

# The EU Migration-Security Nexus: The Reinforcement and Externalization of Borders from the Center

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# **1.** International migration and supranational security: borders between political centers and peripheries

On 19 March 2014, one of the front page headlines on CNN s international website stated Would-be immigrants storm Spanish enclave on Moroccan coast (Goodman 2014). This assault included more than 1000 would-be migrants who stormed (language in quotes used by CNN) the walls surrounding Melilla. More than 500 people succeeded to enter the Spanish enclave. Of course, this scenario has repeated itself many times in many of the European Union s (EU) external border communities so much so that the places where would- be migrants arrive, such as Melilla, the Canary Islands, Lampedusa, etc. have become recognizable names to most EU citizens. Images of migrants landing in these communities in deplorable conditions have become embedded in both European security debates and the continent s collective political consciousness.

These discussions are not merely anecdotal and symbolic as they have significant policy ramifications. In 2011, during the so-called Arab Spring, Italy distributed 25,000 temporary visas to Tunisians arriving to Lampedusa which angered French and Danish officials who threatened to withdraw their countries from the Schengen free movement zone for fear that these migrants would pass through Italy to northern Europe (Crumley 2011). The Schengen Accords (1985 and 1990), which give European citizens and legal residents in the signatory states the right to free movement across borders, have shifted security debates on migration to the EU s external borders. This has created tension within the European Union as countries such as Italy, Spain and Greece believe that they are unfairly forced to manage immigration on behalf of the EU without sufficient political, technical and financial support from the supranational organization. Following the expressions of anger from French and Danish officials, the Italian government also threatened to withdraw from the Schengen zone because then-Minister of the Interior Roberto Marone contended that 1.5 million would-be migrants were preparing to invade Italy from North Africa (Squires 2011).

During this period of heightened instability in North Africa and the Middle East, migration was a central priority on European security agendas, even more than usual. These situations illustrate two key characteristics of EU migration policies in relation to security. First, the EU has followed a path shared with other advanced industrial polities in securitizing non-security policy arenas such as migration. Second, migration controls entail very high costs without necessarily obtaining the desired effects. These two characteristics have been identified by Cornelius *et al.* (2004) in the book *Controlling Immigration* as defining characteristics of the international migration system. According

to these authors, international migration policies can be understood through analyses including the combination of a convergence hypothesis and a gap hypothesis.

The convergence hypothesis states that advanced industrial countries have been forced to adopt similar immigration control strategies because: 1) regional integration has promoted multi-lateral inter-state negotiation on immigration policies which have led to the adoption of least-commondenominator strategies, 2) the rise of global terrorism and organized crime has created an international context of fear in which migration policies are framed in terms of security; 3) aging advanced industrial states are experiencing similar demographic trends which have affected labor markets and welfare states; and 4) the perceived failure of integration programs has led to a backlash against further immigration. Consequently, whereas immigration policies in advanced industrial states varied widely in the 1960s and 1970s, they focus heavily on three factors today: high-skilled migration, border controls and security.

Given the convergence of migration strategies around security-related issues, the natural question which arises asks: Can advanced industrial polities control immigration? The rise of network theories (i.e. Sassen 1999, Williams 1999, Brooks and Fo 2002) and transnationalism (i.e. Jacobson 1996, Bauböck 1997, etc.) suggest that immigration control is impossible as states not only compete with migrants in the international migration system, but they also must contend with supranational organizations, non-governmental organizations, social networks, economic lobbies, regional and local governments, etc. Organized Crime has also provided added security challenges related to migration due to the globalization of human smuggling and human trafficking organizations (see Koff 2005, Laczko and Thomson 2000). Consequently, Cornelius *et al.* have identified the gap hypothesis which addresses the space between immigration control objectives and actual results.

This gap is not only a result of the globalization of migration regimes. It also reflects a significant change in international security debates. Whereas the identification of security threats was relatively stable during the Cold War, security discussions have broadened significantly since the 1990s. On one hand, the emergence of the human security paradigm has normatively shifted security strategies away from polities toward people-centered approaches. However, the United Nations Development Program s (UNDP 1994) definition of freedom from fear, freedom from want does not easily lend itself to operationalization, especially in the field of international migration. At the same time, security threats have diversified as non-state actors have risen to prominence. This has led to a reinforcement of traditional border protection strategies.

