



The securitisation of migration during the refugee crisis: The role of the EU institutes.

Gabrielle Vermeulen s1081292

MA International Relations

Supervisor and First reader: Dr. J.Q.T. Rood

Second reader: Dr. J. Oster

Table of Contents

Abstract	2
1. Introduction	3
1.1 Research Question and relevance	3
1.2 The refugee Crisis and the EU: Making the journey	5
1.3 The Refugee Crisis and the EU: Policies and Regulations.....	8
1.4 The securitisation of migrants and the issue of Human Rights	10
2. Literature Review	12
2.1 Development of securitisation theory.....	12
2.2 What is security?.....	13
2.3 Securitisation as a speech act.....	14
2.4 Securitisation – a sociological approach.....	14
2.5 The securitisation of migration and Human Rights issues.....	15
2.6 Criticisms of Securitisation theory	19
3. Methodology	20
4. Analysis	22
4.1 The Quota System	22
4.2 Language analysis.....	23
4.3 Policy analysis.....	23
4.4 EU-Turkey Deal	24
4.5 Language analysis.....	25
4.6 Policy analysis.....	26
4.7 Operations at sea	29
4.8 Language analysis.....	30
4.9 Policy analysis.....	31
5. Conclusion	33
Bibliography	36

ABSTRACT

This research aims to look at the securitisation of migration during the refugee crisis. It looks at the role of the EU institutions in securitising the issue of migration, specifically from the time period of 2015 to 2017, which is a time described as a 'refugee crisis' in the European Union. By looking at specific EU documents, reports and speeches alongside analysing the actual policies and practices that the EU took during this time, it is shown that securitisation of migration is happening in the practices and policies that the EU introduces. The securitisation of migration in actual speeches, however, is more nuanced and is embedded in the humanitarian principles that EU upholds.

Introduction

Human Rights and how the EU protects and encourages HR has been put under particular scrutiny since the start of the refugee crisis. The lead up to the refugee crisis began in 2011, after demonstrations against the political regime in Syria. These demonstrations were part of a wave of demonstrations in the Middle East, now commonly termed the 'Arab Spring'. The Syrian government responded heavily to these peaceful demonstrations and this erupted in a civil war. The Civil war in Syria has seen 4.8 million people flee out of their homeland and seek refuge in other countries. The majority of refugees make their way to neighbouring countries and remain in refugee camps in Turkey, Lebanon, Jordan, Egypt and Iraq. A small proportion of refugees have sought to make their way to Europe and seek refuge there.

In 2015, the EU as a whole received 1 million asylum applications, and saw the term 'refugee crisis' applied to the situation within Europe. Geographical reasons saw that most refugees entered the EU from the Mediterranean border states, with the majority entering via Greece, Italy and Hungary. However, the response to the influx of refugees seeking protection could not have been more divided. Hungary sought to keep out refugees, even going to the extent of building a fence on the border and issuing border guards with tear gas to keep out irregular migrants (The Telegraph, 2015). Germany and Sweden, on the other hand, initially welcomed refugees and offered protection for them (EUObserver, 2015). That the response was so divided within the Member States of the EU was very evident and easy to see, but the EU also had a role to play and had to act as a unified unit to update policies and put new systems in place.

The failure of the CEAS to operate in this crisis situation showed flaws in the regular policies, and initiated the EU institutions to make amendments to the asylum process. Furthermore, emergency meetings were held to try and find a common policy that would ease the 'burden' on a few states and stabilise the response.

1.1 Research Questions and relevance

It is with the above setting in mind, that I aim to investigate the following research question: Does the way the EU institutions handled the refugee crisis reflect a securitisation of migration and in doing so, does it undermine the Human Rights obligations it has? In order

to answer this question, it is necessary to answer these questions: 1.) What are the Human Rights obligations towards refugees? 2.) What emergency policies were put in place in place during the refugee crisis and how were these securitised?

In order to investigate the research question, I shall look at the approach from an institutional view point, specifically looking at how the EU institutions responded, in terms of changed policies and reports. The main policy changes I shall look at are: 1). The quota system – relocating refugees among EU countries. 2). The EU-Turkey deal and finally 3). The new, temporary, powers given to Frontex and the increased presence at sea. Other measures were put into place, these will be briefly discussed in the introduction, but the analysis will focus on the above 3 activities and policies.

Looking at the EU's response through the securitisation theory will show whether the EU is, or is not, mainly concerned with strengthening its border and keeping out migrants. Balzacq (2010) argues that securitisation theory helps explain how the use of exceptional methods becomes legitimised when there is a security threat, or perceived, security threat. These threats are socially constructed, through speeches that are framed around the threat of security. By looking at the official language used by the EU during the crisis, these can be analysed as to how much they were framed around security and thus fit into the securitisation theory and undermine the usual Human Rights obligations. There is also a broader understanding of the securitisation theory, as put forward by scholars such as Bigo (2010), who argue that seeing securitisation purely through a speech act is not enough of an analysis and securitisation can also occur through an action or policy change, not necessary a speech act. Therefore, it is important to also look at policy changes from the EU.

This research is relevant as it looks at the EU and its obligations under the current political setting – which one of rising right wing groups gaining popularity across the EU, increased xenophobia and the UK voting to leave the EU. However, there is also arguably another wave of politically 'left' activists who deeply oppose the abuse of Human Rights and seek to defend the rights of immigrants, as can be seen in the breakdown of Dutch coalition talks in 2017, on the very point of immigration (Walsh, 2017). We see two polar groups emerging in the EU and it will be interesting to see which way the EU will ultimately go to try and bring these two groups together by seeking some sort of middle ground, or holding onto its

principles and, ultimately, possibly risking its own downfall. This is the current setting of the thesis and an incredibly interesting case for the EU.

I hope that this research will build on the topic of both Human Rights and securitisation theory in terms of the EU's institutional response during a time of crisis. The idea that migration has been securitised is not new, see for example research by Balabanova & Balch, (2010) Huysmans & Buonfino (2008), Moore (2013) and Wilson (2006). However, the current research is dated mainly to the post Cold-War era, the expansion of the EU and the creation of the Schengen area within the EU. This research differs in that it will focus on the time from the start of the refugee crisis to present date.

It is expected to find that the EU has indeed securitised migration during the refugee crisis and that it has been done in both speech acts and policy areas. However, EU institutions will be keen to also highlight the need to respect international laws and uphold its own standards regarding Human Rights. Whether it actually manages that in terms of its response, will be shown in the analysis.

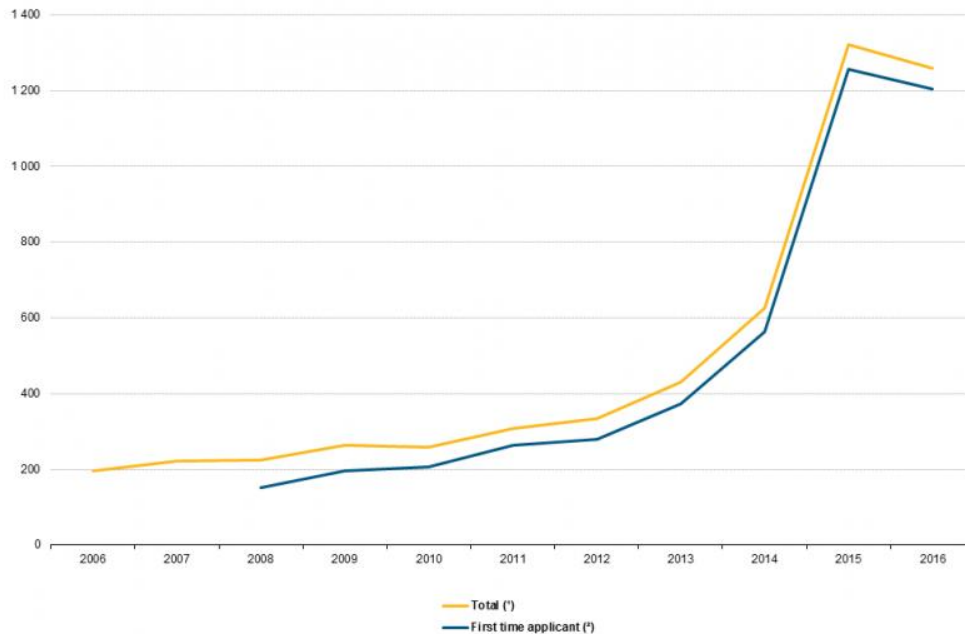
The limitations to this research is that it does only focus on a few of the policies put in place and also only on the EU institutions. To test what the securitisation of migration does to the wider audience, further research would be needed to look at media coverage before and after any policy changes initiated by the EU, and any speeches given. It would also be interesting to note how the response of individuals change, if at all, due to securitisation acts from the EU. However, due to the time restraints and extent of this thesis, the focus will be to look at the EU institutions, their speech acts and policy position.

1.2 The Refugee 'Crisis' and the EU: Making the journey.

The table below, taken from Eurostat, shows the numbers of applications for refugee status, made to an EU Member state, since 2006 until 2016. The somewhat dramatic increase in 2014 may help

explain the use of the term ‘Refugee crisis’. Arguably, just because the numbers have increased does not automatically mean that it is a crisis, or a threat. However, because of the sudden shift, it is often interpreted this way.

