

A 'Hybrid Threat'?

European militaries and migration

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Abstract

This paper examines the driving forces behind Europe's resort to the military in migration policy in recent years and how it is likely to develop in the near future. It argues that a key reason for more extensive military involvement is the perception of 'hybrid threats' associated with migration, particularly the weaponisation of migrants, human smuggling and trafficking, and terrorist infiltration. It then discusses recent military operations intended to address migration and assesses their limitations, highlighting the confusion in the logic behind many of the deployments. The paper concludes by exploring an alternative policy approach and its implications for the military's role. It argues that EU leaders need to clarify the nature of threats, strengthen resilience, and address hybrid aspects more effectively without relying on such strong military participation.

Keywords

European Union, hybrid threats, migration crisis, Common Security and Defence Policy, NATO

1. Introduction

Dealing with the upsurge in migration into the EU has been testing for policymakers and has led to a number of shifts in policy, not all of which have been coherent. In particular, there has been an increased emphasis on what has been referred to as the ‘securitization’ of migration policy (Huysmans, 2000). In managing migration, security actors such as police, coast guards, and border agents have become more prominent and the military has been called upon to play an increased role, ostensibly as part of this trend. Yet the rationale for involving the military is not always obvious, and some of the tasks assigned to the armed forces are not easy to justify.

This paper examines the driving forces behind this resort to the military in migration policy and how it is likely to develop in the near future. It argues that a key reason for more extensive military involvement is the perception of what are known as ‘hybrid threats’ associated with migration. Hybrid threats stem from “a mixture of coercive and subversive activity, conventional and unconventional methods (i.e. diplomatic, military, economic, technological, information), which can be used in a coordinated manner by state or non-state actors to achieve specific objectives while remaining below the threshold of open organised hostilities” (European Commission, 2016g). They affect both internal and external security, and responses have come from operations launched by individual countries, the EU, and NATO.

Although the use of the military is still evolving, it has arguably been an ill-suited response to a complex policy challenge. This was particularly evident in the unsuitable mandates of the maritime operations, which were largely based on a misunderstanding of the reasons behind migration flows coming through the eastern or central Mediterranean routes.

The paper first looks at why migration has come to be perceived as such a security threat, using the concepts of securitization and hybrid threats to frame the analysis. It then discusses recent military operations intended to address migration and assesses their limitations, highlighting the confusion in the logic behind many of the deployments. Despite doubts about the usefulness and cost-effectiveness of the military in migration policy, the evidence reviewed suggests it will remain a prominent part of the European response. The paper, therefore, concludes by exploring an alternative policy approach and what role the military can play within it. It argues that EU leaders need to clarify the nature of the threats, strengthen resilience, and address the hybrid aspects more effectively. A key conclusion of the paper is that there are ways to achieve these aims without such extensive military involvement.

2. Is Migration a Threat to Europe?

Migration policy is defined by the tension between rights-based approaches that prioritise legal pathways to immigration and protection of refugees on one hand and the need for border control and management of incoming flows on the other. Generally, policymakers in Europe try to find

a balance between the two through migration policy. However, the issues associated with migration have become highly politicised in recent years due to the 'migration crisis' and migrants have increasingly been perceived in the public discourse and media as an 'unstoppable wave' and therefore a potential threat to Europe.

The idea of immigration, particularly irregular immigration, representing a threat is not new. In analysing specific policy implications, Heisler and Layton-Henry consider the spill-over effects of conflicts that lead to forced migration. They argue that the perceived threat of migration arises when a state is unable to respond or to govern due to high numbers of migrants (Heisler and Layton-Henry, 1993). Weiner suggests that migrants could be considered a threat for a number of reasons: if they create difficulties in diplomatic relations; if they could be considered hostile to the receiving country; if they are seen as a cultural threat, an economic problem, or as an intended threat sent by countries of origin or transit (Weiner, 1992).

The literature on securitization has explored this perceived threat to society posed by migration in greater detail since the 1990s (Huysmans, 2006). Securitization literature considers the social dimension that enables the presence of security actors in a new policy area. It criticises the increasing interpretation of social relations through a security lens (Huysmans, 2000). In regard to migration, Huysmans described it as the "result of a powerful political and societal dynamic redefining migration as a force which endangers the good life in West European societies" (Huysmans, 2000: p. 752). For example, the involvement of the police in migration management means that it is seen primarily as a law enforcement policy issue.

The securitization of migration as described by Huysmans has led to a control-oriented and restrictive approach to migration and freedom of movement. Stricter legislation and coordination among states and the application of advanced technology that provides enhanced control and enforcement of external borders in order to protect freedom of movement internally are key policy responses of this approach. Building on Weaver's description of the perceived threat to the cultural homogeneity of a society (Weaver et al., 1993), Huysmans argues that the securitization policies towards migrants and asylum seekers are a response to perceived changes in the status quo. Thus migrants who try to enter the privileged travel area in Europe, legally or illegally, are seen as abusing the welfare system (Ibid).

Migration policy is defined by the tension between rights-based approaches on one hand and the need for border control on the other.

