Migration and Security in the EU: Back to Fortress Europe?

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Abstract

An analysis of the linkages between immigration and security must consider three basic issues and tasks. First of all, it must look at the definition of the concepts in use: threat, referent object and the logic or rationale that brings both concepts together. Secondly, the framing of immigration within the discourse on security issues is to be tackled. And thirdly, it must take into account the measures and public policy instruments related to that framing. This article focuses on these three interrelated issues and explores those questions with particular reference to the EU area. The first part reviews the scholarly literature that explores the linkage between migration and security in order to identify what is known as the 'threat', the referent object and the rationales established in discourses since the 1990s. During this decade the EU began to develop its 'common' immigration policy, while at the same time critiques of the emerging securitisation of migration were developed. The second part of this research traces the effects of the terrorist attacks of 11 September 2001 on discourses and public policies in the EU. The analysis of post 9/11 developments in the EU provides evidence to deny on the hand, that EU institutions' discourses on immigration policies consider this phenomenon as an existential threat and, on the other hand, to reject that extraordinary measures or courses of actions had followed those terrorist attacks. A global approach towards migration is underway although in need of political impetus.

SOME ESSENTIAL QUESTIONS HAVE TO BE ANSWERED IN ORDER TO CLASSIFY A phenomenon as a security risk. First of all, the threat has to be thoroughly defined and characterised. Secondly, the referent object of security (i.e. that which is in danger or being threatened and thus in need of protection), must also be clearly identified. Thirdly, the logic that links the threat and the referent object must be plainly stated so that the chain linking the causes (threat) and consequences (to referent objects) is traceable. In one way or another, all those concepts need to be at least tacitly expressed within an analysis of migration discourses. In terms of discourse, the framing of an issue as a security matter occurs when a discourse takes the form of presenting something as an existential threat (Buzan *et al.*1998).

Another key question is whether a phenomenon such as immigration is properly typified within that paradigm of security or not (i.e. is framing immigration as a security issue necessary?). As Collyer (2006) notes, the question lies in whether potential dangers of migration should be explored within a security framework or viewed as simply 'problems' to be addressed. It is also important to identify what the framing of immigration as a

security issue is trying to achieve (Collyer 2006: 256). In line with Austin's (1962) seminal work on "speech acts" or "illocutionary acts", Wæver *et al.* (1993) point out how presenting a public issue as a serious security threat means elevating this issue to an absolute priority, so that the logical consequence will be to take emergency measures or an exceptional course of action (see Wæver *et al.* 1993; Buzan *et al.* 1998). Natorski and Herranz (2008: 74) assure that in the case of the essential sector of energy, "employing security discursively is considered a politically-laden act", and moves towards securitisation can lead to success "only if the relevant audience agrees with the given security discourse and its policy consequences".

This article analyses three interrelated tasks: the definition of basic concepts and rationales on migration and security across time, the political discourses, and the measures and course of action in regards to the EU immigration policy after 11 September 2001 (9/11). The first part reviews the scholarly literature that explores the linkages between migration and security in order to identify the 'threat', the referent object and the rationales created since the 1990s. This decade provided the context for the EU's development of its 'common' immigration policy, as well as the context for some important critiques about the securitisation of migration. The second part of the article pays particular attention to the two latter tasks: the implications of those terrorist events for the recent discourse and policy developments on EU 'common' immigration policy.

The linkage between migration and security in developed countries. From the threat of political violence to problems of internal stability

Despite the fact that some scholars linked immigration and security long ago (Miller 1998: 18) or even perceived security rationales as the backdrop for most countries' restrictive immigration legislation, it was not until the 1990s that the migration-security pairing was more widely addressed. Myron Weiner (1993; 1995) led the way in the study of the immigration phenomenon from a security/stability framework, paying particular attention to immigrants' involvement in political violence.[1] He analyses some associated 'threats': when immigrants and/or refugees (1) are armed and become involved in activities related to the traffic of weapons or drugs, (2) ally with opposition and oppose the receiving country's regime or (3) oppose the regime of their home country from the receiving one (Weiner 1993; 1995). Thus, the foreign population is understood as a risk regarding internal stability and security, as well as an international security threat (among states).[2] Another example of such 'immigrant threats' relates to when they are involved in activities perceived as social burdens due to their implications for crime and delinquency. In this case, these illegal activities are thought to worsen crime rates or delinquency records.

Several other referent objects related to stability and governance were specified in the academic research within this decade, particularly in two domains: economy, and identity and cultural practices. In the economic domain, the analyses of the impact of immigration mainly referred to two aspects. On the one hand, the labour market and the competition for scarce resources (Borjas 1996; Ullman 1995; Alvarado and Creedy 1998; Money 1999) and on the other hand, the sustainability of welfare states in developed countries (Freeman 1986; Stolker 1994; Razin and Sadka 1995; Baldwin-Edwards 2002). A second

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[1] Some other scholars from international relations also began in the 1990s to analyse the security dimensions of migration and refugees in the context of globalisation, for example Miler (1997, 1998), Jessen-Petersen (1994) and Zimmermann (1995).

[2] In the field of security studies, the 1990s provided an opportunity for redefining security in a post-Cold War context. Redefining security gave rise to a debate on the incorporation of new threats, not only of military nature but also 'soft' threats, new referent objects and new rationales for linking new threats and referent objects. The Copenhagen school specially contributed to broaden the understanding of referent objects with new concepts such as 'societal security' (Buzan 1991 and 1993; Buzan *et al.* 1998; Wæver *et al.* 1993).

realm is that of identity and cultural practices. Globalisation debates in the area of international relations emphasised the transnational and trans-border character of movements of people that are analysed by their effects in cultural terms. In that sense, Weiner points out that "migrants can be perceived as a threat to the major societal values of the receiving country" (Weiner 1993: 103). New characteristics of migrants and refugees seem to challenge identities of citizens settled in receiving societies, and as a consequence their newcomers' values and cultural practices are perceived as a risk or cultural threat to social cohesion and shared security (Schieffer 1997: 97; Sartori 2001).

