

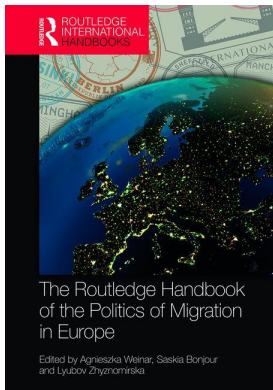
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RISK ANALYSIS AS A GOVERNANCE TOOL IN EUROPEAN BORDER CONTROL

Regine Paul

Introduction

Since the foundation of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) in 2004, a growing body of scholarly work has examined the role of Frontex risk analysis in European border control, one of the agency's chief – and ever expanding – mandates. While Frontex is also involved in border control in a more obviously operational sense – from training border guards and standardizing technical equipment to coordinating joint operations in border control – risk analysis forms a less visible underbelly of external border management. The agency itself considers 'risk analysis as a corner-stone of the management of external borders ... [and] a tool to contribute to greater management coherence' across member states (Frontex, 2012, p. 7). Risk analysis is used, for example, by the European Commission to decide on operational priorities and the distribution of Community funding in the border control domain, but also to plan unannounced visits to inspect member states' compliance with the Schengen Borders Code (Paul, 2017a). Migration control is a vital component of border control and related risk assessments in the European Union (EU), but it is flanked by other border-crossing issues such as smuggling, terrorist crimes or trafficking. As Frontex risk analysis considers border risks jointly, this chapter also reflects on the uses of risk analysis in border control more widely, all while trying to draw out major implications for European *migration* governance specifically.

Irrespective of its political prominence, risk analysis in the border control domain – understood as an actuarial calculation of the probability times the expected adverse effect of a societal harm – is not easily compared with the more technocratic sciences and technology domains from which it emerges. To complicate things further, it is set in a rather weakly integrated domain compared to food safety or medicinal safety where EU-level agencies operate as dominant risk assessors and regulators.

To evaluate and discuss the role of risk analysis in European migration governance, this chapter examines how scholars of European migration and border control have conceptualized the functions of Frontex risk analysis. In doing so, it also focuses on whether the relevant conceptualizations depict any *specifically European* features in the governance functions of risk analysis.

In existing studies, Frontex risk analysis is discussed in two rather distinct – though not incompatible – contexts: (1) as a Foucauldian governance tool to normalize border and migration

risks as scientifically assessable risks which contributes to the securitization of migration (e.g. Carrera *et al.*, 2013; Carrera and den Hertog, 2015; Huysmans, 2000; Léonard, 2010), and, more rarely, (2) as a rationalization tool which helps institutionalize EU-level responsibility for border control (e.g. Neal, 2009; Pollak and Slominski, 2009). A review of both strands of the literature forges the chapter's overarching claim, namely: that the 'EU-ness' of Frontex risk analysis lays not so much in its use as a securitizing assessment tool, but in its enabling functions for the non-mandated emergence of the Community as a genuine, and increasingly dominant, high-risk regulator.

I begin with brief overview of Frontex' risk analysis mandate and its peculiar location within the wider field of EU risk regulation, based on documentary research on the agency and a review of scholarly work on EU risk regulation in the sciences and technology domains. I then discuss scholarly work on risk analysis and securitization, and on risk analysis and the institutionalization of EU-level border control as the two main strands of research in this field. These sections draw on extensive secondary research as well as illustrations from the author's own empirical analysis of a dozen primary documents on Frontex risk analysis and semi-structured interviews, conducted in 2015, with seven risk analysts and strategists at the agency itself and in DG Migration and Home Affairs (Paul, 2017a). The conclusion illustrates how Frontex risk analysis speaks to notions of European exceptionalism in the governance of migration and borders and offers an outlook on future developments in this field of migration studies.

Frontex' risk analysis mandate

Frontex was set up in 2004 with the aim of 'improving the integrated management of the external borders of the Member States of the European Union' as part of the Schengen acquis (Council of the European Union, 2004, article 1.1). This mandate has included risk analysis at its core: 'The Agency shall develop and apply a common integrated risk analysis model. It shall prepare both general and tailored risk analyses to be submitted to the Council and the Commission' (*ibid.*, article 4). Frontex provides the required analyses via a dedicated risk analysis unit (RAU), whose most relevant product is the annual risk analysis (ARA). In addition, there are quarterly reports by the Frontex risk analysis network (FRAN) as well as special risk analyses on the Western Balkans and the EU's Eastern Borders. There are also ad-hoc briefings – weekly if required by Frontex customers – on singular emerging risks, often in response to specific informational needs of the Commission or the Council (see Horii, 2016).