Table 1: Asylum applications (non-EU) in the EU-28 Member States, 2006–2016 (thousands)



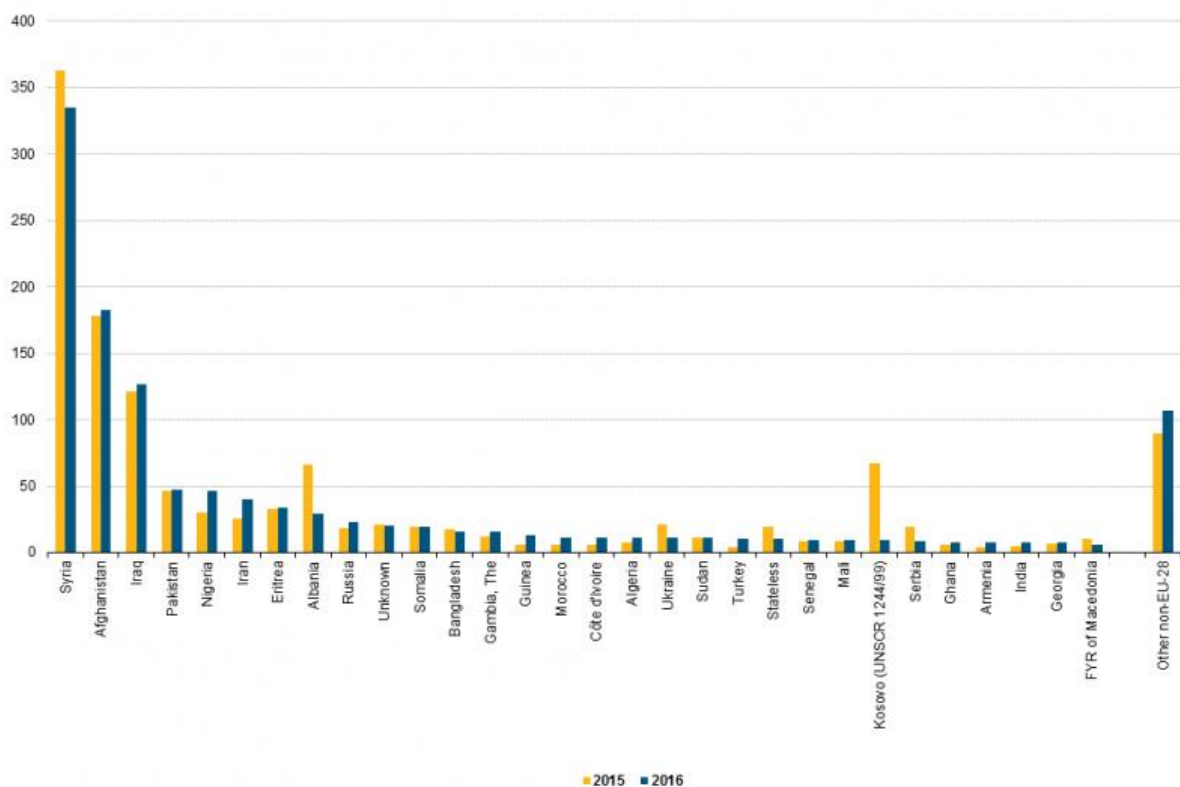
(*) 2006 and 2007: EU-27 and extra-EU-27.
 (†) 2006 and 2007: not available.
 Source: Eurostat (online data codes: migr_asyctz and migr_asyappctza)

It is important to note the difference between a migrant, a refugee and an asylum seeker, for the purpose of this thesis. A migrant is someone who leaves their home country to go to another country and settle. A migrant can be either legal or illegal, but ‘Unlike refugees who cannot safely return home, migrants face no such impediment to return.’ (UNHCR, 2016). A refugee is defined by international law as a person who ‘owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.’ (Article 1, 1951 UN Convention). An asylum seeker is someone who has applied for protection as a refugee under the 1951 UN Convention and is awaiting the determination of their application. For the purpose of this thesis, I shall use the term ‘migrant’ when referring collectively to all persons crossing the borders to the EU. When referring particularly to a refugee or asylum

seeker, this will be done when the status of the migrant is known to be so, according to the definitions above.

There are many reasons why individuals flee their home country, in order to seek refuge in another country. In this current crisis, the main reasons have been ongoing and increasingly volatile wars in Syria, Afghanistan and Iraq. Indeed, the table below shows from which countries the asylum applications were from, during the period from 2015 to 2016, and it is clear that Syria is the country that most asylum seekers are fleeing from.

Table 2: Countries of origin of (non-EU) asylum seekers in the EU-28 Member States, 2015 and 2016 (thousands of first time applicants)



Source: Eurostat (online data code: migr_asyappctza)

The UNHCR, in a recent report, found that of those migrants crossing the Mediterranean Sea in order to gain access to Europe, the majority would be eligible for refugee status, due to the conditions in the country that they are fleeing from (UNCHR, 2015). For those fleeing

from Syria, Afghanistan and Eritrea, the EU usually grants asylum. In 2014, the EU MS granted 95% of Syrians that applied for asylum, the necessary protection in the first instance, according to Eurostat. For Eritrea and Afghanistan, this number was 89 and 63 per cent accordingly.

Asylum seekers often have to undertake perilous journeys in order to get to the EU and to be able to claim asylum. The UNHCR report showed that from January to March of 2015, 479 refugees and migrants drowned crossing the Mediterranean. This is in comparison to the much lower numbers of 15 during the first three months of the previous year (UNHCR, 2015). The real peak, however, was in 2016, when a total number of 5,096 migrants lost their lives to the sea (UNHCR, 2017). Due to the dangers of crossing the Mediterranean Sea, there have been many casualties and deaths since the start of the refugee crisis, and unfortunately still are.

1.3 The refugee crisis and the EU: Policies and Regulations

However, once refugees enter the EU, their journey is not over and in many ways has only just begun. The conditions that migrants are held in, once reaching the EU's borders have been condemned by many human rights groups, and described as 'Forcing asylum seekers to remain in conditions that violate their rights and are harmful to their well-being, health, and dignity' (Human Rights Watch, 2017). The EU's system, put in place to deal with refugees, was not designed to cope with the numbers of applicants seen since 2014 and has come under criticism from Human Rights groups such as Amnesty International (2016) and UNHCR (2015).

The Dublin Regulation (Regulation 604/2013) which sets down the rules relating to how asylum applications are processed and by which state, first entered into force on 1st January 2014. The proposal of the Dublin Regulation was part of the process by the EU to harmonise rules and regulations surrounding asylum procedures and create one effective system. The Dublin Regulation is based on the principle that an asylum application may only be lodged and processed by one MS. The MS that must process the application is the country which the asylum seeker entered into the EU. This, obviously, creates an unfair burden on the border states, as most asylum seekers enter the EU via sea routes, or sometimes by foot. When the number of applicants significantly increases, the burden worsens and the

resources are not sufficient for the MS to deal with the applications in an efficient and respectful way. The EU, therefore, had to take several measures in order to alleviate the pressures on certain MS. Here a few of them shall be discussed briefly, and then a select three will be further expanded on in the analysis.

'Hotspots' were one measure that the EU set up to help MS to identify, register and fingerprint migrants entering the EU. Hotspots are essentially EU-run reception centres, mainly based in Italy and Greece. They involve the collaboration of several EU agencies, such as Frontex, Europol, Eurodac, EASO and Eurojust. They aim to provide an initial camp for migrants wishing to claim asylum in the EU. They were created to ease the burden on the external border MS who were struggling to cope with number of asylum applicants they were receiving. These Hotspots have also received a lot of criticism, namely from Amnesty International (2016), Human Rights Watch (2017), Oxfam (2016) and UNHCR (2016). The criticisms from these organisations are mainly on the conditions within the camps, such as overcrowding, lack of appropriate shelter, lack of heating, water and sanitation facilities.

Frontex is the EU agency that is responsible for the cooperation of border management at the EU's external borders. The responsibilities of the EU agency Frontex were increased and expanded, as was its budget. This will be further explored and expanded upon in the analysis.

The EU also proposed a quota for the resettlement and relocation of 20,000 individuals, so as to alleviate the pressure on neighbouring countries of the EU, namely Turkey, Lebanon, Iraq and Jordan. This proposal will also be analysed in the coming chapters.

In November 2015, at the Valleta summit, the EU invited African leaders to be part of the solution to the refugee crisis. EU funds to provide money to third countries was offered. However, this has also been criticised, as there is limited ways to monitor where and how the money is being spent. Also, if it is found that the money has been violated, then there are no sanctions in place.

The EU compiled a list of safe countries, so if an asylum applicant is established as being from the list of 15 'safe' countries, they can be immediately returned. This list automatically assumes that the country of origin has sufficient Human Rights protections in place that it is not necessary for them to be fleeing their country and on that grounds can be immediately

returned. However, this has also been criticised as it is an active form of discrimination, and it cannot be so that just because a country has Human Rights laws in place, that these are necessarily granted for every individual (AEDH/EuroMed Rights/FIDH, 2016).

These are just some of the extraordinary measures that have been taken by the EU to try and alleviate the pressure that the refugee crisis has put on the EU MS.