The securitization literature thus criticises the focus on control and surveillance by member states and EU institutions (Triandafyllidou and Dimitriadi, 2014). Through the harmonisation of Europe's internal migration policy, the presence of security actors has grown considerably. These include databases such as the Visa Information System (VIS), the Schengen Information System (SIS), the European Asylum Dactyloscopy Database (Eurodac), and the European Border Surveillance system (Eurosur) (Ibid; European Commission 'Eurosur'; Jeandesboz, 2008). The key institution is

Frontex, which has now become the European Integrated Border and Coast Guard Agency. It operates on EU borders and undertakes a vast array of tasks, including the monitoring of migration flows into the EU, fighting organised crime at borders, deploying guards to borders in response to increasing flows, intervening with member states for humanitarian emergencies and rescue at sea, and returning illegal migrants to third countries or countries of origin.¹ This has led to an increasingly significant security presence in migration management including sophisticated surveillance capabilities often enabled by military technology. This development is likely to continue and is considered a key development area for defence contractors.²

However, a criticism of the securitization literature is that it has not demonstrated sufficiently that the understanding of migration as a threat to cultural hegemony does, in fact, result directly in securitized policies. A limitation of this literature is thus its failure to define the drivers behind the policymaking process. Neal has highlighted the complexity of securitization within the European

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context in this regard. EU institutions and agencies are involved in a myriad of activities on securitizing migration overall, but do so in a less overt way than member states. Discussing the establishment of Frontex, Neal points out that the original mandate did not seek to answer calls for greater securitization from member states. Instead, it took a ‘risk analysis’ approach, developed in response to the requests from member states faced with the ‘threat’ of weak borders. Rather than ‘fighting the threat’, these states wanted to facilitate understanding and cooperation. Neal cites Frontex as an example that highlights that, while the EU cannot actively securitize the question of migration in the same way that member states can, it can contribute to a discourse of control, surveillance, and measurement unprecedented in Europe (Neal, 2009).

Recently, there appears to have been a shift towards greater acceptance of this security focus within EU institutions and agencies. Member states have exerted greater pressure to increase the law enforcement and return activities of Frontex. The Commission, in the interest of integration, harmonisation, and improving effectiveness, promoted this development and began to limit it only in response to external pressure. Civil society, international organisations, and academia, supported by the European Parliament, criticised Frontex’s lack of accountability and compliance with fundamental rights. In response, the Commission prepared proposals to increase the accountability and transparency of Frontex operations (Slominski, 2013).

Thus, a key rationale behind more surveillance and control is to limit the number of incoming irregular migrants. In support of this, since 2005 the European Union has actively pursued an external dimension of its migration policy to reduce incoming flows. This includes the use of development, diplomacy, security, and trade policies (European Commission, 2005),³ return

1 For an overview see Frontex (2017).

2 Reported in different media outlets including Fortune Magazine (2015); European Observer (2013); See also Frost & Sullivan (2014).

3 It is beyond the scope of this paper to discuss in depth the different development and economic initiatives by different EU member states to respond to migration pressures.

agreements with countries of origin and transit; processing arrangements in third countries (such as covering bureaucratic costs and even financing detention centres); agreements with governments to enhance border control; and monitoring to limit migration to Europe (Wunderlich, 2013; Reslow, 2017; Boswell, 2003).

The first initiatives to develop an externalised migration policy can be traced back to member states, most prominently the UK and Italy. The UK introduced the concept of so-called 'regional protection areas' close to countries of origin, which were considered sufficiently safe for recognised refugees to be returned to, rather than remaining in Europe (Frelick, 2016). The concept of a 'safe third country' also developed out of this logic. Italy began its return agreements with Libya's Muammar Gaddafi in the early 2000s, when unsympathetic European partners left Rome alone to deal with the increasing number of arrivals from northern Africa, and the anti-immigrant government saw a bilateral agreement as the solution to domestic pressure (Ibid). Similarly, Ukraine used to be a gatekeeper when there were stronger migration flows coming from the east (Ibid). This has led to a proliferation of agreements by single member states, and between the EU and third countries. This external dimension has been pursued primarily by individual member states but also increasingly by the EU. Through an array of agreements, foreign policy and migration management have become intrinsically linked. An underlying strategy has therefore been to respond to migration through the involvement of more security actors as well as using partner countries to control inflows to try to reduce numbers.

3. A Hybrid Threat?

In recent years, so-called 'hybrid threats' have added to the definition of the threat perception of migration in Europe. The concept of a hybrid threat represents an acknowledgement of the overlap between internal and external threats. Generally, however, it is difficult to determine how these should be defined. One definition of hybrid threats can be found in the European Union's 'EU Playbook' on hybrid threats, which describes them as "a mixture of coercive and subversive activity, conventional and unconventional methods (i.e. diplomatic, military, economic, technological, information), which can be used in a coordinated manner by state or non-state actors to achieve specific objectives while remaining below the threshold of open organised hostilities" (European Commission, 2016g).

The best-known hybrid threats, which have received the most attention, are cyber-attacks or interference with the media and electoral processes through the weaponisation of new technologies. However, migration is also often mentioned in connection with hybrid threats. For example, the EU's Joint Framework on countering hybrid threats considers collaboration with third countries in the European neighbourhood "to help combat organised crime, terrorism, irregular migration and trafficking of small arms" (European Commission, 2016g). The ambiguous definition of hybrid threats by the EU is also evident in its Global Strategy (EUGS). The original document refers to migration policy in multiple contexts and elaborates on its external dimension. It only mentions in

passing the possibility of defence or security actors being involved in migration management.⁴ Nonetheless, that migration is now considered in a security context is a significant change from the first security strategy of 2003 (Ceccorulli and Lucarelli, 2017). However, the Implementation Plan on Security and Defence, which followed the EUGS, includes “building capacities to manage irregular migration flows” under the rubric of “protecting the Union and its citizens” (European Commission, 2016h: p. 3). It also sets out the ambition for future CSDP missions to prioritise border management and capacity building for third countries to manage irregular migration. Migration is included in the discussion of hybrid threats, issues such as cyber-attacks and terrorism, and explicitly in the internal-external security nexus and defence issues (Ibid).