These initial classifications of risks and referent objects have posed some problems (Bermejo 2005: 271). Most of the analyses lacked a precise definition of the threat and there was no clear explanation of the link between threats and referent objects (i.e. how those threats were to affect particular referent objects in danger is frequently not stated). Their identification of risks and referent objects lacked a clear and precise definition of the threat due to the use of vague and broad concepts (immigrants or/and refugees or demographic threats). Besides, not all of the activities identified as threatening considered the same number of immigrants. For example, there is no distinction made between the risks posed by a large number of immigrants versus the risks posed by small but well settled and organised groups. This broad identification may lead to problems of criminalising or securitising large groups of people. In order to avoid that inexactness, the focus should be on the activities, and not on groups, of populations. In addition, Brochmann points out a tendency in most receiving countries to highlight flows of people rather than individuals. The perception of immigrants as representing flows rather than individual human beings "reinforces the threat images of immigration, and has contributed to a tendency of *politization* of immigration" with the utilisation of metaphors like 'flood', 'invasion', 'hungry hordes' that play on people's fears and insecurity (Brochmann 1999: 331).

A second group of critiques comes from the characterisation of receiving societies (referent objects). Not only are receiving societies not homogeneous but also when immigrants are perceived as a cultural or social cohesion problem the cultural values of both immigrants and receiving populations are thought to come into conflict. Thus, the degree and scope of problems will depend on factors such as the distance and difference between cultures and practices (Miller 1998: 19). Furthermore, the perception of immigrants as economic or welfare burdens depends on the receiving society's economic situation. In a prosperous and growing economic time, the 'same immigrants' who are seen as welfare burdens can be perceived, instead, as necessary for the maintenance of economic growth.

Among the more determined critics over securitising discourse, Huysmans has highlighted the dangers of securitizing societal issues such as migration (Huysmans 1995; 2000; 2006). In this same vein, Geddes (2000) draws on Wæver's ideas on framing migration as a security issue, arguing that:

> ...security discourse is characterised by dramatizing an issue as having absolute priority...'Security' is thus a self-referential practice, not a question of measuring seriousness of various threats and deciding when they 'really' are dangerous to some object.... It is self-referential because it is *in* this practice that the issue becomes a security issue. (Wæver in Geddes 2000: 26)

This discourse seems to produce a 'self-fulfilling' prophecy: "once turned into a security problem, the migrant appears as the other who has entered (or who desires to enter) a harmonious world and just by having entered it, has disturbed the harmony" (Huysmans 1995: 59). This author rejects the concept of 'societal security' to distinguish the referent object from those of 'hard' threats, and also criticizes attempts to balance the

securitisation discourse with a discourse that highlights the benefit and profits that migrants bring to receiving societies.

The EU's fortress and its critics

Geddes' research on the evolution of the European integration process focused on the development of EU immigration and asylum policy to point out the rhetoric of restrictions that have underpinned EU policies about immigration matters since the initial EU debates, negotiations and activities regarding immigration. A "strong security rationale" is related in part to patterns of internal security co-operation, to the search for new roles for security agencies and to liberalisation of movement. In this sense, Geddes assures that "processes of securitisation and the control of population are the foundation stones of liberalisation with the effect that migration becomes a part of the security issue" (Geddes 2000: 26-27).

The initial EU activities and intergovernmental structures in the field of migration included: the TREVI group from 1976 onwards, the Working Group on Immigration from 1986 onwards and from 1989 the Co-ordinator's Group of civil servants that prepared the 'compensatory measures' to response to the more immediate 'threat' posed by the dismantling of border restrictions under the 1992 Single Market Programme. All those series of developments are perceived as responding or purporting to "respond to external threats and dangers" (Walker 2004: 11).[3] These intergovernmental steps started in the context of fighting international crime and terrorism and contributed to the linking of immigration to issues of domestic and international security (Guiraudon and Joppke 2001: 15). Huysmans perceived the Schengen Agreements, the setting up of the Third Pillar within the Maastricht Treaty, and the Dublin Convention on refugees as part of the development of a "restrictive migration policy and the social construction of migration into a security question" (Huysmans 2000: 753).

From a legal point of view, Walker notes a "pattern of threat and response in major institutional developments of the 1990s" (Walker 2004: 11-12). Those institutional developments include: (a) the establishment of a Third Pillar in 1992 Maastricht Treaty that introduced Justice and Home Affairs matters within the official European Treaty structure; (b) the beginning of Third Pillar's 'communitarisation' at the Amsterdam Treaty in 1997 that launched the Area of Freedom, Security and Justice (FSJ); and (c) the following Tampere common policy programme in October 1999. Regarding all these institutional steps, Walker (2004: 12) assures that,

> ...in each case, the development of institutional strength and policy capacity in FSJ was preceded, accompanied, and endorsed by a policy attitude and language that sought to address or contain new or extended threats to the security of the European Union in the form of new types or intensities of transnational crime and new 'push' and 'pull' factors in the sphere of immigration and asylum.

