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FROM EU STRATEGY TO DEFENCE SERIES

## At the gate

### Civil and military protection of Europe's borders

The migratory pressures on Europe's borders present the EU with an enormous challenge to get its act together. While the objectives and mandates of internal and external security actors increasingly overlap, these actors often still live in separated worlds. This Policy Brief analyses how the EU's border security can be strengthened through a more joined-up approach between internal and external security actors. Furthermore, it looks into how civil-military connectivity in border security can be changed from the existing ad hoc nature to more structural cooperation.

#### A new priority

Despite the EU deal with Turkey in early 2016, the migration pressure on Europe's borders persists. The Syrian war lingers on, while instability and conflicts in Northern Africa continue to offer human traffickers ample opportunities to conduct their dirty business. Many politicians earmarked 2016 as the political breakthrough year in halting massive migration flows to Europe. In 2016 the total number of migrants who entered the EU indeed dropped from the peak of 1 million in 2015 to nearly 390,000. But that is still a significantly higher number in comparison to the 220,000 people who entered Europe in 2014. Even more dramatically, in 2016 over 5,000 migrants lost their lives while crossing the Mediterranean – a sad new record in comparison to 2014 (3,300) and 2015 (3,800).

While countries like Italy and Greece are facing the largest challenge, the impact of migration is felt throughout Europe. The December 2016 Eurobarometer showed that European citizens considered migration to be their number one problem (45 percent) and

terrorism as the second in line (32 percent). It underlined the clear linkage between external and internal security. However, governmental actors responsible for dealing with internal and external security issues still often live in separated worlds. Ministries of Foreign Affairs and Defence take care of 'the external' and Ministries of Justice & Home Affairs of 'the internal'. In the EU, these domains are called the Common Security and Defence Policy (CSDP) sector and the Freedom, Security and Justice (FSJ) area.

Stepping up the protection of Europe's borders can certainly help to better manage migration flows. Yet, gatekeeping alone will not solve the problem. The EU Global Strategy of June 2016 rightly calls for a joined-up approach across internal and external policies. With regard to migration a multitude of actions are called for, in countries of origin and transit, in the EU internally and through partnerships with other international actors. This Policy Brief will not deal with the wider migration policy topics, but focusses on the question of how the EU's border security can be strengthened

through a more joined-up approach between the CSDP and FSJ actors. As the military play a particular role in the CSDP and the FSJ sector is of a civilian nature, a related question is how civil-military connectivity in border security can be changed from the existing ad hoc nature to more structural cooperation.

## Increasing pressure

The sharp increase in migrants entering Europe in the last few years has two major causes: war or political reasons and poor economic prospects. Data from the International Organization for Migration (IOM) shows that between January and November 2016 some 70% left because of war or for political reasons (such as repressive regimes). Just over 20% left their countries of origin for economic reasons.<sup>1</sup> However, zooming in provides a differentiated picture for the two major routes that are used by migrants: the Central Mediterranean route via Libya to Italy and the Eastern Mediterranean route via Turkey to Europe. More detailed research on migrants using the Central route, for example, shows that poor economic prospects are the dominant factor for people leaving African countries like Egypt (87%) and Nigeria (93%).<sup>2</sup> In 2016 Nigerians made up more than 20 percent of the Central route migrants. Furthermore, the Eastern route is mainly used by migrants originating from the Middle East, while in the Central route Sub-Saharan Africans prevail (see figure 1). Travelling alone or with family members is another striking difference between the two routes. The Eastern route is generally used by migrants travelling with family members, while the large majority using the Central route were individuals. In terms of education 67% of the 'Eastern' migrants coming to Europe had obtained secondary or tertiary levels of education, while for

'Central' migrants the percentage was 52% - according to the results of interviews with migrants who entered Europe in 2016.<sup>3</sup>

Based on 2016 data, the IOM concludes that the migration landscape is changing: a decreasing number of migrants from Syria, Iraq and Afghanistan; an increasing number of migrants from Africa, particularly from Nigeria and Eritrea.<sup>4</sup> Naturally, the almost 80% decrease in new arrivals in Greece is the result of the EU-Turkey deal. Therefore, the continuation of this trend is highly dependent on the future prospects of the deal between Brussels and Ankara. In any case, it seems that migration of this magnitude via the Central Mediterranean route will continue as long as Libya remains in chaos, offering excellent opportunities for the operations of human trafficking networks.

