

# Generating instability? The impact of the EU's hybrid migration governance in Turkey, Lebanon and Jordan

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## Abstract

This article analyses the migration agreements between the European Union (EU) and Turkey, Lebanon and Jordan. These international policy frameworks were negotiated in tandem with one another, and all were announced in 2016. Drawing on fieldwork conducted in the three countries, the article argues that they fuse humanitarian elements with a bloc-based security logic in an ad-hoc mix that lacks substantive legitimacy in the three states, rendering the frameworks unstable. The article introduces the idea of hybrid migration governance which we have developed inductively to conceptualise the empirical findings from our fieldwork, building on existing work on hybridity in the conflict and security studies literature and Nora Stel's conception of governance as the ability to shape the field of action of others. In our usage, hybrid migration governance refers to the efficacy of EU intervention in the institutional management of migration in the three case study countries ('shaping the field of action'), the 'frozen' character of the societal relations formed through this process and their underlying lack of domestic legitimacy. In conclusion, we argue that hybrid migration governance poses a problem for the EU's 'Barcelona' conception of human security, because rather than expanding the bloc's 'zone

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of security' to the international neighbourhood, these policies have generated downstream security-risks.

## 1 | INTRODUCTION

Drawing on fieldwork in Turkey, Lebanon and Jordan,<sup>1</sup> this article introduces *hybrid migration governance* as a conceptualisation that we have developed inductively from the empirical findings of the research. This idea is derived twofold from the literature on hybridity in conflict and security studies in tandem with Nora Stel's conception of governance as the ability to shape the 'field of action of others' (Stel, 2020, p. 5). In our usage, hybrid migration governance refers to the efficacy of EU intervention in the management of migration in the three case study countries ('shaping the field of action'), the 'frozen' character of the societal relations formed through this process and their underlying lack of domestic legitimacy (owing to a perception of imposition in the states that are the object of the hybrid migration governance strategy). However, due to the nature of the inter-state negotiations shaping these frameworks, and the role of NGOs (who tend to be critical of exclusionary migration policies) in implementing them on the ground, hybrid migration governance is not a purely 'top down' and externally imposed set of societal relations but is shaped 'from below' through compromise and contestation. The article explores the common features that emerge from the hybrid migration governance arrangements created through EU external intervention in the three neighbouring countries (Turkey, Jordan and Lebanon). We then identify the downstream risks they pose to the longer-term security of EU member-states.

Our research for the present study sought to build on and develop insights in the existing literature on the 'organised hypocrisy' (Brunsson, 1989) that structures EU policy on the migration question. Given the established importance of civil society organisations and stakeholders as both antagonists and 'shapers' of the EU's migration governance the research project sought to uncover their assessment and experiences of the deals with Turkey, Lebanon and Jordan. We set out to investigate the interplay between local conditions and EU external action policy, and how this interaction shaped the concrete governance of migration in these host states. We were furthermore interested in the extent to which the EU's formal commitment to refugee protection shaped conditions in host countries, what this might reveal for how these migration governance outcomes should be conceptualised, and the longer-term risks posed by these arrangements.

## 2 | 'ORGANISED HYPOCRISY': THE EXISTING LITERATURE ON EU MIGRATION GOVERNANCE

Research into the links between migration and security has explored the way in which events and political issues become constructed as security threats (Buzan et al., 1998), and the practices and institutional forms associated with securitization (Bigo, 2001; Lazaridis, 2011). In the last decade, a substantial academic literature has monitored and critiqued the securitisation of EU migration policies and practices (for an overview and engagement with the "Copenhagen School" in security studies see Léonard & Kaunert, 2022b). Analyses of the EU's response to the 2015–2016 migration 'crisis' have recognised the presence of two, closely linked dynamics: (a) the disruption of the classical distinction in integration theory between 'more' or 'less Europe' due to

a lack of agreement over 'which' Europe there should be more or less of; and (b) a related disjuncture between the construction of a discursive space that places high value on normativity and universal values, and the political and institutional barriers to realising these stated intentions in practice (Lavenex, 2018, see also Larsen, 2020). Sandra Lavenex argues that a form of 'organised hypocrisy' (Brunsson, 1989) emerged in this context as an unconscious organisational strategy to deal with competing, irreconcilable demands. This has resulted in a profound 'cleavage between what the EU says it is doing... and what it is actually doing' (Lavenex, 2018, p. 1200). While this tension between practices and values is far from unique to the EU, both historically and contemporaneously, it was thrown into particularly sharp relief by the political arguments over migration after 2015–2016. The incompatibility of a humanitarian-based approach, on the one hand, and the forcible exclusion of migrants through a bloc-based security logic, on the other, resulted in a migration strategy that continued to appeal to liberal principles while prioritising keeping refugees out of the EU.

The *EU Global Strategy*, which was agreed at the high point of the migration crisis in 2016, can be read as an example of such 'organised hypocrisy' in action. While the document carefully eschewed the question of whether the human rights of migrants should be prioritised, it gave implied support to a humanitarian visa which would facilitate 'the safe, regulated and legal arrival of refugees seeking international protection in the EU' (European Union, 2016, p. 28) – even though member-states had failed to agree such an approach. In a revealing piece on how this came about, Nathalie Tocci, a senior advisor to EU High Representative Federica Mogherini, recalled the pressure they were under to exclude discussion of refugee protection. Notably, she admitted that 'keeping migrants outside EU borders' was 'close to the [bloc's] practice', but argued that the *Strategy* did not want to 'legitimise such an approach' (Tocci, 2016, p. 469). So, even though the High Commissioner was centrally involved, through the Commissioners' Group on External Action (Blockmans & Russack, 2015; Sjurson, 2011), in developing and implementing (Smeets & Beach, 2020, p. 134) the EU migration policy, Mogherini's office formally committed the EU to an alternative position in what was suppose to be its cornerstone foreign policy document. The episode thus captures how such well-intentioned discursive signalling, in tandem with the complexity of the EU's decision-making structure, generates an 'organised' or *structural* hypocrisy with liberal positions postulated while those based on exclusionary border security are pursued.

