

## Outsourcing borders

### Monitoring EU externalisation policy

Bulletin 12  
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*“He at that time was no longer just an ordinary, low, coarse henchman; by then he wore a uniform and it might have even had a ribbon or a marking of some kind to show that he had been properly cruel and unkind to people who did not deserve it.”*

Jamaica Kincaid, *The Autobiography of My Mother*

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## Thematic and regional developments

Official EU documents summarised here, and those published with previous editions of the bulletin, are contained in our [document archive](#).

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## Border management

Two recent Council documents reveal internal discussions over the potential expansion of Frontex's mandate. These come ahead of the [expected formal revision of Frontex's mandate in 2026](#). They give a glimpse of what member states and the Commission have in mind for the agency's role in the EU's future deportation machine.

### The future of Frontex: hybrid threats

A [note \(pdf\)](#) from the Presidency to the Working Party on Frontiers on 30 October 2025 explores **whether and how Frontex's mandate should be expanded in the context of "hybrid threats"**.

Describing such threats as a "key challenge at the external borders" of the EU, the note first outlines provisional definitions of "hybrid threats" and then focusses on the "instrumentalisation/weaponisation" of migration as an example.

The Presidency note refers to suggestions from unnamed member states that Frontex's role and mandate should be expanded to counter hybrid threats. This could take advantage of, for instance, its aerial surveillance capabilities.

Framing instrumentalisation as an issue of EU security, the note runs through the various laws in place or in the works to allow states to restrict or suspend border procedures at times of alleged instrumentalisation (including the 'Crisis and Force Majeure' regulation and amendments to the Schengen Borders Code).

(Hybrid threats have [also recently been added](#) to forthcoming legislation updating grounds for triggering the suspension of visa-free arrangements with third countries.)

The Presidency then invites delegates to discuss:

***...if and how the mandate of Frontex... needs to be amended to ensure that Frontex can effectively support Member States faced with instrumentalisation and possibly other hybrid threats, such as recent airspace violations by drones and other flying objects used for smuggling.***

The Presidency suggests a few ways to do this, for instance updating provisions [of the Frontex Regulation](#) around rapid border interventions, hotspot areas and migration management support teams. It also suggests amendments to the [European Integrated Border Management \(EIBM\) framework](#).

The note concludes by asking delegations several questions, including: how hybrid threats should be defined; whether and how the Frontex Regulation should be amended; whether the EIBM framework needs to be updated, and; **whether a potential Frontex mandate expansion should focus on "hybrid threats beyond the instrumentalisation of migrants"**.

## The future of Frontex: engagement with third countries and return hubs

[Another Presidency note \(pdf\)](#) to the same committee explores:

- whether it should be made easier for Frontex to engage with and operate in non-EU states;
- how Frontex could be deployed **to conduct deportations from one third country to another**;
- what role Frontex should play in the overall return hubs system.

The note begins by laying out Frontex's current engagements with non-EU states, from extensive deployment in the Balkans to other regions where Frontex has "limited visibility and operational footprint". [Senegal](#) and Mauritania are cited as two examples of countries with which the Commission has been unable to secure formal Frontex status agreements.

The Presidency notes **"widespread support" from member states for loosening the rules to allow for more informal Frontex deployments** (pre-departure checks at third country airports or other crossing points, for instance).

Going further, the note discusses how rules may be loosened **to allow Frontex return teams to be deployed in non-EU states**, observing that "Member States agree" this should be allowed. The Presidency invites delegations to discuss how this could work in practice.

Giving Frontex the power to conduct deportations from one non-EU state to another was proposed during the last revision of its mandate, resulting in the 2019 Regulation. However, the plans were rejected by the Parliament and did not make it into the final rules.

Finally, with 'return hubs' (deportation camps) expected to be established in non-EU states, the Presidency invites delegations to discuss whether Frontex:

***...should be able to assist Member States that enter into agreements with third countries on return hubs for persons with illegal stay in the EU.***

The note concludes by asking delegations: what the main obstacles are to the above suggestions; how they envision looser Frontex working arrangements with third countries; whether the Frontex Regulation should be amended; and whether member states support Frontex taking part in deportations from one third country to another as well as assisting member states in deporting people to return hubs.

