

EUNAVFOR MED: SECURITIZATION OF BORDERS?

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INTRODUCTION

Following the tragedy where thousands of people drowned in the Mediterranean trying to reach Europe by its maritime border, and especially after the catastrophe where at least 700 people died at sea only 130 kilometers away from the Libyan coast in April 2015, the European Union (EU) reactivated the border debate and some measures were taken.

That sort of deliberation and the following actions also took place after the tragedy in Lampedusa in October 2013, where more than 300 people died trying to reach the Italian coast. A few days later, Italy launched the *Mare Nostrum* operation claiming that they could not wait for Europe to intervene and, as a consequence, they deployed military personnel, mostly Italian Navy, to patrol the Strait of Sicily. That operation had a monthly cost of 9 million euros (EUR) and lasted a year, until the EU replaced it by the *TRITON* Operation under FRONTEX supervision and with a significantly lower monthly budget of 2.9 million EUR.

Both *Mare Nostrum* and *Triton* raised questions about the militarization of EU’s external borders, to what some authors have understood to be a way to protect the EU from irregular migrants (Vollmer & Von Boemcken, 2014). Others, such as Bigo (2014), have contributed to the securitization-related debate by claiming that the EU is securitizing borders in three of its action fields: Military/Navy, Border guards/police and data analysts. The author considers that even given the current level of

securitization, the EU is not able to make borders safer and at the same time he sees some ethical concerns related to these border management activities.

What is an objective fact is that, almost two years after the debate started and as a consequence of the fatal shipwreck in April 2015, the European leaders started to consider several options to try to avoid those situations from happening again at the southern maritime border of the EU. That raised a lot of concerns, and even Pope Francis called leaders to avoid the Mediterranean from becoming “a vast cemetery” (Reuters, 2014).

French President Hollande claimed that more ships were needed in order to increase the capacity of the EU’s Triton mission, which finally saw its budget increased by three times –from the 2.9 million to 9 million- after being announced by the President of the European Council, following the agreement by the European Union’s Heads of State and Prime Ministers. But a more ambitious project was needed and in June 2015 the EUNAVFOR MED operation was launched. It raises some questions: *is the EU reacting instead of leading? What exactly is EUNAVFOR MED? Can we talk of a securitization process? If so, what exactly is been securitized?*

IS THE EU REACTING INSTEAD OF LEADING?

The Mediterranean sea is the natural barrier between Europe and Africa and Europe and Asia, and has always been of great geopolitical importance. If we observe that reality from a security perspective, we can see how, apart from Russia at the Eastern EU border, the Mediterranean is the source of the many the security concerns for the EU and especially of those linked with terrorism. On the aspect of human mobility, even though media gives the Mediterranean a very high attention, airports are, by far, the mostly used way of irregular entry.

Plus, if we highlight the time that has passed since the adoption of the European Security Strategy in 2003 -when the Spaniard Javier Solana was the High Representative- and now, we can see how these 12 years have changed the scenario and a new Security Strategy is needed. It was a good theoretical milestone, that not only faced the “new threats” but also included them in the list of the most relevant threats for the EU. The European Commission is currently working on the European Agenda on Security that highlights the security concerns of the instability of the EU’s immediate neighborhood and gives five key principles that are meant to play an important role. These key principles are the following:

European Agenda on Security: 2015

5 Key principles	Basis	Objectives	Implemented by
Full compliance with fundamental rights.	Necessity, Proportionality, Legality, Accountability Judicial redress	Common democratic values: rule of law, fundamental rights (Charter of Fundamental Rights)	Commission EU Agency for Fundamental Rights (FRA) European Data Protection Supervisor
More transparency, accountability and democratic control.	Transparency Participation	Wider commitment to a renewed political dialogue with national parliaments develop performance indicators for key EU instruments	Commission Member States, European Parliament, EU agencies, Representatives of civil society, academia and the private sector.
Ensure better application and implementation of existing EU legal instruments.	Evaluation and effective monitoring of the implementation of European measures	Develop mutual trust	Commission
More joined-up inter-agency and a cross-sectorial approach.	Cooperation	Deepen cooperation between EU agencies Further develop mutual trust among Member States Information sharing Foster cross-border cooperation	Commission that will connect it with the European Agenda on Migration
Bring together all internal and external dimensions of security.	EU internal security and global security are mutually dependent and interlinked	Make the EU response comprehensive and combine the internal (JHA) and external dimensions (CSDP)	EU Delegations in third countries

