The internal-external nexus: Re-bordering Europe

by Roderick Parkes

The EU has just completed the reform of its borders agency, Frontex, turning it into a 'European Border and Coast Guard' (EBCG) with greater powers. This change will reshape the way the Union manages not just its own borders but those shared with neighbours. Yet few people are asking whether the reforms might reshape the map of Europe itself.

Geopolitics is creeping back into the matter of border control. The EU, which has successfully lifted internal borders and expanded its model of cross-border mobility outwards to neighbours, finds itself embroiled in thorny border issues. To defend its *acquis*, the EU is coupling the home affairs expertise of agencies like Frontex with a more robust diplomatic component.

Border diplomacy is back

Last year, as migrants surged through the Western Balkans, governments imposed new border controls. The EU sent border guards to the former Yugoslav Republic of Macedonia using the pre-accession instrument, and fought tailbacks at the border to Bosnia Herzegovina (BiH). It watched as, all across the Balkans, the migration crisis exacerbated nationalist tendencies related to both territorial fragmentation (in BiH) and expansionism ('greater Albania'). This politicisation of borders across the Balkans, the Gulf, eastern Europe and North Africa marks a clear threat to the EU's careful project of lightening border controls across its neighbouring regions.

For two decades now, the EU, World Bank and World Customs Organisation have promoted models of border management which are 'integrated', 'collaborative' and 'cooperative': they help national authorities work across borders to increase the inflow of tourists and filter out counterfeit goods. NATO and the OSCE, the security organisations previously at the forefront of European border management, were gradually superseded as border control was civilianised and professionalised. NATO shifted its focus from classic territorial defence to cross-border threats like terrorism, while the OSCE adopted a model of Integrated Border Management of its own.

But border questions in Europe are again geopolitical, and the EU's past success in depoliticising them leaves it with a difficult legacy: there is a gap between its home affairs technicians, who still define border standards, and its diplomats and military personnel, who deal with the growing geopolitical fallout. Last year, the EU began to close this gap through more robust borders

diplomacy, putting this to immediate use in the Western Balkans, where it facilitated the demarcation of borders, identified innovative border controls attuned to local politics, and even mapped the paths which refugees took across the region (using this as an indicator to improve transport links for locals).

But these activities occurred in a rather *ad hoc* manner, and a more structured EU border reform has only now occurred: Frontex has just been given greater competencies to act at the Union's external border (where it will filter migration flows), along the migration routes into the EU (where it will create a chain of expulsion operations leading back to Africa, the Gulf and Central Asia) and in partnership with bigger regional bodies (like the OSCE). Most commentators have evaluated this reform by reference to human rights, budgetary outlay and lines of accountability. But what matters most, at least when it comes to effectiveness, is how well it is coupled to diplomacy.

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Create a border filter

The first task for the new EU border diplomacy is obvious: ensure that the Union's outer border remains a light filter, rather than becoming a hard wall. To achieve this, the Union has so far resorted to new technologies, and is mixing up a veritable alphabet soup of security databases: SIS, VIS and Eurodac will soon be complemented by API, AFIS and EPRIS, and connected by sTESTA and SIENA. Yet, this kind of integrated technological solution works only if it has political buy-in. New border technologies do not somehow bypass politics just because they are labelled 'smart'. The EU is now building political will at home and abroad, in a complex diplomatic balancing act.

Take, for instance, the current pressure to create a search-interface integrating databases for different types of border-crossers (asylum-seekers, visa-holders, terrorist suspects). Although the EU has the technology to achieve this interface, national agencies dislike seeing their information pooled in this way. So, if the EU gives Frontex access to Europol's crime databases, it will have to persuade national authorities that their terrorist data are not compromised. Without this engagement, Europol would simply end up restricting Frontex's access rights, meaning any shared EU system would remain practically fragmented.

That is just one example of the distinctly low-tech political problems which occupy EU diplomacy. Another is to persuade its partners to adhere to a common standard when transliterating Arab names. Already in 1976, European states began systematising the way they registered Arab identity documents. But today, four decades on, member states still maintain different rules, thus complicating the work of the EU agencies to manage databases. Europol recently gained access to the lists of foreign fighters compiled by member states and their partners in North America and North Africa. But Europol's efforts to compare and combine the lists proved a thankless task.

