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SECURITIZATION THROUGH PRACTICE: FRONTEX'S CAPACITIES AND
OPERATIONS DURING THE 2015 ASYLUM AND MIGRATION CRISIS



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Abstract

This research draws on Frontex capacities and operations within the framework of Integrated Border Management by focusing on two main features of its security practices: the (Re)production of knowledge and Physical Interventions. The study utilizes a practice-oriented approach, implementing the concepts of governmentality, centers of calculation, and *habitus* to construct its theoretical framework. It also employs Process-Tracing and Causal Mechanisms methodology to build a theory-testing design that aims to identify the relations of causality within migratory events and the expansion of Frontex. It explores the role of Frontex during the 2015 asylum and migration crisis through three key aspects: 1) the securitization of asylum and migration as a normalization process within the EU and Schengen area; 2) the two dimensions of security practices implemented by Frontex during migratory events; and 3) the reformation of Frontex by the EU institutions through the 2016 and 2019 Regulations.

Key words: securitization, security practices, governmentality, (re)production of knowledge, physical interventions.

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Acronym List

AFSJ: Area of Freedom Security and Justice

AHWGI: Ad Hoc Working Group on Immigration

ARA: Annual Risk Analysis

CIRAM: Common Integrated Risk Analysis Model

CIREA: Center for Information, Reflection and Exchange on Asylum

CIRM: Common Integrated Risk Analysis Model

CPIP: Common Pre-frontier Intelligence Picture

CSS: Critical Security Studies

EBCGA: European Border and Coast Guard Agency

EC: European Communities

ESP: European Situational Picture

ETIAS: European Travel Information and Authorisation System

EU: European Union

EUROSUR: European Border Surveillance System

FRAN: Frontex Risk Analysis Network

IGS: International Governmentality Studies

IOM: International Organization for Migration

IR: International Relations

ISS: International Security Studies

JHA: Justice and Home Affairs

MS: Member State

MSs: Member States

NCC: National Coordination Centers

Pr-Tr: Process Tracing

RAC: Risk Analysis Center

SAC: Schengen Associated Countries

SIS: Schengen Information System

TCM: Theorized Causal Mechanism

TEU: Treaty on European Union

UNHCR: United Nations High Commissioner for Refugees

Introduction: Problem Statement

The European Union (EU), is a political entity that has as one of its functional principles the free movement of goods, persons and capital. The EU has been faced with the challenge of keeping its internal fluidity, which implies the softening and even complete abolition of internal border controls, while maintaining a high standard of security. The correlation between circulation and security was constantly mentioned in policy documents since the signing of the Schengen Agreement in 1985, to the establishment of the Schengen Area in 1995 and the formation of the Area of Freedom, Security and Justice through the Amsterdam Treaty (Van Munster, 2009).

The consolidation of the Schengen space is considered the beginning of this process of internal borders softening, and the following security measures are seen as compensatory in regards to this liberalization. The Schengen Area of Free Movement led to the creation of a common external border. Consequently, the perception of the border and its control were reformulated, expanding into broader conceptual and material spaces. This expansion linked illegal migration, asylum, and terrorism, effectively turning human mobility into a security issue. This has led the European Union to be studied as a liberal polity that has cross-border mobility as one of its main features, which at the same time relies on 'exclusionary and illiberal practices of security' (Van Munster, 2009, p.11) in order to maintain this freedom of movement. Consequently, immigration and asylum became part of both external and internal security through a technocratic process of institutionalization. This means that various forums, agreements and governmental bodies have combined efforts to make mobility visible, quantifiable, and manageable.

Chapter 1: Methodology and Research Design

The design of this research follows a correlational explanatory study as it aims to establish diverse camps of interaction between the independent, intervening and dependent variables and analyze the causality as the process connecting them. In this sense, the method turns inductive, parting from a particular phenomenon to a general hypothesis that does not precisely standardize the results to turn them into a model applicable to all similar case studies. Instead, it serves as an incentive for discussing alternative analysis and debates surrounding the traditional approaches to International Relations and International Security Studies.

1.1. Process Tracing and Causal Mechanisms

The identification of the object of study was achieved by taking as a guideline the work of Beach and Pedersen (2013), to later choose the specific research methods that will be implemented along this thesis. These authors propose the Process-Tracing stream, which is based on the supposition and identification of a Causal Mechanism linking an independent variable and a dependent variable that are connected through an intervening variable (George & Bennett, 2005. Cited in: Beach & Pedersen, 2013). A Causal Mechanism is defined as a complex system that produces outcomes/results from the interaction of its components or entities (Glennan, 1996. Cited in: Beach & Pedersen, 2013). The method (still developing and with some contradictions and limitations) is applied principally in case study research with an explanatory character.

The ideas of Stuart Glennan, Andrew Bennet and David Watner (Cited in Beach & Pedersen, 2013) are the most relevant for this research, since causality is perceived through a mechanistic lens. In addition to this, a deterministic focus drives the investigation, although not in its orthodox facet that assumes a theoretical model without any existent margin of error, or pretending that a deterministic model should fully explain the conduct of the dependent variable. Instead, the stance of Mahoney (2008. Cited in: Beach & Pedersen, 2013) is taken, in

which it is acknowledge that

The assumption of an ontologically deterministic world in no way implies that researchers will successfully analyze causal processes in this world. But it does mean that randomness and chance appear only because of limitations in theories, models, measurement and data. The only alternative to ontological determinism is to assume that, at least in part, ‘things just happen’; that is, to assume truly stochastic factors . . . randomly produce outcomes (Mahoney, 2008,p. 420. Quoted in: Beach & Pedersen, 2013,p. 27)

Based on the ontological position of this method, a Theorized Causal Mechanism (TCM) is understood under the mechanistic approach, described as ‘a process in a concrete system, such that is capable of bringing about or preventing some change in the system as a whole or in some of its subsystems’ (Bunge, 1997,p. 414. Quoted in: Beach & Pedersen, 2013,p. 29).

Since the existence of a TCM is presumed, it is important to specify the brand of Process-Tracing (Pr-Tr) implemented to verify its presence. Grounded on the above mentioned elements, the most suitable brand turns to be the Theory-Testing Pr-Tr, which

deduces a theory from the existing literature and then tests whether evidence shows that each part of a hypothesized causal mechanism is present in a given case, enabling within-case inferences about whether the mechanism functioned as expected in the case and whether the mechanism as a whole was present.(Beach & Pedersen, 2013,p.3)

Lastly, the level or scale of the study is presented. Beach & Pedersen (2013) propose an agnostic or pragmatic approach where the choice on the level of analysis is related to the ‘levels where the existence of the mechanism can be best theorized’ (pp. 42-44). This thesis is focused on a macro level, considering the TCM as transformative: it describes the processes in which the entities, through their actions and interactions, generate outcomes at the macro-

political level. It is stated finally that the TCM is not visible as a complete entity, but it presents detectable and identifiable implications generated by the mechanism, and these constitute the entities, its indicators and as such the TCM linking the variables. Having clarified the methodological framework, the TCM will be presented, which functions at the same time as the object of study.

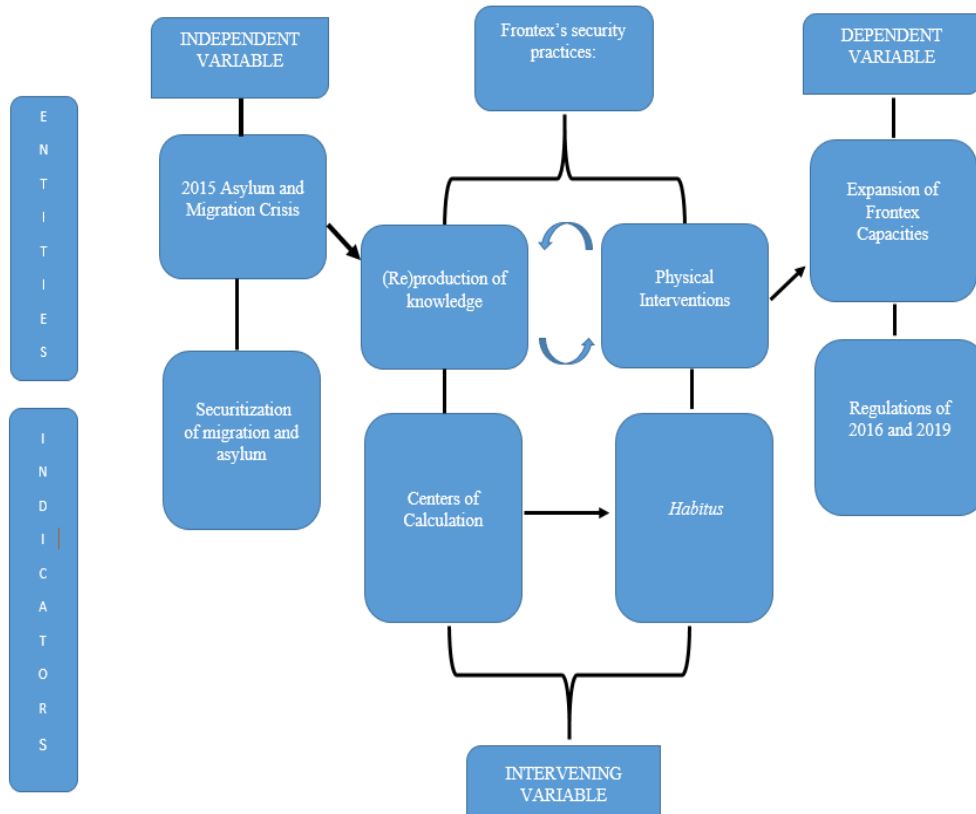


Figure 1: Diagram of Theorized Causal Mechanism

This thesis aims to trace the causality established between the events unfolded in the year 2015 known as the European Asylum and Migration Crisis and its effects on the evolution of Frontex by studying first, how the securitization of these forms of human mobility took place under the framework of EU integration, the management of the EU's external borders as a compensatory measure derived from the establishment of the Schengen area , and how the agency operates and correlates along the structures of a Security Apparatus. It aspires to trace the evidence that can turn observable the existence of a TCM linking migratory events with

security and the evolution of this agency. This through analysing the use of information and surveillance technologies in conjunction with operations of border control. Studied as the main resources for the categorization and intervention of mixed migrant flows, they are considered as a node in a wider matrix of governmental mechanisms, constituted within the institutions and agencies of the EU.

1.2. Research Questions

Based on the previous section, this thesis is based on the following research questions:

RQ1: How does the EU integration process becomes a platform for the securitization of asylum and migration?

RQ2: How does Frontex turns into a major tool for the community approach to the management of the EU's external border?

RQ3: How does Frontex operates within two fields of security practices during migratory events?

RQ4: How does the 2015 European Asylum and Migration Crisis influences the evolution of Frontex?

1.3. Research Purpose

By developing a historically informed framework on the EU integration process, this piece aims to explain how the relation between security and human mobility is at the core of the Union. It seeks to trace the influence of security professionals in the constitution of the Schengen project, and how it became a platform for the securitization of asylum and migration. This with the purpose of studying the creation of Frontex as a resource for the effective management of a common external border.

The main focus will be on two dimensions of security practices, these are; 1) the (Re)production of knowledge via Information and Surveillance Technologies, approached through the concept of Centers of Calculation and; 2) the Physical Interventions studied

through the concept of *habitus*. The purpose of this research is to identify: 1) the process that made it possible for Frontex to reach its current status as a security agency; 2) how it operated during the so-called asylum and migration crisis in 2015, and 3) the implications that this event had for the transformation of the agency.

The main technique is qualitative data recollection through bibliographic and literature analysis of primary sources such as reports published by organizations and journalists; secondary sources like academic articles from diverse research institutions that integrate extensive qualitative analysis, policy audits and field work. The analysis of quantitative data relies mainly on graphics and statistics extracted from documents published by Frontex, the European Commission, European Parliament, the United Nations High Commissioner for Refugees, the International Organization for Migration, and Statewatch.