For the economic drivers of migration it is worth looking at demographic trends. United Nations projection data show that more than half of the global population growth between today and 2050 is expected to occur in Africa.<sup>5</sup> The number of Africans will more than double from 1.2 billion in 2015 to 2.5 billion by the middle of the 21st century. In the same period Europe's population will decline from 738 million to 707 million. Africa's share of the world population is expected to grow to 25% in 2050 and almost 40% by 2100. Nigeria alone will have almost 400 million inhabitants in 2050. The Sahel countries (Mauritania, Mali, Niger, Chad, Sudan & South Sudan) currently have a total of 108 million inhabitants. In 2050 the figure will be about 267 million - an increase of 147%. In the wider Sahel area (the countries mentioned above plus Senegal, Burkina Faso, Eritrea and Ethiopia) the population will be 545 million. This population explosion, combined with underdevelopment, fragmented societies, corruption, religious extremism and other destabilising factors result in a dangerous cocktail fuelling

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1 *Analysis: Flow Monitoring Surveys - Reporting Period January 2016-November 2016*, International Organization for Migration.

2 *Analysis: Flow Monitoring Surveys - Reporting Period January 2016-November 2016*, International Organization for Migration.

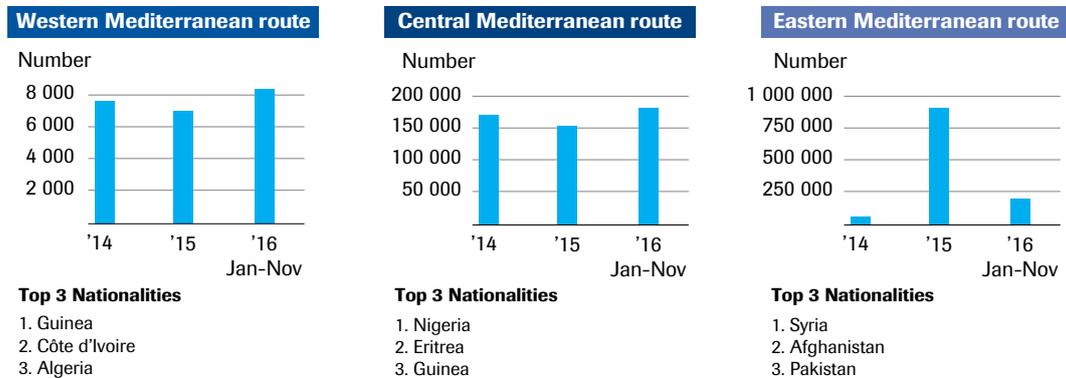
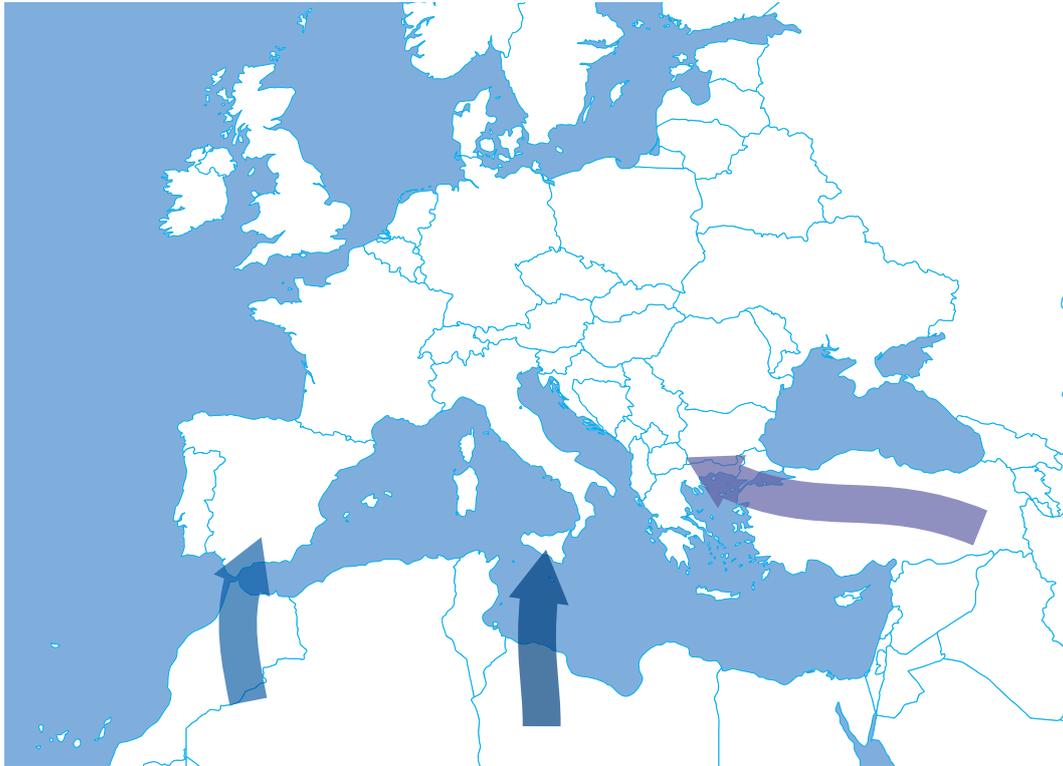
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3 Ibidem.

