The EU’s response to the migration crisis: the securitization of migration

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1. Introduction

In 2015 an unprecedented number of migrants arrived in Europe: more than one million migrants entered the continent which marked the largest migration flow since the Second World War and a fourfold increase compared to the previous year (Website BBC 2015). Many of these migrants had fled conflict-ridden areas in Syria, Afghanistan and Iraq and in order to enter Europe made the dangerous journey across the Mediterranean Sea which ultimately resulted in the death of over 3770 migrants (Ibid.). The substantial increase of migrants posed a challenge to European states, who chose to respond in very different ways. For example, Hungary erected a razor-wire fence along its border to stop what prime-minister Viktor Orbán called an 'invasion' of migrants, the German government took on an 'open-door policy' and welcomed almost 900,000 asylum migrants claiming it was their 'national duty' to protect those in peril (Website Reuters 2016; Website DW 2017). Two opposing ideas seem to be at play here: at one end migrants are framed as a threat that justifies restrictive emergency measures to deal with this threat; at the other end migrants are framed as being threatened, justifying emergency measures in the form of an open-door policy in order to protect them from threats.

In this thesis, I am mainly interested in the response of the EU to the migration crisis. I will argue that the EU’s response to the large influx of migrants has been a securitizing response. With this I mean that the EU has framed the migration crisis as a threatening development that requires emergency measures to deal with it. Furthermore, I will argue that the EU’s response to the migration crisis has also contributed to the institutionalization of migration as a security issue. With this I mean that in their response to the migration crisis, the EU has also framed migration as a persistent or recurrent threat and has increasingly transferred the responsibility over this issue to security professionals. The application of security practices by these professionals on the issue of migration has consequently served to reconfirm and convey the idea that migration is threatening.

The research question of this thesis is the following: To what extent has the EU’s response to the migration crisis contributed to the securitization of migration? I have chosen to divide this question into two subquestions: 1) To what extent has the EU’s response to the migration crisis been a securitizing response? 2) To what extent has this response contributed to the institutionalization of migration as a security issue? To answer
this question I will build on the concept of securitization, which refers to the process whereby security is intersubjectively established.

This thesis is not the first project that is focused on studying the securitization of migration in the context of the European Union. In 2000, Jef Huysmans tried to answer the question of how the European integration process has contributed to the securitization of migration (Huysmans 2000). Gijs Norden of the University of Leiden also studied securitization in the context of the EU and specifically looked at how the council of Europe has framed migrants over different time frames (Norden 2016). He is especially concerned with the frames that were used to securitize migration, rather than the extent to which these securitizing moves were successful (Norder 2016: 54-55); furthermore, Norden only looks at the discursive aspects of securitization rather than also looking at the policy tools and practices that can be used to securitize migration (Norden 2016: 25). Norden's research is insightful because it shows that a variety of frames have been and can be used to securitize migration (Ibid.).

Gabrielle Vermeulen (2018) studied the role of the EU during the migration crisis, trying to answer the question if the EU institutions have attempted to securitize migration and with this undermine their human rights obligations (Vermeulen 2018: 3). In contrast to Norden, Vermeulen takes into account both the discursive and non-discursive aspects of securitization by looking both at language and implemented policies (Vermeulen 2018: 2). However, when studying these aspects of the securitization process, Vermeulen does not take into account the important role of the audience and can thus not conclusively say to what extent the securitizing attempts of the EU have been successful. Furthermore, although Vermeulen does study the non-discursive aspects of securitization, he does not reap the full benefits of this approach as he does not show how these non-discursive aspects contribute to the institutionalization of migration as a security threat (Vermeulen 2018: 4). This thesis will explore the securitization of migration in the context of the EU further in several ways. First, by giving the audience a central role in my analysis I will try to show to what extent securitizing moves of the EU have been successful. Secondly, I will analyze both the discursive and non-discursive aspects of securitization to show that the EU's response to the migration crisis does not just reflect a securitization of migration (Vermeulen 2018: 33) but also contributes to the institutionalization of migration as a
security issue. Finally, I will try to explore further the connection between the securitization of migration and the frequent use of humanitarian discourses by the EU and with this expand on the work of Vermeulen, who concluded that the EU often used humanitarian language in their securitizing attempts, but did not explore the deeper connection between the two discourses (Vermeulen 2018: 33).

The thesis will be structured as follows. First, I will set out my theoretical framework which draws upon the works of various authors who have written about securitization. In this framework I will discuss various approaches to securitization and the relationship between humanitarianism and security. I will also provide some background by briefly discussing the history of the securitization of migration in Europe. After the theoretical framework, I will set out my research design. In this section I will show how my argument will be structured and discuss the methods used in the analysis. Following the research design I will analyse three key policies that have characterized the EU's response to the migration crisis: the EU-Turkey Deal, the establishment of the European Border and Coast Guard Agency and the establishment of operation Sophia. After analysing these policies separately I will try to bring them together, reflect on the broader implications of the analysis and answer my sub-questions. I will conclude this thesis by briefly summarizing the results and answering the main question that was posed in the introduction.
2. Theoretical Framework

What is securitization? In this section, I will discuss this question by applying various approaches. First, the Copenhagen school's approach to security will be discussed. This approach sees securitization as a process that takes the form of a 'speech act' through which security is intersubjectively established (Buzan et al. 1998). The narrow focus on speech acts and the supposed exceptional character of security has been criticized by the Paris School, who I will discuss secondly. According to the Paris School, securitization does not necessarily take the form of dramatic speech acts calling for exceptional measures. Instead, securitization is the result of a 'field effect' constituted mostly through the practices of and co-operation and competition between professionals located in the field of security that leads to the production of a specific kind of knowledge that has the capacity to define security issues (Bigo 2000; Bigo 2002; Huysmans 2006). Both these sections will be complemented by the insights of Thierry Balzacq. In his 2011 publication 'Securitization theory, How security problems emerge and dissolve' Balzacq aims to bring together the classic securitization theory developed by the Copenhagen school with sociologically-inspired works that were published throughout the 2000s (Balzacq 2011). Third, I will bring together the insights of the Paris School and the Copenhagen School on an exceptional/institutionalized spectrum inspired by Watson (2009). Finally, I will show how humanitarianism and securitization are connected.

2.1 THE COPENHAGEN SCHOOL'S APPROACH TO SECURITIZATION

Securitization theory in its first form originated from the works of Barry Buzan, Ole Wæver and Jaap de Wilde, a group of theorists commonly referred to as the Copenhagen School (Buzan et al. 1998). In his 1991 publication 'People, States & Fear', Barry Buzan developed the concept of different 'sectors of security' which identified a broadened security agenda and understanding of security (Buzan 1991). Building on this idea, Buzan, Wæver and de Wilde develop the concept of securitization as the basis of a framework for analyzing security threats in this broadened security agenda (Buzan et al. 1998; Peoples and Vaughan-Williams 2010: 76). For these authors, security does not necessarily relate to an objective threat: rather, it is intersubjectively established through the process of securitization.
2.1.1 WHAT IS SECURITY?
In their 1998 publication 'Security, a new framework for analysis' Buzan et al. approach security as being fundamentally about survival: 'it is when an issue is presented as posing an existential threat to a designated referent object... the special nature of security threats justifies the use of extraordinary measures to handle them' (Buzan et al 1998: 21). The authors thus argue that 'security' moves politics beyond the 'established rules of the game' by framing an issue as an existential threat that justifies exceptional measures (Ibid.: 23). Based on this definition of security, Buzan et al. argue that public issues can range from being nonpoliticized (left out of public policy) through politicized (included in public policy and requiring governmental decisions) to securitized (whereby issues are represented as existential threats, requiring emergency measures) (Ibid.: 23-24).

2.1.2 WHAT IS SECURITIZATION?
Securitization is the process through which security is intersubjectively established. This process takes the following form: securitizing actors make securitizing moves through speech acts, framing issues as existential threats to certain designated referent objects, which justifies the use of emergency measures to deal with these threats (Buzan et al 1998: 25). For the issues to become successfully securitized, the audience has to accept the validity of the securitizing speech acts and legitimize the emergency measures that follow (Ibid.: 25-26). There are thus three key components in the securitizing process that require further scrutiny: securitizing actors; securitizing moves in the form of speech acts; an accepting audience.

2.1.3 SECURITIZING ACTORS
Busan et al. argue that securitizing actors need to have some authority in relation to the audience and also have enough political and social capital to convince the audience that there is an existential threat that requires emergency measures for a securitizing move to be successful (i.e. accepted by the audience) (Buzan et al 1998: 32-33). Peoples and Vaughn-Williams give the example of the fact that we generally assume that those with the title of 'security experts' have the capacity to identify security issues due to their qualifications and background (Peoples and Vaughn-Williams 2010: 79). Buzan et al. name several examples of securitizing actors that include political leaders, governments and pressure groups (Buzan et al. 1998: 40).
2.1.4 SECURITIZING SPEECH ACTS

Securitization theory is heavily influenced by the Speech Act Theory developed by John L. Austin. In his 1962 publication 'How to do things with Words' Austin argues that one can distinguish between performative and constative statements. Constative statements simply report states of affairs and can be judged to be either true or false. In contrast, performative statements do not merely describe a given reality: saying these statements effectively serves to accomplish a social act (Austin 1962; Balzacq 2011: 5; Peoples and Vaughn-Williams 2010: 78). According to Speech Act Theory some utterances are thus equivalent to actions: by making a promise for example, the utterance of this promise is simultaneously an action that changes the previous state of affairs (Peoples and Vaughn-Williams 2010: 78; Wæver 1995: 35).

Drawing upon Speech Act Theory, Buzan et al. argue that the process of securitization also takes the form of a performative statement or speech act: 'it [security] is not interesting as a sign referring to something more real; it is the utterance [of security] itself that is the act' (Buzan et al. 1998: 26). Similarly, Wæver argues that 'By saying it [security] something is done. By uttering ‘security,’ a state-representative moves a particular development into a specific area, and thereby claims a special right to use whatever means are necessary to block it.' (Wæver 1995: 35). Security in this approach is thus not a subjective perception referring to a real external threat that exists independently from this perception: by framing an issue as a security issue successfully, it also becomes one (Ibid.).

According to the Copenhagen School, securitizing speech acts have to follow 'the grammar of security' which means constructing a narrative that 'includes existential threat, a point of no return, and a possible way out' (Buzan et al. 1998: 33). In a securitizing speech act, an issue is thus framed as an existential threat; due to the urgency of this threat 'exceptional measures' are proposed as a possible way out.

2.1.5 THE IMPORTANCE OF CONTEXT

Several authors have argued against solely focusing on speech acts, particularly because this focus tends to decontextualize security (Balzacq 2011: 11). The Copenhagen School's approach suggests that when a speech act is performed correctly (i.e. following the grammar of security) the context alters and a formerly secure place becomes insecure (Ibid.). This view implies that security threats only exist when they are articulated through
language: the existence of security threats is thus entirely dependent upon our linguistic depiction of these threats (Ibid.: 13). This view assumes that language constructs reality rather than shaping our perception of it, and therefore overlooks the importance and even existence of an external context in processes of securitization.

Balzacq has criticized this approach, arguing that 'to move an audience’s attention toward an event construed as dangerous, the words of the securitizing actor need to resonate with the context within which his/her actions are collocated' (Ibid.: 13). Security statements thus have to be related to external developments to win an audience, and the success of a securitization process depends on 'the securitizing actor’s choice of determining the appropriate times within which the recognition by the masses [audience] is facilitated' (Ibid.). In this approach, language is still important but securitizing utterances should be analyzed by taking into account the relevant context (Ibid.: 14).

2.1.6 THE AUDIENCE

Presenting an issue as a security threat is not in itself a successful process of securitization: 'this is a securitizing move, but the issue is securitized only if and when the audience accepts it as such' (Buzan et al 1998: 25). As mentioned before, securitization is an intersubjective process and although the role of securitizing actors and speech acts are central to the securitization process, 'successful securitization is not decided by the securitizer but by the audience of the security speech act' (Buzan et al. 1998: 31).

The audience thus has a central role in any securitization process, as the extent to which securitizing moves are successful is fully dependent on the audience either accepting or rejecting the legitimacy of the move (Buzan et al. 1998: 31). What does it mean to 'accept' a securitizing move, however? Buzan et al. claim that 'accept does not necessarily mean in civilized, dominance-free discussion [...] Since securitization can never only be imposed, there is some need to argue one’s case' (Ibid.: 25). Later they argue that an issue is accepted when a securitizing move has gained 'enough resonance for a platform to be made from which it is possible to legitimize emergence measures or other steps that would not have been possible.' (Ibid.: 25).
Buzan et al.’s definition of the acceptance of an audience is not quite clear, and neither is their definition of the audience itself. In defining the audience, they refer to 'those the securitizing acts attempts to convince to accept exceptional procedures' and later to a 'sufficient' and 'significant' audience (Buzan et al. 1998: 41; 204; 27). Next to these abstract definitions, Buzan et al. do not show how to identify these audiences in practice; no illustrations of audiences are given either (Leonard and Kaunert 2011: 59).