1.4 The securitisation of migrants and the issue of Human Rights

Migration into the EU is a contentious subject. It is true to say that it is often a subject of interest for the media and there are many views about the refugee crisis and immigrants in general. People can, and do, associate immigrants with crime, terrorism and social unrest. The media, across the EU, have given the crisis a lot of coverage, both negatively and positively, as explored by Mike Berry, Inaki Garcia – Blanco, and Kerry Moore (2015) in an extensive research into media coverage in five EU Countries. Their findings showed that the majority of the coverage used negative terms to describe immigrants, although there had been some positive coverage from particular newspapers (ibid, p.12).

The media coverage has been widely differing and although the rise of right wing parties within the EU was already gaining, it can be argued that the negativity surrounding the number of immigrants, and how the EU responded, has fuelled the increasing popularity of right wing, nationalist parties and xenophobia (Ibrahim (2005)).

However, alongside the rise of nationalist parties, there is also a huge concern amongst some groups and political parties about how the EU has failed to protect the Human Rights of individuals seeking refuge within its borders, specifically from Human Rights groups such as Amnesty International and Human Rights Watch.

The EU has ratified many Human Rights treaties, which binds it to protect these rights of individuals. The ones relating most specifically to the Human Rights of refugees, although not exclusively, include the 1951 Refugee Convention and the Universal Declaration on Human Rights, the EU Charter of Fundamental Rights (2009) and the European Convention on Human Rights. The EU, therefore, has committed to protecting and upholding Human Rights and even presents itself as being a 'beacon of Human Rights globally' (Barbulescu,

2017), being founded on the 'values of respect for human dignity [.....] and respect for human rights' (Treaty of the European Union, Art 2, 1992).

Both international and European HR treaties provide protection and give rights that states must defend and protect. There are, however, many Human Rights advocates who are critical of the EU and its protection of Human Rights, particularly during the refugee crisis (for example: Amnesty International (2017) and Campesi (2014)). It is therefore very important that the policies and regulations put forward by the EU are in line with the treaties it has ratified and the identification it wishes to project, not only to the rest of the world, but also to its own citizens.

The securitisation of migration, by the EU, has been shown by scholars to produce policies that are restrictive in their nature (Campesi (2014), Huysmans (2000) and Leonard, (2010)). These scholars argue that securitisation has led to negative implications in terms of Human Rights of migrants entering the EU and that policies are aimed at securing the external borders, restricting immigration and are less concerned with Human Rights. Other scholars look at the conditions of the migrants once they reach the EU (see, for example: Casolari (2016) and Trauner (2016)). They argue that the receiving conditions for migrants are not in compliance with HR laws and as such the EU is neglecting its obligations under international and EU law.

This research will complement the literature and expand on it by looking at the specific time frame from the start of the crisis in 2014 and up until the present day (2017).

2. Literature review

2.1 Development of securitisation theory.

The securitisation literature developed after the Cold War, when questions about what now constituted security, and security threats, began to emerge. Earlier literature about security studies, which examined traditional security threats, based on military conflict, needed to be re-examined in light of the end of the Cold War. McSweeney (1999) wrote of the 'puzzlement in regard to particular international security issues and the explanations available in the academic literature' and it is with this backdrop in mind, that securitisation theory emerged from the Copenhagen School of security studies and in particular has its origins in the work written by Waever, Buzan and De Wilde. The Copenhagen School expanded the literature on security issues, arguing that a broader description of security was now needed, as security threats were no longer just military in their nature.

The Copenhagen School's theory of securitisation is an approach to security that is social constructivist and multi sectorial. Buzan, Waever and de Wilde see security as a process of 'social construction threats' (Buzan, Waever and de Wilde, 1998), Waever went on to develop this approach and described securitisation as 'A specific way of framing an issue' (1996,) and specifically refers to the way this is done as being a 'speech act' (1995). This idea will be further explored below.

2.2 What is security?

One of the issues that surrounds this theory, and is central to the discussion on securitisation, is the question: What is 'security'? Indeed, as there is no commonly agreed definition, it is difficult to pin point exactly what a security issue is and Buzan even wrote that security can be seen as an "essentially contested concept" (Buzan, Waever and de Wilde, 1998). However, Buzan, Waever and de Wilde did try to address this question in terms of international relations and they argued that security can be seen as survival – of a state or nation – and whether there is an existential threat against the referent object (1998). Buzan later wrote that 'security is pursuit of freedom from threats' (Buzan, 1991). In this sense, security is seen as survival from something that threatens its existence. In terms of securitisation then, Waever suggests that declaring an issue one of security is a political choice and once something is made a security issue, it is securitisation – whether this is

based on a real, or simply perceived, threat (1998). Security in this sense is thus socially constructed and self-referential (Buzan, Waever and De Wilde, 1998); an actor refers to an issue as a security threat, therefore legitimising extraordinary measures against this socially constructed threat. The issue does have to be seen by the target audience as being an actual security issue, in order for the extraordinary measures to be accepted. The threat cannot simply be imposed upon the audience. If, for example, we were to look at the threat in terms of cultural identity, Waever (1993) writes that the security concern would be if there was a threat to 'traditional patterns of language, culture, association, and religious and national identity and custom'. However, he also goes on to admit that this very definition also 'makes it difficult to give any objective definition of when there is a threat' (1993). The researcher Michael C. Williams (2003) went on to reflect on the difficulties of what constitutes a security threat in terms of societal security and wrote that the group 'is presented as threatened by dynamics as diverse as cultural flows, economic integration, or population movements'. This offers some sort of definition to what would be considered a threat, although it is still true to say that the actual definition remains contested.

2.3 Securitisation – The Copenhagen School approach

The main premise of the Copenhagen School approach to securitisation is that it is played out in a speech act. Once a threat has been socially constructed as a security issue it therefore becomes one – whether the security issue is actual or not. Once something is recognised as a security threat, extraordinary means can be used to defend against the socially constructed threat. There are some criteria which the Copenhagen School uses to define the process by which an issue becomes socially constructed into a security threat. These are 1). That an actor claims a referent object to be threatened 2). An actor then demands the right to use extraordinary measures in order to deal with the threat and 3). The audience to which the actor is talking acknowledges and accepts that these extraordinary measures are justified and necessary in order to defend what is under threat (Buzan, Weaver and de Wilde, 1998). It can therefore be shown that in giving something the label of 'security', it becomes a priority. By making something a priority it then gives the authority the 'right' to respond with urgency and therefore ignore the usual procedures, rules and even laws. Framing an issue as a security one, therefore shifts the issue to a state of emergency. As Buzan (1998) wrote, 'by labelling it as security, an agent claims a need for,

and a right to treat it by extraordinary means'. It is essential to note the importance that the audience plays in the definition of securitisation put forward by Buzan, Waever and de Wilde. Securitisation is an 'essentially inter-subjective process' (Buzan, Weaver and de Wilde, 1998). In this sense there is a continual negotiation between the securitising actor, and the audience. It is the audience who has a choice to accept or decline the agenda put forward by the securitising actor. Securitisation is not something that can be imposed on anyone. It is the audience that therefore accepts the need, and legitimises the need for, extraordinary measures. 'Security (as well all politics) ultimately rests neither with objects nor with subjects but among the subjects' (Buzan, Weaver and de Wilde, 1998), if the audience does not accept the threat, then the actor is unable to employ the extraordinary measures to temper the threat. In other words, an issue is only securitised 'if and when the audience accepts it as such.' (Buzan 1998).

The Copenhagen School's definition of securitisation therefore looks at what the relationship is between the securitising actor and the audience and how it uses speech acts to reach its success. The Copenhagen School's theory of securitisation thus aims to 'gain an increasingly precise understanding of who securitizes, on what issues, for whom, why, with what results and, not least, under what conditions' (Buzan et al 1998). In their understanding of securitisation, the actor is usually a state elite, as by the very set up of power structures in the field of security, it is elites who are able to declare what a security problem is (Buzan et al 1998 and Waever 1995). When a state elite declares something to be a security problem, it is then able to produce policies to defend against this threat and therefore claim to be the provider of security and protection (Bigo, 2002).

The Copenhagen Schools approach to securitisation and its application is a negative one. They argue that securitisation of an issue leads to the downfall of regular, democratic principles and rule of law. Therefore, they actually propose a de-securitisation approach, one where issues are returned to the normal sphere, removed from the state of emergency, and placed back onto the public norm, to be governed by regular politics.

2.4 Securitisation – a sociological approach

Another to the approach of securitisation advanced by what is called the 'Paris School' of security studies, extends the theory of securitisation put forward by the Copenhagen

School. Didier Bigo, the most prominent scholar of the Paris School, argues that security 'is often marked by the handing over of entire security fields to 'professionals of unease' who are tasked with managing existing persistent threats and identifying new ones' (Bigo, 2002).

Balzacq (2010) also extended the original approach to securitisation as a speech act and takes it to also mean actual practices. Balzacq's main criticism of the original securitisation theory was that it focused mainly on securitisation as a speech act, whereas Balzacq was of the opinion that 'security practices are enacted, primarily, through policy tools.' (Balzacq, 2010). Therefore, an institution can be looked at as to how it acts, not solely the words they use when discussing an issue, ie: discourse. This approach is broader and also arguably open to less misinterpretation. Whereas discourse can be deliberately used by organisations/states/media to try and reflect a certain image, it can be argued that the actions that actually take place mean more and reflect the character and motivation of the organisation more greatly. Actions are not as open to manipulation in the way words are as they are a solid and definite act that cannot be taken back or re-invented. This work was originally pioneered by Bigo (2000) and extended on by Vuori (2008), Atland and Ven Bruusgaard (2009) and Balzacq, 2010). This approach differs from the original definition of securitisation as it presents the idea that an institution can, just by its actions, be seen to commit an act of securitisation. If the action is viewed, by the intended public, as being one that is out of the ordinary, and necessarily so, then the issue has, by its nature, been securitised.