Chapter 2: Theoretical Framework and Literature Review

As the epistemological and ontological positions were presented in the previous chapter, we now turn to the theoretical framework and the literature related to the object of study, along with the concepts that will be implemented throughout the analysis. The framework is first presented in general terms to later be developed into its specific operationalized concepts. First, this research takes a post-positivist approach to International Relations (IR) and International Security Studies (ISS) inspired mainly by the work of the so-called Paris School of Security Studies. However, it will not be completely limited to it, since intersections are established with the Copenhagen School and Critical Security Studies literature. The framework seeks to implement a holistic approach to theories, drawing correlations between their concepts and creating an experimental model to analyze the entities and indicators that conform the previously presented TCM.

The plethora of these theories are reviewed and referred to along the development of this theoretical framework, building on elements from different disciplines such as sociology,

anthropology and philosophy: to be more precise, this thesis resorts to the ideas of Michel Foucault, Bruno Latour and Pierre Bourdieu and their subsequent application in IR and ISS by authors like Didier Bigo, Jeff Huysmans, Sarah Leonard, Julian Jeandeszbos and Nina Perkowski, to mention the major exponents. In the following sections, the particular concepts, authors and literature will be specified.

2.1. Governmentality

The major concept that encompasses the components of the theoretical framework is governmentality developed by Michel Foucault. Governmentality came to fruition specifically on the compilation of Lectures at Collège de France published as *Security, Territory and Population* (2004). Governmentality refers to the rationale of government, and particularly in the context of the EU, a neoliberal logic of governing and being governed. It represents the interiorized mentality of each individual and its relation to society in respect to freedom and coercion under the rule of institutions and economic relations built under capitalism. It correlates the self-regulatory habits of the individual with the techniques exercised to control populations (Van Doorn, 2018; Lorenzini, 2023).

Even though there has been a tendency towards distancing neoliberalism from the coercive strategies of disciplinary power, especially in developed western societies, the interpretation of governmentality proposed by Lorenzini (2023) serves as a starting point of critique against this idea. Lorenzini states how governmentality integrates previously developed terminologies and their relation to power. These include anatomo-politics (or the governing of the self) and biopolitics (the governing of populations) (Foucault, 2007. Cited in: Lorenzini, 2023). In this perspective, neoliberal governmental mechanisms of power operate both through freedom and coercion, and as such they rely on

three main strategies to produce subjugated subjects: a generalized and constant surveillance (police, archives, panopticism); a discipline of life, time, energies (isolation, grouping, and localization of bodies to obtain an optimal use of forces); and

a normalization of individuals (definition of the ‘normal,’ exclusion of the ‘abnormal,’ corrective interventions). These three dimensions of disciplinary power have a common target and ‘point of application’: the life of human beings. ‘Life’ here [represents] the complex, material combination of all the qualifiable dimensions of human existence: biological, of course, but also social, cultural, ethical, and political. (p.24)

These three elements are of particular importance since they can be implemented as a conceptual framework for the study of the TCM. In addition to this it is pertinent to signal how these governmental mechanisms of power operate through a Security Apparatus (Van Doorn, 2018). The term apparatus will be defined as the set of instruments, mechanisms and techniques that have been crafted for a specific use. Returning to the components listed by Lorenzini (2023) for matters of practicality, they will be enunciated in this work as the three elements of governmental mechanisms of power and also, their ordering and phrasing is slightly changed to fit them into the TCM. These are: 1) Surveillance, 2) Categorization and 3) Intervention.

2.1.1. Implementation in IR and ISS

The arrival of governmentality to IR and ISS has been labeled as International Governmentality Studies (IGS). The exploration of IGS provides a new framework for the analysis of governmentality. Jaeger (2023) makes a very important contribution signaling some of the deficiencies that the Foucauldian approach to IGS presents, one of them being how liberalism has been mostly studied on its national or domestic level of analysis. The author then argues that liberalism has, since its early stages of development, represented an instance of ‘international governmentality’ (Jaeger, 2023) and it is also accommodated within the geopolitical elements of the global scenario. As such then, this research takes the posture that contemporary governmentality, specifically in the case of the EU, has to be situated in its historical and present conjecture, calling for a ‘eventalized and genealogically informed knowledge of the international in IGS, and for the investigation of ‘other governmentalities’ beyond Foucault’s conceptual toolbox’ (p.75). This will be treated concretely along the

research by presenting the particular aspects of contemporary neoliberal governmentality in the EU through a historical analysis.

2.2. (Re)production of Knowledge

The framework constructed until now suggests the existence of a Security Apparatus and its functioning through surveillance, categorization and intervention. The concept of governmentality has served as a form of dissecting these three components that operate and correlate within Frontex. Continuing with the experimental line to theory, the first two elements (surveillance and categorization) will be summarized in one single terminology understood under the *praxis* of security. Combined they are referred to as (Re)production of knowledge. The intention of including the Re in parentheses is to illustrate this process of productive knowledge, which relies on previously gathered and selected data, calculations, models and categories; It has both a productive and reproductive character. It is productive because it generates new forms of knowledge and categories, and reproductive because it builds on existing knowledge to create these new forms. In addition, this (Re)production of knowledge relies on the use of Information and Surveillance Technologies (IST), thus to understand this amalgamation it is useful to first resort to the concept of surveillance.

2.2.1. Surveillance

This section starts by discussing the contributions made by Michel Foucault. The Foucauldian approach studies surveillance as a disciplinary method. In his acclaimed work titled *Discipline and Punish: The Birth of the Prison* published in 1975, this idea is presented declaring how these kinds of disciplinary methods are becoming the regulatory standards for the government's management of societies. In this case, surveillance strictly implies the systematic gathering and analysis of information as a technique of government that expanded to other domains. It is a function of repression and also the production of modern society through technical imperatives:

[The] panopticon vision went beyond the prison to include other disciplinary

institutions in his era, such as the factory, hospital, military, and school, and it acknowledges the role surveillance plays beyond repression which is contributing to the productive development of modern selves. Foucault's panopticism has been emulated from the prison system to the other spaces for regulating society. (Haggerty Ericson, 2000,p.607. Quoted in: Elnahla,2019,pp. 178-179)

In addition to Foucault's work, the interpretations of surveillance elaborated by Elnahla and Graham & Wood (2003) are complementary in this theoretical framework. Drawing on the works by Gilles Deleuze, Felix Guattari and Gary Marx, the authors bring to discussion the term 'surveillance assemblage' (Deleuze & Guattari, 1987. Cited in: Graham & Wood, 2003; Elnahla, 2019) where the scale and reach of surveillance is bolstered by the convergence of practice and technology. It also distances itself from the strict hierarchical nature of the panoptic approach proposed by Foucault, since surveillance can operate in horizontal compositions of networks. It considers the transformation of spatial arrangements and specially the 'exercise of domination afforded by the use of computer technology' (Poster, 2005. Quoted on: Elnahla, 2019,p.180). This is the notion of surveillance used in this research, where the presence of Information Technology (IT) is implied. This leads to the introduction of the concept of Centres of Calculation, fundamental to explain the domain of (Re)production of Knowledge.

2.2.2. Centers of Calculation

The concept, first elaborated by French sociologist Bruno Latour in *Science in Action*, attempts to explain the dynamics of scientific knowledge production (Jons, 2011). These are defined as a platform that 'accounts for the way in which scientific knowledge is produced through processes of mobilization, stabilization and extension of networks and 'alliances', between materials and people' (Latour, 1987. Quoted in Jeandesboz, 2017,p.258). The three components of Centers of Calculation are explained as follows: 1) Mobilization refers to the mobilized research objects, infrastructure and expertise, these can include documents, books,

data, instruments, machines and methods; 2) Stabilization refers to the process where the mobilized resources are systemized, classified, transformed, tied together and re-presented to ultimately configure a strong web of associations, delivering a specific knowledge claim; 3) Extension: alludes to the dissemination of this knowledge claim into differing contexts, so its value and veracity are tested (Jons, 2011,pp.3-7).

2.3. Physical Interventions

This field concerns the operations deployed in a police/military fashion, that involves the direct and physical management of threats/risks. In the case of Frontex, since they are carried on in cooperation with the Member States border and coast guard authorities, this dimension of security practices will be addressed through the concept of *habitus*.

2.3.1. Habitus

Developed by sociologist Pierre Bourdieu, it was introduced to ISS by the Paris School of Security Studies. It accounts to the socialization processes that take place during the interactions of diverse individuals or in this case, the professionals of security (Bigo & Tsoukala, 2008; Bigo, 2013) across the conformation of spaces where practices are performed in relation to specific concepts and terminologies such as mobility, illegal immigration, border management and terrorism. It refers specifically to the instruments, techniques and policy domains that interconnect these topics with security, or in the case of the EU, internal security, both in its present and historical temporalities. Under the concept of *habitus* then, security practices are understood as being correlational and essential points for the build up of wider networks within the Security Apparatus, forming also part of an extense matrix of governmentality. The concept of *habitus* at the same time, adds interesting points of discussion to securitization theory, as it considers that, more than a speech act, securitization is the ‘result of the struggles of a configuration of professionals in competition for the categorisation of threats and the priorities and forms of the struggles against them’(p.118).

2.4. Acute and Protracted Crisis

This is the point where the practice approach meets the speech act theory to securitization. It is the moment of intersection between the Paris School and Copenhagen School of security studies. Although as such, the concept of securitization as a speech act is not used in this work explicitly, the interplay between normality and emergency and the declaration of crisis is central to the analysis of Frontex. First, a crisis will be understood as a ‘conjuncture of circumstances upsetting the prevailing schema of things [that produce] a new form of governing’ (Samaddar, 2023, pp.96-98). While it is usually described as an episode with a limited temporality, authors such as Nina Perkowski (2023) have implemented the terms acute and protracted crisis to describe a more complex dynamic regarding the temporality of crisis. In her extent work on the operations on Frontex at different historical conjunctures described as migration crisis, the author explains how the agency presents an interplay of both kinds of crises:

The term crisis no longer clearly signifies a singular moment of decisive judgment; we now presume that crisis is a condition, a state of affairs, an experiential category (...) While narratives invoking moments of acute crisis produce urgency, demanding speed of decision making as well as emergency interventions, those characterizing protracted crisis insist on constant vigilance, surveillance and preparedness. (p.114)

This research then considers the speech act oriented approach of the Copenhagen School to be useful in order to identify the moment where a specific episode of emergency is declared, as it is the case with the 2015 crisis. Nevertheless, it acknowledges the limitations of it, considering then the proposal of Perkowski (2021; 2023) where the interplay of acute and protracted crises can serve as a means to analyse in a wider spectrum the security practices of Frontex. It also gives importance to the question of the audience that has filled the debates over securitization; in this research, the audience turns out to be the same EU institutions in charge of approving budgetary concessions and legislative acts, where the urgency of crisis has served

to speed up the processes of negotiation.

2.5. Summary of the Theoretical Framework

These conceptual differentiations have been presented in order to visualize the theoretical framework, nevertheless, in the following chapters, it will be possible to observe, how they intersect, correlate and articulate in Frontex agency, where the security practices are operated, supported and reinforced through the Centers of Calculation and an *habitus* of security professionals; these components correlate and sustain each other in order to create an assemblage of knowledge and techniques taking the external EU border as their performative field and EU's internal security as their referent object. Now, the point where they articulate, both in its individualizing and massifying effects is within populations (Lorenzini, 2023).

