



**European Security Practices vis-à-vis
the Mediterranean
Implications in Value Terms**

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ACRONYMS

AI	Amnesty International
CBM	Confidence Building Measures
CEAR	Spanish Commission for Refugees
CSCM	Conference on Security and Cooperation
EC	European Community
ECRE	European Council on Refugees and Exiles
EMHRN	Euro-Mediterranean Human Rights Network
EMP	European Mediterranean Partnership
ENP	European Neighbourhood Policy
ENPI	European Neighbourhood and Partnership Instrument
EP	European Parliament
ESS	European Security Strategy
EU	European Union
GMP	Global Mediterranean Policy
ILOs	Immigration Liaison Officers
JHA	Justice and Home Affairs
NIP	National Indicative Programme
PBM	Partnership Building Measures
SSI	State Security Investigation

ABSTRACT

This paper analyses the implications of European security practices vis-à-vis the Mediterranean in value terms as deduced from an analysis of 'facts on the ground' and local actors' perspectives (based on interviews conducted in Algeria, Egypt and Morocco). It is argued that European security practices have had adverse implications for various security referents in the South. While it is too soon to tell whether the so-called 'Arab Spring' has been delayed or brought on by such collaboration, our research shows how Euro-Mediterranean security collaboration has rendered more defenceless the already vulnerable individuals and societies in the South and how Southern Mediterranean states/regimes and societies have become further alienated from each other following such collaboration. The paper also highlights how the very practices adopted by European actors to secure the Union and its values may have rendered it less secure insofar as they have had consequences for the very meaning of what it means to be 'European'.

INTRODUCTION

This paper draws on the findings of a European project entitled ‘Converging and conflicting ethical values in the internal/external security continuum in Europe’.¹ The starting point of the project is the merging of the external and internal aspects of security in Europe. Research conducted for this project has focused on the challenges that are tied up with such a change—specifically those challenges seen in value terms. The concern is that policies that are designed to ‘secure’ Europe may result in an erosion of individual rights and freedoms, thereby jeopardising the very values in defence of which these practices were adopted in the first place.

What follows covers one dimension of this research endeavour, namely the implications of European security practices vis-à-vis the Mediterranean—implications for others’ security of what we do to secure ourselves, and what it means to be ‘us’, given these implications. The analysis we offer looks at the implications of European security practices by focusing on three cases: Algeria, Egypt and Morocco. In doing this, we are relying on a systematic study of EU documentation, non-governmental actors’ testaments, press reports and interviews conducted in the three countries.²

The term ‘European security practices’ is inclusive of but not limited to EU policy-making. The reason for looking at not only EU

policies but also those of its individual member states is because, mostly but not wholly, the insecurities in question have followed North-South country-to-country cooperation. It is often member states that, in collaboration with their Southern counterparts, have engaged in practices that had unforeseen (and often unacknowledged) consequences for various referents in the South.

The argument we offer is that European security practices vis-à-vis the Mediterranean have had adverse implications for the security of individuals, societies and regimes or states in the South. While it is too soon to tell whether the so-called ‘Arab Spring’ has been delayed or brought on by such collaboration, our research highlights how Euro-Mediterranean security collaboration has rendered the already vulnerable individuals and societies in the South more defenceless and how southern Mediterranean states, regimes and societies have become further alienated from each other following such collaboration.

We point to yet another adverse implication of European security practices—one for the European Union (EU) itself. The very practices adopted by European actors to secure the Union may have rendered it less secure, we argue, because the practices adopted are likely to have consequences for the very meaning of what it means to be ‘European’. These implications can be considered with respect to two categories. First, following Burgess, there are implications for European integration as a process of constructing a ‘community of values’, as well as concerns over safeguarding the ‘self-constituting dialectic between value and reality’ (Burgess, 2011). Put differently, what would it mean for the process of European integration if the pursuit of values were to be apparently decoupled from the pursuit of security in Europe? Secondly, there are implications for the ‘ontological security’ (Steele, 2007) of the European Union and its self-identity as an

¹ <http://www.inexproject.eu/>

² Interviews were conducted by CIDOB-associated researchers in Algeria, Egypt and Morocco: Louisa Dris-Ali Hamadouche (Algeria), Habiba Mohsen (Egypt) and David Alvarado (Morocco). The report was discussed at a workshop that took place in Barcelona on 21 July 2010. Full Report available at http://www.inexproject.eu/index.php?option=com_docman&task=cat_view&id=57andandItemid=72

actor, how it sees itself and how it wishes to be seen by others in the international arena. Would the adverse implications for various Southern referents just mentioned not challenge European self-identity, thereby producing ontological insecurity for the EU?

These two questions lead to another question: is the European Union being held up to higher standards than any actor in world politics? Some suspect this to be the case because the EU projects itself as a force for good in world politics, whereas some other actors betray no such qualms. Be that as it may, our analysis seeks to circumvent such quandaries. We are not interested in the alleged mismatch between what the EU 'says' and 'does'—the main focus of the critics of 'normative power Europe' (Manners, 2002). Rather our analysis enquires into the apparent tension between European actors' image of the EU as a 'community of values' and the implications of European security practices—those very practices that are adopted in the attempt to protect European values.

The paper begins by clarifying the key terms it uses throughout: 'internal/external' and 'security/values'. The next section examines the evolution of the externalisation of European security by tracing European security practices in the Mediterranean. The final section analyses the implications, in value terms, of European security practices vis-à-vis different referents: individuals, societies and states or regimes in the South, and the European Union in the North.

Internal/external

What we have observed in Europe in recent years is what Bigo (2001) has referred to as 'a growing interpenetration between internal and external security'. 'Internal' security in the EU is increasingly sought outside its borders in collaboration with non-EU actors; 'external'

security, in turn, is pursued at home through recourse to surveillance techniques and data mining (Bigo, 2000, Collyer, 2008, Debenedetti, 2006, Wolff, 2006).

While it is a commonplace to explain the merging of the internal and external dimensions of security as a response to developments 'out there'—as with Kaplan's 'coming anarchy' (Kaplan, 1994), Huntington's 'clash of civilizations' (Huntington, 1993) or the infamous 'global war on terror'—there are also dynamics 'in here'. In opposition to the 'functionalist vision of security where security is explained through the evolution of insecurity (threats, risks, dangers, fears, and so on)', Bigo (2001: 92) has suggested examining the role played by a variety of security actors in bringing about the merger mentioned above. These actors include security professionals, such as the police, the military, the gendarmerie and increasingly private security companies. Bigo has written:

the (in)securitization process has not only to do with a successful political speech act transforming the decision-making process and generating politics of exception often favouring coercive options. It has to do with more mundane bureaucratic decisions of everyday politics, with Weberian routines of rationalisation, of management of numbers instead of management of persons, of use of technologies, especially the ones which permit communication and surveillance at a distance through databases and speed of exchange of information. (Bigo, 2008: 127)

There are also the advances in security technologies and actuarial tools, and the risk-assessment techniques they allow. Indeed, as Zedner (2009: 78) has noted, 'it is debatable whether [increasing recourse to risk assessment] is driven principally by the demand for security or rather by the very possibility of

calculation'. Viewed accordingly, *insecurity is a product*, the production of which demands further scrutiny. Following Burgess (2008b), we define insecurity as a 'product of attempts to secure ourselves'—and not merely in terms of issues that 'crop up' in the world 'out there'. The rationale behind adopting a reflexive notion of security as such is that, 'if internal and external dimensions of security have merged, giving rise to new insecurities, it is not only insecurities *per se*, but the very process by which they have come about [that] requires looking into' (Bilgin, 2009: 33). This is because,

Insecurity grows proportionately with the accelerated consideration of, and response to, security. Fighting various forms of threat most often leads to solutions that remove people and the individual from the picture. We build walls, construct fences, design detection systems, etc. These types of measures have many functions, and they prevent danger to some degree. But, they also have the effect of diminishing trust—trust in others, trust in society, trust in oneself. Less trust generates less security, or more insecurity, something that defeats the purposes of the desired effect. (Burgess, 2008b: 2)

What is significant to highlight here, especially given the paper's interest in the Mediterranean, is that the internal/external merger that is seemingly new to Europe is not so novel for Europe's Southern neighbours. Indeed, whereas our thinking about and practices of security in western Europe have been organised around the boundary between its 'internal' and 'external' dimensions, southern Mediterranean practices have taken different forms that defy such neat categorisation (Korany, 1986, Bilgin, 2005).

Indeed it was students of security in the Global South who first highlighted the prob-

lems with the internal/external boundary in understanding insecurity in parts of the world where 'internal' and 'external' problems merge (Thomas, 1991). Concepts such as the 'insecurity dilemma' (Job, 1992), 'software side of security' (Azar and Moon, 1988) and 'omni-balancing' (David, 1991) were all developed in the attempt to account for the enmeshment of the internal and external in Southern security practices.

Contrary to popular representations, complex insecurities in the Global South are not without agency. They are not mere dynamics 'out there' that we 'in here' have to caution against, nor are they the products of Southern dynamics alone. Rather, they are products of give and take between internal and external dynamics, Northern and Southern actors, the merger and clash of various flows and trends that do not always recognise or respect boundaries (Barkawi, 2005).