These characteristics of international security discussions have significantly affected EU migration policies. The lack of understanding of human security as a norm that is relevant for domestic affairs has led to a separation between EU migration policies and human security objectives in neighborhood or foreign policy (see Lavanex 2006). The literature on human security (see Owen 2004, Spies and Dzimiri 2011 and Thomas 2001) has noted that three questions are central to shifts in our understanding of security: what is security? For whom is security? And what threatens security? Whereas human security norms are present in EU foreign policy and development cooperation, traditional concepts of security dominate domestic affairs due to the securitization of different policy arenas, including migration.

Jef Huysmans has addressed the significance of securitizing migration discourse and strategies since the 1990s. In the preface to his book *The Politics of Insecurity: Fear, Migration and Asylum in the EU* (2006), Huysmans correctly notes that even critics of the securitization of migration politics contribute to this process because security becomes the frame of reference in which migration is discussed. For this reason, borders acquire a symbolic value in migration debates. National or supranational policies focus on the need to reinforce border security. However, local border communities often oppose such coercive policy strategies because they create governance problems that are responsible for localized costs. For example, the aforementioned case of Melilla has gained visibility in European migration debates. Presently, it is estimated that about 2000 asylum-seekers at most enter this enclave per year. The temporary detention center located in Melilla has a capacity of 650-700 people (Koff and Naranjo 2013). Even though the number of sub-Saharan Africans entering Melilla (those located in the detention centers) is only five percent of the total number of illegal migrants in the city, this population has received prominent attention in European migration debates. A similar situation exists in Lampedusa where important investments are made by the Italian government and the EU in policing migration while local administrations and residents must bear the costs of shelter and food for most of the illegal migrants arriving to the island. These paradoxes pitting political centers against border peripheries illustrate the fact that immigration exemplifies the importance of *subjective security* concerns in contemporary security debates. This subjectivity significantly affects EU migration policies. This point is the focus of part two below.

## 2. International migration and security at the external borders of the EU

Since the 1990s, migration has often been viewed in relation to terrorist threats or organized crime in political discourse. These perceptions have created tensions within advanced industrial polities that have reinforced the migration-security nexus (see Andreas 2000, Brunet-Jailly 2007). In the United States, states such as Arizona have passed laws that have targeted illegal migrants. These laws are not necessarily supported by the federal government, but they force the US government to respond to migration concerns in order to protect their supremacy in this policy arena. Since September 11, 2001, the focus on migration in the US has been security and scholars such as Sabet (2013) and Cornelius (2004) have noted that the US Immigration and Customs Enforcement (ICE) service is the most heavily funded administrative body in the federal government.

The EU s migration regime follows a similar pattern with regard to the relationship between the supranational organization and its member states. As the introduction has shown, some member states (most notably France and the United Kingdom) have significantly influenced EU migration policies and linked them to security concerns. Moreover, the right to free movement across internal EU borders established by the Schengen Accords further prioritized external EU border controls. This process began with the Maastricht Treaty through which migration was placed in pillar three covering internal and security affairs (see Koff 2008, etc.). However, EU migration policies significantly adopted a security focus in the 2002 Seville Council meeting.

The decisions taken at this meeting prioritized border controls in EU policy responses to migration. The approved strategies entailed the following:

- a) Harmonizing measures to combat illegal migration: including the creation of a common visa identification system; acceleration of the conclusion of readmission agreements with specific countries identified by the Council; approval for elements of a program on expulsion and repatriation policies, including the optimization of accelerated repatriations to Afghanistan; and formal approval for reinforcing the framework for suppression of assistance for illegal migration.
- b) Progressive operationalization of coordinated and integrated administration of external borders: including joint operations at external borders and the creation of government liaison officials for



immigration; drafting a common model of risk analysis; drafting common training procedures for border police together with consolidation of European norms concerning borders; and drafting a study by the Commission on the administration of external borders.

c) Integration of immigration policy in the relations of the Union with third countries: including a provision that states that a clause be included concerning the common administration of migratory flows and regarding obligatory readmission in the case of illegal immigration in all future agreements of co-operation, association or the equivalent that the European Union or the European Community signs with any country; and a systematic evaluation of relations with third countries that do not collaborate in the fight against illegal immigration.

