

EXTERNALIZATION OF EUROPEAN UNION SECURITY OUT OF EU BORDERS. A MYTH OR REALITY?

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STATE OF PLAY OF EU'S SECURITY

Factual situation:

- ▶ According to Eurobarometer for 2017, two major threats were individualized by the EU public opinion:
- ▶ Migration crisis/refugee crisis (more than 2.6 million asylum seekers, more than 2.100 fatalities in the Mediterranean only in the first semester of 2017 (5.000 overall), suspension of Schengen code/free movement of people has been undermined)
- ▶ Terrorist attacks (12 with serious numbers of victims: Barcelona 2017, London 2017, Manchester 2017, Paris 2017, Stockholm 2017, Berlin 2016, Brussels 2016, Nice 2016, Paris 2015, etc.)
- ▶ In terms of priorities 3 most urgent measures need to be tackled:
 - ▶ 1. combat terrorism and fight against terrorist groups
 - ▶ 2. fight against roots of terrorism and radicalization
 - ▶ 3. strengthen control of EU borders

Global Policy Framework for action:

- ▶ European Union Global Strategy on Security and Defense (2016) (new set of capabilities: art.42 (7) TEU (mutual defense clause) and art.222 (TFEU) (solidarity clause)
- ▶ new Level of Ambition (2016)
- ▶ Implementation Plan on Security and Defense (2016)
- ▶ European Defense Action Plan (2016)
- ▶ EU – NATO Joint Declaration (2016) (42 concrete project proposals for actions)
- ▶ Launching of the Permanent Structured Cooperation on Security (PESCO) as of June 22, 2017

EXTERNALIZATION OF EUROPEAN UNION SECURITY OUT OF EU BORDERS

DEFENSE AND SECURITY POLICY/EUROPEAN UNION SECURITY

- ▶ Security refers to the whole Internal and external security nexus or better the continuum between them (Mogherini, World Economic Forum: Redefining Europe's Security Agenda, Davos 2017), in particular having in mind the migration-security nexus and the development-nexus, and because terrorism has become a transnational concern
- ▶ Reality about EU's security: Soft power vs hard power debate (Manners, Whitman, Keukeleire et altri vs Aggestam, Hyde-Price, Merlingen et altri.)
- ▶ EU does not have the capacity to have a real CSDP (due to treaty provisions, decision-making process, budget (spending gap) and specific relations with NATO)

EXTERNAL GOVERNANCE/EXTERNALIZATION

- ▶ Several definitions:
- ▶ Merriam-Webster Online Dictionary: the action or process of externalizing or something externalized/embodyed
- ▶ Psychology (Freud): unconscious defense mechanism by which an individual 'projects' his/her internal characteristics onto the outside world
- ▶ European Foreign Policy (external governance): expanding the scope of EU rules beyond EU borders (Lavanex & Schimmelfennig, 2009) or it refers to a process of externalization of its relevant internal policies to tackle threats before they reach EU territory (Mounier, 2006)
- ▶ Italian NGO's and academia jargon: giving in subcontract border management of EU borders to third states (ARCI Report, 2016)

Externalization of EU Security out of EU borders, means pushing EU's responsibility for its own security to third states/parties. (less complicated, less expensive and sustainable)

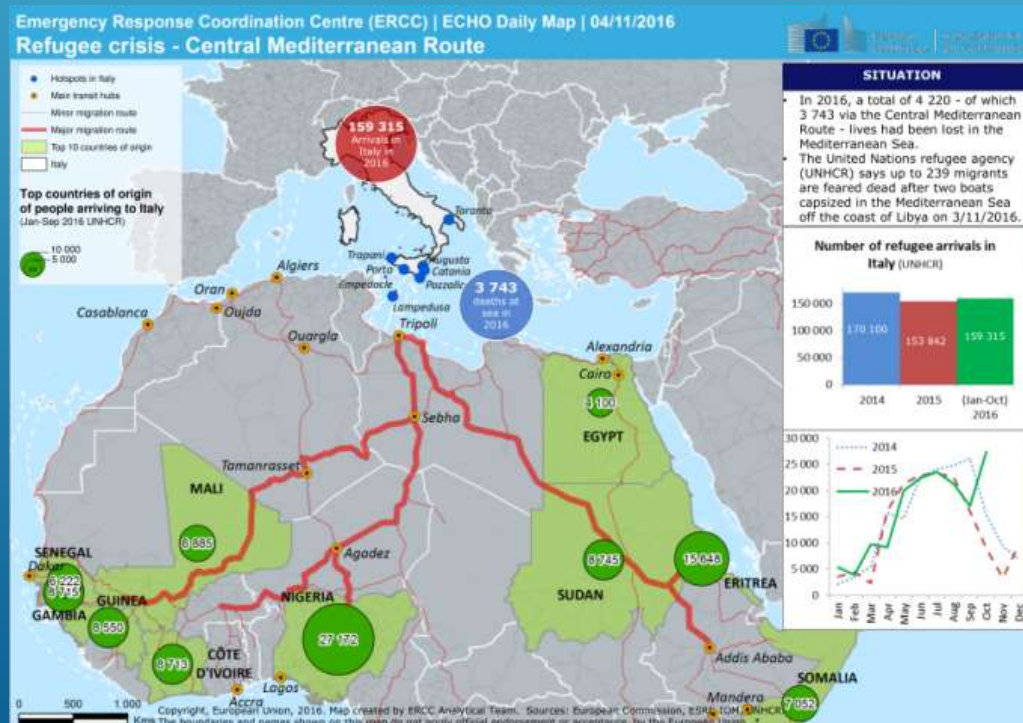
WHAT EYES DON'T SEE, THE HEART DOES NOT GREIVE

