

Deal-making, diplomacy and transactional forced migration

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Former US President Donald J. Trump was infamous for his nakedly transactional approach to politics. However, this ‘Trumpian’ approach is less an outlier than a common feature of contemporary international politics. Embracing ‘pragmatism’ has become a popular euphemism for concluding highly publicized, politically expedient deals that would until recently have been either eschewed or concluded without fanfare and as covertly as possible.¹ Moreover, it is states and international organizations with reputations built on small ‘I’ liberal norms and values that have often been at the forefront of such an approach—both now and in the past.² Migration politics is a good example.

The UK’s April 2022 Rwanda deal, whereby many of those seeking asylum in Britain are to be involuntarily resettled in the African Great Lakes Region, is an obvious and well-publicized case in point. But it is far from unique. Denmark, the United States, Australia and other countries have all been actively engaged in proposing ‘deals’ and ‘partnerships’ that are in effect demographic engineering schemes designed to manage migration flows. The EU has been implementing such schemes to forcibly remove or deter unwanted migrants who have arrived in or are en route to Europe, and is actively supported and assisted by organizations such as the International Organization for Migration (IOM) and various private actors. Also, sending and transit states around the globe have been active participants in and, at times, beneficiaries of, such arrangements.

This ‘deal-driven’ approach to the management of population movements is not a new phenomenon. Even a quick and dirty survey of the global history of state-organized forced migration arrangements reveals that much of what we are witnessing today, including schemes by powerful states to relocate groups

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¹ See e.g. Andrew Moravcsik, ‘Why Europe wins’, *Foreign Policy*, 24 Sept. 2020, <https://foreignpolicy.com/2020/09/24/euro-skeptic-europe-covid-19-trump-russia-migration/?%3Ftpcc=25595>. (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 31 Dec. 2022.)

² For a discussion of the meaning(s) of liberalism and its shifts over time, see Duncan Bell, ‘What is liberalism?’, *Political Theory* 42: 6, 2014, pp. 682–715.

of people to countries far afield, have myriad historical analogues. Contemporary migration deals are on many dimensions strikingly similar to the early- to mid-twentieth-century population transfers, repatriations and exchanges that were negotiated, legitimized and facilitated by states and international organizations, with assistance from a range of other actors.

A century ago, state-organized forced migration was often promoted as a necessary solution to intractable political problems, and forced relocations were frequently dressed up in altruistic humanitarian language of care and concern for the lives and well-being of those who were targeted for removal. Such schemes were, moreover, broadly ‘transactional’ in that they were accompanied and shaped by underlying motivations for financial gain and geopolitical positioning—on the part of multiple and diverse actors, including states, international organizations, businesses and diaspora lobbying groups.

Drawing in part upon initial findings from our ongoing Diplomacy of Forced Migration Dataset Project, this article explores both historical and contemporary cases to illustrate the fact that transactional migration management schemes are not particularly new, unusual or revolutionary. They are, rather, simply the latest manifestations of longstanding migration-related deal-making: old wine in new political bottles, if you will. In this exploration of what we term *transactional forced migration* (TFM), we first define the phenomenon and situate it within the burgeoning literature on migration diplomacy, externalization, and what is frequently referred to as the instrumentalization and/or weaponization of migration. We then highlight several illustrative historical precedents that presage what we are witnessing today. Along the way, we identify and unpack several of the underappreciated connections between TFM schemes and other dimensions of diplomacy and international politics. We conclude with a summary of our argument and its implications for contemporary policy, and thoughts about what current trends appear to portend for the future.

Transactional forced migration

In the current political environment, states and their proxies go to great lengths to repel would-be asylum-seekers and other migrants, increasingly using an array of tools of statecraft to prevent people from reaching their territories.³ Among these tools—and included as key aspects in many migration ‘deals’ and ‘partnerships’—are several elements that can only be described as state-sanctioned forms of organized displacement and forced migration, including population transfers, expulsions, repatriations and deportations.⁴ Often these migration ‘deals’ and ‘partnerships’ include a significant transfer of resources from one state or organization to another in exchange for an agreement to host, assist with and/or accept

³ Ruben Zaiotti, ed., *Externalizing migration management: Europe, North America and the spread of ‘remote control’ practices* (Abingdon: Routledge, 2016); David FitzGerald, *Refuge beyond reach: how rich democracies repel asylum seekers* (New York: Oxford University Press, 2019).

⁴ For an early discussion of organized displacement, see Independent Commission of International Humanitarian Issues, *Refugees: dynamics of displacement* (London: Zed Books, 1986), pp. 71–114.

the return of people who have been deemed ‘illegal’ or ‘unwanted’. They may feature conditional foreign aid packages and economic assistance, along with programmes that externalize migration control, strengthen borders around the globe and incorporate migration management into regional security assistance regimes.⁵ Sometimes these arrangements are formalized in treaties, agreements and memorandums of understanding, among other legal instruments, but often they are not. To paraphrase Jean-Pierre Cassarino, simply counting formal migration arrangements would ‘never suffice to capture’ the wide array of mechanisms that enable and facilitate the regulation of the movement of people viewed as ‘irregular’ and ‘undesirable’.⁶

These mechanisms and the agreements that undergird them are characterized by components of quid pro quo-focused deal-making that frequently fly in the face of humanitarian commitments. Such obligations include the 1951 UN Refugee Convention and 1967 Protocol, along with legal instruments that serve as the backbone of the international refugee regime and provide human rights protections within signatory states for those fleeing violence and persecution. In some instances, these transactional arrangements can be viewed as deleterious forms of ‘migration diplomacy’ that have arisen in response to thorny policy dilemmas that states face around migration management.⁷ In others, they comprise the ‘weaponization’ of populations by states and non-state actors who employ (the threat of) migration as a thoroughly transactional bargaining chip to pursue a wide range of political, economic and strategic objectives.⁸ Sometimes these deals are just about migration management, but more often they are tied to and intertwined with a broader array of political, economic and/or military interests. Such interests range from the provision of financial, technical and military aid through diplomatic support and restraint to full-scale military intervention.

To better expose, encapsulate and explicate these dual political dynamics of migration diplomacy and migration weaponization, we suggest the concept of TFM, which captures and lays bare how migration management is frequently subjected to the ‘art of the deal’—quite often both to the pronounced detriment of the displaced and to the demonstrable benefit of states and myriad other parties who stand to profit from such arrangements. TFM refers to the instigation, negotiation and conclusion of formal and informal political deals intended to facilitate and/or forestall engineered cross-border population movements, wherein the parties to the deal do not include the displaced themselves. TFM includes population transfers, exchanges, repatriations, readmission agreements, deporta-

⁵ Nina Wilén, ‘The impact of security force assistance in Niger: meddling with borders’, *International Affairs* 98: 4, 2022, pp. 1405–21 at p. 1408.

⁶ Jean-Pierre Cassarino, *Inventory of the bilateral agreements linked to readmission*, <https://doi.org/10.7910/DVNI/VKBCBR>, Harvard Dataverse, V2, 2022.

⁷ Fiona B. Adamson and Gerasimos Tsourapas, ‘Migration diplomacy in world politics’, *International Studies Perspectives* 20: 2, 2019, pp. 113–28.

⁸ Kelly M. Greenhill, *Weapons of mass migration: forced displacement, coercion, and foreign policy* (Ithaca, NY: Cornell University Press, 2016 [first publ. 2010]); Kelly M. Greenhill, ‘When migrants become weapons: the long history and worrying future of a coercive tactic’, *Foreign Affairs* 101: 2, 2022, pp. 155–64; H el ene Thiollet, ‘Migration as diplomacy: labor migrants, refugees, and Arab regional politics in the oil-rich countries’, *International Labor and Working Class History* 79: 1, 2011, pp. 103–21.

tion arrangements and other deals concluded between states and their international proxies that are designed to move people involuntarily across borders and/or to forestall or prevent such movements. As in transactional politics writ large, in TFM, material incentives and political expediency are privileged over longer-term stability and functioning of norms, laws and institutions designed to protect displaced people.