Recently, there appears to have been a shift towards greater acceptance of the security focus of migration policy within EU institutions and agencies.

Beyond the specific hybrid definition, migration is also referred to in regard to new areas for defence actors in the internal-external security nexus. For example, the EU-NATO Joint Declaration of 2016 on increasing collaboration between the two institutions identified that there is “an urgent need to [...] broaden and adapt our operational cooperation including at sea, and on migration, through increased sharing of maritime situational awareness as well as better coordination and mutual reinforcement of our activities in the Mediterranean and elsewhere” (European Council, 2016).

Although the understanding of migration as a hybrid threat per se is inconsistent, documents published by both the EU and NATO make reference to the role of their missions in managing migration as a hybrid threat.⁵ While institutions have been hesitant to make an explicit connection, politicians have been less so. Council President Donald Tusk warned: “We are slowly becoming witnesses to the birth of a new form of political pressure, and some even call it a kind of a new hybrid war, in which migratory waves have become a tool, a weapon against neighbours. This requires particular sensitivity and responsibility on our side” (European Council, 2015b).

Garelli and Tazzioli argue that migration has been placed, in biopolitical terms, on a “dodgy continuum of hybrid threats” (Garelli and Tazzioli, 2017: p. 11). A consequence of this is a misunderstanding of what represents the actual threat: is it a migrant, the number of migrants, the potential or perceived consequences of migration, the lack of capacity to respond to a migration crisis, or all of the above? The threat perception put forward in official documents lacks coherence. This also creates inconsistency in how the concept of a hybrid threat applies to migration control in

4 “We will also make different external policies and instruments migration-sensitive—from diplomacy and CSDP to development and climate—and ensure their coherence with internal ones regarding border management, homeland security, asylum, employment, culture and education.” (European External Action Service, 2016b).

5 “As such, [hybrid] is a useful concept that embraces the interconnected nature of challenges (i.e. ethnic conflict, terrorism, migration, and weak institutions)” (European Parliament, 2017); ‘Admittedly, hybrid threat is an umbrella term, encompassing a wide variety of existing adverse circumstances and actions, such as terrorism, migration, piracy, corruption, ethnic conflict etc.’ (NATO, 2011).

the eyes of policymakers. As discussed above, both Boswell (2007) and Neal (2009) point to the difficulty in identifying the point at which policymakers decide to act on the perception of threat by deploying security or military personnel.

In the following, I will set out two specific examples of how migration has been framed as a hybrid threat.

3.1 Migrants as Weapons

One example of how migration has been identified as a potential hybrid threat is that it can be exploited by external actors to undermine social cohesion and public opinion. One extreme practice of using migration as a threat, identified by Greenhill, is when a country of origin or transit 'weaponises' migrants by threatening to direct high numbers across the border to receiving countries or to stop any activities that would keep migrants from doing so. Greenhill highlights this practice as a common one throughout the twentieth century. It has already been used on 75 occasions since the Second World War with different degrees of success (Greenhill, 2016).

In the European context, former President of Serbia Slobodan Milošević used the outflow of refugees from the wars in the former Yugoslavia in the 1990s to stop Western countries from intervening (Ibid). In the early 2000s, Gaddafi threatened to "turn Europe black" by encouraging Mediterranean crossings from Libya (Ibid, p. 24). In recent years, migration has become an important aspect of the EU's relationship with Turkey. Since the establishment of Schengen, Turkey has taken on the role of gatekeeper at the Schengen border of the so-called 'eastern Mediterranean route' to Greece. In 2015, Turkish President Recep Tayyip Erdoğan threatened to "unleash" migrants on the EU. He expressed these threats in response to the ongoing negotiations between Turkey and its European partners on how to reduce the inflow of migrants (Reuters, 26 February 2016).

3.2 Smuggling, Trafficking, and Terrorist Networks

Another example of linking migration to hybrid threats is trafficking and smuggling activities. The trafficking and smuggling of migrants into Europe is often associated with practices that subvert the security of borders. The role of organised crime organisations operating over borders has been central to the discourse around the need to protect the rule of law at borders and this has fed into the discourse around securitization. It is the combination of fighting crime related to migration and the ambiguous definition of migration as a threat to Europe that makes the role of the military unclear. European militaries have become increasingly involved in responding to trafficking and smuggling activities. This has particularly been the case at sea, but also as part of the wider external dimension of European migration policy.

The terms ‘trafficking’ and ‘smuggling’ are often used interchangeably. However, there are distinct differences. Smuggling is the act of aiding and benefiting financially from those seeking to cross borders illegally. Trafficking involves the coercion and exploitation of individuals and often includes forcibly moving individuals against their will or under false pretences.⁶ While both smuggling and trafficking are often operated by networks, a connection to organised crime and violent practices is intrinsic to trafficking. Smuggling, by contrast, has been described in several ethnographic studies as a relatively benign form of organised crime. Often it is integrated into communities and social networks that provide safeguards for migrants, protecting them from exploitation. For migrants, smugglers are often considered service providers, helping them to escape dangerous or insecure situations in their home country to reach safety abroad. Authors conducting sociological and ethnographic studies of smuggling routes have argued that by understanding the economic model, rather than focusing on law enforcement, the practice can be undermined through legal paths to migration and alternative economic opportunities (Reitano, 2017; McAuliffe and Laczko, 2016; Mandić, 2017). When the two terms are conflated in the context of irregular migration it makes the victims of trafficking more vulnerable, criminalises the actions of smugglers to the same extent as traffickers, and dismisses the legitimate claims for asylum of smuggled individuals.