4 Ibidem.

5 *World Population Prospects: The 2015 Revision - Key findings and advance tables*, United Nations, New York, 2015.

Migration to Europe via Mediterranean routes



Source: Frontex

conflicts and the flows of refugees on the African continent but also to Europe. It is predicted that many countries in the Sahel, the Horn, and sub-Saharan Africa are unlikely to transform into stable and fully functioning societies.<sup>6</sup> This will continue to stimulate migration, in particular of young people in search of more stable environments and economic opportunities.

### A European Agenda on Migration

The pressure that migration puts on European societies and the ensuing public outcry presents the EU with an enormous challenge to get its act together. Managing migration flows towards Europe and addressing the root causes of instability and fragility further afield requires the EU to use all the tools at its disposal – ranging from humanitarian and financial assistance to resilience-building and crisis intervention,

<sup>6</sup> Dick Zandee (Ed.) e.a., *The EU as a security provider in Africa*, In-depth study Clingendael Monitor 2016, p. 42.



Flickr/EEAS

including through military action. To build up a joined-up approach across internal and external policy terrains, the European Commission published its 'European Agenda on Migration' in May 2015. This agenda identified immediate needs – including a tripling of the budget of ongoing border security operations – and laid out four pillars to underpin the EU's response to migration.<sup>7</sup>

The Agenda on Migration has resulted in a proliferation of actors involved in border security. This has led to a convergence of objectives and mandates of internal and external security actors within the EU. The working terrains of CSDP and FSJ actors increasingly overlap. FSJ actors, such as the new European Border and Coast Guard (EBCG) – the successor to Frontex – are increasingly developing 'external' activities. Under its new mandate, the EBCG is for example allowed to launch joint operations with third countries. Simultaneously, CSDP actors operate closer to Europe's borders – the military Operation Sophia in the Central Mediterranean area being a case in

point. This convergence between internal and external security actors makes the governance of Europe's external borders increasingly blurry and intensifies the need for cooperation.

Increased cooperation between internal and external security actors has been long sought after. One of the central objectives of the 'Strengthening Ties between CSDP and FSJ Roadmap', which was published in 2011, has been improving the exchange of information and mutual support between CSDP and FSJ actors. To date, however, progress has been slow. Although the two domains are strategically linked, in practice they are still separated worlds. An important factor is the institutional divide between intergovernmental and supranational responsibilities at the EU level. Foreign policy and defence remain firmly in the hands of national governments, while for all other sectors of government sovereignty is at least partly given to the Union level. Also at the national level, external and internal security are dealt with in stove-piped bureaucratic structures. The Roadmap provided little incentive to overcome these barriers.

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7 Reducing incentives, border management, a common asylum policy and a new policy on legal migration.

Phases of Operation Sophia	
Phase 1	Detection and monitoring of migration networks on the high seas
Phase 2A	Boarding, search, seizure and diversion of suspected vessels on the high seas
Phase 2B	Boarding, search, seizure and diversion of suspected vessels on the high seas or in the territorial and internal waters of Libya
Phase 3	Take all necessary measures against suspected vessels and related assets in the territory of Libya

## What Sophia tells us

The launch of EUNAVFOR MED Sophia<sup>8</sup> forced CSDP and FSJ actors to strengthen their cooperation. With Sophia moving closer to the jurisdictions of internal security actors – especially those of Frontex, Europol and Eurojust – hiding behind institutional and legal barriers is no longer an option.