However, Huysmans assures that the discourse on 'fortress Europe' performs a specific function: the presence of 'bogus' refugees and irregular immigrants seemed to be enough to pose a challenge to European security/stability and the aim of that discourse is to increase community cohesion and the construction of the referent object as societal security itself (Huysmans 2000). For Guiraudon and Joppke (2001: 15) "there is a principal reason for linking migration and security: to the degree that immigration is unwanted, and immigration policy becomes 'control' policy, immigration is likely to be addressed in negative terms, as a 'threat' to the receiving society". In this way, securitisation seems to be

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[3] In contrast, Huysmans circumscribes the process of securitization to the mid-1980s onwards as a consequence of a politicization of immigration and asylum issues. In that context, migration is no longer considered in the context of social and economic rights (Huysmans 2000: 755-756).

the concluding result of a desire of avoiding immigration and not the pre-condition that allows restrictive and 'control' policies towards migrants.

But there also seems to exist significant but unintended consequences of the discourse linking migration and security issues within the European Union. Emphasizing restrictions and controls in itself implies a negative portrayal of groups of migrants and that discourse can lead to xenophobic or discriminatory ideas or practices among an 'ignorant' or 'easily persuaded' public (Collinson 2000: 302; Huysmans 2000). At the same time, securitisation makes the inclusion of immigrants in European societies more difficult while further diminishing the chances of promoting multicultural policies (Huysmans 2000: 753; Papademetrious 2003). Some radical parties may take political advantage of the discourses on the securitisation of migration, but in general terms this approach to migration has a negative effect on immigrants and the receiving societies.

Those analyses show a clear division in the academic work on the issue of the securitisation of immigration and asylum policies within the EU area. For some authors, the process of securitising discourse seems to be an unintended and involuntary consequence of the cooperation and integration process in other matters such as the Single Market project. However, another approach portrays the discourse of security as prior to immigration policy developments, objectives and structures within the European arena. That is particularly important in terms of the discourse's intention. For example, an issue may be securitised in order to introduce exceptional measures which would otherwise encounter greater resistance.

Whatever the origin of the linkage between immigration and security in the EU, another question needs to be asked: What does 'fortress Europe' means? [4] What is its relationship with securitising migration? Geddes relates the concept of 'fortress Europe' to European integration processes and the patterns of inclusion and exclusion. The outcome of the process of supranational integration seems to be a 'fortress' constructed on tight external frontier controls and the exclusion of settled migrants. 'Bogus' asylum seekers and undocumented migrant workers are among the perceived threats to EU security (Geddes 2000: 6 and 172). The increasing numbers of both classes of 'undesirables' seem to affect two referent objects: public order and domestic stability (Lodge 2007). In addition, Huysmans assures that those 'undesirables' are perceived as a burden for European welfare states and for the cultural composition of the nations due to their effects on the weakening of national traditions and societal homogeneity (Huysmans 2000).

In sum, most of the theoretical work in the 1990s focused on intentions and desires that stemmed from a narrow view of migration that considered it as a phenomenon that affected external borders. That theoretical work on 'fortress Europe', along with previous work on the securitisation of immigration, lacks a clear description of the rationales that seem to link threats and referent objects in receiving societies. In this case, as long as the EU policy on immigration stems from a connection between economic liberalisation and a Single Market, there seems to be no requirement for other measures than those linked to border control (Geddes 2000: 171). As a consequence, in the 1990s there was no need, or political desire, for elaborating another discourse on immigration in order to advance a different policy at the European level. Thus, the 'fortress Europe' concept relates to the character of the European Union due to its exclusionary practices towards non European nationals; the concept was opposed to an 'open' or 'welcoming Europe'.

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[4] There are references to 'fortress Europe' in the academic research since the beginning of the 1990s.

A revival of the agenda for fortifying 'fortress Europe'?

In 2000 and 2001, some Communications issued by the European Commission on asylum policy, immigration policy, and on the co-ordination of national migration policies promised a more balanced policy than before, which included greater openness to immigration. Were these proposals abandoned or watered down due to the terrorist attacks? Geddes (2003) analysed European immigration policy after a few months of the terrorist events[5] to clarify whether those 2000 and 2001 proposals signified a move towards a common European immigration policy and assured, not very optimistically, that "the parameters of a common policy have begun to emerge, with some Commission prompting, but questions remain about the political will of member states ...; policy development has so far been deficient" (Geddes 2003: 142).

In this context, two questions are worth to be analysed. First, how those terrorist incidents influenced the European discourse and policy on immigration? Second, has the European Union followed a renovate agenda for fortifying 'fortress Europe' after 2001?, i.e. Is there a securitisation of migration in the European Union after 2001 events? Several authors have analysed the effects of the terrorist attacks in the process of EU immigration policy building. Some have concluded that there has been an effect of securitisation of migration (Bigo 2002; 2008; Luedtke 2009) but others do not characterise the post 9/11 EU immigration policy as a security policy (Boswell 2007, 2009; Neal 2009). The present section analyses that previous academic work related to the effects of those attacks and moves forward to some examples and instruments adopted in the European context after those attacks in order to evaluate whether a securitisation of migration has taken place. Discourse and policy instruments are separated with an analytical purpose.

11 September 2001: the impact on immigration policies

The linkage between the US attacks, foreignness, and terrorist organisations located outside US borders has led to claims that as long as the terrorist threat is characterized as external and not associated with immigrants or refugees, the overall environment for immigrants has remained relatively hospitable in the United States; more than in Europe (Prizel 2008). At the same time, it is worth noting that debates on both sides of the Atlantic raise the question of sovereignty and efficiency in controlling flows across borders. Due to the insecure international environment, governments seem to have attempted to increase their citizen's feelings of security by enhancing border controls.