The inability of the EU to reconcile internal differences over burden-sharing (Pastore & Roman, 2020) was also a factor in driving the externalisation of EU migration governance through deals with neighbouring states. While such deals between the EU and third countries were far from new (for a history of these legal and semi-formal frameworks see Ryan, 2019), they became more important after 2015. The push for this 'migration diplomacy' (Adamson & Tsourapas, 2019; Kutz & Wolff, 2020; İçduygu & Üstübcici, 2014) has been a central component of the border-securitisation strategy. With the EU unable to reach agreement on internal quotas for Syrian refugees, it instead united around an 'external action' approach (Carrera et al., 2019). This sought to take advantage of the asymmetric power relations that characterised their ties with host states to stop migration flows upstream (Bobić & Šantić, 2020; Buehler et al., 2022; Casas-Cortes et al., 2016; Loschi & Russo, 2021).

A further line of scholarly enquiry has concerned the role of civil society actors in shaping and contesting the European migration governance space. This has highlighted how 'civil society actors perceive migration-related issues through a more migrant-centred and human rights-oriented frame', and reject the securitising assumptions which prevail in the EU (Pastore & Roman, 2020, p. 16). Through their contestation of the migrants-as-threat framing civil society

constructs an alternative approach that assumes immigrants have fundamental rights and seeks greater recognition of this in institutions and their policies (Piper, 2015, see also Grugel & Piper, 2007). Although these movements and groups may be marginalised and even attacked by official state institutions, there is also a dynamic of ‘interplay’ in which ‘governance initiatives “from above” are sustained/contested/complemented/substituted by... initiatives “from below”’ (Lavenex & Piper, 2022, p. 2838). Indeed, this interaction is often formalised and takes on a direct financial element through the role that civil society organisations play, not only as a recipient of funds for humanitarian relief but also to undertake advocacy for migrant rights in host countries (Stock, 2022). This can lead to the contradictory situation (though one logical in *realpolitik* terms) whereby the EU funds rights-based advocacy in external contexts while often rejecting this approach ‘at home’. In this sense, ‘organised hypocrisy’ is not simply an expression of the non-correspondence of values and actions, but should also be viewed as the simultaneous presence of antagonistic policies tailored to specific political ‘realities’ in internal and external contexts. Seen in tandem with the positions taken by elites in the transit states, which seek to use European fears of ‘uncontrolled’ migration to their advantage, the overall landscape of the EU’s external migration governance takes on a complex and contentious character (Fakhoury, 2022). There are limits on the extent to which the EU can project power from Brussels to its regional peripheries - and this shapes the concrete formation of migration governance ‘on the ground’.

### 3 | METHODOLOGICAL CONSIDERATIONS

The fieldwork involved a series of semi-structured qualitative interviews with key stakeholders working on a wide range of areas related to migrants and refugees in Jordan, Lebanon and Turkey. Interviewees were chosen for their work in humanitarian, advocacy, and legal fields, which gave them insider knowledge of the funding and governance agreements with the EU. By identifying actors working on the ground, we captured their experiences of governance and its constitution through overlapping ties between state and non-state actors in tandem with the shaping effects of the EU as a supranational organisation.

Stakeholders were selected to include representatives of a range of groups (e.g., national and international, secular and faith-based, etc.) to obtain a broader perspective and capture the complexity of these governance processes. Since most stakeholders were working from home in the pandemic, we relied on email and phone communication to conduct the fieldwork. A total of 53 representatives from different organisations were interviewed. This includes 23 interviews in Jordan (over the month of July 2020), 14 interviews in Lebanon (July-September 2020) and 16 interviews in Turkey (October-November 2020). The interviews were carried out in Arabic, Turkish or English based on preference. Interviews lasted around 1 hour. The interview protocol covered topics including the profile of the organisation and the interviewee, the refugee crisis and its impact on the fundraising conferences, and various aspects of the deal and their prospects.<sup>2</sup>

Overall our fieldwork can be read as supporting the scholarship in the existing literature that highlights the different values with which civil society groups approach the migration issue, that is, how they emphasise a migrant-centred, rights-based approach. Our research revealed the complex effects of the EU externalisation policy, and the ways in which it amalgamated rights-based and security logics into an unstable whole, especially given the role that NGOs play in delivering EU-funded humanitarian relief and rights-based advocacy in host states. We elaborated the concept of hybrid migration governance to describe these dynamics inductively, drawing on evidence garnered from the interviews in tandem with desk research into the

academic literature. Through this reciprocal, diachronic approach to the use of evidence and concepts to generate knowledge, we developed hybrid migration governance through an engagement with the security studies literature and Nora Stel's conception of governance. For purposes of presentation, here we outline the findings of our research first by introducing the conceptual framework and then elaborating it through the empirical findings.

