
SAFEGUARDING SCHENGEN AT SALZBURG

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The European Commission's new proposal, discussed at Wednesday and Thursday's (September 19 and 20) informal Salzburg summit, asserts that strengthening the European Border and Coast Guard (Frontex) will lead to the effective management of migration flows and thus help to guarantee a high level of security within the Union.

On that basis, the proposal is □ according to the commission □ "a key condition to preserve the Schengen area".

Such a rationale for reforming Frontex is flawed.

It mistakenly buys into the discourse expounded at the (extreme) right of the political spectrum. Tying the "preservation of Schengen" in with conflated ideas of border security is a self-defeating strategy.

The real preservation of Schengen calls for a more responsible engagement with the EU's free movement achievements, especially from the part of those member states who continue to uphold unjustified internal border checks.

Buying into flawed discourses

The timing of this newest commission proposal is peculiar.

Unlike the last time a big change was suggested, in the fall of 2015, the EU is not facing what was then described as "extraordinary pressures at its external borders".

Instead, the European Council now reports a 92 percent drop in arrival rates compared to 2015. Similarly, so-called "secondary movements" of migrants from periphery states such as Italy and Greece onto other EU countries have become "limited" according to the commission.

Why then the sudden urge to beef up the EU's border agency?

The spring and summer of 2018 were marked by a heightened state of alert around Schengen. What started as a domestic conflict over border controls in Germany, spilled over to fundamentally

define the June 2018 EU summit.

Earlier, Germany's new interior minister and party leader of the Bavarian CSU, Horst Seehofer, threatened to "start sending migrants back at the German border" if EU leaders, including chancellor Angela Merkel, failed to find a deal that would provide more control over migration flows.

Previously, Seehofer had stated that "internal border checks [between EU member states] must be in place so long as the EU fails to effectively control the external border". The future of Merkel and her new coalition government were at stake.

As a result of such pressure, the European council conclusions called for a "more effective control of the EU's external borders" and an "enhanced mandate" for Frontex.

This same wording and a reference to these conclusions now feature on the first page of the Commission's new Frontex proposal.

To fully understand these developments, one must bear in mind that they are almost identical to those which, three years earlier, in the late summer of 2015, started the more general crisis of the Schengen regime.

Back to 2015

At the time, a German domestic crisis underpinned, again, by right-wing discourses, again came to bear EU-wide ramifications.

After the German federal government had suspended the 'Dublin returns' of Syrian refugees to EU countries of first entry, large arrival numbers were registered in Bavaria.

Leading CSU politicians subsequently demanded the reintroduction of checks along the land border with Austria. Using rhetoric very similar to the one used now, Bavaria's state premier Markus Soeder, at the time still finance minister, stated: "when the EU's external borders are not protected, the German government needs to think about how it will protect German borders".

What followed was a chain reaction of reintroduced border controls by Austria, Slovenia, France, Hungary, Sweden, Denmark and Belgium.

Among these states, five have upheld such border controls since (Austria, Denmark, France, Germany and Sweden).

Their practices of accumulating different legal bases for introducing what are intended to be 'temporary' controls and the limited justifiability of doing so in light of limited secondary movements, have led to much controversy.

They were condemned by the European Parliament in May 2018 for constituting unlawful behaviour.

Buying into these policy discourses, as the commission's proposal does, is self-defeating. First, it reinforces and thus legitimises, even if only indirectly, the kind of rhetoric it seeks to outdo.

In the long run, this strengthens the potential for the type of repeated discursive developments described above.

Second, the end goal of such discourses – 'full control of the EU's external borders' – is unattainable.

While there is scope for a better control of migration flows, a certain degree of unpredictability will continue to define the volume and the direction of migration flows, as it has always done.

Accordingly, there will always be scope to claim that the control is not 'complete' or 'fully effective' and – on that basis – justify retrenching into national rather than EU-shared solutions to common challenges.

What to do instead?

It is high time to lift Schengen out of the negative discourses surrounding it. We urgently need political responsibility based on facts rather than false premises.

In the absence of significant arrival numbers and connected secondary movements, there are no objective justifications for internal border controls.

These controls need to be lifted as a priority.

Besides their well-documented economic costs, the sustained nature of such controls also risks creating an image of border checks as the new normal in the Schengen zone of the late 2010s.

This, in turn, and similar to the self-defeating strategies described above, risks providing a sense of acceptability to calls for exaggerated controls along the lines suggested by Seehofer.

Such calls, if acted on, would effectively dismantle Schengen.

Should we move in the direction of such a scenario, the harmful effects linked to current negative discourses would expand dramatically.

If the Schengen zone is dismantled, the EU will lose what its citizens consider as its most positive achievement.

Eurobarometer polls have repeatedly shown that a majority of Europeans consider the "free movement of people, goods and services" to be even more important than the bringing about of "peace among the member states".

Schengen has to be preserved at all costs. The right way forward in that respect starts with political responsibility based on facts instead of false premises.

Marie De Somer is senior policy analyst and head of the European migration and diversity programme at the European Policy Centre, and a guest professor in EU human rights law and policy at Leuven university

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