One might reasonably argue that all migration management arrangements are to some extent transactional. This is a fair point, and indeed, transactional arrangements for migration management can vary by degree, with some, such as labour migration agreements, leading to triple-win solutions for migration-sending and migration-receiving states that may also benefit potential migrants, whereas other arrangements take a more nakedly zero-sum approach.⁹ At their most extreme, however, TFM deals are distinguished by forms of *realpolitik* that blatantly privilege state interests and political expediency over the interests of migrants and the displaced, and/or instrumentalize or weaponize migrants in the pursuit of other state interests.¹⁰ And, as we illustrate below, such deals are far more pervasive and longstanding than common media coverage and policy discussion of recent purportedly ‘innovative’ deals, such as the UK–Rwanda agreement, would suggest.¹¹ Indeed, TFM arrangements are neither unusual nor exceptional malfunctions of the system, but rather regular, routine and longstanding features of it. Furthermore, despite radical changes over time in the geopolitical and normative environments in which these deals are concluded, and in the numbers of people affected in any given period, we show that there has been significant continuity in the degree to which states and their proxies behave transactionally with regard to migration.

The extent and frequency with which contemporary policies designed to repel unwanted migration contain elements of organized and transactional forced migration are notable.¹² For example, as part of its response to the 2015–16 European migration ‘crisis’, the EU placed renewed emphasis on the ‘removal’ and ‘return’ of irregular migrants and ‘failed’ asylum-seekers.¹³ The September 2015 EU Action Plan on Return reinforced and strengthened an already existing system of formal EU readmission agreements (EURAs), non-standard agreements and individual state readmission agreements with a range of non-EU countries.¹⁴ In addition, the EU introduced a ‘temporary emergency relocation scheme’ which was, in effect,

⁹ Adamson and Tsourapas, ‘Migration diplomacy’, pp. 121–4.

¹⁰ Greenhill, *Weapons of mass migration, passim*.

¹¹ See e.g. Radina Gigova, Sharon Braithwaite, Jorge Engels, Sarah Diab and Bethlehem Feleke, ‘UK announces controversial plan to send asylum-seekers to Rwanda’, 15 April 2022, CNN.com, <https://www.cnn.com/2022/04/14/europe/uk-rwanda-migrant-deal-gbr-intl/index.html>.

¹² Matthew J. Gibney, ‘Is deportation a form of forced migration?’, *Refugee Survey Quarterly* 32: 2, 2013, pp. 116–29.

¹³ Manuela da Rosa Jorge, ‘European Union readmission agreements: deportation as a gateway to displacement?’, in Jasmin Lilian Diab, ed., *Dignity in movement: borders, bodies and rights, E-International Relations*, 16 June 2021, <https://www.e-ir.info/publication/dignity-in-movement-borders-bodies-and-rights/>.

¹⁴ Sergio Carrera, *Implementation of EU readmission agreements: identity determination dilemmas and the blurring of rights* (Brussels: Springer International, 2016); Cassarino, *Inventory of the bilateral agreements*; Peter Slominski and Florian Trauner, ‘Reforming me softly—how soft law has changed the EU return policy since the migration crisis’, *West European Politics* 44: 1, 2021, pp. 93–113.

a system of mandatory population transfers of up to 160,000 asylum-seekers and refugees across EU member states.¹⁵

The EU has also negotiated external deals, including the much-publicized EU–Turkey deal of March 2016, which included, along with other measures, provisions for forced returns from Greece to Turkey in exchange for €6 billion in aid and an array of other concessions.¹⁶ The arrangement was heavily criticized by human rights groups, as were other arrangements such as the 2016 EU–Afghanistan ‘Joint Way Forward Declaration’ and 2021 ‘Joint Declaration on Migration Cooperation’, which provided for the return of refused asylum-seekers and irregular migrants in exchange for substantial aid packages for Afghanistan.¹⁷ Although labelled as a ‘return’ deal, many Afghans in Europe are of the second and third generations, born in Pakistan or Iran, and have never set foot in Afghanistan. Thus these negotiated ‘return’ arrangements are more akin to involuntary and forced population transfers.¹⁸ A similar blurring of the lines between voluntary ‘return’ and organized population transfer can be seen in Turkish proposals for the resettlement of Syrian refugees in northern Syria. Ostensibly voluntary and for humanitarian purposes, these programmes are also strongly motivated by Turkey’s security concerns and its interest in creating a buffer zone in northern Syria in its ongoing conflict with armed Kurdish groups.¹⁹

The EU’s regional approach to migration management is not unique. Australia’s Pacific Solution, first brokered in 2001, included bilateral agreements between Australia and Nauru that allowed for the transfer of asylum-seeking migrants to Nauru as well as options for permanent resettlement.²⁰ Similarly transactional was a refugee deal signed in 2014 between Australia and Cambodia which set out to transfer populations directly from Nauru to Cambodia, in a programme of ‘relocation’ accompanied by an AU\$40 million development assistance package and additional funds to cover resettlement costs. Ultimately unsuccessful, it nevertheless served as a model for schemes such as the UK–Rwanda deal.²¹

While Australia is often heralded as the progenitor of such arrangements, it was not the first actor to use them in recent decades. The United States pursued similar deals long before the advent of the Pacific Solution. During the infamous

¹⁵ Arne Niemann and Natascha Zaun, ‘EU refugee policies and politics in times of crisis: theoretical and empirical perspectives’, *Journal of Common Market Studies* 56: 1, 2018, pp. 3–32 at p. 6; Sandra Lavenex, “‘Failing forward’ towards which Europe? Organized hypocrisy in the Common European Asylum System”, *Journal of Common Market Studies* 56: 5, 2018, pp. 1195–1212 at p. 1204.

¹⁶ Kelly M. Greenhill, ‘Open arms behind barred doors: fear, hypocrisy and policy schizophrenia in the European migration crisis’, *European Law Journal* 22: 3, 2016, pp. 279–94; Niemann and Zaun, ‘EU refugee policies’, pp. 8–10.

¹⁷ da Rosa Jorge, ‘European Union readmission agreements’; *Joint declaration on migration between the European Union and Afghanistan*, 2021, https://www.eeas.europa.eu/sites/default/files/jmcd_-_english_version_signed_26apr2021.pdf.

¹⁸ Shahram Khosravi, ed., *After deportation: ethnographic perspectives* (Basingstoke: Palgrave Macmillan, 2018), p. 8.

¹⁹ Sinem Adar, ‘Repatriation to Turkey’s “safe zone” in northeast Syria: Ankara’s goals and European concerns’, *SWP Comment*, no. 1, Jan. 2020, p. 3.

²⁰ Greenhill, *Weapons of mass migration*, pp. 326, 328–9; Asher Lazarus Hirsch, ‘The borders beyond the border: Australia’s extraterritorial migration controls’, *Refugee Survey Quarterly* 36: 3, 2017, pp. 48–80.

²¹ Madeline Gleeson, *The Australia–Cambodia refugee deal*, Andrew and Renata Kaldor Centre for International Refugee Law, University of New South Wales, Aug. 2018, https://www.kaldorcentre.unsw.edu.au/sites/kaldorcentre.unsw.edu.au/files/Research%20Brief_Cambodia_Oct2019.pdf.