Given the role played by myriad human actors in bringing about the current state of insecurity, 'our' actions become a focus of analysis. This is also where values come into the picture.

Security/values

What we understand by values is not an externally applied 'model of correct behaviour' but 'self-reflection'. It is about taking into account the *consequences of one's actions*, cognisant of the fact that 'we have choices, that we have opportunities', to quote Burgess (2008b: 4). What we are interested in are those insecurities that follow the very efforts of our authorities to protect us. Even in an age when security practices are highly technologized, that is, seem highly impersonal, there are values embedded in these practices (Burgess, 2008a, 2011). Burgess has highlighted the linkage between security and values in contemporary world politics in the following way:

A long tradition of philosophical thinking insists on the difference between epistemology and ethics as a sub-set of the distinction between what is and what should be. The basic premise of this distinction is a metaphysical insistence on the distinction between what is and what is not, even if what is not actually exists in the form of a judgement about the future or the formulation of a normative claim. Security thinking in our time transcends this option. Security analysis, management and communication, today more than ever before, is confronted with a future that lives itself out fully and powerfully in the present. More than ever before, value judgements involved in security reasoning not only reflect our past and characterize our present, but also reach into our future, and link not to what we know as a basis for what we should do, but rather what we do not or cannot know (Burgess, 2011: 4).

Following Burgess, we see our task as one of highlighting those values embedded in the already existing practices and reflecting upon them vis-à-vis those values that the European process of integration has helped build and defend. With reference to the specific context of the Mediterranean, the paper is interested in those insecurities that have followed the attempts to secure Europe. Thus, the values the paper reflects upon are not about externally applied notions of 'right' and 'wrong'. The paper does not discuss how EU security policies regarding the Mediterranean would be more 'ethical' if only this or that policy were adopted. Valuable though such debates may be, the paper's interest lies elsewhere. The paper is interested in highlighting the values embedded in the *already existing practices* and their implications for myriad referents of security.

That European actors have had an image of the European Union as a 'community of values' is beyond dispute. Burgess (2011: 136-140) has pointed to six areas where EU texts assume a link with values in terms of what the EU is and aspires to be. These are:

- Values as the 'foundation' of the project of European integration. Here values are defined in terms of 'respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the right of persons belonging to minorities' (cited in Burgess, 2011: 137);
- Values as an 'aim' of EU policy-making;
- Values as 'intergovernmental unity', that is, the glue that allows EU governments to act in unison;
- Values as a 'gatekeeper', that is, the basis of judgements about enlargement;
- Values as a 'basis for rights', that is, the 'Charter of Fundamental Rights of the Union'; and
- 'Security' of values as primary aim of EU foreign policy: 'The Union shall define and pursue common policies and actions, and shall work for a high degree of cooperation in all fields of international relations, in order to [among other things] safeguard its values, fundamental interests, security, independence and integrity' (cited in Burgess, 2011: 139).

Burgess goes on to show that the centrality of values to security is evident in other policy documents such as the *European Security Strategy* and the *Internal Security Strategy* (Burgess, 2011: 140-141).

Yet, at the same time, due to a combination of 'internal' and 'external' factors, various European actors have increasingly engaged in practices in the Mediterranean that, in turn, have had implications for these values. These implications have followed bilateral coop-

eration under the European Neighbourhood Policy (ENP) and further developed outside of ENP (as part of sub-regional and bilateral cooperation efforts) by transferring technology, training the military and police forces, transferring suspects while remaining aware of the possibility of them being tortured during interrogation, asking for repatriation without setting in place proper guarantees for humane treatment, and externalizing security without necessarily reflecting upon its consequences for societal dynamics, balances and identity in the transit countries.

The next section traces European security practices vis-à-vis the Mediterranean before turning to an analysis of their implications for various security referents.

EUROPEAN SECURITY PRACTICES FROM THE EURO-MEDITERRANEAN PARTNERSHIP TO EUROPEAN NEIGHBOURHOOD POLICY

Background

The European Community (EC) began to formulate policies towards the southern Mediterranean countries in particular and the Middle East in general in the early 1970s. The Global Mediterranean Policy (GMP) was initiated in 1972 as the first example of a comprehensive approach to the Mediterranean region. During the 1980s, the EC tripled the funds going to the Mediterranean countries and improved their access to the EC/EU market, but not always with a view to improving multilateral relations. Although the GMP was revived in 1989, economic relations developed primarily bilaterally during most of the 1980s and 1990s. The EC also supported the establishment of the Arab-Maghreb Union as a means of advocating political dialogue and possibly regional integration. In parallel, individual EC

states also launched the '5+5' dialogue, which brought five countries from Europe and five from the Maghreb together with the aim of developing political dialogue and cooperation.

Another initiative from the early 1990s was the attempt to convene a Mediterranean Conference on Security and Cooperation (CSCM), led by Italy and Spain. Largely inspired by the Helsinki Process, the idea behind the CSCM was to forge a partnership between European and the Mediterranean partners to enhance dialogue and cooperation on a wide variety of topics, including security. The CSCM did not materialize, but the idea behind it was influential in the process that led to the creation of the Euro-Mediterranean Partnership (Barbé, 1996).

The Euro-Mediterranean Partnership (Barcelona Process)

The EMP was launched in 1995 to create an area of peace, security and stability in the Mediterranean. It was organized in a three-basket structure: the Political and Security Partnership, the Economic Partnership, and the Social and Cultural Partnership.³ At the time, concerns regarding security (understood as stability) ranked high among EU priorities when designing the EMP. These concerns included increasing immigration from the southern Mediterranean, aggravated social unrest and instability in the EU's southern neighbours, and the possible radicalization of the southern Mediterranean diaspora in the EU.

The First Basket of EMP was the Political and Security Partnership, whose aim was stated as creating 'an area of peace and stability

³ Involving Algeria, Cyprus, Egypt, Jordan, Israel, Lebanon, Malta, Morocco, Syria, the Palestinian Authority, Tunisia and Turkey.

in the Mediterranean'. Along with confidence building measures (CBMs), the promotion of human rights and democracy were also covered by the political and security partnership framework (Biad, 2000). This process proved to be problematic in 2000 when there was a failure to reach a consensus on a Euro-Mediterranean Charter for Peace and Stability. Eventually EU policies shifted from CBMs to partnership building measures (PBM).

The political and security agenda of the EMP was viewed as inextricably linked with economic and social factors. The then Vice-President of the EU Commission, Manuel Marin (1997), clarified the principles of the EMP as the promotion of economic development and balanced political dialogue in the Mediterranean area. The then British Foreign Secretary, Malcolm Rifkind, confirmed that there were 'two main themes: political stability...and economic growth. In reality these are actually only one subject' (Satloff, 1997: 23). The second basket of the partnership, then, indicated how the EU's internal security was viewed as contingent upon stability in its southern neighbourhood. Stability in the South, in turn, was viewed as dependent upon increasing North-South economic and financial interaction.

As the spirit of multilateralism diminished, the partners to the Barcelona Process opted for a more 'pragmatic' approach. Expectations regarding multilateralism were lowered and bilateral cooperation was prioritised.⁴ In the multilateral field, cooperation and dialogue focused on aspects with both domestic and external dimensions—as with the fight against terrorism—and less sensitive political issues, such as civilian protection. At the same time,

sub-regional frameworks such as the '5+5' went through a revival (Soler i Lecha, 2010).

9/11 and the 'War on Terror' in the EU's Southern Neighbourhood

Terrorism has been high on the security agenda of EU's southern neighbours, where Islamist activism has often been identified with terrorism, whereas, until recently, the North has not accepted this conflation of Islamist activism with terrorism or the methods to be adopted in addressing this challenge. The 9/11 attacks and the 'global war on terror', together with the attacks in several Mediterranean cities such as Amman, Madrid, Ýstanbul, Taba, Djerba and Casablanca, changed all this. These developments were followed by significant changes in the formulation and operationalization of EU policies towards the Mediterranean, thereby narrowing the gap between the North and the South in terms of adopting anti-terrorism measures in respect to suspected Islamist activists in the South or those on their way to the North, i.e. immigrants. At the same time, the EU has increasingly adopted Southern regimes' discourse in terms of linking terrorism with Islamist activism and immigrants.

In the Laeken Presidency Conclusions of the European Council, 'illegal immigration' networks and terrorism were, for the first time, discussed together as threats to be met in the framework of the better management of external borders (European Council, 2001: 12). The 2002 Seville Presidency Conclusions mentioned the possibility of using measures against partners that failed to cooperate with the EU in the areas of terrorism and immigration (European Council, 2002: 11). The Valencia Action Plan adopted the Seville policies in the EMP context. In the Hague Programme of 2004, it was declared that security in the EU had 'acquired new urgency' after 9/11 and the Madrid bombings (EU Council, 2004b: 3).

⁴ For example, within the then embryonic European Security and Defence Policy (ESDP).