Since the research is mostly based on the management of migrant populations, the term human mobility will be used to define in general terms the different modalities of international migration, and at certain moments, specifications will be made to refer to refugees, asylum seekers and displaced people. Acknowledging the complexity of the phenomenon, the terms illegal immigrant or undocumented, will only be used to exemplify this modes of categorization. In this sense, this thesis affirms that there is no illegality implied in the phenomenon of human mobility, and it decides to employ this term as it is the most neutral.

As such we can present the theoretical framework as follows: as a leading epistemic field, we have a neoliberal governmentality that operates through a Security Apparatus; the Security Apparatus connects different fields of security being border control the one where Frontex is situated; Frontex operates through the (Re)production of Knowledge, which establishes a network of Centers of Calculation where information is exchanged and categories created, and through Physical Interventions, which establishes and *habitus* where different professionals of security correlate and perform. Finally the agency thrives and capitalizes on the unpredictability of crisis, using both, acute and protracted, to effectively operate within the field of border management.

Chapter 3: EU's Neoliberal Governmentality

This chapter attends to the dynamics presented along the EU integration process and the conformation of a supranational array of institutions, government bodies and agencies that we could refer to as neoliberal governmentality. In the EU context, one of the main characteristics of this governmentality matrix is the connection between circulation and security. This correlation implies the abolition of internal border controls in synchronicity with compensatory measures, where increasingly, mobility and specifically migration and asylum have come to be governed under the gaze of cross-border crime and transnational risks. As stated by Chillaud (2012) in 'the context of EU integration, there has undeniably been a construction of the concept of security in the frameworks of border issues. Delimited, watched and protected, the European external border has been more and more in the European security agenda' (Hills, 2006. Quoted in: Chillaud, 2012, p.48).

Continuing with the Foucauldian inspired approach to ISS, the chapter follows up on a historical analysis to dissect the points of interrelation that conform the EU's governmentality matrix, its connections to circulation, human mobility and ultimately, the securitization of 'undesired' forms of mobility through the categories of migration, illegal immigration and asylum, their integration under the functions and regulations of the Security Apparatus and the creation of Frontex.

3.1. Pre-Frontex Era: Tracing the Mobility/Security Nexus

The extensive work carried out by Van Munster (2009) serves as a guideline to a genealogical analysis of the nexus between mobility and internal security through EU policy making and the *habitus* of the security professionals. The author considers the consolidation of the Schengen space, as a platform for the securitization of migration. As stated by Klaus-Peter Nanz, former Head of the Home Affairs Division of the Permanent Representation of Germany to the EU

from the very beginning, the Schengen States have understood the Schengen project as

a precursor, or a laboratory for free movement of persons in the Union. It is an attempt to combine two seemingly diverging goals: first the abolition of internal border controls for the sake of free movement of persons, with the creation of compensatory measures to strengthen external border controls, and second to fight drug-trafficking, crime and illegal immigration. (Nanz, 1995, p.29. Quoted in: Van Munster, 2009, p.18)

The quote illustrates the idea and utility of the so-called compensatory measures; how to maintain the desired or wanted forms of mobility from the undesired or unwanted ones. This implies, that free movement in the specific case of the EU, is governed through a ‘dual security technology’ (Huysmans, 2006) meaning that (coming back to the concept of governmentality) the ‘free movement of persons is not simply managed through a territorial technique that externalizes the excess (border control) but also through a biopolitical technique that internalizes the excess in the population (databases and surveillance of the European population)’ (p.93).

It is also useful to consider the historical archive gathered by the non-profit organization Statewatch in order to chronologically trace the diverse forums, treaties and policy documents that progressively put mobility and specifically, immigration and asylum under the security practices of border management.

3.1.1. The Trevi Group

Proposed in 1975 at the Council of Ministers that took place at Rome, where ministers from the 12 European Communities (EC) members participated, it came as an initiative for a working group on inter-european police cooperation. Later formalized in 1976 in Luxembourg and seen as a precursor to the creation of EUROPOL (Bunyan, 1993) it is also viewed as the starting point where the discourse of compensatory measures started to challenge the idea of a European space of free movement (Van Munster, 2009). At the same time, it served as a meeting point for Interior Minister Officials, police officers and security services (Bunyan, 1993).

After subsequent working groups that were derived from the initial Trevi Group, The 1990 Trevi Programme of Action was delivered as a document relating to the reinforcement of police-cooperation at the intergovernmental level with the objective of increasing the efforts between the EC to combat terrorism and other forms of organized crime. This document proposed a 'synthesis of arrangements between police and security services and is Trevi's most outspoken illustration of the intertwining of terrorism, policing, customs, immigration and border control' (Van Munster,2009,p.26).

3.1.2. The Ad Hoc Working Group on Immigration

The Ad Hoc Working Group on Immigration (AHWGI) emerged from Trevi in 1986 and emulated the discourse on compensatory measures that kept strengthening the relation between mobility and security, using constantly the term illegal immigration and exploiting the ambiguity of international refugee law that was formalized through the 1951 Geneva Convention by declaring that the asylum system could be exploited by illegal or undocumented immigrants (Bigo, 1994. Quoted in: Van Munster, 2009). The working group focused on 5 specific topics, also related to the Schengen framework: 1) Border controls at the external borders; 2) Visa Policy 3) Asylum 4) Illegal immigration networks; 5) Informatics working on setting up a Community-wide data bank on people who are described as 'inadmissible' (Bunyan, 1993; Statewatch, 1991). In cooperation with the Schengen working group on asylum, the AHWGI was responsible for influencing the structure of the Dublin Convention (signed on 15 June of 1990 and replaced by Dublin II) considered as the main scheme for regulating asylum applications in the EU (Van, Munster, 2009).

3.1.3. The Coordinators Group on the Free Movement of Persons.

Established in 1988 by the European Council, The Coordinators Group on the Free Movement of Persons, attempted to organize the different point views emerging among the diverse working groups on internal security. This in order to set a standard for the compensatory measures on free movement (Van Munster, 2009; Statewatch, 2024c). In 1989, the Palma

Document was created within the scheme of the Coordinators Group (Statewatch, 2024c), and it focused on; 1) the regulation of admission to community territory and 2) the requirements for the granting of asylum and international protection (Statewatch, 2024b). The document is relevant since it formalized the connection between internal security, law enforcement and immigration and asylum (Bigo, 1996. Cited in: Van Munster, 2009).

3.1.4. The Maastricht Treaty/ Treaty on European Union (TEU)

Signed in 1992, it created the EU based on three pillars: 1) European Communities; 2) Common Foreign and Security Policy and; 3) Justice and Home Affairs (European Union, 2024). Accordingly, the Coordinator's Group, Trevi and the AHWGI converged in the design of the Justice and Home Affairs (JHA) pillar promoting the narrative that internal security and particularly governing mobility (and thus populations) needed the access to data and information that translated in knowledge to be effectively performed (Huysmans, 2006; Van Munster, 2009).

For this, different centers were created, such as the Centre for Information, Reflection and Exchange on Asylum (CIREA) and the Centre for Information, Reflection and Exchange on the Crossing of Frontiers (CIREFI). Both centers were intended to share information on migration flows within the Schengen Information System (SIS) created in 1995 (European Union, 2024a; 2024b). The SIS formalized the discourse on compensatory measures and the connection between different security issues, since it 'compensates for border controls and is the most successful cooperation tool for border, immigration, police, customs and judicial authorities in the EU and the Schengen associated countries' (European Commission, 2024).

3.1.5. The Amsterdam Treaty

Signed in 1997, it solidified the idea of the EU as an Area of Freedom Security and Justice (AFSJ), a notion that relies on the link between the free movement of goods, capital and people with border management and security, as stated in the Article 3 of the TEU. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers,

in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime. (European Union, 2024. Article 3, paragraph 2)

Following up on the creation of the AFSJ, the Action Plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on the AFSJ. Crafted in Vienna, the text elaborates on the relation between the concept of freedom and security, as it states

‘that freedom loses much of its meaning if it cannot be enjoyed in a secure environment and with the full backing of a system of justice in which all Union citizens and residents can have confidence. These three inseparable concepts have one common denominator ‘people’ and one cannot be achieved in full without the other two’ (European Council and Commission, 1999, paragraph 5).

At first glance, this passage incites the idea of the people or the European citizen as the referent object. The effective sustainment of the AFSJ can be interpreted as a defining element in the political doctrine of the EU; freedom and security are not opposed, instead, they complement each other. This is the characteristic of a neoliberal form of government; governing through freedom. However, there is an excess generated by this freedom, and in order to maintain the fluidity in the Schengen area, this excess is externalized, mainly at the EU borders, or as it will be studied next, at the external border.

3.2. A Field of Convergence: The External Border

Analysing the historical development of the EU’s integration process reveals how the interpretation of internal and external security moves beyond traditional understandings of national and international security that characterized realism and strategic studies. The creation of the Schengen Space, its expansion when new MSs were added and the consolidation of the AFSJ after the signing of the Amsterdam Treaty enhanced the idea of a common European external border, blurring the limits between internal and external security matters (Bigo, 2000;

2008;2013; Van Munster, 2009; Campesi, 2022). Taking the referent object of security as the people and not the state itself, and at the same time, allowing the collaboration between security professionals and thus the infiltration of the security logic in different spaces of EU policy making, as stated by Bigo (2000)

It could be said that internal security has experienced a double widening process. It extends beyond the national territory and is directly linked to European and international issues. In no instance is it autonomous and independent from the collaboration of security agencies (police, customs, and gendarmerie) on an international scale. On the contrary, its existence is almost wholly dependent upon such collaboration (p. 335)

This process of gradual institutional assimilation and incorporation of human mobility into domains of security as a characteristic of neoliberal governmentality also raised concerns that migration and asylum have been effectively securitized. According to Bigo (2002) this securitization can be considered to be a technique of government or, a transversal political technology, forming part of a wider structure where

the border[s] became a crucial device in policing the movements of capital, goods and people across the territory (...) it was precisely the creation of an area of free movement that prompted the development of security technologies and agencies that would allow this increased freedom in a controlled and protected environment(Van Munster, 2009,p.2).

The notion of the external EU border is central to this research project. Various institutions, agencies and government bodies make up the Security Apparatus, within this field to protect the EU's internal security. The Security Apparatus works to address different threats and risks that have been categorized and identified as potentially affecting the EU. In this sense, Frontex may be seen as a node within a wider structure of the EU's Security Apparatus that has as its main point of correlation with other government bodies the field of external border

management. In this case, the border and its spatial function is no longer related to the identification of political entities, but rather to ‘the production of social hierarchies that (...) largely coincide with the differential of entitlements to mobility’ (Campesi, 2022, p.4). In contrast with the traditional understanding of borders during the Cold War Era, the border as a spatial technology is ‘about expanding the uniform space of neoliberal capitalism to expedite the flow of commodities and finance, on the one hand, while conditioning the circulation of peoples with that space’ (Fedman, 2012, p.78).

The relationship between internal security, the securitization of asylum and migration and the effective management of the external border is indispensable to understand the foundations of the EU’s neoliberal governmentality and the creation of Frontex. As stated in the Tampere Programme, which sought to strengthen the EU’s community approach to JHA, one of the collective objectives was to focus on developing ‘common policies on asylum and immigration, while taking into account the need for a consistent control of external borders to stop illegal immigration and to combat those who organise it and commit related international crimes’ (The Presidency of The Council, 1999, paragraph 3). In this regard, the EU is considered to have a multi-level border regime that has enabled a transnational space of police cooperation (Campesi, 2022) and it is one of the main elements of the Security Apparatus implemented for the ‘effective governing of human mobility across european space’ (p.18).

The next section elaborates deeper on the origins of Frontex, and how it cemented the EU’s border regime.

3.3. Towards an Integrated Management

According to the previous section, the existence of a common external border implied the harmonization of border controls at the community level. This started a process of negotiation between the MSs and EU institutions in order to create effective mechanisms for this harmonization, which culminated eventually in the creation of Frontex. The negotiations

that led to the agency had significant importance. One of the main controversies was how to establish this communitarized approach to border management while respecting the national bureaucracies and the rooted principles of sovereignty of each MS.