Regarding migratory movements, Frontex typically publishes general statistical information on regular border crossings, detection of irregular border-crossing attempts or irregular migrant residents, and the composition and modus operandi (e.g. irregular document fraud or abuse of legal entry) of migratory flows. Its risk analysis reports also contain information on chief institutional and policy changes in EU member states and reflections on how these may influence irregular crossings. They typically depict the major border risks followed by suggestions for mitigation. For example, the ARA for the Western Balkans in 2014 identified increasing irregular crossings of the green border between Montenegro and Albania with large-scale secondary movements into the EU. To mitigate the risk of irregular entries into the EU via Montenegro, the report recommended the increased use of motion sensor cameras at this border section (Frontex, 2014, p. 27).

The strong focus on risk analyses predates Frontex: the Seville European Council in 2002 had already stressed the importance of developing a so-called 'common integrated risk analysis model' (CIRAM) as a basis for establishing further cooperation in border management, joint operations, and more harmonized training for border guards. Consequently, in 2003, the

Council promoted the establishment of a Risk Analysis Centre (RAC) in Helsinki. Both CIRAM and the RAC have been integrated and further institutionalized under the umbrella of Frontex. Importantly, the CIRAM is not only applied within the EU and Schengen Associate Countries, but also features prominently in the EU's cooperation with European neighbours. For example, the Risk Analysis Network for the Western Balkans (including Albania, Bosnia and Herzegovina, Montenegro and Serbia) uses the same methodology as does the RAU (cf. Frontex, 2014).

Risk analysis is not just one of the agency's functions among many, but has been described as the 'inner core of the methodology of Frontex' by its first Executive Director, Ilka Laitinen (House of Lords, 2008, p. 25). The agency itself considers risk analysis as 'the starting point for all Frontex activities, from joint operations through training to research studies' (Frontex webpage, accessed 18 June 2015). An agency representative even argues that 'all of Frontex should be risk-based; everything the agency does should be justified by risk analysis' (interviewed 3 February 2015, Warsaw).

How does this relevance of risk analysis in self-descriptions play out in practice? Frontex risk analysis products usually contain recommendations for migration control operations (e.g. an introduction of motion sensor cameras or deployment of additional staff at particular border sections) or changes of legislation to facilitate control (e.g. authorizing the exchange of digital fingerprints) (Frontex, 2014). Moreover, Frontex risk analysis serves as the litmus test for the necessity of proposed Community-level border control operations and funding decisions, including, for example, the allocation of resources from the Internal Security Fund (i.e. a Community funding scheme to promote, inter alia, the management of external borders). In this case, member state funding applications are reviewed and selected by the Commission based on evidence from Frontex risk analysis and Eurosur impact level assessment (which is itself highly dependent on Frontex risk analysis) (Paul, 2017a). Risk analysis must further be used to justify any joint operation or rapid intervention at the EU's external borders. Member states are equally required to take the ARA into account when devising their own border control priorities. They are assessed against Frontex risk analysis within the Schengen evaluation mechanism, a recently reinforced inspection system to ensure member state compliance with the Schengen Borders Code. Indeed, the Commission relies on the ARA to schedule its inspections and set regional and thematic priorities for the evaluation period. Unannounced inspections must be based on risk analysis and Frontex can recommend visits of high-risk sites (Council of the European Union, 2013, article 7; cf. details in Paul, 2017a).

The importance attributed to Frontex risk analysis is also reflected in the agency's budget: while it decreased overall from 58.9 Mio € in 2012 to just over 55 Mio € in 2014, funds for risk analysis more than doubled from 2.45 Mio € in 2012 to more than 6 Mio € in 2014 (joint operations were cut down in that time period, by contrast). Under the impression of the refugee crisis the agency's budget skyrocketed to 254 Mio € in 2016 and funds for risk analysis more than doubled again, to 13.68 Mio € (Frontex webpage, accessed 11 December 2016). Though largely desk-based and comparatively inexpensive, risk analysis has constantly been the second largest item in the agency's budget after joint operations, only being overtaken by the new budgetary item 'return support' in 2016 in response to the refugee movements. Scholars conclude that risk analysis 'forms the basis of its entire range of activities' for the European border agency (Pollak and Slominski, 2009, p. 911), which plays a role that is 'equally important as border checks and surveillance' (Horii, 2016, p. 246).