The most explicit link between terrorism and immigration control was established by the EU in 2004. In that year, the EU released information about the practices in the field of Justice and Home Affairs (JHA) via RAPID, which is its official press release channel, and declared that ‘sound and efficient border management is essential in the fight against terrorism *since* it contributes...to [the] fight against illegal immigration’ (2004). The principles of the Hague Programme were incorporated in the EMP at the Dublin Euro-Med Ministerial Conference in 2004 (EuroMed, 2004: 16). In 2005, the European Union Counter-Terrorism Strategy was adopted with the clause that ‘co-operation with and the provision of assistance to priority third countries—including in North Africa, the Middle East and the South East Asia—will be vital’ (EU Council, 2005a: 7). Following that, the Euro-Mediterranean Code of Conduct on Countering Terrorism was adopted in Barcelona in 2005.

Needless to say, it was not merely insecurities ‘out there’ that brought about such a change in European security policies. Indeed, the internal dynamics of the EU have been giving way to new security practices vis-à-vis the Mediterranean. Indeed, internal and external aspects of security and insecurity had been merging visibly in EU discourses and other security practices for some time.

While there is no agreement in the literature as to the importance of ‘internal’ versus ‘external’ (read: 9/11) security dynamics in bringing about such a merger, there is ample evidence to suggest that the EU’s own dynamics have contributed to the process. For example, before 9/11, in 1999, the Tampere Presidency Conclusions added an external dimension to the third pillar, JHA (European Council, 1999). Another important dynamic is enlargement. Through the enlargement rounds, the borders of the EU were expanded and the EU has become closer to regions of ‘instability’, which

has led it to develop a cross-pillar approach (Wolff, 2008: 254).⁵

9/11 added a new dimension to these processes. According to Holm, 9/11 strengthened the already existing stance of the EU in the EMP (Holm, 2004: 6-7). Lutterbeck considers the most important visible effect of 9/11 to have been that it enables the EU to link immigration to terrorism more strongly than ever (Lutterbeck, 2006: 70). Others too have underscored the significance of 9/11, arguing that it led the EU to lean towards adopting the discourses of authoritarian regimes concerning terrorism, immigration and activism (Galli, 2008, Nicolaidis and Dimitri, 2007).

The European Neighbourhood Policy (ENP)

The ENP was launched in a political context characterized by the shortcomings of the EMP, a heightened sense of insecurity in the EU in relation to irregular immigration within the context of the ‘global war on terror’, and the global ambitions of the Union that were crystallized in the 2003 document, *A Secure Europe in a Better World: European Security Strategy* (ESS). The ESS emphasized, among other things, the importance of cross-border cooperation on issues such as terrorism, the environment, immigration and trafficking (EU, 2003). With the adoption of a comprehensive approach to the European neighbourhood in

⁵ The pillar system in the EU was established by the Maastricht Treaty in 1992. The system divided the EU into three pillars: the first pillar (the European Economic Community), the second pillar (the Common Foreign and Security Policy), and the third pillar (the Justice and Home Affairs). However, internal and external dynamics made the separate issues in pillars unmanageable. The pillar system was first revised in the Amsterdam Treaty in 1997. Under the Treaty of Lisbon (2009), the system was abolished.

2004, the ENP became the new framework for addressing these issues.

In 2003, the Commission declared that ‘the EU should aim to develop a zone of prosperity and a friendly neighbourhood—“a ring of friends”—with whom the EU enjoys close, peaceful and co-operative relations’ (European Commission, 2003). In the same year, the ENP was announced at the Thessalonica European Council. It was formulated in the hope of replicating the success of the enlargement (which helped transform candidate states) without offering a prospect of membership. The EU Commissioner for External Relations, Benita Ferrero-Waldner, said:

The EU’s aim is to expand the zone of prosperity, stability, and security beyond our borders. The question is how to use soft power to leverage the kinds of reforms that would make that possible. The answer, in the decade following the fall of the Berlin Wall, was enlargement. This has been a tremendously successful policy, with a momentous impact on the European continent. EU enlargement has made an extraordinary contribution to peace and prosperity, thanks to our strategic use of the incentives to offer. Nor is it over—we still have work to do to consolidate 2004’s enlargement and there are new commitments on which we must deliver. Yet it is clear that the EU cannot enlarge *ad infinitum*. So how else can we pursue our geostrategic interest in expanding the zone of stability, security and prosperity beyond our borders? How best can we support our neighbours’ political and economic transitions, and so tackle our own citizens’ concerns? ENP provides the answer. (Ferrero-Waldner, 2006: 139-140)

As stated by the Commissioner, the EU regarded the ENP, like the EMP, as a policy instrument toward betterment of the political and economic conditions of its neighbours, thus promoting security for Europe. Unlike the EMP, which emphasized multilateralism, the ENP was characterized by differentiation and bilateralism, which sought to promote EU co-operation with southern Mediterranean countries individually. Instead of addressing these issues in multilateral forums, the EU turned to instruments called ‘action plans’, which were prepared through consultation with Mediterranean states.

In 2004, the Commission determined the areas on which the action plans in the ENP would focus. These areas included ‘political dialogue and reform; trade and measures preparing partners for gradually obtaining a stake in the EU’s internal market; justice and home affairs; energy, transport, information society, environment, and research and innovation; and social policy and people-to-people contacts’ (European Commission, 2004: 3). This differentiated approach called for more structured monitoring (such as country reports), a closer consultation process with each neighbour and stronger financial means under the framework of the European Neighbourhood and Partnership Instrument (ENPI). This approach was designed to respond to the concerns of the partners more effectively than the EMP by providing stronger incentives to cooperate with the EU.⁶ That said, and notwithstanding the novelties that were designed to address EMP’s weaknesses, the view that the ENP has inherited the EMP’s problems has remained.

⁶ The view is that, while the EMP was about others learning from EU’s own experiences, the ENP is about closing the door, not in terms of membership alone, but also in terms of the potential to form a security community; see Joenniemi, 2007.

Needless to say, the launch of the ENP did not imply the end of the EMP, but the utilisation of a new policy instrument that channelled most of the bilateral cooperation while keeping multilateral efforts and political dialogue under the EMP umbrella. This process, which coincided with the transition from EMP to ENP, was also marked by a transformation in EU security policy-making referred to as ‘externalization’, ‘outsourcing’, ‘subcontracting’ or ‘remote control’.

Externalization

EU documents refer to externalization as a tool for the Union to make JHA ‘a central priority in its external relations’ (EU Council, 2005b). EU documentation discusses externalization mostly in relation to EU policies in the areas of immigration and asylum (Boswell, 2003, Gammeltoft-Hansen, 2007, Guild, 2006). However, it is also possible to look at it from a wider perspective that includes the externalization of counter-terrorism measures. In what follows, what is meant by externalization will be clarified, and European security practices, as externalized in relation to the southern Mediterranean, will be set out.

Externalization is defined by some as a type of external governance, ‘an attempt to transfer the EU’s rules and policies to third countries and international organizations’ (Lavenex and Schimmelfennig, 2009: 791). While this definition highlights the export of the EU’s policies to its neighbouring countries as a dimension of externalization, it does not clarify the purpose(s) it serves. Another definition refers to externalization as the ‘external governance of EU security’, which involves ‘modes of governance through which the EU seeks to ensure the ENP’s countries’ participation in the realization of its internal security project’ (Lavenex and Wichmann, 2009: 83). This understanding of externalization is inclusive of measures

designed to cope not only with immigration but also with other issues, such as terrorism, organized crime or ‘bad’ governance, that threaten European internal security. This second definition reflects better the central tenet of externalization, which involves pursuing European internal security through policies that are primarily operationalized in the EU’s immediate neighbourhood. While externalization is widely considered to have started with the ENP, aspects of EMP already constituted a form of externalization understood in this second sense.

That said, the shape externalization took in 1995 and in 2005 is significantly different. The differences are in the notion of security at the root of EU practices, how security is pursued and the means used. Through the EMP, the EU had sought to export its own model of security-building to the rest of the Mediterranean through CBMs and PBMs. The notion of security behind the EMP was comprehensive and common. This common security understanding was underlined by the construction of a ‘Euro-Mediterranean we’ that could be the foundation of ‘a Euro-Mediterranean security community’ (Adler and Crawford, 2006). The EU wanted to achieve security for itself through reforms to ensure political pluralism, the protection of human rights and economic prosperity. Security through non-military means (even though it was not explicitly identified as a ‘security policy’) became a trademark of European policy-making, which gave it a different stance in world politics. While the EMP was not about securing the Mediterranean *per se*, but creating security in the Mediterranean region for the purposes of the EU, a comprehensive security approach characterized EU rhetoric and, to a certain extent, action (Bilgin, 2004).

The ENP differed from the EMP in terms of security thinking, rhetoric and action. Through the ENP, the EU no longer sought

to export its own security-building model to its neighbouring countries (Joenniemi, 2007). The focus on multilateral CBMs and PBMs disappeared in the ENP, the common security perspective of the EMP being put aside by adopting a security understanding that was linked to a less inclusive construction of identity. This less inclusive identity sometimes turned out to be an indicator of a dichotomy between the EU ('us'), which must be secured against particular threats, and the Mediterranean countries ('them'). Notwithstanding the language of 'neighbourhood', southern Mediterranean countries were viewed as producing these threats and were also allocated the duty of addressing them.⁷

In the process of addressing possible security 'threats' outside the EU borders before they reach Europe, the policy of promoting democracy and good governance was inherited from the EMP, albeit with an important difference. The objective of this policy in the EMP was the creation of a stable neighbourhood. However, in the ENP, the EU adopted a bilateral approach. In this approach, instead of following 'one-size-fits-all' policies to promote democracy, the EU formulated specific policies that took the needs of the partner state into account. In those instances where the partner state is not willing to cooperate (as in the case of Algeria) or only in a limited manner (as in the case of Egypt), democracy promotion policies have been less than effective.