A terminology derived from these negotiations was integrated management. It was explicitly brought to discussion in 2002 through a communication titled 'Towards Integrated Management of the External Borders of the Member States of the European Union'. The document affirmed that an effectively managed external border is a 'vital element for internal security and 'the citizen's sense of belonging to a shared area and destiny' (Commission of the European Communities, 2002, p.2).

The document continues to assert that the so-called integrated management 'also serves to secure continuity in the action undertaken to combat terrorism, illegal immigration and trafficking in human beings' (2002, p.2). The two functions of the external border can be summarized as intent on conforming a political space to which the European citizen can relate, and establishing as a tool conforming the Security Apparatus. This communication led to the proposal to create a European Corps of Border Guards. Even if it did not come to fruition, it forth the main tasks of Frontex by suggesting the assembling of

projects [that ensure the] continuity within a common policy of integrated management of external borders. This common policy should include at least five mutually interdependent components: (a) A common corpus of legislation; (b) A common co-ordination and operational co-operation mechanism; (c) Common integrated risk analysis; (d) Staff trained in the European dimension and inter-operational equipment; (e) Burden-sharing between Member States in the run-up to a European Corps of Border Guards. (2002, p.12).

Returning to the theoretical framework on governmentality and the distinction of two dimensions of security practices, the points b) a common co-ordination and operational

cooperation mechanism and c) common integrated risk analysis are of utmost importance. In regards to these two interdependent components, the communication mentions a set of instruments that can be implemented to sustain them. The first of them is the External Borders Practitioners common unit, its role is described as

acting as a “head” of the common policy on management of external borders to carry out common integrated risk analysis; acting as “leader” coordinating and controlling operational projects on the ground, in particular in crisis situations; acting as manager and strategist to ensure greater convergence between the national policies in the field of personnel and equipment; exercising a form of power of inspection, in particular in the event of crisis or if risk analysis demands it.(p.13)

In regards to the Common integrated risk analysis, it first highlights the importance of creating systems for the exchange of data and information. These systems have to work as a guideline and a point of exchange along the authorities focused on the management of the external borders. Then, it suggests that the common integrated risk analysis should be based on two procedures described as: ‘[1] The initial determination considered relevant for the analysis and the development of the risk; [2] following the adoption of the common indicators, the constant and continuous monitoring of their development to draw operational conclusions on the ground’(p.17).

The last passage speaks to the consistent process of feedback that exists between the Centers of Calculation and the *habitus*. The (Re)production of knowledge is vital for physical interventions. In this case, the risk analysis establishes the indicators that will serve as the action for the operations on the ground. It also serves as a method of monitoring and recollection of information and data and as a platform for the socialization of different authorities.

The document continues to define the spaces or ‘lines of protection’ of the external border; 1) third countries; 2) the external border and 3) the Schengen area (Commission of the European Communities, 2002; Leonard, 2009; Neal 2009). Along those lines, the protection of the external borders has an extraterritorial logic, involving three dimensions that are identified as necessary for the effective integrated management of the common border. Although this initiative was rejected, especially because it’s robust institutional design, seen as a possible breach of sovereignty for the MSs, it drew the guidelines for the future creation of Frontex.

This chapter served to comprehend how the EU’s integration process set the stage for the securitization of certain modalities of human mobility, specifically asylum and migration. The creation of Frontex cannot be interpreted just as a regular process of legislation. It is foremost a consequence of the infiltration of the security logic in the policymaking institutions of the EU since its inception. The professionals of security have historically invested senses of urgency and suspicion. To assure their positions of power, they promote a language of law enforcement and intelligence to categorize and manage issues that should be treated along frameworks that assure public disclosure and accountability. The dynamics initiated in the Trevi Group, continued to be repeated as a scheme of policy making based on professionalization and secrecy.

Chapter 4: Creation of Frontex as a Security Agency

The European Council and Commission began a process of legislation to harmonize the border regimes along the MSs, culminating in the Council Regulation (EC) 2007/2004 that created an ‘European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union’ also referred to as Frontex (**frontières extérieures**) (European Council, 2004; Bayanaa, 2017; Leonard, 2009; Neal, 2009) with headquarters in Warsaw, Poland, starting activities officially on 1 May 2005.

The creation of Frontex coincided with a series of events that deepened the association between security and border control. In general terms, these can be summarized as three elements:

- 1) The end of the 90's and beginning of the 2000's were marked by the proliferation of so-called fail states along the African continent, unrest in the Middle East and the end of the Cold War, that caused an influx of mixed migrant flows towards Europe, defining the way in which the EU, MSs and Schengen Associated Countries (SAC) pursued the implementation of diverse measures to reinforce a communitarized approach to border management, and thus, the general governmentality matrix conforming the EU and the Schengen space (Chillaud, 2012).
- 2) The attacks on September 11, 2001, in the United States and the bombings in Madrid on March 11, 2004, prompted a sense of emergency and generated concerns about the permeability of borders. The incidents also brought into question the capacities of transnational terrorist networks.
- 3) The subsequent expansions of the EU that integrated new MSs along the Post-Soviet space brought a new dimension to the common external border. In 2004, the EU's enlargement created a geopolitical expansion that demanded the newly integrated MSs have diversified capabilities to exercise a degree of control over the border-zones in coordination with the standards of the Schengen acquis (Jorry, 2007).

However, Neal (2009) argues that Frontex represents the logical continuation of the EU integration process, implying that even if this events gave more grounds for the establishment of the agency, it's creation did not meant an instance of emergency measures, but more to a process of 'increasing normalization' (Jeandesboz, 2017; Neal 2009). Under this view, the agency is created through the

institutionalization of links between policy areas such as external border control, asylum and anti-terrorism policy that have formed not simply in the statements of politicians, but in the complex technologies, knowledges and techniques of European governance themselves. These technical and governmental links are expressed in the diverse array of operational practices of Frontex. (Neal, 2009, pp. 352-353)

This means that Frontex is studied as an element conforming the EU's Security Apparatus, since it's related to 'various agencies, tools, policies and systems that attempt to [establish effective] control at the border, within the border and by extension, across the border' (Triandafyllidou & Dimitriadi, 2014, p.147). Coming back to the transnational characteristic of the external border and its management; this is defined further in a strategic concept presented formally by the Council in 2006 called Integrated Border Management (IBM). The components of the IBM accommodate topics such as border control through checks and surveillance based on risk analysis and crime intelligence (Council of the European Union, 2006) which also implies the 'detection and investigation of cross border crime' (p.4). The strategies of IBM also define a 'four tier access control model' an essential element of what in the future will be Frontex spaces of security practices, and are listed and described on the following quote;

First tier: Measures in Third Countries (countries of origin and transit of irregular migration) including exchange of information and consular activities related to visa and training to the respective officers aiming at trackling irregular migration on its source.

Second tier: Measures with neighboring Third Countries including cooperation between authorities for border control through standardized mechanisms and proper information sharing.

Third tier: Border Control measures at the external borders including systematic border checks and detection of any criminal activities on the basis of risk analysis.

Fourth tier: Measures within the Schengen area (including additional police checks, police cooperation and risk analysis, both aiming at preventing and trackling irregular migration) and return.

(Frontex, 2019, p.14)

The fourth tier access model shows again the correlation between the Centers of Calculation and the *habitus*, and its importance relies on the fact that Frontex is implemented as a tool for the effective configuration of the IBM strategy. The main tasks of the agency are listed as the following:

1) coordinating operational cooperation between Member States regarding the management of external borders; 2) assisting Member States in the training of national border guards, including establishing common training standards; 3) conducting risk analyses; 4) following up on developments in research relevant for the control and surveillance of external borders; 5) assisting Member States when increased technical and operational assistance at external borders is required; and 6) assisting Member States in organising joint return operations. (European Council, 2004, Article 2, paragraph 4)

From these six tasks listed in the regulation, the main terms are coordinating, conducting and assisting, which shows the general competences of the agency. Frontex aims to support MSs without interfering in ways that could be perceived as a reach on sovereignty, while at the same time, keeping a communitarized approach. In this research, these tasks are divided in two spheres of security practices. First, (Re)production of Knowledge approached through the concept of Centers of Calculation. This implies the conduction of risk analysis and research relevant for the control and surveillance of the external borders. Second, the Physical Interventions approached through the concept of *habitus*, which refers to the coordination of

operational cooperation, establishing common training standards, assisting at the external borders and organizing joint return operations.

4.1. Risk and Surveillance

To maintain the ideals of the Area of Freedom, Security and Justice (Huysmans, 2006) a set of computerized information sharing mechanisms has intersected with Frontex to gather and turn data operable. This led to the formation of a network linking databases and institutions that ended up being connected or integrated into Frontex's Information Technology Systems. A clear example of this is the Center of Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI) and its relocation into Frontex's databases in Warsaw (Van Munster, 2009; Chillaud 2012). Later, the creation of the Risk Analysis Center (RAC) within Frontex triggered the need for an information exchange procedure in the form of a standardized model that could be easily replicated.

As a response the RAC demanded the presentation of information into a specific format, the so-called Common Integrated Risk Analysis Model (CIRAM), that conceived a professionally oriented information network formed by the EU MSs border control authorities and demanded the inclusion of experts from each EU member state to contribute to the sharing of information, establishing access to the MSs border situation's data (Satoko, 2016). Eventually, the model of Risk Analysis became the standard form that materialized the process initiated with CIRAM and the RAC (Jeandesboz, 2017) and consequently influenced the foundation of the Frontex Risk Analysis Network (FRAN) that will come to substitute the RAC.

The notion of risk promoted by the agency entails three main concepts. First, threat is described as a 'force or pressure acting upon the external borders', considered under the 'magnitude' and 'likelihood' of components conforming and determining migratory trends, implying for example, the routes and actions taken over by migrants, profiling of individual

‘irregular migrants’, tendencies, and expectations; push factors and routes (Frontex, 2012. Cited in: Satoko, 2016). Second, vulnerability is considered as the ability of the MSs to respond to cases of irregular migration. The factors used to evaluate this are terms like border permeability and the effectiveness of operations. Third, impacts are treated as possible outcomes derived from the threats, present either at the border or in the internal area of the union (Frontex, 2012b. Cited in: Satoko, 2016).

The risk oriented language of the agency represents a slight move from the traditional understanding of threat, since it not only attends to the present temporality of these identified threats, but it implies a strategy of anticipation. Being a term commonly associated with finance and economics, it has a technocratic feature that relies heavily on statistical methods and probability (Ewald, 1991; Hacking 1993. Cited in: Petersen, 2011) creating the possibility for ‘measurement, management and control’ (p.697). Risk is then both a concept and practice (Neal, 2009), it's described as a ‘*dispositif* [that] denotes a series of micropractices [being an example] of diversified technological governmentalities’ (p.349). In this sense, Frontex’s Risk Analysis Model (RAM) attends on one side, to the risk that human mobility poses, and on the other, to the permeability of the MSs borders; this has an interplay, since is not only the risk this two features represent, but also the risks that they are subjects of. As such, this risk approach ‘relies on actuarial like data, modeling and speculations that do not simply call for the elimination of risk, but develop strategies to embrace it’ (Aradau et al., 2008, p.149).

