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FACT SHEET

PATHWAYS AND (CHANGING) POLITICAL CONTEXT



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SUMMARY OF KEY POINTS

- Complementary pathways are dependent on political agreement and approval by government on different levels. The political context directly and indirectly impacts on this.
- The political context also impacts on the scope of and resources and responsibilities within the complementary pathway.
- Changes in the political context can enable but also seriously impede the development and implementation of complementary pathways.
- Promoters of complementary pathways might need a certain flexibility/creativity to deal with changing political contexts.

WHAT ABOUT THE POLITICAL CONTEXT?

Complementary pathways have been the subject of discussion and pilots in Europe for about a decade. A lot of work has been undertaken on the practicalities of implementing a typical pathway: determining the beneficiaries, pre departure activities, transfer and arrival, settlement and integration.

Yet all of these aspects only become relevant after one decision, namely the decision to permit a complementary pathway to be established. Depending on the situation in the country or countries involved, central governmental actors will need to be "on board" for this. Usually, central government (sometimes in cooperation with the national parliament) will need to agree to persons entering the territory, whilst competent national authorities will require to provide visas, permit asylum applications to be lodged or guarantee issuance of the appropriate residence permit. Regional or local government might also need to give agreement in cases where they are responsible for settlement, housing and other issues.

It will often be the administrative staff of government ministries or state agencies who will be dealing with the practicalities. However, they depend on a political decision from their respective ministers or directors. These ministers or directors will themselves often be political appointees. More than that, their office is likely to depend on the political will of, or at least lack of opposition from, their electorate.

All of this, and the fact that any movement of refugees or migrants, however small, to Europe may be over-dramatised by political actors, media or others, underlines why political context matters. As the experiences of some partners during the COMET project have shown, a change in political context can have a very decisive impact on the establishment – or otherwise – of a complementary pathway.

Political context is constituted by many different factors, often in combination, which may differ from country to country. Most of the time, the political context is framed by debates on migration or refugee protection in general and not specific to complementary pathways.

Elections tend to be the most visible expression of a political context. While – to underline this again – political parties running in elections will very rarely have a specific position on complementary pathways, they will usually have positions on migration and/or refugee protection. In recent years, it was particularly those parties radically refusing any kind of migration or arguing that far too many migrants (including refugees) are arriving, which made migration/refugees their key campaign issue.

Media, increasingly including social media, the information provided and opinions expressed in them, may shape the political context. A media environment in which migration and migrants are portrayed as a threat or disaster, for example, UK tabloids¹, may significantly influence political context in one direction; articles focusing on the fate of persons fleeing which underlines their humanity, particularly through interviews and witness testimony, will have a

1 An online article in the quality newspaper The Guardian provides a couple of notorious tabloid headlines: <https://www.theguardian.com/media/2020/jan/26/migrants-are-off-the-agenda-for-the-uk-press-but-the-damage-is-done>

radically different influence. This is all the more true of contributions which include incorrect information. Similarly, reports about suffering, including deaths, of refugees can play an important role in mobilising support for safe pathways. This is even more the case if they are accompanied by pictures and testimonies – although even those can raise a number of questions regarding ethical journalism.²

Last but not least, ordinary citizens and civil society groups can change the political context. Consider, for example, the widespread appeals, statements and visible elements – posters, T shirts, caps etc. – which in 2015/16 articulated “refugees welcome” and the extent to which they played a part in shaping the political context for refugee protection.

WHY IS THE POLITICAL CONTEXT IMPORTANT?

As outlined above, the political context, even political/parliamentary majorities, is central to establishing or maintaining a complementary pathway. This can be broken down into different phases.

Initial arguments for a complementary pathway

Any new complementary pathway will need to be debated before it can be established. The nature and extent of the debate can take different shapes. The starting point will always be that you can as a promoter of a pathway argue that establishing the pathway will be a positive initiative which meets need. Arguments will often mention the need for better protection of (certain groups) of refugees or the need for safe passage for them. This might be connected to an argument as to why your country or region bears a specific responsibility for refugees or is well placed to assist them. In a political climate where opinion is aware of and sympathetic to the plight of refugees, particularly those fleeing a particular context, your chances are much better than in one where refugees are portrayed as a danger.

Momentum and allies

Once you as a promoter of a complementary pathway have made your initial argument, you will need to gather clout behind your idea. The more that governmental actors have the impression that your proposal has widespread approval, the more likely the former are to buy in to the concept and give it the go-ahead. Support can be expressed in various ways by others – public declarations and statements, maybe even a demonstration, but also direct contact between supporters and political actors, letter-writing etc. You might, however, want to consider your target. Are you aiming at generating momentum among a specific group of key experts/actors or do you intend a public campaign with a wider audience? As the pathway which you try to establish will require multi-stakeholder cooperation, harnessing a commitment to play a role in implementation (e.g. in financing or the settlement process) could be of great importance in creating momentum and signalling.

Scope, resources and responsibilities

Assuming that general agreement has been reached between governmental actors and the promoters of a complementary pathway, the details of the pathway need to be agreed. Once again, the political context will play a role in the negotiations on that. Determining whether only a handful of participants are to be accepted or whether the pathway’s scope will be wider largely depends on the political context. Likewise, the willingness of state actors to commit resources – be it staff resources or finances – to the pathway will depend on the political context. The political context will also play a role in determining which government actors will be involved (a ministry, an agency?) and which level of government – from local to national. Last but not least, the distribution of roles in steering and implementing the corridor is likely to depend on political context.

² A prominent example was the picture of the 2 year old Syrian boy Alan Kurdi whose dead body was washed ashore after he had drowned in a shipwreck trying to enter Greece in September 2015. The picture went viral and mobilised widespread empathy, but was by many seen as too disturbing for readers, and as violating the boy’s dignity and his family’s right to grieve.