Source: Author's own elaboration from European Security Agenda (2015)

By analyzing the five key principles we observe many outcomes that tend to increase the comprehensive approach of the European Security Agenda. We could highlight the fourth and the importance it gives to cooperation and mutual trust, as well as the connection between the Security Agenda and the European Agenda of Migration. It is still to be seen if the EU deepens a direct relationship between irregular migration and security or, on the contrary, if it focuses on solving some security threats to assure the quality of life in third countries.

Another main part is the fifth principle: the disappearance of the distinction between internal and global security. That invites the EU to combine its Justice and Home Affairs (JHA) and its Common Security and Defence Policy (CSDP) and create a new European Security Strategy that can renew the existing one, of 2003. In this regard, there have been many interesting contributions, among which one from the Dutch Clingendael Institute is worth mentioning since it highlights the transformations and new elements worth considering (Drent & Landman, 2012) such as integrating a wide range of risk assessments on a scale of likelihood and impact.

In addition, if one of the priorities is to guarantee the fifth principle of the European Security Agenda in the new European Security Strategy, those strategies of the member states should be taken into consideration. In this respect, the Spanish National Security Strategy is very clear, when it states that there is no separation between internal and external security and that both can equally threaten the right to security that Spain and Spaniards have.

However, this strategy is not only worth considering because it already includes a crucial point, but also since it has been developed having the Mediterranean and its circumstances as its –if not the main- focus. That has also been possible given the considerable amount of scholars behind its creation as part of the security community, for instance: Laborie, (2013) and Arteaga, (2013).

As a result, a new European Security Strategy that replaces the 2003 is needed. If in 2003 the United States (US) and its allies were invading Iraq, the Madrid and London bombings of 2004 and 2005 had not yet taken place and, specifically, the Arab Spring and DAESH were not predicted nor predicable. All these events have increased the feeling of insecurity among Europeans (Ferreira, 2014).

Taking that into consideration, and having said that the theoretical perspective is a leading one we might observe that the EU has a strong theoretical framework, but it needs to reach each agreement faster, since the Union cannot afford not to be a leader in the world affairs and, especially in the

security related ones. The Mediterranean is a clear example of this need for leadership since the necessity for a EU coordinated action is reaching Europe's borders.

However, if we analyze the key example of EUNAVFOR MED, we find that "(...) for the first time in years, the EU is being criticized for overreaction rather than its absence from crises" (Faleg & Blockmans, 2015).

