

Summary: ‘Negotiating for New Pathways to Protection: A Case Study of Humanitarian Corridors in Italy and Belgium (2015–2017)’

PUBLICATION REVIEWED: Sulewski, D. (2025). Negotiating for New Pathways to Protection: A Case Study of Humanitarian Corridors in Italy and Belgium (2015–2017). *Journal of International Migration and Integration*.

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ORGANIZATION: Journal of International Migration and Integration

DATE OF PUBLICATION: 2025/01/06

LINK: <https://doi.org/10.1007/s12134-024-01215-z>

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(This summary was created with AI support.)

DATE OF SUMMARY: 2025/11/27

☐ Book ☒ Journal Article ☐ Website ☐ Report ☐ Other (specify):

KEYWORDS: Humanitarian corridor, Faith-based organisations, Governments, Complementary pathways, Civil society, NGOs, Italy, Belgium

Negotiating for New Pathways to Protection: A Case Study of Humanitarian Corridors in Italy and Belgium (2015–2017)

Executive Summary

- This article reviews how faith-based organizations successfully negotiated with the governments of Italy and Belgium to implement their proposals for Humanitarian Corridors projects, arguing that their effectiveness is based on mutual gain.
- A qualitative study based on interviews of the parties involved in the projects identified legal, financial, operational, and political considerations as the key negotiation issues.
- For legal considerations, the proposals fit within pre-existing legal frameworks, making the project more feasible to governments.
- For financial considerations, faith-based organizations convinced the governments by guaranteeing that there would be no costs to the state.
- For operational considerations, faith-based organizations and governments negotiated on the operational parameters, favoring broader selection criteria, additionality, and leveraging pre-existing relationships, while implementation firmly remains in pre-existing legal frameworks.
- For political considerations, the proposals leveraged pre-existing relationships and framed Humanitarian Corridors as resolving ongoing issues in each state.

Introduction

- The Humanitarian Corridors project is based on a Memoranda of Understanding (MOU) between government and civil society (primarily faith-based organizations) and fits under the umbrella of complementary pathways.
- Under the model, asylum seekers apply for humanitarian visas abroad and then claim asylum, allowing civil society groups to be responsible for both admission and integration.
- Other complementary pathways and community sponsorship schemes are top-down. Humanitarian Corridors are bottom-up, led by civil society from design to implementation.
- The author introduces the rest of the article as exploring how Humanitarian Corridors emerged in contexts of hostility towards migrants, exemplifying Italy's 2015 pilot and Belgium's 2017 project. He argues that **allowing faith-based organizations to set up Humanitarian Corridors is possible when both the government and the groups can get something they want from the agreement.**

A Background on Humanitarian Corridors in Italy and Belgium

- The first Humanitarian Corridors were created in Italy in 2015 after the Sant'Egidio Community, the Federation of Evangelical Churches, and the Waldensian Church proposed a humanitarian visa system to the government.
- France replicated the model, followed by Belgium in 2017. Other countries were unsuccessful with their proposals, such as in Spain and Poland, where there was a lack of political will, negative public attitudes, and nationalist/anti-immigrant rhetoric.

Theories for the Analytical Framework: Cooperative Migration Governance, Negotiation, and State Responses to Forced Migration

- The Humanitarian Corridors project was piloted during a state of crisis in refugee influx in Europe, but was effective through faith-based organizations' commitment to social justice and the public–private partnership of civil society with government.
- Faith-based groups exert influence through political opportunity-seeking, mobilizing people, moral and expert authority, and building networks.
- Negotiation allows these organizations to persuade the state. Complementary pathways need state aid, so negotiation theory is helpful for analyzing these successes.
- The goal of the article is not only to show the competitive and cooperative negotiation dynamics, but also to **explain why the state agreed**.

Methods and Sample

- The study uses a qualitative case-study design drawing on 35 in-depth, semi-structured interviews, participant observation, and document analysis on motivations, deliberations, and experiences of faith-based orgs and governments.

Findings and Analysis: Opening Humanitarian Corridors Through Negotiation

- State and faith-based organizations **primarily negotiated on legal, financial, operational, and political issues**.
- Faith-based organizations were aware of their power imbalance throughout the process, but confident in their proposal.

Legal Considerations

- In Italy, faith-based organizations sought to work **within existing legal frameworks to make the proposal more feasible**, experimenting with Article 25 of the EU Visa Code to issue humanitarian visas that provide safe travel for migrants facing extreme vulnerability.
- Through this negotiation, faith-based organizations clarified how this fit into EU norms to convince the government, leading to a significant increase in limited territorial visas.
- In Belgium, the project used the Italian pilot's framework as the same legal basis.

Financial Considerations

- In Italy and Belgium, **faith-based organizations chose not to request any government funding**, removing a major political barrier and strengthening the proposal's feasibility.
- In Italy, the program was funded through the state's church tax that supported faith-based organizations, allowing the program to further avoid political backlash.

Operational Considerations

- In Italy and Belgium, governments needed confidence that civil society could sustainably operationalise Humanitarian Corridors. So, **faith-based organizations demonstrated operational capacity through technical expertise, international networks, and a large staff and volunteer base to sponsor and support arrivals.**
- In Italy, the choice of Lebanon as the first-asylum country rested on established relationships with faith communities, NGOs, and government actors.
- Belgium’s negotiations on first-asylum country were more contested.
 - The government wanted the beneficiaries to come from Turkey due to its NATO membership, and the faith-based organizations wanted Lebanon for the same reasons as Italy.
 - The parties met in the middle, with half from Turkey and half from Lebanon.
- Issues also arose on additionality and selection criteria. Faith-based groups insisted on additionality and selection based on extreme vulnerability, while the Italian Ministry of Foreign Affairs pushed to limit selection to Convention refugees.
- The Interior Ministry played a key role in resolving this impasse by formalizing the “vulnerability” category in the MOU, ensuring criteria aligned with international protection norms and permitting additionality.
- Through problem-solving, concessions, and collaboration, the parties agreed on operational parameters that gave faith-based groups meaningful discretion in selection and reception while offering states a legally sound and politically manageable pathway.

Political Considerations

- Proposals had to be in line with dominant political and bureaucratic powers, especially at the national level, as the balance of political costs and benefits was crucial.
- Faith-based organizations in Italy leveraged their long-standing, trusted relationships with political institutions and sustained engagement on migration issues for its negotiations.
- The Italian proposal focused on legal, controlled, and safe elements of the plan, while also emphasizing how it balances border control with commitment to humanitarian principles, which was an ongoing issue in Italy at the time.
- To convince the right-wing Minister in Belgium, the platform capitalised on a controversial evacuation of Christian Syrians. The faith-based organizations argued that the plan would reinforce a commitment to multifaith groups while also reinforcing a humanitarian image for Belgium despite its restrictive asylum policies.
- **Both proposals made government-specific recommendations that were convincing by highlighting how the program could resolve ongoing issues in each state.**

Conclusion

- The conclusion reiterates the effectiveness of project design, negotiation, and implementation, with legal, financial, operational, and political considerations that can lead to successful collaborations between faith-based organizations and governments.

- Since Humanitarian Corridors are inherently designed on an ad hoc basis, there is space for informal and negotiated arrangements led by faith-based organizations, but there are also limitations in future re-negotiations, transparency, and project scalability.