## Member states debate proposal on interoperability in new digital border systems

As the EU continues to roll out its [various interoperable digital border surveillance and control systems](#), delegates in the Working Party on Frontiers (WPF) and the Working Party on Justice and Home Affairs Information Exchange (IXIM), have commented on proposals from the Belgian delegation to tighten up the system.

Building on ideas emerging from interoperability-linked expert groups, the Belgian [“Non-paper” \(pdf\)](#) pushes three proposals to “mitigate further risks” as the systems roll out.

These risks appear to be that:

- on the one hand, the systems may become overwhelmed, leading to bottlenecks and delays at the border as well as increased costs on member states;
- on the other, the systems may not be as effective as hoped in rejecting undesired people at the border.

There also appears concern that in “crisis situations” the systems may not be ready.

Noting that many outstanding issues remain with the system, and the legal bases for solutions do not exist as yet, the Belgian delegation urged consideration of three measures in particular:

- “Pre-launching” the Multiple Identity Detector (MID) system, an automated check to detect the use of false identities. In this context, “pre-launch” means the system would be used **before** an individual has been granted or refused entry via the Entry/Exit System.
- Expanding Frontex’s role in the operations of the MID system beyond a ten-month transitional period. **This would require changing the agency’s mandate.**
- Creating a central “Communication Solution” channel for exchanges between agencies and systems.

A [compilation of delegation comments \(pdf\)](#) on these proposals was presented to the WPF and IXIM groups on 24 September 2024.

Opinions of the **MID pre-launch** proposal are mixed:

- Norway appears sceptical and wants more review. Norwegian delegates also expressed concern over the phrase “pre-launch”, which may **suggest a measure outside of the current legal basis for the systems.**
- Sweden similarly disagrees with the phrase, but believes that in any case the current legal basis allows for the MID to be launched before an entry decision is made, and urges it be done that way to ensure the efficiency and effectiveness of border control.
- Czechia believes there is “consensus” on the need for the pre-launch, but is more concerned about the ongoing rollout of the EES system.
- Romania and Slovakia broadly agree that some kind of a pre-launch is necessary, to shorten border check times and prevent bottlenecks.

- Malta agrees with the Commission that more examination of the topic is needed, a view that seems to be held by most member states.

On whether the **role of Frontex should be extended past the one-year MID transition period**, comments reflect an anxiety that the idea has not been properly thought through:

- Czechia questions how this would work in practice, both in a logistical sense and on **where ultimate responsibility for decisions would sit** (particularly if disputes are raised).
- Romania thinks review in other fora should take place before member states approach a decision. Delegates question what value Frontex offers that isn't already within member states' abilities, and how the proposal may affect national staffing numbers. They also note the **feasibility study on the revision of the European Border and Coast Guard Regulation** underway.
- Germany too says the extension of Frontex's role should be carefully considered.
- Norway argues the experience and knowledge Frontex builds up during the transition period should be retained, even while acknowledging **"outstanding legal questions" and concerns over data protection**, among other issues. Delegates also argue against undertaking any legal changes if that will slow the overall interoperability project down.
- Sweden raises similar issues around legality and data protection, but also questions how the system would be implemented in practice, broadly implying it prefers national on-site border guards to handle the process, and wishes to avoid a situation where member states become fully reliant on Frontex. Sweden also directly questions **"whether this would be the best use of the [expanded Frontex] budget."**
- Slovakia and Malta are broadly in favour, even as the former is wary of expanding Frontex's mandate and the latter would prefer the solution be "optional" for member states.

Comments on the central "Communication Solution" proposal show a broad consensus in favour, with Czechia noting **"the decision to create a new (central) communication channel is highly probable."** Concerns remain, however, with Norway flagging **data and rights issues inherent to such a centralised system**. Sweden echoes those concerns and also argues for concrete guidelines on what information and text can be shared on the platform, warning there are considerable legal hurdles. Sweden also argues such a channel is a 'nice to have' but not essential to the overall interoperability project.