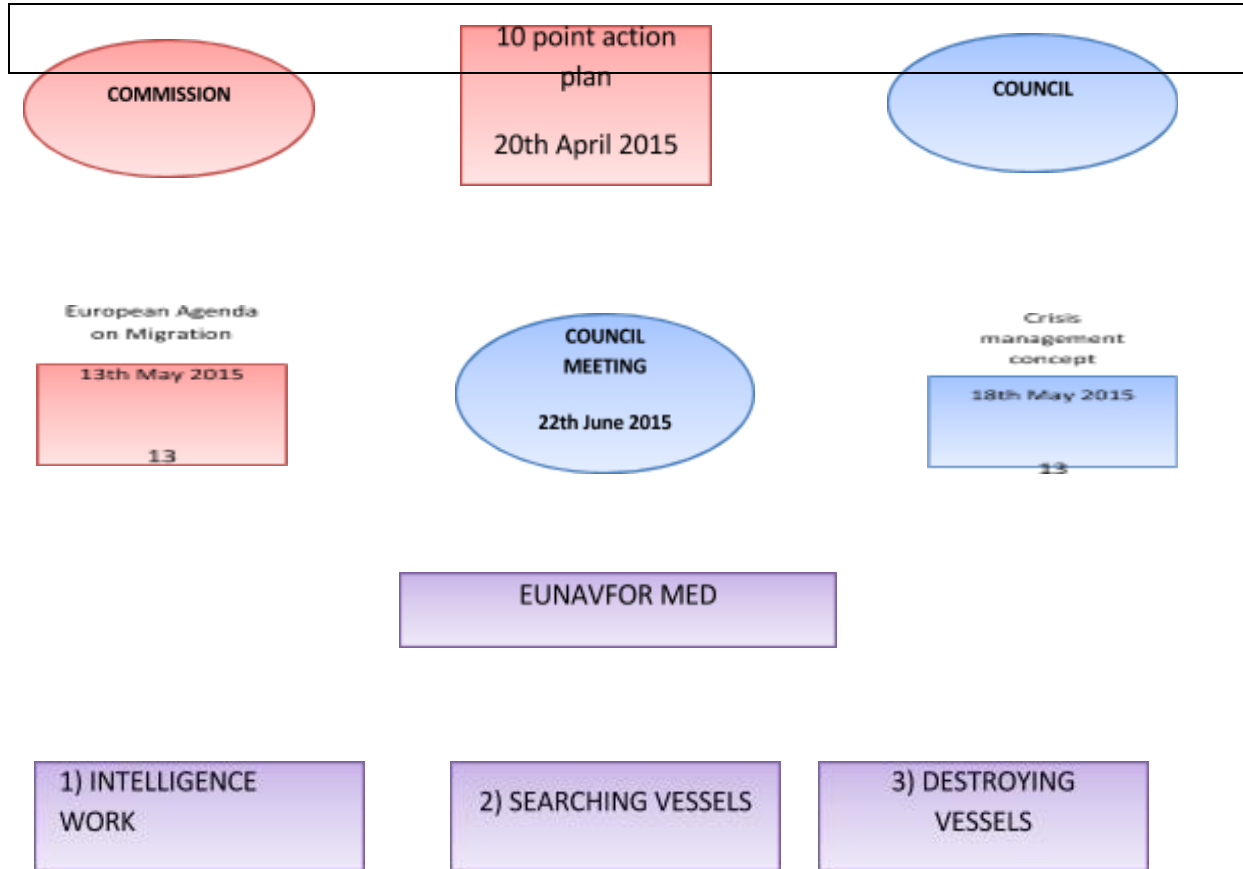
It took two months and three days for the EU to react to the Mediterranean crisis, a record time if we consider not only the internal structure and functioning but also the international dimension, the petition to the UN Security Council included. In the long run, this decision might make us think that the EU finally managed to lead in two fields: the theoretical and the practical. Is the new Security Strategy a changing point towards a more leading attitude? Can we talk about a breaking point considering timing?

The answer is that both the theoretical and practical levels of the EU are working and, with the implementation of a new European Security Strategy (EES) we could see a Europe that leads instead of reacting. It is precisely that new ESS the one that would allow Europe to strengthen its capacities.

WHAT EXACTLY IS EUNAVFOR MED?

EUNAVFOR stands for European Union Naval Force. The EU has a broad experience in designing, developing and evaluating naval operations since EUNAVFOR Atalanta. The novelty of this mission is that it takes place at the Southern border of the EU and as a consequence is named MED –Mediterranean- following the situation in which 60,000 migrants tried to reach the Northern side of the Mediterranean and 1,800 lost their lives on the attempt only throughout 2015 (European Parliament, 2015). During the first days of August 2015 the International Organization for Migration (IOM) increased that number to over 2,000 deaths in the Mediterranean in the first seven months of the year.