In terms of security policy-making, technologized military, police and gendarmerie

tools have increasingly begun to be used by the EU or its member states when cooperating with their southern neighbours. These have included the training of the military and police forces of southern Mediterranean countries, the training of immigration officers, and the transfer of surveillance and control technology. Indeed, the increase in the number of cross-border operations in the Mediterranean and the deployment of high-tech systems such as SIVE⁸ have highlighted how:

Europe has undergone a number of significant transformations in the use of technology with the aim of managing insecurity. These transformations are to be understood in the context of the growing de-differentiation between previously distinct activities: fighting wars abroad, controlling populations at home and managing the border between two spheres. (Burgess, 2009: 321)

European security practices in relation to the Mediterranean have exemplified such de-differentiation. Through a variety of policies, including the ENP, the EU and its member states have sought to address challenges externally through highly technologized and sometimes militarized means before they became internal challenges. For example, according to a study conducted at the request of the European Parliament (EP), externalization in the areas of immigration and asylum has had two dimensions: 'to relocate outside its border control procedures' and 'to hold third countries accountable, through the transfer of responsibili-

⁷ This was a problem in the EMP as well; see, for example, Holm, 2004. However, in the EMP, the EU and southern Mediterranean countries were identified as 'partners'. In the ENP, the latter are identified as 'neighbours' which are expected to address challenges on their territories before they become the EU's internal security problems. Many interviewees highlighted this change.

⁸ SIVE (Spanish Integral Service of External Vigilance) was introduced by Spain on its borders in 2002. The system includes thermal and infrared cameras, police units and surveillance towers. The system was also set up in the Canary Islands in 2004.

ties, for the consequences of its obligations in relation to the application of its international commitments or the choices it has made in relation to the management of migratory flows' (Rodier, 2006).

As will be seen below, far from protecting the human rights of immigrants, the EU's increasing reliance on means such as border guards has resulted in immigration being stripped of its political and social character and reduced to risk analysis. Such risk analysis is conducted by one institution, FRONTEX, without sufficient legal scrutiny by the European Court of Justice.⁹ That said, the more questionable practices have been adopted not through the ENP, or by FRONTEX, but through country-to-country cooperation.

Externalization in Practice

The externalization of the EU's security policies in the direction of its southern neighbourhood can be analysed in terms of immigration control, counter-terrorism, and political dialogue and reform.

Immigration Control

The externalization of immigration control policies has had two aspects: immigration control through institution and capacity-building in the southern Mediterranean countries, and the introduction of highly technologized and sometimes militarized means.

⁹ The European Parliament's Civil Liberties Committee has recently decided to take the exclusion of the Parliament from the procedures related to FRONTEX to the European Court of Justice. EPP Group in the European Parliament Website, Press Release. Available at <http://www.eppgroup.eu/press/showpr.asp?PRControlDocTypeID=1andPRControlID=9513andPRContentID=16295andPRContentLG=en>. 25.06.2010.

Immigration control has been central to the externalization of European security policies implemented through country-to-country relations as well as the ENP. In the framework of the ENP, the EU has given utmost importance to cooperation on 'illegal immigration' prevention, efficient border management, re-admission agreements and the effective return of 'illegal immigrants' (European Commission, 2007). The EU has externalized its immigration control policies through capacity-building, sending immigration liaison officers (ILOs) to neighbouring countries, exporting surveillance technology and information exchange. The strategy papers and all action plans concluded with southern Mediterranean states contain a number of clauses about information exchange and institution- and capacity-building to manage migration flows towards the EU (Del Sarto, 2010). In the words of one observer, 'the goal is the virtual extension of European borders to the North African coasts' (Helmut, 2005). Another strategy is to send ILOs to other countries in order to establish contacts with the host country in the areas of 'illegal immigration control', return of 'illegal immigrants' and the management of legal immigration (EU Council, 2004a). Libya and Morocco have also been front-runners in this area (Human Rights Watch, 2006a).

The most striking practice in the area of immigration control in the aftermath of 9/11 is the increasing reliance of the EU and its member states on highly technologized and sometimes militarized means in addressing this challenge. Militarized means refer to 'police forces which have certain military characteristics and some degree of military capability even though strictly speaking they are not part of the armed forces' (Lutterbeck, 2004: 47; also Andrade, 1985). Border guards, which are sometimes referred to as 'paramilitary forces', have been set up in several EU member states (Lutterbeck, 2005).

While such militarised practices gained a momentum in the post-9/11 period, they have, for some time, evolved in tandem with the emergence of the security continuum in Europe (Lutterbeck, 2004). In 2002, the European Council announced the Plan for the Management of the External Borders of the Member States, which aimed to establish a sort of 'European Corps of Border Guards' (EU Council, 2002). In 2003 and 2004, joint border-guard operations (such as 'Ulysses', 'Triton', 'Rio III and IV', 'Nettuno I', 'Nettuno II', 'Semper Vigilia I' and 'Semper Vigilia II') were conducted (Monar, 2006). In 2003, Operation Ulysses was launched as a joint naval initiative between France, the UK, Spain, Portugal and Italy. The then Spanish Interior Minister, Angel Acebes, identified the objective of the operation as the creation of a 'rectangular filter' to detect 'illegal' boats (Fekete, 2004: 77). By 2004, other EU Member States, such as Germany, had also established such forces, whose main objective was border control (Lutterbeck, 2004: 52-57).

FRONTEX was established in a political context in which coordinated security practices (including military ones) were deemed necessary to security in and of Europe. The roles of FRONTEX are to conduct risk analysis and coordinate operations, including naval missions in the Mediterranean. Risk analysis reports are presented to the European Commission and the Council. Under the mandate given to it by the Commission, FRONTEX is responsible for studying the conditions of immigration control in the Mediterranean involving the cooperation of southern Mediterranean states (European Commission, 2005). FRONTEX risk analysis provides the rationale for naval operations in the Mediterranean.

During this period, bilateral agreements between EU member states and neighbouring states from which the irregular immigration boats depart were signed in order to enable operations in the territorial waters of these states.

In 2009, the EU conducted six operations in the Mediterranean, namely: HERA 2009, Nautilus 2009, HERMES 2009, MINERVA 2009, INDALO 2009, and Alpha Reinforcement 2009 (FRONTEX, 2010).¹⁰ The frequency of such operations, notwithstanding increasing scrutiny and calls for transparency, shows that the technologized (and sometimes militarized) ways of addressing challenges mentioned above have prevailed in European security practices.¹¹

Counter-terrorism

Another important aspect of European security policies in relation to the Mediterranean is the externalization of counter-terrorism measures. This is done by providing technical and financial assistance to southern Mediterranean regimes in tackling terrorism in their own countries. EU technical assistance has included developing programmes to cope with the radicalization of youth, as well as increasing the crisis management capacity of law-enforcement agencies and training them for border, airport and maritime security (Wolff, 2009b: 148-149).

Cooperation against terrorism has become one of the main tenets of EU policies in relation to Egypt. However, there is very little information available about the scope of this

¹⁰ FRONTEX, *Examples of Accomplished Operations*. Available at http://www.FRONTEX.europa.eu/examples_of_accomplished_operati/page2.html. 28 July 2011.

¹¹ Cross-border cooperation under the ENP is not limited to immigration control. The European Neighbourhood Policy Instrument has recently included a cross-border cooperation scheme in order to facilitate cross-border societal-level interactions. Bilateral Spain-Morocco (€156.7 million) and Italy-Tunisia (€25.2 million) programmes and the multilateral Mediterranean Sea Basin Programme (€173 million) are examples of this cooperation; see Martin, 2009.

cooperation.¹² Algeria and Morocco are not the only main recipients of EU assistance on counter-terrorism, but are also very close partners of Spain and France in this area (Wolff, 2009b: 150-151). Algeria also cooperates with Interpol, Europol and NATO. Although the definition of terrorism is very broad in Algerian criminal law, this has not hindered EU–Algeria cooperation in this area. This could, in turn, have an impact, in the Commission’s own words, on the already restricted freedom of assembly in this country. As in Algeria, Morocco has a very broad definition of terrorism. Furthermore, there have been many legal changes since the Casablanca bombings of 16 May 2003. These changes have authorized ‘the police and security forces to hold suspects without access to a lawyer, to intercept telephone calls, Internet communications, and mail, and to search domiciles and businesses without a warrant’ (Baracani, 2005: 10).