1980 Mariel boatlift, the United States approached an array of Central and South American countries with offers of funding, in-kind aid and other assistance in exchange for the relocation of some of the 125,000 Cubans who had landed in the United States as a result of Cuban President Fidel Castro's own engineered migration gambit.²² In a related move, at the height of the similarly engineered 1994 Cuban *balseros* crisis, the United States approached 13 different Caribbean and Central American states with promises of financial side-payments and other concessions, in exchange for hosting and sometimes resettling the displaced.²³ A similar set of proposals was floated with regard to displaced Haitians in 1994, in response to yet another migration gambit, this one engineered by exiled Haitian President Jean-Bertrand Aristide.²⁴

Elsewhere in the region, the United States has long worked with its southern neighbour, Mexico, to deter migration from Central America. US-funded programmes from the late 1980s onwards led to increased deportations from Mexico to other Central American states.²⁵ In the 2000s, the United States provided Mexico with US\$2.8 billion in security funding via the Mérida Initiative, a substantial portion of which ended up being directed at migration control. Though caveats are in order when drawing upon apprehension numbers as an evaluative metric, following the introduction of the Mérida-funded Programa Frontera Sur, apprehensions of migrants in Mexico reportedly increased by 85 per cent, and in 2016 Mexico repatriated twice as many Central American migrants as the United States.²⁶

These migration deals and externalization processes have been facilitated by various forms of TFM in which bargains are struck—often in the context of asymmetric power relations—and states and non-state actors use the tools at their disposal to achieve their migration aims, or use migration to achieve other diplomatic aims.²⁷ Wealthy states seeking to achieve migration control aims use a combination of diplomacy, substantial levels of funding, the provision of infrastructure and training, the sharing of intelligence and an array of other concessions, frequently tailored to the particular actors who are party to these deals. Migration source or transit states are often similarly transactional in their leveraging of migration issues to obtain various foreign policy goals and commitments, such as development aid, security assistance and training packages, intelligence cooperation, and concessions such as visa liberalization policies.²⁸

²² Greenhill, *Weapons of mass migration*, ch. 2.

²³ Greenhill, *Weapons of mass migration*, p. 118.

²⁴ Greenhill, *Weapons of mass migration*, pp. 210, 217–18.

²⁵ Manuel Ángel Castillo, 'The Mexico–Guatemala border: new controls on transborder migrations in view of recent integration schemes', *Frontera Norte* 15: 29, 2003, pp. 35–64.

²⁶ Wendy Vogt, 'Dirty work, dangerous others: the politics of outsourced immigration enforcement in Mexico', *Migration and Society: Advances in Research* 3: 1, 2020, pp. 50–63.

²⁷ Adamson and Tsourapas, 'Migration diplomacy'; Greenhill, *Weapons of mass migration*.

²⁸ See e.g. Hein de Haas, 'The myth of invasion: the inconvenient realities of African migration to Europe', *Third World Quarterly* 29: 7, 2008, pp. 1305–22; Emanuela Paoletti, 'Power relations and international migration: the case of Italy and Libya', *Political Studies* 59: 2, 2011, pp. 269–89; Gerasimos Tsourapas, 'The Syrian refugee crisis and foreign policy decision-making in Jordan, Lebanon and Turkey', *Journal of Global Security Studies* 4: 4, 2019, pp. 464–81; Fiona B. Adamson and Gerasimos Tsourapas, 'The migration state in the global South: nationalizing, developmental and neoliberal models of migration management', *International Migration Review*

TFM deals must be mutually beneficial at some level, to some extent, and to some parties, even if they are often concluded under broader conditions of structural inequality and/or coercion.²⁹ In extreme cases, states can become heavily reliant on the income generated by warehousing transferred populations and accepting returns, and be forced to divert resources from the purposes for which they were intended to cover other shortfalls.³⁰ The tiny island of Nauru, for instance, has largely become dependent on ‘managing humans for profit’, a fact of some concern to the Australian government.³¹

Similarly, the structure of TFM deals may crowd out critical domestic spending in favour of expenditures focused on the regulation of migration that are favoured by wealthier partners. For instance, some TFM deals carry the implication that failing ‘to cooperate in strengthening protection capacity ... and thereby reducing onward movements might in turn result in consequences in other areas—such as the reduction of humanitarian assistance channelled through UNHCR or the reduction of development assistance’.³²

At the same time, more traditionally powerful partners in these arrangements can themselves become asymmetrically vulnerable to changing or escalating demands of—and domestic political shifts within—their ‘junior’ partners, who can threaten to stop cooperating and demand renegotiation of existing deals. For instance, after successfully negotiating the lifting of the remaining sanctions on his country in exchange for helping to staunch population movements across the Mediterranean in 2004, Libya leader Muammar Gaddafi threatened to cease cooperation with the EU at least four times between 2006 and 2010—and extracted concessions each time—before fatally overplaying his hand in 2011.³³ Similarly, Pakistan and Kenya both threatened to expel Afghan and Somali refugees, respectively, in bids to extract higher levels of foreign aid from the United States, UK, Japan and the EU—ultimately succeeding in securing \$300 million in combined additional aid.³⁴

The transactional nature of these arrangements extends beyond states to specialized agencies of states and supranational entities—such as the EU’s Frontex—to international organizations funded and guided by states, such as the IOM and the UNHCR; to private companies, who benefit from the contracts for the

54: 3, 2020, pp. 853–82; Luisa F. Freier, Nicolas R. Micinski and Gerasimos Tsourapas, ‘Refugee commodification: the diffusion of refugee rent seeking in the global South’, *Third World Quarterly* 42: 11, 2021, pp. 2747–66; Philippe M. Frowd, ‘Producing the “transit” migration state: international security intervention in Niger’, *Third World Quarterly* 41: 2, 2020, pp. 340–58.

²⁹ Vogt, ‘Dirty work’, p. 51.

³⁰ Alexander Betts and James Milner, ‘The externalisation of EU asylum policy: the position of African states’, Oxford working paper no. 36 (Oxford: University of Oxford, 2006), https://www.compas.ox.ac.uk/2006/wp-2006-036-betts-milner_eu_asylum_policy_africa/.

³¹ Julie Morris, ‘Colonial afterlives of infrastructure: from phosphate to refugee processing in the Republic of Nauru’, *Mobilities* 16: 5, 2021, pp. 688, 691; author conversation with Australian governmental official, Oct. 2022.

³² Betts and Milner, ‘The externalisation of EU asylum policy’, p. 13.

³³ Kelly M. Greenhill, ‘Migration as a coercive weapon: new evidence from the Middle East’, in Kelly M. Greenhill and Peter Krause, eds, *Coercion: the power to hurt in international politics* (New York: Oxford University Press, 2018).

³⁴ Nicolas R. Micinski, ‘Threats, deportability and aid: the politics of refugee rentier states and regional stability’, *Security Dialogue*, publ. online 26 Aug. 2021, <https://doi.org/10.1177/09670106211027464>.

technology and outsourcing of various aspects of the ‘return’ cycle, including the provision of detention, transportation, security and resettlement services; to local NGOs that receive external funding to facilitate the integration of ‘returnees’; and even to smugglers, who are sometimes critical handmaidens in these transactional arrangements, especially but not exclusively those in which coercion is involved.³⁵

The internationalization of state activities through employment of international proxy management agents is neither new nor limited to migration. Nevertheless, such uses carry significant contemporary consequences, including diluting individual states’ responsibilities for both the formulation and implementation of policy, thereby providing states with shields against accountability as well as some degree of plausible deniability over unethical and illegal activities undertaken by supranational and international organizations.³⁶ Internationalization may also result in fundamentally illiberal outcomes, despite being portrayed as a way to safeguard liberal values.³⁷ Externally funded repatriation programmes in third countries are, for instance, increasingly employed as a means for signatory states to bypass the prohibition against the *refoulement* of refugees under the 1951 Convention. Third-party states’ programmes can rely on forms of de facto coerced return in cases where states have not signed the Convention by contracting out ‘voluntary repatriation’ programmes whose voluntariness is often in question.