The peculiarities of Frontex risk analysis in the EU risk regulation field

In general, risk analysis is based on a mathematical operation that multiplies the likelihood and expected impact of adverse outcomes to determine risk levels. Actuarial calculations count as a rational foundation for regulatory decisions (e.g. whether to ban a substance in production or at what level to set exposure thresholds) when faced with uncertainty about whether a risk materializes as an actual harm. Rather than tossing a coin and risk under- or over-regulation, risk analysis is believed to produce more efficient and effective regulation (OECD, 2010). Frontex' risk analysis mandate is marked by two peculiarities when compared to similar tasks of EU agencies in other risk regulation domains. It is important to spell these out upfront, because they set the scene for the scholarly debate on the role of risk analysis in European border control that we will discuss in the subsequent two sections.

First, the scientific foundations for risk assessment in the migration domain are rather weak compared to the health and safety domains traditionally using risk analysis. This has raised the question of whether and how risk analysis 'securitizes' migration, rather than simply assesses it. Second, the high importance attributed to risk analysis cannot belie the EU's weak mandate for border control and the comparatively weak agencification of the domain. This led scholars to consider whether and how risk analysis itself may serve as a remedy that helps institutionalize EU-level border control.

Addressing the first peculiarity – the weak scientific foundations for risk assessment – Frontex risk analysis has to be contextualized in the EU's wider engagement as a risk regulator. The EU has been very active in risk analysis and risk management in domains such as consumer protection, environmental protection or work safety and has created several high-level agencies to assess and regulate risks. The first official introduction of a distinct risk analysis methodology came with the 1997 Communication on Consumer Health and Food Safety, sparked off by the BSE crisis and resulting in the creation of the European Food Safety Agency (Delogu, 2016; Vos, 2000). Since then, the EU's involvement in risk regulation, including, importantly, assessment, is usually justified with the trans-border character of risks (such as food contamination or radiation, arguably beyond the scope of individual member states) and the need to facilitate free movement on the common market while also ensuring high safety levels for citizens (see Sza-jkowska, 2009, on the case of food safety).

At first sight, migration seems to fit in well with the usual narrative of required EU risk regulation: it is a border-crossing issue, exposes the inability of individual states to enforce borders fully in a subsidiary manner, but also touches upon the EU's desire to uphold a permissive regime of free movement within the (relatively) border-free Schengen Area all while controlling 'unwanted' movements. Beyond such generic features which seem to justify EU involvement, migration is discussed as a rather non-scientific risk: '[u]sing the traditional natural sciences as a benchmark, Frontex' field of activity cannot be described as highly technical or scientific ... there is very little established science within the field of border control' (Ekelund, 2014, p. 111). This is because neither the usually examined dose-response relationships between contaminants and extrapolated reactions in human organisms (e.g. in the establishment of the carcinogenicity of a pesticide), nor assessments of probabilities and impact of adverse outcomes (e.g. in the EU's flood risk mapping), can easily be applied in the migration case. Normative judgements can never be escaped in risk assessment and controversies certainly also surface in highly scientificized fields (cf., Shrader-Frechette, 1990; Stone, 2012), as the contemporary debate about the weed controlling pesticide Glyphosate shows. In the migration case, however, controversy reaches much deeper than that: whether irregular border crossings can and should be equated, by use of similar risk assessment methodologies, to asbestos exposure at the work place or pesticide

residues in fruits is a highly political question of itself. In addition, any assessment is riddled with especially grave methodological problems of prediction both of the probabilities of irregular border crossings (as we deal with moving and highly adaptable ‘targets’ as nicely reflected in Frontex’ terminology of ‘modus operandi’) and their adverse impact (as treating the effects of migratory movements as adversity is itself highly controversial compared to work-related cancer deaths or food-borne sicknesses).

The second peculiarity addresses the weak integration of the border control domain and the weak agencification of Frontex, especially when compared to highly integrated risk regulation with powerful agencies in food safety, chemicals safety or pharmaceutical safety. In the former case, for instance, risk analysis is an EU-level coordinated process which is coupled with highly integrated standard-setting procedures and a far-reaching harmonization of enforcement principles (Borraz *et al.*, 2016).