Other comments include:

- Various member states support Belgium's call for impact assessments on the above measures.
- Spain suggests an "Interoperability Rapid Response Team" be created, to be deployed in "situations of urgent intervention", as well as a bespoke EU-managed Interoperability Fund.

A presidency [note \(pdf\)](#) on the state of play of the interoperability implementation has also been circulated and is on the *Statewatch* site.

## Budgets and funding



### Joint Netherlands-Belgium letter hints at trouble for solidarity pool

A joint letter sent from the Dutch and Belgian migration and asylum ministers signals the two countries might consider **withholding financial support to the EU's Annual Solidarity Pool** amid their grievances over irregular migrants already on their territory.

In the letter, which was not publicly announced but was [published](#) on the Netherlands government website, the two ministers complain that a large number of the asylum seekers on their territories arrive there via 'secondary movement'.

Claiming over-strained public services, the two make it clear their countries' **contributions to the Solidarity Pool are contingent on "substantial progress and the sustainable application of the existing Dublin acquis**, with a clear action plan for each Member State and concrete, measurable benchmarks for progress by June 2026."

In other words: if member states on the EU's frontiers do not agree to receive irregular migrants returned via Dublin transfers, wealthier Northern member states could withhold their financial contributions – undermining the entire system.

"Solidarity must go hand in hand with responsibility" write the two ministers, going on to talk about the "challenges caused by... secondary movements" to the Netherlands and Belgium. **The language appears to imply that the two countries might see themselves as under sufficient "migratory pressure" to be considered recipients, rather than contributors, of solidarity funds.**

In October, the Commission [delayed publication of a report](#) that would have formalised the Annual Solidarity Pool.

## Deportation and readmission

### Few surprises in latest 'safe third country' proposal

On 3 December, MEPs in the civil liberties committee will vote on amendments to legislation on the 'safe third country' principle. The [proposed amendments](#), presented by rapporteur Lena Düpont (Germany, EPP), broadly reflect the wishes of member states, as seen in comments compiled in previous bulletins and [Statewatch analysis](#):

- States will be allowed to defer to national or EU-level 'safe' lists, an agreement/arrangement between the EU or a member state and a third country, or a person's connection to or transit through a country, **as grounds to deny a person a proper examination of their asylum request.**
- Unaccompanied minors are **not fully protected from deportation, particularly if a child is considered "a danger to national security or public order"**.
- Member states will be able to take "all" necessary measures to prevent someone absconding.
- The 'suspensive effect' of appeals will not apply unless there are 'reasonable grounds' to believe there is a risk of refoulement.

### IOM presents dire picture for people returned to Afghanistan

An International Organization for Migration (IOM) presentation on the "[Current migratory situation in Afghanistan](#)" (pdf) to a meeting of the External Aspects of Asylum and Migration Working Party (EMWP) on 10 September 2025 shows almost two million Afghans returned to the country in 2025 so far, mainly from neighbours Iran and Pakistan, with over half of those people having been expelled.

Alongside a breakdown of various statistics, the report highlights significant challenges faced by people returned to Afghanistan. The presentation is notable given that the **current deportations regulation draft will [allow for coordination](#) with the Taliban authorities on deportations**, even as the report also shows Europe receives a tiny fraction of people fleeing or displaced from Afghanistan overall.

The report recommends various actions, including expanded migration pathways, regularisation schemes and advocacy against pushbacks and deportations, **but only in reference to practices by Afghanistan's neighbours, not Europe.**

The report also suggests "**Evidence-based targeting of returnee locations for assistance**" and **engagement with the Taliban authorities.**

## **EUAA update shows very low desire among Syrians to return from Europe**

The same EMWP meeting also saw a presentation from the EU Asylum Agency on Syria. Unsurprisingly, the [presentation \(pdf\)](#) showed a stark decrease in asylum applications and positive decisions in the early months of 2025, after the fall of Bashar al-Assad. It also notes 14 EU+ countries which have suspended asylum proceedings.