Guild analyses post- 9/11 views on foreignness and assures that "the principle reason behind the arguments for closure of borders is related to national security" (Guild 2003: 395). As a consequence foreigners are represented as threats. Considering the implication for policing measures of framing these people as threats, "crossing the border puts the individual into the category of persons who are suspected of possible participation in criminal acts" (Guild 2003: 396).[6] While that assessment can be linked to illegal migration in some cases, the reality is that the role of border control is to prevent the entrance of criminals and terrorists. The policing of borders becomes greater in a context in which borders have been demilitarised and economically liberalised (Andreas 2003: 78) and the

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[5] The Commission published a biennial 'scoreboard' specifying the progress towards the attainment of Tampere objectives and in its summary of developments in the second half of 2001 it pointed out some positive developments towards the Tampere programme such as the European Refugee Fund, the directive on Temporary Protection and the setting up of the Eurodac system (cited in Geddes 2003: 139). Nevertheless, Eurodac is also perceived as highlighting the "restrictive and control-oriented basis of the Dublin Convention" (Huysmans 2000: 756).
[6] But also immigrants involvement in crime inside the receiving country has been analysed in order to determine whether they are a security threat (Guiraudon and Joppke 2001: 16-19; Quassoli 2001).

enhancement and enforcement of policing at the borders tries to contribute to the individualization of threats and surveillance and detection of 'potential' dangers.

Thus, the attacks seem to have different impacts depending on the dimension of immigration policy examined. On the one hand, those immigrants who live inside the territory do not seem to suffer exclusionary practices. On the other hand, those who try to cross the borders are perceived as a threat. This article proceeds separating those two areas or dimensions in the EU policy. As it was stated above, the concept of a 'fortress Europe' was based not only on the control policy at borders but also on the absence of measures to include immigrants; exclusion of those settled. As Geddes (2000: 6) defined 'fortress Europe', the notion implies two things: "first, tight restriction of those forms of immigration deemed to constitute a 'threat' in economic or 'racial' terms to the EU member states, second, the social exclusion of settled migrants". 'Control' and 'integration' are commonly purported as different dimensions of immigration policies.[7]

What seems to be undeniable is that the new environment has made an impact on EU policy while the discussion of its effects -their new or old character in the securitisation of immigration and the scope of those effects- is much more open. Bellow, in the area of discourse two different effects are considered. First, the literature has identified a broad effect in debates that means more time devoted to terrorism within the JHA debates and the increasing relevance of area of Freedom, security and justice in the European policies. Second, the analysis of the discourse and rationales for that development shows the absence of an intention of securitising immigration as a consequence of the terrorist attacks.

EU debates and discourse on 'controlling immigration' in the aftermath of 11 September 2001

Walker assures that "the latest and largest security threat to mobilize development in FSJ is of course, the destruction of the Twin Towers at the World Trade Center, New York on 11 September" (Walker 2004: 12). Luedtke (2009: 132-136) distinguishes between direct and indirect effects. For example, a direct effect would include the rise of terrorism on the EU's Justice and Home Affairs agenda. As Luedtke (2009) cites, this effect was pointed out by Monar (2002) on the basis of the analysis of the first post- 9/11 European Council meeting in which terrorism and judicial cooperation in criminal matters received the most time and attention. So, the standstill in regards to immigration policy seems to be based on the time allocated for debates, while measures on terrorism and judicial cooperation were given more time and agreements were reached (Monar 2002 in Luedtke 2009).[8] Thus, part of the academic analysis on the effects of terrorist attacks focuses on the attention received by that policy area instead of others.

Nevertheless, that reaction is not securitising an issue such as migration as far as this phenomenon is not identified with terrorism. European Union policies before and after 11 September 2001 have been particularly careful in separating immigration and terrorism. The discourse of the European institutions has evidently differentiated both phenomena. For example, in terms of strategies, there are detached strategies to cope with immigration dilemmas and terrorist threats. No mention of migration is contained within the EU

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[7] In Hammar's seminal work they are different policies or dimension in the regulation of migration. Immigrant policies cope with flows and control and immigrants policies deal with integration matters (Hammar 1985).

[8] The Extraordinary Justice and Home Affairs Council Meeting of 20 September 2001 was a product of the tragic events of 11 September in the USA, and the European Commission recognises that some subsequent actions relied on the conclusions agreed there. A chapter of the Conclusion dealt with "measures at the border" that included issues such as border control, issuing of identity documents, residence permits and visa, and the functioning of the Schengen Information System (SIS). Among the aims was pre-entry screening and the detection of those suspected of terrorist involvement at an early stage.

Counter-Terrorism Strategy[9] which set out a framework to prevent radicalisation and the recruitment to terrorism, to protect citizens and infrastructure, to pursue and investigate terrorists, and to improve the response to the consequences of attacks.

As in the 1990s, most of the examples used to sustain the securitisation of migration are related to discourses on borders. Neal (2009: 339-340) singles out the wording of the Conclusions of the European Council of Laeken of 14 and 15 December 2001[10] or the 15 November 2001 Communication by the European Commission on a common policy on illegal migration[11] as examples of securitisation of migration after the 9/11 attacks. The former states that:

> Better management of the Union's external border controls will help in the fight against terrorism, illegal immigration networks and the traffic in human beings. The European Council asks the Council and the Commission to work out arrangements for cooperation between services responsible for external border control and to examine the conditions in which a mechanism or common services to control external borders could be created.