And then there is the need to protect technology from political expedience. Politicians on both sides of the Atlantic pushed Europol to move activities to the Greek border and identify returning foreign fighters and criminals. Europol readily complied, keen to put shoes on the ground. But the results are so far meagre. Between March and May, Europol's checks resulted in 70 database hits and 4 terrorist leads. Compare this to Europol's less glamorous deskwork on terrorist financing which has generated 25,000 leads since 2010, 8,000 related to foreign fighters. Merely because a move is politically expedient and technically feasible does not make it effective.

If the EU does bend to political expedience, it is at risk of clogging up its outer borders, undermining decades of work. For 20 years the EU streamlined its border controls, in a bid to build its global supply chains and encourage local border traffic. That old rationale has not gone away, and bodies like the European Maritime Safety Agency (EMSA), tasked with safeguarding commercial shipping, remain vital. But as the central Mediterranean and Aegean Sea are now criss-crossed by people-smugglers, EMSA is just one of a range of bodies being drawn into the task of combating irregular migration and away from their mandate, at a time when they are anyway undergoing budget cuts.

One logical response is to commercialise border services in order to allay budgetary pressure: European authorities would sell to travellers

everything from border facilitation to satellite mapping, and then harvest their data. The EU has not yet gone down this path. Europol and Frontex are still more interested in mining travellers' smartphones, than selling them apps. But the EU's recent blueprint for a system of smart borders does comprise 'trusted traveller' elements, meaning this kind of commercialisation may be on the horizon. Although cost-efficient, this too would be a hard sell to the various national authorities which make up the EU's security network.

Unblock transit routes

The next focus of EU diplomacy is to manage the major transit routes into Europe by speeding up expulsions procedures. Without a good expulsions system, border management breaks down: if the EU cannot return illegal migrants home, backlogs appear. Last year, Pakistan refused to accept back its citizens, breaking both international law and its 2010 sweetheart deal with the EU. If expulsion practices break down in this way (and Afghanistan recently proved tricky) the Western Balkans and Libya risk becoming migrant buffer zones, while countries like Turkey, Egypt or Sudan will demand a heavy price from the EU in return for holding back the flow of people.

The EU's use of border technologies may actually be part of the problem. Not only does smart technology catch ever greater numbers of irregular migrants at the border. It also reduces the EU's leverage to expel them: the EU has traditionally secured expulsions agreements with countries of transit and origin by offering to lift visa requirements. But now the EU is tailoring its border technologies to individual trusted travellers. The days when it would facilitate travel for whole populations are slowly waning – it increasingly focuses on the *type* of traveller, not nationality.

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Despite the current tone about gaining leverage from development support, this probably heralds a trend away from grand expulsions bargains. After all, the EU increasingly has to coordinate expulsion policies along the entire transit route rather than putting diplomatic pressure on single states: when the EU eventually seeks a deal to expel illegal immigrants back to Libya, for example, it will cooperate closely with Egypt to allay any displacement of migration flows, and it will organise voluntary returns programmes back from Libya to its southern neighbours, helping Nigerians, Malians or Gambians stranded at the coast to get home again.

Most member states long ago moved away from grand bargains and towards more targeted expulsions diplomacy, and now aim at building relations to the specific foreign officials who provide the paperwork for expulsions. They will regularly fly in migration officials from a country like Vietnam, give them five-star treatment, help them re-document any nationals caught living illegally in Europe, and finally offer financial support to help re-integrate the returnees. These expulsion relationships run on small-scale favours between diplomats: a member state authority can best bolster relations with a foreign government by, say, giving foreign ministers VIP access to European airports.

Of course, diplomats sometimes resist playing this kind of role, because it involves murky dealmaking. But precisely because member states are entering this kind of territory, Europe's diplomats must agree on some common standards: when they bargain with Russia or Libya over expulsions, they may face demands to remove officials from no-fly lists; when they bargain with Turkey, they could face demands to expel political prisoners; when they bargain with Pakistani officials, they may face pressure to shut down political protests in front of embassies across Europe; and when they bargain with Morocco or Jamaica, they will face calls to finance prisons for expelled foreign fighters or criminals.

The EU, if it wishes to avoid these tricky demands, needs to understand its partners' particular concerns: that Islamabad is happy to accept back citizens who smuggled themselves into Europe, but is loath to take back visa-overstayers (who, it believes, could not help but remain in the EU's well-paid job market), or that Addis Ababa is internally divided on the issue of returns, with the security services particularly hesitant. Very often, good European diplomacy involves pressing the EU's own border authorities to recognise that third countries are not run to Western administrative standards – and, indeed, that counterpart migration officials may never have travelled abroad before.