Although the definition of both the role and the composition of the 'audience' is unclear in the work of Buzan et al., much empirical work has been done that has been influenced by their approach to securitization. Within this work, the identity of the 'audience' has varied wildly, with studies focusing on the general public within a democracy, specific branches of government, local elites, organizational colleagues or technical experts among others (Cote 2016: 546). Cote notes that these studies have shown that the audience also participates in the securitization process, often influencing or even determining policy outcomes (Ibid.). For example, securitizing actors often have to abandon or change their strategy when faced with backlash from the audience, leading to different securitizing moves and resulting in different policy outcomes (Ibid.). This implies that securitization is not a binary process where something either is or is not securitized with the acceptance of an audience but rather that it is an 'iterative process between speaker and audience' (Salter 2008: 321).

One example of this is given by Hayes, who studied the 1971 dispute between the United States and India. This dispute was driven by the disintegration of West and East Pakistan into Pakistan and Bangladesh and India’s support for the latter. During that time, Pakistan was an ally of the United States and the Nixon administration viewed India’s support for breakaway Bangladesh as threatening (Hayes 2012: 64). Despite the fact that the Nixon administration viewed India as a geopolitical threat, the administration did not make a securitizing move in public until much later and in a weak form (Ibid.). This was because the American people had earlier expressed unease about a military confrontation with India. Based on these expressions of unease, the Nixon administration anticipated public backlash if they attempted to securitize India and for this reason made a weaker securitizing move than was originally planned (Hayes 2012: 84). In this case we clearly see the influence of the audience on the securitization process: because the securitizing actor
anticipated backlash from the audience based on earlier expressions of unease, the securitizing actor changed its strategy leading to a weak securitizing move and a different policy outcome (Cote 2016: 547).

2.1.7 THE ACCEPTANCE OF AN EMPOWERING AUDIENCE

Balzacq has criticized the vague conceptualization of the audience, but does not dismiss the importance of an audience (Balzacq 2011: 8-9). According to him, the success of a securitization move depends on the acceptance of an 'empowering audience' (Balzacq 2011: 9). Balzacq defines the empowering audience as an audience that 'has a direct causal connection with the issue; and has the ability to enable the securitizing actor to adopt measures in order to tackle the threat' (Ibid.: 9). This approach provides a clear way to identify an audience: namely by looking at the extent to which actors are connected to an issue and their ability to contribute to the securitization of a certain issue (Ibid.; Cote 2016: 547-548). Although securitization here still depends on the acceptance of an audience, it should be stressed that the role of the audience is not relegated to only accepting or rejecting the securitizing claim: the empowering audience often has considerable influence over the securitization process (Ibid.; Balzacq 2011). Because the audience actively participates in the securitization process, the securitizing actor's capacity to relate to the audience is of paramount importance: 'To persuade the audience [...] the speaker has to tune his/her language to the audience's experience' (Balzacq 2011: 9).

Although Balzacq argues that the success of a securitizing move depends on the acceptance of an empowering audience, it is still not quite clear what this exactly constitutes. For example, an audience might agree with a threat-definition of a securitizing actor but disagree about the proposed solution intended to mitigate this threat. Balzacq’s approach can not tell us if this is a successful or unsuccessful case of securitization. Salter (2008) argued against defining securitization as a binary process that can only either fail or succeed and instead proposed a matrix of success/failure which is guided by the following four questions: ‘1) to what degree is the issue-area discussed as a part of a wider political debate?; 2) Is the description of the issue as a threat accepted or rejected?; 3) Is the solution accepted or rejected?; 4) are emergency powers accorded to the securitizing agent?’ (Salter 2008: 325).
This model allows us to measure the extent to which a securitizing move has been successful in a nuanced way where securitization does not have a binary result of success or failure but where securitization moves can be more or less successful. This is done by taking into account the role of the empowering audience at various stages of the securitization process. For example: whilst an empowering audience may agree with the description of an issue as a threat, they may disagree with the proposed solution or the handing over of emergency powers to the securitizing actor. Based on Salter's matrix we can argue that although this securitizing move is not completely successful due to the audience's rejection of the solution and emergency powers, we can not say that it has been a complete failure either because the audience did accept the securitizing actor's definition of the issue as a threat.

2.1.8 EXCEPTIONAL MEASURES AND NORMAL POLITICS

As mentioned before, in a securitizing speech act 'exceptional' measures are proposed. With this, Buzan et al. mean measures that 'break the normal political rules of the game (e.g. in the form of secrecy, levying taxes or conscription, placing limitations on otherwise inviolable rights, or focusing society's energy and resources on a specific task)' (Buzan et al. 1998: 24). Although various examples are given, it is not quite clear how their common denominator is the breaking of 'normal political rules'. Several authors have noted that the concept of 'normal politics' has been left undefined in the securitization framework developed by the Copenhagen School (C.A.S.E., 2006: 455; Watson 2009: 28). Some authors have equated normal politics with the workings of a liberal democracy and have understood securitization as a process whereby an issue is removed from the realm of the democratic process (Watson 2009: 28). This approach has two downsides: first, it disregards processes of securitization that do not violate democratic principles of governance and secondly, it unnecessarily limits analysis to democratic states.

Floyd argues that most processes of securitization in our time have not violated democratic operating rules and therefore proposes a novel way of defining the exception as
the situation where '(1) new laws are passed, or (2) (new) emergency powers are granted (deemed permissible only in the context of threat) [...] or when a state's existing security apparatus is employed to deal with new issues [...] 'Non-exceptional', in turn, refers to those measures possible within existing (non-emergency) legislation' (Floyd 2016: 678). Although this definition of 'the exception' makes the identification of exceptional measures very manageable, it does not clarify how or even if exceptional measures violate normal political rules and therefore rejects a large part of the securitization framework.

Watson has proposed a different view. He also argues that securitization can occur without violating democratic rules of governance and gives the example of the implementation of a policy that strips immigrants of their rights and allows authorities to put them in camps. According to Watson this is an exceptional measure that violates the 'normal political rules' even if this policy was implemented in accordance with democratic procedures (Watson 2009: 28). Watson argues that 'normal politics' should not be understood only with reference to the institutional decision-making apparatus within a state, but rather with reference to the 'relationship between the units or actors whose relationship is reconstituted through the securitized discourse' (Ibid.: 28). For Watson, exceptional measures reject the 'normal' rules surrounding the relationship between the threatening and threatened unit (Ibid.: 26).

The identification of these 'normal rules' is case specific and depends on the historical relationship between specific units. Watson gives the example of state interaction. Here, the normal consists of established international rules and norms; the exceptional measures proposed in a securitizing move would then involve a rejection of these rules (Watson 2009: 26). In the case of the EU's relationship to migration we could think of several laws and norms that govern this relationship, including EU law; the right to asylum; the right to leave any country; and the principle of non-refoulment, which according to the definition proposed by the UN prohibits any state from expelling or returning a refugee to countries where 'his or her life or freedom would be threatened on account of race, religion, nationality, membership of a particular social group or political opinion' (Moreno-Lax 2017: 121-122; UN 1951: art. 33).
2.1.9 SECURITIZATION AS AN EXCEPTIONAL DISCURSIVE PROCESS

In this section I have shown how security is intersubjectively established through a process of securitization. According to the Copenhagen School, this process is discursive and occurs when an audience accepts the legitimacy of a securitizing speech act made by a securitizing actors and the subsequent exceptional measures that are taken. These measures are exceptional in that they reject the established rules that govern the relationship between the threatening unit and the threatened unit (Watson 2009: 26). The Copenhagen School has been criticized for their vague conceptualization of the audience and their supposed decontextualization of security. In this thesis I propose to use Thierry Balzacq's understanding of the audience as an 'empowering audience', an audience that 'has a direct causal connection with the issue; and has the ability to enable the securitizing actor to adopt measures in order to tackle the threat' (Balzacq 2011: 9)

I have also proposed to use a model developed by Salter in order to measure the success or failure of securitization moves by taking into account the acceptance of an empowering audience at different steps of the securitization process. This approach implies that securitization does not have a binary result of successful or failed but can instead be more or less successful dependent on the degree of support of an empowering audience. Furthermore, I have argued that securitizing speech acts should not be seen as decontextualized utterances, but rather as statements that are related to external developments. Only when these statements resonate with an external context can audiences be persuaded to support the securitizing actor's statements and proposed measures. Securitization here is thus a process whereby security gets intersubjectively established when a securitizing actor makes a securitizing move that frames an issue as an existential threat that requires exceptional measures to deal with it; the success of the securitizing move depends on the support of the empowering audience for these claims and the measures that follow (Buzan et al. 1998; Balzacq 2011; Watson 2009).

2.2 THE PARIS SCHOOL’S VIEW ON SECURITIZATION

A group of theorists known as the Paris School have argued that the Copenhagen School's approach disregards how securitization processes occur below the level of discourse and exceptionality, and rather stress the importance of non-discursive practices and the field of security (Strizel, 2007: 367; C.A.S.E. Collective 2006; Watson 2009: 7; Bigo
2002). Discussing the entire securitization framework of the Paris School is beyond the scope of this paper, instead I will highlight some aspects of their approach in order to complement the framework based on the Copenhagen School approach.

In 2000, Bigo argued that 'It is possible to securitise certain problems without speech or discourse and the military and the police have known this for a long time. The practical work, discipline, and expertise are as important as all forms of discourse.' (Bigo 2000: 374). For the Paris school securitization processes are thus not necessarily driven by the logic of speech acts and exceptionality. Instead, according to the Paris School securitization emerges from 'a field effect in which no actor can be the master of the game' and they especially stress the importance of the practices of security professionals (Bigo 2002: 76; 73). In order to grasp these statements, it is necessary to dig a bit deeper into the work of the Paris School.

2.2.1 THE TRANSNATIONAL FIELD OF SECURITY

One key assumption that underlies the work of the Paris school is that transnational developments have facilitated the emergence of a transnational field of security and the subsequent creation of a security continuum that allows for the transfer of security connotations between different policy areas (Bigo 2000; Bigo and Tsoukala 2008). The two main events that have contributed to this development are the end of the bipolar order and the emergence of the EU.

The Paris School argues that the end of the bipolar order left many security professionals searching for a raison d'être (Huysmans 2006: 17). For decades, the military-ideological split between East and West and the possibility of (nuclear) war between these factions was the taken-for-granted framework from which security questions emerged and against which security experts professed their knowledge (Huysmans 2006: 17). The bipolar world thus offered these security professionals 'a background history and implicit understanding of its expertise and what is contributed to this history' (Ibid.). After the end of the bipolar order, the danger of a war between Eastern and Western countries decreased and consequently the military aspects of security questions lost their priority status (Ibid.: 18). According to the Paris School, this has left security professionals searching for and identifying new security issues. Huysmans notes that this does not imply that these professionals consciously or cynically introduce new threats to save their careers; instead,
'The field of knowledge in which they operate often requires of them to identify threats and to work relatively close to and with the people who politically define security agendas [...] Therefore they are often trained and, thus, predisposed to looking for security questions' (Ibid.).

At the same time of the end of the bipolar order, new institutions and mechanisms where emerging in the context of European integration that offered the political space for security professionals to co-operate, interact and compete transnationally (Floyd 2006: 11). Noticeable examples of these co-operations are the Bern Club and the Trevi Group which will be discussed in a later section. According to the Paris School, the institutionalization of co-operation and competition between various security agents on a transnational level has led to the rise of transnational networks of security professionals where internal and external security have become less distinguishable and where the role of security agents (internal/external) can change, resulting in a reality where ‘external security agencies [...] are looking inside the borders in search of an enemy from outside [...]. Internal security [...] agencies are looking to find their internal enemies beyond the borders [...]’ (Bigo 2000: 320-322; C.A.S.E. 2006: 459).

In order to analyse the dynamics of the transformations affecting the cooperation and competition between security agencies Bigo uses the concepts of ‘habitus’ and the ‘field’ developed by Bourdieu (Bigo 2000: 349). The habitus is a ‘structuring structure’ that shapes understandings, behaviour and attitudes and is formed through the accumulated experience of actors; (Leander 2010: 3). The field is the social universe in which actors are located that has developed its own organizing logic around an issue at stake (Peoples and Vaughn-Williams 2010: 69; Leander 2010:3-4). Furthermore, each field has its own understanding of the world and implicit and explicit rules of behaviour (Leander 2010: 4). Applying these concepts, Bigo argues that transnational developments have facilitated a shift in the habitus of security professionals whereby the separation between external and internal security have become blurred; in turn, this has underpinned the emergence of a new field of security relations between security professionals on an increasingly transnational scale (Bigo and Tsoukala 2008: 6-7; Peoples and Vaughn-Williams 2010: 69).
The role of the field of security and the security professionals located within this field is central to any securitization process: Bigo even argues that any securitization process must be connected to a field of security (Bigo 2000: 348). This is because 'Securitisation rests on the capacity of actors [...] to produce a 'truth' on these statements. Truth which needs to be congruent with what is the current knowledge about the world' (Bigo 2000: 347). The term 'statements' that Bigo uses here refers to securitizing speech acts. According to Bigo, security professionals have a monopoly on the ability to produce such a 'truth' (Ibid.). These professionals are the only one authorized to produce the information that defines what is or is not threatening, which is legitimized by their knowledge acquired through the application of trained skills, technologies and routine practices in their work (Huysmans 2006: 9).