However, this paragraph needs to be analysed in its context (i.e. as part of the ideas related to "more effective control of external borders"). The aim of that conclusion is to ask the Member States to set up a common visa identification system and to consider the possibility of setting up common consular offices. So, this paragraph is part of the increasing concern on the permeable character of borders that are not only crossed by immigrants or business men and women in the contemporary globalised world but also by criminals or terrorists.

When this European Council analyses the Union's counterterrorist action following the 9/11 attacks in the United States, it identifies two types of actions: fight in Afghanistan and combating terrorism. Immigration is absent in this context. In addition, this is the same meeting in which the European Council (2001) calls for a broader view of the immigration issue within the EU: a "true common asylum and immigration policy" that implies an array of instruments:

- The integration of the policy on migratory flows into the European Union's foreign policy. In particular, European readmission agreements must be concluded with the countries concerned on the basis of a new list of priorities and a clear action plan. The European Council calls for an action plan to be developed on the basis of the Commission communication on illegal immigration and the smuggling of human beings;
- The development of a European system for exchanging information on asylum, migration and countries of origin; the implementation of Eurodac and a Regulation for the more efficient application of the Dublin Convention, with rapid and efficient procedures;
- The establishment of common standards on procedures for asylum, reception and family reunification, including accelerated procedures where justified. These standards should take account of the need to offer help to asylum applicants;
- The establishment of specific programmes to combat discrimination and racism.

In this context, the linkage between migration and borders and its prominent role within the immigration policy is still unavoidable due to the process of creation of the EU. As Lodge (2002: 65) assures "it is impossible to disaggregate them [asylum and immigration]

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[9] Council of the European Union, *The European Union Counter-Terrorism Strategy*, Document no. 14469/4/05 REV 4, Brussels, 30 November 2005, pp. 3-4.
[10] Presidency Conclusions, Laeken European Council meeting of 14-15 December 2001, SN/300/1/01 REV 1.
[11] COM (2001) 672 final, 15.11.2001 on a common policy on illegal immigration.

from the wider issue of border control around the EU's external, leaky and vulnerable external perimeter, especially to the east". Nevertheless, EU borders management and common asylum and immigration policy are separated in the EU discourse and the deepening and enlargement of the EU regime on border controls is related to a wider range of problems, such as organised crime or drugs trafficking.

Besides, this discourse is not a whole new discourse; it is not a direct effect of the 11 September 2001 events. Those authors who defend the idea of securitisation of migration due to a linkage between crime and immigration are also aware of the fact that that discourse clearly pre-dates 9/11 (Baldaccini 2008: 32). The aim of enhancing external border controls had already been related, in the pre-11 September context, to the abolition of controls at the internal borders in the 1980s, to the completion of the Internal Market in the 1990s and to the eastern European enlargement in the 2000s (Monar 2006; Sie Dhian Ho 2006). Immigration, and particularly illegal immigration, is not seen as a threat to European societies in this discourse but a problem for the management of borders (referent object) that lead to an intensification in the degree of cooperation among states.

EU measures and instruments on 'controlling immigration' in the aftermath of 11 September

The use of the discourse on border controls has been again differently evaluated. Sometimes the use of the language of security is thought to be necessary in order to "accurately describe such phenomena or as the best instrument to capture the dynamics of existing sentiment and interests at play in policy formation" (Rudolph 2006: 203). Thus, the use of a security framework in the discourse is claimed to be descriptive. But sometimes is also claimed to be strategic. As it has been pointed out, then discourse is a formula to introduce extraordinary measures otherwise unpalatable to public opinion.

Once it is clear that the EU discourse has focused on border problems but has not securitised the whole immigration phenomenon, there is a need to clarify whether securitisation has taken place in the field of actions and policies. As it has been stated above, the securitisation of an issue implies the adoption of measures or policies deemed extraordinary and otherwise considered illegitimate. Those who support the idea of securitisation of migration within the EU focus on the increased interest in the policing of external borders and on the attention to different threats, defined as external, that include irregular migration or irregular entries after the terrorist attacks of 11 September 2001. Nevertheless, two examples can illustrate the argument that most of migration policy aims and measures pre-dated 11 September attacks. So, they are not an extraordinary consequence of those attacks. Together with those terrorist incidents, other factors such as the enlargement process have created a window of opportunity to rescue 'old' proposals or to lead to a consensus in previous controversial ones.[12]

The idea of a window of opportunity to urge measures on borders was observed during the Spanish Presidency of the EU in the first semester of 2002 (Luedtke 2009: 135-136). During that legislature, Spanish immigration policy was based at the Ministry of Interior, and as it has been recognised by several Spanish decision-makers, the Ministry developed a leading role in the establishment of the Presidency's priorities and agenda.[13] On the one hand, the 9/11 attacks are not particularly pointed out by Spanish authorities as influencing the issues included in the agenda, however Spain tried to find international approval and help for the fight against nationalist terrorism (ETA organisation) and used the Presidency to boost international cooperation. On the other hand, a second motive for

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[12] Interview with a Spanish police officer, expert in EU cooperation (July 2005).
[13] Interview with some senior civil servants, Madrid, April to June 2004.

the Presidency's focus on immigration issues was the national governmental discourse on diminishing and 'fighting' illegal immigration and being tough with illegal arrivals and migrants. For these reasons, the Seville Summit in June 2002 led to the allocation of more resources for border controls in South-European countries, the arrangements for a Joint Border Police Agency (FRONTEX), and EU task forces to combat human trafficking.[14] Some interviewees recognise that the international context of terrorist attacks in the US made it easier to quickly secure some agreements and measures on illegal immigration that were on the table long before, such as the set up of FRONTEX.[15]

As far as most of the measures adopted after 9/11 were under scrutiny long before those attacks it is quite difficult to defend that those measures devoted to improve the security of identification documents or the set up of FRONTEX are extraordinary instruments. The first example is FRONTEX. As it has been said above, the Laeken Council in December 2001[16] is perceived as the cornerstone for border management and for the following Action Plan on combating illegal migration passed in 2002[17] and the Action Plan for the management of the external borders of the EU.[18] Those post-11 September decisions are presented as the origin of the 'integrated border management approach' (IBM) that was pioneered by the European Commission on its Communication "Towards Integrated Management of the External Borders of the Member States of the European Union".[19] Interestingly, those documents and actions are regarded as the embryonic basis of FRONTEX (Neal 2009: 340).