Despite the expectation of these 14 governments that many Syrians would be happy to return, research conducted by the EUAA showed that **only a third of Syrians in Europe intended to return in the long-term, and only 6% in the short term**. Perceived economic and security challenges, as well as the threat of ethnic or religious persecution rank high among Syrians' concerns.

The EUAA is expected to update its Syria guidance in December 2025.

## **The UK expands on its visa penalties plan**

In a [policy paper published on 21 November](#), the UK government has attempted to explain its plan to reduce irregular arrivals and decrease deportations – both long-stated aims of Keir Starmer's Labour party government. A key part of the plan is to use visa penalties as leverage in gaining readmission cooperation with third countries:

*We expect all countries to take back their citizens who have no right to be in the UK. This includes providing travel documents within a reasonable time period. While many countries are fully co-operative with returns arrangements, others delay doing so for months or even years. Some fail to cooperate at all. [...] **For those countries that refuse to comply, we must take action.***

Where action is deemed necessary, the government writes that it will consider various visa penalties, including a full bar on access to the UK of citizens of the non-cooperative country: **“We will not [...] be willing to keep open legal routes when countries do not co-operate on returns.”**

The powers have, however, been on the books since 2022, after being introduced by the previous Conservative government, and are yet to be used. It remains to be seen whether the Labour administration will follow through on its threats.

## Migration partnerships



### The EU's €30m to Senegal: exporting carceral migration "management"

Elsewhere in this bulletin it has been noted that the EU would like step up cooperation with Senegal on border control and deportations. But as researcher Leonie Jegen has written for *Statewatch*, there is already [considerable cooperation as it is](#). Key takeaways from Jegen's analysis:

- In October 2024 the EU announced it would provide **€30 million from its aid budget to Senegal**;
- the funding focuses on **stepping up the fight against migrant smuggling: measures to enhance border surveillance and control, maritime interception, and reception/detention infrastructure**;
- funding priorities align with some of those supported by the Senegalese government elected in April 2024, but also fit neatly into longer-term dynamics of cooperation with the EU and other external actors.
- Ultimately, the plans can be seen as contributing to a **new era of carceral EU migration "management" in West Africa**.

Read the full article on the *Statewatch* site [here](#).



### "We are not there yet!" says Danish Institute for Human Rights presentation

A presentation from the Danish Institute for Human Rights to the [External Aspects of Asylum and Migration Working Party](#) on 10 September 2025 explores how human rights can be embedded in the EU's migration projects, with a particular view to externalisation.

The [presentation \(pdf\)](#) broadly re-treads the "human rights-based approach" (HRBA) concept which has [increasingly featured](#) in EU discussion in recent months. It explores in a vague fashion the benefits and challenges of embedding human rights protections into the EU's agenda, noting that this is a reputational issue for Europe and also that there are "weak institutional grounds [and a] lack of resources" in partner countries.

The presentation also briefly touches on the Institute's '[MediRights](#)' programme, funded by the Danish government and implemented by the IOM, UNHCR, ICMPD and the EUAA, which appears to be active in Tunisia and Egypt. The description for this project notes that human rights violations can be a push factor for migration, and warns that poor migration governance can contribute to those push factors anew.

The presentation at one point states the obvious: **the EU is "not there yet" when it comes to embedding human rights protections in its migration governance**.

## Council emphasises importance of migration cooperation with southern Mediterranean states

In a [set of conclusions](#) on the European Commission's recently-published 'Pact for the Mediterranean', the EU's Foreign Affairs Council emphasised the importance of cooperation on migration. The conclusions also set out the Council's preferred methods for implementing the Pact:

*"Full use will also be made of established channels, notably Association Agreements and Partnership Priorities, which remain the fundamental legal, institutional and political framework of engagement and which should be taken into account in the implementation of the Pact."*

The conclusions emphasise 'whole of route' approaches to migration, "with a view to prevent irregular migration and break smugglers' business", as well as **securing readmissions cooperation with Mediterranean partners**.