QUESTION: How does the EU externalize it's own security out of EU borders and how does it manage to push responsibility towards third states or parties?



TWO CASES ARE BEING EXAMINED IN RELATION TO EU'S EXTERNAL MIGRATION, ASYLUM AND DEVELOPMENT POLICY

1. Security projection towards African countries from Central Mediterranean Route
2. Security projection towards Countries from Eastern Mediterranean Route (Turkey and Western Balkan countries)



BASIC METHODS/INSTRUMENTS USED BY THE EU:

1. Soft power tools (diplomatic, political, economic, cultural, developmental instruments)

1. General policies framework + legislative acts
2. External policy framework of the EU (enlargement, neighborhood, development, trade, migration and asylum policies)
3. Readmission agreements (readmission clause) + separate cooperation agreements or readmission agreements between EU Member states and interested countries
4. Technical assistance (reinforced border checks and use of new technology), training local authorities and financial aid
5. Support and creation of refugee camps for asylum seekers in transit countries
6. Creation of hotspots (points of registration and identification of refugees with digital imprints within 48 (72) hours from arrival. (until now only in Italy and Greece, but on the Summit meeting in Paris (28 August 2017), it was discussed to open similar centers/hotspots in Niger and Libya.

2. Hard power tools: civilian and military operations that support general policies

1. European Border and Coast Guard Agency (2016) (FRONTEX)
2. EU Civilian and Military Operations
3. Joint EU/NATO operations

1. SECURITY PROJECTION TOWARDS AFRICAN COUNTRIES FROM CENTRAL MEDITERRANEAN ROUTE (LYBIA, CIAD, NIGER, MORE IN GENERAL ACP COUNTRIES)

Soft power tools (non exhaustive List) :

- ▶ Global Approach to Migration and Mobility, 2005 (gives the basis for EU's relations with third countries), Migration Compact (2016) (tailor made approach with third countries integrating all EU policies, tools and instrument (priority countries: Niger, Nigeria, Senegal, Mali, Ethiopia, Lebanon and Jordan), The Karthoum process (EU-Horn of Africa Migration Route Initiative, 2014);
- ▶ Return Directive 2008/115/EC (Dec, 2008), Temporary Protection Directive 2001/55/EC (Jul, 2001), Policy Paper on Asylum (2011), etc.
- ▶ EU Development policy + EU Neighborhood Policy
- ▶ Cotonou agreement (2000) (art.13 (5(c)) contains the Readmission clause; Individual readmission agreement between Italy and Tunis, Senegal, Ghana, Niger, Egypt, and Cote D'Ivoire (that reproduce the same agreements as the one with Turkey)
- ▶ EU Africa Action plan – 1.8 billion Euro from the development fund (Valletta Summit, 2015);
- ▶ Bilateral financial aid to countries of interest (for ex. Libya (Italy) – 100 millions Euro for protecting detention centers better border control,
- ▶ Other instruments.

Hard power tools:

- ▶ Operation Marenostrum (2013 – 2014, Italy) (Search and Rescue)
- ▶ Joint Operation Triton (2014 -) (Search and Rescue)
- ▶ EUNAVFOR MED Operation Sophia (disrupt migrant smugglers and human traffickers) (2015 – 2018)

GENERAL PURPOSE: STRENGTHENING EU'S EXTERNAL BORDERS, MANAGING MIGRATION FLOWS AND CURBING MIGRANT ACTIVITIES (PREVENTION OF ILLEGAL MIGRATION)

2. SECURITY PROJECTION TOWARDS COUNTRIES FROM THE EASTERN MEDITERRANEAN ROUTE (TURKEY AND WESTERN BALKAN COUNTRIES)

Soft power tools (non exhaustive list):

- ▶ Global Approach to Migration and Mobility, 2005 (gives the basis for EU's relations with third countries), European Agenda on Migration (2015)
- ▶ Return Directive 2008/115/EC (Dec, 2008), Temporary Protection Directive 2001/55/EC (Jul, 2001), Policy Paper on Asylum (2011), etc.
- ▶ EU Enlargement Policy (the status of candidate or potential candidate states, visa liberalization, trade incentives etc.);
- ▶ readmission agreements with Turkey (2014) and Western Balkan countries
- ▶ EU Turkey action plan 20 March, 2016 (6 billion Euro)