On the one hand, the level of political cooperation between the EU and southern Mediterranean countries in the area of counter-terrorism is not very intense (for example, in comparison to EU–USA cooperation). Undeniably, there has been a tendency, on both shores of the Mediterranean, ‘to emphasise the political dialogue dimension of the EU’s counterterrorism cooperation...at the expense of investigating operational counterterrorism cooperation’ (Kaunert and Leonard, 2011: 302). However, such ‘rhetoric’ about cooperating in the ‘Global War against Terror’ has been powerful in terms of its ubiquity. Indeed, our interviews in Algeria, Egypt and Morocco showed that there is a growing perception of intensive ‘operational’ cooperation between the EU and southern regimes. This perception has become

widespread, especially in the areas of information exchange and intelligence sharing. In addition, there is evidence of mounting concern that the southern regimes are doing the EU’s ‘dirty work’.¹³ For example, an academic from Egypt stated that ‘there is a highly classified cooperation in fighting terrorism, in the following way: EU countries export suspects from their prisons to the Egyptian prisons, famous for their extraordinary ability of interrogation under torture, which is strictly illegal in the European countries’.¹⁴ Although providing technical assistance and financial help are the main policy tools of the EU in the area of counterterrorism cooperation, the implication of the powerful cooperation rhetoric has fed into a perception that, as an academic from Algeria stated, the ‘EU acts like a machine that seeks to promote its interests with undemocratic regimes in the name of “pragmatism”’.¹⁵

Political Reform

With regard to the promotion of political reform through cooperation under the ENP, of all the Maghreb countries it is Morocco that has the most advanced relationship with the EU. Morocco was one of the first countries to adopt the Neighbourhood Action Plan in 2005. The ENP has become a framework of cooperation, which envisages EU–Morocco relations evolving into a closer political and economic partnership. In the 2005 Action Plan, the shortcomings of the Moroccan political system and the priority areas that should be

¹² The Egyptian interviewees stated that they did not have information about the issue.

¹³ Interview with a Moroccan academic by David Alvarado, Winter 2009-2010, interview transcript, Rabat.

¹⁴ Interview with an Egyptian academic by Habiba Mohsen, Winter 2009-2010, interview transcript, Cairo.

¹⁵ Interview with an Algerian academic by Louisa Dris-Ali Hamadouche, Winter 2009-2010, interview transcript, Algiers.

addressed were listed. The Action Plan specifically focused on the need to reform the administrative system and the judicial system, and to promote the rule of law. The 2006, 2008 and 2009 Morocco Progress Reports repeatedly mentioned both problems and improvements in the areas of Moroccan judicial and political systems. However, the absence of references to the need for the independence of the judiciary and legal accountability has resulted in the impression that EU expects the reforms to take place 'within the boundaries of [the] current constitution and distribution of powers' and very little else (Kausch, 2008: 5).

With regard to democracy and human rights clauses, the Association Agreement with Morocco resulted in the funding of 48 civil-society projects in the kingdom (Haddadi, 2004). However, both the 2008 and 2009 country reports of the Commission recognized that the reforms to protect and promote democracy and human rights are not ambitious enough. That said, it was also noted that improvements in regulations about political parties were significant.¹⁶

Egypt and Algeria have proved slower than Morocco in initiating political reforms under the ENP framework. Egypt's cooperative relationship with the EC/EU goes back to the 1976 Cooperation Agreement. Until 1995, the EC's support for Egyptian economic modernization continued through various assistance programs. The ENP has become another phase in this process. Since 2005, through the European Instrument for Democracy and Human Rights,

the EU has financed several programmes, such as 'Watch, Monitor and Evaluate Egyptian Parliamentary Elections to Enhance Democratization' (€83,339) and 'Egyptian Democratic Status Watch' (€100,000) (Wolff, 2009a: 111). In the area of political reforms, there have been improvements as well as problems. In 2007 changes were made to the election system, including the introduction of a new electoral commission to monitor the system. Local elections were held in 2008. However, according to the Commission's Egypt Progress Report, many legal opposition parties and independent candidates were not allowed to register to run. The 2008 and 2009 Progress Reports were critical of the Egyptian government regarding the state of emergency. However such criticism has proved ineffective. Egypt did not hesitate to extend the state of emergency until 2010. Still, this hindered neither cooperation with Egypt nor the export of surveillance technology to it.

Algeria, which has been a reluctant partner of the EU, has not been targeted effectively by EU policies in the area of the promotion of democracy and human rights. In the Association Agreement with Algeria, only three articles concern political dialogue, whereas there are ten articles about cooperation in the areas of justice and home affairs. The means utilised for the promotion of human rights are also very limited. For example, in the 2007-2013 Strategy Paper, it is possible to see references to democracy, human rights and good governance. However, the National Indicative Programme (NIP) prioritizes justice reform (€17 million), economic growth and jobs (€113 million) and the improvement of public goods (€90 million) (EuroMed, 2007). Only 7% of the overall instrument is allocated to the promotion of democracy. Even more significant is the fact that Algeria is not currently involved in the ENP. This is because Algiers has vehe-

¹⁶ Economic cooperation with Morocco is more developed than political cooperation. The Action Plan of 2005 adopted principles and policies which have enabled Morocco to integrate with the EU market. In 2008, the EU reaffirmed its position for closer economic cooperation with Morocco in 2008 by granting it 'advanced status'.

mentally criticised this framework for its vertical and intrusive nature.

To summarise, EU security practices in relation to the Mediterranean have focused on three areas of cooperation. In the area of migration, European security practices have been increasingly technologized and sometimes militarized. Counterterrorism cooperation seems limited at first. However, the perception spreading in southern Mediterranean societies has been different. Finally, European security practices in the area of democracy promotion have highlighted the EU's seeming reluctance to provide effective support for democracy and political reforms. That said, not all of the aforementioned shortcomings, or the implications analysed in the next section, have their roots in EU action (or lack of it). Rather, they have followed mostly, but not wholly, country-to-country cooperation.

IMPLICATIONS OF EUROPEAN SECURITY PRACTICES IN VALUE TERMS

The implications, in value terms, of the practices outlined above can be analysed in terms of security referents: individuals, societies and regimes or states in the South, and the European Union in the North.

Individuals as Security Referents

Those who are referred to here as 'individuals' are people who find themselves in need of protection by virtue of being exposed to or who run the risk of subjection to violations of their fundamental rights. The implications for individuals as security referents include abuses of fundamental rights allowed by the secrecy surrounding the 'national security' acts and other endemic 'security' practices of some southern Mediterranean regimes, irregular migrants

being directed to more dangerous routes, the persistently high levels of migrant deaths, the fading of asylum-seeking as a strategy to escape repression (at times contrary to the letter and spirit of international law) and violent treatment by human smugglers.

To begin with immigrants and asylum-seekers, one implication of the upgrading of EU frontiers has been the transformation of immigration from being a mostly independently run enterprise to being mostly controlled by 'professional' human smugglers who charge for their services. Human smugglers have not only directed individual migrants toward increasingly more dangerous routes, they have also engaged in violent acts of their own, including leaving migrants to their fate when faced with the risk of running into border controls.¹⁷

There is no denying that the upgrading and shifting of EU borders to the south has resulted in significant decreases in the number of migrants arriving in EU member states. Yet, EU efforts may not have been as effective as figures seem to suggest at first. For instance, in 2004, the number of apprehended irregular immigrants arriving at the Spanish mainland border were 15,675; in 2005 this went down to 11,781. However, in the same period, the number of immigrants arriving at the Italian borders rose from 13,594 in 2004 to 22,824 in 2005 (Cuttitta, 2007: 2). Likewise, while the SIVE system has certainly contributed to curbing irregular arrivals in mainland Spain, it is equally certain that the same system has not stopped 'illegal' arrivals, but has forced irregular immigrants (and of course human smugglers) to explore alternative routes, as will be shown below (Spijkerboer, 2007: 131). As

¹⁷ The violence that irregular immigrants face during their journeys is well-documented, based on their own experiences; see Fortress Europe, 2007; Collyer, 2006.

such, while the numbers of immigrants arriving at the known ports may have been decreasing, human smugglers have been directing their clients to other ports in the south. On the other hand, early statistics from the UNHCR in 2009 highlighted a certain decrease in the number of the illegal sea arrivals in southern European countries, but considerable increase in the irregular arrivals from Somalia in Yemen.¹⁸

Another implication for individuals as security referents is the persistent number of deaths. Some reports suggest that, under the surveillance of the ‘search and rescue’ teams (as in the case of Operation Ulysses), attempts to install ‘rectangular filters’ contribute to death tolls in the Mediterranean (Maccanico, 2006, Webber, 2006). In the case of Italy’s borders, in response to EU’s use of ‘more and faster patrol boats and the use of ever more sophisticated—including military style-surveillance equipment’ (Lutterbeck, 2006: 77), human smugglers have begun heading toward more dangerous ports (also see Monzini, 2007). The Somalia–Yemen route is also more risky for immigrants (Medicins sans Frontières, 2008).