#### 4 | HYBRID MIGRATION GOVERNANCE: CONCEPTUALISING THE EU'S EXTERNALISATION PROCESS

Hybrid security has been developed in the conflict studies literature to conceptualise the failure of top-down external interventions to create liberal states and involved the re-evaluation of local, traditional and identity-based authority structures (Mac Ginty & Sanghera, 2012; Raineri & Strazzari, 2019; Richmond, 2015; Strazzari & Kamphuis, 2012). Hybridity identifies the tension between the aims of external intervention (the construction of liberal, centralised states with a monopoly on the use of force) and the messy on-the-ground realities, often marked by the proliferation of warlordism and rebel groups, in which these interventions are embedded and become entangled (Mac Ginty, 2011). In peace resolution processes, this may lead to violent groups gaining legitimacy in negotiations sponsored by external parties and produce a 'hybrid peace' in which drivers of conflict persist (Kaldor et al., 2016, 2018a, 2020). Another usage has sought to capture the dynamics of governance in cases of low state capacity ('limited statehood') (Krasner & Risse, 2014). This situation can see states become dependent on private sector firms, producing a 'hybrid' nexus of public-private relations (Enns et al., 2020) that changes the form and logic of statehood. The international political economic context for peace process bargaining is also one marked by a high level of global financial integration, which can become connected to the predatory practices found in conflict sites (e.g., kidnapping, extortion and corruption) by, for example, providing straightforward mechanisms to launder the monetary gains from this activity (Kaldor et al., 2016, p. 14). In this sense, while rules-based global orders are 'stability seeking', this will not occur if the regimes they institutionalise lead to volatility and insecurity. In conflict-racked and/or highly impoverished countries policy agendas tend to be shaped by rich states prioritising crisis-mitigation and crisis-management (De Waal, 2015).

This existing literature on hybrid security thus offers a critical perspective on how inequalities in power between wealthy states and those that are the object of external intervention interact with discourses and actors on the ground to shape substantive outcomes. Hybridity refers therefore to the interactive dynamics - the 'combinations' and 'multiplicities' (Rosenberg, 2016) - between the internal and external that shape behaviour and institutions in countries that are subject to outside intervention. Building on the aforementioned academic literature, we conceptualise hybrid migration governance as an international phenomenon made possible by power inequalities between states. These hierarchies in inter-state relations, and the presence of bloc-based security logics in relation to the movement of people across borders, provide the foundation in international relations for the construction of hybrid migration governance. Adapting the arguments of Nora Stel, we define governance as the capacity to shape, rather than determine, the 'field of action of others' (Stel, 2020, p. 5). This involves the delineation of 'specific issues, groups, or spaces, producing frameworks to regulate them, and enforcing these frameworks' (Stel, 2020, p. 5). The EU made extensive use of such intervention in its post-2015/16 migration policy, pursuing 'governance at a distance' (Bialasiewicz et al., 2013, pp. 63, 71), while simultaneously situating irregular migrants as a security risk requiring a toughening of border

enforcement (Léonard and Kaunert, 2022a, 2022b). Importantly, EU governance may take a semi-formal (e.g., lack the status of treaty law) character, while still having considerable efficacy ('shaping effect') on the policy and institutional outcomes—as was the case with the three agreements discussed in this article.

Governance intervention produces various forms of hybridization. Firstly, it involves the 'intertwining of domestic and international actors in the task of development and implementation' (Bell, 2008, p. 190). Even if the agreement is only semi-formal in character it may still shape legislation and institutions on the ground. Thus a 'hybrid legal pluralism' (ibid) dynamic ensues with multiple jurisdictions shaping the substantive formation of institutions. Secondly, this pluralism is expressed in how an eclectic range of parties are involved in structuring governance, 'a motley collection of... international actors' (Kaldor, et al., 2018, p. 4), including states, NGOs and supranational bodies—and disagreements and compromises between these players can create a 'muddling through' (Riddervold et al., 2021) dynamic, especially in the throes of crisis. Third, the strategy therefore comes to amalgamate—that is, hybridize—different technocratic and ideological influences which are combined into a semi-coherent whole pursued through the diplomatic process. The lack of EU homogeneity also provides a point of leverage for the third country elites engaged in negotiations. They may capitalise on divisions to pursue secondary goals while acceding to the overall governance framework, and this assertion of agency provides another source of hybridisation. Fourth, the combination of the stronger external party, the EU, prioritising bloc interests (e.g., reducing irregular migration flows) in negotiations with states that are struggling with 'their own' issues (e.g., illiberal tendencies, corruption, exclusionary identity politics, etc.) renders hybrid migration governance prone to 'freeze' rather than address societal concerns, compounding the problems of poor state capacity and low levels of political legitimacy.

Building on these conceptual foundations, our overall argument is that the migration deals implemented in response to the conflict in Syria produced a form of hybrid governance based on the application of 'crisis management' techniques to the migration question. We develop this framework below through an analysis of evidence from our fieldwork. The novelty of our approach lies in showing that hybridity in the governance of migration generates a frozen 'incompleteness' to the societal relations formed through external interventions and their interaction with domestic political and institutional dynamics. The concept of 'frozenness' contributes where there are built-in tensions generated by the governance intervention, which pose questions (e.g., of *rights* and *shared responsibility*) that the intervention itself cannot answer, generating downstream risks (e.g., intercommunal or geopolitical tension and conflict). Thus, our conception of hybridity does not simply refer to policies that are internally contradictory or have antagonistic objectives but seeks to give particular emphasis to the temporal, downstream risks entailed by 'frozen' societal relations.