However, an institution of this kind had long been debated in the EU as the European Border Police (or European Border Guard). As Monar (2006) argues, the origin of that project can be tracked back to the Schengen Agreement in the 1980s and the 1990s with the Tampere European Council of October 1999. Especially relevant to that aim was the launch of the 'Odysseus' programme. This programme adopted by the EU Council of Ministers on 19 March 1998 was a programme of training, exchanges and cooperation in the fields of asylum, immigration and crossing of external borders.[20] The Odysseus programme, which was budgeted 12 million Euros, covered the period 1998-2002 and it "allowed for common training measures, exchanges, and studies in the area of external border crossings and controls [thus] marked a further step toward a common EU approach beyond the limits of the Schengen group" (Monar 2006: ch. 10).

The second report[21] (European Commission 2001) on the implementation and evaluation of the Odysseus and Falcone programmes covers the financial year of 1999 and defines as traditional actions on the scope of the programme:

- Preventive actions, co-ordinating advisers on documentary fraud within both transit countries or countries of origin of illegal migration. These advisers will participate in training and preventive actions for staff in Member State

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[14] As part of those plans, in early 2003 the European Union launched "Operation Ulysses": Europe's first collaborative maritime effort to intercept migrant smuggling vessels in the Mediterranean.

[15] Most of the research on the degree of agreement to develop FRONTEX it is related to public opinion willingness at national levels (Luedtke 2009) and European levels (Lodge 2002: 41).

[16] Presidency Conclusions, Laeken European Council meeting of 14-15 December 2001, SN/300/1/01.

[17] EU Action Plan to combat illegal immigration and trafficking on human beings in the EU, Council 28.02.02 (DOCE 14.06.02).

[18] EU Action Plan for the management of the external borders of EU, Council 13.06.02 (OJ C 142, 14.06.2002).

[19] COM (2002) 233 final, 7.5.2002, Towards Integrated Management of the External Borders of the Member States of the European Union.

[20] Joint Action 98/244/JHA, OJ L99, 31.3.1998.

[21] Commission Staff Working paper SEC (2001) 903, Fourth report of the Commission to the European Parliament and the Council on the implementation of the Grotius, Stop and Oisin programmes and third report of the Commission to the European Parliament and the Council on the implementation of the Odysseus and the Falcone programmes (2000).

> consulates, as well for staff of the main aircraft companies and, possibly for local police forces, in order to successfully tackle the illegal immigration at external EU borders. Participants are *interalia* Germany, the Netherlands, France, Spain and Portugal.
> - A study on politics and practices on readmission. The conclusions will be presented in a seminar co-organised with France.
> - Renewing actions in co-operation among the Member States, exchange of civil servants, or training sessions on the fight against the documentary fraud.

Another political boost for the European Border Guard and the FRONTEX agency was the incorporation of the Schengen system into the EU through the Treaty of Amsterdam and the Tampere European Council of October 1999. Monar's assessment of the political background of the European Border Guard points out that "the Treaty also offered extended possibilities for the Union to act on external border issues. Yet there were also other favourable factors such as the increasing inclusion of external borders into EU strategies for the fight against cross-border crime and from the Tampere European Council onwards" (Monar 2006: ch. 10).

At this point in time, enlargement was also an impetus for the European Border Force. Bilateral cooperation was frequently part of the news on the EU. Some national governments were working on co-ordinated actions to fight crime and illegal immigration with their view on protecting their borders, external borders of the EU, once Poland, the Czech Republic and Slovakia joined the union. A group of Interior ministers from Greece, Italy and Albania agreed on 10 October 2000 to set up a centre in Albania to combat all types of trafficking. In mid-October 2000, as part of the German-Italian initiative, Italian helicopters began patrolling the Albanian coast. During 2000 and 2001, German border police was to set up in Italy's Adriatic coast and Italians on the frontiers of Poland; Germany and Italy began to exchange border troops to serve as a vanguard of an EU-wide integrated border police.[22]

The second extensively used example to call for an extraordinary course of action that indicates a securitisation of migration in the EU post-September 11 context is the concern for the security of identification documents (Baldaccini 2008). Again, the origin of EU actions on this area can be tracked back long before the beginning of the 21st century. In the mid-80s, the SCENT (System Customs Enforcement NeT) information network that interlinked customs headquarters and border crossings all over the Community and allowed for speedy exchange on fraud cases and risk assessment was set up (Hobbing 2003: 9). Monar points out that the 1990s were also years of agreements on a number of common EU texts on external border issues, including provisions of forgery detection equipment at borders in 1998 (Monar 2006: ch.10). The EU's work aimed to avoid fraud in documents before September 11 included the European Fraud Bulletin and the Handbook of Genuine Documents and some actions to increase the speed and accuracy of reproduction, such as the use of a computerised image archiving system[23] in the 1990s. So, the EU actions against fraud of the identification documents used in crossing the borders began some decades before the 21st Century and they have progressively embraced the use of available technology.