Another implication of European security practices with regard to the individual as a security referent involves asylum-seekers. Webber (2006: 31), for instance, has been critical of ‘increasing cooperation with the security and intelligence services of countries from which asylum seekers have fled’. Such cooperation, argues Webber (2006: 31), ‘sometimes leads to the characterisation of an asylum claimant as a “terrorist” rather than [as] involved in legitimate political dissent’. Mazella (2007: 43) has argued that, as part of this process, a notion

of ‘false asylum seekers has become “omnipresent”’. Webber highlighted the proliferating disincentives to claiming asylum, which include:

the unremitting racist hostility to which they are subjected by the popular press and politicians ‘that’ carries through into the treatment of asylum claimants throughout the process from arrival on, and has resulted in more and more ‘tightening’ of the refugee determination process to prevent ‘abuse’. (Webber, 2006: 12)

As a consequence, she has argued, conventional asylum policies seem to be on their way to abandonment. That is why the European Council on Refugees and Exiles (ECRE), the Spanish Commission for Refugees (CEAR) and Amnesty International (AI) have recently urged European governments to re-consider their illegal immigration policies. They have pointed out that ‘European governments brag about their success in fighting irregular migration but refugees who are prevented from arriving to the European territory are paying the price of this “success”’.¹⁹ Indeed, AI is increasingly wary of the externalisation procedures put into place by the EU in so far as the costs for individuals are concerned. Highlighting how these policies involve risks, AI has criticised the EU, south Mediterranean countries and the countries of origin—the latter lacking clearly identified asylum procedures. Adepoju et al. (2009: 46) have warned against the violation of ‘non-refoulement’ by some EU member states, which, in principle, prevents refugees

¹⁸ For the figures see UNHCR, *Asylum and Migration*, (February, 2010). Available at <http://www.unhcr.org/pages/4a1d406060.html>. 25 July 2010.

¹⁹ See European Council on Refugees and Exiles, Spanish Commission on Refugees and Amnesty International, ‘Human Rights Organizations Urge the European Governments to Adapt Border Management to Ensure that Refugees can Reach Europe’, 24 February 2010. http://www.ecre.org/resources/Press_releases/1523. 5 July 2010.

arriving in the territory of a state from being returned to another where they run the risk of persecution. The fact that agreements are often bilateral and increasingly ‘informal’, argue the authors, has meant that, ‘not only these arrangements are less transparent and controllable by parliaments, but also that human rights guarantees are often lacking’. As Mazella (2007) has reminded us, ‘to whom do we wish to grant asylum?’ is an ‘ethical question’ that seems to be less and less frequently asked in recent years. Indeed, in some European contexts, debates on asylum policies have been replaced by policies that seek to minimise the number of occasions on which asylum applications can be made.

There is also the violence inflicted by human smugglers on immigrants. Monzini writes:

It is clear that migrants leaving North Africa pay high prices for a service that is really unsafe, and no compensation is envisaged for them in case of apprehension at the border and repatriation.... Violence against migrants is higher in this case as traffickers consider them as just cargo with no rights at all, persons to be loaded onto old ships and left alone to face the journey. (Monzini, 2007: 181)

As Spijkerboer has highlighted, the smugglers are not entirely incorrect in thinking that migrants have next to no rights (in practice, if not necessarily on paper). In international law, there is currently limited responsibility on member states for migrant fatalities. It is worth quoting Spijkerboer at length:

Under the International Law Commission’s Articles on the Responsibility of States for International Wrongful Acts, States cannot be held responsible for fatalities that result indirectly from controlling their borders because border control,

in itself, is not a wrongful act. Under some circumstances, a State may be held responsible for damage that arises out of acts not prohibited by international law, as when it undertakes a hazardous activity, defined by the International Law Commission as ‘an action which involves a risk of causing significant harm’. The question remains, however, whether increased border controls themselves cause these fatalities. One may argue that they are a contributing factor but that, in themselves, increased border controls do not cause the fatalities. Other factors may be more important, such as the willingness of migrants to take considerable risks, as well as factors beyond anyone’s control, such as the weather during migration. Hence, States are not responsible in the legal sense for fatalities that occur indirectly as a consequence of controlling their borders. (Spijkerboer, 2007: 136-7)

While precise data about ‘deaths’ is not available,²⁰ Spijkerboer has suggested that ‘as matters stand now, it seems more likely [and contrary to what European governments claim] that...border deaths increase as a consequence of intensified border control’ (Spijkerboer,

²⁰ But see United Against Racism’s ‘List of 13824 documented refugee deaths through Fortress Europe’. Internet. Available at www.unitedagainstracism.org. 14 July 2010.

2007: 139).²¹ For example, in 2006, many incidents occurred during ‘rescue’ operations when smuggling boats capsized, crashed into border guards’ boats and irregular immigrants drowned trying to escape from the guards (Maccanico, 2006).

Another implication for individuals is that EU and EU member states have not sufficiently scrutinized maltreatment of immigrants by southern Mediterranean states. In the case of Morocco, the Euro-Mediterranean Human Rights Network (EMHRN) criticized the Action Plan, arguing that, while it includes promises for the rights of Moroccan immigrants in the EU, it neglects the rights of sub-Saharan African immigrants in Morocco (EMHRN, 2007). According to one of the latest reports by the French NGO CIMADE, notwithstanding the presence of the UNHCR in Morocco and the EU rhetoric on its protection of the rights of asylum-seekers and refugees, violations in the form of inhumane detention conditions, expulsions and deportations have been conducted by the Moroccan authorities (CIMADE, 2008). Likewise, non-governmental actors have objected that the Algeria Strategy Paper of 2009 did not make any statement about the treatment of sub-Saharan immigrants in Algeria, although AI has reported

cases of the repatriation of UNHCR-recognized refugees to other countries (Amnesty International, 2009).

In 2006, Amnesty International criticized what it characterized as ‘the blank-cheque approach’ adopted by the EU in the area of the externalization of immigration control policies (Amnesty International, 2006). ‘The blank-cheque approach’ means that, as long as immigrants (especially irregular immigrants) are kept outside the EU borders by the measures taken by southern Mediterranean states, the EU overlooks how these measures affect immigrants. This blank-cheque approach includes the establishment of transit processing centres, the installation of new border surveillance technology, readmission agreements, joint border patrol operations and the training of border police. Beatings and rapes in the immigrant camps in the southern Mediterranean, police brutality towards immigrants, including shootings, and attacks on sub-Saharan immigrants by southern Mediterranean natives have frequently been documented (Carling, 2007, Collyer, 2006, Human Rights Watch, 2006b, *Medicins sans Frontières*, 2006, Simon, 2006). However, the EU has so far not adopted effective policies to encourage southern Mediterranean states to improve the conditions of immigrants in their countries. This reluctance, as our interviews have also shown, has generated serious criticisms of the EU.

Such maltreatment of immigrants and asylum-seekers on the road to the European Union is symptomatic of another endemic insecurity in the southern Mediterranean, namely the limits on respect for fundamental rights and freedoms. Indeed, individuals who seek mobility of one sort or another are left at the mercy of the ‘national security’ projects of states on both sides of the Mediterranean. One observer has suggested that ‘the individual is manifestly less protected on both sides of the Mediterranean than was the case before September 11

21 It is worth noting here that the gross violations of individuals’ human rights (which are, in theory, protected by international law) as implications of EU security policy-making in the Mediterranean have been widely publicised and criticised by EU actors and others. Still, the issue is discussed mostly with reference to the ethics of consequences, that is, to taking the consequences of one’s actions as the main criteria of ethical evaluation, rather than virtue or duty. Put simply, judging one’s actions in terms of their consequences involves weighing ‘good’/gains versus ‘bad’/costs and deciding whether the gain is ‘worth’ the cost. Since EU practices of boat interception are justified with reference to the ethics of consequences, it is important to see verifying the ‘good’ does indeed outweigh the ‘bad’—both taken as being defined by EU documentation and not by any outside criteria.

2001' (Galli, 2008: 10). Indeed, in countries like the United Kingdom, which have adopted more stringent measures compared to others, the treatment of individuals in the name of 'national security' allows,

deportations that require no proof of criminal conspiracy, merely an administrative assessment of the risk believed to be posed by an individual, which a national security Tribunal such as SIAC (in the UK) is expected to defer to. (Webber, 2006: 33)

What are particularly worrying in this regard are deportations to countries where individuals face 'torture or inhuman or degrading treatment or punishment' (Webber, 2006: 4). While such deportations are prohibited by the European Convention of Human Rights, some EU member states seem to have found ways of circumventing such bans, including 'rendition, the unlawful removal of foreign nationals to torturing states' (Webber, 2006: 33-4).

What seems to be happening is a convergence of the security agendas of some states and regimes in the South and the North. The Directorate-General for the External Policies of the Union (2006) has characterised this convergence as involving a "you scratch my back and I'll scratch yours" logic'. Some European actors are currently cooperating with regimes, such as Egypt, that engage in the kinds of practices that the EU has been critical of in the past. Amnesty International (2010) criticized the emergency law, characterizing it as a serious obstacle to human rights and freedoms which are violated not only by the security forces, but also by military tribunals or state security courts. In recent years, and in spite of the European Commission's concerns, some anti-democratic practices on the part of the Egyptian government were overlooked by the EU, including the state of emergency, which

was renewed in 2006 and again in 2010. In other southern Mediterranean countries, such as Tunisia, the torture and ill-treatment of human rights defenders and the imprisonment and torture of Sahrawi activists were reported as having been overlooked (Amnesty International, 2009, Wolff, 2006). From Algeria there were reports of 'spectacular repressions' taking place in the country, where a state of emergency has been in place since 1992 (Benantar, 2006).