As recently observed in this journal, in the absence of an international migration regime, international organizations such as the IOM have become key actors in ‘the definition, implementation and assessment of migration policies and partnerships’. The organization has ‘come to function as a “service-provider” in almost every aspect of migration governance’, including TFM deals. As a result, ‘its funding, geographical reach and technical expertise have grown exponentially’, as have its power and autonomy.³⁸ Examples abound. With funding from the EU Trust Fund, in early 2018, the IOM organized the return from Libya—a non-signatory to the Convention—of more than 23,000 refugees and migrants to 26 different countries.³⁹ The IOM has additionally facilitated, with EU funding, the removal of thousands of migrants from Algeria to Niger in the context of ongoing waves of government-led expulsions.⁴⁰ Australia has taken advantage of Indonesia’s non-signatory status to the Refugee Convention and provided the IOM with almost AU\$15 million in funds to facilitate ‘voluntary’ returns from

³⁵ See e.g. Ruben Andersson, *Illegality Inc: clandestine migration and the business of bordering Europe* (Berkeley: University of California Press, 2014).

³⁶ There is a significant literature and debate on accountability in international politics. See e.g. Nadia Hilliard, Iosif Kovras and Neophytos Loizides, ‘The perils of accountability after crisis: ambiguity, policy legacies and trade-offs’, *Cambridge Review of International Affairs* 34: 1, 2021, pp. 85–104.

³⁷ Benjamin Miller, ‘How “making the world in its own liberal image” made the West less liberal’, *International Affairs* 97: 5, 2021, pp. 1353–75.

³⁸ João Terrenas, book review of ‘The International Organization for Migration: the new “UN migration agency” in critical perspective’, edited by Martin Geiger and Antoine Pécoud, *International Affairs* 97: 3, 2021, pp. 894–6.

³⁹ Azadeh Dastyari and Asher Lazarus Hirsch, ‘The ring of steel: extraterritorial migration controls in Indonesia and Libya and the complicity of Australia and Italy’, *Human Rights Law Review* 19: 3, 2019, pp. 435–65 at pp. 458–9.

⁴⁰ EU–IOM Joint Initiative for Migrant Protection and Reintegration in Algeria, n.d., <https://www.migration-jointinitiative.org/countries/north-africa/algeria>.

Indonesia between 2004 and 2017.⁴¹ Although it is a fraction of the more than AU\$13 billion that Australia has spent on regional approaches to migration control, the development of a joint Assisted Voluntary Return programme with the IOM has been at the centre of its Regional Cooperation Arrangement with Indonesia; it has similar arrangements with Papua New Guinea, Malaysia and Sri Lanka.⁴²

Back to the future? The real start of the deal

Contemporary TFM deals, in which states openly engage in practices of state-organized forced migration in exchange for various forms of economic, political and military benefits, have clear historical analogues. While it can be uncomfortable to draw a direct line between the 2022 UK–Rwanda deal and the forced repatriations, population transfers, exchanges and returns of a century ago, the parallels are both striking and instructive.

In the first half of the twentieth century, states, international organizations and other actors, including private companies and diaspora advocacy groups, all participated in organized forced migration schemes, with population transfers used and advocated by both liberal and illiberal states. Political figures ranging from Winston Churchill, Edvard Beneš and David Ben-Gurion to Italian fascists and Nazi demographers worked alongside international organizations, such as the League of Nations, and notable humanitarian figures of the day, such as Fridtjof Nansen, to advocate, organize, formulate and/or directly implement TFM schemes.⁴³ The legacies of these schemes continue to shape contemporary approaches to migration management. Lineages can be traced back to colonial population transfer schemes, legally sanctioned population transfers in the first half of the twentieth century, plans and proposals to relocate ‘problematic’ populations en masse to far-flung locales, and population transfer and repatriation schemes during the Second World War and beyond that would generally be characterized today as ethnic cleansing.

Then, as today, such schemes were often justified on grounds of ‘pragmatism’; they often involved financial transfers to parties in exchange for hosting or receiving populations; and they were deeply entangled and intertwined with a range of geopolitical factors, including states’ economic, diplomatic and security interests.⁴⁴ For example, the UK–Rwanda deal, in addition to its direct aims, provides the United Kingdom with an opportunity to increase its influence in the mineral-rich Great Lakes region of Africa, while on the receiving end, it provides Rwanda with resources, an opportunity to boost its international profile

⁴¹ Dastyari and Hirsch, ‘The ring of steel’, p. 458.

⁴² Maggy Lee, ‘The externalization of border control in the global South: the cases of Malaysia and Indonesia’, *Theoretical Criminology* 26: 4, 2022, pp. 537–56; Hirsch, ‘The borders beyond the border’, pp. 72–3.

⁴³ Donald Bloxham, ‘The great unweaving: the removal of peoples in Europe: 1875–1949’, in Richard Bessel and Claudia B. Haake, eds, *Removing peoples: forced removal in the modern world* (Oxford: Oxford University Press, 2009), pp. 168–207 at pp. 184–5.

⁴⁴ On the meaning and significance of security entanglement, see Fiona B. Adamson and Kelly M. Greenhill, ‘Globality and entangled security: rethinking the post-1945 order’, *New Global Studies* 15: 2–3, 2021, pp. 165–80.

as a potential partner in managing migration and an array of other benefits.⁴⁵ The exchange of cash and the promise of additional side-payments for a distant country's acceptance of 'unwanted' populations bears a striking resemblance to earlier schemes that aimed to resolve thorny political problems by proposing to transfer populations to far-flung locations.

Historical proposals were often dressed up in humanitarian language focused on the well-being of the target populations—as is also the case in contemporary TFM deals, such as the Rwanda deal, which has been framed as a way to save lives by deterring Channel crossings and putting smuggling networks out of business, while also offering asylum-seekers 'a chance to begin a new life'.⁴⁶ For example, in 1902, British Colonial Secretary Joseph Chamberlain proposed to have parts of eastern Africa settled by Jewish immigrants, in what came to be known as the 'Uganda Plan'.⁴⁷ The scheme, although ultimately rejected, sought to achieve multiple aims at once. It was promoted in speeches to domestic constituents as a solution to the 'alien' (Jewish) migration of 'persecuted people' to Britain. But it simultaneously served numerous British imperial and economic interests, including justifying public investments in failed colonial infrastructural projects and deterring German expansionism in the region.⁴⁸ And while widely unpopular with many Jews, others—including the father of modern Zionism Theodor Herzl—viewed the Uganda scheme as a valuable temporary expedient to provide a refuge for Jews experiencing deadly pogroms in the Russian empire and rising anti-Semitism elsewhere. A range of similar schemes were proposed before and after the First World War by other European powers. These included plans in the 1930s and 1940s to settle Jews in the Indian Ocean island of Madagascar, which was viewed as 'having a special attraction for anyone eager to get rid of unwanted groups of people'.⁴⁹

Jews were far from the only population historically a focus of planned resettlement proposals to distant lands, however. The League of Nations' Nansen Office received numerous proposals for such schemes. In 1934, it led the search for a 'suitable home' in which to resettle Iraqi Assyrians, with consideration given to venues such as British Guiana, Brazil and Timbuktu. The prospect of resettlement in Brazil was attributable in part to the interest of the London-based Paraña Plantations Company, which operated in Brazil and offered to sell the League of Nations tracts of land for the project as a money-making scheme that would

⁴⁵ Author interviews with member of the UK Parliament; and an international migration agency official, June 2022; Parvati Nair, 'How the UK's plan to send asylum-seekers to Rwanda is 21st century imperialism writ large', *The Conversation*, 22 April 2022, <https://theconversation.com/how-the-uks-plan-to-send-asylum-seekers-to-rwanda-is-21st-century-imperialism-writ-large-181501>.

⁴⁶ 'Rwanda defends controversial asylum pact with the United Kingdom', DW.com, <https://www.dw.com/en/rwanda-defends-controversial-asylum-pact-with-the-united-kingdom/a-61581479>.