## UK and Italian ministers double down on "upstream drivers of migration"

In a [joint statement](#), the foreign and defence ministers of both countries "reaffirmed" their commitment to reducing irregular migration to their territories, particularly addressing the "upstream drivers of migration", and making note as well of the need to 'tackle hybrid threats'. **The UK noted its recent contribution of £5.75m (€6.5m) to the Rome Process, a programme spearheaded by Italian PM Giorgia Meloni to reduce irregular migration.**

Established in 2023, involving around 20 partner countries and a dozen multilateral organisations, and loosely tied to the EU-Tunisia deal, [the Rome Process](#) is an explicitly externalisation-focussed project, with an emphasis on "**concerted efforts based on mutual consent in countries at all stages of key mixed movements routes**", i.e. a 'whole of route' approach.

In response to a request on that £5.75m and the UK's involvement in the Rome Process, the UK Foreign Office provided the following information:

- The UK is an active member of the Rome Process and is on the Steering Committee and its three Working Groups (Economic and Development, Migration and Security and Climate);
- The UK's £5.75m contribution is aimed at funding projects that address irregular migration at its source, **with a focus on programmes in the Sahel region that provide protection and economic opportunities to disincentivise migrants from travelling towards Europe**. The funds also contribute to a research programme on the root causes of migration in Africa.

A similar request to the UK Ministry of Defence had, at the time of this bulletin, received no reply.

## Other



### Member states squabble with Commission over deportation statistics

A [presidency discussion paper \(pdf\)](#) circulated on 8 October 2025 addresses the issue of statistics member states are obliged to provide to Eurostat or Frontex under the upcoming deportation regulation.

Member states would, in the current draft, be required to report, every three months: the number of people subject to recognised return decisions issued by another member state; and the number of people subject to pre-deportation detention or alternative measures to detention.

Member states are also expected to submit monthly statistics on readmission applications, requests for nationality information and travel documents, and the number of people in 'reintegration' programmes. These latter statistics are considered important for **assessing third-countries' cooperation with deportations**.

Member states are apparently displeased with these requirements, feeling them overly burdensome.

The presidency – **noting that if statistics requirements are not included in the regulation they might end up under the control of the Statistics Working Party** - invited delegates at an October meeting of the JHA Counsellors to discuss what requirements member states would find acceptable.



### Far-right MEPs question migration commissioner's commitment to deportations

A [priority written question](#) to the Commission from MEPs Mary Khan (Germany, AfD/ESN) and Petra Steger (Austria, FPÖ/PfE) questions whether Commissioner Magnus Brunner is sincere in his stated desire to use trade, visa policy and development aid as leverage over third countries for increased deportations.

While welcoming Brunner's stated desire to use these tools, the two MEPs express concern that commensurate provisions are absent in the draft deportation regulation. They ask the Commissioner to explain the discrepancy and state clearly how the Commission plans "to ensure that trade, visa policy and development aid are used as effective tools to enforce returns".

### MEPs demand transparency over the role of the 'Khartoum Process' in Sudan's civil war

Swedish MEPs Jonas Sjöstedt and Hanna Gedin, both with The Left, [have written to the Commission](#) highlighting allegations that some of the €200m provided to Sudan for 'migration management', from 2014 onwards under the Khartoum Process, was channelled to the Rapid Support Forces – one side in Sudan's brutal civil war and credibly accused of genocide in Darfur. The MEPs ask the Commission to explain what steps it has taken to investigate this allegation, and whether any wider review is planned into irregularities in the management of Khartoum Process funds. More broadly, the MEPs ask what the Commission thinks are "the consequences of EU funds being channelled to an armed group such as the RSF".

For a thorough refresher on the Khartoum Process, see journalist Caitlin Chandler's [long-read for The New Humanitarian in 2018](#).

*(Both the above parliamentary questions were unanswered at the time of this bulletin.)*

### Development committee to vote on keeping humanitarian aid funds out of external instrument

On 2 December, MEPs in the development committee will vote to adopt a draft report on humanitarian aid. Amid its various provisions, [the report](#) (from Spanish S&D rapporteur Leire Pajín) urges the Commission "to maintain separate budget lines and instruments for humanitarian aid [...] and **to oppose any attempts to merge the EU Humanitarian Aid Instrument with the Neighbourhood, Development and International Cooperation Instrument (NDICI) – Global Europe**". The report also urges that flexible aid mechanisms in the EU's next budget don't "come at the expense of its neutrality".

