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Securitization and (In)security Practices in Europe: The creation of Frontex

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Abstract

The article criticizes part of the literature on international security that advocates for the expansion of the agenda of the field, evidencing the ethical and political consequences of adopting the securitization perspective while analysing social issues. In this sense, the contributions of the Copenhagen School are addressed. The research follows the different visions on the creation of Frontex, an agency that - despite being accused of disrespecting the rights of immigrants - became the main producer of knowledge on the risks to European borders. Finally, the contribution of the International Political Sociology to security studies is addressed, mainly through the work of Didier Bigo and Jef Huysmans. This perspective highlights the main problems of widening the security agenda and its impact in the Liberal State, demonstrating that there is a drastic change in the patterns of governance, with restrictions to individual liberty on behalf of an alleged increase in protection.

1. Introduction

On October 26th 2004 the European Council approved the resolution (EC) No 2007/2004 creating the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex²). The agency was established through a unique institutional arrangement: it is under the auspicious of the first pillar of the EU (on migration flows, asylum seekers and the Schengen area), but it also has prerogatives of the third pillar (especially on drug trafficking, terrorism and organized crime). This means that Frontex is based on a common ground which erases the bounds between community policies and security concerns. Hence, Frontex has tools to work legally as a “police force”, on matters of surveillance and control, while still managing foreigners trying to reach the European Union frontiers.

The document signed by the member states mentioned the realm in which this new agency should operate and listed a number of tasks for it:

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² This exact term derives of the French words for external borders (*frontiers extèrie ures*).

“(a) coordinate operational cooperation between Member States in the field of management of external borders; (b) assist Member States on training of national border guards, including the establishment of common training standards; (c) carry out risk analysis; (d) follow up on the development of research relevant for the control and surveillance of external borders; (e) assist Member States in circumstances requiring increased technical and operational assistance at external borders; (f) provide Member States with the necessary support in organising joint return operations³”.

Since the beginning of 2005, when it became operational, Frontex has strongly developed its activity in all domains of competence, and its budget has increased impressively, between 2005 and 2012 it became thirteen times bigger⁴. Due to its central role in border control operations and the controversies engendered by its actions on the field (Keller et al, 2011; Pop, 2010; Pop, 2011a), Frontex became a main focus of analysis for many specialists in security issues. Therefore, in the past few years a large amount of authors dedicated themselves to the analysis of this agency in order to try to understand the political processes that led to its creation.

Frontex is usually described as the result of a securitization process towards migration after the terrorist attacks of September 11th 2001 in the United States (Zucconi, 2004; van Krieken, 2005; Norman, 2006; Lahav et al, 2007; Karyotis, 2007). Embedded in the Copenhagen School’s framework (Buzan et al, 1998) those analysis are guided by discourses of actors with major relevance in the politics of EU member states. Those authors affirm that immediately after the 9/11 there was an unprecedented discursive combination of migration flows and terrorism, resulting in the need for urgent responses by the governments and the European institutions. In this sense, Frontex is characterized as a *sui generis* mechanism created by the EU to respond to these urgent challenges.

Those arguments, though, lack of a broadened historical perspective, and for that reason miss the perception that the articulation of security discourses concerning migration can be traced back at least to the 1980’s (Guild, 2009). Terrorism is certainly in the core of this matter, but it is not a recent element and must be understood as part of

³ (EC) No 2007/2004, Chapter II, Art. 1, Par.1.

⁴ In 2005, the first budget approved for the agency was around €6.2 million. In 2012, Frontex was already responsible for a €84.960 million budget (after a peak of €118.187 millions in 2011). Source: http://www.frontex.europa.eu/assets/About_Frontex/Governance_documents/Budget/Budget_2012.pdf - Frontex Website

a process that was already on its course. Thus, terrorism by itself cannot be considered responsible for the new political practices performed by the agency, but as it engaged to an ongoing process, indeed strengthened it.

This article will advance an alternative view to the creation of Frontex, tracing in a broader sense the conditions that made it possible the formation of a new bureaucratic unit for border control in the EU. Andrew Neal (2009), Christina Boswell (2007) and Sarah Léonard (2009; 2011), have contributed to this debate. They go against the flow and conceive Frontex as the result of a failed attempt to securitize migration, but they still focus on a discursive approach and lack off a large analysis of documents on their articles.

The empirical study of a large amount of documents produced by the EU institutions, mainly the Commission, the Council and the Parliament, demonstrate that the terminologies used do not refer explicitly to “emergency”, “urgency” or “exception”, as it would have been expected by the “securitization literature”. Even though the relevance of the link established between migration and security increased after 9/11, in perspective those documents show continuity, thus giving a sense that European actors are concerned with the migration flows, asylum seekers and their potential risks, but also suggesting that the framed response to those “threats” has not radically changed.

As the documental research reveals, since the late 1990’s the terminologies of “surveillance”, “technology”, “database” and “border management” have been much more important than those previously cited. By analysing an amount of documents this article argues that the application of the securitization framework has methodological and ethical/political consequences. While Ole Wæver and Barry Buzan are worried with strong discourses of central actors and moments of political discontinuity - temporary disruptions to liberal democracy -, the alternative approach of this paper focuses on the practices of institutions and the technical narratives of security professionals. More than that, the critique involves the ethical/political consequences of speaking in terms of moments of discontinuity and discourses of exception. Thus, as argued by Jef Huysmans (2006), the proposal is to move *“from a threat-focused analysis to the interpretation of insecurity as a domain of practice that is produced and reproduced through socially and politically investing security rationality in policy areas”* (Huysmans, 2006, p. 06). In this sense, the paper argues that Frontex is the result of a

slow and durable process of conceiving migration as a threat by relating it with more traditional security issues.

Finally, the articulation of meanings is not based on changes during urgent moments or memorable statements, but it proceeds through practices of the everyday life. So, Frontex is not the outcome of politics of exception, but of technical discourses about risk and routine analysis of security specialists. Didier Bigo (2002) and Jef Huysmans (2000, 2006) offer key insights to study the consolidation of practices of rule based on assumptions (that, since they are produced by bureaucrats, are regarded as “non-political”) about what or who is “dangerous/threatening”. These practices do not require exceptional measures, but more perennial control, surveillance and data gathering. They correspond to what Bigo denominates “*governmentality of unease*” and will be addressed along this paper.