2.5 Securitisation of migration

Huysmans (2000) has written about the securitisation of migrants in the EU, and linked this to the Europeanisation of migration policy and the expansion of the Schengen area. The Schengen area has led to the increased security around the border states of the EU, and the development of what has become known as 'Fortress Europe'. Huysmans even goes as far as to assert that 'border controls have played a key role in the spill over of the socio-economic project of the internal market into the internal security project' (Huysmans, 2006). Writing on how securitisation works he notes that 'securitisation constitutes political unity by means of placing it in an existentially hostile environment and asserting an obligation to free it from threat' (Huysmans, 2006). So, securitisation can be used to create

policies that inherently promote an 'us' and 'them' scenario, in which the securitising actor uses their securitising act in order to assert the need to protect against the threat.

Huysmans analysis thus argues that immigration policy can be securitised without even having to specify exactly what is attempting to be secured, but purely by focussing on the exclusion of the other. Buonofino writes that this creation of 'boundaries between us and others, between inside and Outside, issues of solidarity, ethics and human rights become secondary to issues of security', he argues that this securitisation of migration, in wanting to maintain the solidarity of the community is threatening to human rights and peaceful coexistence (Buonofino, 2006).

Huysmans argues that the freedom granted to EU nationals comes at the expense of those outside of the EU. For all the de-regulation surrounding migration within the EU, the control of the borders becomes stronger – idea of 'Fortress Europe'. This framework only serves to create an image of migrants being a danger and a threat to European identity and societies. He writes that 'Directly or indirectly, supporting strategies of securitisation makes the inclusion of immigrants, asylum-seekers and refugees in European Societies more difficult' (Huysmans, 2006). He argues that this has shifted the image of migrants, which in the 1950's and 60's was mainly seen as an extra workforce in most western European countries, with some countries using a promotional migration policy in order to relay to the general public that migrants were necessary and good for the economy. The legal status of migrants was also, in general, not contested – migrants were needed and their status once in the country was usually of little importance (Huysmans, 2006). This, in comparison with all the debate about illegal immigrants that surrounds the policies and laws created to protect, defend and uphold European values. Huysmans argues that the first sign of securitisation of migration within the EU is the implementation of Council Regulation 1612/68, which developed the right of free movement of nationals of Member States of the EU and thus distinguished a clear difference between EU nationals and third country nationals. This regulation was later to be built upon by more legislation that clearly favoured EU nationals above foreigners and eventually led to the development of a Third Pillar on Justice and Home Affairs, which added migration as a subject of intergovernmental regulation. This then further developed from a Third Pillar to a First Pillar and, in the Treaty of Amsterdam, immigration, asylum and refugees formally became fully communitarised. These practices, of framing policies around

an issue of security, reflects the image of immigration away from one based on Human Rights, but one based on the issue of security. Huysmans therefore argues that the Europeanisation of migration policy actually fosters the securitisation of migration and creates an atmosphere of fear surrounding immigrants. In this way, the EU can be seen as securitising migrants simply by the act of bringing immigration policy into the realm of the community.

This idea of the 'internal security project' can arguably be seen in the creation of Frontex and the extra emphasis on the protection of the external borders. In the research conducted by Leonard (2010), into how Frontex operations contribute to the securitisation of migration, she concludes that the practices of Frontex do securitise migration but she does not find that this in itself makes Frontex, as an institution, a securitising actor. It is here that she suggests more research is needed to make this claim. Neal (2009) and Baldacchini (2010), on the other hand argue that Frontex is the representation of both security and migration policy, at an institutional level. This is the tension of security policy being so closely tied with migration policy within the EU. When this is played out in the creation of an institutional level, then it is very difficult to distinguish what the institution stands for – is it protecting the security of the EU, against threats from outside, or is it a means to manage the migration policy? The role of Frontex in the securitisation framework is therefore difficult to analyse, especially since it in itself has no decision making role. However, the role of Frontex and its competencies does arise especially in cases where immigrants have drowned at sea whilst Frontex has been operational in the area (Leonard, 2010). The securitising factors of Frontex are that whilst they deal with traditional military threats, such as drug trafficking and piracy, they also have a role in migration and keeping it out – securing the borders of the EU (Leonard, 2010). Leonard further argues that the practices such as returning migrants to Turkey actually violate the non-refoulement principle, as the vessels return migrants to potential torture and persecution. Frontex operations therefore automatically treat migrants as irregular without accessing their case, and as such can be seen to be securing the borders of the EU rather than concerned with the Human Rights abuses of the potential refugees. Other activities that are carried out by Frontex include training, surveillance operations, and research into modern technologies so as to advance the border surveillance, which can, Leonard argues, lead to the impression that the EU is

constantly under the threat of irregular immigration. The use of drones has also been deployed, which are traditionally seen as a military response. So all of these operations by Frontex, in their very nature, can be seen as securitising actions (Leonard, 2010). This research can further be backed up by that of Wunderlich (2012), who suggests that once migration is socially constructed as a threat to security by the securitising actor, it creates anxiety in the receiving audience and thus allows security actors to use new measures, for example, new technologies to help with new border controls.

Bigo has also conducted research into the securitisation of migration and his approach to the securitisation of immigration puts forward the idea that elites are actually able to 'create truth' (Bigo, 2002) about threats to the state by linking migration to issues such as crime or unemployment, or the welfare state, this then in turn legitimises the securitising move. This securitising move specifically in relation to migration is, according to Bigo, an aim of the state to reassert their control and political integrity, thus advancing their own political agenda (Bigo 2002). This differs in approach to the Copenhagen School, as their approach does not place as much emphasis on the actual securitising actor, but rather the interplay between the actor and the audience. However, there is some overlap in these two schools of thought, in that Buzan does acknowledge the ability of the elite to use and manipulate evidence in order to try and validate the securitising move (Buzan 2006).

When looking into securitisation theory, it becomes clear that there is some tension between a security issue and Human Rights. Once an issue is seen as being legitimately able to bypass normal, legal procedures, it automatically could threaten the Human Rights of individuals. When thinking about what is to be identified as a threat, and how this interacts with Human Rights obligations, the work of Rhoda E. Howard-Hassmann explores this well. She writes about this tension, noting that 'a narrow view of human security is a valuable addition to the international normative regime requiring state and international action against severe threats to human beings' however, if a broader view is taken, then this is where it clashes with the obligations to protect human rights, indeed she notes that 'by subsuming human rights under human security, it also undermines the primacy of civil and political rights as a strategic tool for citizens to fight for their rights against their own states.' (Howard-Hassmann, 2012) . Rhoda E. Howard- Hassmann further writes that the Human

Security discourse and agenda is at risk of, inadvertently, undermining the international human rights regime.

Buonfino (2006) also acknowledges this tension between security, the threat, and the humanitarian principles which the EU wishes to portray itself as protecting and promoting. He argues that the need to protect the identity of the EU as a whole and uphold the “European” collective values creates the need to securitise immigrants but also balance this against the protection of humanitarian values, he writes that ‘In European discourses, instead, security is implied within discussions of humanitarian assistance, fundamental rights and protection.’

The current research into the securitisation of migration all date from before the current refugee crisis. It is important to note that this subject has been recognised as an important area of research, even before migration became such a contested subject as it has become during the refugee crisis.

2.6 Criticism of securitisation theory

One of the main criticisms of the securitisation theory is that it does not have a solid methodological framework (Balzacq 2011). The definition of what constitutes a securitisation success also remains undefined (see Bourbeau (2011), and Vuori, (2008)). The idea that de-securitisation is the ultimate aim has also been contested by scholars such as Elbe (2006) as they argue that sometimes positioning an issue around a security threat may produce positive outcome in terms of policies. The example given by Elbe is the case of AIDS, and how framing this as a security issues is more nuanced than the Copenhagen School approach allows for, he suggest that securitisation of aids ‘could bolster international AIDS initiatives by raising awareness and resources’ however, also recognises that at the same time it could equally ‘undermine international efforts’ as it allows states to prioritise money to those institutes that fight security (Elbe 2006). This contradiction is overlooked by the Copenhagen School theory.

These criticisms of the securitisation theory has even been acknowledged by Waever, when he writes that there ‘is by now a surprising amount of empirical studies done with full or partial use of the securitisation theory. These do not follow a standardised format.’ (Waever, 2003).

3. METHODOLOGY

As the original root of securitisation theory is held within the speech act, conducting this research without looking at language discourse would be misguided. Therefore, within each area of analysis, a language discourse analysis will follow. This discourse analysis will look at official documents from the EU, mainly the Commission and the Council, during the time frame of 2014 to present day (December 2017).

The reason for choosing this time frame is to narrow down the results and expand on the research that has already taken place into the securitisation of migration within the EU (see, for example: Huysmans (2006), Buonofino (2010), Leonard (2010), Bigo (2002)). The refugee crisis is a time when policies are often accelerated through and therefore interesting to analyse what wording is used and if this constitutes a securitisation move.