EXAMPLES: POLITICAL CONTEXT IMPACTING ON COMPLEMENTARY PATHWAYS

Italy: Setting up humanitarian corridors

One example of a political context being favourable to establishing a complementary pathway is the setting up of humanitarian corridors to Italy. The ongoing suffering and deaths of those trying to find safety in Europe were at the time widely discussed in Italy. This was not least due to the tragedy of more than 360 persons having departed in Libya and wanting to arrive in Europe losing their life in a shipwreck off the island of Lampedusa on 3rd October 2013.

The reaction of the Italian government at the time was one of empathy, rooted in the humanitarian political beliefs of the political parties making up the then Italian government. Empathy towards those who had died was expressed in symbolic activities like holding a state funeral and declaring a day of mourning. Italy also launched the most comprehensive state-run search and rescue operation to this day.

In this political context, the idea of humanitarian corridors, which had been developed by COMET lead, the Federation of Protestant Churches in Italy, together with the Comunità di Sant'Egidio, was in general favourably received, and permission for a pilot corridor granted.

Interestingly, the harder line position of subsequent governments in relation to border control, has had a minimal impact on the continuation of humanitarian corridors and establishment of other legal pathways within Italy. They appear to have become embedded within Italian migration policy as well-controlled and well-managed models of orderly migration for which government has little or no financial responsibility. As such, they are a rare example of an instrument which appears largely context-proof – although context has undoubtedly had an impact on scale.

Netherlands: educational pathways

A contrast can be drawn with the experience of COMET partner Justice & Peace (J&P), which committed to advocating for the establishment of an education pathway which would, initially, bring five refugee students to the Netherlands, marking a potential first for the country. Advocacy was complemented by the effort to mobilize students and engage schools sceptical about the academic readiness and language proficiency of the students.

The political climate in the Netherlands shifted dramatically following national elections in November 2023, which brought to power a government with strong anti-migration and Eurosceptic views. This new political reality severely impacted the pathway's implementation. New policies included changing the language of instruction from English to Dutch and increasing tuition fees for non-EU students, straining the relationships which J&P had carefully developed. J&P's relationship with educational institutions, initially driven by idealism, had to shift focus to align with the government's approach, which prioritized reducing the influx of international students. Financial barriers added another layer of difficulty. The high cost of tuition for non-EU students in the Netherlands was a significant issue and many educational institutions were hesitant to waive these fees, further complicating the pathway's implementation.

In an attempt to navigate these challenges, J&P was flexible, patient and strategic in its interactions with educational institutions. They engaged local student communities and universities with which they had existing, supportive relationships, collaborating, for example, with UNICEF student teams and established student community sponsor groups to welcome and support newcomer students. J&P included the voices of students and individuals with lived experience in its advocacy work, a collaborative approach which proved effective, particularly in conversations with local authorities, who showed a willingness to support in areas like housing.

Despite these efforts, ultimately, the pathway could not be established within the project's lifetime. However, important groundwork has been done and, as they move forward, J&P – rather than wait for political clarity – is reflecting on and how best to balance idealistic goals with pragmatic approaches and how best to support others in taking the next step.

Spain: Community sponsorship in Catalonia

COMET partner Fons Català de cooperació al desenvolupament (FCCD) is an organisation which consists of more than 300 city councils and other supra-local bodies that allocate part of their budget to fund development cooperation and international solidarity actions all over the world. One task of FCCD is providing support to local authorities in the protection of rights of migrants and refugees. FCCD's goal within the COMET project was to establish a complementary pathway with a strong community sponsorship component, initially for ten persons, with gender as a priority for the identification of potential beneficiaries. FCCD sought to include local authorities in design and implementation, aiming to promote decentralized reception programs to ensure that persons in need of international protection would be placed according to capacity and existing opportunities.

During the establishment phase, it was important to learn from other regions in Spain (Basque Country, Navarra and Valencia) who had already implemented community sponsorship and had generated a positive political context. Engaging with stakeholders at an early stage was therefore central to ensuring a broad base of support so that efforts of FCCD were aligned with existing initiatives and strategic plans of the different levels of government (local, autonomous, and national). All levels of government were involved in negotiating the MoU for the pathways.

Unfortunately, municipal, national and regional elections between 2022 to 2024 created a very volatile political environment. On the one hand, there was an ongoing concern that there might be shifting priorities; on the other hand, the difficulties in establishing a new national government brought discussions to a standstill. A final blow to the plans came from wider discussions and post-election dynamics regarding the distribution of responsibilities – in particular for migration – between the Spanish and Catalan governments.

As a result, despite the significant progress made, the pathway could not be established within the lifetime of the COMET project. However, some of the lessons learnt and partnerships created are in the view of FCCD helping more broadly in terms of cooperation for protection of refugees. Determination to create a pathway – when the political context allows – remains.

RESOURCES/FURTHER READING:

- CCME/Deborah Romano: Community sponsorship and churches: what's new, 2022 <https://ccme.eu/wp-content/uploads/2023/02/Report-Community-Sponsorship-Warsaw-Oct-2022-FINAL.pdf>
- ECRE/Claire Rimmer: Pathways to Protection: Mapping visa schemes and other practices enabling people in need of international protection to reach Europe safely, 2024 https://ecre.org/wp-content/uploads/2024/03/ECRE-Study_Pathways-to-Protection.pdf UNHCR/MPI Europe: Refugee resettlement and complementary pathways – opportunities for growth, 2021 <https://www.migrationpolicy.org/research/refugee-resettlement-complementary-pathways>

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