## 5 | TURKEY, LEBANON AND JORDAN: THE OUTLINES OF EU MIGRATION GOVERNANCE

The bilateral diplomatic agreements with these three states were not formal international treaties but constituted working documents with an outline basic action plan. In exchange for differing forms of economic assistance, the three states committed to support refugees remaining in the country until conditions in Syria allowed for voluntary return. The agreements were country-specific—and the amount of financial support from the EU was highly uneven across



**TABLE 1** Key points of the EU's agreements with Turkey, Lebanon and Jordan.

Turkey-EU	<ul style="list-style-type: none"> <li>• Migrants to be returned to Turkey: All new irregular migrants crossing from Turkey into Greek islands as from March 20, 2016 will be returned to Turkey.</li> <li>• Border protection: Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU.</li> <li>• One-for-one: In return for any Syrian refugees the EU deports back from Greece to Turkey, the EU will take in one Syrian refugee currently in Turkey, that is, on a 'one-for-one' basis.</li> <li>• Additional financial aid: The EU agrees to speed up the payment of three billion euros (\$3.4 billion) in aid for refugees in Turkey, under the terms of an earlier summit in November.</li> <li>• Visa Liberalization: The EU agrees to accelerate plans to bring in visa-free travel for Turkish nationals to the Schengen passport-free zone by June, provided that all benchmarks have been met.</li> <li>• Turkey's EU Accession negotiations: European Union has agreed to speed up talks concerning Turkey's EU membership.</li> </ul>
Lebanon-EU	<ul style="list-style-type: none"> <li>• The EU would fund programmes implemented with state authorities, unions of municipalities, municipalities, EU Member States' agencies, non-governmental organisations and international organisations, with pledges of a minimum of €400 million in 2016–2017, in addition to the bilateral assistance of more than €80 million for those 2 years.</li> <li>• Lebanon would streamline regulations governing the stay of refugees, including periodical waiver of residency fees and simplifying documentary requirements with a view to easing their access to the job market in labour-intensive sectors.</li> </ul>
Jordan-EU	<ul style="list-style-type: none"> <li>• World Bank concessional loans subsidised by donors.</li> <li>• EU relax rules of origin (a tariff barrier) for 53 manufactured goods exported from Jordan, providing a 10-year exemption for factories in Special Economic Zones (SEZs).</li> <li>• Jordan would:               <ol style="list-style-type: none"> <li>a) Provide employment opportunities for up to 200,000 Syrian workers in 18 SEZs and ensure at least 15% of their employees were Syrian, rising to 25% in a factory's third year of operation;</li> <li>b) Allow Syrians to apply for work permits inside and outside the SEZs;</li> <li>c) Give Syrians time to formalise their existing businesses in accordance with existing laws and regulations;</li> <li>d) Involve Syrians in municipal works for donor-funded projects;</li> <li>e) Remove restrictions preventing small economic activities within camps, and with people outside camps;</li> <li>f) Increase access to vocational training and higher education opportunities.</li> </ol> </li> </ul>

the three states. Turkey, distinctive among the three as a transit country for migrants on route to Europe, not only a host, committed to receiving migrants deported from Greece in exchange for a parallel—and largely unfulfilled—EU pledge they would resettle one refugee from Turkey for each Syrian national returned to its territory (“[F]rom March 2016 to March 2021, slightly more than 28,000 Syrian refugees were resettled in the European Union from Turkey, far short of the maximum 72,000 outlined in the deal”, see Terry, 2021). In return, the Turkish government received far more economic support than either Jordan or Lebanon, illustrating the highly transactional logic underpinning the negotiations. Overall, while each agreement was country-specific, they combine a similar mix of economic measures including trade incentives and concessional loans, labour market integration for the refugee population (e.g., work permits and quotas), financial support for border security and humanitarian assistance programmes, and a push for some form of secure legal status for the refugee population in the host country.

We assemble the key points of the three different agreements in Table 1.

## 5.1 | Hybrid migration governance as the construction of legal limbo and personal insecurity

The language of these frameworks aimed to ensure protection of, and rights to, refugees while at the same time identifying a need for sustainable development solutions. Many actors across all three countries highlighted that the agreements focused on giving access to the rights of Syrian refugees within the specifics of the jurisdictional context in each country. Lebanon and Jordan are not signatories to the 1951 Convention on the Status of Refugees. While Turkey is a signatory, it considers that it pertains legally to Europe alone, having not signed the 1967 Protocol that removed geographical and time limits on the applicability of refugee status. Indeed, the rights associated with full “refugee” status are considered very controversial across the three states. In Lebanon, ‘at the beginning of the influx, the government asked the refugees to sign up with the UNHCR’ to access ‘international cover and humanitarian assistance’, but backtracked when they ‘realised that by registering with UNHCR they would be determined as “refugees” by the provisions of a Memorandum of Understanding (MOU) signed between Lebanon and the UNHCR in 2003. UNHCR was asked to suspend their registration programme in 2015 and Syrians were considered, ‘temporarily displaced Syrians’, not refugees.<sup>3</sup> There is no right to apply for refugee status unless the migrant can show they have had temporary protection for 9 years.<sup>4</sup> Similarly, in Jordan, citizenship was not on the table and considered a sensitive issue. Refugee protection is undertaken through the 1998 MOU between Jordan and the UNHCR, which respondents argued was in line with human rights norms, but still fell short of 1951 Convention rights.