Since 2002, the EU has further developed these objectives. Most notably, the so-called Hague Program, announced in November 2004, created a five-year (2005-2010) multi-annual project in the field of justice and security that set the following priorities for the Commission:

- a) development of a common European asylum system with a common asylum procedure and a uniform status for those granted asylum;
- b) definition of measures for foreigners to work legally in the EU;
- c) reinforcement of partnerships with third countries to tackle illegal immigration better;
- d) establishment of a common policy to expel and return illegal immigrants to their countries of origin;
- e) use of biometrics and information systems;
- f) establishment of a European framework to guarantee the successful integration of migrants into host societies.

Specifically, EU migration strategies have followed parallel strategies regarding borders that have been adopted by other advanced industrial polities, most notably the United States. These strategies include migration control policies based on the securitization of external border zones and the externalization of border controls through cooperation agreements with third countries.

### The Establishment of FRONTEX and the Securitization of the EU's External Borders

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX: from French *frontière extérieure*) was established in October 2004 through Council regulation 2007/2004. Frontex promotes, coordinates and develops European border management in line with the EU fundamental rights charter applying the concept of Integrated Border Management (FRONTEX 2014). Specifically, FRONTEX is responsible for the promotion of cooperation between border authorities from different EU member states. Its operational areas of activity include: joint border patrol operations, the development of common training for border guards, the analysis of risk at the EU s external borders, the provision of a rapid response capability through the establishment of European Border Guard Teams (EBGT), and assistance to member states for joint return operations (deportation). FRONTEX also promotes the so-called situational awareness for border control authorities in the EU and it facilitates the exchange of information including the Information and Coordination Network established by Decision 2005/267/EC and European border surveillance system.



At first, scholars such as Boswell, 2007 and Huysmans, 2006, etc. contended that the establishment of FRONTEX represented an institutionalized response to the opportunity to securitize migration following the terrorist attacks in the United States on September 11, 2001. More recent scholarship from authors such as Neal (2009) and Kasparek (2010) have contended that this is not the case. These authors have contended that FRONTEX does not utilize the securitizing discourse that surrounded the establishment of Homeland Security in the United States. Instead, this approach focuses more on burden-sharing within the EU migration governance system rather than the takeover of competences in this policy arena. For example Neal has noted that FRONTEX does not even utilize the coercive language related to control in its discourse on Integrated Border Management which he argues focuses more on risk management than border control. This approach contends that FRONTEX is an administrative innovation in EU migration governance that aims to improve efficiency and effectiveness of border management rather than provide a militarized response to insecurity.

The institutionalization of EU border management strategies through FRONTEX does not in fact include reference to the populist language that criminalizes migrants amongst political factions in the EU. On the contrary, the agency s website includes a page entitled FRONTEX Facts and Myths on which the director Ilkka Laitinen presents a statement that attempts to distance the agency s work from nativist positions (Laitinen 2007). Nonetheless, FRONTEX cannot be dismissed as a mere administrative tool that simply supports the objective efforts of member states to manage migration. FRONTEX exercises operational capabilities that do in fact affect border control strategies and they have symbolic political value. The Risk Analysis Unit has been criticized for operating with a lack of transparency (Burridge 2012). Its very existence ties migration to the concept of risk as a basis for management strategies. This de facto securitizes migration because risk management is the framework through which responses are conceived.

The most visible activities carried out by FRONTEX are the joint border operations that have raised the EU s profile in public migration and border debates (Leonard 2009). The EU began its first joint aerial and naval operations in 2006- Hera I and Hera II in collaboration with Spain in the Canary Islands. Since then, FRONTEX responses have shifted to the center of the Mediterranean as missions have been organized in association with Italy and Greece (Operation HERMES and Operation Poseidon). Many observers criticized these operations for violations of fundamental rights (see Burridge 2012).

Not only has FRONTEX become more visible in EU border politics, it has also become an increasingly important actor in the EU s border governance strategies. The agency s budget has increased from nineteen million euros in 2006 to eighty eight million euros in 2013 (Ministère de l'Intérieur 2014). Moreover, these resources which are allocated by the Commission are complemented by FRONTEX s relationships with member states.