In short, the following paper is divided in four parts. The first part will present the arguments of those who portray Frontex as the result of a securitization process. The second section concentrates on the gaps of this literature on Frontex and proposes another point of view for the creation of this agency. The third part will try to understand the broader consequences of Frontex’s risk analysis and field work, studying the relation between the agency’s role in practices of security and the repercussion for the European policies towards migrants. The conclusion will resume the discussion, indicating the narrowness of the Copenhagen School’s framework, but also of its political/ethical consequences, as the agency was not created as a result of a process of securitization, but once it became operational, contributed to the production of new (more radicalized) social meanings to migrants and asylum seekers.

2. Immigration under the security continuum: the securitization framework and Frontex

2.1. Securitization theory

The end of the Cold War and the fragmentation of the USSR led to intense transformation in the European politics, including the revitalization of the integration process and the enlargement of the Union. The new global order also influenced the field of security studies in Europe, as it progressively encompassed social issues, broadening the previous agenda of military threats.

Among others, Barry Buzan and Ole Wæver advanced a “new framework for analysis”, defining international security through the lens of social construction. According to them, security is about “[...] *an existential threat to a referent object by a securitizing actor who thereby generates endorsement of emergency measures beyond rules that would otherwise bind*” (Buzan et al, 1998, p. 05). Beyond that, they conceive security as a continuum, which means that a given incident may be interpreted in different ways, being characterized as a threat or not, depending on the meanings given by the political elite. According to them, securitization (to frame something in the field of security) is:

[...] the move that takes politics beyond the established rules of the game and frames the issues either as special kind of politics or as above politics. Securitization can thus be seen as a more extreme version of politicization. [...]. ‘Security’ is thus a self-referential practice, because it is in this practice that the issue becomes a security issue – not necessarily because a real existential threat exists but because the issue is presented as such a threat. (Buzan et al, 1998, p. 23-24).

In *Security: A New Framework for Analysis* (1998), Buzan, Wæver and de Wilde also define the process of securitization as being constituted by the “[...] *intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects*” (Buzan et al, 1998, p. 25). The framework demands a study based on discourses and on the political context, thus, it focuses on the securitizing actor (the one who tries to give a security meaning to a given object), but also in the audience to whom the statement is addressed. In this sense, the Copenhagen School agenda, especially Wæver’s contribution, is extremely concerned with the idea of speech act, defined as the following:

In security discourse, an issue is dramatized and presented as an issue of supreme priority; thus, by labelling it as security, an agent claims a need for and a right to treat it by extraordinary means. For the analyst to grasp this act, the task is not to assess some objective threats that ‘really’ endanger some object to be defended or secured; rather, it is to understand the process of constructing a shared understanding of what is to be considered and collectively responded to as a threat. The process of securitization is what in

language theory is called a speech act. It is not interesting as a sign referring to something more real; it is the utterance itself that is the act. By saying the words, something is done (like betting, giving a promise, naming a ship) (Buzan et al, 1998, p. 26).

2.2. Frontex and securitization processes

Within the last 20 years the securitization framework became very popular among International Relations scholars, especially in Europe. Although Wæver and Buzan affirm that all they tried to do was to develop a new analytic tool to understand the world (Buzan et al, 1998), the Copenhagen School undoubtedly helped to broaden the security agenda, and the consequences of it are notorious, as can be seen in the case of the European area of freedom, security and justice.

Immigration has been an important theme for European policy-makers since the end of World War II. After the conflict many countries needed to coordinate the identification and transportation of great amounts of people that moved during the previous years. The recovery of the continent's economy also involved migration, since the governments of Germany, France and others encouraged a flow of foreigners, mainly from other European countries and the colonies, to work on the uplifting of their own industries⁵. Until the 1970's, millions of families moved to Europe and helped it to become once again a wealthy region.

This short narrative is an important introduction to study the common European policies towards migration. It demonstrates that the entry of foreigners is not naturally seen as an economic problem, even less as a security threat, but on the contrary, it has been conceived during many years as the solution for European domestic challenges. In this sense, the background of Frontex creation is strongly related with the (re)construction of the immigrant as a potential security threat, based on the belief that, in contrast to the regular citizen, the State has no information and little control on foreigners (Guild, 2009).

The literature on securitization affirms that the intersubjective transformation of immigration - from an economic solution to a threat – involves the discourses of key

⁵ Notwithstanding, since then the European politicians were already worried about the social impact of the flow of migrants. Although they had economically an important role, the EEC approved in 1968 the regulation 1612/68, regarding the freedom of move for workers inside the community. The regulation discriminated the migrants, affirming that the freedom of move only applied to the nationals of the Member-states.

members of the European political elite, merging the image of the immigrant with terrorism, organized crime and drug trafficking. Accordingly, the planes crashing into WTC were the inauguration of a different perspective towards immigration. After the terrorist attacks, there would have been a securitization of this social phenomenon which demanded an urgent response from the European institutions focused on the external borders. This would be clear in the policies of migration control and would be practiced through entry restrictions, border control, apprehension, detention and deportation (Zucconi, 2004).

According to van Krieken (2005), *“it comes as no surprise that, in the wake of the 2001 events, border control and the increased screening of migrants and would-be migrants became an issue of the utmost urgency in many countries. [...] Within this realm, efforts toward a so-called multicultural society were considered to be in need of rethinking”* (van Krieken, 2005, p. 53). Going further, the author affirms that the creation of Frontex (and other European agencies focused on police and border control) was only possible given the general perception that *“Europe [is becoming] a new battleground not just for the war on terrorism, but also for common policies and interaction.”* (van Krieken, 2005, p. 65). Considering this, the author argues that the securitization move was completed, as the link between migration and terrorism was “accepted” by the European public opinion, and the demand for “urgent” measures would have led to a “reconsideration” of previous policies towards migration. Thus, for van Krieken, the immigrant/terrorist issue became a top priority in the European agenda, leading to the formulation of new mechanisms for controlling the flow of foreigners. Frontex, as the main agency for the surveillance of external borders, would be immersed in this process.