Our research uncovered a form of hybrid, ‘frozen’ migration status characterised by instability, temporariness and conditionality. In these conditions refugees struggle with perceptions of ‘permanent temporariness’ (Brun & Fabos, 2015; Steigemann & Misselwitz, 2020) in relation to host countries. The fieldwork found a lack of regulation or lack of implementation of laws, especially in the case of Lebanon, where there was a policy of ‘no-policy’ implemented, which echoes findings from the wider literature (El Mufti, 2014; Stel, 2020). ‘The policy for dealing with Syrian refugees’, said one interviewee, ‘is not having a policy and this is a reflection of our view towards the Lebanese system whereby the absence of consensus results in a lack of policy’.<sup>5</sup> Despite commitments in this direction, in none of these three countries did the agreements include detailed conditions with regards to the legal presence of refugees in the host countries, a feature of their character as ‘working’ documents, and left it to the particular states to decide on how to regulate (or not). Legal precarity had implications on the ground, as it provided scope for state institutions to interfere in an ad-hoc manner, through crackdowns on refugees, leaving them in a vulnerable situation.

While the EU recognised the problem of migrants being kept in limbo, it did not pursue concrete changes. While it did seek to mitigate these insecurities through financial assistance to non-state actors operating in this space, the ‘sticking plaster’ character of these humanitarian measures have the effect of, to some degree, ‘freezing’ the crisis at a certain stage marked by this ‘permanent temporariness’ (Brun & Fabos, 2015; Steigemann & Misselwitz, 2020). Beyond humanitarian support, the EU also supported civil society groups undertaking rights based advocacy for refugee protection. According to one interview subject, ‘a lot of the funding was received by civil society actors, namely local organisations, which have mostly been the ones addressing protection issues’.<sup>6</sup> This sought to address the impoverishment interwoven with the temporariness of the status, but the ‘very complex’ nature of this issue arose from the fact that the Lebanese state is unable to provide anything close to a ‘full safety net’ for its own citizens.<sup>7</sup> Resentments in society fed, in turn, into discriminatory policies in which the absence of robust protections



of physical security deepened economic vulnerability. As one interviewee recalled, 'Lebanon's residency policy for the Syrians... was making it extremely difficult to actually obtain... [work] permits'.<sup>8</sup> Added to this, in Spring 2020 there were orders to demolish Syrian homes in Aarsal and 'what we saw... [at the same time] are some crackdowns that happened in Beirut around businesses that were employing Syrian staff'.<sup>9</sup> The EU's governance agenda therefore interacted with this context in which anti-immigration sentiment became strong and state 'practices... were pushing the Syrians to somehow tell them: "there is nothing for you in Lebanon and it is better you leave"'.<sup>10</sup> Humanitarian efforts therefore inevitably became entangled with these difficult local conditions, resulting in socially tense political outcomes.

These entanglements were shaped by both the EU and domestic agencies working in the difficult 'hybrid' conditions on the ground. The Lebanese state, for example, lacked the capacity to provide protection to refugees that were targeted by the Syrian regime. 'The refugees are very vulnerable to attacks', observed one interviewee, 'even security agencies — Army, General Security, ISF — are mostly controlled by Hezbollah. They spy on the refugees to make sure that they don't activate any anti-Assad activities. They keep them subjugated and vulnerable; they attack them left and right every day, and no one comes to their rescue'.<sup>11</sup> The societal relations shaped by the interaction between EU intervention and local conditions thus led to this state of physical insecurity. EU support for civil society became interwoven with these precarious conditions, supporting the rights-based frameworks it rejected 'at home'.

## 5.2 | Hybrid migration governance as humanitarian mitigator of insecurity

The interlocking, hybrid character of the governance frameworks also shapes the 'field of action' (Stel, 2020, p. 5) at the domestic level by constructing a framework that makes wide-ranging discursive appeals to the human rights of migrants and pursues humanitarian intervention and crisis-mitigation. Across the three countries stakeholders tended to agree that the frameworks 'provided an umbrella for humanitarian work and a system of international monitoring procedures and support that would guarantee the achievement of minimum rights'.<sup>12</sup> Stakeholders in Lebanon argued that the Compact could have contributed to basic rights related to health, education and access to residence, and 'shift[ed] to a more protective environment' that would allow 'refugees... [to] live with more dignity'.<sup>13</sup> However, they argued that in practice, there was a 'real refusal from the government of Lebanon to shift'.<sup>14</sup> Some argued that if there 'was conditionality by the EU'<sup>15</sup> more progress on this could have been made. In Turkey, some mentioned that these social rights such as access to education were already granted to Syrian refugees under the temporary protection status, that is, before the Turkey-EU deal. However, the deal still had a positive effect, as it would make it harder and more contentious for the Turkish state to withdraw these rights in the future.

The deal took into consideration refugees' access to protection, health, education by offering funds to support these needs, which are believed to have improved their situation. 'A lot of money [was paid] to make sure that children are able to go to school, that people are able to get health-care', said one NGO stakeholder, 'there's a lot of protection projects at all levels, like local NGOs and more that support employment'.<sup>16</sup> While the Turkish agreement was much more generous in the scale of its humanitarian commitment, according to interviewees, the EU-Lebanon Compact also contributed to the protection of the most vulnerable. In the discursive public policy space the deal opened 'up more discussions on the refugees',<sup>17</sup> 'put... some pressure on Lebanon to provide

[for] the basic needs... [of] Syrian refugees' and 'to some extent... forc[ed] Lebanon to respect the basic pledges and to abide by... international law'.<sup>18</sup> As noted, the funding to civil society groups also made up for the absence of political initiative for migrant protection. As one interviewee said, 'we did not fulfil a full protection and safety net for the refugees, and if we want to look at it from the other side, we are neither able to provide this for the Lebanese. So it is very complex'.<sup>19</sup> This highlights how normative goals interact with uneven power relations between the parties to give a complex character to the EU's influence and its capacity to pressure local actors. The EU-shaped hybrid governance combines elements of high and low efficacy, with the level of resources mobilised for relief sufficient to only address the most severe hardship, they fall well short of a transformative level, contributing to the 'suspended extension' of this reality.