In consequence a generalized surveillance assemblage is needed to attend this risk-based perspective of security, and one of the moves of the EU to reinforce the IBM along with Frontex was the creation of the European Border Surveillance System (EUROSUR). It was formally set in October of 2013 through Regulation (EU) 1052/2013 (European Parliament and Council, 2013) as a following up communication from the European Commission emitted in November 2006 relating to ‘Reinforcing the management of the European’s Union southern

maritime borders' (European Commission, 2006. Cited in: Bayanaa, 2017). EUROSUR is described as a

common framework for the exchange of information and for the cooperation between Member States and the Agency in order to improve situational awareness and to increase reaction capability at the external borders of the Member States of the Union ('external borders') for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants. (European Parliament and Council, 2013, Article 1)

EUROSUR appears as a multipurpose system, since it is also design to coordinate border control activities amidst MSs and selected third countries and a 'computerized network' for the compilation, transfer and inquiry on the surveillance information regarding the EU's external borders (Jeandesboz, 2017; Satoko, 2016). It works as a network composed of National Coordination Centers (NCCs), providing a platform for communication between the NCCs (and thus, the national authorities in charge of border control activities of the MSs), Frontex, and technological devices implemented as surveillance tools such as satellites, 'unmanned aerial vehicles and radars' (Frontex,2020). All the data provided by these organisms is oriented towards the crafting of a 'Situational Picture' (SP) delineated as a 'graphical interface' that enables the display of almost real-time data and information collected among distinct authorities, platforms and surveillance devices that monitor the external borders (European Parliament and Council, 2013, Article 2, b; Jeandesboz 2017).

Each MS develops its own SP and then, these are gathered and send to Frontex, which sets and maintains the European Situational Picture (ESP) and the Common Pre-Frontier Intelligence Picture (CPIP); this last one is conformed with information provided by third countries cooperating with EUROSUR, EU immigration officials and provisional data from surveillance systems (Pugliese, 2013), information that will later be filter to the Frontex Risk

Analysis Network (FRAN). The European Commission states that all this process is oriented towards the formulation of ‘Situational Awareness’, defined as:

the ability to monitor, detect, identify, track and understand irregular cross-border activities to find reasoned grounds for reaction measures on the basis of combining new information with existing knowledge, and to be better able to reduce the loss of lives of migrants at, along or in the proximity of, the external borders’. (European Parliament and Council, 2013, Article 2, b).

To summarize, EUROSUR augmented the efficiency of Frontex in 3 ways; first, it rendered to generalized surveillance the southern maritime borders; second, it settled a network for the interconnection of identification, police, and military control systems within the MSs and EU organisms, and; third, EUROSUR reinforced the operational logic of ‘pre-frontier’ space under the scope of the FRAM (Triandafyllidou & Dimitriadi, 2014). This last element, the FRAM and its allocation and constitution on the FRAN, demands special attention, since it provides the EU with the capacities to depict baseline scenarios, cross-cutting views of what a ‘normal’ situation at the EU external borders looks like. This is reflected in the yearly publications made by the agency in the form of an Annual Risk Analysis (ARA), available on the webpage for public disclosure.

The result of this ARA is constituted by analytical and narrated features, organized into a situational picture (Jeandesboz, 2017). In the words of Jeandesboz (2017), the ARA ‘examines current developments in relation, for instance, to seasonal expectations about border crossings and [establishes] whether contemporary trends reproduce or diverge from past trends’ (p.272). This is crucial for the identification of trends during ‘extraordinary’ migratory events and the posterior physical interventions.

4.2. Contact Zones and Joint Operations

Since the agency is focused on cooperation with MSs on the external borders, it is logical that the Mediterranean Sea is one of the pre-frontier spaces that has been more problematic for the agency and MSs police, border, and coast guard authorities. Given the tightening of the land routes, the visa system, and the lack of channels to apply for asylum in third countries, an increasing number of people from different nationalities have turned to the Mediterranean Sea as a route to reach the EU (Bayanaa, 2017). This is evident in the identification of contact zones made by the agency, where the main points of tension extend along the countries that have a shore in the Mediterranean, or the land routes being taken after arriving to Greece and Bulgaria, which is mainly the western Balkans. Frontex identified priority areas or ‘contact zones’, taking in consideration past, present, and future trends based on the ARA. These have included: 1) the contact zone between Spain and Morocco (western Mediterranean); 2) the contact zone between Italy, Tunisia, and Libya (central Mediterranean), 3) the contact zone between Greece and Turkey (eastern Mediterranean) and 4) the contact zone in the Western Balkans (Frontex, 2016; 2024).

Prior to the 2015 crisis, these zones had already been selected for the deployment of Joint Operations based on the ARA of previous years. Although there are more Joint Operations and activities that were carried on by the agency in coordination with MSs and SAC, for practical matters only the ones attending to the main routes that were intervened during the 2015 crisis and the zones of priority or contact zones identified by the agency will be listed and described below.

In 2006, Joint Operation Hera started based on a request from Spain after an increase in ‘migrant’ arrivals to the Canary Islands, followed by Hera II and Hera III. Senegal and Mauritania participated in the missions, countries that Spain already had bilateral agreements with. The main objective of the Joint Operation is described as strengthening of ‘the security

at the EU external borders by assisting Spain in the identification of nationality and country of origin of the illegal migrants arriving to Canary Islands to facilitate possible return activities' (Commission of the European Communities, 2008, p.6).

Joint Operation Poseidon also started in 2006 based on a request from the Greek authorities for assistance mainly of surveillance operations. The initial sea-based operation, focusing on the Aegean sea, evolved by 2007 to include the land border at the Evros river. The main objective is described as

organizing joint patrols of the assets and personnel provided by the Member States (...) as well as border checks at the border crossing points on persons and vehicles (...) at the main border crossing points between Greece and Turkey (land and sea borders) Greece and albania (land border), Bulgaria and Turkey (land and sea borders) and the seaports of Greece and Italy (pp.13-14).

Since 2011, the operation was placed permanently and has been expanded in the following years (Jones, 2017; Statewatch, 2022).

Joint Operation Hermes was deployed in October of 2007 based on a request from Italy attending to the Central Mediterranean contact zone attending to 'illegal immigration (...) coming from North African countries and disembarking in Italy and Spain' (Commission of the European Communities 2008, p.13). In November 2014, it was later superseded by the Joint Operation Triton. The operation served as a means to cooperate since previously the Operation Mare Nostrum deployed in 2013 and solely run by Italy, proved to be too costly for a single country to manage (Speri, 2014).

Frontex's interventions are considered by diverse human rights organizations and non-profit organizations as one of the factors that influenced a growing number of people to choose the dangerous route of the sea to reach the EU. This includes resorting to smugglers, since their operations and the request for intervention made by the MSs (Satoko, 2016) are perceived as

measures of deterrence (Triandafyllidou & Dimitriadi, 2014). The agency may be seen as being responsible for the biopolitical engineering aimed at altering human mobility in the Mediterranean Sea. Creating the narrative of a fight against illegal immigration, it has directly affected the conditions that migrants and asylum seekers must endure to find safe routes in order to reach European soil.

Chapter 5: The 2015 Asylum and Migration Crisis

This chapter will describe broadly the four main elements that led to the framing of the phenomenon as the asylum and migration crisis. These factors include: 1) the Syrian conflict; 2) the deterioration of living conditions in the regional neighboring countries in the Middle East; 3) The deficiencies of the EU asylum system and; 4) the influence generated by the media coverage. Followed by an analysis of these factors, Frontex's role during the crisis will be addressed.

5.1. The Syrian Conflict

According to Iglesias et al. (2016) based on a compilation of data provided by the International Organization for Migration (IOM), during 2015 around 1,047,000 people arrived in Europe, from this 34,887 attempted through land routes and 1,011,000 through sea routes. This number is '5 times larger in comparison with the previous year' (p.12). The source of these arrivals is directly related to the large number of displaced persons coming from the Syrian Arab Republic, which in 2015 represented 50% of the total, followed by nationals from Afghanistan (20%), Iraq (7%) and Pakistan (2%). It is important to note that 'all these countries are affected to a different degree by armed conflicts, political and economic instability and severe situations of risk and threats for the local populations' (p.11). This makes the distinction between migrant, illegal immigrant, economic migrant or asylum seeker more complicated, thus the constant reference to mixed migrant flows and collectives.

Before 2015, Syria had found itself in an uncertain and complex situation where military escalations between various actors of different characteristics (transnational, regional, national and non-state) severely aggravated the living conditions of the population. The degree of fragmentation and sectarian violence that was created is known as the Syrian conflict. The phases and development of the conflict will be described broadly.

In 2011, public demonstrations took place in countries along the Middle East and North Africa. This regional phenomenon was known as the Arab Spring. It was a series of socio-political movements that, in the case of Syria, demanded for a change of the regime led by president Bashar Al-Assad. The Syrian government decided to crack down on the protestors using coercive methods. This quickly aggravated the situation, which turned into an armed conflict by 2012, mainly between Syrian Military Forces and the Free Syrian Army (FSA). The fighting extended to the capital Damascus, and the city of Aleppo, considered to be the most important urban enclaves. Later, as the pressure increased on Assad's regime, Iran and Hezbollah came in support (Alba, 2018).

By 2014, the Jihadists groups Al-Nusra and ISIS started to gain ground in the territory. The latter, characterized by its sectarian nature and methods of extreme violence, managed to take control of the city of Raqqa. To these factions, Kurdish militias like Peshmerga and the PKK were also added. In September of the same year, an international coalition led by the US increased the scale of the conflict and its complexity. Focusing mainly on an air-based offensive targeting ISIS, the coalition counted with the participation of Jordan, Bahrain, Qatar, Saudi Arabia and United Arab Emirates. In 2015 France and the UK will also join this coalition. Russia will come in support of Assad's regime, also targeting ISIS and Turkey has its own military operations at the borders with Syria against Kurdish militias (Schelb, 2017).

This degree of complexity prompted a large-scale displacement, as civilians were deprived of their means of existence in the social, economic and political sphere. The conflict

is considered to still be on-going. With no short term resolution in sight, Syrian nationals carried out a mass exodus, with the first movement being to the neighboring countries surrounding Syria (Sancha, 2017).

5.2. Deterioration of Conditions in Neighboring Countries

Geographic location invariably played a determining role in the movement of displaced persons in the case of Syrian nationals. The data presented by the UNHCR (2016) in its global report, shows that by 2015 the Syrian conflict generated an estimated 6.6 million internally displaced persons and 4.9 million refugees. Of these, Turkey received 2.75 million, Lebanon 1.03 million, Jordan 0.63 million, Iraq 0.25 million and Egypt 0.19 million. (UNHCR, 2016; Vermeulen, 2018). Syrian nationals were registered as refugees by the UNHCR. They are granted a temporary protection status, that is generally, based on the possibility of residing legally in those countries while a resolution to the Syrian conflict is awaited. If the resolution is failing they are offered resettlement in third countries (Devia-Garzón & Bautista-Safar, 2017). As put on 1951 convention, a refugee is described as:

Any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, unwilling to avail himself of the protection of that country. (Article 1 A.(2), Convention Relating to the Status of Refugees. Quoted in. Orchard, 2014,p. 2)

It is clear how the article refers to the refugee as an individual outside its country of origin, and more importantly, the inability of coming back to a place where security and integrity cannot be guaranteed. This implies that the national territory where the refugee arrives in its first move has the obligation to manage its status under the norms of the 1951 convention. Nevertheless, these norms have worked as merely recommendations, and the role of

International Organizations and NGOs has been limited to the margins of regulations and the particular conditions of the hosting countries.

At the start of the civil war, solidarity was shown by the governments of Turkey, Lebanon and Jordan. The international community also intervened, building a scheme of cooperation based on the Regional Response Plan of the United Nations High Commissioner for Refugees. The program counted with the participation of 55 international organizations, and it encouraged the EU and the US to aid civilians escaping from Syria. The main issue resides in the fact that these countries cannot be considered either as a safe host country, or a safe third country under international law. Since they don't count on the economic and social infrastructure to endure this population growth, the arrival of these collectives represented another factor of instability (Ghotme & Garcia, 2016).