It is worth highlighting that the two shores of the Mediterranean experience the same dynamics but make difference sense of them. From a 'Southern' perspective, the conflation of immigration and terrorism as security threats is a consequence of the South internalizing EU security concerns.²² One Northern observer, in turn, interpreted the same occurrence as 'externalisation in reverse'. Galli (2008) has argued that it is not the Union but the South that first securitized immigration by establishing an Islamist-activism-migrant-terrorism linkage. Whereas the EU refused to accept this linkage in rhetoric and practice for a long time, notes Galli (2008: 13), policy-makers eventually adopted their Mediterranean neighbours' discourse on this linkage.

Our interviewees were critical of their European counterparts for leaving immigrants at the mercy of national security-minded regimes and states. The perceived silence of the EU about these systematic human rights violations has strengthened the assessment that the EU is not concerned with the human rights of non-EU citizens. For example, one Egyptian academic and activist claimed that the EU has double standards in relation to the

²² As noted before, the South has for long identified Islamist activists who are immigrants with terrorism, but not all immigrants.

rule of law and human rights, and stated that the EU 'doesn't apply the values it claims to believe in when it comes to countries outside of the EU.'²³ 'So the European Union doesn't necessarily remain committed to these values when it comes to third-world countries, especially the southern Mediterranean countries'.²⁴ Some of our interviewees even suggested that this is not a mere meeting of the agendas of some European actors and southern regimes, but the former making use of the failings of the latter in pursuing its own agenda, with incredible costs for individuals who are migrants and would-be asylum-seekers.²⁵ It is worth underscoring here that, while the EU is not the actor behind these specific practices, and that these are the consequences of country-to-country cooperation, it is almost always the EU that was (incorrectly) criticised by the interviewees. What we discern is that some member states' practices are perceived and portrayed as EU policy-making by observers in the South.

Societies as Security Referents

Societal insecurities in the south of the Mediterranean have emerged as some Mediterranean regimes have increasingly employed highly technologized and sometimes militarized means through increasing cooperation with EU member states. In terms of societies as referents, implications include pervasive repression of immigrants while the host soci-

ety remains unaware (if not oblivious) to the emergence of a racialized division of labour in some places and the rise of racism in some other places.

What is understood by 'societal insecurity' is a condition in which a society faces a threat to its social or economic fabric or identity (Waever, 1993, Waever, Buzan, Kelstrup and Lemaitre, 1993). Unlike state security, the referent in the case of societal security is society itself, with the regime or state and their European counterparts as culprits behind insecurities. While these regimes did not need European actors' cooperation to adopt the kind of practices criticised by societal actors, the kind of security cooperation that has been taking place across the Mediterranean in recent years seems to have made societies even less secure. Indeed, the phrase 'destabilisation of delicate social balances' came up quite frequently in our interviews. One of our interviewees highlighted how 'illegal immigration can threaten the social balance, the employment market and public order'.²⁶ The kind of societal insecurity encountered in the southern Mediterranean context is expressed nowhere more dramatically than the headline of a Moroccan newspaper which chose to portray irregular migrants arriving from sub-Saharan Africa as 'black locusts', with all its xenophobic if not racist connotations (Al-Shamal cited in Adepoju, Van Noorloos and Zoomers, 2009: 48).

What is particularly worrying is the (re)emergence of us/them divides between sub-Saharan and North African peoples, as the latter are exposed to the discourse of their regime or state that portrays them as a 'policeman for an EU' that has problems with sub-Saharan

23 Interview with an Egyptian official by Habiba Mohsen, Winter 2009-2010, interview transcript, Cairo.

24 Interview with an Egyptian academic by Habiba Mohsen, Winter 2009-2010, interview transcript, Cairo.

25 Interview with an Egyptian academic and official by Habiba Mohsen, Winter 2009-2010, interview transcript, Cairo; Interview with an Algerian academic by Louisa Dris-Ali Hamadouche, Winter 2009-2010, interview transcript, Algiers.

26 Interview with an Algerian academic by Louisa Dris-Ali Hamadouche, Winter 2009-2010, interview transcript, Algiers.

Africans. Bensaad (2007) has highlighted how 'the official South Mediterranean discourse now presents local populations as victims of invasive migratory fluxes and repeats the European security argument that sees foreigners as a threat'. For further emphasis, Bensaad quotes the then Libyan Minister of Foreign Affairs, who complained of 'certain quarters of Tripoli [being] ... under the control of immigrants. They impose their laws; drugs and prostitution flourish. When I said that for us it's an invasion, that is exactly what I think' (Bensaad, 2007: 59-60). This type of attitude towards sub-Saharan immigrants is widely documented (also see, Holm, 2008, Human Rights Watch, 2006b). The emergence of such racist attitudes towards sub-Saharan Africans in the southern Mediterranean is widely blamed on the European Union by local actors. As Bensaad rather dramatically puts it: 'Schengen exports its tensions' (Bensaad, 2007: 52). He elaborates on this as follows:

Spectacular repressions that have taken place in the Maghreb in the last couple of years (and which South Mediterranean governments have trumpeted in a flow of communiqués) revealed that said governments have already donned the uniform of 'repression recruits'. (Bensaad, 2007: 59)

The kind of 'repressions taking place in the Maghreb' as reported by regional scholars usually remain under the legal radar, while societies remain unaware if not oblivious to them. Indeed, our interviews revealed little awareness of the physical side of repressions. However, as Bensaad has reported,

Although no legal measures dealt with the migration reality, practically all North African countries, between 2003 and 2004 took restrictive measures regarding circu-

lation in their territories, measures which seemed legally to cover repressive acts that infringe upon guarantees of individual protection, as well as public liberties in the countries doing their legislating. (Bensaad, 2007: 59)

Less pronounced is the racialized division of labour on both shores of the Mediterranean (for the North, see Silverstein, 2005). In relation to this, Bensaad has observed that:

A slavery economy is being built, with a mix of local notables and entrepreneurs, local and south-Saharan mafias, and agents of the state: a slave market of labourers for construction and for domestic work, white slavery (although in this case, it is 'blacks') for prostitution, network of 'racketeers' and 'mules' for transit. (Bensaad, 2007: 63-64)

For example, in Morocco, the prostitution of trafficked woman and children, mostly from sub-Saharan Africa, is an indication of an emerging 'slavery economy' (Bureau of Democracy, 2005). In addition, there are cases of the prostitution of trafficked persons. This is because refugees and migrants, who cannot proceed to the EU but cannot go back to their countries of origin, end up working illegally in jobs without the necessary legal protections.

Regimes or States as Security Referents

For regimes or states in the South, one major implication of externalisation has been the securitization, technologization and, in some cases, militarization of Euro-Mediterranean cooperation. While southern Mediterranean regimes have long identified migrants who are Islamist activists with terrorism and considered this particular aspect of immigration to be a

military security issue, they have considered other aspects of immigration as an asset by virtue of the remittances the migrants sent back and their contribution to the economy. What has changed in the last ten years or so is that southern Mediterranean regimes have begun to address immigration in general as a security problem from a European perspective and to adopt militarized and highly technologized measures favoured by the EU. In this sense, they have indeed become border ‘policeman’ for the European Union, while the latter have come to concur with southern Mediterranean regimes in identifying immigrants who are Islamist activists with terrorism (see below).

Southern Mediterranean countries have been on the sending end of migration across the Mediterranean for a long time. They have economically benefited from this relationship, as noted above. Testas’s (2001) research on the Maghreb has indeed confirmed the centrality of workers’ remittances to the economy and development, especially in Morocco and Tunisia, but also, if less so, in Algeria. Testas (2001: 72) has further suggested that, ‘given the significant share of remittances in total GDP of the Maghreb, North African governments may in fact wish to see their workers migrate’.

While, since the very early years of its turn toward the Mediterranean, the European Union has sought to get South Mediterranean regimes to engage with the issue of immigration as a ‘problem’, the latter hesitated to do so (as noted above). The only exception was the case of Islamist activists, whose mobility southern regimes sought to securitize by labelling them as terrorists. The North, in turn, resisted accepting this label and the ensuing categorisation in security terms. This began to change in the past ten years, with some EU member states becoming more willing to adopt the immigrant–terrorist linkage and the South proving more willing to cooperate in curbing

immigration of both economic and political kinds.

Especially after the Madrid and London bombings, the EU has not only begun to see immigration from a security perspective but has also increasingly employed technologized means without always reflecting upon their implications. In the post-9/11 period, when immigration has increasingly been associated with terrorism (Joffé, 2008), southern European states increasingly began to collaborate in this matter and agreed to constitute a ‘European Security Zone’ to tackle immigration across the Mediterranean. They also agreed to utilize highly technologized and sometimes militarized means in setting up this zone. As a component of the European Security Zone, ‘navy vessels and spy planes are today operating in the Mediterranean to monitor and intercept boats heading towards Europe’ (Gammeltoft-Hansen, 2006: 21). The European Security Zone became the predecessor of joint naval operations, which have been coordinated through FRONTEX since 2006 (see above).