Embedded in the same securitization logic, Norman (2006) has used EU documents and reports to prove his point about Frontex. Following the terrorist attacks in the U.S, the Justice and Home Affairs Council (JHA) had an extraordinary meeting on September 20th, in which it was decided that *“[...] the seriousness of recent events has led the Union to speed up the process of creating an area of freedom, security and justice and to step up cooperation with its partners, especially the United States⁶”* (JHA, 2001, I). Among others, this document is used by Norman as an example of the securitization of migration. According to him, *“The terrorist acts must be regarded as*

⁶ Although some authors use this document to make their point about securitization, it is relevant to notice that it has absolutely no direct reference to immigration

the first truly 'cross pillar' test of the Union's role as a security actor [...] Therefore, September 11th provided an opportunity to the EU for radical action to implement strategic objectives in the field of criminal police and judicial cooperation, in the name of counter-terrorism." (Norman, 2006, p. 2)

In short, both authors work with the securitization approach based in two central arguments: (1) that the relation between immigration and terrorism is something extraordinarily new, demanding the reformulation of security policies from the European institutions; and (2) that the September 11th events revealed the real urgency of facing terrorism, which obliges the European governments to take exceptional/emergency measures. The possible conclusion of this perception is that Frontex was the response offered by the EU to deal with the new context of "war on terror", whereupon the immigrant becomes a possible danger and so the regular State apparatus is not enough to ensure safety.

Howsoever, the authors do not help understanding why in a certain context terrorism and migration converge in the political narratives. Their analysis intend to demonstrate that securitization operates in Europe and was the main force for integration in border control mechanisms, but neither of them go as far as to explain the inner relation between both phenomena⁷.

2.3. Failure in securitization process towards Frontex

While defending a more critical approach, Boswell (2007) argues that it is possible to identify some securitization discourses after September 11th, but those were not able to captivate the public opinion. According to the author, some attempts to link the illegal migration with existential security threats are recognizable, especially from politicians of the domestic arena. In the United Kingdom, the Home Secretary David Blunkett, advocating for law enforcement in terms of detention and deportation of illegal migrants declared that "*Britain will not offer hospitality to terrorists*" (Blankett apud Boswell, 2007, p. 8). His counterpart in Germany, Minister Otto Schily performed in a similar way, defending that his country should strengthen the border controls. Both discourses are very incisive on the need to develop new policies to control the flow of

⁷ This critique is extensible to the whole Copenhagen School framework of analysis.

people - advocating in favour of new security practices to avoid terrorism in Europe -, but their impact in the political spectrum were not so relevant.

Andrew Neal (2009) also lists some attempts from European leaders to securitize migration by presenting it as extraordinarily linked with terrorism. The author works with the reports produced by the European Commission in order to stipulate “good/common practices” regarding illegal migration. According to the Commission’s communication on common policies on illegal immigration: “*Border controls must in particular respond to the challenges of an efficient fight against criminal networks, of trustworthy action against terrorist risks and of creating mutual confidence between those Member States*” (Commission, 2001, p. 25). In this sense, Neal argues that after September 11th, some sectors of the political elite in Europe, by dealing with both issues together, tried to portray terrorism and immigration as freshly related existential threats that required special/new measures by the governments. Notwithstanding, the same document used by Neal also reaffirms that the EU should follow the decisions taken in the Council of Tampere, in 1999. This may seem irrelevant, but as the Tampere conclusion already affirms that the “*Union [must] develop common policies on asylum and immigration, while taking into account the need for a consistent control of external borders to stop illegal immigration and to combat those who organise it and commit related international crimes*” (EC, 1999, par. 3), it is an evidence that the link between immigration and traditional security threats was not so original.

In the end, although being criticisable for recognizing “clear” securitization moves⁸, Neal affirms that in the European level, it is not possible to talk about the success of this process, as the policies approved during the first months after the terrorist attacks were not so different from what was proposed previously⁹.

Boswell and Neal missed the track for taking into account some discourses as securitization moves in the European Union context¹⁰, but they both have important

⁸ To talk about “clear” securitization moves, in terms of the Copenhagen School, it is necessary to have some central discourses of relevant political figures demanding exceptional powers to formulate emergency policies towards an existential threat. I argue that Neal does not present those discourses and his evidences of what he calls “securitization attempts” are not significant

⁹ Andrew Neal (2009) and Thierry Balzacq (2008) also deal largely with what they point as a deficiency in the securitization theory: the impossibility to apply it to the European level. In this context it is difficult to define the central actors and the audience. Therefore, how to analyse if a given securitization move is performed by a relevant actor? How it is received by the audience? Those are questions that, according to both authors, remain open.

¹⁰ Balzacq (2008) argue that it is not possible to speak in terms of the securitization framework as proposed by the Copenhagen School when not dealing with Nation-state actors, as is the case of the EU. Léonard (2011) and Ekelund (2008), complementing, affirm that the securitization moves were mainly

contributions to the comprehension of the creation of Frontex. According to them, this agency was the result of a long political process that can be traced as far as the 1980's. The document analysis demonstrate that the European response to September 11th, far from being “new”, or even “urgent”, was part of a project that was already being developed in everyday practices by some security specialists. Therefore, it makes little sense to speak in terms of the securitization theory, as it leads to a different research project, worried about central actors, eloquent statements and exceptional moments.

3. The long process of articulation between security and immigration

Since the 1980's, especially after the signing of the Schengen Agreement in 1985¹¹, the process of turning migration from a solution into a security threat evolved. Illegal immigrants became the focus of the JHA Council and Europol. The discourse advocating the need for an integrated policy towards migration got stronger mainly through those two institutions. While JHA defended the coordination in the European level, which had the objective of strengthening the integration and sharing the burden for the control of migration flows, Europol was aware of the technicalities involved in the articulation between the national security services of the member States and the supranational institutions of the EU - both with the objective of creating an area of “freedom, justice and security”.

In 2000, as a result of the Treaty of Amsterdam, signed three years earlier, the Schengen agreement was introduced in the *acquis communautaire*. The Council demanded the publication of the “Schengen Acquis¹²” in the official journal of the Union, reinforcing the importance “*that the ever closer union of the peoples of the Member States of the European Communities should find its expression in the freedom to cross internal borders for all nationals of the Member States and in the free movement of goods and services*” (EC, 2000, p. 13). However, with this act, the Council was also “*taking into account the importance that the Contracting Parties attach to effectively combating terrorism within their common territory*” (EC, 2000, p. 435). Other parts of the treaty's text also emphasize the importance of border control, which

performed by domestic actors, speaking for the domestic audience, with little reverberation in the European level.

¹¹ The process for implementing the agreement took 10 years and it became valid only in June 19th 1995.