By approaching the network of security professionals as a field, Bigo's analysis goes beyond the actions of individual actors. Although the field is originated in the actions and routines of individual actors, it functions semi-autonomously in that it both constrains and empowers the agents located within it (Huysmans 2006: 72). This is why securitization according to Bigo is the result of a field effect rather than the actions of one securitizing actor (Bigo and Tsoukala 2008: 5). Through the routine practices of and competition and co-operation between security professionals located in the field, a specific kind of knowledge is produced and distributed that has the power to define security issues. What is particularly important about the newly emerged transnational field of security is that this field consists of a wide variety of security agencies and professionals that are concerned with different policy issues (C.A.S.E. 2006: 459). Due to the inclusion of both internal and external security professionals in the field, security knowledge has been produced and distributed that linked a wide variety policy issues to each other on a 'security continuum', leading to the disappearance of the inherent differences between kinds of threats (Ibid.; Huysmans 2006: 72). Huysmans has defined this continuum as 'an institutionalized mode of policy making that allows for the transfer of the security connotations of terrorism, drugs traffic and money-laundering to the area of migration' (Huysmans 2006: 71).

2.2.2 SECURITIZING PRACTICES

According to the Paris School, securitization processes are thus not necessarily driven by the logic of exception and dramatic speech acts; instead, securitization is the result of a 'field effect' mostly constituted through the practices of and co-operation and
competition between security professionals that leads to the production of a specific kind of knowledge that has the capacity to define security issues. The Paris School therefore stresses the importance of studying 'securitizing practices' of actors located in the field of security when analysing processes of securitization (Bigo 2000; Bigo and Tsoukala 2008; Huysmans 2006). In his work, Bigo does not make clear what these practices consist of nor how they can be identified (Léonard 2010: 236).

Balzacq argues that security practices are primarily embodied in policy tools and therefore stresses the importance of studying these tools, especially when used by security professionals (Balzacq 2011: 15). To this end Balzacq has proposed the concept of a 'tool of securitization', which refers to 'an identifiable social and technical 'dispositif' or device embodying a specific threat image through which public action is configured in order to address a security issue' (Balzacq 2008: 79). Balzacq's argument here is thus that certain policy tools embody practices that inherently convey the conception that there is a security threat that has to be mitigated. (Balzacq 2008: 79-80; Léonard 2010: 237).

Léonard builds on Balzacq and distinguishes between two sorts of 'securitizing practices' (or tools) that inherently convey the idea that there exists a threat that has to be mitigated. The first type of securitizing practices are practices that are normally used when tackling 'traditional' security issues (e.g. terrorism; foreign invasions; drug-trafficking) (Léonard 2010: 237-238). The second type of securitizing practices is what Léonard calls 'extraordinary' practices: 'their exceptional character suggests that the problem they are tackling is also exceptional and cannot be dealt with by 'normal' or 'ordinary' measures' (Ibid.: 237). Here, Léonard departs from Watson's approach where the 'exceptional' is defined as 'the rejection of the 'normal' operating rules that govern the relationship between units' (Watson 2009: 26). Instead, Léonard defines 'exceptional' more broadly as 'out of the ordinary' (Léonard 2010: 237). According to Léonard, for practices to be identified as 'exceptional' it is not required for these to violate the normal operating rules but rather that these practices '[have] not been previously applied to a specific policy issue in a given political context.' (Ibid.: 238).

2.2.3 SECURITIZATION REVISED

According to the Paris School, securitization processes are not driven by the logic of exception and dramatic speech acts. Securitization is rather the result of a 'field effect'
which is constituted through the practices of and co-operation and competition between security professionals that leads to the production of a specific kind of knowledge that can define security issues. The Paris School thus especially stresses the role of the field of security and the security professionals that operate within this field. Balzacq and Léonard especially stress the importance of taking into account the practices of security professionals. These authors argue that practices of security professionals often convey the idea that there exists a security issue that has to be tackled. Furthermore, these practices are often embodied in policy tools: studying these tools when analyzing processes of securitization is thus of paramount importance.

2.3 EPISODIC / INSTITUTIONALIZED

Based on the previous insights, the process of securitization can be approached in two ways. First, securitization can be a discursive process whereby an issue is framed as an existential threat to a referent object that justifies the use of exceptional measures to deal with it. The success of the process is dependent on the acceptance of an empowering audience and is furthermore characterized by its 'exceptionality' (Buzan et al. 1998: 26; Balzacq 2011: 9).

I have shown that in contrast to the approach of the Copenhagen School, The Paris School has argued that securitization does not always occur through dramatic speech acts and exceptionality, but is instead the result of a 'field effect' mostly constituted through the practices of security professionals that leads to the production of a specific kind of knowledge that can define security issues (Bigo 2000; Huysmans 2006). In studying processes of securitization, the Paris School thus especially stresses the role of the security field and the practices of the professionals within this field.

Watson has argued that although the Copenhagen School and the Paris School may seem like two distinct approaches to securitization, they may be better understood as occupying two different ends of a spectrum between episodic and institutionalized (Watson 2009: 24). On the episodic end, securitizing moves are largely ad hoc and discursive: new exceptional measures are proposed to deal with a novel threat. Here securitization occurs through speech acts where developments are framed as existential threats to certain referent objects, which then justifies the use of exceptional measures that are intended to
deal with this threat (Watson 2011: 8). According to Watson, the success of an episodic case of securitization is precarious as the legitimacy of exceptional novel measures is often contested (Watson 2009: 24). This also implies that the role of an empowering audience is of central importance in these securitization processes.

Watson argues that securitization is institutionalized when threats are perceived to be ‘persistent or recurrent and the response and the sense of urgency has become institutionalized in the form of standing bureaucracies [...] to deal with those threats.’ (Watson 2009: 23). As an institutionalized process, the identification of and response to a security threat is often implemented without much contestation regarding the legitimacy of the act; the importance of an empowering audience is thus diminished (Ibid.). When securitization is institutionalized, the responsibility over an issue thus gets handed over to professionals located within the field of security who are empowered to identify threats and apply their practices and knowledge to this issue (Ibid.). Institutionalized securitization then occurs mainly through the practices of those security professionals, which 'operate on the threat-urgency modality, but often take the form of gradual and incremental intensification and often do not violate normal operating rules' (Watson 2011: 12). Based on Watson’s approach and in line with the framework proposed by the Paris School, I define institutionalized securitization as the process whereby an issue is framed as recurrent or persistent and is therefore integrated into the field of security and where the application of practices by security professionals consequently produces, conveys and reinvokes a certain threat-image without necessarily violating the normal operating rules.

2.4 SECURITIZATION AND HUMANITARIANISM

Several authors have connected security to humanitarianism, especially within the context of migration. Before discussing these authors, it is important to take a closer look at the concept 'humanitarianism'. The Oxford dictionary defines 'humanitarian' as 'concerned with or seeking to promote human welfare' (Chimni 2000: 244). Barnett and Weiss argue that humanitarianism is an extendable concept: whilst it can focus on the advancement of human rights, it can also be limited only to 'saving lives' (Moreno-Lax 2017: 132; Barnett and Weiss, 2011). Similarly, Chimni argues that humanitarianism lacks clear conceptual boundaries: it has not been clearly defined in international law and consequentially it is not
bound to any legal vocabulary (Chimni 2000: 244). Due to the lack of rigid conceptual boundaries and the extendibility of the concept, Chimni argues that 'humanitarianism' is highly susceptible to ambiguous uses and often allows practices to escape criticism by shifting the ground of justification from legality to humanitarian reasons (Ibid.).

In recent years, several authors have noted the rise of humanitarianism in politics and especially its power to configure action. Fassin and Gomme (2012) have argued that 'moral sentiments', 'emotions that direct our attention to the suffering of others and make us want to remedy them' (Fassin and Gomme 2012: 1), have become a central element in contemporary politics as they are increasingly used to nourish discourses and legitimize practices through 'humanitarian government' (Ibid.). Similarly, Watson has noted that humanitarianism has taken a central role in justifying emergency measures (e.g. humanitarian interventions) and proposes to approach humanitarianism as a form of securitization. According to Watson, the common perception of humanitarianism is that human life is identified as the referent object of security, which can be threatened by a variety of developments that need to be tackled (Watson 2011: 6). Like a securitization discourse, a humanitarian discourse frames an issue (e.g. poverty) as an existential threat to a referent object in the form of human life, justifying exceptional measures (e.g. humanitarian intervention) (Ibid.: 6).

As mentioned before, in a securitizing speech act exceptional measures are proposed that are justified by the urgent nature of dealing with a threat. Based on Watson's work, I have defined exceptional measures as measures that 'involve the rejection of the 'normal' operating rules that govern the relationship between units' (Watson 2009: 26). I argue that in a similar but different way, a humanitarian discourse can call for such exceptional measures, especially in the case of migration. Perkowski (2016) shows that humanitarian discourses often produce the image of migrants as 'victims' who are to be rescued and protected by their EUropean 'saviors'. This discourse reduces migrants to human beings without agency and frames the responsibility of the EU and European countries only around the urgent need of 'saving' which justifies the use of various intrusive practices (e.g. sea interdictions) (Perkowski 2016). Similarly, Moreno-Lax (2017) shows how EUropean border practices that have been informed by the humanitarian urgency of 'saving lives' of migrants has tended to reduce the life of migrants not to a 'bare life', but to a 'life-
without-full-rights' (Moreno-Lax 2017: 132; Agamben 1998). She shows how humanitarianism has justified practices (e.g. sea interdictions and destroying smuggling/trafficking vessels) that have centered on resolving the 'urgent' (i.e. saving lives of migrants) but have neglected the legal entitlements and agency of migrants and the formal obligations that the EU has to them, thereby consolidating the logic of securitization (Moreno-Lax 2017: 121-122).

The point here is that humanitarianism, like security, has a strong link to exceptionality. Especially humanitarian discourses centered around the urgent need of saving lives tend to frame migrants as victims without agency and consequently justify intrusive practices that are based on this premise. These practices are exceptional because they violate the normal political rules that govern the relationship between migrants and the EU; rules which are grounded in various legal entitlements that migrants have and the legal obligations that the EU has to them. A humanitarian discourse centered on saving lives tends to violate these established rules and justify practices like sea interdictions or the destruction of smuggling vessels on the basis of the urgency of 'saving lives'.

2.5 THE SECURITIZATION OF MIGRATION IN EUROPE

Several authors have noted that the end of the Cold War has coincided with the resurgence of migration onto the security agenda in the Western world and the rise of more restrictive policies aimed at containing and preventing migration (Watson 2009: 4). For example, Bourbeau has noted that migration has been considered as a security issue by a majority of the OECD countries since the end of the Cold War (Bourbeau 2011: 1). Rather than showing how migration has been securitized in the context of the Western world, in this section I will use the insights of various authors to show that migration has become securitized in Europe.

2.5.1 THE EUROPEANIZATION OF MIGRATION POLICY

After the Second World War, migration was not seen as a threatening issue for the European Communities: immigrants were primarily seen as an extra workforce that was necessary to fix the ravaged economies of European countries (Karyotis 2007: 3). Because these countries lacked the cheap workforce that was needed for the economic situation,
some countries started implementing promotional policies in order to attract migrants to work (Huysmans 2000: 753). Furthermore, the debate about the legal status of migrants was not high on the agenda; in fact, the illegality of these immigrants made them even more exploitable (Ibid.: 754). In the 1970s, and in particular after the oil crisis of 1973, European countries changed their policies on migration: promotional migration policies changed to more restrictive policies in order to protect the economic rights of domestic workers (Huysmans 2000: 754; Karyotis 2007:3). Huysmans argues that despite this shift, the common perception of immigrants did not change as they were still seen as guest workers (Huysmans 2000: 754). Despite the shift to a more restrictive immigration policy, the immigrant population continued growing due to the fact that immigration on the basis of family reunion was still allowed. As a result public awareness of the immigrant population increased and interest in migration as a political issue did so as well (Ibid.: 754-755).

In the 1980s, migration became a hotly debated subject and was increasingly framed as a threat to the welfare state, domestic stability and national identity (Ibid.: 756). Huysmans argues that these discourses have penetrated the 'Europeanization' of migration policy: a process that started in the 1980s whereby migration policy co-ordination became institutionalized on a European level (Ibid.: 755). Migration became a key issue for cooperation in the security field in Europe as intergovernmental groups like the 'Trevi Group' extended their scope to include migration (Ibid.). The Trevi Group was established in 1975 with the initial aim of enhancing co-operation between member states in fighting terrorism and improving security. It met twice a year to discuss security issues and consisted of officials from the Ministries of Home affairs and of security professionals of various member states (Karyotis 2007: 10). In 1985, the scope of the Trevi Group was extended to include organized crime and illegal immigration and in 1986 the group established the 'Ad Hoc Group on Immigration' with the aim of co-ordinating migration policies between member states. The Ad Hoc group was mostly made up of individuals that participated in the Trevi Group: security officials and professionals (Ibid.). Other groups, like the Schengen Group and the Bern Club also extended their scope towards migration. According to Karyotis, these groups served as 'effective laboratories' that pre-structured European migration policy (Ibid.: 11).
Huysmans argues that the co-operation between these intergovernmental and transnational organizations have yielded a network of security professionals; in other words, a transnational field of security (Huysmans 2000: 761). This field has produced the knowledge that has the capacity to define security questions and at the same time this field laid the foundations for a common European migration policy. Due to their focus on internal security, this field has paved the way for a European migration policy that highlights the security aspects of migration; this in effect has led to the emergence of a security continuum that has linked borders, terrorism, crime and migration (Huysmans 2000: 761). As mentioned before, Huysmans argues that this continuum should be seen as ‘institutionalized mode of policy-making that allows the transfer of security connotations [...] to the area of migration’ (Huysmans 2006: 71). Anderson et al. argue that this security continuum was then further consolidated in the foundation of the EU. The Maastricht Treaty facilitated the fusing of intergovernmental organizations, strengthening the transnational field of security. Furthermore, security practices linking migration to terrorism were institutionalized within already existing intelligence systems (Karyotis 2007: 6; Anderson et al. 1995).