However, in some cases and on some migration routes, it appears that the two practices are closely connected (Ibid). Smuggling practices have become more violent and exploitative because anti-smuggling operations have made the business riskier. Smuggling practices can turn more violent when new actors become involved. This depends on the wider security and socio-political situation of the countries of origin and transit. For example, Libya represents a case in which instability has resulted in a prominent role for armed groups and militias with connections to organised crime. The groups also become involved in smuggling and exploiting migrants and refugees (Ibid). Recent reports of a slave trade run by organisations involved in smuggling and trafficking in Libya are an example of this (Reuters, 20 November 2017).

The conflation and confusion of smuggling and trafficking practices is further reinforced when an association with terrorist networks is implied. There has been increased attention on terrorist networks using irregular migration flows from Syria to Europe since the recent terrorist attacks in Europe.⁷ However, these connections have not been substantiated by detailed investigation since 2015. A Europol report referred to the potential increased use of “smugglers resources”, however it had “not received concrete data to suggest that terrorist groups consistently rely on, or cooperate with, organised crime groups for their illicit activities” (Europol and Interpol, 2016). In 2017, another Europol report pointed out that “recent investigations have revealed that terrorist groups have made use of migrant smuggling networks to allow their operatives to enter the EU. However, these cases do not suggest that terrorist groups maintain sustained engagement with [Organised

⁶ There are a variety of sources that reflect the definition, see for example Europol (2005).

⁷ For an example of the news coverage of the issues see CNN (2015).

Crime Groups] involved in migrant smuggling” (Europol, 2017: p. 55).⁸ While some use of the routes appears to take place and some refugees who migrate to Europe via these routes later become radicalised, the routes are not primarily a way into Europe for terrorist networks.

With this developing threat perception, the increasing role of security actors has also resulted in the deployment of the military. Below I will, therefore, discuss the specific deployments in recent years in response to the hybrid threat stemming from migration via the Mediterranean Sea and from the Sahel.

4. The Role of the Military in Migration Management

The distinct aspect of military deployments in response to migration, in comparison with the Frontex operations or national coast guard activities, is the external policymaking dimension and leadership of member states and allies rather than domestic internal policies, EU institutions, or agencies. Military deployments are led by member states and deployed through the EU’s Common Security and Defence Policy (CSDP), NATO, or unilateral state decisions. These operations are deployed with mandates that specifically address issues of migration or crimes related to migration, with key responsibilities that include (to varying degrees) surveillance, deterrence, prevention, apprehension, and returns. These operations often support existing Frontex or national coast guard operations. In this sense, militarisation can be seen as an extension of the securitization already taking place within EU agencies. However, the establishment of these missions is not only a matter of reinforcing existing efforts through stronger military capabilities. The new military presence also indicates a change in leadership of different actors in the policymaking process.

*The response to Turkey’s
weaponisation of migrants shows the
vulnerability of European states.*

The militarisation of a policy area is not a process limited to migration. It is generally associated with the presence of the military in managing an otherwise-civilian policy area. The literature on militarisation is limited but primarily stems from more-general policy analysis. However, there are differing explanations for this role of the military in new policy areas. Enloe argues that it represents the deliberate attempt by the military industrial complex to ‘colonise’ a civilian policy area (Enloe, 2004). This view has been criticised for implying a strict division between military and civilian aspects of society (Bernazzoli and Flint, 2009). Furthermore, Enloe’s definition of militarisation faces a similar criticism to the securitization approach. Just as in the case of security actors in securitization, it is again difficult to prove a deliberate ‘colonisation’ behind this rise in military actors on migration (Boswell, 2007).

⁸ This was also confirmed in comments to the author in November 2017 by officials from EU DG Migration and Home Affairs who recalled different instances where these claims were made. But they pointed out that international terrorist networks have been able to enter and exit the EU through conventional ports of entry and are unlikely to take on the difficult and dangerous journey through the Mediterranean.

From a policy-analysis perspective, the use of the military is relevant in the context of state action. It focuses on how states frame civilian issues of law enforcement as a threat and deploy military assets—a practice that has taken place in response to migration (Reitano, 2017). In this context, militarisation is considered as one policy on a spectrum of options available, from political, social, and economic policies to military solutions (Jaspersen, 2017). The rationale is to deploy the military to resolve issues in which civilian means have failed or there is domestic pressure to act swiftly. Reitano et al. consider the use of the military an attempt to govern spaces or address crimes that are considered ungoverned or ungovernable, for example when military action is deployed in response to piracy or drug trafficking (Reitano, Ruiz-Benitez de Lugo, and Jaspersen, 2017). Such a policy approach focuses less on social and cultural shifts and more on the interests of different actors, domestic pressures, and the geopolitical environment. Similar to the debate on securitization, however, the question of who the driving actors behind militarisation are has not been fully addressed.

While the securitization of migration has been accepted by a series of academics,⁹ the literature has been largely critical in regard to the use of the military. Even in the more sympathetic foreign policy literature, a positive view of the use of military deployment in response to migration is limited (Johansen, 2017; Roberts, 2017). Think tank publications and policy papers tend to emphasise the difficulty of establishing missions that are appropriate for the capabilities and expertise of the military and that respond to the complex challenges of migration. Thus, while controlling and monitoring migration are considered valuable and necessary by some who accept that securitization is to a certain extent necessary, the deployment of the military is still seen as problematic (Tardy, 2015; Umlaufová, 2016; Keohane, 2017; Kempin and Scheler, 2015; Bendiek, 2017; Palm, 2016).

Below I will, therefore, outline how the military has become involved both in maritime and land operations to respond to the ‘hybrid threat’ of migration.

