



**European Border Security after the  
Arab Spring**

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## EU-GRASP

Changing Multilateralism: the EU as a Global-regional Actor in Security and Peace, or EU-GRASP in short, is an EU funded FP7 Programme. EU-GRASP aims to contribute to the analysis and articulation of the current and future role of the EU as a global actor in multilateral security governance, in a context of challenged multilateralism, where the EU aims at “effective multilateralism”. This project therefore examines the notion and practice of multilateralism in order to provide the required theoretical background for assessing the linkages between the EU’s current security activities with multi-polarism, international law, regional integration processes and the United Nations system.

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All views and opinions are those of the authors. This paper is work in progress. Any comments are welcome and can be sent to the authors.

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## About the Author

**Dr Nick Vaughan-Williams** is Associate Professor of International Security, Department of Politics and International Studies, University of Warwick. His book *Border Politics: The Limits of Sovereign Power* (2009, 2012) was the 2011 Gold Winner of the Association for Borderlands Studies Past Presidents' Book Award. He is currently working on a new project called *Marginal Lives: European Border-Making and Its Challengers*. All comments welcome and should be sent to: [N.Vaughan-Williams@Warwick.ac.uk](mailto:N.Vaughan-Williams@Warwick.ac.uk).

# European Border Security after the Arab Spring<sup>1</sup>

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At a recent conference in Brussels organised by the International Centre for Parliamentary Studies, EU Commissioners, MEPs, Member States' Border Agencies, private security companies, NGOs, political activists, and academics discussed one of the most pressing public policy issues facing Europe today: migration.

The conference preempted the publication of the EU Commission's renewed 'Global Approach to Migration and Mobility' (GAMM), released on 18 November 2011, which begins: "[...] migration is now firmly at the top of the European Union's political agenda. The Arab spring and events in the southern Mediterranean in 2011 further highlight the need for a coherent and comprehensive migration policy for the EU" (EU Commission, 2011: 2).

Between January and March 2011 an estimated 25,000 'illegal immigrants' arrived on the Italian island of Lampedusa from North Africa alone (source: BBC News). In response to this humanitarian crisis the EU External Border Management Agency FRONTEX launched Operation Hermes, but this only served to push migration routes further eastwards. An unknown number of people have sought entry to the EU via Greece's border with Turkey, which has faced extreme pressure.

While the fate of the Euro has preoccupied most EU analysts recently, another crisis, and arguably one of a greater and more immediate human concern, is thus unfolding at Europe's southern – particularly south-eastern – margins. This is, in effect, the EU's 'other' Greece crisis leading one commentator, Hugo Brady of the Centre for European Reform, to call for an immediate "bail-out of Greece's borders".

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<sup>1</sup> Unless otherwise stated all references are taken from public presentations made at the ICPS Round Table Symposium on European Border Security, 9-10 November 2011, Silken Berlaymont Hotel, Brussels.

The consensus among EU policy-makers is that the increasing pressure on Europe's Mediterranean borders stems from the Arab Spring. To this we might want to add the effects of the NATO-led Libyan intervention, although Cecilia Malström, EU Commissioner for Home Affairs, claims that of the 1 million people who left Libya only a small percentage came to the EU. Rather, she argues, most of those seeking entry via Lampedusa and now Turkey are primarily economic migrants, 'pushed' by the collapse of the tourist industries across North Africa.

So what is being done to secure the EU's 11,000km external land borders, 43,000km sea borders, and 593 international airports confronted by c.700 million border-crossers per annum -- up to 4million of whom, according to British MEP Sir Graham Watson, are potentially "illegal"?

This was the question on everyone's lips as Ilkka Pertti Laitinen, Executive Director of FRONTEX, left his armed motorcade, walked past the 'FRONTEX Kills' and 'Fight FRONTEX' graffiti on the cobbles of the Schuman plaza outside the EU Commission, and joined the conference.

Laitinen began by emphasizing that the implications of the Arab Spring for European border security were still uncertain and that there were many unanswered questions about the current nature, extent and future trajectory of migration to the EU.

He emphasized both the *speed* of developments across a number of states in Northern Africa over the spring and summer of 2011 as well as their *diversity* in terms of features and threats. Echoing Commissioner Malström, however, Laitinen claimed that although a small number of migrants from Libya were stranded and in need of humanitarian protection, the majority of those seeking entry to the EU were "traditional illegal economic migrants" from Tunisia.

On the one hand, the FRONTEX chief praised the willingness and ability of the EU Agency to respond to the crisis. He spoke confidently about the Agency's intelligence and risk analysis capabilities, its capacity for operational response across a range of scenarios over land, sea, and air, and plans for a more robust returns policy through greater cooperation with third countries such as Tunisia, Egypt, Libya, and Morocco via the EU-Africa Strategic Partnership on Migration, Mobility, and Employment.

On the other hand, Laitinen also spoke of the challenges of dealing with different migration flows while maintaining fundamental human rights, of being in receipt of less than 1 per cent of the EU's total budget and unable to raise sufficient funds from the Commission under emergency conditions, and, in respect of Operation Hermes prior to the NATO-led intervention, of attempting to secure Europe's borders within an operating zone well in-range of Libyan missiles.