This is a purely a qualitative analysis in its approach, analysing policy papers and official documents released by the EU. Some of the problems and restrictions of this is that it is not possible to be in the actual meeting that take place, and in this way it is only possible to analyse the official press release, or documents. Obviously, these are what the Institutes chose to put in the public domain and therefore may not be a true representation of what actually took place in the meetings. What the EU institutes release to the public may therefore not be an impartial description of what actually took place.

The official documents that have been chosen relate specifically to the area of migration, and in particular to the three policy areas that are being analysed, namely the quota system, operations at sea and the EU-Turkey deal. The documents that have been chosen are aimed to give a good overall view of the language used by the EU and as such have been chosen over other potential documents and speeches. Whilst it is not possible, within this thesis, to analyse every piece of documentation relating to the given policy areas, the ones that have been analysed do show the most common themes used throughout the EU discourse.

The theory of securitisation, as originally proposed by the Copenhagen School shall be used to analyse the language used in official statements from the EU institutes. In terms of analysing the activities and actual policy practices, the approach of the Paris School shall be used. The reason for using these two different approaches is because the Paris School expands upon the securitisation theory of only being a speech act. Securitisation can also

be evident in securitisation acts, as suggested by Huysmans (2006). These securitisation acts can show up in analysing how a policy is played out.

It has been deliberately chosen not to look at media coverage, but to look at the institutions of the EU and their official coverage. Whilst media coverage is more nationally based, the purpose of this thesis is to look at the official discourse and policies coming from the EU institutions.

In terms of the discourse analysis of official documents and statements made at the EU level, this will concentrate on look at wording such as: Security, immigration, false, illegal, European Values, Solidarity, Fake, terrorist. Words which are used to create an image of 'us' and 'them' and to identify migrants as a threat to the security of the EU shall be highlighted.

In order to assess whether the EU acted based upon security as opposed to Human Rights, it is will be necessary to analyse the contents of official documents from the EU. It will also be helpful to look at those actors that criticise how the EU responded to the crisis – for example such actors as Amnesty International and Human Rights watch, who were both outspoken about Human Right's abuses during the refugee crisis.

In terms of the layout of the analysis, it has been chosen to look individually at each policy area that the EU has presented. The first part will be an analysis on the quota system – both in terms of language discourse and policy, then an analysis on the EU-Turkey deal shall be carried out, again looking at language and then policy, lastly an analysis of the EU operations that take place at sea will also be conducted based on language discourse and then policy.

It is important to note that I tried to look at this as unbiased as possible, but as a researcher it is also important to recognise the bias that could be evident in this work. I would consider myself pro-immigration and thus could potentially reflect this in my analysis of documents and activities. The analysis that is carried out has tried to look as objectively as possible at the evidence available to me.

4. ANALYSIS

4.1 The Quota System

One of the proposals by the European Commission was to impose a quota system on all EU states, so as to distribute 120,000 refugees' more fairly across all the MS. The 120,000 refugees were to be relocated from Italy, Greece and Hungary, where they currently resided. This proposition was formally proposed on the 9th September 2015 and backed by the European Parliament on 17th September 2015.

The European Commission initially outlined its European Agenda on Migration on the 13th May 2015. In this agenda, they noted the measures that were needed in order to respond to the refugee and migration crisis. The relocation scheme was part of the permanent measures that was outlined by the Commission. On the 14th September 2015, the Council then adopted a decision to establish a temporary relocation scheme and on the 17th September, the European Parliament voted to implement the refugee quota system, despite four MS voting against the proposal. The Czech Republic, Hungary, Romania and Slovakia all voted against the proposal put forward by the Commission. The original proposal was to relocate 120,000 from Greece, Italy and Hungary, but with Hungary voting against and not wanting to be part of the scheme, the Council agreed that the dedicated number of refugee's that were to be relocated from Hungary could be relocated from another MS that came under such sudden pressure.

Certain MS were not happy with the relocation scheme, as they found the system unfair. The distribution key which determines how many asylum applicants each MS takes is based on the population size of each MS and on its GDP, including a corrective factor based on the number of asylum application in last four years and also the unemployment rate. The idea of the corrective factor is that if a MS has received a large number of asylum applicants in the last four years and has relatively high unemployment rates, this would be taken into consideration and therefore accounted for in the number of refugees they would be expected to take in.

An EU budget was set up to provide the funding of €780 million to support this scheme. It was agreed that MS would receive €6000 per relocated person and the country from which the refugee would be relocated would receive €500 in order to cover transport costs.

4.2 Analysis of language

An analysis of the language used by the Commission, shows a mixed bag in terms of relaying the importance of Human Rights and also the typical securitising language of 'security' and 'emergency'. Wording such as 'duty to protect those in need' (COM (2015)) and 'international commitments' (COM (2015)) are evident of the EU wanting to frame its policies around the Human Rights discourse. However, in the same official document, the wording 'securing our borders' and 'triggering the emergency response system' and further 'a robust fight' (COM (2015)). In other press releases specifically on the relocation scheme, the wording that MS must show 'solidarity with one another' and implement the scheme 'in the shortest possible timeframe' (COM (2015)). These are all typical words that put the theme of migration clearly into the security category and ensure that the extraordinary measures can be used.

In the press release by the Council, stated 'This decision establishes a temporary and exceptional relocation mechanism over two years from the frontline member states Italy and Greece to other member states.' The President of the Council, Jean Asselborn, said on 14th Sep. 2015 'This is an important political message. Indeed, the first relocations of people in need of international protection can start quickly.' Once again, the tension between protecting those in dire need of protection, whilst at the same time clearly stating the 'exceptional' circumstances are further evident that there is both a securitising agenda, but also framed against the backdrop of Human Rights.

4.3 Analysis of Policy

Despite the proposal being mainly accepted by the majority of EU MS, the effectiveness of the quota system remains contested. By November 2017, only 7224 asylum seekers had actually been relocated from Greece and Italy to other EU countries under the scheme, according to the Commission (2016). This means that asylum seekers are still being held in inhumane conditions in Italy and Greece, waiting for their asylum application to be processed. The conditions in Italy and Greece have been widely criticised by organisations such as Human Rights Watch (2015), Global Detention Project (2015) and Save the Children (2016).

Therefore, even if the analysis of discourse about the quota system from the EU is not conclusive in framing refugee's as a 'threat', it is evident that the analysis of the actual policy, does frame it as one of security. It has been shown that the policy was quickly imposed and not thoroughly thought through, as it has not been effective in what it intended to achieve. The relocation scheme was supposed to ease the burden on certain states, but this has not happened. Asylum seekers are still held in inhumane conditions, awaiting the response to their application. This should have been sped up by the relocation scheme, relieved conditions in the camps in Italy and Greece. However, this has not happened.

From the discourse analysis, the terms used did not appear to place migrants expressly as a 'threat', as might be expected by the Copenhagen School's theory of securitisation. However, it does emphasise the use of exceptional measures and fighting against illegal migration and expressions of solidarity with other MS are also evident. These are typical securitisation acts as suggested by Huysmans (2000). Huysmans suggested that the actor asserts the need to protect by excluding others and creating policies around this exclusion, such as was done with the Schengen agreement. It also supports the analysis of Buonofino (2006) in which it is suggested that protection of European values create the need to securitise migration, however, this securitisation act will be embedded in the humanitarian rhetoric, as Human Rights are one of the European values. The policy practices that occur – forced relocation – can be said to support the theory of Buzan, Waever and De Wilde (1998) in so much as it an extraordinary measure that goes beyond the usual practices, and is accepted by the majority of the MS, even though they have been critical of it.

4.4 THE EU-TURKEY AGREEMENT

The EU-turkey agreement was concluded on 18th March 2016, after the EU had agreed to reopen talks about Turkey membership to the EU (European Council, 2016). It has been highly criticised by human rights groups and scholars (Amnesty International, (2017) Barbulescu, (2016)) . The European Council, intended this agreement to try and end irregular immigration from Turkey into the EU (European Council, 2016). With this goal in

mind, Turkey agreed to accept the EU returning irregular migrants crossing from Turkey to the Greek islands as of 20th March 2016. Not only did the agreement conclude this, but Turkey also agreed to try and prevent new crossing routes for irregular migrants wanting to get to the EU from Turkey (European Council, 2016).

This deal was a complicated and drawn out one. The EU, on its part, agreed to resettle one Syrian from Turkey for every refugee that is returned to Turkey, under the agreement. Turkey agreed to take any necessary measures to prevent new sea or land routes for illegal migration from opening between Turkey and the EU (European Council, 2016).

4.5 Language analysis

In official statements from the European Council, when announcing these new measures, stated 'It will be a temporary and extraordinary measure which is necessary to end the human suffering and restore public order.' (Council, March 2016). It can be seen that referring to the measure of returning all new irregular migrants back to Turkey, as being an 'extraordinary measure' would already be securitising the issue of irregular migrants, since it relays to the audience that it is necessary to go beyond the regular and normal policies, under the circumstances. Also, the use of 'restore public order' is very much in line with securitisation literature, since it puts forward the idea that there is a threat to the current situation and therefore extraordinary measures are legitimised. I would even argue that by using the word 'restore' it suggests that things are already beyond control and without new measures things will only spiral out of control. This is very clearly a securitising act and places migration into the realm that is outside of normal policies.