With Operation Sophia the CSDP is moving further into a terrain that was hitherto confined to internal security actors. The anti-smuggling operation, which was launched in June 2015 in response to the increase in migrants attempting to cross the Mediterranean from Libya, targets the business model of smuggling networks. It aims to disrupt these networks by mapping their modus operandi, apprehending suspects and destroying their vessels in three sequential phases (see box). Thus far, the operation has brought 101 smugglers to trial and has led to the destruction of 366 vessels.<sup>9</sup>

In June 2016, two additional tasks were added to Sophia’s mandate: training the Libyan coastguard and navy, and contributing to the implementation of the UN arms embargo on the high seas. The first round of training, which started in October 2016, was followed by 78 Libyan trainees. Two ships have been deployed to implement the arms embargo. In their first two months,

however, no breaches of the embargo have been detected.<sup>10</sup>

Operation Sophia has been criticised for setting objectives that cannot realistically be achieved. The UK House of Lords even concluded that the operation poses an “impossible challenge”.<sup>11</sup> It is indeed questionable whether Sophia will ever be able to execute all tasks that were envisioned, as the operation is crippled by the lack of an international legal mandate. The operation is now in Phase 2A, but prospects to move to subsequent phases look dim as this would require a UN Security Council resolution or an invitation by the Libyan government. Russian opposition to the former and the continuing turmoil in Libya make it highly unlikely that this will happen in the near future. Without access to Libya’s territorial waters, Sophia’s efforts to disrupt the smugglers’ business model will be limited to targeting only those boats and smugglers that move outside the ‘safe haven’ of Libya’s territorial waters. Smugglers have however adapted their modus operandi by letting migrants navigate the boats themselves. This allows them to stay outside the high seas – and thereby out of the hands of Operation Sophia. Furthermore, the destruction of smugglers’ vessels is becoming less effective as smugglers are increasingly using rubber dinghies, which are easier to replace than the more expensive wooden boats.

8 The official title of the military Operation Sophia. The acronym stands for European Union Naval Force Mediterranean.

9 EEAS, “The Belgian ship Louise Marie leaves the European Task Force”, 19 December 2016, [https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/17512/belgium-ship-louise-marie-leaves-european-task-force\\_en](https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/17512/belgium-ship-louise-marie-leaves-european-task-force_en).

10 EEAS, “EUNAVFOR MED Op SOPHIA – Six Monthly Report 1 January – 31 October 2016”, *EEAS(2016) 1587*, Brussels, 30 November 2016.

11 UK House of Lords, *Operation Sophia, the EU’s naval mission in the Mediterranean: an impossible challenge*, European Union Committee, 13 May 2016.

The operation has furthermore been criticised for facilitating rather than disrupting the smugglers' business model by acting as a 'shuttle serve' between Libya and Italy. Thus far, Operation Sophia has saved the lives of over 30,000 migrants through search and rescue operations.<sup>12</sup> The proliferation of search and rescue activities in the Mediterranean, both by NGOs and EU actors, has indeed allowed smugglers to cut fuel costs as they do not have to reach Italian territorial waters any longer.<sup>13</sup> Boats have even been reported to leave with no engine at all.<sup>14</sup> However, the claim that Sophia would lead to an increase in migration via the Central Mediterranean route is a bridge too far. Operation Sophia is responsible for only 13 percent of search and rescue operations in the Mediterranean – the other 87 percent being carried out by NGOs, merchant vessels and other ships.<sup>15</sup> Rescue operations will therefore take place regardless of whether Operation Sophia is present or not. Furthermore, the push factors that lead migrants to risk their lives trying to reach Europe far outweigh the possible pull that Operation Sophia might exert.

Despite the addition of two new tasks, it will remain difficult for Operation Sophia to successfully execute its mandate. The new tasks have provided Sophia with more possibilities to do so, but also each present their own challenges. Although the first training of the Libyan coastguard was considered a success, it took almost three months before the Libyan authorities presented a list of potential participants.<sup>16</sup> This demonstrates the difficulty in finding suitable candidates and the challenge it will pose when finding new candidates for future training programmes. The lack of a

functioning government in Libya furthermore makes it questionable to what extent the Libyan coastguards will be able to apply their newly learned skills in practice.

The implementation of the arms embargo is challenging as well. With only two ships available to patrol an area of 525,000 square nautical miles, a sophisticated intelligence picture is needed in order to have some effect. For this, information-sharing with other actors active in the Mediterranean is crucial. This is currently not happening in a sufficient manner, and consequently no breaches of the embargo have been detected in the first two months. The Commander of Operation Sophia has therefore stated that improvements in intelligence-sharing are crucial for the successful execution of this task.<sup>17</sup> This underlines the need for enhanced cooperation between internal and external security actors.