4.1 NATO in the Aegean Sea

As discussed above, Erdoğan’s threat to ‘unleash’ migrants on the EU came at a time of intense negotiations with Turkey on joint migration management. Two major agreements were reached, one political (the EU–Turkey Statement) and one military (the NATO deployment in the Aegean Sea). As part of the EU–Turkey Statement, Turkey agreed to accept returned migrants from Greece to be assessed for their eligibility for asylum in the EU. In return, Turkey was offered an acceleration of its EU visa liberalisation roadmap; in addition, the EU made €3 billion available for facilities for refugees in Turkey, and promised further development of the Customs Unions and to re-energise the accession process (European Council and Council of the European Union, 2016).

⁹ Heisler and Layton-Henry discuss that the irredentist activities, imported conflicts through migrants, terrorist activities and military intervention to pre-empt refugee flows are how migration can result in military challenges (Heisler and Layton-Henry, 1993; Koslowski, 2004; Koser, 2011).

In February 2017, the NATO Standing Maritime Group 2 (SNMG2) was deployed at the request of Germany, Turkey, and Greece to “cut the lines of human trafficking and illegal migration” (NATO, 2016b). It collaborates with Frontex’s Operation Poseidon in the Aegean Sea as well as the coast guards in Turkey and Greece through agreements on information exchange. The headline description by NATO of its operation stated: “As Europe faces the greatest refugee and migrant crisis since the end of the Second World War, NATO is providing support to assist with the consequences of this humanitarian crisis” (NATO, 2016a). This description represents a muddled understanding of who is facing the ‘crisis’ and what the implied ‘consequences’ of this crisis are. The comparison to the Second World War, when refugees were Europeans, seems, furthermore, misplaced.

The NATO mission’s mandate focuses on support for reconnaissance, monitoring, and surveillance of illegal crossings. It is not specifically tasked with returning migrants. However, the collaboration with Turkey in this mission helps EU member states to circumvent a restriction on their returns policy and practice, following the decision by the European Court of Human Rights in *Hirsi v Italy* (European Court of Human Rights, 2012: para. 133). The EU and its member states thus don’t return migrants apprehended at sea to countries outside the EU without an individual assessment of their status. The court has stated that such a practice would present a potential breach of non-refoulement.¹⁰ Hence the Frontex operation in the Aegean Sea, as all EU operations, can only bring rescued migrants to EU shores. Through Turkey’s participation in the NATO operation, migrants who are rescued at sea by Turkish flag-bearing vessels are returned immediately to the Turkish shore. It has nonetheless been argued that this practice is not in line with the principle of non-refoulement (Ghezelbash, 2018; Reuters, 11 February 2018). Furthermore, the establishment of an operation within NATO for this effort provided an opportunity to manage the diplomatic tensions between Turkey and EU members. As equal allies within NATO, EU members showed goodwill in collaborating with Turkey rather than in the EU–Turkey relationship where much of the negotiation was around Turkish accession and the EU setting conditions.

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Beyond this benefit for EU member states to work with Turkey in the NATO context and return migrants more easily, deterrence is the main scope of the operation. A central motivation for NATO allies to deploy to the Aegean Sea was the speed with which the operation was possible: ships were deployed within 48 hours. This added to the impression of the electorate that urgent measures have been taken in response to migration flows. However, it is difficult to prove a deterrent effect of the NATO operation. NATO officials acknowledge that the significant reduction in migrant crossings from Turkey to Greece has been primarily due to the EU–Turkey

¹⁰ The practice of not forcing refugees or asylum seekers to return to a country in which they are liable to be subjected to persecution. See UN High Commissioner for Refugees (1997).

Statement rather than due to NATO deployment.¹¹ The deterrent effect of military ships appears, therefore, to be quite weak, if at all effective, and has been criticised for being a short-term political measure (Roberts, 2017).

Despite the use of military assets in the Aegean Sea, it would be wrong to describe this as the militarisation of a migration route. It seems rather to support the existing efforts by European states to demonstrate action. The necessity of using NATO appears to be political rather than operational. In regard to surveillance and reconnaissance, the NATO mission supports existing national and Frontex efforts. Turkey's weaponisation of migrants exploited the image created by the securitized discourse, which portrays a need to protect Europe from incoming flows, highlights the fear of loss of control by the government, and marks migrants as alien intruders. Turkey's actions triggered strong reactions from states rather than the institutions. The EU–Turkey Statement was an initiative of the German government and fellow member states rather than one led by the EU Commission. The NATO mission equally came out of the initiative of three allies. It appears to be less a case of militarisation through 'colonisation' by the military, and more that governments choose the military as a tool, first to enhance deterrence measures through military presence, and second to support the institutional and legal aspects of a NATO deployment but without military operational objectives.

Examining the capability of the mission itself, the use of military assets and the expectation of deterrence that comes with it has been described by Roberts as a thoughtless response to anti-immigration sentiments pressuring European governments to act swiftly (Roberts, 2017). This assumes that there is a connection between populist pressure from anti-migrant and xenophobic political factions and a more securitized or militarised policy. As discussed above, it is difficult to prove this link, particularly in regard to EU and multilateral institutions. However, when considering the role of the allies in the deployment of the NATO mission, particularly in light of the push by EU member states for a deal with Turkey, it is likely that popular pressures against migration, rising in the wake of the perceived crisis, have influenced this policy. Because national governments are more vulnerable to such pressures than institutions such as the EU and NATO, calls for military action are likely to come primarily from states. To what extent states' behaviour is directly influenced by these social pressures, and to what extent they are acknowledged by the electorate, needs to be explored further.