### 5.3 | 'What can we agree on?' the hybrid construction of bloc-based security logics

The more generous nature of the humanitarian intervention in Turkey reflected the EU's pursuit of bloc security interests given the country's role as a transit state. Such transactional funding arrangements fall well short of substantive burden-sharing. As one actor put it, this mentality may be summed up in the following 'logic': 'Keep your problems and people at home or in the neighbourhood! Why change our demographics?'<sup>20</sup> Hybridity is present not only in the unstable outcome produced by this security-cum-partially-humanitarian logic, but also the process through which the policy framework is generated. EU policy was shaped by its own complex decision-making process and the unstable balance of power between states (expressed, e.g., in the inability to agree 'quotas', see Carrera et al., 2019; Pastore & Roman, 2020), but also by the perceived role of public opinion and the rise of the far right. Stakeholders observed how the externalisation approach provided a means for the EU to overcome these pressures. Financing the integration of refugees in third countries, while, on the other hand, forcibly reducing the number of crossings was a framework that EU states were able to agree on (even though when it came to domestic refugee policy and reception they were sharply divided). The deals allowed the EU to engage in transactional financing and maintain a limited commitment to humanitarianism. In short, 'the EU was aiming to externalise the migration and to keep the crisis out, in third-world countries'.<sup>21</sup> In the end, the bloc could easily afford such measures 'since hosting refugees is politically [inexpedient] and... [seen as] very costly, their policies aimed to avoid the cost... even if it is through paying a few billion dollars to Jordan, Lebanon and Turkey to host them'.<sup>22</sup>

The transactional agreements are also combined with explicit efforts in controlling movement by the host countries themselves through coastguards along with EU agencies (namely Frontex). These policies have resulted in the reduction in the number of crossings, especially in the Aegean Sea with the deal an increasing control mechanism was devised. After 2016... these numbers have fallen sharply. In that respect it can be said that it was successful in terms of preventing irregular passage'.<sup>23</sup> But this prioritisation of restricting migration flows undermined the humanitarian elements of the governance framework.

### 5.4 | Hybridity constructed through top-down developmentalism and universalism

Top-down developmental peace intervention in conflict environments has been criticised for a lack of sensitivity to local contexts. Rather than resolving the problems of intractable violence,

this sees interventions become entangled with domestic contexts creating 'frozen' conflicts (Kaldor et al., 2016, 2018b). One feature of this has been the impact that economic measures pushed by international actors have in 'enabling' (Heathershaw et al., 2021) the corruption and crony capitalism often associated with authoritarianism and violent conflict. Hybrid migration governance involves analogous processes. Like elite-level peace-making this is prone to generating the injustices that feed kleptocratic power dynamics. Indeed, several actors argued that the EU approach was highly elite based and driven. One interviewee described the Jordan deal as a 'top down, quick and simplistic design and subsequent tool aimed more at receiving aid by Jordan and ending the immigration of refugees to the EU countries'.<sup>24</sup> Another said that 'the government could not do anything about it. It needed aid, the old-paradigm aid had decreased to a trickle, and this was the only way to get it... So, accept it but try to make the best out of it'.<sup>25</sup> While such frameworks tend to stress sensitivity to local context in practice interventions involve the same focus on the elite level, legitimising whatever the political and institutional dynamics found in such contexts.

Stakeholders noted that the EU monitoring and evaluation framework needs considerable improvement because 'it relies on reporting and not on observation'<sup>26</sup> and lacks mechanisms to ascertain whether there was substantive demand for initiatives at the local level. Donor needs and priorities readily take precedence in such a scenario. As one interviewee put it, 'most policies are opportunistic to a larger stance by trying to utilise most donor funds for the benefits of politicians. The policies utilised here are very donor-oriented and go behind the fund, and are not really meant to serve and help the refugees in any comprehensive way'.<sup>27</sup> In relation to macro-economic policies, actors across all three countries highlighted the discrepancy between interventions and local labour market realities. An NGO representative in Turkey contrasted the formal 'right to work', which the EU had pushed, and the lack of attention given to the local context and its labour market structure when designing programs and policies.<sup>28</sup> This point was also echoed by actors in Jordan. They criticised the EU for not taking seriously the local conditions in the job market, whether in terms of the level of informal working practices, or tailoring interventions based on the sectors like agriculture and construction in which Syrians were already working.<sup>29</sup> Above all, the large informal sector minimises the incentives for work permits, something that the EU could have understood if they had engaged more with experts on the ground.<sup>30</sup> Given the history of Syrian labour migration in Lebanon and Jordan, for example, a focus on regularising and improving general working practices for *all* workers could have avoided the rise of 'negative discourses'.<sup>31</sup> A Turkish respondent put it even more categorically, 'Our people are already poor and even people in our country do not have their own rights, social and otherwise'.<sup>32</sup>

These policies went alongside an investment push in 'Special Economic Zones', but confronted the problem that Syrians often found the working conditions in these environments unattractive. As Katharina Lenner and Lewis Turner have argued the economic vision was 'at odds with a perspective that emphasises not just work for Syrian refugees, but decent work' (Lenner & Turner, 2019, p. 90). A policy undertaken in the name of a right to work for Syrians therefore had the effect of reinforcing the fragile character of the socioeconomic context. This type of policies, based on logics of unevenness and hybridity, accords with the two other cases. In Lebanon, compliance reporting required demonstrating effort, not results, on labour market integration. As one interviewee put it 'with job opportunities and growth, they can say 'we tried'. But if you look at the end results, no matter what they say, we already know that none of this was actually achieved'.<sup>33</sup> As donors were reluctant to extend funds to the Lebanese state itself (owing to corruption), NGOs tended to step in, reproducing a form of governance hybridity in state-societal relations marked by close relations between the EU and third sector. This, in turn, led to a shift

in political position with ‘the Lebanese government... not wanting refugees anymore and calling them to return to the safe zones in their country’.<sup>34</sup> Unlike Lebanon, Jordan was able to benefit from international aid support and concessional financing, providing the state with greater incentive for participation<sup>35</sup> but raising the all too common problem of extending external legitimacy to domestic rentier and authoritarian forces.