Certainly, Schengen countries have intensified coordination on border control operations since the Schengen Convention in 1985. They systematically exchange and pool all relevant information, with Frontex acting as a crucial information hub, and the Schengen Borders Code even lays down common rules for local border guards’ control practices (cf. Mungianu, 2013). Despite such harmonization progress, the enforcement and implementation of border controls remain ‘a matter of member states and their administrative authorities’, with the role of the EU being limited to ‘coordinat[ing] their responses’ (Boswell and Geddes, 2011, p. 145). As contemporary reactions to increased refugee movements from the Middle East indicate (e.g. reinstatement of internal controls or fence-building), border control is a highly politicized policy domain in which nation-states are unlikely to cease their sovereignty.

Not surprisingly then, Frontex’ mandate for managing member state cooperation on external border control remains embedded in a governance structure pertained by ‘features of intergovernmental cooperation’ (Mungianu, 2013, p. 361; cf. Ekelund, 2014). With the agency’s management board entailing one representative per EU country plus only two delegates from the Commission, Frontex’s activities are closely checked against member states’ interests and their sovereignty concerns. Its peculiar half-independent nature, somewhat stuck between a loose network and a fully-fledged agency (Wolff and Schout, 2013), makes Frontex a rather weak agency compared to the European Agencies for Food Standards, Chemicals or Medicines (European Food Safety Authority (EFSA), European Chemicals Agency (ECHA) and European Medicines Agency (EMA)). Unlike those, Frontex is not a regulatory agency in the strict sense of the term as its powers are formally restricted to information gathering, evidence exchange, and the coordination of operations and interventions agreed upon by member states.

Risk analysis and the securitization of migration

Most scholarly work about the securitizing impetus of Frontex risk analysis draws, more or less explicitly, on the peculiar non-scientific character of such analysis and reflects critically upon its regulatory uses and goals. Such approaches are set in a larger field of research – critical security studies – which has addressed the ways in which European migration and border control policies ‘facilitate the creation of migration as a destabilizing or dangerous challenge to west European societies’ (Huysmans, 2000, p. 753) and defines them as Foucauldian securitizing discourses. This particular angle exposes that, while ‘migration risks’ remain notoriously contentious and hard to assess, what matters is that their discursive construction as assessable and manageable adverse events, which readily lend themselves to risk analysis techniques, contributes to the securitization of migration. By making the CIRAM methodology an integral part of the EU’s cooperation with neighbouring countries and regions, Frontex exports not just its definitions of

risks and methods of assessment but also any securitizing recommendations in migration control far beyond the confines of the EU.

The securitization critique is usually underpinned by an epistemological problematization of the notion of risk itself: a hegemonic rationality project which seeks to ‘secur[e] uncertain futures’ (Amoore, 2013, p. 55; on the notion of border risks more generally speaking) based on a seemingly ‘neutral’ and ‘objective’ calculation of probabilities and impacts of ‘adverse’ events and suggests that decisions can be ‘easy, automated, or preprogrammed’ if only we get our risk analyses right. This reflects a wider bifurcation in risk studies between (a) scholars emphasizing the problem-solving capacities of risk analysis and risk-based decision-making and demanding more and better risk information including risk perceptions of lay people and stakeholders, and (b) critics of risk analysis who deem it mainly as a governance tool which disguises highly normative judgements about harms, benefits and costs related to risks (cf. Paul, 2017b). The argument in the latter camp would be that, through its very application to the case of migration, risk analysis normalizes migration-related border risks as scientifically assessable risks, discursively equates them to the health threats usually targeted with risk analysis in food safety and related domains, and, eventually, legitimizes pre-emption, prevention and enforcement activities which are ‘usually reserved for emergencies’ (Boswell, 2007, p. 589). Similar dynamics have been observed in relation to the construction of terrorism risks and their regulatory pre-emption (Amoore, 2013; Aradau and van Munster, 2008). While ‘security discourses and technologies penetrated the Europeanization of migration policy’ at least since the 1980s (Huysmans, 2000, p. 756), the contemporary centrality of Frontex risk analysis as a decision aid for the Commission, member states and Frontex itself can be interpreted as a new epistemological foundation of older securitization discourses.