EU member states gave in to the weaponisation of migrants by agreeing to a favourable settlement with Turkey and demonstrating stronger action through the NATO deployment. They were not successful, however, in stopping Turkey from using migration as a threat against its EU partners again. Six months after the EU–Turkey agreement was made and the NATO operation was launched, threats from Erdoğan continued, this time particularly in regard to EU accession prospects (The New York Times, 26 November 2016). Turkey also weakened its commitment to the NATO operation, arguing that migration flows had been sufficiently reduced (Reuters, 30 November 2016).

¹¹ See also European Commission (2016d).

The weaponisation of migrants is considered a threat to Europe by policymakers, as the example above of Council President Donald Tusk speaking to the European Parliament shows (op cit). The response has been built on appeasement, heightened deterrence measures and an increase in enforced returns. The future role of the military in the Aegean Sea or in similar operations is unclear. Although maritime security, including in the Aegean Sea, was identified as a key area for EU–NATO cooperation, officials in both institutions are hesitant to suggest that more collaboration through the use of the military is desirable as a solution to migration management.¹² The response to Turkey's weaponisation of migrants shows the vulnerability of receiving states. While the likelihood of such threats being realised is difficult to assess, it is clear that it resonates with the domestic audience. Because it is primarily a diplomatic and political threat the military response has raised significant questions and highlights helplessness on the part of EU member states on how to approach this tactic in the future.

4.2 Response to Trafficking, Smuggling and Terrorist Network Infiltration

As described above, irregular migration is another aspect of migration that is often referenced in regard to a possible hybrid threat. Human smuggling and trafficking, as well as terrorism, are mainly the domain of the EU's Directorate-General for Migration and Home Affairs as well as of member states' domestic policymakers. Human trafficking in Europe is a result of demand for the provision of trafficking victims from within the EU and is mainly an internal issue affecting EU citizens, as 65% of trafficking victims in Europe are EU nationals. The response is therefore primarily led by law enforcement agencies throughout the EU (European Commission, 2016c).¹³ In regard to trafficking into the EU, the Commission highlights the necessity to work with the trafficked person's country of origin.¹⁴ The EU's Counter-Terrorism Strategy of 2005 also focused on supporting the internal law enforcement efforts of member states (Council of the European Union, 2005).

A central motivation for NATO allies to deploy to the Aegean Sea was the speed with which the operation was possible: ships were deployed within 48 hours.

Border control through Frontex, strengthening the SIS, and capacity building in partner countries all provide the external aspect of these strategies. The improvement of border control has also been the focus of recent developments towards a Security Union (European Commission, 2017a; European Commission, 2017c). Increased security on EU borders is one of the priorities in the EU Action Plan against migrant smuggling. This is intended to strengthen law enforcement, policing, and monitoring with a significant role for Frontex and Europol. The external aspect of this policy is the appointment of migration liaison officers in EU delegations and increasing the number of bilateral agreements on prevention and returns (European Commission, 2015).¹⁵ The Action Plan

12 Comments to the author from officials in NATO and EU DG Migration and EU DG Migration and Home Affairs, November 2017.

13 See also Council of the European Union (2017).

14 The main countries of origin of trafficking victims from outside the EU are Nigeria, China, Albania, Vietnam, and Morocco. See European Commission (2016b).

15 Returns policies were further emphasised by the European Commission (2017b).

puts forward its intention to work closely with the European External Action Service (EEAS) towards cooperation with third countries. There is also an explicit reference to the need to work and coordinate with the CSDP missions in the Mediterranean “to systematically identify, capture and dispose of vessels used by smugglers” as well as to share information and provide support for setting up integrated border management systems in the Sahel.

Operation Sophia represented a new kind of engagement for CSDP missions.

Operations in the Mediterranean to fight human trafficking and smuggling were originally under member state or EU agency control. Following Mare Nostrum, Italy’s 2014 anti-trafficking and search and rescue (SAR) operation, EU members were reluctant to set up a similar operation because of concerns about the so-called ‘pull factor’ which, it has been argued, encourages migrants to try to reach European shores, although this has been rejected by international organisations and academic experts (International Organization for Migration, 2017b; Steinhilper and Gruijters, 2017). Instead, they decided to deploy Frontex border security operations: Operation Triton in the central Mediterranean and Operation Poseidon in the Aegean Sea (European Commission, 2016e). The operations had a mixed mandate of strengthening border surveillance and SAR (BBC, 31 October 2014). In January 2018 it was announced that, from February, Triton would be replaced by a new Frontex mission, Themis. This mission would have an even smaller operational area and an “enhanced law enforcement focus”. The detail of which crimes it is likely to focus on is not clear, however, there appears to be an additional component to collect “intelligence and other steps aimed at detecting foreign fighters and other terrorist threats at the external borders” (Frontex, 2018).

This is a peculiar development considering the continued lack of evidence or perception within the institutions that the irregular migration routes are used by terrorist networks (The Daily Telegraph, 31 January 2018). Following pressure from Italy, the new mission will not return all migrants picked up at sea to Italian ports, but instead will deliver them to the nearest port, which could be in EU member states Greece, Malta, or Spain. Initial reports said that migrants would be returned to the closest port, including non-EU states such as Libya. Frontex has since then clarified that this is not the case and thus the Frontex operation appears to still be in line with the *Hirsi vs Italy* decision (Sole 24 Ore, 1 February 2018; Reuters, 1 February 2018). In addition to the Frontex operations, however, there has also been the deployment of the CSDP mission in the Mediterranean, which I will discuss below.