The development approach that dominated across all three countries was one characterised by economic labour market access policies, politically selective aid money and loans. These methods are prone to cronyism, market capture, preferential treatment and rent-seeking. This leads to the danger that a response framing Syrian refugees as objects of humanitarian care rapidly morphs into an image of enterprising subjects, whose ‘formal integration into labour markets simultaneously can create self-sufficient actors and cure the economic woes of host countries’ (Lenner & Turner, 2019). Yet, in practice, given the reality of exploitation and balance-line driven investment, they often lead to economic insecurity.

## 5.5 | The inherent instability of hybrid migration governance

Hybrid migration governance is highly unstable due to the pressures it generates in the donor-assisted host countries, which are asked to manage very large numbers of refugees. Especially in the context of the economic instability produced by COVID-19 and the Russian war on Ukraine, it lacks the legitimacy necessary for lasting durability. The deals were designed through transactional diplomacy and involved a form of ‘divide and rule’. Indeed, our research found a notable lack of solidarity between the three states with political unevenness and tensions allowing the EU to shape the governance outcome. This came up across the board among actors from each of these countries. The general perception was that each country promoted their own case to the international community in an effort to get more money. One Lebanese government stakeholder noted how the Hariri government had discussed the need for ‘a tetra-lateral summit... between Lebanon, Jordan, Iraq and Turkey to try to shift the paradigm’ and establish some form of cooperation among the neighbouring host countries.<sup>36</sup> But they were not able to find a way to cooperate effectively, and this created a space for the intervention of the EU as a major donor. Rather than presenting a united front that could have ‘a real power’ in the ‘negotiations with the EU’,<sup>37</sup> the three states allowed a situation to develop that saw each of them engage with their own bilateral negotiations. This reflected ‘very big differences’ between the states, which include, but extend beyond, the Syrian crisis.<sup>38</sup> As one stakeholder put it: ‘I don’t see anything like “we all hosted Syrian refugees, so let’s develop a common policy and be a united body, and have a consensus on this issue, how we get funding or support each other”’.<sup>39</sup> Due to its position as a transit country, Turkey was far better placed than the other two states to leverage EU financial support, creating limited incentive for striking a united front. The absence of interstate cooperation posed real difficulties when it came to family reunion rights, underlining the impact of these governance dynamics on the day-to-day lives of refugees.<sup>40</sup>

Given the sheer numbers of refugees in Syria’s neighbouring countries, combined with the legal uncertainty created by precarious status and a context of deepening economic hardship, organising migration governance in this way has generated ‘frozen’ intercommunal tensions in local communities. There was ‘a lot of frustration between residents and migrants or refugees and an increasing populist/racist discourse among political parties’.<sup>41</sup> These tensions have become more exacerbated over time, especially given the talk of citizenship rights (in the case of Turkey), which became highly controversial. Long-term solutions to support the integration of

refugees are now avoided on political grounds. As one stakeholder observed, 'social distance has become greater, prejudice is worsening, even within the supporters of the party that is currently in power, the AKP'.<sup>42</sup> While in each state these issues reflected the particular context, the trend towards intercommunal tensions has been common.

As the situation worsened, the assistance received by Syrians produced resentment, something the agreements contributed to in the way that they were designed. As one stakeholder described, 'the Syrian gives a card and takes his bread without paying any money, but the Turk is unable to buy bread, he needs to pay for it. The Turk thinks 'why does the state give money to the Syrian but not me', but he is not aware that money is 300 or 400 TL per month. Ultimately, he sees the Syrian as the reason for his own poverty and misery'.<sup>43</sup> These tensions are also compounded by the focus on Syrians (rather than refugees *per se*). This left, in the case of Turkey, some 400,000 non-Syrian refugees facing destitution and with less incentive to remain in the country. Unsurprisingly, then 'the last time Turkey opened its borders with Greece... most of these people who went were Afghan refugees or others... seeking international protection'.<sup>44</sup> The very unstable, frozen set-up, the sense that conditions may degrade at any moment, is therefore a key feature of this hybrid migration governance.

Ultimately, each of the migration deals suffered from the *partiality* of their policy focus on migrants alone. They offered little link between improving the socio-economic wellbeing of the broader population *and* advancing the rights and social protections of refugees. Their unstated but obvious goal was to keep migrants out of Europe, exposing the EU to the charge of liberal hypocrisy. Their resulting lack of legitimacy became particularly acute when serious and sustained economic crises struck. In Lebanon, in particular, both the entire population faced an unprecedented social, economic and financial crisis and a total collapse of the state. As one stakeholder put it, 'Lebanon is facing... [a] crumbling economy... [and] high unemployment', which means there is 'the convergence of different things... [that] have been making... [it] even more complex... [to] deal... with the refugee crisis'.<sup>45</sup> Even in Jordan, where post-pandemic economic challenges have not been as acute as the other two states, 'high unemployment rates, high costs and standards of living, and the quality of services in the fields of education, health and municipal services'<sup>46</sup> all made responding to the refugee challenge difficult. In the end, European states did not come up with the kind of large scale support package that could have started to address these stark realities.