2.5.2 THE AMSTERDAM TREATY AND A MORAL SHIFT?

In 1997 the Amsterdam Treaty was signed: this treaty gave the EU more power over national affairs including immigration, but also portrayed the EU as a highly moral actor. For example, it inserts a new paragraph in the Treaty on the European Union that reaffirms that the EU is funded on ‘the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights (EP 2012, Art. 2). Furthermore, one of the goals set out in the Treaty is to ‘offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime’ (EP 2012, art. 3). Karyotis has argued that these developments signalled a change to a more liberal view of migration, rather than a securitized one (Karyotis 2007: 6). Buonfino disagrees, and argues that this moral shift is merely discursive and still serves to securitize migration. He argues that the goal to create an area of freedom, security and justice within the EU means distinguishing between a harmonious inside and a dangerous outside; immigrants from the dangerous outside should
be securitized so that they do not disturb this equilibrium that is at the foundation of the EU's vision (Buonfino 2004: 44). Buonfino thus argues that the EU's 'moral' approach to migration is still a securitized one, but that its articulation has been modified to legitimize the enhanced legitimacy of the EU as a moral actor (Ibid.: 46).

3. Methodology

In this thesis, my research question is the following: To what extent has the EU's response to the migration crisis contributed to the securitization of migration? have chosen to divide this question into two subquestions: 1) To what extent has the EU's response to the migration crisis been a securitizing response? 2) To what extent has this response contributed to the institutionalization of migration as a security issue?

In my analysis, I will focus on three key proposals that have defined the EU's response the migration crisis. These proposals are in line with the European Agenda on Migration drafted by the European Commission in 2015 which was intended to respond to the immediate challenge of the migration crisis but also to make sure that the EU was capable of managing migration in the long term (European Commission 2015A). The policies I have decided to focus on are the following: 1) The EU-Turkey Statement; 2) Operation Sophia 3) The establishment of the European Border and Coast Guard Agency (EBCGA).

To answer my sub-questions I will build on the episodic/institutionalized continuum as proposed by Watson. My argument is that two of the cases under consideration, namely the EU-Turkey Statement and Operation Sophia, are cases of (partly) successful episodic securitization and therefore show that the EU’s response to the migration crisis has been a securitizing response. These policies were proposed as exceptional measures (i.e. measures that violate established rules) that were intended to deal with the novel threat of the migration crisis. In order to substantiate this point I will have to show that the proposed measures were exceptional and intended to deal with the ad hoc threat of the migration crisis. In a discourse analysis, I will show that these policies were framed as a direct response to the urgent threat of the migration crisis; in a policy analysis I will show that the proposed measures are exceptional in that they violate established rules concerning the EU's relation to migrants. I will also have to show to what extent the securitizing move has been successful. To this end, I will use the following model:
This is a slightly modified version of the model proposed by Salter that was discussed earlier. The model I will use in this thesis is guided by the following four questions: 1) is the issue-area discussed as a part of a wider political debate?; 2) Is the description of the issue as a threat accepted or rejected?; 3) Is the solution accepted or rejected?; 4) are exceptional measures implemented? (Salter 2008: 325). This model accounts for the role of the empowering audience at various stages of the securitization process and allows us to measure the extent to which a securitizing move has been successful in a nuanced way where securitizing moves can be more or less successful. Based on this model, I will argue that the EU-Turkey Statement has been a successful case of securitization and the establishment of operation Sophia a partly successful case of securitization.

By showing that the EU-Turkey Statement and the establishment of operation Sophia have been episodic securitizing moves that have been successful to a large degree, my first sub-question is answered. This is because it shows that the EU's response to the migration crisis has indeed been a securitizing response, in that it has successfully framed the migration crisis as a threatening development and has implemented exceptional measures to deal with this threat. However, these policies do not show that migration has become more institutionalized as a security issue, rather that the EU has responded to the ad hoc threat of the migration crisis.

To answer the second sub-question, I will have to show that the EU's response has contributed to the institutionalization of the securitization of migration. An issue becomes institutionalized as a security issue when it is perceived to be a persistent or recurrent threat and the responsibility over this issue is therefore handed over to professionals located in the field of security. The application of practices by these professionals consequently produces, conveys and reinvokes a certain threat-image about the issue. I will thus have to show that the EU's response to the migration crisis has framed the issue of migration as a persistent or recurrent threat which has justified the handing over of
responsibility over this issue to security professionals, and that the practices of these professionals have consequently conveyed the image that migration is threatening.

To make this point I will argue that the third key response under consideration, the establishment of the EBCGA, was a successful securitizing move that has contributed to the institutionalization of migration as a security issue and can thus located on the institutionalized end of the episodic/institutionalized spectrum. To measure the success of the securitizing move I will use the same model that was mentioned before. To show that this securitizing move is an institutionalized move rather than an episodic one, I will argue that the establishment of the EBCGA was a measure that signaled a transfer of responsibility over external border control and migration control from EU member states to the security professionals of Frontex. Furthermore, the policy was justified not by the ad hoc threat of the migration crisis but rather by the perception that unpredicted migratory flows would be a persistent and recurrent threat. Using a policy analysis, I will also show that the application of security practices by Frontex, in particular risk analysis, has served to produce and convey the image of migration as threatening. I will show that the newly added task of conducting vulnerability assessments, which gives Frontex considerable power over external border policies, is based on the same practice of risk analysis and is also based on the idea that migration is threatening. I will argue that this necessarily leads to more restrictive border policies based on the logic of securing the EU from external pressures, including migratory flows, and therefore confirms the idea the establishment of the EBCGA has contributed to the institutionalization of migration as a security issue.

In order to study any securitization process, one must first identify the securitizing actor and the empowering audience. This is case specific: to identify the securitizing actor I will look at who proposed the policy under consideration; to identify the empowering audience I will have to look at which actors have the capacity to enable the securitizing actor of implementing these policies and influence policy outcomes. As I will show in the case studies, the concept of an empowering audience has some flaws when considered in the context of the institutional complexity of the EU. In fact, in the case of the EU-Turkey statement, the securitizing actor was able to negate the importance of the audience and implement exceptional measures without persuading an audience that was independent from the Council.
In my analysis, I will first discuss the three cases separately and apply discourse analysis to uncover what rhetoric is used by the securitizing actors and a policy analysis to determine the function and nature of the policies. After discussing the cases separately, I will bring them together in my discussion and answer my sub-questions and research question and reflect on the implications of my analysis more broadly.

4. The EU-Turkey Statement

4.1 THE SECURITIZING MOVE

One important measure proposed in the European Agenda on Migration is increased cooperation with third countries to contain and stem migratory flows to the EU and to ‘prevent hazardous journeys’ (European Commission 2015A: 5). Following up on this proposal, the EC negotiated an agreement with Turkey dubbed the 'Joint Action Plan' (JAP). This plan sets out ‘actions to be implemented as a matter of urgency(...) with the objective to supplement Turkey’s efforts in managing the situation of massive influx of persons in need of temporary protection.’ (European Council 2015: 1). The JAP had two main objectives: the first one was the provision of funds ‘in the most flexible and rapid way possible’ to support Turkey in offering temporary protection to Syrian refugees; the second objective was the prevention of irregular migration to the EU by intensifying cooperation and the strengthening of the interception capacities of the Turkish Coast Guard (Ibid.). The JAP was thus presented as an urgent measure that offers migrants protection but at the same time serves to prevent irregular migration flows into the EU.

The European Council, consisting of the leaders of the EU member states, welcomed the JAP and on 29 November 2015 the plan was activated after a joint decision by the European Council and Turkey. In a press release concerning the activation of the JAP, the focus was particularly on how the plan would provide a solution to the supposed problem of irregular migration into the EU: the European Council stressed that ‘results must be achieved in particular in stemming the influx of irregular migrants’ (European Commission 2015B). The JAP would prove to be a blueprint for a much broader agreement between the EU and Turkey that was made on 18 March 2016. This deal, dubbed the 'EU-Turkey Statement', was published as a press release on the shared website of the European Council and the Council
of the EU, and was negotiated by members of the European Council and their Turkish counterparts (European Council 2016).

The EU-Turkey Statement was intended to end irregular migration from Turkey to the EU and by doing this 'break the business model of the smugglers and to offer migrants an alternative to putting their lives at risk' (European Council 2016). Under the terms of the agreement, Turkey accepts the readmission of all irregular migrants crossing from Turkey into Greece and promises to take any necessary measures in preventing new routes for illegal immigration from Turkey into the EU. In return, the EU vowed to take in one Syrian refugee for every Syrian being returned to Turkey with a limit of 72,000. Furthermore, the EU promised to speed up the process of lifting visa requirements for Turkish citizens and reinvigorate the EU-accession process; finally, they allocated a total of six billion euro in funding to the Refugee Facility in Turkey (Ibid.). The European Council stressed that the readmission of all irregular migrants will be a 'temporary and extraordinary measure which is necessary to end the human suffering and restore public order' (Ibid.). Here we clearly see a securitizing move: the EU-Turkey agreement is posited as an urgent measure that is necessary to both protect migrants from suffering but also to restore the public order that has been disturbed by the large influx of irregular migrants. The migration crisis is here thus framed as being both a threatening development for Europe and for migrants themselves; the EU-Turkey deal is presented as the emergency measure to deal with this dual threat.

4.2 THE ROLE OF THE AUDIENCE

In a resolution regarding EU-Turkey cooperation on the migration crisis adopted on 14 April 2016, the EP emphasizes that this cooperation 'should not be linked to the calendar, content and conditionality of the negotiation process' (EP 2016A: Par. 37). Furthermore, the EP stresses that 'outsourcing the refugee crisis to Turkey is not a credible long-term solution to the problem' (Ibid.). These statements should be read as criticisms to several aspects of the JAP and the EU-Turkey statement. The Chair of the Subcommittee on Human Rights in the EP also expressed concern about the EU-Turkey statement, arguing that it could violate the EU's commitment to human rights and international law (EP 2016B).

Although the EP resisted various aspects of the deal between EU and Turkey, their role as an empowering audience was diminished because of the peculiar legal nature of the
EU-Turkey Statement. When the Lisbon Treaty entered into force in December 2009, codecision and majority voting on immigration policy was introduced, making the EP a co-legislator together with the Council of the EU and therefore also responsible for signing off on international agreements (EP 2009: 6-7). However, due to the fact that the EU-Turkey Statement was issued via a press release that came without signatures it was not a legally binding international agreement (Website EUobserver 2016). Carrera et al. have argued that by issuing the EU-Turkey in the form of a non-binding press release, the European Council and the EC have purposefully rendered the codecisionary power of the EP inapplicable (Carrera et al. 2017: 2). Several MEPs held similar views: liberal MEP Cecilia Wikstroem described the Statement as a farce and argued that 'They [the European Council and the EC] now realise that if this was indeed a binding agreement between EU and Turkey, in an area where this parliament has co-decision, namely migration and budget, then the parliament also has a constitutional obligation to either accept or reject this agreement' (Website EUobserver 2016). Dutch MEP Sophie In ’t Veld noted that the EC had previously used the term 'agreement' and only in the final stages switched to 'statement', arguing that 'the commission realised very well the legal implication of that term' (Ibid.).

Despite the exclusion of the EP and the supposed non-legal character of the Statement, several commitments that were made in the Statement were quickly implemented. This is reflected in several EU policy and budgetary measures following the release of the Statement (Carrera et al. 2017: 4). An example is the refugee facility in Turkey which was established by a decision of the Commission rather than Parliament (Den Hertog 2016: 20). These adopted measures and the subsequent restrictive measures adopted by Turkey showed that the Commission, the European Council and Turkey understood that the Statement was binding: if not legally, then in bona fide (good faith) (Carrera et al. 2017: 4).

Another challenge to the EU-Turkey Statement came in the form of a court challenge. In April 2016, three asylum seekers travelled from Turkey to Greece and applied for asylum, stating that they risked persecution in their countries of origin. Faced with the possibility of being returned to Turkey under the new EU-Turkey statement, the asylum seekers decided to go before the Court of Justice of the EU and challenge the legality of the Statement (CJEU 2017a :1). Their challenge was based on two arguments. First, they argued that the Statement was based on the false premise that Turkey is a safe third country and
therefore breached the principle of non-refoulement (Carrera et al. 2017: 3). Secondly, they argued that the Statement was legally an international agreement ascribable to the European Council, which meant that it should be part of the normal legislative procedure of the EU; the failure of the European Council to comply with this legislative procedure should thus render the EU-Turkey Statement invalid according to the asylum seekers (Carrera et al. 2017: 4; CJEU 2017a: 1).