Then, one implication of this change for southern regimes and states has been the militarization of aspects of the struggle against migration. One Egyptian interviewee highlighted how immigration has been increasingly viewed as not just another problem but a ‘security’ concern to be addressed through militarized means.²⁷ One Algerian interviewee pointed to this new attitude toward migration in Algeria: ‘In recent years, immigration has become a security concern. It is worth noting that this problematical and dangerous confusion between a simple immigrant and an aggressive

²⁷ Interview with an Egyptian academic by Habiba Mohsen, Winter 2009-2010, interview transcript, Cairo.

terrorist is made by Europeans and Maghrebis as well'.²⁸

Indeed, our interviewees' perception is that it is the very lax human rights standards of their own countries that make them 'ideal' candidates for externalisation by the European Union. In the case of Morocco, Amnesty International (2006) warned that, 'without a strategy that includes the promotion of human rights, the signing of readmission agreements with Morocco presents a violation of the international obligation of the Member States of the EU regarding the encounter of refugees, since there are no clauses that guarantee that people who are returned to Morocco will be protected against torture, abuse, or arbitrary detentions'. The EU's willingness to externalize immigration control, without always considering the implications of this externalization on the immigrants themselves, has become a factor which has led many individuals to question the 'normative power' identity that the EU projects.

It is also worth underscoring that immigration did not just become a security concern after 9/11. It was a security concern for the North from the very beginning, though one to be addressed through non-military means. What has changed in recent years is that immigration has become a security concern to be addressed through military means of various sorts (albeit highly technologized in places and gendarmerie-type in others).

Collyer, based on his research in Morocco, has argued that:

From the mid 1990s until shortly before the passage of the Moroccan law 02/03

in November 2003, migrants were able to find a degree of respite in Morocco, even as the passage on to Europe became more and more difficult. During 2004 residence in Morocco was increasingly difficult, as the military were deployed to search for migrants across the Western Sahara and Morocco began joint naval patrols with Spanish forces around the Mediterranean. From October 2005 the military were also deployed in the north of the country, occupying water points in the forests around Tangier, Ceuta and Melilla. (Collyer, 2006: 27)

Detention of terrorist suspects for unknown periods of time has also been reported (Human Rights Watch, 2009). Egypt tried to prevent the use of the Internet by activists suspected of being linked to terrorist organizations. According to the director of the Arabic Network for Human Rights Information, more bloggers experienced arbitrary arrests (Reporters without Borders, 2009).²⁹ In these reports, mention of torture, abuse and ill-treatment conducted by the State Security Investigation (SSI) agency was omitted, even though arbitrary arrests and indefinite detention are known to be quite commonly performed by SSI (Human Rights Watch, 2007).

This convergence between the security agendas of the South and the North was pre-

²⁸ Interview with an Algerian academic by Louisa Dris-Ali Hamadouche, Winter 2009-2010, interview transcript, Algiers.

²⁹ Another dimension of externalization is that the Egyptian government has used counter-terrorism measures as a way of legitimizing its own actions. For example, during the 'judge revolt' in 2005, when the EU criticized the violent attitude of the Egyptian police to the rioters, the Egyptian authorities claimed that terrorists were hiding among the crowd (Wolff, 2009a: 107). Human rights violations are still continuing in Egypt. Amnesty International has recently reported several incidents of the ill-treatment and detention of prisoners and activists, especially members of Muslim Brotherhood (Amnesty International, 2010).

viously analysed in terms of the insecurities of individuals and societies in the South. Indeed, southern states and regimes seem to be ‘winners’ in this new scheme of things, which Nicolaidis and Nicolaidis (2004) have referred to as southern regimes finding a ‘new lease of life’ in the struggle against terrorism. However, it is worth considering states and regimes as referents of security. This is because they have become border ‘policeman’ for the European Union, with all its implications for regime and state security. While cooperation with the EU has allowed access to new technologized instruments and resulted in the weakening of EU criticism of acts of repression in the short term, it has also further alienated civil society from the regimes, thus enhancing their insecurity in the long term. This alienation was evident from our interviews. It was also witnessed in recent uprisings in the Arab world—the so called ‘Arab Spring’, the consequences of which remain to be seen.

The European Union as a Security Referent?

Given the centrality of the image of the EU as a ‘community of values’ in EU policy texts and other official discourse, the security of the Union cannot be reduced to being an ‘objective’ threat to those values. Whereas it is often the ‘objective’ threat that is identified in policy documents, there is also a more existential threat, as identified by Burgess:

To make a community of values secure would not imply eliminating the *objective* threat to the moral values. The insecurity of a community of values would correspond to the menace of disruption of the self-constituting dialectic between value and reality. The only menace to the community is values, the loss of the process of its self-constitution, the play of commu-

nity: idea-reality, value-institution. (Burgess, 2011: 145)

Accordingly, the European Union itself could be viewed as a referent of security in light of the European security practices already mentioned. This is because the security practices that various European actors have engaged in have laid bare the tension between what Burgess has termed ‘idea-reality, value-institution’ in the European integration process. The very practices in which European actors have engaged in the attempt to secure Europe (and European values) have had consequences for the very same values in so far as European actors have apparently failed to ‘take cognizance of the values they are enacting’ (Burgess, 2011: 146). To quote Burgess again:

The community of values is a community that knows itself as such, reacts to the scope and limits of its own application. The community of values is thus not the static existence of a set of values that make up its foundation. It is, rather, the process of questioning the application of its own principles. (ibid.)

Burgess has underscored the significance of understanding ‘European values’ as a constitutive principle of the European Union to highlight the futility of seeking to arrive at a moment of ‘security’. By virtue of being a ‘community of values’, argued Burgess, insecurity, too, is a constitutive principle of the European Union.

There is yet another aspect to the challenge posed by the tension between European actors’ image of the EU as a ‘community of values’ and the reality of European security practices. This aspect has to do with what is best called the ‘ontological security’ of the European Union. Ontological security is defined by Steele (2007: 3) as the ‘self-identity needs’ of actors: ‘how a state sees itself and...how it wants to be seen

by others'. When there is a disruption in the continuity of the state's image of itself in its own and others' eyes, argues Steele, states experience 'shame', which produces insecurity for them, hence the quandary of ontological insecurity for states.

If the perceptions prevalent in southern Mediterranean countries regarding European policy-making were to become widespread, it may well have consequences not only for how the EU is seen by others, but also for how the EU sees itself. The assessment that the European Union is not necessarily committed to the values of democracy and human rights when it comes to the southern Mediterranean countries has become widespread in North African countries.

To reiterate, what makes the EU a security referent in this case is not necessarily the gap between 'saying' and 'doing' in EU policy-making, but the fact that European actors view the EU as a 'community of values', whereas the practices of various European actors have adverse implications for those very values. Increasing awareness of such implications is likely to have consequences for the process of European integration as highlighted by Burgess, and the ontological insecurity of the European Union.

CONCLUSION

This paper analysed the implications of European security practices with respect to the Mediterranean in relation to their consequences in value terms as deduced from the analysis of facts on the ground (based on reports) and local actors' perspectives (based on interviews conducted in Algeria, Egypt and Morocco). The purpose of the Barcelona Process was for the European Union to set up a security community of sorts in the Mediterranean. The EMP was formulated with the purpose of ex-

porting the EU's own security-building model to its 'partners' in the southern Mediterranean. This model, at least in rhetoric, was oriented toward the promotion of universal values of democracy and human rights, notwithstanding problems in implementation. However, within the dynamic political context of transnational terrorism and irregular immigration, European security practices have come to rely on highly technologized and sometimes militarized means to address the challenges 'on the way' across the Mediterranean before they become internal security problems for the EU.

That said, it is worth underscoring here that the EU has not only promised but also delivered so much, in terms of aid and the empowerment of civil society, as well as constituting an anchor of reform for the reformists and a point of reference for the critics of existing regimes and civil-society activists. These are important achievements of the European Union, which are not always spelled out in critical evaluations. Yet our interviews have highlighted the fact that these achievements are not always acknowledged. What is more, reformists and critics now feel that, from EMP to ENP and beyond (such as the new scheme called the Union for Mediterranean), a rug is being pulled out from under them. The point here is that the implications of policies adopted to secure the EU may have adverse implications for the very values they have set out to protect, such as individual rights and freedoms, and fundamental rights.

Some European actors have increasingly relied on highly technologized responses and cooperated with southern Mediterranean regimes and states in a manner so far unforeseen, sometimes making use of the lack of transparency and/or unaccountability of the latter. The silence of the EU in relation to various human rights violations in counter-terrorism cooperation with southern Mediterranean countries shows how the Union's self-identity as a com-

munity of values is coming under challenge. While it is not the EU itself that engages in such questionable acts, the practices of European actors seem to be reflected on the Union itself.

One major implication of European security practices, then, which is tied up with the emergence of internal-external security continuum across the Mediterranean, is that the European Union is coming under criticism for the tension between the values it has been built upon, the values it has sought to project and the practices it has actually engaged in. This paper has sought to highlight these implications in value terms and to reflect upon them so that we realize the implications of those things that are done in the name of security in Europe—and what it means to be ‘European’ if these particular things are being done in an attempt to provide Europe with security.

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