## 6 | CONCLUSION

The evidence collected illustrates hybridity in EU decision-making, involving crisis, polarisation, different technocratic and ideological influences, which all led to unstable compromises and outcomes in EU external relations in the region. The efficacy of these arrangements on substantive policies and institutions in the host country, and the way in which the practices they generate involve both state and non-state actors, gives these frameworks the character of *governance*, as we have defined. According to a logic of hybridization, these frameworks triangulate humanitarian goals with other underlying political, security and economic rationales (above all, to restrict migration flows to the EU). Our fieldwork found that stakeholders for the most part saw these frameworks as reactive and short-sighted. They argued that they failed to address the causes of displacement in Syria and called for more international attention to be directed at the country's peace process and establishing security guarantees, which could facilitate the voluntary return of refugees as part of a more holistic policy framework. Nonetheless, stakeholders in each of the



three countries recognized that the deals also contained commitments that were human-centric and framed around the needs of the Syrian population. The formation of hybrid migration governance thus generates a ‘frozenness’ in societal relations, as the construction of partially liberal and humanitarian frames poses questions (e.g., of *rights* and *shared responsibility*) that the intervention itself cannot answer. Given the intercommunal tensions in host countries coupled with the lack of legitimacy for the intervention (due to its asymmetric power relations, and external character) this generates downstream security-risks for the EU and its neighbours.

This research thus raises problems for the EU’s human security vision. Sometimes referred to as the ‘Barcelona’ conception (Albrecht, U., Chinkin, C., et al., 2004) the model of human security associated with the EU involves the idea that the bloc’s ‘zone of security’ (based on non-violent relations between states) and rules-based system should be expanded outwards to the wider neighbourhood utilising governance-based interventions that shape the behaviour of external actors and states. In contrast to this, the externalisation of EU migration governance has contributed to the construction of hybrid relations that lack underlying political legitimacy, fail to generate sustainable security and produce tense intercommunal relations between migrants and host communities. Above all, they lack the commitment to burden-sharing necessary for a human security approach and have contributed to brittle environments that are ill-equipped to deal with future shocks, such as the socio-political convulsions of climate change. So, while the EU’s hybrid migration governance has satisfied the bloc-based demand to limit migration, this has come at the cost of generating the kind of downstream dangers (e.g., political tensions and even state collapse risk) in the ‘neighbourhood’ that human security was designed to avoid. This study has larger implications as these concepts could pertain to other fields and geographies, the “frozen” downstream dangers that are characteristics of the condition of Syrians in the three neighbouring countries, is also equally applicable to the conditions of Sub-Saharan Africans in Libya, or the longer-term case of Palestinian refugees in Israel-Palestine’s neighbouring states. These migrant communities inhabit this limbo status of ‘permanent temporariness’ (Brun & Fabos, 2015; Steigemann & Misselwitz, 2020).

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## CONFLICT OF INTEREST STATEMENT

No conflict exists for all authors.

## DATA AVAILABILITY STATEMENT

The data that support the findings of this study are available from the corresponding author upon reasonable request.

## ENDNOTES

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<sup>2</sup> Since most organisations sought anonymity, we decided to anonymize entirely by only referring to the category of the organisations. Most interviewees agreed to be recorded for transcription purposes, others relied on detailed notes. Recorded interviews were transcribed and translated to English.

<sup>3</sup> Interview L/NGO2.

<sup>4</sup> Interview T/NGO7.

<sup>5</sup> Interview L/GO4.

<sup>6</sup> Interview L/NGO8.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Interview L/A1.

<sup>12</sup> Interview J/StateActor18.

<sup>13</sup> Interview L//NGO5.

<sup>14</sup> Interview L/NGO4.

<sup>15</sup> Interview L/NGO1.

<sup>16</sup> Interview T/NGO 6.

<sup>17</sup> Interview L/GO1.

<sup>18</sup> Interview L/NGO2.

<sup>19</sup> Interview L/NGO8.

<sup>20</sup> Interview J/StateActor19.

<sup>21</sup> Interview T/NGO 5.

<sup>22</sup> Interview L/GO2.

<sup>23</sup> Interview T/StateActor1.

<sup>24</sup> Interview J/State Actor19.

<sup>25</sup> Ibid.

<sup>26</sup> Interview L/GO3.

<sup>27</sup> Interview L/A1.

<sup>28</sup> Interview T/NGO5.

<sup>29</sup> Interview L/NGO7.

<sup>30</sup> Interview J/State Actor14.

<sup>31</sup> Interview L/NGO2.

<sup>32</sup> Interview T/NGO14.

<sup>33</sup> Interview L/GO1.

<sup>34</sup> Interview L/NGO2.

<sup>35</sup> Interview L/NGO9.

<sup>36</sup> Interview L/GO2.

- <sup>37</sup> Interview L/NGO5.  
<sup>38</sup> Ibid.  
<sup>39</sup> Interview T/NGO8.  
<sup>40</sup> Interview T/NGO8.  
<sup>41</sup> Interview L/NGO2.  
<sup>42</sup> Interview T/NGO 6.  
<sup>43</sup> Interview T/NGO9.  
<sup>44</sup> Interview T/NGO7.  
<sup>45</sup> Interview L/NGO8.  
<sup>46</sup> Interview J/StateActor12.

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