Despite the fact that the emphasis on reinforcing border control and attacking illegal immigration was well underway before the events of 2001, improving mechanisms for

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[22] See "EU plans border force to curb crime and migrants," *Daily Telegraph*, October 12, 2000; "Germany joins Italy in border patrol," *The Times* (London), October 12, 2000, "EU: Third-Country Migrants", Migration News, Volume 6 Number 4, available at: http://migration.ucdavis.edu/mn/more.php?id=2236_0_4_0, accessed 14 January 2009.

[23] Joint Action of 3 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union concerning the setting up of a European Image Archiving System (FADO) (98/700/JHA).

border control is perceived as an efficient measure to selectively identify potential criminals or terrorists and deny them territorial access. This public policy goal has led to the development of new and more sophisticated surveillance technology at borders and investment in information technologies as well as better cooperation among agencies, polices and states (Bermejo 2007). The question of sovereignty is related to the permeability of borders on the one hand, and to efficiency in border controls on the other. In Andreas' characterisation, the CTAs (Clandestine Transnational Actors) are defined as the 'new' security threats and in this sense provide a rationale for more expansive border controls and policing powers, giving rise to law enforcement concerns (Andreas 2003: 82) and new unrestrained powers within the executive branch (Friman 2008).

A related debate, although beyond the reach of this study, is on ethical questions and the balance between civil liberties and security. New policy goals led to greater investment in surveillance and information technologies and cooperation. And at the same time, new powers for detention, deportation, mandatory interviews and registration were incorporated. Thus, doubts about the compliance with legislation on liberties and invasion on individual rights have arisen (Bigo 2002; Sasse 2005; Sales 2005; Lodge 2007).

So, despite the lack of securitisation of migration, what cannot be denied is that some areas of the FSJ area received much more attention than others; becoming top-issues in the following years' agenda. Thus, within the area of immigration the attacks caused a revision of policies on border surveillance and cooperation (Bermejo 2007). Some say that these developments are again a consequence of September 11, what Pastore calls "a 'race' to achieve technical and organizational innovation within the EU entry control system" which began in the autumn of 2001 (Pastore 2004: 115). But new restrictive measures cannot be considered exceptional measures related to a securitisation of the discourse on migration; they may also be explained by the relative ease of securing agreements on these kinds of measures and instruments. By this token, 11 September 2001 is seen as "the most vivid and recent example of a trend rather than as a radical departure" (Walker 2004: 12), given that the agreement on measures and instruments were long seen at the national level as necessary. As many scholars have stated, the trend has been accelerated and expanded in the post-attacks environment, in which border security has taken on new political urgency (Andreas 2003: 108).

EU policy on 'integration' in the aftermath of 11 September 2001

How did the terrorist attacks affect the inclusion/exclusion processes related to the 'fortress Europe' concept? Another way of securitising a phenomenon is to cope with it from a restricted view or approach that remarks security implications. A narrow approach towards the immigration phenomenon is partly the origin of the critics related to the creation of a 'fortress Europe' in the 1990s. That 'fortress' seemed to come to an end with the Commission Communications of 2000, but have the 9/11 attacks overturned that pace? The answer is no.

The new century has brought a renewed debate on models for accommodating foreign populations as well as a broad debate on the failure or success of integration policies for immigrants and their descendants in European countries. Within the EU arena, the 'partial' empowerment of the European Commission under the Treaty of Amsterdam and the Tampere programme led to a hope of a more balanced common immigration policy. The first two directives issued in 2000 covered the principle of equal treatment irrespective of race or ethnic origin and the establishment of a general framework for equal treatment in employment and occupation. Particularly on integration, the Commission issued the Communication on a common EU immigration policy in November 2000 that was followed by its Communication on an open method of coordination in EU policy on

immigration in July 2001. After 9/11 some different projects focused on integration, such as the Communication on immigration, integration and employment on 3 June 2003. The need for a better inclusion of immigrants and refugees pre-dated the terrorist attacks.

Some authors have portrayed September 11 attacks as increasing the connection of previously separate agendas of integration and migration control in Europe (Carrera 2006; Joppke 2007: 8). Debates on accommodation may had been deepened and speeded up by the information on Madrid and London bombings. It has been said that the conclusions of the investigations on the Madrid and London bombings in 2004 and 2005 which found that the attacks were perpetrated by long-term resident immigrants highlighted a failure in integration policies in these countries. Those results led to policy convergence on the need to better integration across European countries and direct to new arrangements in the EU. An example is the European Council's agreement in November 2004 on 'common basic principles' of immigrant integration policy (Joppke 2007). In this sense, similar concerns to those stated on border crossing (i.e. that migration flows provide conduits for the spread of international terrorism), are implicit in the increased attention paid to integration of newcomers and second and third generations of migrants.

Some authors pointed out that the referent object is again the identity of 'Europeans' and their welfare. In Guild's words, foreignness appear to be "an identity threat which expresses itself as requiring the integration of foreigners so that they will be more like us and less like 'them' which is a dangerous category" (Guild 2003: 395-396). The threat they pose inside receiving society also extends to the social welfare arena. Guild (2003: 395-396) highlights how "foreigners seeking to cross the borders are a threat to the social welfare systems to which they seek access" One of the aims of the renewed interest on integration seems to be a desire of increasing community cohesion and the construction of the referent object of societal security itself (Rudolph 2006). Integration is related to accommodation of differences. Critics have pointed out cultural identity and cultural security as key issues in the EU securitisation of migration. This has occurred in a discourse in which immigrants, asylum-seekers and refugees are present and represent a cultural danger by challenging the myth of cultural homogeneity (Huysmans 2000).