FRONTEX has also begun new activities which has increased the agency s impact on European migration governance. The European Surveillance System (Eurosur) is a real time platform for information sharing amongst EU member states that has three objectives: to reduce the number of irregular migrants entering the EU undetected; to reduce the number of deaths at the maritime borders by saving more lives at sea, and to increase the internal security of the EU as a whole by contributing to the prevention of cross-border crime.

FRONTEX has also established a new system of Rapid Border Intervention Teams (RABITs) which began operations in Greece (along the border with Turkey) in 2012. RABITs represent the EU s response to localized border emergencies. However, Burridge (2012) has contended that the

presence of RABITs in specific border areas justifies the transformation of emergency control mechanisms into more permanent border policies and it facilitates the EU s objective to displace migration flows.

Finally, it is important to note that FRONTEX has also increased the importance of its presence through the establishment of cooperation agreements with seventeen third countries that now support EU border management objectives. These agreements operationalize the externalization of EU borders through cooperation agreements. In short, the EU has adopted a policy strategy that attempts to manage migration closer to its source.

### The Externalization of EU Borders through Development Cooperation

Scholars of EU migration policies (see Lavanex 2006, Geddes 2005) have accurately documented the externalization of European Union migration controls. Aside from the establishment of FRONTEX, the EU has funded technical assistance in third countries and integrated migration into regional development strategies. While the term externalization is not present in any communications/projects produced by the European Commission, these texts utilize terminology such as external dimension of migration, global approaches or neighborhood policies.

The institutionalization of the role of migration in the context of development cooperation between Europe and Africa officially occurred through the establishment of the Cotonou Partnership Agreement between the members of the African, Caribbean and Pacific (ACP) states and the European Union and its Member States. Specifically articles 13, 79 and 80 of the Agreement specified the role of migration in the development partnership. In particular Article 13 introduced a readmission clause requiring any ACP State to re-admit its nationals illegally present on the territory of one of the states party to the agreement as well as migrants from other countries who have transited through its territory. This clause also provides for the negotiation of bilateral agreements amongst parties to the accord to govern the specific obligations for the readmission and return of clandestine migrants (art. 13, para. 5).

Scholars have also noted that the signing of trade agreements and concessions of economic aid are subject to the application of best practices in the field of migration (Gabrielli 2007: 163). Subsequently, these themes have been developed in the various multilateral initiatives on migration issues involving the EU and its African partners. In 2005 the European Council established a Global Approach to Migration, whose priorities for action focus on Africa and the Mediterranean with the main objectives of reducing illegal migration flows and the loss of human lives and assuring the return of illegal immigrants in safe conditions (European Council 2005: 9). This approach also states that any partnership between the EU and Africa will now systematically include aspects related to the management of legal migration, the fight against illegal migration and, the promotion of the link between migration and development. These objectives were codified in economic cooperation agreements with UEMOA and ECOWAS in 2008 and 2009 (see Miranda, Pirozzi and Schäfer 2012).

The link between migration and development has been articulated through two sets of measures: 1) the outsourcing of border controls through the sharing of responsibilities in the fight against illegal immigration with African countries (short-medium term goal), and 2) the promotion of co-development, understood as development partnerships with African countries with the aim of restricting incentives for unwanted migration (long-term objective). The first Euro-African Intergovernmental Conference on Migration (Rabat 2006) conducted through the initiative of Spain,



with the collaboration of Morocco and France led to a declaration that affirmed the need to achieve a concerted management of migration in Africa, through the implementation of development projects. This conference was closely followed by another in Tripoli (November 2006) which resulted in a joint statement discussing strategies to reduce poverty and co-development of African countries as key points to reducing flows of migrants and refugees (Conférence Ministerielle 2006b, 5). The proposed solutions include the promotion of foreign direct investment, cooperation processes and regional economic integration in Africa through the signing of Economic Partnership Agreements. Also of importance are the axes of the Rabat Action Plan through which multilateral and bilateral political and financial instruments have been set up to promote cooperation with Africa on migration issues related to: migration management, bilateral readmission agreements, and joint development agreements signed with allocation of specific budgets.