⁴⁷ Robert G. Weisbrod, *African Zion: the attempt to establish a Jewish colony in east Africa, 1903–1905* (New York: Jewish Publication Society of America, 1968).

⁴⁸ Adam Rovner, *In the shadow of Zion: promised lands before Israel* (New York: New York University Press, 2014), p. 53.

⁴⁹ Eric T. Jennings, 'Writing Madagascar back into the Madagascar plan', *Holocaust and Genocide Studies* 21: 2, 2007, pp. 187–217; Michael R. Marrus and Robert O. Paxton, *Vichy France and the Jews* (New York: Basic Books, 1983), p. 61.

simultaneously attract usable labour. It was ultimately unsuccessful, however, as was a similar scheme in British Guiana. A more modest population transfer of Assyrians to the Khabur Valley of French mandate Syria eventually occurred. The transferees were settled in newly built villages on land purchased by the League of Nations and partially paid for by Britain.⁵⁰

Indeed, the League of Nations was at the forefront of numerous TFM schemes in the first half of the twentieth century, including various arrangements in the Balkans that, at best, blurred the line between ‘voluntary’ and ‘forced’ migration. Population exchanges are inherently transactional, as they involve tit-for-tat swaps of populations, often accompanied by resource transfers for resettlement costs. Some League-negotiated exchanges were based on precedents established in formal diplomatic agreements negotiated between states in advance of the League’s birth, including the 1913 Treaty of Peace between Bulgaria and Turkey—which is generally recorded as the first ‘voluntary and reciprocal exchange’ of populations—but which can hardly be seen as voluntary by the tens of thousands thereby uprooted. This mass movement was followed by a similar agreement between the Ottoman empire and Greece in 1914, and yet another ‘voluntary’ transfer between Greece and Bulgaria, which resulted in a movement of approximately 350,000 people.⁵¹

These exchanges set the stage for the more widely recognized population exchanges between Greece and Turkey of 1922–34, following the Greco-Turkish War of 1919–22. These population movements were authorized under a special convention within the Treaty of Lausanne designed to deal with the fallout from the partition and dismemberment of the Ottoman empire. Population exchanges were clearly compulsory, with the sole criterion for forced relocation being one’s religion.⁵² Estimates suggest that 1.2 million Christian ‘Greeks’ in Anatolia were denationalized and exchanged for 350,000 Muslim ‘Turks’ from Greece.⁵³ The exchanges also involved significant resource transfers, multiple actors and third parties. Both the Greeks and the Turks courted the United States and European powers in the interest of securing financial assistance packages, at times granting concessions to foreign companies in the hopes of securing aid.⁵⁴

In addition to the elaborate system of Greek and Turkish government payments—determined by joint commissions and based on compensation for property left behind—Greece lobbied for financial assistance and managed to secure large loans for resettlement. It did so through an aggressive campaign

⁵⁰ Robert L. Baker, ‘The Assyrians seek a new home’, *Current History* 40: 1, April 1934, pp. 119–21; Bayard Dodge, ‘The settlement of Assyrians on the Khabbur’, *Journal of the Royal Central Asian Society* 27: 3, 1940, pp. 301–20; Laura Robson, *States of separation: transfer, partition and the making of the modern Middle East* (Oakland: University of California Press, 2017), p. 83–100.

⁵¹ Christa Meindersma, ‘Population exchanges: international law and state practice’, *International Journal of Refugee Law* 9: 3, 1997, pp. 335–64 at p. 336; Robson, *States of separation*, p. 73.

⁵² J. R., ‘The exchange of minorities and transfers of population in Europe since 1919—I’, *Bulletin of International Affairs* 21: 15, 1944, pp. 579–88 at p. 585; Umut Ozsü, *Formalizing displacement: international law and population transfers* (Oxford: Oxford University Press, 2014).

⁵³ Renée Hirschon, *Crossing the Aegean: an appraisal of the 1923 compulsory population exchange between Greece and Turkey* (New York: Berghahn, 2003).

⁵⁴ Onur Yildirim, *Diplomacy and displacement: reconsidering the Turco-Greek exchange of populations, 1922–1934* (Abingdon: Routledge, 2012; first publ. 2006), p. 73.

of ‘loan diplomacy’, sponsored by the League of Nations and administered by a US-led commission with a staff of nearly 2,000. The successful lobbying and injection of resources into Greece arguably contributed substantially to its industrial and agricultural development.⁵⁵

The historical prevalence of TFM deals is evidenced by the sheer number, scale and scope of such international agreements that were among those that ended the First World War, including but not limited to the Treaty of Neuilly (1919), and those that followed on the heels of the Versailles treaties, including the aforementioned Treaty of Lausanne (1923). These myriad population exchanges were, from a diplomatic perspective, widely considered ‘successes’—with glowing reports written and widely shared about the results of the exchanges. The deals were often described using explicitly humanitarian language as ways to ‘alleviate pain and suffering, and to end human misery’.⁵⁶ This laudatory rhetoric stands, however, in marked contrast to the devastating human toll on the individuals directly affected.⁵⁷

More broadly, the population transfers of Europe of the early to mid-twentieth century used the more anodyne language of ‘repatriates’ to refer to those subject to ethnic cleansing in the wake of conflict or state-formation processes. This was a misnomer, as the majority of those ostensibly being repatriated had never lived in the countries to which they were transferred. Similar terms were used to describe postcolonial expulsions and mass exoduses, such as that of the approximately 800,000 French citizens from Algeria forced to evacuate in 1962 following the Algerian War of Liberation, who were ‘defined as ... “repatriates”, even though many had never previously set foot in metropolitan France’.⁵⁸ In addition, multiple cases of expulsion or mass exodus of approximately 850,000 Jewish residents from Arab states transpired between the 1950s and the 1970s, during periods of Arabization that accompanied postcolonial state-building processes. Similar TFM processes took place in other cases of decolonization.⁵⁹ Of course, postcolonial expulsions can only be understood in the broader context of colonial practices of intra-imperial forced population transfers, such as the African slave trade, the indentured labour transfer of Asians across the British empire, and the forced transfer of European ‘undesirables’ to the colonies.⁶⁰

⁵⁵ Yıldırım, *Diplomacy and displacement*, pp. 166–8; B. N. Banerjee, ‘Exchange of population (lessons from recent history)’, *Indian Journal of Political Science* 8: 2, 1946, pp. 697–702.

⁵⁶ Aslı İğsız, ‘Rethinking forced migration: legacies of the Greek–Turkish population exchange’, *RSC Public Seminar Series*, Hilary term 2021 (Oxford: Refugee Studies Centre, 10 March 2021), <https://www.youtube.com/watch?v=58CN5W-01Fo> (accessed 12 Jan. 2023).

⁵⁷ Bruce Clark, *Twice a stranger: the mass expulsions that forged modern Greece and Turkey* (Cambridge, MA: Harvard University Press, 2006); Aslı İğsız, *Humanism in ruins: entangled legacies of the Greek–Turkish population exchange* (Stanford, CA: Stanford University Press, 2018).

⁵⁸ Claire Eldridge, ‘The empire returns: “repatriates” and “refugees” from French Algeria’, in Matthew Frank and Jessica Reinisch, eds, *Refugees in Europe 1919–1959: a forty years crisis?* (London: Bloomsbury, 2017), pp. 195–212 at p. 197.

⁵⁹ Hayyim J. Cohen, *The Jews of the Middle East, 1860–1972* (Piscataway, NJ: Transaction, 1973); Andrea Smith, ‘Coerced or free? Considering post-colonial returns’, in Bessel and Haake, eds, *Removing peoples*, pp. 395–414.

