

### **EU Border Management - a new way forward...**


The main debate of the 2017 European Day for Border Guards focused on the European Union's regulations on a more integrated approach to the management of its external borders. These were introduced in October 2016 and gave Frontex a stronger mandate to coordinate operations. Roderick Parkes, a senior researcher at the Paris-based EU Institute for Security Studies, moderated the debate and started the discussion by mentioning various reasons for the new rules to be introduced, including the need to improve Schengen area protection procedures. Other factors include massive flows of migrants, major changes in the geopolitical situation in North Africa and Eastern Europe and a series of terrorist attacks around the continent.

Frontex Executive Director Fabrice Leggeri said the new mandate gave the Agency good tools to improve the coordination of border management operations, and made it better prepared for the biggest flows of migrants and refugees in Europe since the Second World War. Apart from its budget being tripled and the number of staff increased to 1,000 by 2020, the Agency gained new competencies and functions, including interaction with other EU agencies and national authorities while managing 40,000 km of the EU's maritime borders. With the new regulations, Frontex will be able to better manage the work in the so-called hotspots on the EU's external borders, and support Member States in fingerprinting, registering migrants, carrying out security screening and beefing up return operations at the EU level, said Mr Leggeri. "Now we have the full range of activities related to border management," he said.

Philippe De Bruycker, holder of the Jean Monet Chair for European Law on Immigration & Asylum at the Institute for European Studies and the Law Faculty of the Université libre de Bruxelles, argued that even though border management operations were revamped under the new regulations, it is still "a new model built on an old logic." The new model is an evolution from a flat network, where Frontex was one of the players, towards a network based on a hierarchy, where Frontex becomes the chief of national border guards, according to De Bruycker.

Laurent Muschel, Director for Migration and Protection in the Directorate General for Home Affairs, disagreed with this opinion, saying the new regulations are not about the centralisation of power or about Frontex gaining control of Member States, but about integration of border management, identifying weak spots and removing the overlap of competencies among various European agencies. Mr Leggeri pointed out that with the new regulations, Frontex now has more clearly defined powers to be present effectively in the field.

Luis Paulo Ribeiro de Gouveia, Senior Project Coordinator at the Vienna-based International Centre for Migration Policy Development, stressed the importance of cooperation between the Agency and national authorities in the area of sharing





Information to make the border management system as efficient as possible. The new regulations are "a breakthrough" as they create a foundation for building an institutional European culture for border guards, Mr Gouveia said.

During the debate the panellists also talked about the issue of ethics, human rights and accountability during border management operations and the complexity of how to treat the unprecedented mixed flows of migrants showing up at the EU's borders. Mr Leggeri pointed out that Frontex has very professional Border Guards and its own well-prepared sets of standards on how to deal with migrants. Moreover, the Schengen Borders Code provides clear guidance on who should be considered an asylum seeker, and what procedures should be implemented if a migrant is identified as a threat, he said.

The practice of deploying EU Border Guards in third countries has been a real game-changer in border management policy, according to Muschel. As an example, he mentioned Serbia, where the EU is in the process of finalising negotiations to have EU Border Guards deployed to be able to better control the western Balkan route.

During the debate, Mr Gouveia pointed out that as part of its border management policy, the EU is to hold a political dialogue with African countries on how to manage migration flows. He said the dialogue is focused on fighting trafficking and smuggling of migrants, and Frontex representatives take part in the meetings as observers or active participants. Even though European border management policy won't solve the migration crisis in third countries, it can help Frontex better manage future flows of migrants, he said.

Asked about the challenges that Europe's border management will face in the future, Mr Muschel pointed out the demographic trends in Africa and the rising number of young people there who are seeking jobs. He also stressed the need to improve return procedures, ID systems and security screening, as well as tighter integration between border guards and police. Mr Gouveia added that another big challenge for the European border management authorities will be integration in terms of the Agency's assets and human resources.