¹² As referred in: OJ L 176, 10.7.1999, p. 1.

means that the Schengen area, even before 9/11, was developed amid a tension between security and freedom.

This binary perspective still dominates the perception of many European politicians, such as Blunkett, Schily or Franco Frattini¹³. The three of them reproduced the very well known argument that, due to the spread of terrorist acts, freedom and security are values that must be balanced – the more freedom you have, more insecure you are. This becomes clear in the words of Frattini, who declared that: “*Within the European Union we have created an area of free movement for our citizens. This enhanced freedom of movement goes hand in hand with improved security of the Union’s common external borders*” (Frattini, 2007, p.37). Thus, it is possible to affirm that the *raison d’être* of the Schengen agreement and the “open borders” policy was as much about freedom of movement as about security.

Jef Huysmans (2000) focuses exactly on the consequences of the implementation of the Schengen agreement. According to Huysmans: “[...] *the linking of internal and external borders of the European Community has played an important role in the production of a spill-over of the socio-economic project of the internal market into an internal security project*” (Huysmans, 2000, p. 760). This spill-over was possible because of a side-effect of the creation of the internal market: the expectation that freedom would facilitate illegal and violent activities by terrorists, international crime organizations, asylum-seekers and immigrants.

In this context, taking into account the analysis of the Schengen agreement, it is possible to affirm that the relation between migration and security was not established after 9/11. On the contrary, the terrorist attacks were not responsible for a new kind of articulation of social meanings, but worked only to reinforce the process that was already on its way. For one to understand the whole articulation of meanings it is necessary to have a broader (historical) perspective, comprehending more than just the recent EU documents¹⁴. In order to construct this point of view, it is important to engage

¹³ Frattini is a former Italian Minister of Foreign Affairs (2008-2011), appointed by Silvio Berlusconi, and former European Commissioner for Justice, Freedom and Security (2004-2008).

¹⁴ In short, one of the main problems of authors such as van Krieken, Norman and Monar (2002) is that their analysis do not develop a longer research in time, thus they simply cannot see how the terminologies were previously addressed. In this sense, Jorry’s (2007) critique of Monar is much welcomed as she affirms that “*the perception that post-September 11 and March 11 terrorist threats contributed to the securitization of JHA policies and migratory policies calling for tighter border controls at the EU’s external borders and placing border security at the core of EU citizens’ preoccupations*” (Jorry, 2007, p. 3) cannot be sustained after a documental research. For her, there were numerous changes in the European security apparatus after September 11th, including Frontex, but the majority of them were already based on previous propositions.

with both assumptions of the securitization approaches, what may be done through the analysis of documents¹⁵.

3.1. Security, Immigration and Exceptionality in the EU border control

The Laeken Summit, in December 2001, was central for the debate over the European policies in the following years. It was held three months after the terrorist attacks in the U.S. and expressed a concern with this kind of violence. In the final resolution, the council declared that *“the eleventh of September has brought a rude awakening. The opposing forces have not gone away: religious fanaticism, ethnic nationalism, racism and terrorism are on the increase, and regional conflicts, poverty and underdevelopment still provide a constant seedbed for them.”* (EC, 2001, p.20). In this regard, the EU needed a *“better management of the Union’s external border controls, [as it] will help in the fight against terrorism, illegal immigration networks and the traffic in human beings.* (EC, 2001, p.12).

Although terrorism is taken as a serious threat, it is interesting to see that the first ordinary meeting resolution after the attacks deals with this issue as one of a series of security challenges faced by the EU. Furthermore, the Laeken conclusions do not mention emergency, urgency or exception, it proposes a better formula for border management. Shortly after September 11th, the European Council was more worried with the difficulties arising from the adoption of the Euro, and the perspectives about the general quality of life in the Union, than with special security policies. According to the Laeken resolution, the response for this issue should be “deeper integration” and the adoption of measures proposed years before, in the Tampere Summit (1999) and the Treaty of Amsterdam (1997).

The analysis of the final conclusions of the Tampere Summit demonstrates that it already addressed the issue of terrorism emphasizing that:

Maximum benefit should be derived from co-operation between Member States' authorities when investigating cross-border crime in any Member

¹⁵ During this research I used the ANTA Project, created by the MédiaLab/Sciences Po. ANTA (actor-network text analyzer) is a quali-quantitative research tool which was used to trace specific terminologies in more than 300 EU documents selected for a previous research. Those documents were produced by the Parliament, the Commission and the Council during 2001 and 2010. For more information: (Bigo et al, in press)

State. The European Council calls for joint investigative teams as foreseen in the Treaty to be set up without delay, as a first step, to combat trafficking in drugs and human beings as well as terrorism. The rules to be set up in this respect should allow representatives of Europol to participate, as appropriate, in such teams in a support capacity (EC, 1999, B IX, par. 43)

The documents prove that the same ideas about “cooperation between security agencies” and “Integrated Border Management (IBM)”, which are central for all the European strategy facing terrorism and, logically, for the conception of Frontex, were explicitly present in the EU policies at least since Tampere. In a broader analysis, it is also possible to affirm that the Union has been giving signs of the linkage between immigration and security threats since the Schengen agreement. This means that the assumptions of the securitization approaches - that September 11th was the moment of a new articulation of meanings and that the response to it was radically new and exceptional - finds no evidence in a deeper research.

Furthermore, the analysis of 300 resolutions, propositions and communications regarding border control (and Frontex) produced by the EU institutions between 2001 and 2010 reveals the process towards the creation of the agency. By tracing specific terminologies and their incidence in the selected documents it is possible to understand the evolution/relevance of a given concept through time.

If we compare the incidence of the terminologies “exception”, “surveillance” and “immigration” it is possible to see that the correlation between immigration and exception in the documents is almost null, even immediately after the terrorist attacks¹⁶. In this sense, although there was a link between “terrorism” and “immigration”, the documents reveal that EU institutions were looking for normal/old measures to face it, not exceptional/new ones. This becomes clear when the relation between “surveillance” – an everyday practice - and “immigration” is taken into account. The number of documents that work with both terminologies is very representative, demonstrating that the strategy of the Union against the security threats is not composed of U-turns and extraordinary decisions, but of institutional cooperation in “small/routinely practices”.