⁶⁰ Audie Klotz, *Migration and national identity in South Africa 1860–2010* (New York: Cambridge University Press, 2013); Clare Anderson, ‘Transnational histories of penal transportation: punishment, labor and governance in the British imperial world, 1788–1939’, *Australian Historical Studies* 47: 3, 2016, pp. 381–97; Kerry Ward, *Networks of empire: forced migration in the Dutch East India Company* (Cambridge: Cambridge University Press,

The chasm between how TFM deals are viewed by those who negotiate them and those displaced by them may also be explained at least in part by the secrecy that has sometimes surrounded these arrangements. For example, in October 1945, soon after the conclusion of the Second World War, a covert meeting was held in Whitehall to plan for the ‘compulsory repatriation of undesirable Chinese seamen’, tens of thousands of whom had served as part of the Allied war efforts. According to Kim Johnson, a Liverpool MP, and newly declassified documents, ‘the Home Office decreed’ that these forced repatriations—which, it bears noting, were being organized while China was in the grips of a long and bloody civil war—were ‘not to be discussed in the House of Commons, the Lords or with the press, or to be acknowledged to the public’. Moreover, after the summary expulsions of the thousands of seamen deemed ‘undesirables’, their families received ‘home visits from undercover officers to seize documents and erase any record of the deported seamen’. Those repatriated to China were reportedly ‘snatched from their homes and their loved ones’, and ‘their families were never told what was happening; they were never given a chance to object, or even a chance to say goodbye’.⁶¹ Only decades later, when declassified official records revealed what had happened, did the story begin to become public. Much about this episode, and many others, however, remains unknown to this day.

Furthermore, early twentieth-century TFM deals in Europe established precedents for massive population transfers that occurred both later in the century and much further afield. Although the 1947 division of British India into the newly formed states of India and Pakistan was not initially accompanied by a formal population exchange agreement, the chaotic and bloody aftermath of partition and the de facto transfer of approximately 15 million Muslims and Hindus was reactively and jointly managed and coordinated by the Pakistan and Indian Military Evacuation Organizations, which agreed to a joint evacuation plan, implemented by high commissioners and regional officials.⁶²

Similarly, in the Middle East, TFM was embraced and managed by newly formed states, sometimes with the assistance of international actors, such as the mandatory powers of the League of Nations, which viewed the ‘unmixing’ of populations ‘as a legitimate, internationally sanctioned form of state building’.⁶³ Numerous actors floated the idea of partitioning Palestine into a Jewish state and an Arab state, with an accompanying transfer of populations based on the model of Greece and Turkey. The expulsion and exodus of approximately 750,000 Palestinians at the founding of the State of Israel in 1948 was heavily influenced by earlier population transfers and ‘nation-building exchanges such as the postwar expulsion

2009); Martin Lemberg-Pedersen, ‘Manufacturing displacement: externalization and postcoloniality in European migration control’, *Global Affairs* 5: 3, 2019, pp. 247–71.

⁶¹ ‘Forced repatriation of Chinese seamen from Liverpool after World War Two’, Hansard (Commons), 21 July 2021, <https://hansard.parliament.uk/Commons/2021-07-21/debates/A72FC416-BDED-4060-9CDF-60061F12B1C6/ForcedRepatriationOfChineseSeamenFromLiverpoolAfterWorldWarTwo>.

⁶² Ian Talbot, ‘The 1947 partition of India and migration: a comparative study of Punjab and Bengal’, in Bessel and Haake, eds, *Removing peoples*, pp. 332–5; Alfred-Maurice de Zayas, ‘A historical survey of 20th century expulsions’, in Anna C. Bramwell, ed., *Refugees in the age of total war* (London: Routledge, 1988), pp. 33–5.

⁶³ Robson, *States of separation*, p. 74.

of Germans from Poland and Czechoslovakia', to the extent that experts on and advocates of earlier European population transfers were invited to serve on the newly formed Israeli cabinet's 'Transfer Committee' pertaining to the organized resettlement of Palestinians in Arab states.⁶⁴

Each of these successive deals and formalized instruments built on those that preceded it, and authorized and facilitated the organized uprooting and transfer of millions of people from their homes.⁶⁵ They also institutionalized and legitimized the management and distribution of different identity groups through the use and threat of forced migration.⁶⁶ While the Second World War was raging, multiple bilateral treaties were signed between Germany and countries such as Estonia (1939), Italy (1939), Latvia (1939) and the Soviet Union (1939). Further population transfers between Romania and Bulgaria, and between Romania and Hungary, were carried out under similar treaties in 1940, with an additional instrument authorizing movements between Germany and the Soviet Union concluded in 1941.⁶⁷

After the war ended, article XVIII of the Potsdam Protocol of 1945 authorized large-scale transfers of ethnic Germans from Czechoslovakia, Hungary, Poland and elsewhere—with up to 14 million people displaced (and up to two million killed) in the process. As in earlier cases, transfers were to be administered and authorized by a Population Transfers Commission.⁶⁸ In addition to the Potsdam provisions, post-Second World War bilateral treaties that authorized population transfers were concluded between Czechoslovakia and Hungary (1946), Hungary and Yugoslavia (1946), Poland and the Soviet Union (1945), and Czechoslovakia and the Soviet Union (1946).⁶⁹

These diplomatically orchestrated population exchanges and expulsions thus reinforced domestic and international political dynamics in which 'state interests were given priority over human rights and mass expulsions gained international respectability'.⁷⁰ TFM was supported and championed by liberal states as much as by illiberal ones such as Nazi Germany, Fascist Italy and the Soviet Union. But, rather hypocritically, whereas the use of population transfers by the Nazis was condemned during the Nuremberg Trials, not only the Axis but also the Allied powers used and advocated population transfers as a diplomatic tool both during and after the war. And, just as had been the case after the First World War, TFM 'was legitimated and justified as a humane and life-saving solution to conflicts in order to restore social order and stability, promoted as [a way to achieve and

⁶⁴ Robson, *States of separation*, pp. 31–3, 133–4. See also Matthew James Frank, *Making minorities history: population transfer in twentieth century Europe* (Oxford: Oxford University Press, 2017), pp. 368–9; Nandita Sharma, *Home rule: national sovereignty and the separation of natives and migrants* (Durham, NC: Duke University Press, 2020), p. 100; Benny Morris, *The birth of the Palestinian refugee problem, 1947–1949* (Cambridge: Cambridge University Press, 1987); Nur Masalha, *Expulsion of the Palestinians: the concept of 'transfer' in Zionist political thought, 1882–1948* (Washington DC: Institute for Palestine Studies, 1992).

⁶⁵ Frank, *Making minorities history*, ch. 9, pp. 356–406.

⁶⁶ Joseph Schechla, 'Ideological roots of population transfer', *Third World Quarterly* 14: 2, 1993, pp. 239–75.

⁶⁷ de Zayas, 'A historical survey', pp. 23–5.

⁶⁸ de Zayas, 'A historical survey' pp. 25–26.

⁶⁹ de Zayas, 'A historical survey' pp. 29–30.