Looking to the future of European border security after the Arab Spring a number of factors ought to be considered. Among these is the question of the level of commitment among EU member states to support FRONTEX in operational terms. As both Laitinen and Romanian MEP Norica Nicolai pointed out, there is still a fundamental lack of agreement between member states on immigration and asylum policy. Despite the absence of any political desire to see the reestablishment of internal borders – seen to be fundamentally at odds with the Single Market – the pivotal point concerns the extent to which human rights can and/or should be respected in the face of mounting security imperatives.

Clearly, however, the old dichotomy between liberty and security is being negotiated in new ways. Indeed, there is a growing sense that the answer to this conundrum – and the key to the political deadlock between member states above – is twofold: 1) to use new technologies to ensure security *through* the freedom of movement of people, services, and goods; and 2) to out-source European border security where possible from the responsibility of individual member states to private security companies.

These twin responses to the perceived threat of migration deserve closer examination.

Firstly, while technology in the form of Blackberry messaging, Facebook, and Twitter is commonly understood to have assisted the Arab Spring and facilitated migrants' mobility across North Africa in 2011, technological innovation is also understood by European elites to constitute part of the solution to the perceived threat of increased migration.

For example, central to the future of FRONTEX capacity building, according to Laitinen, is the upgrading of the Schengen Information System (SIS) to allow for a new EU-wide automatic biometric entry/exit system. A new EU Information Technology department is due to be launched next spring (2012) to explore the expansion of the existing EUROSUR electronic surveillance

system across not only land, but maritime, air, and cyber borders as well. Following the US Department of Homeland Security's use of new methods to police some sections of the US-Mexico border, FRONTEX aims to roll out digital sensors, Unmanned Armed Vehicles (UAVs), and automated satellite detection systems.

What these strategies rely upon is precisely the use of mobility of people, services and goods in order to detect suspicious activities, which, in turn, can be filtered out from trusted behavior and assist rather than hinder the freedom of 'good' circulation. In this way, security and freedom go hand-in-hand rather than posing some sort of contradictory imperative.

Secondly, the faith in new technology as the solution to a range of problems complements the plan to outsource of European border security to private enterprise. Representing the French defence company Safran Morpho, Gillian Ormiston claims that her business offers policy-makers the "perfect border" solution. This system focuses on an overall picture of people's behavior before, during, and after travel rather than a narrow and static authentication of individuals' identities at the flashpoint of a traditional border. Furthermore, Safran Morpho have developed several enhanced technologies to improve the customer experience at that traditional flashpoint – such as quadropole resonance technology to scan footwear while it is still being worn, tomographic 3D detection systems to identify the nature and quantity of explosives hidden in items such as laptops, and x-ray defraction to measure the density of suspicious liquids – in order to achieve an optimal encounter of just 30 seconds. The "perfect border" is designed to be fast, unobtrusive, and smart.

Yet, as John Fothergill, an Assistant Director of the recently beleaguered UK Border Agency, has pointed out, irrespective of the sophistication of automated border security systems, member states still have an obligation under international law not to simply turn migrants away at the gates of Europe.

Fothergill's remarks serve as a timely reminder that as the European border security regime becomes more technologically sophisticated it is in danger not only of encroaching on but challenging the very essence of civil liberties by stealth.

In this context the proposed use of UAVs is a particularly worrying development, which poses fundamental questions about the ethics and legality of implementing automated systems with a

capacity to kill. Similarly, the out-sourcing of security to private companies raises huge concerns about legal responsibility and democratic accountability.

Principles such as the right to seek asylum and non-refoulement are at the heart of international law and the veracity of the EU's claims to upholding "freedom, security, and justice" – not only in the territory of member states, but globally – ultimately depends on their respect whatever the external pressures.

The renewed GAMM commits EU member states to being "among the frontrunners" in promoting human rights and international protection. It also calls for a "migrant-centred" approach: "In essence, migration governance is not about 'flows', 'stocks', and 'routes', it is about people" (EU Commission 2011: 6). However, the extent to which these laudatory aspirations are reflected in the trajectory of the development of European border security after the Arab spring must be questioned and subjected to rigorous scrutiny over the coming months in particular.

In conclusion, the treatment of migration as a security problem necessitating increasingly military-style responses is something that European elites need to consider very carefully. A quasi-militarization of Europe's borders is neither likely to enhance the EU's security nor migrants' security in the long run as both enter into a lethal game of cat and mouse. From the perspective of EU member states 'Border Wars' are a costly option in a time of austerity and could lead to greater threats in terms of the potential for both blow-back and/or the corrosion of the liberties central to the EU's self-image and democratic legitimacy. For migrants the current lack of clarity surrounding the line between humanitarianism and warfare places their lives in a heightened state of perpetual insecurity. When it becomes unclear whether FRONTEX planes and vessels are being deployed to fight-off migrants or offer them search and rescue services it is time to re-think EU border security policy. With the publication of the new GAMM that time is surely now.

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