As a result of that situation, and to be able to counter the negative effects of that situation, the Commission started the administrative process to launch EUNAVFOR MED following the process that has been described below:



Source: Author’s own elaboration from European Parliament (2015)

As shown in the diagram, the Commission played a key role by proposing a ten point action plan to the Council. Moreover, less than a month later, it published the European Agenda on Migration that plays an important role in the reframing of the Common Immigration Policy, as it contains multiple approaches to Border Management. The new Agenda considers it one of the four pillars to better manage migration, together with reducing the incentives for irregular migration, a strong asylum policy, and a new policy on legal migration.

The specific agenda of Border Management in the European Agenda on Migration proposes to save lives and secure external borders, in the same sense as the 10 point action plan that the Council used to propose the Crisis Management concept that allowed the Council Meeting to launch EUNAVFOR MED on the 22nd of June 2015.

The way in which the three phases have been planned is a result of the strong commitment of the EU to International Law and the requirements concerning the acceptance of the UN Security Council of all the measures that include the use of parts of Libyan sovereign territory during this mission, both land and sea. This is a consequence of a briefing given by Ms. Mogherini, the EU's High Representative to the Security Council on the 11th of May –while the Council was elaborating the Crisis Management Concept- and asked authorization concerning Chapter VII of the UN Charter for a CSDP operation.

That complexity is a direct consequence of the instability in Libya and the existence of two Governments, the one recognized by the majority of the International Community and the *de facto* Government in Tripoli.

As a result, the EU has foreseen the possibility of not having the authorization of the Security Council to intervene in Libyan waters in the first phase of the operation, which will be dedicated to gather intelligence for the EU Headquarters (HQ) in Rome.

As for the second phase, the EU has designed it in such a manner that it can be developed given both scenarios, that is, having or not the authorization of the Security Council. During that period of time, the EU will board, search, seizure and diverse vessels that are believed to be engaged in human trafficking.

The third phase is certainly the one that has gathered the strongest critics from various individuals and institutions, and that was a reason for EUNAVFOR MED to replace some of the words used by the Council and instead of “destroy” the vessels, the word “dispose” was used.

The UN Secretary General, Mr. Ban Ki-moon, said on the 27th of May in Brussels that the operation would not have positive results and reminded that those vessels -that might be used for unlawful matters- can also be the base of survival for families when used for lawful activities such as fishing (EU OBSERVER, 2015).

EUNAVFOR MED is a military operation that aims to “dispose” vessels used for human trafficking in the Mediterranean as a part of the Decision Common Foreign and Security Policy (CFSP) 2015/778. The use of a military force for this matter that was traditionally taken care of by Law Enforcement and FRONTEX, invites us to ask ourselves if we can perceive a securitization process.

CAN WE TALK OF A SECURITIZATION PROCESS?

After 9-11 and within the new international Security Structure that arose from it, the Armed Forces in Europe, and the US, were used to control security threats thousands of miles away from Europe, or the States, and were focused on Afghanistan, Iraq, Lebanon and Somalia, among others, keeping its territories safe by the use of Law Enforcement Agencies.

The European case might be unique if we take into consideration the existence of FRONTEX as an EU Agency that helps manage the External Borders of the EU, but it is in any case a Civilian Agency.

What we can note is that after the Arab Spring in 2011 and the establishment of the DAESH in 2014, what have been described, as threats to European security are definitely closer to the borders of the European Union. In addition, there is a characteristic that truly makes a difference, which is *the use of military force in the Mediterranean to counter human traffickers as a wide measure since the European Parliament believes that between the migrants there are DAESH fighters among other terrorists (European Parliament, 2015).*

If we observe the Doctrine and what has been defined as securitization, we observe how “the military sector is the one in which the process of securitization is most likely to be highly institutionalized” (Buzan, Waever, & De Wilde, 1998:49).