⁷⁰ de Zayas, 'A historical survey' p. 22; Heather Rae, *State identities and the homogenisation of peoples* (Cambridge: Cambridge University Press, 2002), p. 229.

sustain] peace'.⁷¹ Indeed, Great Britain was at the forefront of arguing for population transfers in the 1940s, with the Lausanne 'solution' advocated by the British as a 'model diplomatic resolution' to various population issues that arose during the Second World War. While serving as prime minister in 1944, Winston Churchill, for instance, declared in the UK House of Commons that 'expulsion is the method which, so far as we have been able to see, will be the most satisfactory and lasting ... I am not alarmed by these large transferences.'⁷²

Perhaps unsurprisingly, given Churchill's views on this issue, the embrace of transactional transfers was very much in evidence at the 'Big Three' Allies' 1943 Tehran conference, the 1945 Yalta conference and the aforementioned Potsdam conference. At Yalta, for instance, the 'Big Three' (the UK, the US and the Soviet Union) authorized Operation Keelhaul, the planned repatriation of Soviet citizens—prisoners of war, guest workers and miscellaneous civilians—then located in western Europe back to the Soviet Union.⁷³ Under the terms of this deal, the Soviets were given unrestricted access to those in Allied displaced persons (DP) camps. Soviet citizens identified by Soviet repatriation officers were not to be given an option to stay, but rather just sent home. But not all of those selected for return went willingly—and the repatriation campaign quickly became complicated by DP resistance. Thereafter, under Soviet pressure, the Allies 'adopted policies of forced repatriation, which resulted in an estimated five million Soviets being returned to the USSR'.⁷⁴ At the same time, those reluctant to return went to great lengths to avoid being sent home, engaging in a range of behaviours that we frequently also see employed today by irregular migrants and failed asylum-seekers eager to avoid repatriation. Among other tactics, Soviet citizens keen to remain in western Europe adopted assumed names or lied about their citizenship, claiming to be Polish or citizens of the newly annexed Baltic states. Because these territories had not been part of the USSR before the war, those from Poland and the Baltics were not recognized as Soviet citizens and were permitted to remain. In extreme cases, some of those slated for repatriation to the USSR committed suicide.⁷⁵

As the newly emergent Cold War heated up, Keelhaul became a source of conflict as well as a valuable political tool for democratic western states against their communist former ally. In April 1946, just weeks after Churchill delivered his famous Iron Curtain speech, British and American UN delegates proposed a new definition of who was a refugee, which in effect established the right to seek

⁷¹ Igsiz, 'Rethinking forced migration'.

⁷² de Zayas, 'A historical survey', p. 28.

⁷³ Sheila Fitzpatrick, 'The motherland calls: "soft" repatriation of Soviet citizens from Europe, 1945–1953', *Journal of Modern History* 90: 2, 2018, pp. 323–50. The term 'keelhaul' refers to an archaic form of punishment at sea, wherein a seaman was punished or tortured by being dragged under the keel of a ship. The moniker given to this operation as the outlines of the Cold War were emerging was surely not accidental.

⁷⁴ Nikolai Tolstoy, *Victims of Yalta* (London: Hodder & Stoughton, 1977); Alistair Horne, 'Victims of communism: the unquiet graves of Yalta', *National Review* 42: 2, 1990, pp. 27–33; Jason Kendall Moore, 'Between expediency and principle: US repatriation policy towards Russian nationals, 1944–49', *Diplomatic History* 24: 3, 2000, pp. 381–404.

⁷⁵ Nicholas Bethell, *The last secret: the delivery to Stalin of over two million Russians by Britain and the United States* (New York: Basic Books, 1974); Mark Elliott, 'The United States and forced repatriation of Soviet citizens', *Political Science Quarterly* 88: 2, 1973, pp. 253–75.

asylum for those ‘unable or unwilling to avail themselves of state protection given a legitimate fear of persecution’.⁷⁶ For Soviet refugees, in particular, this shift made it legally possible for them to gain international asylum by rejecting their citizenship and making claims of persecution that international bodies would recognize. More broadly, the new definition paved the way for the creation and ratification of the 1951 Refugee Convention, now under threat and ironically at risk of being further undermined by modern manifestations of the very same migration schemes that gave rise to its creation more than seven decades ago.

Organized hypocrisy, knock-on effects and blowback

The contemporary proliferation of migration ‘deals’ points to the ubiquity of TFM as both a tool of migration diplomacy and a means of instrumentalizing migration for other foreign policy ends. Furthermore, TFM today bears more than a passing resemblance to its predecessors more than a century ago. Wealthy democracies are openly proposing such deals as means of both preventing ‘unwanted’ migration and extending their geopolitical influence, while at the same time sending, transit and third-party states are often eager to embrace or leverage the material benefits afforded by such arrangements.

These migration deals usually contain elements of what can only be described as state-organized forced migration and involuntary population transfers—practices that have strong resonances and affinities with the past. In such deals, states engage in transactional interactions in which ‘undesirables’, broadly defined, are viewed as problems to be solved, sources of conflict and instability, and burdens to be offloaded and transferred to third parties in ways that legitimize and institutionalize their removal and deportation.

As in the past, today’s TFM arrangements are often disguised through the use of humanitarian rhetoric. Then, as now, the language of ‘protection’, ‘partnerships’, ‘reciprocity’, ‘opportunities’ and ‘preservation of life’ can elide and obscure the detrimental effects of such deals on the individuals subject to them. This is often no accident. The EU in its official guidance and documentation uses the term ‘removal’, rather than ‘deportation’ or ‘repatriation’, because deportation is seen as having a ‘negative connotation’.⁷⁷ ‘Systems of organized hypocrisy’, such as those embodied in many TFM deals, emphasize containment over the promotion of asylum and other human rights standards.⁷⁸ As we have shown, however, these systems are not new, nor is the frequent disconnect between the rhetoric used to describe them and their material effects.

What has shifted in recent years in ways that echo the past is the visibility and unabashedness of many of these behaviours, especially among wealthy and

⁷⁶ Andrew Paul Janco, ‘Unwilling: the one-word revolution in refugee status, 1940–51’, *Contemporary European History* 23: 3, 2014, pp. 429–46.

⁷⁷ European Commission, *Asylum and migration glossary 6.0*, May 2018, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/docs/interactive_glossary_6.0_final_version.pdf, p. 320, 329, cited in Jorge, ‘European Union readmission agreements’.

⁷⁸ Lavenex, “Failing forward”, pp. 1205–6.

powerful democratic states and their international representatives. Of course, the management of international mobility is widely agreed to be ‘underpinned by the play of state preferences rather than the principles of the international liberal order’.⁷⁹ As in other areas of international politics, there is a gap between ideals of global responsibility and strategic concerns for national interests.⁸⁰ Yet the extent to which states are willing to openly pursue migration deals at the expense of humanitarian concerns and in breach of obligations under the Refugee Convention is nonetheless noteworthy, as is the degree to which these TFM deals are intimately related to other dimensions of domestic and international politics, transcending the boundaries between security, economic and social policy.

Of course, once again, such dynamics are not new: TFM has long played critical and integral roles in geopolitics. States in the past have used such strategies in attempts to achieve defensible borders, engage in nation-building, solve ethnic conflicts, dispense with domestic policy opposition and strengthen regimes.⁸¹ On other occasions, great powers have proposed offering territory to groups they sought to get rid of or from which they thought they had something to gain. They usually did so with little or no regard for those who might already be residing in that territory (e.g. Uganda, Madagascar, the American south-west). Sometimes they even offered the same territory to different groups (e.g., Palestine). Rarely, however, did these proposed migration arrangements go according to plan. In many cases, they instead begat conflicts that are still with us today (e.g. the long-simmering conflicts that characterize the divided island of Cyprus or contemporary Israel/Palestine).⁸²

Moreover, forced removals in the past were often accompanied by other practices that also characterize today’s migration systems—such as detention, encampment and state surveillance of mobility. Sometimes past failures have given rise to even more extreme responses. For instance, since the Nazis could not solve their so-called ‘Jewish problem’ through relocation to Madagascar, they resorted to ever more extreme measures that culminated in the industrialized genocide we know as the Holocaust.

At the same time, some TFM schemes have had more salutary, if also quite consequential effects. The horrors of the Second World War and pushback against some of the immediate TFM deals of the post-war period gave rise to the 1948 Human Rights Convention and the international refugee regime. Nevertheless, elements of TFM continued to operate throughout the Cold War and even arguably helped shape the overall approach of the refugee regime itself—durable refugee solutions rely heavily on organized ‘voluntary’ return or resettlement

⁷⁹ Jeannette Money, ‘Globalization, international mobility and the international liberal order’, *International Affairs* 97: 5, 2021, pp. 1559–77 at p. 1559.