This perception is also clear when we track the correlation between “emergency”, “urgency”, “exception” and “border management”. Along the period analysed, the incidence of the last term is much more relevant than the others. While the

¹⁶ It corresponds to Figure 1 in the annex.

securitization framework would expect demands for radical change, what the documents reveal, at least in the European level, is that the framed responses to the security threats were neither markedly new, nor demanding of exceptional decisions. Indeed, it is revealing that in the interval between the 9/11 incidents and June 11th 2003, in almost two years, only three documents referred to the first terms, while in the same period, eleven EU documents stressed the need for a better “integrated border management”¹⁷.

Immediately after September 11th, the EU institutions held many extraordinary meetings regarding the threat of terrorism. Notwithstanding, the first document that clearly delineates common policies on this matter (not just principles and ideas) was the “Council Framework Decision on Combating Terrorism” elaborated in June 2002. This document does not establish a definition of terrorism, but delineates a number of measures that should be taken by the Member States to face it. Accordingly, the Union would just be safe if the governments worked together to dismantle the transnational groups operating in the European territory. Furthermore, the document states that a better coordination between national border guards is mandatory, and it should be followed by the development of common surveillance mechanisms and the adoption of more efficient control mechanisms (EC, 2002).

Exploring deeply the selected series of documents, it is possible to conclude that after the first months of intense discussion on control and surveillance the concept of “technology” (a tool said to be intrinsic to border control), became very relevant among the documents. The UK proposal for the creation of a “Centre of Excellence on Mobile Detection Unit” demonstrates that the Member States were willing to face the identified threats by financing *techniques for surveillance*, such as cameras, scanners and a variety of detectors (EC, 11994/02). In the first two years after the terrorist attacks, twelve documents were released linking “border management”, “surveillance”, “detection” and “technology”, all of them produced by specialized bodies of the EU or security agencies of the Member States.

It is also interesting that by 2003 the documents show a severe decrease in the use of the term “security”, demonstrating that it has largely lost its importance for the external border management plans that culminated in Frontex (Neal, 2009). A few months before the creation of the agency, when the discussions about IBM became

¹⁷ This comparison becomes clear in figure 2 in the annex.

more intense, the previous terminologies were used with much more frequency¹⁸. In 2006 the Council defined precisely the idea of IBM:

(1) border control, which includes border checks, border surveillance and relevant risk analysis and crime intelligence; (2) the detection and investigation of cross-border crime; (3) the “four-tier access control model” (which includes activities in third countries, cooperation with neighbouring third countries, controls at the external border sites, and inland border control activities inside the Schengen area); (4) inter-agency cooperation for border management and international cooperation; and (5) coordination and coherence of the activities of the Member States and institutions, as well as other bodies of the Community and the Union (EC, 2006).

According to Léonard (2011), this strategy consists of “*joining up all the activities of the public authorities of the member states relating to border control and surveillance including border checks, the analysis of risk at the borders, and the planning of the personnel and facilities required*” (Léonard, 2011, p. 07).

In this sense, it is not a surprise that the proposal for a Council Regulation establishing the European Agency for the Management of Operational Co-operation at the External Borders¹⁹ (what became Frontex), presented on November 20th 2003, contains: 125 times “management”, 62 times “control”, 45 times “surveillance” and only 8 times “security”²⁰. So, according to the Commission, “[...] *the Agency will [be responsible for] a common core curriculum for border guards' training and research in technologies relevant for control and surveillance of the external borders respectively*” (European Commission, 2003, par. 2).

Hence, it is possible to conclude that the practice of IBM and the intensive use of technology and surveillance are at the core of the EU’s security strategy, being the institutional response to terrorism and the concepts that led to the creation of Frontex. It then becomes clear that a proper research on this matter must not be focused on relevant politicians and their statements, but on the agencies that practice surveillance and control.

¹⁸ As can be seen in figure 3 in the annex.

¹⁹ (COM/2003/0687)

²⁰ In the final regulation approved by the European Council those numbers change for 75 incidences of “management”, 20 of “control”, 16 of “surveillance” and only one mention of “security”. (EC, 2007/2004).

4. Practices²¹ and the security continuum

According to Bigo, securitization moves “[...] *comes also from a range of administrative practices such as population profiling, risk assessment, statistical calculation, category creation, proactive preparation and what may be termed as specific habitus of the ‘security professional’ with its ethos of secrecy and concern for the management of fear and unease*” (Bigo, 2002, p. 74).

The incorporation of those elements in the research comes from the perception that the “securitizing actors” are also the professionals of the specialized security agencies. Although this change requires a more comprehensive approach, considering a much broader group of actors in the security continuum, even the Copenhagen School agrees that due to the unique institutional feature of the EU, sometimes “[...] *there are cases where a logic of security is at play, even though no securitizing discourse is uttered in the public sphere to justify it*” (Buzan et al. 1998, 28). So, Bigo (2002) and Huysmans (2006a) have much to contribute to the security studies field, shedding light to an aspect of the security continuum that remains forgotten in most of the analysis.

According to Huysmans, asylum and migration are not naturally defined as major threats by the European Union. Those phenomena came to be seen through the prism of security in a smooth/slow manner, as the definition of threats and moments of insecurity “*emerges from discursively and institutionally modulating practices in terms of security rationality that makes policies intelligible as a security practice*” (Huysmans, 2006b, p. 12). Thus, for the author, this link comes “*from the context within which it is embedded rather than from the act of threat definition as such. Thus, even when not directly spoken off as a threat, asylum [and migration] can be rendered as security question[s] by being institutionally and discursively integrated in policy frameworks that emphasizes policing and defence*” (Huysmans, 2006a, p. 04). It is interesting to observe that these two terminologies were already being connected with policing borders and domestic security issues in the Schengen agreement, which

²¹ The concept of “practice” is central for the security studies and, therefore, a contested one. Here it may be defined as “*forms of social interactions which are derived from objective relations, rules of the game, which are neither directly visible nor conscious, but are more real than any description of the ‘substance’ of a concept. The notion of practice originates from French sociology and was developed by authors as diverse as Pierre Bourdieu and Michel Foucault. It allows for deeper understanding of the security practices developed by the Copenhagen School of security, which too often reduces practices to discursive practices*” (Balzacq et al, 2010)

demonstrates how they came to be understood as security threats. Accordingly, for Huysmans, security framing can discursively and/or administratively link up phenomena like asylum and immigration with more traditional security concerns facilitating a transfer of insecurity from the latter to the former.