Nevertheless, a new Global Approach to Migration was officially adopted by the European Council in December 2005. The Presidency Conclusions defined it as "a balanced, global and coherent approach, covering policies to combat illegal immigration, in cooperation with third countries, harnessing the benefits of legal migration".[24] That level of cooperation would require dialogue and the European Union's commitment to support development efforts of countries of origin and transit.[25]

Critics, such as Carrera, claim that this Global Approach to Migration "aims to ensure a multifaceted response covering all the dimensions relevant to migration" despite the fact that the EU immigration policy prioritise borders and pays particular attention to irregular mobility by third country nationals. So, Carrera (2007:1) characterised the EU policy as "based on two distinct approaches: on the one hand, an integrated approach to the management of common territorial borders, and on the other hand, a global policy covering migration".

That global policy has raised a number of concerns on the basis of its focus on irregular migration. However, the strategy and policy priorities in the fight against illegal

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[24] Council of the European Union, Presidency Conclusions, 15914/1/05 REV 1 CONCL 3, p.2.
[25] A part of the implementation of this approach is the initiative on Integrated Border Management that includes FRONTEX development and tries to maximise its capacities; it also includes the idea of a permanent Coastal Patrol Network but those are not the only type of measures included in this Global Approach. But counter-terrorism policies are clearly separated from those responses.

immigration of third-country nationals is part of the EU's comprehensive and structural approach towards effective migration management. That approach included previous and subsequent work by the European Commission on the Communication on Migration and Development COM(2005) 390, 1 September 2005, the Communication proposing a Common Agenda for Integration COM(2005) 389, 1 September 2005[26] and the Policy Plan on Legal Migration (COM(2005) 669, 21 December 2005).

It is clear that there are different ingredients in the immigration policy. One is a comprehensive policy on illegal immigration that has changed the discourse and measures devoted to control borders to one that includes integrated management of borders, enhancing dialogue and cooperation with the countries of origin and transit of immigrants, but the discourse and measures implemented within the framework of the European immigration policy include other areas or dimensions: legal migration, integration and a renew emphasis on the link between development and migration.

In sum, a global and comprehensive analysis of the discourse and practices of the EU makes difficult to defend that the migration policy has been securitised after the 9/11 attacks. It is difficult to maintain such a claim if the discourses and measures on borders are analysed in the context of a wider policy on asylum and immigration. In addition, those authors who claim that a securitisation of migration in the EU is a consequence of the 9/11 attacks focus on the debates and actions taken in the remaining months of 2001 (Bigo 2002 and 2008; Neal 2009) but are aware of the difficulty of sustaining the claim of securitisation from late 2001 onwards. In terms of policy instruments, the measures effectively implemented are exceptional at all. Two examples: biometric controls at borders were being studied for long as well as the possibilities for a European Border Guard.

Conclusion

A huge amount of academic work has analysed the immigration and security nexus before and after 2001. For some authors the 9/11 terrorist attacks have consolidated the shift towards linking immigration with security. Terrorism is thought to threaten identity, society, and safety, and consequently justifies exceptional measures implemented across the world to increase security. However, at the same time, it is also commonly agreed that most of the measures adopted in the field of immigration after terrorist attacks did not entail a shift in paradigm since most of the policy aims pre-dated those events. The United States have implemented a whole range of exceptional policies, particularly those included in the 'war on terrorism', but that is not the case of the European Union. In the European context, great changes in the discourse linking immigration and security have been absent and at the same time, one important and positive change has been the individualisation of threats at points of entrance through work on improving surveillance and checks at borders as opposed to the characterisation of undefined flows and groups of immigrants and refugees as the 'threat' to keep out from 'fortress Europe'.

In terms of discourse, the developments analysed above, show that the discourse on immigration control in the European Union has surprisingly remained untouched by the antiterrorist agenda. European Union's policies before and after 11 September 2001 have been particularly careful in separating immigration and terrorism. Nevertheless, two components seemed to relate both phenomena. Firstly, a conclusion of the research carried out over those attacks in the United States pointed out that control, surveillance and checks at borders needed to be improved as far as some of the terrorists who attacked

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[26] COM (2006) 402 final, 19.7.06, on Policy priorities in the fight against illegal immigration of third-country nationals.

the north-American soil crossed the borders of the state just in order to perpetrate their attacks. Secondly, in 2004 and 2005, the Madrid and London attacks highlighted the key importance of working on the prevention of radicalisation and recruitment inside European countries and the need to seriously tackle the causes of radicalisation.

Based on the previous analysis, some conclusions can be drawn in the field of measures and instruments. The events of 9/11 sparked new policy developments and it has been assumed that some policy measures in Europe after the attacks were impelled as a consequence of those events. But at the same time, it is also commonly agreed that most of the measures did not entail a shift in the course of action and no extraordinary developments have been followed after 9/11 as the examples of FRONTEX and identity documents show.

Despite the fact that antiterrorist policies have surged to the top of the agenda, claims on the securitisation of discourse contrast to recent developments in immigration policies in Europe, which have moved in a direction that could not have anticipated: inclusion and expansion rather than exclusion (Schain 2008; Boswell 2009) and a global approach to migration. In this sense, the revival of 'fortress Europe' might only be related to an increase emphasis in controlling and policing external borders. Thus, despite the absence of clear progresses towards a common immigration policy, that cannot be directly linked to the terrorist threat but to states' reluctance to develop it.

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