In the framework of its program of cooperation with third countries in the field of migration and asylum, the EU has unlocked specific budgets since 2001 to finance projects with the main objective of controlling African migration and the fight against illegal migration (European Commission, 2010). Migration control funding is also included in European development aid, as evidenced by the allocation of 40 million euros for migration under the 9th European Development Fund (EDF). Ten million euros has been dedicated to the creation of a migration information management (CIGEM) center in Mali. This center was established in 2008 following signature of a joint declaration on Migration and Development between Mali, ECOWAS, France, Spain and the European Commission (Republic of Mali, 2008), on 8 February 2007. Also under the 9<sup>th</sup> EDF,  $\in$  5.5 million were granted to Mauritania (3 million and Senegal (2.5 million) for the establishment of rapid response mechanisms for the fight against illegal migration to the European Union.

Of all of the measures proposed by the European Union to combat clandestine migration, the construction of detention centers in third states has possibly received the greatest attention. The above-mentioned 2004 proposal to officially support these camps at the EU level did not pass because of French and Spanish objections, however, the idea remains at the forefront of immigration debates in Europe. Two transition states, Libya and Morocco, are significantly implicated in this process. In the former case, Italy has initiated the closest collaboration in terms of immigration controls. Of course, cooperation between the states is affected by Libya s status as a former Italian colony. For example, since the 1990s, Italy has supported Libya s reintegration into the international community following sanctions imposed due to the country s support for international terrorism in the 1980s. Now that Italy has encountered severe problems linked to the management of clandestine migration, it has called upon Libya to act on its behalf. As a result, Italy and Libya signed a bilateral cooperation agreement, which permits Italy to repatriate clandestine migrants (including non-Libyans) arriving to Italy after having transited through Libya. Moreover, the Italian government provides training to Libyan migration officials, it has established a permanent liaison for combating organized crime and illegal migration, and it funds both charter flights to repatriate clandestine migrants from Libya to their countries of origin and the aforementioned detention centers.

Similarly, Morocco has become a front line in European immigration politics because of the country s close ties with Spain. The country s 2003 immigration law marked a drastic and abrupt shift in Morocco s immigration policies. Previously, the government had officially encouraged emigration and tolerated all immigration, both legal and clandestine (see de Haas 2007). The country s asylum policies were based on Islamic law and African notions of asylum. Refugees were actually considered favored foreigners. In contrast, the 2003 measure has certainly dictated a new approach to immigration explicitly enacted by King Mohammed VI. This law increased Morocco s focus on border patrols with particular attention to preventing transit migration. Ann Kimball (2007) has noted the

#### EUSC policy paper

significant material investment that this has entailed as eleven thousand security officers have been deployed to the Moroccan coasts at a cost of one hundred million euros per year. Like its European counterparts, Morocco has firmly grounded its migration discourses and policies in security-based rhetoric, despite its emigration history.

The 2003 immigration law grants Moroccan authorities the right to refuse, withdraw, or dismiss a foreigner from Morocco if the latter is not found to satisfy the legal conditions of residence. The law has also determined rules for entrance similar to those found in the EU: all non-citizens have to provide evidence for means of survival, the reasons for visiting Morocco, and the guarantees for return to the country of origin. Perhaps most importantly, the 2003 law defined transit migration as a criminal activity for the first time. Undocumented entry to Morocco can result in a fine of three hundred and sixty euros and imprisonment for six months (or more for repeat offenders). Organizers of clandestine migration risk sentences that range from ten years to life.

It is difficult to attribute Morocco s sudden shift in migration to domestic factors. Studies of native reactions to migration have indeed uncovered rising xenophobia and racism (see Lindstrom). However, immigration reforms were not raised by political parties or civil society before they were passed. They were handed down by King Mohammed VI within a context of cooperation with the European Union and the promotion of the EUROMED (European Mediterranean) partnership. Like Libya s implementation of stricter migration reforms in order to further its cooperation with Italy and the EU, Morocco has implemented measures aimed at curtailing clandestine migration in order to move itself politically and economically closer to Spain and Europe, in general. For example, Morocco and Spain have even engaged in joint sea and air border patrols. Many observers of immigration to Spain (see Alscher 2005) have contended that the country s influence in immigration politics has even geographically surpassed Morocco as Mauritania has recently joined the collective effort to halt clandestine migration, forcing would-be migrants to sail for the Spanish coasts from as far away as Senegal. In this regard, the EU has not only fortified migration controls at its external borders, but it has also successfully enacted these controls in important transit countries located in its political neighborhood.