In this sense, even in the United States, where arguably that the terrorists acts of September 11th were followed by an articulation of existential threats with discourses of emergency and necessity of exceptional response – a clear example of the securitization process presented by Buzan and Wæver –, one thing did not change: “*The routines, the hardware, the credibility of politically linking terrorism and asylum, an ongoing competition between intelligence agencies and the Pentagon [...] are embedded in long-term institutional and political histories and are enacted in everyday, ordinary practice*” (Huysmans, 2006a, p. 5) The implementation of routines and administrative tools, and the institutional history of agencies that are involved in this debate as well as the competition between them do a significant part of the conceptual framing work.

This does not mean that Huysmans and Bigo are totally distant from the securitization studies that tend to focus on highly visible discourses of government’s representatives or members of the parliament. Those authors consider that in some rare occasions the framework of Wæver and Buzan may really explain the process, but they are more concerned with the longer dynamics of security meanings articulation and, therefore, are focused on the “*professionals who gain their legitimacy of and power over defining policy problem from trained skills and knowledge and from continuous using these in their work*” (Huysmans, 2006a, p. 9) The security continuum with which they work also happen in the less publicly (and even explicitly secret) competition between the different interests of professionals.

The objective of this theoretical approach is to highlight the technocratic viewpoint as an important one. The security specialist reports are usually seen as “a-political”, as if they were produced by individuals with a special knowledge engaged only in the formulation of efficient manners to accomplish a given policy. This is a very a-critical perception that simply does not realize that it implies in a new pattern to govern society, in which the expert knowledge is inherently political.

In this sense, for Huysmans it is important to: (1) move out of the threats and security sectors debate dominated by the Copenhagen school and focus in security domains, revealing the political disputes behind the definitions of insecurity; (2) add a technocratic point of view to the linguistic turn, embedding the security discourses in

security technology, expert knowledge, professional routine and institutional competition; (3) comprehend that it is not only a debate over the concept of security, but a debate about the political relations and the organizational limits behind this concept. (Huysmans, 2006a).

4.1. Consequences of framing “security”

Bigo (2002) addresses this same problem with a central preoccupation, that: *“The professionals in charge of the management of risk and fear especially transfer the legitimacy they gain from struggles against terrorists, criminals, spies, and counterfeiters towards other targets, most notably transnational political activists, people crossing borders, or people born in the country but with foreign parents”* (Bigo, 2002, p. 64). Thus, the author demonstrates that the expansion of the security agenda - encompassing other levels of the society - , is not just a military problem, an academic one, nor even just for immigrants; it is decisive to the way in which the society is organized and has important consequences in the everyday life of common people.

Approaching those ideas, Ette & Faist (2007) affirm that the articulation of immigrants as security threats is directly connected to the role of security agencies, since they have their immediate interests and their perception transformed through the innovative apparatus of control and surveillance. For them, *“social and political agencies use the theme of immigration, foreigners, asylum-seekers and refugees to interrelate a range of disparate political issues in their struggle over power, resources and knowledge”* (Ette & Faist, 2007, p. 24). In this context, technology is used as a “non-political truth”, in the sense that it would not be influenced by power struggles. For Bigo, the security professionals use it to validate an argument of security that link crime, unemployment and migration, even if academics, the church, NGOs and other policy-oriented institutions have made strong arguments against this logic (Bigo, 2002).

Accordingly:

[The] securitization of the immigrant as a risk is based on our conception of the state as a body or a container for the polity. It is anchored in the fears of politicians about losing their symbolic control over the territorial boundaries. [...] It is a structural unease in a ‘risk society’ framed by neoliberal discourses in which

freedom is always associated at its limits with danger and (in)security (Bigo, 2002, p. 65).

In this sense, securitization of migration became also a “mode of governmentality” that allows the State to reaffirm its role as the provider of protection and security. Notwithstanding, the consolidation of this “mode of governmentality” demands the implementation of new mechanisms that provide sources for the reproduction of the context of risk. In the European level, Frontex is the specialized agency, composed by ‘security professionals’ and responsible for those practices.

The common metaphor that depicts immigration as “flows” or “invasion” are deeply influenced by those professionals of (in)security²², being based on the wrong assumption that it is possible to control the movement of individuals at the borders of the State (Bigo, 2002). Beyond that, Bigo argues that “*Migrant, as a term, is the way to designate someone as a threat to the core values of a country, a state, and has nothing to do with the legal terminology of foreigners. The word ‘immigrant’ is a shibboleth*” (Bigo, 2002, p. 71). Here lies an apparent paradox: if each national image of migration is different²³, how can security services work together, even at the European level? Bigo explains that “*if each security service uses the word ‘immigrant’ as a sign of danger, a consensus is possible. [...] Each country can then sell its fear to the other country [...] in what amounts to a stock exchange of security [...]*” (Bigo, 2002, p.71).

Once created, Frontex becomes an important government tool, working in the framing of social phenomena through security lens and spreading its vision across the EU Member States. Since it operates with the prevalence of the concept of ‘risk’, “*moving away from the political spectacle of the security emergency in favour of a quieter and more technocratic approach*” (Neal, 2009, p. 348), it is co-responsible for the formulation of a new sort of ruling, which reshapes what was previously seen as controversial as “normal” behaviour.

This is operationalized as a technique of government, concentrated on fear and on an enemy that is always fluid, easy to frame but difficult to catch. As a policy, it

²² The analysis of the documents may help again to visualize it. Between the September 11th and the formal proposition about the creation of Frontex, a two years period, the EU institutions produced seven documents connecting “flow” and “migration”. After the creation of Frontex and its fully operation, 24 documents were produced with this link.

²³ For instance, in Germany the face of the immigrant is that of the Turkish people. In Spain the concern is more related with Latin-Americans and Africans that come through Canary Islands. In France the recent controversies are around Arabian costumes.

serves to legitimize the practice of permanent surveillance, directed at first only to the “enemy within” (Bigo & Walker, 2009). However, it implies violent policies of differentiation (“otherness”) materialized in acts of xenophobia towards large categories of individuals, which then may be treated as the sources of threat that must be controlled/expelled by the State. “*The resulting picture of the world [as depicted by the security agencies] is one of chaos and urban insecurity*” (Bigo, 2002, p.81).