⁸⁰ Dong Jin Kim and Andrew Ikhyun Kim, ‘Global health diplomacy and North Korea in the COVID-19 era’, *International Affairs* 98: 3, 2022, pp. 915–32 at p. 915.

⁸¹ See e.g. Harris Mylonas, *The politics of nation-building: making co-nationals, refugees and minorities* (New York: Cambridge University Press, 2012); Chaim Kaufmann, ‘When all else fails: ethnic population transfers and partitions in the 20th century’, *International Security* 23: 2, 1998, pp. 120–56.

⁸² Oded Haklai and Neophytos Loizides, eds, *Settlers in contested lands: territorial disputes and ethnic conflicts* (Stanford, CA: Stanford University Press, 2015).

programmes, as well as hosting arrangements that involve significant financial transfers to receiving states.⁸³ Prominent scholars of refugee studies have laid out visions of refugee management—such as allocating territories to create a new ‘Refugia’ polity—that bear resemblance to earlier resettlement schemes.⁸⁴

Conclusions and further implications

The concept of TFM and the findings presented in this article represent just a small part of a larger project that seeks to identify, illustrate and elucidate the geopolitical importance and diplomatic history of state-driven and orchestrated forced migration. In this article, we have shown that this geopolitical significance, as well as the legal and human rights-focused normative implications of these behaviours, are not new. We have also demonstrated that TFM arrangements that connect actors across the global North and South have important historical precedents, and that they have been undertaken with the active participation not only of states, but of supranational and international organizations, diaspora and civil society groups, and private actors.

As migration deals increasingly centre on ‘returns’ and pushbacks, the financial transfers that accompany them often lead to aid dependency and have unforeseen domestic political consequences.⁸⁵ For example, the EU’s ‘return’ regime and accompanying financial transfers have reshaped the domestic economies and politics of countries such as the Gambia, where migration management has become a ‘wide source of employment’, replacing remittances as a source of income, and even spawning local NGOs that have sprung up as local facilitators of ‘return’ and reintegration.⁸⁶ Organized returns also have the potential to fuel local conflict, as they did in the cases of Bosnia and Burundi.⁸⁷ Furthermore, states that are heavily reliant on migration remittances may also have incentives to seek financial compensation for any arrangement that curbs emigration and decreases remittance income, and also to exploit their positions as de facto refugee warehouses for states in the global North, using threats of non-cooperation or expulsion as a means of extracting greater levels of aid.⁸⁸

Nevertheless, there remains considerable variation in how states leverage their positions as targets of return regimes, externalization and outsourcing, and not

⁸³ Elise Beth Whitaker, ‘Refugees in western Tanzania: the distribution of burdens and benefits among local hosts’, *Journal of Refugee Studies* 15: 4, 2002, pp. 339–58; Alexander Betts, *Protection by persuasion: international cooperation in the international refugee regime* (Ithaca, NY: Cornell University Press, 2009).

⁸⁴ Robin Cohen and Nicholas Van Hear, *Refugia: radical solutions to mass displacement* (Abingdon: Routledge, 2019).

⁸⁵ Kelsey P. Norman and Nicholas R. Micinski, ‘The European Union’s migration management aid: developing democracies or supporting authoritarianism?’, *International Migration*, publ. online 17 Oct. 2022, <https://onlinelibrary.wiley.com/doi/full/10.1111/imig.13075>.

⁸⁶ Rosella Marino, Joris Schapendonk and Ine Lietaert, ‘Translating Europe’s return migration regime to the Gambia: the incorporation of local CSOs’, *Geopolitics*, publ. online 14 March 2022, <https://www.tandfonline.com/doi/abs/10.1080/14650045.2022.2050700>.

⁸⁷ Kelly M. Greenhill, ‘The politics of repatriation: a snapshot of Bosnia four years after Dayton’, *Precis* 10: 2, 2000, pp. 6–18; Stephanie Schwartz, ‘Home again: refugee return and post-conflict violence in Burundi’, *International Security* 44: 2, 2019, pp. 110–45.

⁸⁸ Micinski, ‘Threats, deportability and aid’; Orevia Olakpe, ‘Views on migration partnerships from the ground: lessons from Nigeria’, *International Migration* 60: 4, Aug. 2022, pp. 28–37.

all states are willing to enter into such deals or to use migration issues as a form of leverage *vis-à-vis* wealthier states.⁸⁹ For example, Fiji and Timor-Leste both rejected Australian outsourcing proposals, and an attempt to strike a deal with Malaysia was scuttled by a transnational coalition of human rights groups and refugee advocates.⁹⁰ In Europe, the European Court of Human Rights has issued numerous judgments on individual return cases, at times leading to changes in domestic asylum law.⁹¹ Across Africa, actors have adopted ‘different types of strategies, ranging from anticipation, incorporation, passive acceptance, and outright opportunism, to partial or total resistance’.⁹² In 2021, the African Union issued a blistering condemnation of Denmark’s Aliens Act and other proposed bilateral arrangements designed to remove asylum-seekers from Danish territory and externalize asylum claims.⁹³ In 2019 the Gambia even imposed a short-lived moratorium on deportation flights from the EU. This caused an ‘uproar within diplomatic circles in Europe’ and provided an example of how a refusal to accept deportees could be an act of state sovereignty designed to protect its citizens from removals—an approach that has been termed ‘protective exclusion’.⁹⁴ More research—and policy discussion—is needed on alternatives to TFM.

Wealthy states in the global North are not compelled to engage in migration ‘deal-making’. Expanding visas to open up legal channels for migration, for example, has been shown to decrease irregular migration.⁹⁵ And in the context of declining populations and labour shortages in the UK, Europe and elsewhere, migration deals that simultaneously involve the transfer of large sums of money and the forced return of populations eager to settle in a new country might appear to be a losing rather than winning deal. However, the bidding war in the summer of 2022 between then candidates for British prime minister Liz Truss and Rishi Sunak as to who could be more transactional in their approach to Britain’s migration ‘problem’ is a dramatic illustration of trends in the opposite direction. As the politicization and exploitation of public fears about irregular migration continue to mount, an even larger number of states and non-state actors may find incentives to enter into these bargaining arrangements, with potentially quite deleterious consequences for human rights, as well as additional unforeseen domestic and geopolitical effects.

⁸⁹ Erlend Paasche, “‘Recalcitrant’ and “‘uncooperative’”: why some countries refuse to accept return of their deportees”, *Migration Information Source*, 20 Dec. 20, 2022, <https://www.migrationpolicy.org/article/recalcitrant-uncooperative-countries-refuse-deportation>, accessed 12 Jan. 2023.

⁹⁰ Lee, ‘The externalization of border control’.

⁹¹ See Council of Europe, *Implementing ECHR judgments: new factsheet on migration and asylum*, Nov. 2021, <https://www.coe.int/en/web/portal/-/implementing-echr-judgments-new-factsheet-on-migration-and-asylum>.

⁹² Marie Deridder, Lotte Pelckmans and Emilia Ward, ‘Reversing the gaze: west Africa performing the EU migration–development–security nexus: introduction’, *Anthropologie et développement* 51: 9, 2020, pp. 9–32, quoted in Marino et al., ‘Translating’, pp. 4–5.

⁹³ African Union, ‘Press statement on Denmark’s Alien Act provision to externalize asylum procedures to third countries’, 2 Aug. 2021, <https://au.int/en/pressreleases/20210802/press-statement-denmarks-alien-act-provision-externalize-asylum-procedures>.

⁹⁴ Franzisca Zanker and Judith Altrogge, ‘Protective exclusion as a postcolonial strategy: rethinking deportations and sovereignty in the Gambia’, *Security Dialogue* 53: 5, 2022, pp. 475–93.

⁹⁵ Mathias Czaika and Mogens Hobolth, ‘Do restrictive migration and visa policies increase irregular migration into Europe?’, *European Union Politics* 17: 3, 2016, pp. 345–65.