## Internal security actors in the Mediterranean

Sophia is not the only EU actor targeting migrant smuggling in the Mediterranean. Frontex, the forerunner of the European Border and Coast Guard agency, is also present with a border security operation (Triton). This operation was launched in November 2014 to conduct border control and surveillance in the Mediterranean. It operates off the Italian coast and thereby covers an area in which Operation Sophia is also active. However, it is not only the CSDP that is moving closer to the FSJ area. This convergence is also visible the other way around. As part of the European Agenda on Migration, Frontex was transformed into an European Border and Coast Guard. Besides a spike in the agency's budget this entailed a widening of its mandate. Among other reforms, the EBCG has the ability to draw on a rapid reserve pool of 1,500 experts.

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12 EEAS, "The Belgian ship Louise Marie leaves the European Task Force".

13 Interview with EU official.

14 EEAS, "EUNAVFOR MED Op SOPHIA – Six Monthly Report 1 January – 31 October 2016", *EEAS(2016) 1587*, Brussels, 30 November 2016.

15 EEAS, "EUNAVFOR MED Op SOPHIA – Six Monthly Report 1 January – 31 October 2016", *EEAS(2016) 1587*, Brussels, 30 November 2016.

16 Interview with an official of the Netherlands Ministry of Defence.

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17 EEAS, "EUNAVFOR MED Op SOPHIA – Six Monthly Report 1 January – 31 October 2016", *EEAS(2016) 1587*, Brussels, 30 November 2016.

Furthermore, the agency has been given more teeth in external action. The EBCG will have the opportunity to send liaison officers to and launch joint operations with neighbouring countries, including on their territory. The agency is thereby moving closer to the external security domain.

There is also convergence in the mandates and objectives of Sophia and the agencies Europol and Eurojust. Europol coordinates information-sharing and intelligence-sharing on serious and organised crime, which includes migrant smuggling. It recently established the European Migrant Smuggling Centre (EMSC), which aims to support member states in dismantling smuggling networks. The EMSC includes a dedicated maritime intelligence centre (the Joint Operation Team MARE) which identifies and tracks smuggling networks operating in the Mediterranean. Eurojust has also deployed external activities targeting migrant smuggling. The organisation has established a Network of Immigration Liaison Officers in third countries, which gathers and shares intelligence on the modus operandi and routes used by smugglers.

With so many actors operating on the same terrain, cooperation is of crucial importance to avoid a duplication of efforts. This need for cooperation is recognised in the mandate of Sophia, in which it is explicitly stated that the operation will establish a coordination mechanism and conclude arrangements with other EU agencies and bodies. This has spurred cooperation between Sophia and internal security actors. A series of Memoranda of Understanding and cooperation agreements were concluded with, among others, Frontex, Europol, Eurojust and the Italian authorities. Sophia also set up a forum, Shared Awareness for De-confliction for the Mediterranean Sea (SHADE MED), to bring together civilian and military actors active in the Mediterranean.<sup>18</sup> Whereas internal EU agencies had cooperated with civilian CSDP operations

before, Sophia was for most the first military operation with which cooperation agreements were signed. The depth of this cooperation differs per organisation. Whereas Sophia and Eurojust only agreed to share non-classified information, cooperation with Frontex is much more advanced and covers the exchange of operational information, the deployment of liaison officers and cooperation on training. Notwithstanding these differences, the reference in Sophia's mandate provided an important stimulus to civil-military cooperation and should therefore serve as a model for mandates for future operations.

## Extending civil-military interaction

Now that cooperation agreements have been signed, the foundation for stronger civil-military interaction is there. Further steps are needed to translate this into action. A first domain in which cooperation could be improved is planning. During the set-up of Operation Sophia meetings took place with FSJ actors (especially Frontex), but this involvement was of an ad hoc nature. It was only after the mandate of Sophia had been designed that the potential contribution of EU agencies and bodies was considered and cooperation agreements were concluded. More structural involvement by internal security actors at an earlier stage is needed to ensure better civil-military interaction in the future. This requires a better integration of EU agencies into the EU's comprehensive toolbox. Their role and contribution should be considered during the early planning phase of a CSDP mission or operation, and not after it has been launched. To facilitate this, the potential role of EU agencies should already be incorporated in the Political Framework for Crisis Approach.<sup>19</sup> Furthermore, a Missions and Operations Steering Group, consisting of both CSDP and FSJ actors,

<sup>18</sup> The SHADE initiative was first deployed in 2008 to streamline the actions of actors involved in counter-piracy operations in the Gulf of Aden and the western Indian Ocean.