In the end, it is possible to argue that in the core of the liberal State we are witnessing the consolidation of “war politics”, which leads to a context of protective “pastoral power”. In other words,

The form of governmentality of postmodern societies is not a panopticon in which global surveillance is placed upon the shoulders of everybody, but a form of ban-opticon in which the technologies of surveillance sort out who needs to be under surveillance and who is free of surveillance because of his profile. This form of [...] state seems to renounce notions of a social contract and to transform misgiving in a mode of ruling (Bigo, 2002, p. 82).

This technique of government of risk is not based on the logic of response to violent events, but on the principle of anticipation, in which the group seen as dangerous – in this case, the immigrants -, is defined as a threat not for reaching the border, but just for its potential move. In this sense, it is a politics of exclusion, in which for some to be secure, others must suffer the consequences of violent practices. It is a different narrative about the security continuum that depicts this concept not as a positive one – the more security you have, less risk you face -, but as an ethically controversial framework, in which the security realm is surrounded by insecurity spaces. Hereupon, the logic is that of sacrificing somebody else’s freedom in order to achieve my own security, what is better described as an (in)securitization process.

5. Conclusion

In terms of conclusion it is important to emphasize the two main critiques towards the securitization framework present along the paper. They are both centrally political, but relate differently with the security studies field, proposing other methodological and ethical approaches in the analysis of social phenomena. Thus,

according to Bigo and Huysmans, it is not enough to encompass a constructivist perspective of the field, referring to a security continuum that may change given the fluid interpretations. Although the Copenhagen School presents itself as a critical conceptualization, it does not address the main consequences of framing “security”. In this sense, Buzan’s and Wæver’s contribution to the discourse analysis is overshadowed by the empirical limitations and political outcomes of their theory.

As the International Political Sociology literature²⁴ suggests, in many contexts it makes no sense to talk about “securitization”. The focus of the Copenhagen School on moments of discontinuity, when inspiring politicians declaim radical discourses, identifying existential threats and demanding exceptional powers, rarely works. In general, the mechanism of articulation between a given phenomenon and security meanings happens through everyday practices, within the realm of normal politics and are not perpetrated by “important” actors, but by those centrally disposed in the security apparatus of the States, the professionals of specialized agencies²⁵. In Neal’s word, *“Much of what is being done in the name of security is quiet, technical and unspectacular, in the EU intensely so, and just as much again does not declare itself to be in the name of security at all”* (Neal, 2009, p. 352).

Thus, “securitization” barely happens through discontinuity, on the contrary it is simply the evolution of a much longer and complex political process. Even for Ilkka Laitinen, Executive Director of Frontex, the creation of the agency was embedded in the logical continuum of the regional integration process, being the necessary policy to reassure the principle of free internal movement in the EU. Consequently, he argues that *“Frontex, or something like it, would have come about with or without 9/11”* (Laitinen apud Neal, 2009, p. 344).

Therefore, an alternative methodological approach is necessary. Drawing in this literature, Léonard proposes the concept of “securitization through practices”, in which the main challenge is to trace the multiple elements that help to frame a certain issue. Regarding Frontex, this implies in a central critique towards the most common analysis based on the Copenhagen School theory. Instead of looking for speech-acts, to understand the creation of the agency it is necessary to encompass the role of

²⁴ Specially Léonard (2011), Neal (2009), Boswell (2007), Huysmans (2000), Bigo (2002) and CASE Collective (2006).

²⁵ Referring to this, Bigo plays with Wendt’s famous assumption about the role of States in the construction of anarchy. For the French author: *“security is what the professionals of unease management make of it”* (Bigo, 2002, p. 85).

institutions and specialists, and how they perceive social phenomena. Politicians generally refer to those specialists and use their analysis as primarily technical arguments and not political statements. It is a process that reinforces the role of security analysts as providers of a valid uncontroversial truth. Beyond that:

Securitization is not usefully characterized as a discursive practice creating 'exceptionalization', even though it may find its origins in this practice. [...] Securitization works through everyday technologies, through the effects of power that are continuous rather than exceptional, through political struggles, and especially through institutional competition within the professional security field in which the most trivial interests are at stake (Bigo, 2002, p.73).

Therefore, it is necessary a radically different methodological approach, focusing on the broader social environment in which Frontex became a possible political alternative. So, the relevant question is not on the creation of this specific agency, but how it became possible for the European governments to stop conceiving immigrants and asylum seekers in the realm of human rights and start fearing them as security problems, connected with other military/police issues, and central to the formulation of border control mechanisms.

This leads to the second critique presented in this paper, the one more concerned with the ethical consequences of the articulation of social phenomena with security perspectives, thus, worried with the political nature implicit in the concept of securitization. According to Bigo, the Copenhagen School conceives politics in a problematic manner.

It is a 'war-based polity', a condition of generalized confrontation that is no longer able to distinguish between private and public enemies. Because it is based on claims about the need for survival at any price, on a real and permanent struggle anchored in a eschatology of the worst kind, it generates a distress policy, a misgiving policy, that transforms any change and any risk into an intentional threat or enemy (Bigo, 2002, p. 81).

In sum, the idea of a division amidst political and security spaces, which would sometimes come together through the securitization process, does not exist. Both came

to construct a permanent practice of government, based on technology and security worries. Consequently, there is no frontier between the formulation of normal and urgent/exceptional policies, they are blended, forming a “risk society”, in which the focus is not on the response to enemy actions, but on the necessity of anticipation.

Therefore, it makes no sense even to speak in terms of “securitization”, as the context is not one of radicalization of regular politics, but of a permanent link between social phenomena and security meanings, which creates the conditions for dealing with immigration and asylum with the same tools used to face terrorism or organized crime. Finally, this literature has an important contribution for the security field debate. Based on Bigo’s and Huysmans’s arguments it is possible to shed light into other aspects of Frontex, comprehending it as one apparatus of the European Union that simply reflects the demands of a “risk society”, consolidating a nefarious practice of ruling. In order for a group to be free and secure, millions are excluded, facing the violent side of the “governmentality of unease”.

