

The Arab Spring created  
cracks in European solidarity,  
but the EU is striving to  
rebuild consensus.





# SECURING THE EU'S BORDERS

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**T**he Arab Spring has significantly impacted the evolution of border control in Europe. Dissatisfaction with repressive regimes in places such as Egypt, Tunisia, Libya and Syria, as well as a challenging labor market, has inspired a movement of people from the Middle East and North Africa. The exact dimension of this movement has yet to be assessed, as the Arab countries are still subject to the transition process toward democratic regimes and are far from being entirely stable.

However, one of the main outcomes of the Arab Spring is connected to the massive influx of migration touching Europe's external borders. It has led to a progressive strengthening of border control, but has also made an impact at the political level, resulting in a shift in policy in the direction of what was often called "Fortress Europe."

*PER CONCORDIAM ILLUSTRATION*



Assadullah, an Afghan refugee, sits with Italian friends in the Italian village of Riace, in the southern region of Calabria, in June 2011. Italy has accepted Afghan refugees whose lives were disrupted by war.

Taking a first look at the Arab uprisings, one could easily conclude the existence of a so-called “domino effect” that has spread the revolutionary spirit of Tunisia to neighboring countries. However, these social movements have had some common features that go beyond simple imitation, such as high unemployment, influence of social media, low economic levels and oppressive regimes.

The internal turmoil in the Arab countries had, as a main outcome, a progressive increase in illegal migration towards Europe, often having as its first destination Malta or the Italian island of Lampedusa.<sup>1</sup> The uprising against the former Gadhafi regime in Libya created a reorientation of the unskilled Sub-Saharan and North African migrants toward Europe, as the former Libyan authoritarian regime had acted to block migration based on the agreements signed with Italy (e.g., mass expulsions of irregular migrants found on Libyan territory, visa requirements to North African countries, enhanced border control, etc.).

The unusual effects of the financial crisis may have intensified the Arab Spring when European countries progressively discouraged legal migration and European citizens more often accepted jobs that were normally reserved for migrants. The increased migratory pressure faced by Italy led to the creation of a common front with France (one of the countries of destination, taking into account the linguistic

environment shared with former French colonies in the Arab world). The two countries united to request the introduction of border controls within the Schengen area.

When faced with increased migratory pressure directed towards their national territory, Italy and France reiterated the principle of solidarity as one of the basic principles of the European construction (i.e., Italy asked the European Union to take charge of some of the immigrants that had reached its borders, and not to limit aid to the joint operations coordinated by Frontex). These two countries have rightfully pointed out that immigrants accepted on their territory have every right to move freely towards the capitals of the other European countries, under the umbrella of free movement guaranteed by the Schengen agreement.

However, as a perverse effect of these countries efforts to secure their borders, cracks in the European political construction and the lack of an authentic political consensus became more and more apparent. In order to tackle the divergent national responses to the increased migratory pressure, the European Commission (EC) has put forward a set of measures related to the governance of the Schengen area,<sup>2</sup> thus moving toward a European Community-wide policy in exceptional circumstances.

What we are actually facing is a shift from national government-level decision making towards an EU approach,

based on evaluation visits led by the EC to assess the application of the Schengen acquis. According to the EC's proposal, if member states fail to comply with the Schengen technical criteria recommended by the evaluation committee, a set of sanctions could be imposed, having as last resort the temporary reintroduction of border control at internal borders (for a limited duration of up to five days).

As an intermediate set of measures, between the negative report from the evaluation committee and the introduction of border control, member states may benefit from European support (such as operational assistance from Frontex, access to European money and technical assistance from the European Asylum Support Office and Europol). The EC endeavors to temporarily reintroduce border control only in cases of serious threats to the internal security of the Union, national security or public policies even though there is a clear lack of quantifiable indicators allowing the decision making bodies to define such cases properly. Thus, the impact of the Arab Spring on migration trends could be easily listed as an exceptional situation having an impact on the internal security of the EU.

However, in the absence of the previously mentioned indicators and thresholds, the decision to reintroduce border controls at internal borders would yet again remain at the political level without being closely linked to technical recommendations. The entire process is promoted as an entirely transparent one by means of biannual reporting obligations to the European Parliament and Council on the "status" of the Schengen area. This reporting obligation of the member states is closely linked to the new reporting obligations introduced by the revised Frontex Regulation, clearly stating the Agency's obligation to report on the number of resources (human and technical) committed by member states to the operational pool of resources. We are still lacking a mechanism to integrate and merge the reports coming from various sources and monitor the follow-up of their results and the subsequent translation into practice.

Upon reviewing the proposal made by the EC, one could easily conclude that we are slowly moving towards supranational border control. European agencies, such as Frontex, are becoming more and more involved in Schengen governance, being given the possibility to play an active part in the evaluation visits leading to the reintroduction of border controls at internal borders. The newly revised Frontex Regulation mentions setting up European Border Guard Teams and introduces the concept of secondary border guards to be made available to the Agency by the member states and deployed according to the operational needs of the Agency. However, member states, when given the opportunity, claim the precedence of national sovereignty when it comes to border control.

One could conclude that the European orientation is preserved as long as there are clear advantages arising from it (e.g., economic incentives, free movement of persons and goods), while each and every small obstacle along the way reminds stakeholders of the actual benefits of national sovereignty. Thus, the European countries are keen on



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A Romanian border policeman shows a Frontex officer a point of interest along the European Union's eastern border with Moldova.

increasing their border security, but are not in favor of giving up their sovereign rights on exercising border control to a supranational authority, in this case the EC.

However, it seems that we have reached a decision-making dead end since the issue of securing the borders is highly debated at both the political and technical level, leaving a question mark on the strongly-promoted "common European ideology" while the structural causes of this massive influx of migrants seems to be disregarded. The European Neighbourhood Policy should be enhanced in order to offer proper solutions addressing the root cause of migration and provide efficient support in tackling the social issues at the heart of migrants' decision to leave their home countries.

In terms of policy-making and strategic thinking, the newly emerging Arab democracies should find an authentic helping hand in the European Neighbourhood Policy; not just a theoretical and rhetorical approach of limited assistance. Cooperation among European countries should also be increased, under the principle of solidarity, to offer fair social integration opportunities to those immigrants who reached a particular territory and claimed asylum. However, a proper balance should be maintained between policy directed at integrating migrants under the increasing demands of the market for cheap labor and the increase in human trafficking. □

Information current as of December 2011.

1. According to IOM reports, approximately 700,000 irregular migrants arrived in Italy and Malta having as origin Libya (30 September 2011).

2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Schengen governance - strengthening the area without internal border control, Brussels, 16.09.2011.