4.3 CSDP in the Central Mediterranean

In 2015, the EU deployed the anti-trafficking and smuggling Operation EU NAVFOR Med, later also called Operation Sophia, in the central Mediterranean. The deployment was framed as both an SAR operation in response to the rising number of deaths in the Mediterranean and a concerted anti-trafficking operation. In 2014, 170,000 migrants arrived in Italy; the number dropped slightly in 2015 to 153,842, but by December there had been over 2,800 deaths at sea (IOM, 2015). The

number rose again in 2016 to 181,436 (IOM, 2017b). The justification for the operation followed the narrative that migration presents some kind of a threat or challenge to Europe due to smuggling and trafficking. The incentive for the deployment came from member states in the Council calling for an anti-trafficking CSDP mission (European Council, 2015a).

The mandate initially set out four phases through which human trafficking and human smuggling were intended to be tackled: 1) to detect and monitor migration networks; 2) to board, search, seize, and divert vessels suspected of being involved in human smuggling activities in international waters; 3) to enter Libyan territorial water to fulfil similar objectives as in phase two; 4) to take necessary measures against vessels and assets, including operating on Libyan territory (See EEAS, 2016a; Johansen, 2017; Tardy, 2017).

Operation Sophia represented a new kind of engagement for CSDP missions. In the past, these had very limited military aspects and would focus on law enforcement, police training, and other activities. Military vessels were deployed in the EU NAVFOR Somalia, also known as Operation Atalanta, to combat piracy off the coast of the Horn of Africa and in the Western Indian Ocean. Furthermore, it is also striking that such an initiative was successful at the EU level through the concerted efforts of member states. Unlike wider migration policy in Europe, CSDP is not controlled by the Commission.

However, the operation has not been without difficulty. Those treating it primarily as an anti-trafficking operation point to the weakness of the original mandate, which was inadequate. The final two stages would have required agreement from Libyan authorities, or a UN Security Council resolution to allow an operation in Libyan territorial waters and on its territory, both of which were not achieved. The maritime nature of the operation in international waters was always going to be limited and unlikely to address the issue of human trafficking at the source. Johansen has described the actions taken through Operation Sophia as a symbolic rather than a strategic response to human trafficking. The operation, she argues, was mainly to show unity at the EU level on an issue that has been too overwhelming for policymakers to tackle (Johansen, 2017:

European governments and EU institutions are expanding the external dimension of their migration policy.

p. 16). In the UK, the House of Lords Committee on the European Union issued a critical report in which it evaluated that the operation did not manage to curb human trafficking networks. As a consequence of the operation destroying vessels, less-seaworthy vessels have been used, which led to a rise in deaths on the central Mediterranean route (UK House of Lords European Union Committee, 2017: p. 2).¹⁶

The SAR aspect of the operation also came in for criticism. As discussed above, the EU refused to replace Italy's former Mare Nostrum operations with a comprehensive SAR operation based on the criticism that it would be a so-called pull factor. However, despite it not being part of its mandate,

¹⁶ By 2016, the death toll of migrants taking the central Mediterranean route rose to one in every 47 arrivals (UNHCR, 2016).

SAR has become a considerable task for the operation. It is difficult to find a description of the operation by the EU that does not refer to this aspect or does not recall that the operation's name, Sophia, came from a baby girl born moments after her mother had been rescued (see EEAS, 2016a). There is, therefore, a consideration that SAR is appealing to the public even though governments decided against a comprehensive SAR operation. Thus this use of military assets for humanitarian efforts has drawn additional criticism because these responsibilities could be implemented by other actors (such as national border and coast guards) more efficiently and at a lesser cost (Tardy, 2017: p.3; Roberts, 2017: p. 218).

It is important to note here that development of Frontex into the European Border and Coast Guard was also intended as a greater integration of civilian and military actors. Among member states, the authorities involved in coast guards include civilian, para-military and military actors. The increased use of boarder and coast guards does still raise issues in regard to assuring compliance of military actors with Frontex regulations on aspects such as SAR operations (Carrera and Den Hertog, 2016). This is a similar critique to that of the NATO operation in the Aegean Sea. Finally, and disappointingly for those who want to see the operation result in greater deterrence, the migrants picked up at sea have to be brought back to European shores. This is different from the NATO mission, where Turkish ships can return migrants to their port of origin in Turkey. Thus the deterrent effect of Operation Sophia is even weaker than the operation in the Aegean Sea.

Responding to the many difficulties, the mandate was adapted over the years. From 2016 it included the imperative to contribute to the arms embargo on the high seas off the coast of Libya and to contribute to capacity building and training of the Libyan coast guard and navy. From 2017, surveillance activities to uphold the embargo on oil exports from Libya were also added (Tardy, 2017: p. 2).

Operation Sophia is so many different things to so many different actors that it fails to satisfy anyone: it does not fulfil any clear humanitarian mandate, it has not been effective in reducing human trafficking, and with the new mandate it has moved into other areas to support the wider situational awareness in the Mediterranean.

Similar to the case of the deployment in the Aegean Sea, Operation Sophia was an initiative driven by states rather than institutions in support of Frontex operations in the Mediterranean. Using military deployment against the hybrid threat of trafficking and smuggling was not effective and the institutional and legal limitations of the mission restricted the extent to which the operation was able to fulfil its original mandate. It also shows the overly ambitious intentions of member states at the beginning of the operation, which included an operation on Libyan territory.

Because of the diverse areas of responsibility it has adopted beyond anti-trafficking, Operation Sophia may continue beyond its current mandate, which currently ends in December 2018. However, EU operations throughout the African continent may also continue to expand.