Hard power tools:

- ▶ Deployment of European Border and Coast Guard Agency Mission to Bulgarian-Turkish border (Kapitan Andreevo) (Oct, 2016)
- ▶ Joint Operation Triton (2014 -) (Search and Rescue)
- ▶ EUNAVFOR MED Operation Sophia (disrupt migrant smugglers and human traffickers) (2015 – 2018)
- ▶ Standing Maritime Group 2 (SNMG2) (NATO) (reconnaissance surveillance tasks and rescue/detain people at sea)
- ▶ Poseidon Rapid Intervention (FRONTEX + NATO)

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FACTS ABOUT MIGRATION FLOW (FRONTEX)

Main migration routes into the European Union	Illegal border crossings (land and sea)										
	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Western African route	31,600	12,500	9,200	2,250	200	340	170	250	275	874	671
Western Mediterranean route	N/A	N/A	6,500	6,650	5,000	8,450	6,400	6,800	7,840	7,164	10,231
Central Mediterranean route	N/A	N/A	39,800	11,000	4,500	64,300	15,900	40,000	170,760	153,946	181,459
Apulia and Calabria route	N/A	N/A	N/A	807	2,788	5,259	4,772	5,000			
Circular Albania–Greece route	N/A	N/A	42,000	40,000	35,300	5,300	5,500	8,700	8,840	8,932	5,121
Western Balkan route	N/A	N/A	N/A	3,090	2,370	4,650	6,390	19,950	43,360	764,038	130,261
Eastern Mediterranean route	N/A	N/A	52,300	40,000	55,700	57,000	37,200	24,800	50,830	885,386	182,277
Eastern Borders route	N/A	N/A	1,335	1,050	1,050	1,050	1,600	1,300	1,270	1,920	1,349
Totals	N/A	N/A	N/A	104,847	106,908	146,349	77,932	106,800	283,175	1,822,260	500,248

Source: Frontex [🔗](#)

IS EXTERNALIZATION OF EUROPEAN UNION SECURITY, HUMAN RIGHTS AND INTERNATIONAL LAW ORIENTED?

The facts are that:

- BY USING SOFT TOOLS:

1. **Agreements** are signed and cooperation is being established without taking into consideration the level of **respect for human rights** (for ex. There have been several denunciations from reports Amnesty International or Human Rights Watch about the human rights situation in Libya, Niger, Chad and others, or even Turkey. Even though the EU has established a **List of Safe Third Countries** (Proposal for a Regulation of EP and Council (COM(2015) 452 final), the list itself is very doubtful.

2. Cotonou agreement (2000) (art.13 (5(c))) that contains the **Readmission clause** (seen for example through the prism of ECOWAS (Economic Community of West African States), it imposes obligation to these countries (especially Niger, Sudan and Cameroon) to close their own borders, which is in violation of the **principles of free movement of people** of ECOWAS (**basic international law principles**)

3. **Creating possible Hotspots in neighboring countries** will be in violation of **basic human rights law, principle of non-refoulement** and the **right to claim asylum**

- BY USING HARD TOOLS:

1. By **detering refugees** from leaving Turkish or Libyan territorial waters or simply by returning them to the state of transit or origin, refugees would be considered as they have never left the country's territory, and this is a **serious violation of their right to claim asylum** and it could be considered as a **violation of the principle of non-refoulement**. (because of the doubtful safe list third countries) (Frelick, Bill, Human Rights Watch's Refugee Program, 2016)

2. **Criminalization of migration** (illicit trafficking with human beings by criminal state officials (especially in Libya as denounced by International Human rights organizations))

TO ANSWER THE QUESTION: IS IT A MYTH OR REALITY?

- **IT IS REALITY** because EU is using its **tools of 'remote control'** to limit the number of people able to approach EU's borders and seek asylum (Ruhrman & FitzGerald, 2016:5). (statistical data has show, even though greater results have been achieved with Turkey than with African states).
- For example, from the **soft power tools**, by signing **readmission agreements** EU is creating **buffer zones** and it is pushing security issues out of its neighboring states borders, because states that signed the agreement would not want to take the burden of responsibility for refugees, they will simply not let them pass/enter their territory. In that way the EU will capture and return migrant before they reach/enter its borders.
- Another example from the **hard power tools**, by giving large autonomy to EU Mission EUNAFOR MED, that is 1. gather information, seize smuggling vessels and 3. destroying them (destroyed 67 migrant vessels, and rescued/detained 5258 more migrants), this operation is considered to become the first EU operation with a proactive potentially open coercive mandate (according to EUISS), which is a qualitative shift in EU security policy towards peace enforcement and an **excellent deterrent to future migratory influx**.

THANK YOU FOR THE ATTENTION!

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