

Frontex – EU's militant birthday child

This year is the tenth anniversary of Frontex, a European bureau primarily tasked to strengthen the external borders of the EU. The crucial political decision to establish Frontex was made in October 2004. Less than six months later the operational work began. Frontex is the primary tool for the un-free movement into the EU.

No, you didn't misread: the un-free movement. In 2014, you mostly hear people speaking of free movement, but free movement comes with a price. In order for EU and the Schengen countries to be able to remove their internal borders and passport controls, it became necessary to strengthen the external borders. Europe's hard shell is made of Frontex, which has its headquarters in a glittery skyscraper in the growing business quarter of Warsaw. Here you can find supervisors, metal detectors and risk analyses. But the actual activity takes place hundreds of kilometres away, at the European frontiers.

States at the EU's external borders, such as Italy, France, Greece or Spain, can call on Frontex to help secure¹ their borders. The bureau will then send their own, European border patrols, consisting of police from the EU member states. Sweden has 60 European border officers. They go out on monthlong assignments. Their task is to patrol the borders and make sure no one enters Europe the "illegal" way, or arrest those who try, interrogate them and pass them on to the local country's legal system – regardless of how much that country has been criticised for their asylum processes or their treatment of people seeking refuge. Patrolling can be done by boat, plane or on land. Operations that Frontex takes part in have names like Amazon redux, that is directed at migration from South America, Zorba, focusing on the Balkans, and Zarathustra that deals with the Middle East. A media spokesperson for Frontex whom Ful interviewed, told us that until recently, Frontex demanded no specific knowledge from its employees:

– They (the border control personnel) are practical people, their task is to discover migrants at the border and secure² the border. They don't want to know about the asylum system and migration policies, they want to know what to do when their car breaks down.

Several human rights organizations have criticized Frontex and local authorities of illegally preventing people from entering the EU.³ They have supposedly physically dragged people who have crossed the border by foot back over the border, towed back boats filled with people and warned the military on the other side when people have tried to cross the border. Frontex knows about this and is investigating a handful of cases but at this writing, it has not come to the

¹ By "secure", Frontex means preventing people from using their right to seek asylum and move freely in the world.

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³ So-called "push-backs". See Amnesty: <http://www.amnesty.se/nyheter/nyheter/83293/>.

conclusion that its staff has been involved in anything illegal. The view of the staff is that they execute orders, without any personal liability. This becomes clear through the material that is administered to the border patrols:

"It is also important to remind oneself that border control will not bring the solution for migratory pressure or abuse of asylum procedures, nor will it save all victims of torture, smuggling or trafficking. Border officials should try to avoid putting too much pressure on themselves and remain realistic about their own self-expectations and focus on the concrete situation in hand."

So, how did the decision on Frontex come to be made?

It's about money. At the beginning of the 1990's, and for a long time before, EU politicians had been experiencing problems with so-called "illegal" immigration. In the discussions, the core of the rhetoric was related to the fact that people who came to the EU seeking refuge from war, or looking for a better life for other reasons, were willing to work for far lower salaries than native Europeans. These "others" were exploited by European companies, which led to criminality and skewed competition. Since this threatened trade, EU argued, the union needed a police force to aid its national equivalents. Voilà, Frontex was born.

During the European Council meetings in Tampere in 1999 and in Thessaloniki in 2003, the EU leaders agreed that "illegal" immigration from countries outside of the EU was a threat to security within the union. But it wasn't only about the money. An EU Parliament report from the 24th of February 2004, contains the seed that led to Frontex, and the following wording:

"A. expressing great concern at the human tragedies occurring in the Mediterranean every day as a result of boats crammed with poor people fleeing hunger, misery and persecution being shipwrecked [...]"

When Frontex was founded, politicians were already clearly aware that people were dying on their way to Europe. The EU could have chosen another route, different from the one of militarization and border control. The EU could have chosen the route of openness and fight against poverty. There were plenty of counter-proposals coming from different directions, but not from Sweden. Other than the ministers, Sweden had 22 politicians in the EU Parliament when Frontex was founded. No one protested. However, four other politicians in the committee, who were involved with the issue, did (one from Denmark, one from Italy, and two from Germany). But no one would listen. They also had a hard time agreeing on other measures. In the beginning of the 2000's, the European Economic and Social Committee suggested that it should be easier for those who wanted to work and run business in Europe, but the suggestion was voted down by the Council of Ministers.

A buffer zone around the EU

Other than working at the border, Frontex has two tasks: to support research to securing⁴ borders and deporting people who have no legal right⁵ to reside in Europe. They are called Joint Operations. When Sweden has deported people over the years, Frontex has helped in finding other countries that are about to deport people to the same destination countries. EU countries then simply charter a deportation flight together. Sweden has cooperated with Norway, Germany, Finland, and Hungary in this way, to send people out of the EU. This is done mostly to people that have applied for asylum here. Sweden has sent people to Iraq, Kosovo, Burundi, Serbia, and Uzbekistan.⁶

However, Fortress Europe wasn't only built by the police, but also by politics. The same year the decision to establish Frontex was made, EU began work on agreements with countries outside of the union to make them readmit people who are not allowed to stay in the EU. The Hague Convention, which was the foundation of European security at that time, stated that refugee protection in third countries should be strengthened and that the member states should cooperate to protect against "illegal immigration". An important tool for this are contracts made with certain countries outside of the union. Not for free trade, as you would think when it comes to the EU, but for people. The readmission of people. The most recent readmission agreement (footnote: EU Parliaments reference: 20140226STO37002) was signed between Turkey and the EU. In exchange for Turkey agreeing to readmit people whom the European authorities have decided are not in need of protection Turkish citizens are allowed to visit Europe without a visa.

With these kinds of agreements and stronger police control, the EU is building a buffer zone of countries around itself to protect the free movement within the union at any price. During the spring of 2014, the EU is working together with Korea and Azerbaijan to create readmission agreements.

With Frontex, the surveillance of EU borders has become more efficient⁷, which is exactly what politicians intended when they made the decision to create Frontex ten years ago. Since then, human rights organizations have estimated that 23 000 people have died at the borders of Europe. Frontex doesn't keep statistics. However, the bureau has counted that they detect tens of thousands of "illegal" border-crossings each year.⁸ Frontex might not speak about it, but people keep dying at the borders of Europe. Just in the fall of 2013, several hundred deaths of people who attempted to cross the Mediterranean Sea by boat

⁴ By "secure", Frontex means preventing people from using their right to seek asylum and move freely in the world.

⁵ By "legal right", EU is referring to the European migration policy that denies some people the same rights that are given to others.

⁶ Frontex: <http://frontex.europa.eu/operations/archive-of-operations/?year=%C2%AEion=&type=Return&host=Sweden>

⁷ By "efficient", Frontex means that it will use all necessary means to stop people from using their legal right to seek asylum and move freely in the world.

⁸ Footnote: Frontex risk analyses 2013

have been reported. People from Syria, North Africa, and Afghanistan have lost their lives in just the last couple of months – while politicians keep paying Frontex to make the least life threatening paths into Europe even less accessible.

Text by: *Europa Europa's* research group.

Facts:

353 991 people sought asylum in Europe during 2013. The same year, 115 230 people were turned down. This is just a small part of the total amount of people seeking refuge around the world. The amount of people seeking refuge that are from Syria has been estimated to have passed two million just in its neighbouring countries.