If we look for a definition of securitization we can see how Buzan, Waever and De Wilde make a distinction between several concepts: 1) non politicized issues: those that are not dealt with by the state; 2) politicized issues: those part of the public policy; and 3) securitized issues, those that are seen as an existential threat, require emergency measures and justifying actions outside the normal bounds of political procedure.

Thus, EUNAVFOR MED **addresses an existential threat**. One can argue whether it is a threat to the lives of the migrants¹ or if those irregular migrants themselves are posing a threat to the European Union, if irregular migration is considered a threat of national security or a threat. Another option would be to consider it a threat as a result of all those factors combined to which we could add the aggression towards the European values of human dignity that the smugglers are violating.

¹ The OIM said on the 4th of August 2015 that 2.000 people had died in the Mediterranean in 2015

It also requires **emergency measures** since European Navy Ships are being deployed in the Mediterranean in such a short notice and as a part of the Decision (CFSP) 2015/778. A Military mission lead by an Italian Admiral to face the common threat.

It is also clear that it justifies actions **outside the normal bounds of political procedure** and, the clearest example of that is the petition of a resolution by the UN Security Council. That is one of the best examples existing in International Law concerning the use of Chapter VII of the UN Charter that allows the use of force.

It is now clear that we can talk of a securitization process. It is interesting to now try to conclude what exactly is being securitized.

WHAT EXACTLY IS BEEN SECURITIZED?

The values of the European Union have always been oriented to the protection of human life and human dignity, which has been stated in the different Treaties and are nowadays developed in the Treaty of Lisbon.

The several difficulties that young people have in certain parts of the African continent -where they represent the majority of the population- incentive many of them to look for a better future and Europe “offers” them the possibility to better their living conditions (Rodrigues, Ferreira, & García, 2015). If we sum that up with the weakness of certain Governments in the Arab part of the Continent, up in the North, as a consequence of the Arab Spring, we get the current situation as a result.

Having said that, it is very difficult to provide a clear answer about what is being securitized; if it is the lives of the migrants against those that want to profit with their lives², if it is irregular migration instead or if it is the fight against radicalization and terrorism. Whatever the answer might be, it will be proved in the next months and will give us the keys to evaluate the operation and its results.

SUMMARY

We do consider that the EU has not only the right but also the obligation to respond to the human tragedy that we are witnessing in the Mediterranean. Its Southern border is a source of a lot of the security threats that the EU has to counter in the near future.

² And too often with their deaths, as Ms. Mogherini said in June 2015

The existence of human traffickers at the other shore of the Mediterranean can pose a serious threat to the security of the EU, not only for the fact itself and how undermining it is to human dignity, but also as a source of funding of untraceable destination, that can help establish terrorist networks, especially in Libya where the DAESH has already a strong presence. That, together with drug trafficking, should be a worrisome fact for the EU.

The EU will have to focus on the comprehensive approach and try to contribute with measures that help Third Countries south of the Mediterranean to reach a better quality of life and development that could also allow them to keep their country secure against internal and external threats, with emphasis on terrorism and its sources of funding, such as human smuggling, human trafficking and drug commerce.

In addition, the EU needs to reorganize its whole border management strategy, with the attribution of more human and technical capacities, maybe following the Spanish SIVE example, led by the Guardia Civil (De Castro, 2014). However, it is necessary to start –or contribute- to the debate concerning *the creation and development of a European Union Border Guard* that has the necessary means to keep Europe safe from external threats and guarantee the deployment of State capacities and public workers that can be sufficient to the task.

To sum up, in this securitization debate we need to know what scenario we are aiming for: 1) If we want to keep European Navy Ships in the Mediterranean for a long time in a CFSP mission, 2) if changes and improvements are going to be made so that EUNAVFOR MED is no longer necessary and we can return to a politicized issue instead of a securitized one or, 3) a naïve possibility in which someone may suppose that things will get solved by themselves.

A lot of thinking ahead, to guarantee that the EU maintains itself as a leader of the International Agenda at the same time as it contributes to maintaining security without neglecting its fundamental values expressed in the Treaty of Lisbon.

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