infra-national autonomous (regional, local, territorial and non-territorial, private and public) decision-makers, verifying best practices, and promoting a certain degree of competition between regions, districts and other autonomous decision-makers.
- As a common fiscal policy and autonomous budgetary capacity at the EU level are still lacking, the Union budget continues to play a marginal role in terms of allocation and stabilization → Financially sounder Member states have greater room for independent budgetary decision-making and these can cause asymmetries among them.
- Cooperation and inter-administrative coordination between EU Member States must be improved at all levels.

"IN VARIETATE CONCORDIA"