### 3. Conclusions: the EU and competing integrated border management systems

This policy brief has presented EU policy strategies related to the union s external borders. Obviously, the migration-security nexus includes other elements that are highly salient for EU-China relations, such as the fight against organized crime and human trafficking which are problems that both polities must address. Political asylum is also a pertinent issue.

The EU s border policies are very relevant for discussions on the union s relationship with China. China has in fact adopted a de-securitized approach to border and migration governance which is not compatible with the EU s general external border governance strategies. Also, it is very important to note that the EU policy of externalizing borders through inter-regional or bi-lateral agreements involving member states could affect relationships with China. Even though the EU does not exert the same power that it has in relation to African or Latin American regional or sub-regional organizations, if it is to maintain a coherent foreign policy, then trade/cooperation agreements with China should include conditionality related to migration. On one hand, the EU is calling for a readmission agreement with China that reflects those signed with neighboring states/regions that were presented in part two above. Conversely, China has pushed the EU to sign an agreement that would

include visa facilitation for its citizens. The inability to formulate a common position on these points and the symmetrical power relationships between these powers have led to stalled discussions.

On a broader scale, this policy brief questions the logic of the EU s external border security strategies. The phrase Integrated Border Management seems to be a misnomer. Rather than adopting a human security approach which includes different facets such as economic governance, social welfare, human capital, environmental protection, etc. in addition to migration controls, the EU has merely established collaborative efforts in the field of public security. This seems shortsighted. For example, returning to the case of Melilla, EU efforts have targeted Sub-Saharan Africans wishing to enter Spain as asylum seekers despite the fact that they represent only 5% of the clandestine migrants in the enclave. The border fence and complementary police controls surrounding Melilla do not address the existence of cross-border informal trade that moves an estimated 1.5 billion euros worth of goods each year<sup>1</sup> and employs approximately 400,000 people in Spain and Morocco (Cembrero 2006).

This informal economy that exists between Melilla and Nador in Morocco has fostered significant migration that is illegal but embedded in the local socio-economic cross-border landscape. The Moroccan migration flow represents historical migration. Another group of migrants are locally known as passers-by. This is a floating migrant population of about 30,000 to 40,000 people crossing the border every day in a kind of circular labor migration (Ribas-Mateos 2005, 236). Finally, there is a group of between 10,000 and 15,000 irregular residents who have settled in Melilla since many years ago. (Interview cited in Koff and Naranjo 2013)

Challenges related to EU border controls can actually be considered paradoxical when compared with EU border integration efforts at the local level. The EU has the most institutionalized crossborder cooperation mechanisms in the world as approximately nine billion euros have been budgeted for INTERREG cross border and regional projects for the period 2014-2020 (INTERREG IVC undated). These initiatives foster cross-border governance, employment and economic growth, environmental protection, social welfare projects, participative democracy, etc. In other words, they adopt a human security approach packaged under the label social cohesion. Until now, there has been a strong disconnect between migration governance and these border integration strategies. The EU does not need to revolutionize its external border policies in order to improve their effectiveness. It should simply focus its attention on establishing stronger communication and greater coherence between external border controls and local transnational cohesion initiatives. By doing so, it would address both human security and public security issues in a border governance strategy that would truly be integrated.

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<sup>&</sup>lt;sup>1</sup> In November 2005, Emilio Carreira, Minister of Economy and Finance of Ceuta, estimated that the money generated by the border trade (Ceuta and Melilla) represents one billion euros annually. Driss Benhima, the director of the Agency of Northern Morocco, estimated in 2003, that the figure reached 1.3 billion euros. Moreover, Abderrazzak el Mossadeq, who was Minister of Economics and Director of Customs, suggested the figure of EUR 1.5 billion euros, the same amount provided by the American Chamber of Commerce in Casablanca (Ferrer Gallardo 2008, p. 138).