The European Council (2016) further commentated that it would 'take any necessary measures to prevent new sea or land routes for illegal migration opening between Turkey and the EU'. This shows language clearly creating borders for migrants, wanting to keep them out. The success is in preventing individuals from entering the EU, not from protecting those fleeing persecution and providing safer routes for them to access the EU.

However, again the securitisation discourse is framed around the discussion and protection of Human Rights. Official words from Donald Tusk, President of the European Council are "We needed to ensure that each and every migrant arriving in Europe will be treated individually. In other words, that our agreement complies with all EU and international

laws."(European Council, 2015). The European Council further goes on to note that that for each Syrian returned to Turkey, another Syrian will be resettled from Turkey to the EU 'taking into account the UN Vulnerability Criteria [...]' (Statement European Council 2016).

Other language noted in official documents, specifically when relating to the EU-Turkey deal are 'migration challenge' and the emphasis on the joint efforts of Turkey and the EU to 'effectively' address this 'together'. (COM(2017))

A year into the deal and The European Commission (2017) states that the deal has "confirmed a steady delivery of tangible results", clearly seeing it as a great success. This is due to the fact that the number of migrants has reduced, and also the number of deaths at sea, since this deal was implemented. The Commission (2017) reports that 'Irregular arrivals have dropped by 97%, while the number of lives lost at sea has. From the point of the EU, therefore, it would appear to be a successful agreement. However, criticism has not been light, as although less refugees are now crossing the border and entering the EU, it does not mean that conditions have improved for them. The Commission (2017) also notes that 'around one million people who have not taken dangerous routes to get to the European Union, and more than 1,000 who have not lost their lives trying'. The securitisation of migration is clearly around the success of blocking people getting into the EU and making borders stronger. This is in line with what Huysmans (2000) writes on securitisation, that the protection of borders is the most important, and the issue of immigration is framed around security.

This clash of securitising migration, whilst presenting it in line with humanitarian issues, in very much as found by Buonfino (2006) and his observation that in 'European discourses, [...] security is implied within discussions of humanitarian assistance, fundamental rights and protection'.

4.6 Policy analysis

There appear to be so many problems with the EU-Turkey deal, that it appears the EU have simply put a policy in place to appease the audience, rather than a well thought out policy that actually will work and protect migrants wishing to submit an asylum claim in the EU. A

short term, immediate action was considered to be needed, due to the migration crisis, however the actual policy and its activities based on it have been severely criticised by many Human Rights groups and also scholars. (Amnesty International, 2017; Barbulescu, 2016 and UNHCR, 2015).

One part of the deal that has been criticised is the money that has been given by the EU to Turkey in order to improve conditions for refugees. However, whether this money is actually being spent to improve conditions for refugees, has come to be questioned, since the conditions for refugees in Turkey are still abhorrent.

Under the 1:1 framework, the total number of migrants returned to Turkey since the agreement, up until 4th September 2017 is 1896, whereas the total number of Syrian resettled in the EU is 8,834 (European Commission, 2017,). Criticism of the 1:1 framework is that it is discriminatory in its nature. It is only available to be applied to Syrian refugees, and not to refugees of other countries. This is in violation of laws to prevent discrimination, such as Art 21, European Union, 2012 and the 1951 Refugee Convention.

Under this deal, it can be seen that the EU is passing its responsibilities onto neighbouring countries, instead of providing better conditions for migrants themselves. By providing money, untraceable, it shunts its humanitarian responsibilities in ensuring good conditions for individuals fleeing persecution and abuse of their Human Rights. This money has also been funded from the Asylum, Migration and Integration Fund, but also from the Internal Security Fund. By allocating money from a Security Fund, this is a clear example of the EU seeing refugees as a security threat and framing it that way. This in itself can be seen as a security act, as it brings migration into the policy area of security, such as Leonard (2010) puts forward about Frontex. The practices that the EU puts forward, through it's policy, create this image that the EU is under a security threat from immigrants.

It must also be noted that Turkey should not automatically be considered a safe country for migrants to be returned to (European Council of Refugees and Exiles, 2016). Therefore, in sending potential refugees back there, this could, in itself be a violation of Human Rights Laws, specifically the principle of non-refoulement, which states that an asylum seeker should not be returned to a country in which they would likely face persecution. Amnesty International, (2017) condemns Turkey in its abuse of Human Rights, particularly that of

freedom of speech, police violence and organisational freedom. Amnesty International also found that Turkey had sent refugees to countries such as Syria, Iraq and Afghanistan, although these countries are not considered safe according to the EU (2017). Human Rights Watch (2017), state that Greece has come under pressure from the EU to consider Turkey a safe country (see also: European Commission 2016). Therefore, in returning migrants to Turkey, the EU is knowingly putting them at risk and possible Human Rights abuses. Clearly all about keeping refugees out and securing the borders of the EU. The agreement with Turkey not only sends migrants back, but also prevents potential asylum seekers from even reaching the EU in order to log an application to be considered for refugee status. Amnesty International (2017) have reported on the EU-Turkey deal and consider that the deal has negative impacts on the Human Rights and protection of refugees. Again, this also points to the EU being more concerned with protecting its borders and framing refugees around a risk to security, although the EU is never overly explicit about what it is trying to protect, except that the policies are preventing people from arriving in the EU.

Although the EU like to present this policy as being a success (European Commission, 2016), it is questionable if this is actually the case. Although arrivals from Turkey to Greece has decreased and the number of deaths at sea has also decreased since this policy was put in place, it fails to acknowledge that once one migration route is closed, migrants often attempt to find another way to reach their chosen destination. The UNHCR, (2017) reported that numbers of migrants entering via Italy actually increased after this policy was put in place, which could be as a result to the closing of the route through Greece.

The EU-Turkey deal can be seen to violate human rights obligations that the EU has, and in doing so, aiming to increase its border security. If the EU is more concerned with protecting itself, and puts into place agreements which actively seek to discriminate against certain refugees from certain countries (Syrian) and coming from and to particular countries (From Turkey to Greece) then it would appear that it is acting in a way that conforms with the securitisation theory. It's actions in this formal agreement, is securitisation of refugees. This displays to citizens of the EU, that refugees are a threat and emphasises the perception Europe is a 'Fortress'.

The EU uses the humanitarian rhetoric to legitimise its actions in securitising migration. In this way, it chooses to frame its policies around Human Rights, whilst also addressing the need for security.

4.7 OPERATIONS AT SEA

The EU organisation Frontex is responsible for handling the EU's operations at sea. It was formally established on 26th October 2004, by the European Council, under Council Regulation (EC) 2007/2004, which was later repealed by Council Regulation (EC) 2016/1624 on 14th September 2016. Before the creation of Frontex, there were 'ad-hoc' Centres on Border Control, which were originally set up to oversee EU pilot projects relating to border management operations. The reasons for creating Frontex were to improve the working practices and procedures.

Frontex is additional to, and does not replace, or obstruct, the border control's that are put in place by any EU MS. Frontex is funded by all MS, and in essence has a coordinating role. Frontex must always operate within the rules set down by the EU Fundamental Rights Charter. Frontex itself has created the Frontex Consultative Forum on Fundamental Rights (2012). This forum was established in order to give advice to the Management Board and its Executive Director on fundamental rights. It is established as an independent body and provides information to Frontex on how it can respect fundamental rights whilst carrying out its border management activities.

Whilst Frontex has many roles in terms of border management, including: Monitoring migratory flow, risk analysis, monitoring the management of the external border, carrying out vulnerability assessment, deploying European Border and Coast Guard teams, creating a technical equipment tool, among others, but I shall mainly concentrate my analysis on its Coordination and organising role of operations at sea, since this is the most relevant in terms of refugee's attempting to enter the EU and also in terms of its respect of Human Rights.

Sea operations that are currently coordinated by Frontex include Operation Triton and Poseidon. The Italian government put in place the Mare Nostrum operation, to control its

border, as a response to the drowning of over 360 migrants off the island of Lampedusa in 2013. However, it quickly requested additional help and support from the EU, once it became evident the operation would need to be long term, and required more funding. It is from this request that Operation Triton was launched in 2014, originally intended to run alongside the Mare Nostrum operation. Operation Poseidon is the Frontex operation that supports Greece in its border control and surveillance. It aims to help prevent cross border crime as well as bringing additional vessels and aircraft to help with search and rescue operations concerning immigration. Between the dates of January and November 2016, this operation has been involved in the rescue of 40413 people in the Aegean sea (Frontex, 2016). Operation Sophia, is a military sea operation that aims to undertake controls to identify, capture and dispose of vessels expected to be involved in illegal human smuggling activities (EUNAVFOR MED,2016). This is an important development of the migration policy adopted by the EU, as it is military in its nature, therefore useful in this analysis.

4.8 Language analysis

When analysing the language used in the communication about the new operations of Frontex, securitising language that has been used include wording such as ‘Strengthening our presences at sea’ and ‘fighting traffickers’, along with ‘reinforcing internal solidarity and responsibility’ (European Council, 2015) . Remarks by President of the European Council, Donald Tusk, in 2017 include “Yesterday's discussion on migration confirmed the hierarchy of our aims, where protecting our territory, protecting our external borders as well as stemming illegal migration come first.” (statement/15/5646). This very clearly shows that the main aim is to protect the territory of the EU. The Human Rights of individuals from outside of the EU are simply not addressed here. The rhetoric is around protecting against traffickers, however, those that need protecting against traffickers – those wishing to apply for asylum in the EU – are not protected by enhancing border controls. These two therefore seem contradictory. Securing the borders does not protect the EU citizens from traffickers, but creates the image that they need to be protected against immigrants, although this is not explicitly spoken.