In Lebanon, the refugee population by the end of 2015 accounted for 25% over the total (Iglesias et al. 2016). Being the most affected country in the region, effects are shown in the demographic composition that has increased ethnic tensions (Ghotme & Garcia, 2016). Regarding international protection, the country is neither part of the 1951 convention or the 1967 protocol. This has translated into informal camps and settlements, where refugee collectives face an increased lack of assistance.

Turkey has granted temporary protection under the 1967 protocol. The UNHCR in coordination with Turkish authorities have set formal camps. However, around 90% of the Syrian nationals have settled on urban enclaves (Iglesias et al. 2016). Camps are perceived by these collectives as spaces that deprive them from autonomy and socio-economic mobility.

In the case of Jordan, the 1951 convention was not ratified by the government. The humanitarian assistance has been offered through economic aid granted by the US. This has raised concerns over the politicization of humanitarian aid since Jordan is a key ally to the US. Thus the country reserves the provision of protection. Based on national security concerns, as

camps are perceived to be spaces of radicalization and cooptation for armed groups (Shchelb, 2017).

This deterioration of living conditions experienced by these displaced populations in the host neighboring countries or in their first movement has then been mentioned as a determining factor in their posterior arrival to the EU. In general the shortcomings faced are; 1) Limited integration in the labor market, unemployment, informal work and precarious employment; 2) Economic, social and judicial vulnerability; and 3) Dependence on humanitarian aid (Iglesias et al., 2016).

5.3. The Deficiencies in the EU's Asylum System

The crisis reflected an increase in the number of new asylum applications filed in 2015 in the EU; 1,257,030 new applications for international protection represented an increase of 123% over 2014 (Eurostat data. Cited in; Iglesias et al., 2015). Regarding asylum applications, 362,800 were of Syrian origin, being 29% of the total number of applications made at the EU's MSs (Ferrero-Turrión, 2016). This increase in flows generated an inability for coordinated action within the agencies and institutions in the EU, undermining the procedures through legal channels in order to submit asylum applications. Illegal smuggling networks became attractive to migrants (Iglesias et al., 2016). In the case of the Dublin Convention system, it demanded that the first country receiving the refugee be responsible for carrying out the asylum application process. This created an asymmetric pressure with respect to the MSs that geographically served as the external border to the EU.

As reviewed previously, the main route in 2015 was the Eastern Mediterranean through Turkey and Greece. In this way Greece became one of the main receiving countries in the Schengen area, and under the Dublin III regulation, the management, identification and subsequent process of accepting or rejecting the asylum application fell fully on the competences of the Greek national authorities. This is how progressively a considerable

number of people were left in a legal limbo while waiting for a resolution of their status. This eventually deteriorated the conditions of assistance in the country, which were already facing some difficulties given that Greece was receiving a regular migratory flow since 2012. Moreover, it is important to remember that by this time Greece was still in the process of recovering from the effects of the 2008 financial crisis. This was how a partial collapse in the Greek asylum system came to be, which encouraged migrant collectives to move northward to Europe via Croatia, Serbia and Hungary to countries such as Germany, the Netherlands and Sweden (Holmes & Castañeda, 2016).

On the eve of the crisis, the incapacity of the Common European Asylum System (CEAS) to establish burden sharing mechanisms and cooperation among the MSs caused contradictory opinions and uncoordinated decisions (Heisbourg, 2015). Germany adopted an open-door policy, abolishing Dublin III, being one of the countries with the highest rates of applicant acceptance, especially when they were made by Syrian nationals (Schelb, 2017). Meanwhile, Hungary undertook the reinforcement of their border controls in an attempt to persuade the collectives from taking the Western Balkan route or make an asylum application in Hungary (Schelb, 2017).

These uncoordinated responses expose the main failures that aggravated the crisis; UNHCR regulations that leave room for interpretation to the receiving states that process the request, the inability of Dublin III, CEAS and the EU as a whole to operate in the face of the massive arrival of displaced people and the disparities and asymmetries in the responses of EU MSs.

5.4. Influence of Media Coverage

A factor that added substantially to the construction of the event as a crisis was the influence of how specific events were covered by the media. Incidents were portrayed as immediate tragedies in the Mediterranean, rather than occurrences related to the lack of

channels of asylum and the securitization of human mobility on an EU scale. Shipwrecks in both the central and eastern Mediterranean, as well as in the Aegean Sea made up a statistic of 1,850 dead or missing by July 2015; in total in that year alone accumulated a number of 3,771 (Frontex, 2016; UNHCR, 2016).

For example, the photos of Aylan Kurdi, a Syrian child who drowned in the Turkish shore of Bodrum was positioned as a symbol reflecting the drama of the crisis. These photographs illustrated a phenomenon that is often reduced to mere statistics, as explained in the following excerpt:

The photographs of Kurdi did not produce new information about the refugee crisis as such (...) What made the photographs so powerful were their ability to shift the epistemic terrain of the migration discourse from numbers and statistics to an identifiable human with a face, a body, and a life story (Adler-Nissen et al., 2019, p.2).

These photographs generated a personalized impact and made the event visible unlike the annual reports published by the UNHCR. The Kurdi's family was displaced from Kobani, a town in the northern region of Syria where armed clashes between forces of the Islamic State and Kurdish militias (supported by the United States) took place. However, faced with bureaucratic hurdles and deteriorating living conditions in Syria due to the intensification of the civil war, they decided to undertake the journey to Europe via the eastern Mediterranean maritime route. The family, like many others, resorted to smuggling networks in the face of a systemic blockade on legal methods to obtain asylum (Adler-Nissen et al., 2019).

The main means of dissemination after the photos were published in the Turkish based *Doğan* news agency was the social network Twitter. According to data collected by researchers at the University of Sheffield in the United Kingdom, every hour 53 thousand tweets referring to the topic emerged on the social network, with the use of the word refugee surpassing that of migrant (D'Orazio, 2015.)

Another interesting aspect is the use of the terms to refer to the international migratory event. On September 2, after nine months that both words (migrant and refugee) maintained similar use on Twitter with a number of 5.2 million tweets (migrant) and 5.3 (refugee) respectively, the word refugee came to lead with 6.5 million tweets against 2.9 for migrant (D’Orazio, 2015; Morani et al. 2015). According to data from Google Trends (2015 in D’Orazio, 2015), between August 30 and September 15, there was a sharp increase in searches related to the term “refugee crisis in Europe” from 11 million searches to more than 100 million worldwide.

This semantic shift on these categories is an important dimension, since it moved the crisis from a migration to a refugee crisis, even considering that most of the people conforming to these collectives arriving in Europe were coming from countries experiencing a severe deterioration on economic, social and political conditions. It prioritized the image of the refugee and it deepened the ambiguity surrounding the concepts of immigration, with its relation to illegality or irregularity. As it would be studied in the following section, it was a semantic implication for the security practices of Frontex.

5.5. Frontex Role During the Crisis

Frontex maintained the deployment of the Joint Operations; Hera, Poseidon and Triton granting special attention to ‘combating people’s smuggling networks, trafficking of human beings and other cross-border crimes’ (Frontex, 2016). As the pressure on the Mediterranean routes increased, Triton was reinforced by an external operation conducted by the European Union Naval Force Mediterranean (EU-NavFORMe) (Médecins Sans Frontières, 2024) called Operation Sophia that extended to Libya’s territorial waters with the objective of dismantling smuggling networks. Meanwhile, Poseidon was supported by Poseidon Rapid Intervention under the scheme of the Rapid Border Intervention Teams (RABIT) (Frontex, 2015b). Regardless of the commitment to fundamental rights and the constant mention of saving

migrant lives and search-and-rescue activities, *Médecins Sans Frontières* (2024) notes that none of these operations had a ‘specific search-and-rescue mandate’ (paragraph, 13).

This is also reflected on the ARA of the following year, that even if it mentioned search-and-rescue activities, it mainly listed detection of illegal border crossings, detections of persons staying illegally, return operations, refusal of entry, detection of facilitators and detection of fraudulent documents (Frontex, 2016).

5.5.1. Search-and-Rescue or Rescue through Interdiction

The shift in the categorization of the crisis from a migrant crisis to a crisis mostly focused on asylum, allowed to create a distinction on the entitlement to mobility; the refugees, and specifically in this case, people holding Syrian passports, were granted international protection. However, this category of people on mobility was already, as shown in the previous sections, securitized or being operated within the Security Apparatus of the EU’s governmentality structure, meaning that Frontex, even if it had predominantly and intelligence and police-like language and vision, ended up operating along the lines of humanitarianism during the crisis.

This has led to some scholars such as Moreno-Lax (2017) to speak about a *humanitarianization* of the external borders of the EU, conforming a dynamic of control and care; care-through-control/control-through-care, or as the authors refers, rescue-through interdiction, a speech and practice that projects smugglers as the immediate source of non-authorized migration, as subjects that exploit the desperate needs of migrants, and these last ones are victimized and protected from abuse through their neutralization as political subjects. Irregular migration and uncontrolled transit are presented as a factor to be eradicate, not only the irregular or extraordinary influx but its same mobility, turning the scope on facilitators, instead of the lack of channels for safe and ordered mobility created by the EU immigration

and asylum policies and Frontex's activities along with the authorities of the MSs. As this quote illustrates

Having saved lives at sea, these lives are then processed according to rules that foresee their detention and identification, at times culminating in deportation. Similarly, Frontex's claims Human rights are framed as addressing migrants' vulnerabilities to exploitation and right abuses. In focusing on rendering specific bordering practices rights-compliant, they simultaneously legitimize EUrope's right to control its border and to exclude those who are deemed unwanted. (Perkowski, 2023, p.467)

The agency combined an emergency oriented approach that 'coexist[s] with a technocratic risk-management approach' (Perkowski, 2021, p.50). This is evident in the focus on search-and-rescue operations as part of the Joint Operations' general surveillance and patrolling activities.

5.5.2. The Hotspot Approach

To achieve a correct registration, quantification, and management of a group of people, the need for a delimited, monitored and organized space becomes compulsory. This can be noticed in the case of the creation of the so-called Hotspots (Tazzioli, 2018). The Dublin System became the first instrument to be weaponized in order to limit the mobility of these collectives once they reach the EU, which was commonly either arriving to Pozzallo, Taranto or Trapani in Italy, or to the Greek islands of Lesbos, Kios and Mitilíni (Moreno-Lax, 2017). These areas are used as hotspots for the categorization of individuals and thus, the splitting of these collectives into singular cases, identifying who can claim asylum, and who is defined as an illegal or irregular migrant, and will undergo a process of return (Tazzioli, 2018). For this process of identification, the agency has deployed different officers such as Fingerprinting and Registration Experts, Advance Level Document Officers (ALDO), Interpreters/Cultural Mediators, Screening Experts and Border Surveillance Officers (Frontex, 2020).

Categorization and registration at the hotspots responds to a logic of control ‘through punctual sites and moments in which migrants are identified and that, however, must be situated within a landscape of channels and infrastructures for containing, portioning and disciplining mobility’ (Tazzioli, 2018; 2767). It serves as a space for the gathering of biometric data. The registration of fingerprints, interviews (interrogation) and verification of documents appears to ‘virtualize’ in a database the physical features of migrants. This has created criticism since migrants and asylum seekers are fingerprinted by Frontex’s officials, police and coast guard agents at the ‘hotspots’, detention centers and transit zones once they reach the EU. In this way, people are categorized and then presented into data through the FRAM, information which disseminates along the network of FRAN, creating a ‘migrant profile’ or ‘digital stereotyping’ in which the human body turns into a ‘virtualized’ data aggregation flowing through the network.