The positions taken by the European council and the Commission in this case were surprising. Although the press release through which the EU-Turkey Statement was issued clearly stated that the agreement was the result of a meeting between members of the European Council and their Turkish counterparts, the European Council explained to the Court that ‘to the best of its knowledge, no agreement or treaty […] had been concluded between the European Union and the Republic of Turkey’ and that the EU-Turkey Statement was rather ‘the fruit of an international dialogue between the Member States and Turkey and was not intended to produce legally binding effects nor constitute an agreement or a treaty’ (European Council 2016; CJEU 2017b: par. 26). The European Council argued that the Statement was finalized in a meeting between representatives of Turkey and the heads of state or government of the Member States of the EU rather than the European Council, even though they constitute the same members (CJEU 2017b: par. 27). The participation of European Council President Tusk was explained by arguing that he was tasked with the representation and coordination of negotiations in the name of the heads of state or government, rather than the European Council (Carrera et al. 2017:6). According to the European Council, the references to ‘Members of the European Council’ in the press release should be regarded in a ‘journalistic context’ as not referring to the EU institutions but rather to the heads of state or government of the EU countries (Ibid.: par. 56;57).

In a published fact sheet, the European Commission called the EU-Turkey Statement a decision of Turkey and the EU and argued that it would be in full accordance with EU and international law. Furthermore, the Commission was tasked with coordinating Member States and Agencies in implementing the Statement (European Council 2016). When presenting their case in court however, the Commission argued that ‘it was clear from the vocabulary used in the EU-Turkey statement that it was not a legally binding agreement but a political arrangement’ and furthermore that ‘The European Council refers to the Heads of
State or Government of the Member States’ (CJEU 2017b: par. 28). On 28 February 2017, the Court agreed with the argumentation put forth by the European Council and the Commission and declared that ‘neither the European Council nor any other institution of the EU decided to conclude an agreement with the Turkish Government on the subject of the migration crisis...[the statement] would have been an agreement concluded by the Heads of State or Government of the Member States of the EU and the Turkish Prime Minister’ (CJEU 2017a: 2). Because the EU-Turkey statement was supposedly not the result of the actions of EU institutes, the Court declared that it lacked the jurisdiction to assess the case put forth by the asylum seekers and consequently dismissed the case (Ibid.).

4.3 POLICY ANALYSIS

One of the main commitments that was made in the EU-Turkey Statement was that all irregular migrants crossing from Turkey into Greek would be returned to Turkey. This applies to migrants not applying for asylum, or migrants whose application has been ruled inadmissible or unfounded (European Council 2016). The premise on which this commitment was made is based on the idea that Turkey is a ‘safe third country' (STC). The STC concept embodies the idea that asylum seekers need to apply for asylum in the first safe country they arrive at (Gkliati 2017: 214). This principle is also embodied in EU law: article 33(2c) of the EU Asylum Procedures Directive states that member states are not required to look into the merits of an asylum claim if the applicant has a connection with a third country that is designated as a STC (EP and Council 2013: art. 33). Article 38 of this same directive sets out the following five requirements that a country has to meet for it to be considered a STC:

‘Life and liberty are not threatened on account of race, religion, nationality, membership of a particular social group or political opinion; there is no risk of serious harm; The principle of non-refoulement in accordance with the Geneva Convention is respected; The prohibition of removal, in violation of the right to freedom from torture and cruel, inhuman or degrading treatment as laid down in international law, is respected; the possibility exists to request refugee status and, if found to be a refugee, to receive protection in accordance with the Geneva Convention’. (EP and Council 2013: Art 38)
The premise that Turkey is a STC has been heavily criticized. Amnesty International reported that asylum-seekers were at risk of refoulement in Turkey and have not been provided their rights as asylum-seekers (Amnesty 2017A: 13). Their research showed that asylum-seekers lack access to fair asylum procedures due to the fact that Turkey's novel asylum system is not capable to deal with a massive amount of applications (Ibid.). Another report showed that some refugees who returned to Turkey under the EU-Turkey Statement have been arbitrarily detained, denied access to legal representation and healthcare (Amnesty 2017A: 1).

When Turkey ratified the 1951 Geneva Convention Related to the Status of Refugees, it was one of the first to do so. However, it adopted the convention with a 'geographical limitation'. This meant that Turkey only gives full refugee status to European refugees (Şimşek 2017: 166). Turkey does not provide full refugee status to asylum-seekers outside Europe, merely limited protection in the form of a temporary status: this means that refugees applying for asylum may be allowed to stay in Turkey but must ultimately leave the country and find a solution elsewhere (Şimşek 2017: 166) Although the Turkish government introduced a temporary 'protection regime' for Syrian asylum-seekers in October 2011, it did not refer to access to their rights as refugees (Ibid.: 167). In April 2014, the Turkish government adopted a new law which clarified the status of Syrians and provided some rights including access to health, social assistance, the labour markets and education (Ibid.). Although this law was a step in the right direction, several authors have noted that the access to these rights have remained limited and that the majority of asylum seekers are still condemned to precariousness by having no access to social and economic opportunities (Ibid.: 168; Senses 2016).

The return of all irregular migrants to Turkey is thus not only an 'extraordinary measure' in that it is a novel measure only applicable in the context of the migration crisis as the European Council proposed, but also exceptional because it violates the established rules set out in the EU Asylum Procedures Directive. This directive authorizes member states to return asylum seekers to STC's and has also been used to justify the return of irregular migrants to Turkey. However, the fact is that Turkey does not meet all the requirements that constitute a STC: reports have shown that the principle of non-refoulement is not protected and that some refugees have been subject to human rights violations.
Furthermore, asylum seekers are not able to request refugee status and receive protection in accordance with the Geneva Convention due to Turkey's 'geographical limitation'.

Although the return of irregular migrants to Turkey was one of the key commitments in the Statement, it had only a limited role in stopping migration flows into the EU: the last report of the Commission stated that only 2441 migrants have been forcibly returned since March 2016 and an addition of 3421 migrants have returned voluntarily (European Commission 2019: 3). Despite the limited role this measure had in reducing irregular migration, arrivals into the EU from Turkey dropped drastically after the Statement: the Commission claimed that arrivals dropped by 97% from a peak of 10,000 arrivals in October 2015 to an average of 83 arrivals since 21 March 2016, when the implementation of the Statement started (Ibid.: 1). The Commission attributed this decrease especially to the Turkish authorities (Ibid.). In the Statement, Turkey committed to 'take any necessary measures to prevent new sea or land routes for illegal migration opening from Turkey to the EU' (European Council 2016: par. 3).

This commitment is important, because it shifts responsibility for migration control from the EU onto Turkey. This shifting in responsibility fits a wider trend of policy making in the EU that authors have referred to as the 'externalization of migration control' (Frelick et al. 2016). Frelick et al. define this as 'extraterritorial state actions to prevent migrants, including asylum seekers, from entering the legal jurisdictions or territories of destination countries or regions or making them legally inadmissible without individually considering the merits of their protection claims' (Frelick et al. 2016: 193). These actions can include direct interdiction but also more indirect actions such as enlisting the assistance of third countries in preventing migrants (Ibid.: 194). The main argument of Frelick et al. is that externalizing migration controls allows states to circumvent the international obligations they have to migrants. Although states often provide protection to migrants once they gain access to state territory, externalizing policies are aimed at preventing migrants from reaching these territories in the first place. By preventing migrants from reaching state territory, the state's international obligations are not triggered (Ibid.: 192).

Similarly, the EU-Turkey Statement allows the EU to claim that it is a moral actor that aims to create and maintain an area of 'freedom, security and justice' within the EU whilst at
the same time the deal prevents migrants from reaching this area of freedom, security and justice in the first place (Website EUR-LEX 2019).

4.4 SUCCESSFUL SECURITIZATION?

The proposed measures in the EU-Turkey statement were said to be 'temporary and extraordinary' measures that were necessary to end the human suffering of migrants and to restore the public order which has been disturbed by large migratory flows (European Council 2016). The migration crisis was here thus framed as both a humanitarian crisis and a security issue because it is perceived to be threatening for the public order. The securitizing actor here is the European Council: the members of the European Council, including the President, negotiated the agreement with Turkey and consequently published the statement on their website. Under EU law, international agreements between the European Council and third countries have to be ratified by the European Parliament, which would imply that the European Parliament is the empowering audience in this case. However, because the European Council issued the Statement via a legally non-binding press release, the European Parliament was excluded from participating in the process and their role as an empowering audience was subsequently diminished. When three asylum seekers challenged the legality of the Statement in the CJEU, the European Council rejected ownership of the Statement and argued that the CJEU was therefore unfit to assess the case. The CJEU agreed with the arguments put forth by the Council and so through rejecting ownership and responsibility, the legality of the Statement was put outside of the purview of the CJEU and the power of the judiciary as an empowering audience was taken away. Despite the fact that the Statement does not have a real legal basis, commitments that were made in the Statement were implemented in good faith. Furthermore, I showed that the implementation of these commitments have been exceptional measures in that they violate established rules concerning the EU's relationship with migration, in particular the rules set out in the EU Asylum Procedures Directive.

Based on this analysis, I argue that we can see the implementation of the EU-Turkey Statement as an episodic securitizing move which has been successful. It has been episodic because exceptional measures (i.e. measures that violate established rules) have been proposed to deal with the novel threat that the migration crisis poses to both the safety of migrants and public order in the EU. Based on the model proposed by Salter, we can also
place this securitizing move on the successful end of the model. Through bypassing the consent of the EP and the judiciary that is normally needed to implement international agreements, the European Council has served the role of both the securitizing actor and the empowering audience. For this reason, there was no meaningful contestation regarding the description of the migrant crisis as threatening, the proposed solution and the exceptional measures that followed. Another interesting result in this case is that the EU has been trying to evade their legal responsibilities through externalizing migration controls to Turkey. With this method, the EU has been able to prevent migrants from reaching EU territories and trigger the EU's legal obligations to them.

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5. Operation Sophia

5.1 THE SECURITIZING MOVE

On 20 April 2015, one day after over 700 people died near the coast of Lampedusa, the Commission presented the ‘ten point action plan on migration’ as a response to the crisis situation in the Mediterranean (European Commission 2015C). One of the points was to establish an operation in the Mediterranean to capture and destroy boats used by smugglers (Ibid.). On a special meeting on 23 April 2015, the European Council took note of the proposals of the Commission and committed to the immediate priority of preventing more people from dying at sea through strengthening EU presence at sea and fighting traffickers. To this end, they tasked the High Representative for Foreign Affair and Security (HRFS) to propose measures in accordance with this task (Ibid.). Consequently, the HRFS, who is the chief co-ordinator of the Common Foreign and Security Policy (CFSP) of the EU, proposed the 'Crisis Management Concept' (2015).

In this document, the migration crisis is described as having 'extremely serious implications for the EU and requires urgent action' (Crisis Management Concept 2015: 3). The action proposed is the establishment of a naval force in the Mediterranean sea that would aim to 'disrupt the business model of the smugglers, achieved by undertaking systematic efforts to identify, seize/capture and destroy vessels and assets before they are used by smugglers' (Ibid.: 1). The proposal is justified from a humanitarian perspective and a security perspective and frames migrants respectively. On the one hand it is claimed that disrupting smuggling activities saves migrants from the dangerous journeys from Libya across the Mediterranean, framing migrants as in need of protection (Ibid.: 2). On the other hand the document states that 'there is a link between terrorism and trafficking' (Ibid.: 3). It is argued that due to the fact that many migrants transit through Libya in combination with the rising threat of ISIS-oriented groups operating in the surrounding region, migrant smuggling is a security threat to the safety of the EU and should be dealt with by establishing a naval force in the Mediterranean (Ibid.: 2-3).

Operation Sophia would consist of four phases: First, a deployment and assessment phase where intelligence about irregular migration networks and the vessels used by traffickers is gathered and shared; secondly, an operational/seizure (of smuggled vessels) phase where search and seizure operations in the high seas but also in the territorial waters
of the coastal state are conducted, only if there is a resolution by the United Nations Security Council or if the consent of the respective state is gained; thirdly, an operational/disruption phase which enables the operation to take 'all necessary measures' against suspected vessels, including destroying them; finally, a mission withdrawal and completion phase (Crisis management Concept 2015: 3).

5.2 THE ROLE OF THE AUDIENCE

On 18 May 2015 the Council of the EU approved the proposal and agreed to establish an EU military operation in the Mediterranean which was then called 'EUNAVFOR MED'. The stated objective of this operation is 'breaking the business model of smugglers and traffickers of people in the Mediterranean' and it was presented as part of 'a set of comprehensive measures aimed at responding to the immediate need to save lives, address emergency situations but also to tackle the root causes of irregular migration' (Council of the EU 2015). The Council thus presented the operation as an urgent measure in response to the immediate need of saving the lives of migrants but also as a measure that prevents the threat of irregular migration flows by disrupting trafficking and smuggling (i.e. human smuggling and trafficking). The role of the EP in the establishment of EUNAVFOR MED was highly limited. The operation was part of the Common Security and Defence Policy (CSDP), which is a central element of the CFSP, and also a policy area where the EP does not have legislative power: the decisions relating to the CSDP are taken by the Council of the European Union on the basis of unanimity. The role of the EP here is mostly advisory: it can only make recommendations or ask questions (EP 2012: art. 36). Furthermore, despite the fact that the EP usually shares budgetary authority with the Council, EUNAVFOR was mainly funded through the 'Athena mechanism' which is used to fund military expenditures and is not under formal oversight by the European Parliament (Ibid.: art. 41).