### EU-Kazakhstan meeting discusses readmissions cooperation

The Cooperation Council between the European Union and Kazakhstan held a meeting in Brussels on 1 December. Among the items for discussion was "readmission and visa facilitation". Kazakhstan, along with other Central Asian countries, is emerging as an area of interest for the EU regarding irregular migration. [A presentation](#) from the EU's externalisation partner the ICMPD to the EMWP working group on 14 May 2025 warned of increasing irregular migration to the EU from the region.



## Commission unveils “Military Schengen” and further plans to combine defence and tech

The Commission [has announced](#) a new regulation to allow **greater mobility around Europe** – for guns, tanks and troops. The ‘Military Schengen’ plan (which is how the Commission itself describes it) smooths internal permit and customs procedures “to make it easier for troops, equipment and military assets to move quickly and smoothly across Europe”.

The plans are notable, from an externalisation point of view, given the numerous references to cross-border investment into dual-use technologies, as well as contracts for the tech sector to **develop the next generation of defence-tech – much of which may be deployed in migration contexts**. The new regulation is to be presented during this legislative cycle, with an ambition for ‘Military Schengen’ to be in place by 2027.

## Updates to the document archive

The [Outsourcing Borders document archive](#) hosts key documents from the Council of the EU and the European Commission.



### External Aspects of Asylum and Migration Working Party (EMWP)

[Human rights-based approach to migration cooperation](#): Danish Institute for Human Rights presentation to meeting of 10 September 2025 (11309/25, LIMITE, 10 September 2025, pdf)

[The current migratory situation in Afghanistan](#): International Organisation for Migration presentation to meeting of 10 September 2025 (11308/25, LIMITE, 10 September 2025, pdf)

[Displacement situation and recent developments in Syria](#): European Union Agency for Asylum presentation to meeting of 10 September 2025 (11310, LIMITE, 10 September 2025, pdf)

### Working Party on Frontiers

[The future of Frontex: hybrid threats](#): Presidency note to delegates for discussion meeting of 5 November 2025 (14395/25, LIMITE, 30 October 2025, pdf)

[The future of Frontex: engagement with third countries](#): Presidency note to delegates for discussion meeting of 5 November 2025 (14393/25, LIMITE, 30 October 2025, pdf)

### **Other documents**

[Implementation of Interoperability: proposal for risk mitigation](#): Note from Belgian delegation to Working Party on JHA Information Exchange, Visa Working Party and Working Party on Frontiers (11615/25, LIMITE, 16 July 2025, pdf)

[Implementation of interoperability - State of play](#): Note from Presidency to Permanent Representatives Committee/Council (13061/25, LIMITE, 3 October 2025, pdf)

[Non-paper on the Implementation of Interoperability: proposal for risk mitigation - compilation of comments](#) sent to Working Party on JHA Information Exchange and Working Party on Frontiers (11725/25, LIMITE, 24 September 2025, pdf)

[Presidency discussion paper on statistics to delegations](#) (13691/25, LIMITE, 8 October 2025, pdf)

[Joint Letter on the European Pact on Migration and Asylum and implementation of the Solidarity Mechanism](#) sent by David van Weel, Minister of Asylum and Migration of the Netherlands and Anneleen Van Bossuyt, Minister of Asylum and Migration Belgium to the European Commission (3 November 2025, pdf)

## About this bulletin

This project, carried out by *Statewatch* and *migration-control.info* and funded by *Brot für die Welt*, *Misereor*, *medico international* and *Pro Asyl*, aims to make the EU's externalisation policies, plans and practices public. In doing so it seeks to highlight their impact on the rights of people on the move, as well as democratic standards, transparency and accountability. It addresses a lack of public information by publishing relevant EU documents, in this phase primarily those produced or discussed by the Council of the EU. It also tackles the overflow of information that results from a variety of EU institutions, working groups and national governments involved in the externalisation agenda by summarising thematic and regional developments, and by analysing key issues in depth.