Jean-Claude Juncker, the President of the European Commission also uses this language of solidarity and strengthening. He concluded (16 December 2015) ‘We want to defend

everything that Schengen represents, and as we prepare for a new year, our determination is stronger than ever. So let me tell you: Schengen is here to stay." And further "We Europeans no longer have many borders – we have one and we have a shared responsibility to protect it,". Again, the rhetoric here is about securing borders, creating a stronger European identity, but not identifying what the actual threat is. This again supports the theory presented by Huysmans (2000) that policies are used to create the difference between 'us' and 'them' and the exclusion of the other.

However, this securitising speech is also surrounded by the Human Rights rhetoric. With words such as "EUNAVFOR Med is part of our efforts to save lives (*Council of the EU, 2015*) and also that the aim is in 'fighting traffickers in accordance with international law' (European Council, 2015 23rd April). Again in the policy document from the Council, (CFSP) 2015/778 of 18 May 2015, the 'Council confirmed a strong commitment to act in order to prevent human tragedies' and 'the immediate priority is to prevent more people from dying at sea'. Federica Mogherini, 2017 then also commented 'but we should never forget that we are dealing with the stories of hundreds of thousands of human beings' and she states 'The EU is leading when it comes to concretely helping and protecting migrants.'. Also, in conclusions from the European Council (2015), they state that the Council 'deplores the continuing loss of migrants' lives at sea'. However, this is then used to legitimise the increased presence of EU boats at sea, by 'Strengthening Triton' and that asylum policies should be built around 'securing the external borders'.

Once again, the language analysis is consistent with the research of Buonofino (2006), in that security issues are framed around Human Rights concerns. The EU is very careful in pointing out its concerns about Human Rights, whilst also using language that commits to strengthening the EU as a whole, and working together. However, there is also evident the language of increasing border control, and strengthening borders. Clearly this is aimed at preventing migrants from getting into the EU and can be seen to give the image that this is necessary.

4.9 Policy analysis

The EU operations at sea have also come under scrutiny from Human Rights groups. Frontex has been criticised for overlooking its obligations under International law, and

concentrating too much on securing the EU borders in its operations. UNHCR (2015) reported that the Operation Triton did not have sufficient resources or the mandate necessary to carry out search and rescue operations and that as such, it was deemed more of a border control operation. In this sense its main operation is not to rescue those in need, but to secure the border of the EU to prevent people entering. The EU is not providing the necessary budget or equipment to Frontex to actually be committing to doing what the EU said it was doing – to protect Human Rights as well as survey the border.

Similarly, to Operation Triton, Operation Poseidon has also received a lot of criticism. This operation has assisted in the rescue of migrants at sea and then transporting them to Greece. However, the conditions in Greece have been highly criticised (Human Rights Watch, 2016). Under the EU-Turkey agreement, Operation Poseidon has also assisted in returning refugees to Turkey from Greece. However, as Turkey has been condemned as not necessarily being a safe country for refugee (Human Rights Watch, 2017) this can actually be seen as a violation of the principle of non-refoulement.

The EU's choice to use Frontex as the means to cope with the refugee crisis, can be seen as a securitisation act in itself, as the agency of Frontex is seen to be one that manages and protects the border – it is a security agency, not one that deals with migration. In placing migration policy in the same policy area as security, and with an agency that uses military practices to support it, this gives the image that the EU needs to protect itself against migration. This is as Leonard (2010) also found in her analysis of Frontex and securitisation.

5. CONCLUSION

This thesis aimed to investigate the research question: Does the way the EU institutions handled the refugee crisis reflect a securitisation of migration and in doing so, does it undermine the Human Rights obligations it has? By looking at three different policies that have been put into place since the beginning of the refugee crisis, and analysing not only the language of official EU documents, but also the actual policy practices, and looking at it in light of the theory of securitisation, some conclusions can be reached.

In terms of the analysis of language from the official documents that were analysed, the conclusions are somewhat nuanced. Policy language on migration does not specifically refer to migrants as a 'threat', 'terrorist', 'risk' or other language associated with danger. However, the EU institutes do, in their language, use words to create an image of community within the EU, using words such as 'solidarity', 'working together' and 'strengthening'. These words can be seen to create an image of community within the EU, and the need to protect this is then seen in the use of words such as 'protecting', 'defend' and 'fighting'. This use of wording creates the image of an 'us' and 'them' and the need to protect the European values against others by creating borders that prevent migrants from entering the EU. In this sense, the EU institutes have securitised migration over the last years, since the start of the refugee crisis. This strengthens the research done by Huysmans (2000) in that he acknowledges how an actor asserts the need to protect against a threat and this therefore excludes the other and creates the need to address the issue as one of security.

However, there is also another important aspect of the language discourse that is seen in the official documents and press releases from the EU. This is the way that policies are framed around the humanitarian rhetoric. It has been shown that the EU does not choose to frame its policy around the 'threat' of 'terrorists' or those that would seemingly be a 'danger' to the EU, as might have been expected from the original securitisation theory from the Copenhagen School. However, the EU chooses to frame policy around wording such as 'helping', 'protecting', 'sav[ing] lives' and 'fundamental rights'. This is an important political choice that frames migration policy in a way that is not based around a threat but around a humanitarian need. This supports the research conducted by Buonofino (2006). The European values that the EU seeks to protect are also humanitarian values, since this is

embedded in what the EU stands for, and indeed has ratified in several treaties. Therefore, it is necessary for the EU to frame its policies around the humanitarian rhetoric and in this sense migration will always be embedded in this language of Human Rights.

However, there is a crucial part to the initial question that can only be answered by looking at the actual policy practices. After all, the EU can decide to deliberately create a language around migration that includes the humanitarian approach, however the practices may lead to a different conclusion. This has been the case in looking at the policy practices chosen in this thesis. The emergency response of the policies in themselves, legitimise the need for going outside the normal politics. The quota system which was put in place proved to be less effective than had been hoped and did not achieve what it intended to. This measure was always a difficult one to promote, even though it did eventually get voted through by the majority of MS. However, this shows that the MS thought the quota system to be necessary, under the circumstances, so the move was successfully securitised in this sense – the audience accepted it even though it was not favoured by most initially. This policy response as an emergency measure upholds the securitisation literature as presented by the Copenhagen School in that the securitising act is necessary given the circumstances of the situation, a new policy tool is needed that is extraordinary. This is similar in the case of the EU-Turkey deal, in which many problems are encountered. The traceability of money given to Turkey was an issue and was seen as simply throwing money at a neighbouring country in order to get the problem to go away and pass the responsibility. The 1:1 framework is discriminatory in its nature, in that it is only available for certain refugees coming from one particular country (Syria), this automatically discriminates against others who may be facing persecution from other countries. This part of the policy clearly violates the humanitarian values that the EU holds itself to and wishes to be seen as guarding and protecting. Also, the issue of Turkey not automatically being a safe country. It has been shown that Turkey has sent some refugees back to unsafe countries and in doing so has abused the non-refoulement principle. The EU knowing this, still acts within the framework of the policy and is therefore knowingly allowing this abuse of Human Rights. In terms of the practices at sea, the EU places migration policy in the policy area of security – that of securitising the borders. Frontex is known for its military operations, equipment and training and also its

use of drones, all which give the image that migrants are a threat, rather than needing to be protected.

These policy practices enforce the 'us' and 'them' literature. The EU knowingly allows Human Rights abuses and yet has failed to come up with policies that actually protect Human Rights of migrants. Instead, it tries to frame its policies around the Human Rights discourse but the practices are far from what it says it is committed to. In this way, the EU frames the migration policy around the Human Rights discourse, as discussed by Buonofino (2006), even if the actual policy practices prove something else. Huysmans (2000) asserted that the creation of the Schengen area led to the increased need to place migration policy into the security policy field. It has been shown in the analysis of the policy areas during the refugee crisis, that this need has continued. The EU has thus securitised its migration policy, by placing it in the area of security and the need to protect and uphold the strong external borders.

Bibliography

AEDH / EuroMed Rights / FIDH (2016) "Safe" Countries: A denial of the right of asylum (Viewed on 01/01/2018) Available at:

<http://www.aedh.eu/plugins/fckeditor/userfiles/file/Safe%20Countries%20-%20A%20denial%20of%20the%20right%20of%20asylum%20EN.pdf>

Amnesty International (2017) A blueprint for despair: Human Rights impact of the EU-Turkey deal. (Viewed 16/12/2017) Available at: <https://www.amnesty.org/en/documents/eur25/5664/2017/en/>

Amnesty International (2016) Hotspot Italy: How EU's flagship approach leads to violations of refugee and migrant rights. (Viewed: 16/12/2017) Available at:

<https://www.amnesty.org/en/documents/eur30/5004/2016/en/>

Amnesty International (2016) Trapped in Greece: An avoidable refugee crisis. (Viewed on 16/12/2017) Available at: <https://www.amnesty.org/en/documents/eur25/3778/2016/en/>

Amnesty International (2017). Turkey 2016/2017 (Viewed on 18/12/2017) Available at:

<https://www.amnesty.org/en/countries/europe-and-central-asia/turkey/report-turkey/>

Barbulescu, R., (2017) Still a Beacon of Human Rights? Considerations on the EU Response to the Refugee Crisis in the Mediterranean. *Mediterranean Politics*, Vol. 22(2) p301-308.