The EP thus did not have the role of an empowering audience in this case. The Council of the EU was the empowering audience, because through a decision of the Council of the EU the policy was implemented and consequently the first phase of the operation, consisting of surveillance and assessment of trafficking networks, started on June 22. The second phase of the operation consists of two subphases:
(1) 'conduct boarding, search, seizure and diversion on the high seas of vessels suspected of being used for human smuggling or trafficking';

(2) 'in accordance with any applicable UNSC Resolution or consent by the coastal State concerned, conduct boarding, search, seizure and diversion in the territorial and internal waters of that State' (CFSP 2015: art. 2b).

Two possible empowering audiences appear in the second subphase: the UNSC and 'the coastal state concerned' have the capacity to either enable or deny the operation to conduct operations in the territorial waters of the state concerned through providing a mandate or giving consent. Although it is not explicitly mentioned, the 'coastal state' refers to Libya which was the main source of migration across the Central Mediterranean (Tardy 2017: 1).

One week before the Council decision, the High Representative informed the UNSC about the preparation for operation EUNAVFORMED, expressing the need for support of the UNSC (CFSP 2015: par.4). After negotiations, the UNSC adopted Resolution 2240 on 9 October 2015 which authorized Member States for one year to inspect vessels on the 'high seas off the coast of Libya' that were suspected of being used for migrant trafficking from Libya (Website UN 2015). The resolution does not authorize intervening in the territorial waters of Libya and therefore does not provide a mandate for the proposed second subphase. Another way to enable these measures would be to obtain consent by Libya to enter their territories. Libya has not provided such an authorization: Libya's ambassador has even criticized the prospect of intervening in territorial waters as being a violation of Libyan sovereignty. Furthermore, due to the unstable political situation in the country it is unlikely that the EU will be able to form a lasting agreement regarding this topic.

Because of the refusal of the two empowering audiences, the second phase of the operation was only partly implemented. Due to the lack of a mandate or consent, the operation was limited to search and seizure operations only in the high seas and not in the territorial waters of Libya. The supposed threat that migrant smuggling and trafficking poses to the life of migrants or the safety of the EU was not perceived to be urgent enough by the UN and Libya to justify the EU's plan to intervene in Libyan territorial waters. I argue that here we see a securitizing move that has only been partly successful. As mentioned before,
the success of a securitization move depends on the acceptance of an empowering audience of the validity of the claim, the solution proposed and the measures that follow. Although the Council of the EU accepted the securitizing move and decided on the establishment of the operation and the start of the first phase of the operation, it did not have the capacity to enable Sophia to operate in the territorial waters of Libya. The denial of the two empowering audiences that did have this capacity meant that the emergency powers needed to mitigate the threat (i.e. operating in Libyan waters) were not granted, leading to an only partly successful case of securitization where one empowering audience has accepted the securitization move and has enabled the securitization actor to implement a limited amount of measures, but where two other empowering audiences have denied the securitizing actor the ability to implement other much needed exceptional measures.

Although the Libyan government was hesitant to grant the EU access to Libyan territories, it did later request assistance in capacity building and information sharing (Council of the EU 2016A). Based on this request the Council decided to add an important task to the operation which consisted of training the Libyan coastguard and navy with the stated objective of 'enhancing their capability to disrupt smuggling and trafficking in Libya and perform search and rescue activities to save lives so that security in the Libyan territorial waters improves.' (Ibid.). This added task thus serves the same objective as the proposed measure that would allow operation Sophia to conduct operations in the territory of Libya, namely disrupting smuggling and trafficking, but is in line with Libya's demand for territorial sovereignty. Here we thus see how an audience (i.e. the Libyan government) not only served to refuse a securitizing move (i.e. proposed territorial intervention) but also contributed to a different policy outcome, confirming the idea that securitization is often an iterative process where both audience and securitizing actor participate. By denying the EU access to their territorial waters but requesting assistance in capacity building, the Libyan government as an empowering audience offered the EU an attractive alternative to operating in Libyan waters and in this way influenced the outcome of the securitization process.

5.3 POLICY ANALYSIS
The core mandate of operation Sophia is to 'undertake systematic efforts to identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers, in order to disrupt the business model of human smuggling
and trafficking networks in the Southern Central Mediterranean and prevent the further loss of life at sea’ (Website Sophia 2019). To this end, the operation is tasked with two main responsibilities: the first entails search and seizure of boats suspected of being used for smuggling or trafficking in international waters; the second is the training of the Libyan Coast Guard and Navy in order to improve their ability to combat smuggling and trafficking (Council of the EU 2016B).

Search and seizure

As of 19 June 2017, 452 boats that were suspected of being used for smuggling were seized and destroyed as a result of the operation (Website UK Parliament 2017). As mentioned before, this was justified on both security and humanitarian grounds: destroying these vessels would prevent migrants from making perilous journeys and therefore prevent further loss of life at sea and at the same time secure the EU from the threat that large migratory flows posed. The reasoning behind this was based on the fact that over 90% of irregular migrants were smuggled into Europe; by taking away the needed resources for smuggling (i.e. vessels), the business model of smuggling would be disrupted which would lead to a drastic decrease in irregular arrivals and departures.

Most of the vessels that were destroyed were large wooden vessels capable of carrying over 500 people (Website UK Parliament 2017). These wooden vessels are valuable to smugglers because they carry large amounts of people and are re-usable and thus bring in large amounts of profit (EEAS 2016: 7). However, following the search and seizure missions conducted by operation Sophia, smugglers were more likely to get caught on the high seas and were also unable to recover the vessels that are seized (Ibid.). As a result, wooden vessels became a less economic option for smugglers and their business model was thus disrupted.

Although the seizure of wooden vessels disrupted their business, smugglers quickly adapted to the changes brought about by operation Sophia and began using cheap rubber dinghies that were overfilled to maximize profit while limiting loss (Website Politico 2019). As a result, this has made the journey across the Mediterranean more risky and did not lead to a decrease in deaths, nor did it lead to the decrease in irregular arrivals and departures that was hoped for (Website UK Parliament 2017). Because the duty to rescue those in
distress and bring them to a nearby safe port is enshrined in international law, the increased usage of unsafe vessels by smugglers has forced operation Sophia to rescue migrants at sea and bring them to Europe rather than focus on their intended task of disrupting the smuggling business (Website Politico 2019; Papanicolopulu 2016: 491). Furthermore, the operation was also not able to return rescued migrants to Libya after EU courts ruled that Libya lacks safe ports (Website Politico 2019). According to the leaders of the operation, the lack of success of Sophia's search and seizure operations was due to the limited mandate that only allowed it to operate in international waters instead of the territorial waters of Libya where most smuggling networks operate (Ibid.). Because the search and seizure operations were only conducted in the high seas rather than at the source of the smuggling business (i.e. Libyan territorial waters), smugglers have been able to adapt to the circumstances which has led to a more dangerous crossing for migrants instead of a decrease in irregular arrivals.

**Training of Libyan Coastguard and Navy**

Because Sophia's success was limited due to its inability to operate in the territorial waters of Libya, another solution had to be found that would combat human smuggling at its source. To this end, operation Sophia was tasked with training the Libyan Coastguard and Navy with the stated goal of enhancing *their capability to disrupt smuggling and trafficking in Libya and perform search and rescue activities to save lives so that security in the Libyan territorial waters improves* (Council 2016B). Although the stated objective of this task was saving lives and improving security in the Libyan territorial waters, it would also save the EU from using its own resources and it meant that migrants could be returned to Libya instead of Europe due to the increased capability of the Libyan Coastguard to intervene (Website Politico; EEAS 2016: 3). Here we thus see a similar policy as the one proposed in the EU-Turkey Statement in that it aims to externalize migration controls to a third country.

The co-operation between operation Sophia and the Libyan Coastguard and Navy has been criticized by human rights organisations, the UN, and MEP's. Amnesty International released a report in 2017 where they described the situation for migrants in Libya as one where migrants are *subjected to widespread and systematic abuse across Libya*
- inflicted with impunity [...] Libyan authorities who should be responsible for protecting the rights of migrants - and in particular LCG [Libyan Coast Guard] officials - are widely subjecting them to human rights violations' (Amnesty 2017b: 60). Similarly, the UN Panel of Experts on Libya stated in a 2017 report that 'Abuses against migrants were widely reported, including executions, torture and deprivation of food, water and access to sanitation [...] the coastguard is directly involved in such grave human rights violations' (UNPEL 2017: 21).

Despite the dire circumstances in Libya and the human rights violations by the Libyan coastguard, co-operation between operation Sophia and the Libyan Coastguard continued. This enabled the Libyan coastguard to intercept and return an increasing number of migrants (Website Politico 2019). The co-operation between operation Sophia and the Libyan Coastguard was hailed as a success by a spokesperson of the operation who argued that 'the provision of training to the Libyan coastguard has proven to be the most effective complementary tool to disrupt the activities of those involved in trafficking' (Ibid.). Although it is true that the provision of training led to a decrease in irregular arrivals and in migrant deaths on the sea, it did so at the cost of returning migrants to a country where they are subjected to grave human rights violations (Website IOM 2019). The situation in Libya is not likely to change soon either: a report released by Amnesty International in 2018 claimed that 'the situation for migrants and refugees in the country remains bleak and in some respects has worsened' (Website Amnesty 2018).

It is highly unlikely that the EU was not aware of the grave situation in Libya or the human rights violations by the Libyan coastguard. A senior European official who spoke on conditions of anonymity suggested that the EU consciously ignored the human rights violations by the Libyan coastguard in order to enable them to continue intercepting and returning migrants. Due to the provision of training, the Libyan Coastguard was returning more migrants to Libya than there were migrants crossing into Europe and according to this senior official 'Europe doesn’t want to upset this balance [...] criticism of the coast guards could lead to resentment, to relaxing.' (Website Politico 2019). Leaked reports of the operation’s leadership in 2017 also show that they were aware of the illegal activities of the Libyan coastguard (Website the Intercept 2017).
Thus despite the EU's knowledge of the grave situation in Libya, the operation got tasked with providing training to the Libyan coastguard as a way to prevent migrants from leaving the country. I argue that this has been an exceptional measure as it violates the established rules concerning the EU's relationship with migrants, in particular the principle of non-refoulement. Because European courts have ruled that Libya is an unsafe country, operation Sophia is prohibited from sending migrants that are rescued in the high seas back to Libya. To circumvent this problem, operation Sophia got tasked with training the Libyan coastguard which enabled the Libyan coastguard to intercept increasing numbers of migrants before they reach the high seas and return them to the unsafe territory of Libya. From a legal perspective, the EU does not violate the principle of non-refoulement because they are not the ones returning migrants to an unsafe country. Through externalizing migration control to the Libyan coastguard, migrants are intercepted before reaching the high seas and the legal obligation of the EU to adhere to the principle of non-refoulement is consequently not triggered. However, I argue that ethically the EU is complicit in the refoulement of migrants, albeit in a novel way. By training the Libyan coastguard to prevent migrants from Libya, the EU has engaged in practices of neo-refoulement. This concept was developed by Hyndman and Mountz, who have defined it as 'the return of asylum seekers and other migrants to transit countries or regions of origin before they reach the sovereign territory in which they could make a claim' (Hyndman and Mountz 2008: 250) In a similar way to the EU-Turkey Statement, the EU has thus used the externalization of migration control to Libya in order to circumvent their legal obligations to migrants.

5.4 SUCCESSFUL SECURITIZATION?

The High Representative was tasked by the European Council with proposing a measure that would disrupt migrant smuggling and trafficking in the Mediterranean in response to the immediate need of saving lives at sea. With this objective in mind, operation Sophia was presented as the necessary measure to save lives of migrants and protect Europe from the supposed threat of irregular migration (e.g. foreign fighters). Due to the limited influence of the EP in the Common Security and Defence Policy, the Council of the European Union had sole decision power. The securitizing actors in this case were the European Council and the High Representative. The European Council initially called for an immediate response to the loss of life and the large influx of irregular migration in the form
of a naval operation on the Mediterranean, and the High Representative gave form to this proposal.

There are various empowering audiences present in this case. First, the Council of the European Union had sole decision power and thus the capacity to enable or deny the establishment of the operation. The Council supported the securitization claim made by the European Council and the High Commissioner and decided to initiate the first phase and so to an extent this securitization move was successful. However, the Council did not have the authority to enable the securitizing actor to start the second part of the operation, which consisted of conducting search and seizure operations in the territorial waters of Libya. Instead, starting this part of the operation would require either consent from the legitimate Libyan authorities or a mandate provided by the UNSC. Despite of several attempts by the EU, Libya did not give consent to enter their territorial waters, nor did the UNSC provide a mandate legitimizing this action. Because of the refusal of these two audiences, the operation was only partly implemented and the securitization move was only partly successful.

However, this case has also shown that securitization can be an iterative process where empowering audiences have considerable influence in policy outcomes. Due to the refusal of the Libyan government to consent to operations in Libyan territorial waters, the EU had to look for a different measure that would accomplish the same result of disrupting human smuggling at its source. To this end, and after a request of the Libyan government to assist in capacity building and information sharing, operation Sophia was tasked with training the Libyan coastguard and navy with the objective of disrupting smuggling and trafficking at its source. Here we thus see that the Libyan government as an empowering audience not only refused a securitizing move but also contributed to an alternate policy outcome by offering the EU an alternative that would benefit both parties.