According to Pugliese (2013), the link between IT-systems and biometric creates a procedure of identification that relates persons to registered identities, where the border turns into a component of this typified persona, which is aimed at specific populations or groups of people. This identity is verifiable at diverse points of access, and is interconnected to different databases, making it a device of control, integrated into people's physical attributes, findable at any space where these features are identifiable. It thus allows for ‘the extension of the function of the border as selective and discriminating barrier, beyond the actual geographic line of the inside of the country [political entity], effectively inscribed on people’s body (Van der Ploeg, 2005,p, 115.Quoted on: Pugliese,2013,p.585)

These methods add to the production of so-called risk populations. Individuals and groups that are categorized as a potential risk or threat are not fully entitled to mobility within the Schengen area. Under this strategy of biometric collections, the objective is to monitor ‘individualize[d] groups as groups at risk or risky groups’ (Bigo, 2006, p.88). This coincides

with the general trend related to human mobility and border control that has been presented on this study, describing how in the ‘post-9/11 globalization [two dynamics coincide: 1)] the world of legitimate and productive movement that is to be fostered and expedited, [and 2)] the world of illegitimate and suspect movement that is to be stopped, questioned and detained’ (De Goede, 2008, p.158).

Since the moral economy of the hotspots prioritizes refugees over economic or irregular migrants, the latter are classified as illegal when their asylum claims are denied. In contrast, the deserving refugee is depicted as an innocent subject in need of assistance. The concept of innocence is on a practical basis, *la raison d’être* of the humanitarian discourse, it has the potential to turn the refugee into an apolitical subject of protection, even when its essential factors that determine its mobility are geopolitical struggles.

A narrative focus on the concept of altruism and innocence (Ticktin ,2017; Fassin, 2005) has a double function: first it distracts us from perceiving the power relations between the one who helps as a privilege and superior subject that holds the ability and knowledge for providing help to the needed one, reproducing a biopolitical order of organization (Rozaku, 2012), and second, on the rhetorical dimension, it mystifies the material, historical and empirical causes related to the misery of the needed one.

The paradox seen in the 2015’s crisis is that it was framed as a humanitarian issue, but managed through the lines of law enforcement and intelligence. Thus it was transformed into a confusing and abstract situation where its underlying geopolitical causes are obscured. The mobility of people is affected by political decisions, which are shaped by the structure of global capitalism (Žižek, 2015). Fundamentally, refugees are transnational political actors, facing the struggles of a system that conditions people’s right to move in relation to entitlements to mobility.

Chapter 6: Frontex Reforms; Presentation and Discussion of Findings

In 2016, Frontex published the ARA for 2015. In the document the agency reported 1,822,337 cases of illegal border crossings at external borders (Frontex, 2016), this increase is due to the double counting at Border Crossing Points first in Greece and then at the borders of Central European states (Kugiel, 2016). From this total, the majority occurred at the contact zones that have previously been identified by the agency, and where joint operations were deployed on previous years, being this: the Eastern Mediterranean that presented the biggest difference in comparison with the previous year with 885,386 detections, an increase of 1882% (Frontex, 2016) and the Western Balkans with 764,038 detections, an increase of 1662%. Meanwhile, the Central Mediterranean presented 153,946 detections and the Western Mediterranean with 7,164 detections (Frontex, 2016) without a meaningful difference from the previous year.

The main group were nationals from Syria, representing 33% of the total, followed by non-specified (31%), Afghan nationals (15%) and Iraq nationals (6%) (Frontex, 2016). The emphasis on ‘illegal border crossings’ and the presentation of this ‘disproportionate’ increases on the contact zones enhanced the narrative of the crisis, not only as humanitarian, but also as a crisis of the external borders, and thus, the Schengen area and general interpretation of internal security in the EU.

6.1. Capitalization on Crisis Scenarios

Crisis scenarios can be capitalized with the objective of achieving political compliance (Eldelman, 1977; Jeandesboz & Pallester Wilkins, 2014. Cited in: Perkowski, 2023) as they bring the possibility for diverse agents to elaborate on ‘three claims: 1) that the particular event or sequence thus labeled is different from the political and social issues (...) routinely confront; 2) that it came about for reasons outside of political leaders, [and]; 3) that it requires sacrifices in order to surmount it’ (p.113). Crisis then, produces spaces for governing, or a governmentality of crisis. This implies a change in the understanding regarding the temporality

of a crisis episode, and allows to return to the theoretical framework that has run this research, where the concept of acute and protracted crisis describe the dynamics of Frontex; a constant implementation of crisis as normality, but also, as crisis as exceptionality.

For this, the concepts of acute and protracted crisis developed by Perkowski (2023) are of high importance. Acute crisis refers to the narrative framing of events in terms of emergency, this to say, it is a discursive strategy oriented to the production of urgency and thus, it sets the stage for specific actors/agents to demand ‘emergency interventions’(p.113). On the other hand, protracted crisis refers to a similar discursive method, that differs with the acute crisis in regards to the temporality of the event; it gives continuation to the crisis by investing a sense of uncertainty; it highlights the present, past and future unpredictable nature of the event, creating what could be considered a state of perpetual crisis or a crisis continuum, and thus enables certain actors/agents to demand ‘constant monitoring, patrolling and anticipating future developments’ (p.114). The intersection of this acute and protracted modalities are present in the framing of migratory events by Frontex; even though the agency seeks to publicly project a technocratic approach to risk management, it has actively participated in the configuration of events as protracted crisis through its ARA, and it has also capitalized on the discursive configuration of acute crisis declared by other actors; such is the case of 2015 asylum and migration crisis. The expansion of the agency after 2015’s crisis was firstly noticeable in its budget increase, and a review of past budgetary increases shows how they came after declarations of crisis: the agency’s planned budget was increased repeatedly in response to migratory events framed in the Mediterranean, including in 2011, 2014 and 2015 (Reekum et al, 2017).

In 2011, the declared crisis was related to a perceived loss of control over EU borders, as increasing numbers of individuals left from Tunisia and Libya at the height of the Arab Spring. In 2014, Frontex’s budget was increased to allow it to step in for Italy’s Mare Nostrum

operation, justified by a need for continued search and rescue activities. The 2015 budget increase came in response to the capsizing of several individuals in a single incident in April of that year (European Council, 2015. Quoted in: Bayanaa, 2017). Accordingly, the overall budget of the agency went from 97.25 million of euros in 2014 to 143.3 in 2015 and 232.8 in 2016 (RSA-PRO ASYL, 2019). Related to this, Perkowski (2023) declares how ‘Frontex narrates migration as protracted crisis, by continuously invoking migration as an ever present threat to Europe, it uses terms such as exceptional, urgent or crisis only at particular historical conjunctures’(p.114)

The 2015 crisis progressively evolved to a protracted one, transforming the political environment within the MSs and SAC, and it enhanced the sense of uncertainty that allowed the Commission to present a proposal for the reformation of the agency (Campesi, 2023). The lack of cooperation between the MSs, with some of them resorting to the installation of border checks within the Schengen area (Austria, Germany, Denmark and Sweden) (Vermeulen, 2018; Campesi, 2023) created the perception that one of the founding principles of the EU, the area of free movement, was in danger, and that the Joint Operations deployed through the agency and the implementation of hotspots where Frontex also participated, were not enough to secure the IBM under scenarios of emergency (Campesi, 2023). As stated by the Commission: ‘the crisis has shown that beyond these immediate steps, we need to fundamentally rethink the way we manage our common external border’ (European Commission, 2015f, 11. Quoted in: Campesi, 2023, p.108). In addition to this, as it has been a constant in the EU’s approach to internal security, mobility and border control, the connection with migratory events and terrorism was reaffirmed and the anxiety impress in the protracted modality of crisis is present in the following statement, that refers to the detection of illegal border crossings during 2015:

Third-country nationals have been able to cross the external borders of the EU illegally and then continue their journey across the EU, without having been first identified, registered

and subject to adequate security checks. The scale of these huge secondary movements of migrants within the EU has fundamentally put into question the coherence of the Schengen area (...). Security concerns following the terrorist attacks of this year, and the phenomenon of foreign terrorist fighters, have only added to citizens' concerns. (European Commission, 2015g: 2. Quoted in: Campesi, 2023, p.109)

The Commission then, purposely neglected to some degree a reformation of the asylum system within the Union, which was, as discussed in the previous chapters, one of the reasons that contributed to the mismanagement of the migratory event, especially within the MSs that function as the external border and have to process asylum applications under scheme of the Dublin Convention. Instead, it focused on Frontex and the EU's IBM, proposing a reform that would 'fulfill Frontex dual role of coordinating operational border support to member states and helping to save the lives of migrants at sea' (European Commission, 2015a, p.3. Quoted in: Perkowski, 2021, p.51). This dual function was also echoed on the European Agenda for Migration (2015), a communication by the Commission that proposed actions to mitigate the crisis in both, the short and the long term.

First, it suggested a set of guidelines for 'Immediate Action', based on four points that combined both, the need for a reformation of the asylum system and humanitarian assistance with the need to increased security measures to stop trafficking networks and increase security at the external borders, for example, it sought the 'tripling of the capacities and assets for the Frontex joint operations Triton and Poseidon [by] 2016' (p. 2). Second, regarding the pressure created by asylum seekers it recommended 'a temporary distribution mechanism for persons in clear need of international protection within the EU [followed by] a permanent EU system of relocation in emergency situations' accompanied with a 'EU wide resettlement scheme' (p.2). Meanwhile, regarding the smugglers networks, it proposed 'working in a possible

Common Security and Defence Policy (CSDP) (...) to dismantle traffickers' networks and fight smuggling of people' (p.2).

In the long term, the Agenda presents a four pillar initiative that draws deeper connections between Frontex's double function as a tool for effectively achieving IBM but also as a protector of migrant lives. The first pillar then focuses on 'reducing the incentives for irregular migration [by] amending the Frontex legal basis to strengthen its role on return; [and] addressing the root causes through development of cooperation and humanitarian assistance' (p.2). The second pillar is an explicit example of Frontex's dual role and is titled 'Border Management- saving lives and securing external borders'. It pretends to achieve this 'by strengthening the role and capacity of Frontex, [and]; helping strengthen the capacity of third countries to manage their borders' (p.2). The third pillar seeks to 'ensure a full and coherent implementation of the Common European Asylum System [and]; evaluating and possibly revisiting the Dublin regulation' (p.2). Finally, the fourth pillar proposes a 'new policy on legal migration'. The proposal of this action plan was later materialized in the reforms of the agency made by the Commission in 2016 and 2019.

6.1.1. The 2016 Regulation

In October 2016, the reform was officially effective, and it was presented as Regulation (EU) 2016/1624 of the European Parliament and of the Council in September 2016 (European Parliament and Council, 2016). It started by renaming the Agency as the European Border and Coast Guard Agency, but still referring to it as Frontex. The regulation provided the agency with new capacities and wider independence in regards to MSs, understanding IBM as a 'shared responsibility of the agency and national authorities (article 5), which represented a 'significant shift from the previous regulation, in which the responsibility rested solely with member states' (Perkowski, 2021, p., 52). Through Article 4 it underlines search and rescue operations as a

component of the EU's IBM, and describes how these operations 'may arise during border surveillance operations at sea' (European Parliament and Council, 2016, Article 4, section).

The regulation also adds new tasks to the agency, for example Article draws on the elaboration of a 'Vulnerability Assessment' based on a request from the management board. This assessment implies the active monitoring of specific elements that MSs needs to present in order to effectively carry on border management, focusing mainly on 'technical equipment, systems, capabilities, resources, infrastructure, adequately skilled and trained staff' (European Parliament and Council, 2016, Article 13). The assessment then is portrayed as a 'preventive measure' that relies and forms part of the previously established risk analysis model and it intends not only to address the preparation and disposition of the MSs to perform border management activities on a routine-like manner, but also 'their capacity to deal with the potential arrival of large numbers of persons on their territory' (Article 13). This new task is particularly directed to the MSs that conform the external borders of the Union.