<sup>19</sup> A political framework that provides a strategic analysis of a crisis situation, EU interests and objectives, and available options for EU action (including through the CSDP). The PCFA precedes the development of a Crisis Management Concept.

should be established to enable strategic oversight of missions and operations by civil and military actors.

Secondly, many improvements are still to be made when it comes to information-sharing. With so many actors involved in mapping the routes and modus operandi of smugglers, sharing information is crucial to ensure the complementarity of action and to avoid any duplication of efforts. But even though the political arrangements are in place, in reality many hurdles still need to be cleared. EU agencies and institutions use different systems, which are often not compatible. Although the EEAS and Frontex for example agreed to share classified information, the incompatibility of their systems means that this can only be done through courier or in person. This is a major impediment to more structural information-sharing. The synchronisation of systems between EU institutions and bodies is therefore urgently needed.

Finally, increased civil-military cooperation concerning capabilities is needed. Member states' capabilities are currently spread out over four separate maritime operations in the Mediterranean alone.<sup>20</sup> There is a large overlap between the capability needs for military operations and the technology and equipment that are required for border management. Especially since the new EBCG has the opportunity to acquire its own equipment, there is clear potential for synergies. Structural cooperation between the EBCG and member states is needed to exploit these synergies. The EBCG should therefore take into account standardisation and interoperability with the military and civilian capacities of member states. At member state level, defence ministries should incorporate the availability of naval and other assets for the EBCG in their planning. The European Defence Agency has an important role in streamlining the efforts of member states and the EBCG. These improvements in civil-military interaction

need to be mirrored at member state level through strengthened cooperation between Ministries of Foreign Affairs, Defence and Justice and Home Affairs.

## Conclusions

Migratory pressures on Europe's borders will persist. The explosive cocktail of population growth, conflict and instability in Africa will continue to spur migration along the Central Mediterranean route, while on the Eastern route prospects hinge on the precarious relationship between Ankara and Brussels, which is at best only a temporary solution. These pressures will present European societies with a challenge for the time to come. A future-proof and comprehensive EU policy on migration is therefore urgently needed, but the chasm between internal and external security actors currently stands in the way of such a joined-up approach. However, the migration crisis has also brought internal and external security actors together in unprecedented ways and has thereby provided an important stimulus for cooperation. Where roadmaps and action plans failed to deliver, the migration crisis has forced hitherto separated actors to cooperate. Operation Sophia provides important lessons learned on how to strengthen cooperation between CSDP and FSJ actors and extend civil-military interaction. It demonstrates that the foundation for increased cooperation is there. Now it is time to translate this into action.

## Recommendations

- The **convergence of objectives and mandates of internal and external security actors** makes the governance of Europe's external borders increasingly blurred. Cooperation between those actors has to be intensified.
- The reference made in Operation Sophia's mandate to cooperation and coordination with other EU agencies and bodies should serve as a **model for future mandates** as it provided an important stimulus to civil-military cooperation.

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20 The EU's Operations Sophia and Frontex, and NATO's operation Sea Guardian and the Standing Maritime Group 2.

- **More structural involvement of internal security actors at an earlier stage** in the planning of CSDP missions and operations is needed. Their potential role should already be incorporated in the Political Framework for Crisis Approach.
- **A Missions and Operations Steering Group**, consisting of both CSDP and FSJ actors, should be established to enable strategic oversight of missions and operations by civil and military actors.
- **Information exchange between EU agencies and bodies** needs to be improved. For this, the compatibility of information systems needs to be ensured.
- **Synergies between capability needs** for military operations and border management need to be exploited. The European Border and Coast Guard should ensure standardisation and interoperability with member states' capabilities, while national defence ministries should incorporate the capability needs of the EBCG in their planning.
- Improvements in civil-military interaction need to be **mirrored at member state level** through strengthened cooperation between Ministries of Foreign Affairs, Defence and Justice and Home Affairs.
- EU member states contributing to both CSDP operations in the Mediterranean with naval forces as well as to the EBCG activities with gendarmerie and police personnel should play a front role in further enhancing CSDP-FSJ cooperation. **The Netherlands belongs to this group and should play a leading role**, taking into account the country's extensive experience in civil-military cooperation.

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