4.4 Military Engagement on Migration Beyond the Mediterranean

Smuggling and trafficking continue to be associated with hybrid threats and heightened monitoring and control of their associated migration flows appear to be priorities. Relevant civilian missions already exist in northern Africa and the Sahel region, for example, the EU Border Assistance Mission (EUBAM) in Libya and the capacity-building EUCAP Sahel missions in Mali and Niger. The military EU Training Mission (EUTM) in Mali is likely to also begin focusing on migration as part of the regional approach to the Sahel migration (See EEAS, 2016c). These EU missions are already engaging in a concerted effort to respond to challenges of irregular migration and aim to support countries in the Sahel to 'control' their territory (European Commission, 2017d). There are also a variety of other missions and operations in the Sahel currently deployed as part of national and UN initiatives, for example, the French anti-terror operation, Operation Barkhane, or the UN stabilisation mission, MINUSMA, which do not address migration directly.

European governments and EU institutions are expanding the external dimension of their migration policy towards a wider approach beyond states bordering transit countries. This is partly due to the political reality of being unable to intervene in Libya, as initially intended as part of Operation Sophia, or to expect a country to reduce its trafficking and smuggling networks swiftly. These efforts to curb migration into Europe have become more and more entangled with the efforts of different missions to create stabilisation in the region overall. As migration is now established as part of the security realm, its management is likely to become part of operations working on security issues such as terrorism and inter-state armed conflict. This may include additional mobilisation of the military.

A more coherent and comprehensive common EU position towards migration would make Europe more resilient towards threats of new migration flows.

It remains to be seen to what extent this will be channelled through institutions and to what extent it will be led by member states. For example, Italy announced in December 2017 that it will be deploying troops to Niger as part of an anti-trafficking operation to help control the territory (La Repubblica, 24 December 2017).¹⁷ So far, up to 470 troops may be deployed in 2018 (Il Sole 24 Ore, 9 January 2018) and this represents the first military ground mission with a direct mandate to curb illegal migration. It is unclear what the exact structure and mandate of the operation will be. However, commentary on the operation has pointed out that the benefit to regional security and stability in the Sahel appears to be limited. Italy's initiative is a way of positioning itself as an important player in security and defence rather than contributing to a coherent response to migration (Ursu, 2018).

¹⁷ The author would like to thank Anja Palm and Asli Selin Okyay from the Istituto Affari Internazionali for the discussion of these aspects.

5. The Future Role of the Military in Migration Management

Europe's migration policy lacks coherence and would benefit from fresh thinking, especially in the pursuit of external controls on the inflow of migrants and in responding to the hybrid threats linked to migration. The latter include 'weaponisation' of migrants by non-EU countries, the smuggling and trafficking of people, and terrorism. As migration policy has shifted emphasis towards 'securitization' the role assigned to the military in operations led by member states and Frontex has been primarily about deterrence, together with support for surveillance and reconnaissance.

However, the deterrent effect has been significantly weaker than expected by policymakers and the prevention of trafficking and smuggling through maritime operations is very limited. For example, Operation Sophia has largely been unable to implement its mandate and, more generally, the involvement of the military in support of existing coast guard and Frontex missions has rendered coordination more complex. As a result, assuring accountability and transparency has become harder.

Similarly, successes in countering Turkey's weaponisation of migration have been achieved more by the political deal between the EU and Turkey than by the exercise of hard military power. Indeed, involving NATO appeared to be much more a political and diplomatic tool to appease Turkey. Nonetheless neither approach was able to negate the continued use by President Erdoğan of weaponisation threats. While today the relationship between Turkey and the EU on the question of migration appears to have improved, EU members remain vulnerable to renewed such threats.

Member states have, manifestly, been keen to use military deployment to demonstrate action towards the 'threat' posed by migration. Italy, for example, is preparing its first land operation with a mandate covering migration management, highlighting the willingness of European states significantly affected by migration inflows to act unilaterally, including through military action. Moreover, especially in the Sahel and North Africa, Europeans' view of migration is increasingly defined by wider military involvement in the region and may propel the response to migration issues further into the security realm.

Although there is little doubt that military deployments will continue to be used, the mandate of the military needs to be reconsidered and focused on the tasks for which it is best suited, while also being cost-effective. This calls for a reassessment of how to respond to the perceived hybrid threats, with a reduced resort to the military and greater weight given to political action and diplomatic tools. It also calls for a more explicit definition of what the military should or should not do.

One answer may be to clarify responsibilities for search and rescue activities. Although not part of the formal mandate, SAR became an activity undertaken by navies, partly due to the lack of coherent SAR activities in the Mediterranean. Some member states have refused to undertake SAR operations and, in some cases, condemned such activities by non-state actors. Underlying this

stance is the understanding of a so-called 'pull effect' of SAR in inducing higher migration flows. Yet on humanitarian grounds, SAR continues to be a necessity affecting all operations in the Mediterranean. Such SAR could however be conducted more effectively, coherently and with greater transparency through civilian operations.

Europeans are, undoubtedly, worried by organised illegal border crossings, by smuggling, trafficking and by the proliferation of terrorist networks, but there is a need to keep the extent of the threats in perspective. Much of what is undertaken by the military could be achieved by strengthening existing law enforcement and diplomatic tools. These include the existing EU and member state strategies on fighting smuggling and trafficking networks, as well as enhancing cooperation with countries of origin on prevention.

A more coherent and comprehensive common EU position towards migration would make Europe more resilient towards threats of new migration flows. Given its confused objectives and unsatisfactory record, the securitization narrative may need to be rethought in favour of an approach that looks beyond just controlling inflows. Stronger unity on migration is also likely to de-polarise the issue of migration in the domestic political debate and make policy makers less vulnerable to demands for knee-jerk responses. This would have the further advantage of making ad hoc actions by member states less likely, reducing the risks of poorly conceived operations and facilitating better targeted policies.

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