Article 20 extends the capacities of the RABIT operations by establishing a so-called 'rapid reaction pool' composed of a standing corps that has to be at the 'immediate disposal of the agency and which can be deployed from each Member State within 5 working days from when the operational plan is agreed upon by the executive director and the host member state' (Article 20, section 5). The number of the standing corps is also specified, being a 'minimum of 1,500 border guards and other relevant staff' (Article 20, section 5). The contribution for this rapid reaction pool is based on the risk analysis and the newly introduced vulnerability assessments that evaluate the pressure the MS is facing in order to make the request for staff.

Finally, it is also worth mentioning Articles 54 and 55, since they reiterate the modalities of cooperation with third countries, also portraying this field as a component of the IBM. It seeks to achieve this by 'encouraging the Agency to 'coordinate operational cooperation between Member States and third countries with respect to the management of the

external borders’ (European Parliament and Council, 2016, Article 54, section 3). In addition to this, it gives the Commission the responsibility to ‘draw up a model status agreement for actions on the territory of third countries’ (section 5). This cooperation is also present in the field of return operations. Meanwhile, Article 55 refers to ‘Liaison officers in third countries’, mentioning a ‘priority for the deployment of liaison officers to those third countries which, on the basis of a risk analysis, constitutes a country of origin or transit regarding illegal immigration’ (section 2). This dynamic, coming back to the concept of *habitus*, reinforces the security environment where professionals of security interact in processes of socialization, exchanging knowledge, visions and practices. The tasks of these officers also entails ‘establishing and maintaining contacts with the competent authorities of the third country, to which they are assigned with a view to contributing to the prevention of and the fight against illegal immigration and the return or returnees’ (section 3).

It is possible then to summarize the most relevant amendments that Regulation (EU) 2016/1624 brought to the agency in both of the dimensions of security practices that this research has traced: On the field of (Re)production of knowledge through Centers of Calculations, it integrated the methodology of vulnerability assessments as an improvement in the risk analysis model, reaffirming the idea that Frontex fluctuates between the risks that migratory events pose to the IBM and the risks that the permeability of the MSs borders represents to the harmonization of the very same IBM.

Concerning the cooperation with third countries in the exchange of information, Frontex has established a series of networks with third countries such as the Western Balkans Risk Analysis Network (WB-RAN), the Eastern Partnership Risk Analysis Network (EaP-RAN), the Turkey-Frontex Risk Analysis Network (TU-RAN) and the Africa Frontex Intelligence Community (AFIC) the agency counts now with access to direct data from key countries that have a role either as an origin or transit territory (Statewatch, 2017).

In the field of the Physical Interventions through the continuation of the *habitus*, it strengthens the relation between surveillance and policing activities with search and rescue operations, asserting Frontex's previously mentioned dual role and portraying search and rescue operations as a component of the IBM; the establishment of the rapid reaction pool asserted the role of the agency also on 'crisis scenarios', and the enhancement of operational cooperation with third countries along the dynamic of liaison officers extended the environment of security professionals. However, Campesi (2023) suggests that more than a complete transformation, the 2016 regulation mostly 'reinforced powers that the Agency was already entrusted with' (p.110). In line with this, the next section will present the 2019 regulation, since it is considered to give more autonomy and competences to the Agency in relation with MSs.

6.1.2. The 2019 Regulation

Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13th November 2019 came into force on the 4th of December of 2019. The regulation aims to diminish the 'operational dependency of the agency on EU Member States' (RSA-PRO ASYL, 2019, p.3). This section will begin with the analysis of Article 10 of the regulation that gives the agency the task of managing the operations of the European Travel Information and Authorisation System (ETIAS from here on). The general functions of ETIAS are formalized in Regulation (EU) 2018/1240 of the European Parliament and the Council. Generally speaking, ETIAS is an entry requirement created for visa-exempt nationals intending to enter the MSs and SAC (European Parliament and Council, 2018). It was created as a strategy to address the 'need for the Union to strengthen and improve its IT systems, data architecture and information exchange in the area of border management, law enforcement and counter-

terrorism' (Legislative Acts, 1). The objectives of ETIAS are listed on Article 4 of the regulation, being one of the most important the contribution to a

high level of security by providing for a thorough security risk assessment of applicants, prior to their arrival at external border crossing points in order to determine whether there are factual indications of reasonable grounds based on factual indicators to conclude that the presence of the person on the territory of the Member States poses a security risk. (Article 4, section a)

Expanding on the very same capacities of Frontex related to surveillance, IT systems and management of data for risk assessment, the 2019 Regulation incorporated EUROSUR under the Agency's mandate (RAS-PRO ASYL, 2019). This is formalized in Articles 18 and 19, bringing together issues of border management with humanitarian concerns by stating that

EUROSUR shall be used for border checks at authorized border crossing points and for external land, sea and air border surveillance, including the monitoring, detection, identification, tracking, prevention and interception of unauthorized border crossings for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving lives of migrants (Article 19, section 2).

Although the regulation makes constant mentions of saving lives and the respect to fundamental rights implied in its view and operations, even creating a Consultative Forum, it also makes a strong emphasis on improving the support of the Agency in matters of return decisions in operations. This is found mostly in Article 48 of the Regulation; while it reiterates that the return decisions will continue to be exclusively made under the competences of the MSs in accordance with fundamental rights, international law and international protection, it also assigns diverse tasks to Frontex that allow the agency to have an influence on this very same return decisions. The article mentions the provision of support specifically related to

the collection of information of third country nationals subject to return procedures and other pre-return related and post-return activities of the Member States, to achieve an integrated system of return management among competent authorities of the Member States, with the participation of relevant authorities of third countries and other relevant stakeholders (section 1,i).

An aspect that stands out in this section is the vision of accomplishing a integrated system of return management; this allows the agency to exercise identification procedures that can be considered as profiling third country nationals, since they are based on the risk assessment logic and ultimately, will have an impact on the return decisions made by the particular MS. Added to this, the presumed cooperation with third countries on this matter is another form of outsourcing these methods of border management. Article 48 continues to assign to the agency the provision of technical and operational assistance to Member States experiencing challenges with regard to their return systems and the formulation, with participation of the fundamental rights officer, of a ‘non-binding reference model for national IT systems for return case management’ (section 1, c). This brings us back to the constant interplay of gathering of data and operational activities; the (re)production of knowledge and the physical interventions in a consistent dynamic of feedback.

Concerning the cooperation with third countries, Articles 71 to 77 treat this issue through the aspects of technical and operational assistance, exchange of information in the framework of EUROSUR, the deployment of liaison officers and the invitation of observers to participate in the agency’s activities. In general, the 2019 Regulation rescues most of the elements of the 2016 Regulation, enhancing the capacities for Frontex to fully cooperate with non-EU states, which includes the deployment of border management teams on their territories (Statewatch, 2022). This has raised concerns, especially on the field of respect for fundamental rights, international law and accountability. Although the regulation made significant

improvements in this field, it has also been noted that ‘Frontex officers enjoy criminal, civil and administrative immunity in the states they are cooperating they are operating in (...) The Frontex executive director has the power to decide whether acts were committed in the exercise of official functions’ (paragraph 6).

In sum, it is possible to summarize improvements and enhancement of capacities that the 2019 Regulation brought to Frontex on both fields of security practices. In the (Re)production of knowledge field, it enhanced the connections between the Centers of Calculation by bringing ETIAS while at the same time improving the first level of the fourth tier IBM access model. It also improved the general capacities of surveillance through the complete incorporation of EUROSUR under the Frontex mandate.

In respect to the Physical Interventions and the *habitus*, it increased the influence of Frontex on the return decisions and operations through the tightening of cooperation with MSs authorities and security officials. In addition, the deployment of border guards’ teams to non-EU countries builds stronger connections and spaces for socialization with border guards and law enforcement authorities outside of the EU.

As of 2024 Frontex counts with at least eight active Joint Operations, being these; 1) Land operation Terra: Covering 11 EU countries from Finland to Greece; 2) Poseidon: Greek sea borders with turkey and the Greek Islands; 3) Themis; central area of the Mediterranean covering flows from Algeria, Tunisia, Libya, Egypt, Turkey and Albania; 4) Indalo; western Mediterranean mainly the stretch between Spain and Morocco; 5) Western Balkans: covering Albania, Serbia, Montenegro and North Macedonia; bilateral operations with 6) Moldova, 7) Cyprus and 8) the Canary Islands (Frontex, 2024).

Conclusion

To conclude, it is important to revisit the methodological framework presented in Chapter 1 with the following question: Does the results of the research prove the existence of the

Theorized Causal Mechanism? The answer is yes, but only to some extent, since other indicators appeared as the research was performed. This will be illustrated through a review of the contents of each chapter that also correspond to the variables and indicators of the TCM.

Chapter 3 presented how human mobility and specifically, migration and asylum went through a process of gradual securitization, as targets of the Security Apparatus and the matrix of governmentality through normalization and institutionalization within the European Union's integration process. The concept of free movement along with the compensatory security measures were integrated in the core principles of the Union's AFSJ. The EU identified the management of the external border as an essential element for guaranteeing internal security. This securitization of asylum and migration is shown as an indicator of the independent variable.

Chapter 4 discussed the creation of Frontex as a tool for the harmonization of the common external border after the EU 2004 enlargement and how it is built along two dimensions of security practices, (Re)production of knowledge through Centers of Calculation and Physical Interventions through the *habitus* in the management of the multi-level border regime of the EU, to then become one of the main axis in the strategy of Integrated Border Management. These two fields of security practices that form the tasks of Frontex are seen to be the indicators relating to the intervening variable.

Chapter 5 analysed the main aspects and factors of the 2015 asylum and migration crisis, from the Syrian conflict and the media coverage, to later address the security practices performed by Frontex; the Joint Operations including search-and-rescue and return and the collection of biometric data at the 'hotspots'. The elaboration of the Annual Risk Analysis that gave increased importance to a crisis of border through the statistical depiction of illegal border crossings. From these, it was identified that Frontex deepened the connection between mobility and security through the implementation of risk and humanitarianism, creating an agency that

attends both, to technocratic approaches to security and emergency driven responses. The crisis is considered to be the independent variable, and its intervention through (re)production of knowledge and physical interventions, are considered to be the intervening variable.

Chapter 6 showed evidence on how Frontex contributed to the framing of the 2015 events as a crisis, the way this translated in the expansion of the capacities of the agency; using the concept of acute and protracted crisis that creates a specific political environment for legislation at the EU level. This enhancement in the capacities is visible on the subsequent reforms of the Agency through the amendment of the regulations of 2016 and 2019. A discussion on how the regulations brought an improvement and created deeper connections between the (Re)production of knowledge and the *habitus* was the last element of the findings. This is where causality is inferred, between the migratory event as an independent variable, the two fields of security practices as intervening, and the posterior 2016 and 2019 regulations as indicators of Frontex's transformation.

Final Remarks

This piece studied the creation of Frontex and its expansion through the capitalization of crisis scenarios, paying particular attention to the 2015 asylum and migration crisis. It considers the agency to be part of a process that was initiated in the first meetings of the Trevi Working Groups. A process that had as its main mission, the protection of the neoliberal order and its forms of capitalist accumulation, seeking the gradual constitution of a Security Apparatus for the self-preservation of the professionals conforming it. The reliance of this Apparatus on surveillance, the disciplines of life and the creation of categories were studied as methods to achieve a neoliberal form of government through freedom and coercion. The crisis *continuum* was presented as the field where risk technologies coexist with normality and emergency measures. The external border was studied as the performative field of correlation of the diverse institutions and government bodies that constitute the Security Apparatus. The

population was identified as the target of the Security Apparatus and governmental mechanisms of power that take internal security as their referent object.

In general, this thesis aimed to enhance the debates in ISS and IR through the integration of different approaches to securitization theory. By finding points of convergence, it attempted to build a model that could be refined and implemented for future research projects.

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