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Annexes:

Figure 1. Comparative analysis on references to “immigration”, “exception” and “surveillance”

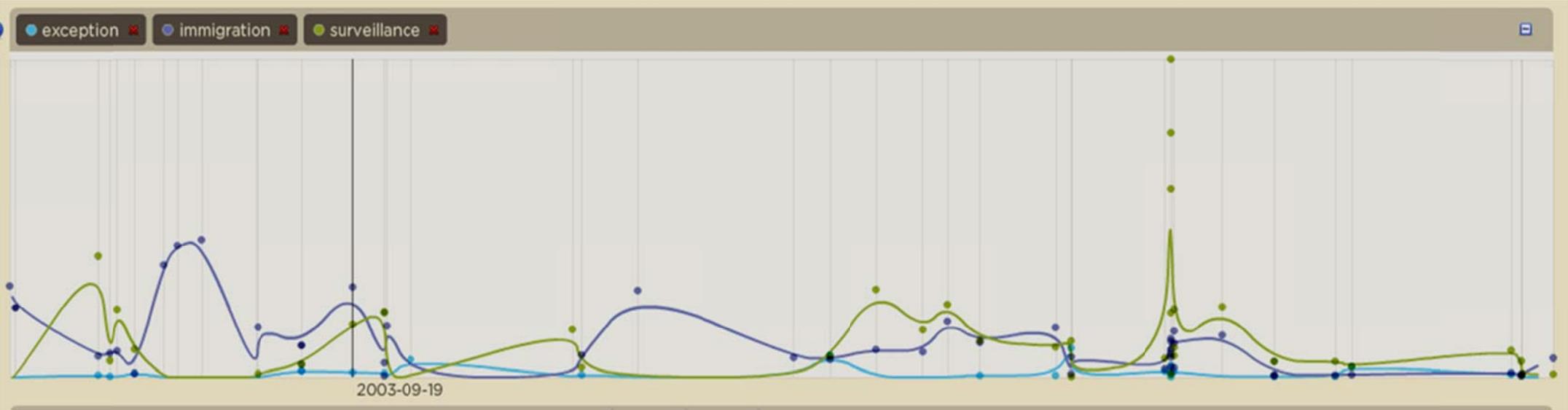


Figure 2. Comparative analysis on references to “emergency”, “urgency”, “exception” and “border management”

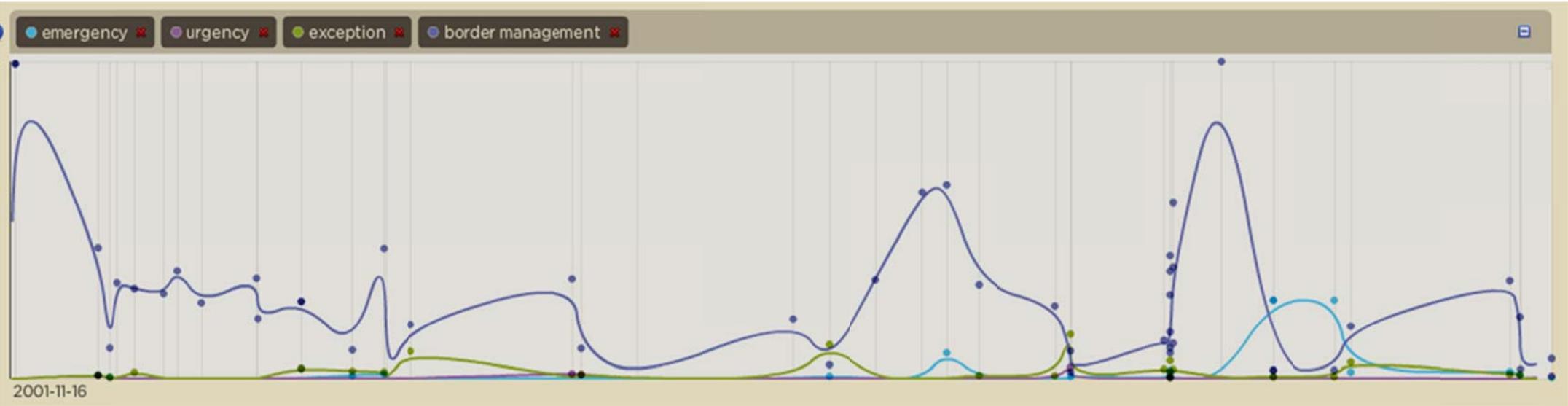


Figure 3. Comparative analysis on references to “technology”, “surveillance”, “record” and “database”

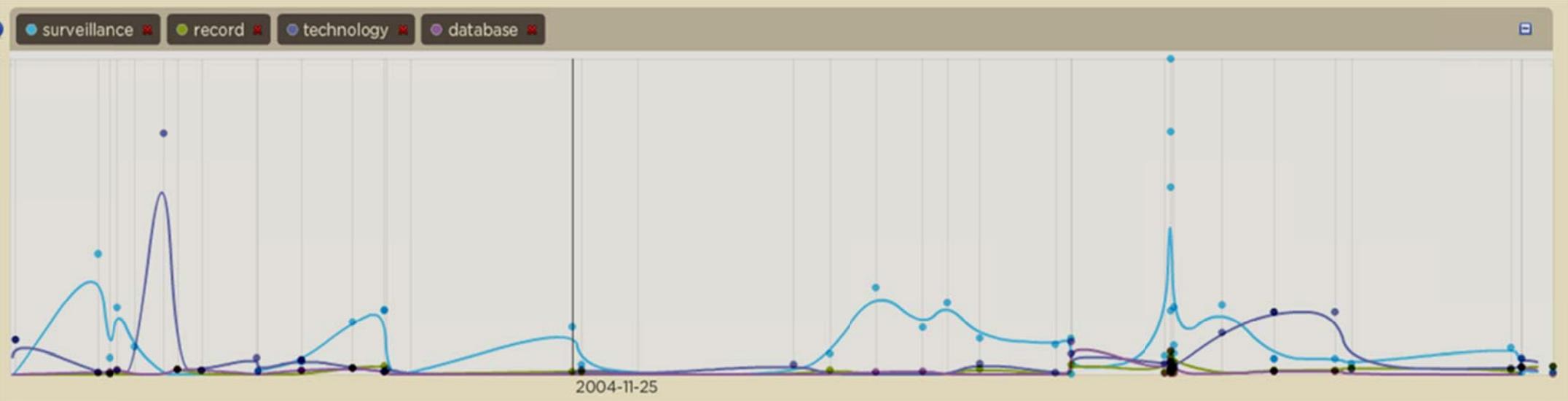


Figure 4. Comparative analysis on references to “management”, “control”, “surveillance” and “security”