Balabanova, E., & Balch, A. (2010) Sending and receiving: The ethical framing of intra-EU migration in the European press. *European Journal of Communication*, 25(4), 382-397.

Balzacq, T (2005). The Three Faces of Securitization: Political Agency, Audience and Context. *European Journal of International Relations* 11:2, 171-201

Berry, M., Garcia-Blanco, I., Moore, K., (2015) 'Press Coverage of the Refugee and Migrant Crisis in the EU: A Content Analysis of Five European Countries Report prepared for the United Nations High Commission for Refugees.' (Viewed on 31/12/2017) Available at:

<http://orca.cf.ac.uk/87078/1/UNHCR-%20FINAL%20REPORT.pdf>

Bigo, D. (2002). Security and Immigration: Toward a Critique of the Governmentality of Unease. *Alternatives* 27: Special Issue 63-92.

Buonfino, B. (2006) Between unity and plurality: the politicization and securitization of the discourse of immigration in Europe. *New Political Science*. 26(1), 23-49

Buzan, B. (1991) *People, states and fear: An Agenda for security Analysis in the PostCold War Era*. Brighton: Weatsheaf

Buzan, B., Weaver, O. and de Wilde, J. (1998) *Security – A New Framework for Analysis*, Colorado: Lynne Rinner Publishers, Inc., Boulder.

Campesi, G. (2014) Frontex, the Euro-Mediterranean border and the paradoxes of humanitarian rhetoric. *South East European Journal of Political Science*, 2(3) 126-134

Casolari, F (2016). The EU's Hotspot Approach to Managing the Migration Crisis: A Blind Sport for International Responsibility? *The Italian Yearbook of International law online*, 25(1), 109-134

Council of the EU (2015) press release 644/15 (Viewed on 31/12/2017) Available at:

<http://www.consilium.europa.eu/en/press/press-releases/2015/09/14/jha-relocation-refugees/>

Council of the EU (2015) Press Release 147/15 Declaration by the High Representative for Foreign Affairs and Security Policy and Vice-President of the Commission Federica Mogherini on behalf of the EU on the occasion of World and European Water Day. (Viewed on 3/3/2018) Available at: <http://www.consilium.europa.eu/en/press/press-releases/2015/03/23/declaration-hr-federica-mogherini-european-world-water-day/>

Council of the EU (2016), Press release. Remarks by President Donald Tusk after the meeting of the EU heads of state or government with Turkey. Viewed on 17/12/2017. Available at: <http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/tusk-remarks-after-euco-turkey/>

Elbe, Stefan (2006) Should HIV/AIDS be securitized? The ethical dilemmas of linking HIV/AIDS and security. *International Studies Quarterly*, 50 (1). pp. 119-144.

EUNAVFOR MED (2016) About EUNAVFOR MED Operation SOPHIA (Viewed on 30/12/2017). Available at: https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/36/about-eunavfor-med-operation-sophia_en).

European Commission, (2015) Communication on European Agenda on Migration, COM(2015)240, 13 May 2015. (Viewed 31/12/2017) Available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/communication_on_the_european_agenda_on_migration_en.pdf

European Commission (2017) REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL (viewed 31/12/2017). Available at: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20170906_seventh_report_on_the_progress_in_the_implementation_of_the_eu-turkey_statement_en.pdf

European Commission (2017) Press Release: Partnership Framework on Migration: Joint management of migration shows positive results (Viewed on 04/01/2018). Available at: http://europa.eu/rapid/press-release_IP-17-3091_en.htm

European Commission (2015), Daily News, President Juncker addresses the European Parliament on preparations for the European Council and calls for swift adoption of the new package on external borders. (Viewed on 30/12/2017) Available at: http://europa.eu/rapid/press-release_MEX-15-6350_en.htm

European Commission (2017) EU-Turkey statement, A year on. (Viewed on 03/01/2018) Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf

European Council, (2015) EUCO 11/15 . European Council meeting, conclusions (viewed on 01/01/2017) Available at : <http://www.consilium.europa.eu/media/21888/european-council-conclusions-19-20-march-2015-en.pdf>

European Union (1992) Treaty on European Union (Viewed on 16/12/2017) available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012M/TXT&from=EN>

Frontex, (2016). JOINT OPERATION POSEIDON (GREECE). (Viewed on 27/12/2017) Available at: <http://frontex.europa.eu/pressroom/hot-topics/joint-operation-poseidon-greece--3ImFxd>

- Global Detention Project (2015) The Detention of Asylum Seekers in the Mediterranean Region (viewed 3/1/2017) Available from: https://www.globaldetentionproject.org/wp-content/uploads/2016/06/GDP_Med_report_final.pdf
- Human Rights Watch (2017) Accessed: <https://www.hrw.org/news/2017/10/23/greece-asylum-seekers-abysmal-conditions-islands>
- Human Rights Watch (2017) REFUGEES AT HEIGHTENED RISK OF REFOULEMENT UNDER TURKEY'S STATE OF EMERGENCY (Viewed on 02/01/2018.) Available at: <https://www.amnesty.org/en/documents/eur44/7157/2017/en/>
- Huysmans, J., & Buonfino, A. (2008) Politics of exception and unease: Immigration, asylum and terrorism in parliamentary debates in the UK. *Political Studies*, 56(4), 766-788.
- Huysmans, J. (1998) Revisiting Copenhagen:: Or, On the Creative Development of a Security Studies Agenda in Europe, *European Journal of International Relations*, No. 4, pp. 479-505. 7.
- Huysmans, J. (1998) Security! What Do You Mean?: From Concept to Thick Signifier, *European Journal of International Relations*, No. 4, pp. 226-255.
- Huysmans, J. (2000) "The European Union and the Securitization of Migration," *Journal of Common Market Studies* vol.38, no. 5 pp.751-77
- Huysmans, J (2006). *The Politics of Insecurity: Fear, Migration and Asylum in the EU*. New International Relations Series. London, UK: Routledge.
- Ibrahim, M (2005) The Securitization of Migration: A Racial Discourse, *International Migration* No.43 (5) pp.165- 166.
- Kingsley, P. (2015) "Refugee crisis: Hungary uses teargas and water cannon at Serbia border – as it happened" (Viewed 21/12/2017) Available from: <https://www.theguardian.com/world/live/2015/sep/16/first-refugees-head-for-croatia-after-hungarys-border-crackdown-live-updates>
- McDonald, M., (2008) Securitization and the Construction of Security, *European Journal of International Relations*, No. 14, pp. 563-587.
- McSweeney, B. (1999) *Security, Identity and Interests: A Sociology of International Relations*. Cambridge University Press. United Kingdom.
- Wæver, O (1993) "Societal Security: The Concept," in *Identity, Migration and the New Security Agenda in Europe*, ed. Ole Wæver, Barry Buzan, Morten Kelstrup, and Pierre Lemaitre (New York: St. Martin's Press, 1993). p. 23. 27 Ibid.
- Oberleitner, G. (2005) Porcupines in Love: The intricate convergence of Human Rights and Human Security, *European Human Rights Law Review* p.588.
- Oxfam (2016) Hotspot, Rights denied. (Viewed on 1/1/2018) Available at: https://www.oxfam.org/sites/www.oxfam.org/files/file_attachments/bp-hotspots-migrants-italy-220616-en.pdf
- Press statement by Donald Tusk, Remarks by president Donald Tusk on the European Council meeting on 14 and 15 December 2017 (2017) (Viewed on 3/1/2018). Available at:

<http://www.consilium.europa.eu/en/press/press-releases/2017/12/15/remarks-by-president-donald-tusk-on-the-european-council-meetings-on-14-and-15-december-2017/>

Press release <http://www.consilium.europa.eu/en/press/press-releases/2015/09/14/jha-relocation-refugees/>

Save the Children (2016) Children on the move in Europe,
<https://savethechildreninternational.exposure.co/children-on-the-move-in-europe>

Smith, S., "The contested Concept of security", in Ken Booth ed. Critical Security Studies and World Politics, Lynne Rienner, Boulder, 2005.

Trauner, F. (2016) Asylum Policy: the EU's 'crises' and the looming policy regime failure. Journal of European Integration, 38(3) pp. 311-325.

Taureck, R. (2006) "Securitization theory and Securitization Studies", European Journal of International Relations, No. 9, pp. 53-61.

UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, [accessed 31 December 2017] available at:
<http://www.refworld.org/docid/3be01b964.html>

UNHCR (2016) "UNHCR Viewpoint: 'Refugee' or 'migrant' - Which is right?" (Viewed on 31/12/2017)
Available at: <http://www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html>

Walsh, A (2017) "Netherlands coalition government negotiations fail again" (Viewed 31/12/2017)
Available from: <http://www.dw.com/en/netherlands-coalition-government-negotiations-fail-again/a-39228806>

Williams, M., (2003) Words, Images, Enemies: Securitization and International Politics. International Studies Quarterly No.47 pp.511–531