Absorb migration geopolitics

The last major task for EU border diplomacy is to manage regional geopolitical tensions. The old East-West border rivalry of the Cold War is being revived in a southern theatre: Russia is using the flow of migrants from Syria and Iraq to undermine its Western rivals' cohesion. Last year, Russia began bombing right up to Syria's northern border, dislodging thousands of people sheltering there and sending a new wave of refugees into Turkey and Europe. The move exacerbated tensions between the overlapping set of institutions designed to promote relations and territorial stability across east and west Europe – the EU, NATO and the OSCE.

Russia then oiled its recent rapprochement with Turkey, which sits at the hub of this new political fault-line, by exploiting suspicions in Ankara about the EU's motives for stemming migration through Libya: the EU had set up a naval mission in the central Mediterranean, partly to deter Syrian refugees from taking the dangerous sea route to Europe. If the mission has had any serious effect on migration flows, it has been to set Syrians on the safer land route into Turkey – causing anger in Ankara. With NATO weakened by such splits, Russia has also been able to bypass the OSCE (which has the goal of establishing a cohesive Euroatlantic order) and to seek direct parity with the US.

The weakness of EU-NATO cooperation has allowed this split to occur. NATO officials have long said they are keen to play only a limited role in the migration crisis, and express dismay at being involved in mundane anti-smuggling operations in the Aegean. This is because Russia and China have begun naval exercises in the Mediterranean, and NATO does not wish to give them an excuse for further activity. Yet, NATO does in fact have an interest in a more expansive role in managing migration sea routes, pepping up its naval elements and providing a means for its Asian and Australasian partners to re-engage with the alliance after its withdrawal from Afghanistan. So the relationship to the EU has been one of competition not cooperation.

Cooperation between the EU and the OSCE has not been smooth, either. This is not because of any activism on the OSCE's part – the two bodies are not in serious competition. The problem is rather the OSCE's lack of internal cohesion. The EU holds almost half the seats in the 57-strong organisation, but it still cannot ensure that the various strands of OSCE activity line up. One part of the OSCE apparatus is busy deepening its classic focus on border security; another is pursuing a highly progressive agenda on labour migration. Russia, meanwhile, seems principally interested in using its membership to play a spoiler role, trying to embarrass the EU by calling for OSCE border missions there.

To what strategic end should the EU improve its cooperation with NATO and OSCE? The obvious task is to secure the EU's tricky southern and eastern flanks – the border to Ukraine on one side and the migration route from Libya on the other. To the east, the OSCE is carrying out invaluable border observation missions in Ukraine, while its mobile border-training units stretch into Central Asia and bolster the fallout from NATO's Afghan withdrawal. To the south, NATO's decision to turn its old counter-terrorist naval mission into a maritime security operation, and its deterrence concept for dealing with terrorists in Libya, are helpful.

But the real focus must be the southeastern hub, around Syria and Iraq where a lack of cooperation between the EU, OSCE and NATO has allowed tensions between Russia, Turkey and the US to flare up. Following the US elections, a more sustainable peace process in Syria is foreseeable. To prepare for this, the EU is shifting its focus from migration-management to reconstruction at source. The shift is tricky, given that the EU has committed any spare cash in its budget up until the end of 2017 to managing the migration crisis. But cooperation is possible, even with the OSCE where borders and migration activities were until recently blocked by the bad blood between Russia and Turkey.

A new map of Europe

The EU previously envisaged expanding its border-free travel area to create a single space across its neighbouring regions. Now it is witnessing the reappearance of geopolitical blocs and zones: in the west, the Schengen Area, with its new impetus to provide European armies access to frontline border states; in the east, the Eurasian Economic Union, where Russia leverages its neighbours' dependence on migrant remittances to bind them to it; and, in the South, a kind of 'anti-Schengen' – a *de facto* borderless and lawless zone stretching across North Africa and the Gulf in a negative mirror image of the EU's own border-free space. And squeezed between these blocs there is a whole series of buffer zones like the Western Balkans or central Ukraine.

So, a quarter century after the fall of the Berlin wall, the stakes are high for EU border management – nothing less than recasting the soft and hard edges of the continent.

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