I have argued that tasking operation Sophia with providing training to the Libyan coastguard has been an exceptional measure because it violates the established rules concerning the EU's relationship with migrants, in particular the principle of non-refoulement. As a result of the policy, the Libyan coastguard has increasingly been intercepting migrants and returning them to Libya which has been ruled to be an unsafe
country by European courts. Although the EU is fully aware of the situation in Libya and the consequences of their policy, they have continued to provide training to the Libyan coastguard, enhancing their ability to intercept migrants. Legally speaking, the EU is not complicit in refoulement here because the EU is technically not returning migrants to Libya. However, I have argued that the EU is ethically complicit in practices of 'neo-refoulement' through externalizing migration control to the Libyan coastguard which prevents migrants from leaving Libya at all.

Based on this analysis, I argue that the establishment of operation Sophia has been an episodic securitizing move which has been partly successful. It has been episodic because novel exceptional measures (i.e. operating in Libyan territorial waters; providing training to Libyan coastguard) have been proposed to deal with the urgent threat that the increase of migrant smuggling associated with the migration crisis poses to both the lives of migrants and internal security in Europe. Based on the model proposed by Salter, we can say that the move has only been partly successful: although the threat-definition and solution offered by the securitizing actor have been accepted by empowering audiences, the proposed exceptional measures have not been implemented.

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6. The establishment of the EBCGA
6.1 THE SECURITIZING MOVE

As part of the measures under the European Agenda on Migration to secure the external border, The European Commission (EC) on 15 December 2015 proposed a Regulation that would replace Frontex with the European Border and Coast Guard (EBCG) (European Commission 2015D: 2-3). The EBCG would consist of the former agency plus the national coast guard of member states. This legislation proposed to significantly broaden the mandate of Frontex and rename it as the European Border and Coast Guard Agency (EBCGA)(Ibid.).

Frontex was established in 2004 as a response to the perception that the external borders of the EU needed to be controlled more effectively due to the abolishment of internal border controls (Perkowski 2016: 460). Its role has been to help member states cooperate in external border management, rather than replacing national border guards: 'the responsibility for the control and surveillance of the external borders lies with the Member States (Council of the EU 2004: par.4). When Frontex was established it had limited staff and equipment and was therefore initially ineffective in conducting border management operations (European Commission 2018: 1). Over the years the budget and mandate of Frontex expanded, but the EBCGA proposal would accelerate this process significantly.

The proposed legislation would alter the functioning of the agency in several ways. First, the EBCGA was charged with the responsibility to adopt 'operational and technical strategies for the European integrated border control management' (European Commission 2015D: 9). Member states are still able to make their own policies, as long as they conform to the general strategy set out by the EBCGA (Ibid.: 23, Art.3). The tasks that Frontex already had would be retained and enhanced: the EBCGA would be able to send agents to operate in non EU countries; its funding and staff would be increased significantly and it would gain the ability to intervene at external borders without the permission of the respective member state in exceptional cases (European Commission 2015E).

In justifying the need for a EBCGA, the migration crisis was heavily invoked. In a press release following the proposal, the Vice-President of the EU commission said that: 'The [migration] crisis has exposed clear weaknesses and gaps in existing mechanisms aimed at
making sure that EU standards are upheld. Therefore, it is now time to move to a truly integrated system of border management [the EBCGA].’ (European Commission 2015E). Similarly, the Commissioner for migration, home affairs and citizenship argued that ‘The current migration and security challenges know no borders, and require a truly European approach. Where Frontex used to be limited to supporting Member States in managing their external borders, the new Border Agency will go beyond this […] The Border Package we are presenting today will increase security for our citizens and ensure high standards of border management.’ (Ibid.). The EBCGA is here not necessarily proposed as an emergency measure that responds to the need of dealing with the threat that the migration crisis poses: it is rather proposed as a long-term measure that will improve the structural weaknesses of EU mechanisms that the migration crisis has exposed and thereby increase the security of EU citizens.

The linkage between the migration crisis and the need for an EBCGA is made more clear in the policy proposal itself. In the policy proposal, it is argued that ‘throughout the current migration crisis, it became clear that the Schengen area without internal borders is only sustainable if the external borders are effectively secured and protected.’ (European commission 2015D: 2). According to the Commission, the large influx of migrants in 2015 was the cause of the reintroduction of internal border controls which in turn has put severe strain on the functioning of the Schengen Area (Ibid.). By framing the migration crisis as the cause of the reintroduction of internal border controls, the Commission implies that unchecked migratory flows are threatening to the functioning of the Schengen Area; this threat can then only be solved by effectively securing and protecting the external border.

The Commission argues that the EBCGA has a paramount role in this context: ‘the European Border and Coast Guard is essential to prevent that deficiencies of external border management or unpredicted migratory flows undermine the proper functioning of the Schengen area’ (Ibid.: 3). The EBCGA is thus not proposed as an emergency measure to reactively resolve the migration crisis, but rather as a necessary measure to enhance the structural ability of the EU to control their external borders and secure the functioning of the Schengen Area in light of future threats. With Frontex only having a supporting role, limited resources and a narrow mandate, the migration crisis made it clear that the Agency was not capable to deal with large migratory flows: the expansion of the Agency’s mandate
and budget was then a necessary measure needed to structurally strengthen the external borders.

In the document, the Commission also links the need for an EBCGA to the intensified security concerns following the terrorist attacks in Paris in 2015. The Commission argues that 'Whilst borders can never provide complete security, they can make a significant contribution in terms of increasing security and intelligence and thwarting future attacks.' (Ibid.: 2). The Commission furthermore claims that 'this function has become even more important in the light of the increasing phenomenon of foreign fighters involved in terrorist attacks' (Ibid.). The EBCG is thus not only proposed as a measure to secure the external border from unpredicted migratory flows, but also from foreign terrorists and the issues of migration and terrorism thus get linked on a similar policy framework.

6.2 THE ROLE OF THE AUDIENCE

A provisional agreement about the establishment of the EBCGA was reached on 21 June 2016 between the Council of the EU and the European Parliament. Some key parts of the proposal were taken out, including the controversial right to intervene without the consent of a member state as it infringed upon the sovereignty of member states according to several members of the Council (EP 2019). Although not all proposed measures made the final regulation, the mandate of Frontex was broadened significantly and the discourse that was previously used by the Commission to justify this development was largely taken over by Parliament and the Council. President of the Council Klaas Dijkhoff said: 'We urgently need a European Border and Coast Guard to strengthen our joined external borders in a structural way. With better border controls we have more control over migration streams and we enlarge the safety of our citizens.' (Council of the EU 2016C). Artis Pabriks, the lead negotiator for Parliament on the regulation said: 'The European Border and Coast Guard Regulation will ensure that the EU external borders are safer and better managed. This is not a silver bullet that can solve the migration crisis that the EU is facing today or fully restore trust in the Schengen area, but it is very much needed first step' (EP 2016C). In both cases, the EBCGA is presented as a necessary measure that is needed to structurally improve the strengthening of the external border and enlarge the safety inside Europe.
Final approval by the council and Parliament was given on 14 September. The adopted legislation reiterated the need for an EBCGA so as to safeguard the functioning of the Schengen Area by securing the external borders from unpredicted migratory flows and other potential threats (EP 2016D: 2). The mandate of the new Agency was significantly broadened: While its main task of monitoring migratory flows and carrying out risk analysis was retained and enhanced, it was now also tasked with carrying out vulnerability analyses on the external borders of EU member states and make recommendations that were binding in principle (European Commission 2018: 3).

6.3 POLICY ANALYSIS
Monitoring migratory flows and carrying out risk analysis

When Frontex was founded it was already tasked with conducting risk analysis (Council of the EU 2004: art.2). In their own words, this task consists of ‘gathering situational pictures based on intelligence and analyzing the situation to assess changes, risks and threats with possible impact on the security of the EU’s external borders’ (Frontex 2009: 29). In the Regulation establishing the Agency's tasks it is stated that risk analysis is concerned with 'monitoring migratory flows towards and within the Union, trends and other possible challenges at the external borders of the Union' (EP 2016D: 28, art. 11). With this regulation, migration was integrated into the model of risk analysis, which according to the Agency is 'the starting point for all Frontex activities, from high level strategic decision-making to planning and implementation of operational activities' (Frontex 2019A). The Agency furthermore claims that their activities are intelligence driven (Frontex 2009: 13).

Léonard has noted the frequent use of the concept 'intelligence' in Frontex documents and argued that this might contribute to the securitization of migration, because whilst the concept usually refers to information about national security threats, in the context of Frontex it refers to information about migratory flows (Léonard 2010: 242).

Risk analyses are carried out using the 'Common Integrated Risk Analysis Model' (CIRAM) which aims to promote a 'common understanding of risk analysis'. The key aspect of the CIRAM is its approach to risk that defines risk as a function of threat, vulnerability and impact. This model defines a 'threat' as a pressure upon the external border; a 'vulnerability' as the capacity of the system to mitigate this threat; and 'impact' as the potential
consequences of a threat (Frontex 2019B). This model underpins risk analyses concerning terrorism, cross-border crime, trafficking and migratory flows on the premise that they are risks and thus also function as threats; here we see how is migration is linked to more traditional security issues through the institutional practice of risk analysis. Furthermore, Frontex has developed a co-operative relationship with several security agencies like Interpol and Europol, often producing joint reports and sharing information (Léonard 2010: 243). This cooperation between Frontex, an organisation that at its establishment was mainly concerned with irregular migration, and more traditional security agencies like Europol and Interpol further contributes to the integration of migration into the field of security where the application of practices by security professionals produces and conveys threat-images.

As mentioned before, Balzacq argues that security tools convey the idea that the issue that is being tackled is a security threat. Similarly, I argue that the CIRAM used by Frontex is a security tool that conveys the idea that migration is a security threat. First, the CIRAM maintains a definition of a threat as a pressure acting on the external border. This implies that migratory flows into the EU are inherently threatening. Secondly, risk analysis is normally used when tackling issues that are traditionally thought of as threats (Léonard 2010: 237). Traditional security issues like terrorism and cross-border crime are also included in the CIRAM which facilitates the linkage between terrorism, cross-border crime and migration and the transfer of practices associated with more traditional security issues to the area of migration.

Based on the CIRAM, the Agency releases annual reports which give a general overview of the risks that threaten the external borders of the EU. In these reports, migration is connected to security directly and through their association with more traditional security issues. In the risk analysis for 2017 it is argued that 'a large number of poorly documented migrants moving within Europe continues to constitute a threat to Europe’s internal security' (Frontex 2017: 6). Here migrants are directly framed as threatening to the internal security of Europe, although the document does not specify what is inherently threatening about their movement. The linkage between migration and security is made more often through linking it to other traditional security issues. For example, migration is implicitly connected to terrorism: 'several foreign terrorist fighters
had entered Europe posing as migrant. As Daesh continues to lose territory, many of its fighters are likely to attempt to move to Europe [...] Frontex remains committed and vigilant in its efforts to ensure security of Europe's borders' (Ibid.: 7). Here, migrants are framed as potential terrorists and the feelings of insecurity around terrorism are transferred to the issue of migration. Similarly, in their 2018 analysis the Agency links migration to terrorism when arguing that 'it is possible that foreign terrorist fighters use irregular migration routes or facilitation networks.' (Frontex 2018: 9).

Vulnerability assessments

The most important new task of the Agency was to carry out mandatory vulnerability assessments on the capacity of member states to manage their borders. At least once a year the Agency would assess the availability of the resources that were necessary for effective border control (EP 2016D: 29, art. 12). Member states would be obliged to provide information on their capacity to carry out border control tasks, including their capacity to deal with large migratory flows, at the request of the Agency and on the basis of this information and on the results of a risk analysis the Agency would conduct a vulnerability assessment with the aim to 'assess the capacity and readiness of Member States to face upcoming challenges, including present and future threats and challenges at the external borders and to identify immediate consequences at the external borders and subsequent consequences on the functioning of the Schengen area;' (Ibid.: art. 13). Following the assessment, the Executive Director of the Agency could recommend a set of measures that aims to eliminate the vulnerabilities identified in the assessment. If a member state refuses to implement these measures, the Council can adopt a decision that requires the member state to cooperate with Frontex and as a last resort the Council can sanction the member state by reinstating border controls (Ibid.: art 19).

The new task of carrying out mandatory vulnerability assessments grants the Agency substantial power in the external border policies of EU member states because of the binding nature of the recommendations that follow from the assessments. These recommendations serve to eliminate the 'vulnerabilities' identified; these vulnerabilities are not only assessed by taking into account the capacities of member states to carry out effective border control, but also by taking into account risk analyses that incorporate a variety of possible threats, including large migratory flows, terrorism and other possible
threats (Frontex 2019C). Because vulnerability assessments are ultimately based on risk analysis and specifically the CIRAM, measures that are proposed as a result are based on the logic of ‘strengthening’ the external border and securing it from threats or external pressures rather than providing protection and safety to migrants.