Extended surveillance, anticipatory discrimination based on algorithms, and enforcement operations on the Mediterranean count as examples of risk technologies that respond to states of emergency in a routinized manner. Matthias Leese, for example, discusses the use of risk analysis in the programming of digital borders (e.g. differentiated visa controls based on algorithms) as an example of securitization in breach of anti-discrimination rights:

In security governance, the future must necessarily be rendered actionable by folding it back into the present, but the technique of folding is undergoing change as its tools are reassembled and recombined. New forms of algorithmic risk assessment remove the mechanisms of security governance from the eye, leaving behind a new series of hyper-rationalized discrimination issues that pose major hurdles for the legal tools of traditional anti-discriminatory safeguards.

(2014, p. 506)

Others have pointed to risk analysis’ uneasy relationship with liability and accountability for decision-making at the border, for example in the infamous pushback operations (Carrera *et al.*, 2013; Carrera and den Hertog, 2015). In this context, the application of risk analysis in actual border enforcement would ‘foster processes of insecurity of “migration”, particularly of irregular migration, whereby economic and undocumented migrants as well as asylum seekers are constructed as “risk” or “threat” for the Union and Member States’, all while limiting their options for appeal (Carrera *et al.*, 2013, p. 349). Risk analysis does not just securitize migration from the viewpoint of the EU; rather, it insecuretizes the migrations and livelihoods of those deemed ‘risky’. Such insecuretization is the result of a detachment of decisions from questions of individual rights, whose enforcement becomes increasingly difficult vis-à-vis the disguise of the normative foundations for risk assessment and the blurring of legal and political accountabilities for risk-based decision-making at the border.

We cannot, and do not wish to, settle the query of whether securitization (and depoliticization) via risk analysis is an intentionally ‘disguised’ goal of Frontex, the Commission, or the Council or whether agency strategists and border control actors truly believe that scientific risk analysis is both applicable and desirable in the migration domain. It seems clear, however, that the agency itself invests highly in presenting its role in a scientific and politically impartial fashion. Frontex describes its mission as a neutral provider of intelligence: ‘to gather situational pictures based on intelligence and by analyzing the situation to assess changes, risks and threats with possible impact on the security of the EU’s external borders’ (Frontex, 2009b, p. 29, cited in Léonard, 2010, p. 242). As stated by an agency spokesperson: ‘We create an evidence base for decision-making that takes place elsewhere, in the member states or with the Commission.... But we do not do policies ourselves’ (Frontex public relations officer, interviewed 2 February 2015, Warsaw).

Overall, securitization studies warn us not to treat the agency’s self-proclaimed interest in offering depoliticized intelligence based on risk analysis at face value. Indeed, Léonard (2010, p. 242) argues that the claim of ‘intelligence’ (over neutral alternatives such as information or data) is itself revealing of the securitizing impetus of risk analysis, as it rehearses military jargon used in national security policies. When interpreted from a securitization angle, Frontex risk analysis emerges as a Foucauldian governance tool (i.e. a *technique* to govern) which normalizes migration as a risk and connects to this the requirement of similarly ‘programmed’ regulatory answers as in the case of pesticide residues in our lunches – ignoring both the non-scientific character of migration risk analyses and the fact that, unlike pesticides, migrants travel with a set of formally protected human rights and can be ‘banned’ less straightforwardly than the use of a weed control substance on European fields.

Risk analysis and the institutionalization of European border control

Several scholars have argued that, rather than merely constituting a securitization of migration, Frontex risk analysis must also be interpreted as an attempt to (a) legitimize Frontex as an organization and to (b) institutionalize border controls as a genuine Community task. We consider both points in turn.

Drawing on neo-institutionalist organizational sociology, Boswell (2007, p. 604) has highlighted that the agency’s goals ‘may be just as much geared to responding to internal requirements – for example legitimizing decisions or reducing uncertainty within the organization – as they are concerned to respond to perceived pressure from the environment’. This suggests that risk analysis, rather than merely targeting the ‘societal risks’ associated with migration, as assumed in the securitization debate, may respond to ‘institutional risks’ – specifically, legitimacy and reputational risks hinging on organizational performance, accountability and the potential of organizational failure (Rothstein *et al.*, 2006, pp. 99–103). Scholarly writing on the rise of so-called risk-based regulation has tracked the emergence of risk as a heuristic for (rather than object of) regulation in attempts to manage the ‘institutional risks of risk regulation ... [as] an attractive concept for rationalizing the practical limits of what regulation can achieve and rendering given degrees of regulatory failure acceptable’ (Rothstein *et al.*, 2006, p. 99f, 2013; cf. Rothstein, 2006; Paul, 2017b).

