

European Integrated Border Management - a new concept?


The debate focused on the new approach to Integrated Border Management (IBM), which entails Frontex developing European IBM Strategy, and member states assembling compliant national strategies.

Sander Luijsterburg, from the Dutch Ministry of Security and Justice, who chaired the panel, started the discussion by asking how IBM has functioned so far. The European Union (EU) perspective was presented by Berndt Koerner, Frontex's Deputy Executive Director, while the member state perspective came from Tony Mouton, Commissioner at the Belgian Federal Police. Mr Koerner reminded participants that the roots of IBM stretch back to 2006, when for the first time the EU Council defined the scope of IBM. According to this definition IBM was about: border control, the four-tier access control model, detection and prevention of cross-border crime, inter-agency cooperation in border management and coordination and coherence of activities at the national and transnational levels.

In practice, IBM was to be based on three components: a common body of legislation, the establishment of Frontex and the principle of solidarity. Whereas the first two components have been achieved, solidarity remains a challenge. Presenting the member states' perspective, Mr Mouton said that his country adopted and implemented a national IBM strategy that responded to its specific needs. Since Belgium was not confronted with a huge influx of migrants, its IBM focused on the issue of security, and such an approach was embedded in the daily activities of law enforcement agencies.

Mr Luijsterburg asked why the European Commission decided to change its approach to IBM and legalised it. In response, Laurent Muschel, director for Migration and Protection in DG for Home Affairs and Alvaro Jarillo Aldeanueva, a lecturer at the UNED University in Madrid, agreed that putting IBM into binding regulations was a necessary step because the old approach did not work properly, and the migration crisis revealed its weaknesses. Using the example of search and rescue operations, Mr Muschel showed how various institutions duplicated their tasks while leaving some areas unattended. According to him, enshrining IBM into law was a response to the problem of coordination and ambiguous responsibilities of domestic and transnational bodies. He added that the migration crisis clearly showed that there was a need for a European way of dealing with borders. Mr Jarillo stressed that while both coherence and flexibility were important elements of IBM, legal responsibility was missing, undermining citizens' trust in EU institutions.

Mr Muschel announced that the Commission, which is currently consulting member states and Frontex, will issue a communication providing political guidelines on the EU's IBM strategy in October 2017. The communication will then be endorsed by the Council and Parliament; after that it will be up to Frontex to make it operational, and up to the member states to define their



national strategies. Mr Koerner said that for Frontex, developing the new IBM strategy will mean rearranging existing elements, rather than inventing new ones. He also emphasised that it was not Frontex's goal to develop a theoretically sophisticated strategy, but rather one that is flexible and pragmatic.

During the discussion both Mr Muschel and Mr Koerner agreed the new IBM concept was in fact not so new. For Mr Koerner, the new approach was about speeding up the process, modernising structures and improving communication. For Mr Muschel, it was about bringing in more consistency. He said that the novelty is that there will be an EU IBM Strategy and corresponding and consistent national strategies. By contrast, Mr Mouton pointed out that for the member states, the EU IBM Strategy poses a challenge, as it completely changes the way national borders are to be managed. Until recently, member states developed such strategies independently, but now they will need to align them with EU requirements. This will require a reshuffle in national administrations, and closer cooperation with Frontex and other member states. Mr Jarillo warned that we should keep our expectations in check regarding the effectiveness of the new system, because there will be differences among the member states in the speed of implementation. He also pointed to the issue of resources, which could impede the implementation process. Representatives of Frontex and the Commission gave assurances that there were sufficient resources, although they acknowledge that utilisation might initially pose some problems.

The debate ended with a question from the audience about the chances for approval of the Commission's political guidance by the EU institutions, in particular the Parliament. In response, Mr Muschel said he does not expect difficulties from the side of the Council, but Parliament might be concerned about issues such as data protection and fundamental rights. Nevertheless, the Commission's intention is to frame the guidelines very broadly, to ensure they will be acceptable to all stakeholders.