6.4 SUCCESSFUL SECURITIZATION?

In the proposal for the EBCG, the migration crisis was framed as the cause for the reintroduction of border controls in the EU and thus as a threatening phenomenon to the functioning of the Schengen Area (European commission 2015D: 2). The EBCG was not presented as an emergency measure to deal with the migration crisis but rather as a measure that was intended to structurally strengthen external border controls and prevent future threats in the form of terrorism and large migratory flows. The securitizing actor in this case is the European Commission, because they proposed the regulation. Because the adoption of this regulation was part of the ordinary legislative procedure, both the EP and the Council had co-decision power and thus make up the empowering audience in this case. Both institutions acknowledged the need for an EBCG and a broadened mandate for Frontex and took over the discourse used by the Commission linking the migration crisis to security in the EU. Despite this, some measures proposed in the regulation were taken out, in particular the controversial right to intervene without the consent of a member state at the insistence of several members of the Council. Thus although the empowering audience accepted the threat definition as proposed by the Commission and the proposed solution (i.e. the establishment of an EBCG and broadening the mandate of Frontex), it did refuse to enable the securitizing actor to implement the proposed exceptional measures (i.e. the right of Frontex to intervene without the consent of a member state).

Based on this analysis, I argue that we can see the establishment of the EBCG and the broadening of the mandate of Frontex as a securitizing move which has been partly successful. This securitizing move has not been fully successful because the proposed exceptional measures have not all been implemented. However, the empowering audience did accept the threat-definition proposed by the securitizing actor and the solution proposed (i.e. the establishment of a EBCG and the broadening of Frontex in order to prevent future threats to the Schengen Area in the form of ‘deficiencies of external border management or unpredicted migratory flows’ (EP 2016D: 2).
I also argue that this is a case of securitization that is located on the institutional end of the spectrum, rather than the episodic end. As mentioned before, securitization becomes institutionalized when issues are perceived to be persistent or recurrent threats and the responsibility over these issues is therefore handed over to professionals located within the field of security who are empowered to identify threats and apply their practices and knowledge to this issue; the application of practices by these security professionals consequently produces, conveys and reinvokes a certain threat-image. Similarly, the policy under consideration was aimed at handing over responsibility for external border control and controlling migratory flows to the security professionals of Frontex, which was justified not by the ad hoc threat of the migration crisis but rather by the perception that unpredicted migratory flows would be persistent and recurrent threats. The newly added task of conducting vulnerability assessments especially gave Frontex substantial power in the area of migration control because the Agency could make binding recommendations based on these assessments and thereby influence the external border policies of EU member states and the way migratory flows are handled.

In my policy analysis I have also shown that the application of risk analysis by the security professionals of Frontex has served to produce and reinvoke an image of migratory flows as threatening, and that the newly added task of conducting vulnerability assessment is based on the same logic of securing the external border from threatening migratory flows, leading to more restrictive border policies and confirming the idea that migration has been institutionalized as a security issue.

<table>
<thead>
<tr>
<th>Securitizing move</th>
<th>Debated</th>
<th>Description of issue as threat</th>
<th>Solution proposed</th>
<th>Exceptional measures implemented</th>
<th>Securitizing Actor</th>
<th>Empowering Audience</th>
<th>Type of Securitization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishment of EBCG</td>
<td>Yes</td>
<td>Accepted</td>
<td>Accepted</td>
<td>No</td>
<td>European Commission</td>
<td>Council of the EU/ European Parliament</td>
<td>Institutionalized</td>
</tr>
</tbody>
</table>

7. Discussion

Now that I have discussed the three cases under consideration separately, it is time to link the cases together and answer the research questions posed in the thesis. The
research question of this thesis is the following: to what extent has the EU's response to the migration crisis contributed to the securitization of migration? I have divided this question in two sub-questions: 1) has the EU's response to the migration crisis been a securitizing response?; 2) has the EU's response to the migration crisis contributed to the institutionalization of migration as a security issue? In the following section, I will attempt to answer these sub-questions.

7.1 HAS THE EU'S RESPONSE TO THE MIGRATION CRISIS BEEN A SECURITIZING RESPONSE?

If the EU's response to the migration crisis has been securitized, it would mean that the EU has framed the migration crisis as a threatening development and has implemented exceptional measures to directly deal with it. Based on my previous analysis, I argue that this has indeed happened. Two of the key responses of the EU to the migration crisis, namely the EU-Turkey Statement and the establishment of operation Sophia, are clear cases of episodic securitization that have been successful to a large degree and thus show that the EU's response to the migration crisis has been securitized. In these cases the European Council has been the securitizing actor that has proposed the implementation of exceptional measures that are directly intended to deal with the threat of the migration crisis and that have violated the established rules concerning the EU's relation to migration.

What is particularly interesting is that the migration crisis has been framed as a threatening development for the internal safety of the EU and the effective functioning of the Schengen Zone, but also for the migrants themselves. I have shown that humanitarian arguments have been invoked to justify restrictive policies that revolve around the logic of protecting the EU from migrants. For example, the provision of training to the Libyan coastguard by operation Sophia was partly justified by the argument that it would prevent the further loss of life on the Mediterranean but also served to prevent migrants from leaving the unsafe country of Libya and reaching EU-territory by enhancing the capacity of the Libyan coastguard to intercept migrants. The case of operation Sophia thus shows how a humanitarian discourse centered around the urgent need of saving lives paired with a security discourse that is centered on preventing migrants from reaching EU territory has served to justify exceptional measures that have violated the established rules concerning the EU's relationship with migration, particularly the principle of non-refoulement.
My analysis has also shown that the role of an empowering audience can vary wildly. In the case of the EU-Turkey Statement, the European Council as the securitizing actor was able to implement emergency measures without persuading an empowering audience independent from the Council. Although the ratification of international agreements that are signed by the Council requires consent of the European Parliament, the Council issued the EU-Turkey statement via a legally non-binding press release and therefore excluded the European Parliament as an empowering audience. Furthermore, the council also excluded the judiciary as an empowering audience through rejecting ownership of the Statement and thereby putting the question of the legality of the Statement outside the purview of the judiciary. The case of the EU-Turkey statement thus shows us that strategies of a securitizing actor can serve to diminish the role of empowering audiences in processes of securitization.

The case of operation Sophia has shown that there can be multiple empowering audiences in the same securitization process. To establish the operation the European Council and the HRFS had to persuade the Council of the EU, as this institution had sole decision power. The Council of the EU is here the empowering audience, because they had the capacity to enable the securitizing actor of implementing measures. However, the Council could not enable the securitizing actor to implement the exceptional measure of operating in Libyan territorial waters. In order to implement this measure, the UNSC would have to provide a mandate or the Libyan government would have to give consent. Here we thus that the role of the Council of the EU as an empowering audience was limited to enabling the securitizing actor to implement only a small part of the proposed measures. Because the UNSC and the Libyan government had the capability to enable the securitizing actor to implement the exceptional measure of operating in Libyan waters, they also became empowering audiences. Furthermore, the case of operation Sophia has also confirmed the idea that the audiences contribute to the securitization process and can influence policy outcomes. In this case, the Libyan government heavily influenced the securitization process through denying EU access to their territorial waters and offering an attractive alternative measure (i.e. the training of the Libyan coastguard to intercept smugglers).

To measure the success of these securitizing moves I have used a slightly modified version of a model based by Salter that revolves around four questions: 1) is the issue-area
discussed as a part of a wider political debate?; 2) Is the description of the issue as a threat accepted or rejected?; 3) Is the solution accepted or rejected?; 4) are exceptional measures implemented? (Salter 2008: 325). The following table gives an overview of the results.

<table>
<thead>
<tr>
<th>Securitizing move</th>
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<th>Description of issue as threat</th>
<th>Solution proposed</th>
<th>Exceptional measures implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operation Sophia</td>
<td>Yes</td>
<td>Accepted</td>
<td>Accepted</td>
<td>No</td>
</tr>
<tr>
<td>EU-Turkey Statement</td>
<td>Yes</td>
<td>Accepted</td>
<td>Accepted</td>
<td>Yes</td>
</tr>
</tbody>
</table>

In the case of the EU-Turkey Statement, the securitizing move was successful. Because the European Council diminished the importance of an independent empowering audience, the securitization claim was accepted on all levels and the desired exceptional measures were consequently implemented (i.e. the returning of irregular migrants). In the case of operation Sophia, the securitizing move was only partly successful: although the threat-definition and the solution proposed by the European Council were accepted by the Council of the EU, the Council did not have the capacity to enable the securitizing actor to implement the exceptional measures that were proposed (i.e. operating in Libyan territorial waters). Instead, the UNSC and the Libyan government had this capacity and refused.

After the refusal of these empowering audiences, a new measure was proposed with the consent of the Libyan government that would provide a similar solution, namely disrupting smuggling at its source, but with different means: through the provision of training to the Libyan coastguard and enhancing their capacity to operate. Thus although the Libyan government ultimately accepted the threat definition and the solution proposed by the European Council, they refused to enable the securitizing actor to implement the desired exceptional measures, which is why this is a case of securitization that is only partly successful.

The cases of operation Sophia and the EU-Turkey statement show that the EU's response to the migration crisis has been a securitized response: these policies were proposed as exceptional measures to directly mitigate the threat that the migration crisis posed to the internal security of the EU, the functioning of the Schengen area and the safety of migrants. I have argued that these are cases of episodic securitization, rather than
institutionalized securitization: migration is not framed as a recurrent or persistent threat that requires the handing over of responsibility over the issue to security professionals, instead exceptional measures were proposed that were intended to deal with the ad hoc threat of the migration crisis. These cases do not show how the EU's response to the migration crisis has contributed to the institutionalization of migration as a security issue and so can't answer the second sub-question. In the next section I will try to answer this question by arguing that the establishment of the EBCGA has been a securitizing move that has signalled a transfer of responsibility over external border control and migration control from EU member states to the security professionals of Frontex and has thus contributed to the institutionalization of migration as a security issue.

7.2 HAS THE EU'S RESPONSE TO THE MIGRATION CRISIS CONTRIBUTED TO THE INSTITUTIONALIZATION OF MIGRATION AS A SECURITY ISSUE?

As mentioned before, an issue becomes institutionalized as a security issue when it is perceived to be a persistent or recurrent threat and the responsibility over this issue is handed over to security professionals. To answer the second sub-question, I will now show that the EU's response to the migration crisis has also framed the issue of migration as a persistent or recurrent threat which has justified the transfer of responsibility for this issue to the security professionals. Furthermore, my analysis has also shown that the application of practices, in particular risk analysis, by these professionals has served to construct and reinvoke an image of migration as threatening.

I have shown that the establishment of the EBCGA was proposed as a measure to deal with the persistent and recurrent threat of unpredicted migratory flows. Although the migration crisis was invoked in the proposal for the regulation, the policy was intended to deal with the persistent threat of unpredicted migratory flows rather than the ad hoc threat of the migration crisis. With the establishment of the EBCGA, Frontex gained considerably more responsibility for external border policies. This was due to the newly added task of conducting vulnerability assessments and on the basis of these assessments the ability to make binding recommendations about the external border policies of EU member states.

My analysis has shown that these vulnerability assessments are ultimately based on a risk analysis model that defines migration as inherently threatening, which means that the recommendations that follow from the assessment are necessarily based on the premise
that migratory flows are threatening and thus often leads to more restrictive policies. This is thus a case of institutionalized securitization: migration was framed as a persistent and recurrent threat, which justified the handing over of responsibility to the security professionals of Frontex. The application of security practices by these security professionals has served to reconfirm and strengthen the image of migration as threatening. This necessarily leads to more restrictive policies based on the logic of securing Europe from the threat of migration.

This securitizing move has thus clearly contributed to the institutionalization of migration as a security issue, although it was not fully successful. The European Council as an empowering audience did accept the threat-definition and solution proposed by the securitizing actor, it did however not enable the actor to implement a proposed exceptional measure that would allow Frontex to intervene at the borders of member states without their consent. This case thus shows that securitization moves on the institutional end of the spectrum can also be more or less successful, rather than having a binary result of success or failure.
8. Conclusion

In this thesis, I have attempted to answer the following research question: to what extent has the EU's response to the migration crisis contributed to the securitization of migration? I have attempted to answer this question by applying a discourse analysis and a policy analysis on three cases that have characterized the EU's response to the migration crisis: the EU-Turkey Statement, the establishment of operation Sophia and the establishment of the EBCGA. On the basis of this analysis, I argue that the EU's response to the migration has contributed to the securitization of migration in two ways. First, the EU's response has securitized migration by directly framing the migration crisis as a security threat that requires exceptional measures to deal with it. The cases of the EU-Turkey Statement and the establishment of operation Sophia show that the EU framed the migration crisis as a threatening development for the internal security of Europe and the functioning of the Schengen area, leading to restrictive policies that have been aimed at preventing migrants from reaching EU-territory. These policies have furthermore been exceptional, in that they have violated the established rules concerning the EU's relationship to migration, particularly the principle of non-refoulement and the rules set out in the EU Asylum Procedures Directive. The EU's response to the migration crisis has also contributed to the securitization of migration by institutionalizing migration as a security issue. The case of the EBCGA shows that the EU has framed migration as a persistent and recurrent threat that has justified handing over the responsibility for this issue to the security professionals of Frontex. In my analysis I have shown that by applying security practices, these officials have reproduced and conveyed the image of migration as a threatening development, leading to more restrictive border policies.
9. Literature list


**Websites used:**