Frontex faces very particular institutional risks given its weak agencification (with strong member state influence) and the comparatively low degree of European integration in the domain: the risk of being held accountable for regulatory failures it could not influence itself and which member states (or the Commission) deem as emergencies. Neal shows, for instance, that we can conceive of risk analysis as the agency’s chief remedy for responding to member state pressures to react to what they perceive as states of emergency:

while Member States speak of ‘urgency’, for the most part FRONTEX speaks ‘risk’ as a series of quiet, professional, technical practice ... ‘security’ ... sits alongside the (perhaps deliberately) less controversial discourse of regulation, best practice, training, co-ordination and management.

(2009, p. 351)

One important function of risk analysis when countering institutional risks, drawing on the literature on risk-based regulation, is that it enables procedurally efficient regulation and enforcement (though not necessarily optimal outcomes) by setting priorities in high-risk areas while accepting some adverse outcomes in low-risk areas (Majone, 2010). This is clearly rehearsed in the agency’s self-legitimization: ‘If your budget is limited and capacities for border control are limited, while flows remain the same or grow or become more complex, you have to know where exactly to provide support’ (Frontex risk analyst, interviewed 3 February 2015, Warsaw). Indeed, officials readily admit that ‘there are areas in Northern Lapland which are not really patrolled at all because the terrain is difficult for crossings and there is two meters of snow half of the year’ (DG Home Affairs policy analyst, interview 25 March 2015, Brussels).

Illustrative examples of how Frontex risk analysis is used to rationalize and channel member states’ emergency claims are the Eurosur impact level assessment and the related allocation of means from the Internal Security Fund (cf. Paul, 2017a). In the context of the information exchange system Eurosur, Frontex regularly risk assesses more than 200 external land and sea border sections in the Schengen Area according to their level of irregular crossings and cross-border crimes risk (‘impact level’). Risk analysis results in a typical traffic light model, distinguishing between unacceptable (red), tolerable (amber) and acceptable (green) risk levels for each border section, based on a detailed qualitative catalogue of indicators and scenarios. The Commission then proposes an escalating set of interventions proportional to the various risk levels:

- for low-risk sections, routine local border checks are put in place;
- for medium-level risk sections, national priority setting is required to aid local border guards;
- for high-risk sections, the eligibility for Frontex joint operations and EU-level financial support is acknowledged (for example via the Internal Security Fund).

While in general, ‘[m]easures to be taken to reduce these [risks] remain the responsibility of individual member states ... in the case of ‘high impact level’ [i.e. high risk] border areas, member states may request operational assistance from Frontex in the form of a joint operation or rapid intervention’ (Frontex website, accessed 17 July 2016).

The risk analysis underpinning Eurosur impact level assessment thus both justifies the conditions under which member states can access assistance from Frontex joint operations and limits EU-level support to high-risk situations only. In the case of the Internal Security Fund, Frontex is to provide evidence on submitted cases of ‘emergency’ based on its risk analysis and the Eurosur impact level assessment. Commission officials communicate clearly the limits of EU-level funding: following the EU’s subsidiarity principle, member states have to comply with the Schengen acquis by drawing on their own national resources and by devising their own enforcement strategies; ‘they cannot require the EU to assist in routine spending’ (DG Home Affairs policy officer, interviewed 25 March 2015, Brussels). As these cases illustrate, Frontex and the Commission risk-manage their own position in the multi-level migration governance in Europe by rationalizing Community-level financial and operational support based on a risk-based differentiation of legitimate versus illegitimate member state emergency claims.

Within this generally self-limiting impetus of risk analysis – a means to counter emergency support claims by member states and rationalize the limits of Frontex’ and the Commission’s responsibility – we are not to overlook how risk analysis simultaneously serves as a tool to institutionalize an increasingly powerful Community role in cases labelled as high risks. By linking funding, enforcement and operational decisions directly to the outcome of risk analysis and by limiting interventions to the red spots of the traffic light model, the agency and the Commission stylize themselves as genuine high-risk regulators – despite the officially weak integration and strong inter-governmentalism of the domain. In the Schengen evaluation mechanism, for example, a strict focus on risk analysis as informational basis de-politicizes highly sensitive inspection decisions and enforcement recommendations. The use of risk analysis and impact level assessment (which importantly includes indicators on countries’ preparedness to control even high-risk border spots) renders member states’ potential non-compliance with the acquis visible and comparable in a seemingly neutral manner (cf. Paul, 2017a). Risk analysis thus increases the enforceability of border control standards at Community level without openly questioning member state sovereignty, by allowing the Commission to ‘achieve improvements towards a more harmonized and effective border management without naming and shaming’ (Frontex risk analyst, interview 3 February 2015, Warsaw).

Conclusion

Migration scholars have captured the (growing) relevance of Frontex risk analysis in the governance of borders and migration in Europe in two distinct ways. On the one hand, risk analysis is interpreted as a Foucauldian governance tool that constructs and neutralizes migration (and other border) risks and legitimizes securitizing interventions based on these risk scenarios. On the other hand, risk analysis is perceived as an intra-institutional rationalization tool which (a) limits the responsibility of the Community – shifting any blame for failure to deal with ‘normal’ and residual border risks to member states – but which equally (b) institutionalizes a leading role for Community-level interventions when facing the high-risk scenarios depicted in Frontex risk analyses. Overall the literature depicts Frontex risk analysis as a multifunctional governance tool that ‘seeks to manage and regulate both migration and the practices of Member State border security apparatuses’ (Neal, 2009, p. 353) but, importantly from an organizational perspective, equally manages member state demands on the Community as well as enacting the Union as genuine high-risk regulator. Risk analysis thus seems to cater for the management of *both* external and internal pressures faced by Frontex and the Commission: the societal risks perceived in the context of irregular border crossings and cross-border crimes, *and* the specific institutional risks emerging from member state emergency claims.

One key query addressed by the handbook considers the degree of European exceptionalism in migration governance. In the context of this chapter, I suggest that the specific ‘EU-ness’ of risk analysis in the border domain lays not so much in its use as a securitizing assessment tool. Certainly, securitization by risk analysis is a widespread phenomenon which is well documented in other domains and also non-EU contexts (e.g. on young offenders: Gray, 2005; on pregnant women’s food choices: Mansfield, 2012; on counter-terrorism: Mythen *et al.*, 2013; on mental health governance: Szmukler and Rose, 2013). Rather, I propose that European exceptionalism is embodied in the enabling functions of risk analysis for a non-mandated institutionalization of the Community as primarily responsible for high border risks (risks defined as such by Frontex risk analysts themselves, of course). In other words: we learn a lot about the Union itself when examining its uses of Frontex risk analysis to clarify and enact its own risk regulation role. Frontex risk analysis must hence be understood as intrinsically tied-up with the European integration project and the specific visions of such integration which Community-level actors

– here the Commission and Frontex – seek to enact. This finding speaks well to insights on the governance of migration-related expertise in the EU, which depict knowledge generation as always innately intertwined with the generation of ‘politically specific and limited ... versions of ‘the’ EU to be governed’ (Carmel, 2016, p. 1).

The increasing importance of risk analysis as a magic bullet in solving coordination and subsidiarity problems in the multi-level governance setting of the EU has significant knock-on effects for migration governance also in wider Europe and in neighbouring countries in North Africa and the Middle East. By making the CIRAM part of coordination agreements (for example, as was the case with the risk analysis network in the Western Balkans), the EU, via Frontex, shapes the ways in which migration risks are understood, measured and eventually also responded to beyond the territorial confines of the Union.

By way of an outlook on future developments, the prominent role of risk analysis in migration and border control – and its particular use as an institutionalization tool for Community-level responsibility regarding the management of high border risks in the EU and wider Europe – provokes reflections on the future of European integration. First, the prominence of risk analysis is unlikely to evaporate: Frontex Executive Director, Fabrice Leggeri, announced that the substantial increases in the agency’s budget as a response to the refugee crisis will be distributed with a risk rationale in mind: ‘Risk analysis ... is an essential tool for deciding how these new resources should be allocated’ (Frontex, 2016, p. 5). Second, given the current political obstacles to deeper integration, we are likely to observe more instances of ‘regulation by [risk] information’ (Majone, 1997) where European integration advances more silently through informal procedures which can circumvent a formally weak Community mandate. Third, by way of exporting the Frontex risk analysis model to cooperating countries, the EU expands its influence over both risk assessment and risk management practices beyond any formal mandate. If it is true that ‘the most important resources of Frontex are not its legal powers or financial means but information and knowledge ... as a basis for cooperation, coordination and persuasion’ (Pollak and Slominski, 2009, p. 908), then the specific part played by risk analysis in European migration governance and its further integration, as well as in shaping the EU’s relationship with neighbouring countries, deserve more systematic scholarly attention.

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