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Stretched Arms: the governance problem of the Mediterranean and the complementarity of actions through the European Neighbourhood Policy

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Mestrado em Governação e Sustentabilidade do Mar

Orientador:

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ISCTE- Instituto Universitário de Lisboa

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Abstrato:

A presente dissertação pretende incidir sobre a dinâmica existente entre as variadas relações estabelecidas no Mediterrâneo, propulsionando as Políticas de Vizinhança (European Neighborhood Policy, ou ENP) desta região para uma estrutura de segurança/defesa. Através da análise de ações derivadas da Política Externa de Segurança e Defesa (PESC), transpostas pelo Serviço Europeu de Ação Externa, em conjunto com a Política Comum de Segurança e Defesa (PCSD) e a sua relação entre os diferentes atores, esta tese pretende teorizar os meios pelos quais uma cooperação fortalecida entre os Estados Membros, e os atores envolvidos nas relações compostas pelas ENP-União pelo Mediterrâneo podem carregar os objetivos e responsabilidades às quais sucumbimos anualmente em questões de migração, nomeadamente na rota central do Mediterrâneo. Compreendendo o peso dos compromissos diplomáticos no reforço da segurança da UE, quais são as pontas soltas que previnem a condução de uma governação próspera e desenvolvida do Mediterrâneo em matérias de segurança e Defesa?

Abstract:

The present dissertation approaches the dynamic between the wide array of relations established in the Mediterranean, propelling these region's European Neighborhood Policy (ENP) relations towards a securitization/defence framework. By analyzing the actions derived from the EU Common Foreign and Security Policy (CFSP), carried by the European External Action Service (EEAS), as well as the Common Security and Defence Policy (CSDP) and their relationship between different actors, this thesis intends on theorizing the means through which a stronger cooperation between EU Member State's and those presently engaged in the ENP-Union for the Mediterranean (UfM) relations can carry the goals and responsibilities that we succumb to

yearly in matters of migration, namely the Central Mediterranean route. Comprehending the weight of diplomatic engagements in the enhancement of EU security, what are the missing links that prevent the conduction of a prosperous and developed governance of the Mediterranean in matters of security and defence?

Introduction

The complexity of this new European dynamic, especially after the enlargement of the European Union in 2004, raised a necessity of not only to granting stability to the new members of the European Union (EU), while at the same time engaging in the same prospects with its new neighbors. Unable to dismiss the history of the recent implementation of democratic values within the countries surrounding the EU, and therefore considering it still as a relatively unstable period at a political level, while debates are still raging around the adequate response to the migratory inflows that the Union faces.

In this sense, the European Neighbourhood Policies were born as a cooperation system that would promote a more intimate outlook between the Eastern European Countries as well as Southeast countries, while at the same time analyzing the Southern matters which engage in a higher complexity level due to its difficult character in regards to control of this space, namely as it was shown during the refugee crisis in 2015.

It's within these ideas of cooperation at an economical and security level, while pondering diplomatic situations in which we engage that we intend to approach the neighbourhood policies, namely at the southern of the Mediterranean, which we deem as being more fragile in matters of security.

The present thesis does not intend to pursue an analysis on the largely discussed contents that relate to the 2015 migratory crisis, which occupied all spaces of debate, arbitrarily reinforcing nationalist narratives, xenophobic and even anti-europeanist, propelling far right parties into the political spotlight. Our goal incurs in the discussion of security and cooperation matters within the spaces we have apparently left as a gaping wound from which we still haven't been able to properly heal, and from here the importance of the Mediterranean arises as a space in which a tight cooperation should be pushed in order to better protect the EU, while also responding with actions that could prevent tragedies.

Through an analytical perspective we intent to analyze the current framework of security and defence strategies of the Mediterranean, comprehended by the European Neighbourhood Policies, in cooperation with the diplomatic relationships by it established through the Union for the Mediterranean framework, immediately establishing a distinction between entities that cooperate directly with countries exterior the Union in regards to security and defence, as it's the case for EUROSUR (which only gathers the European MS's and considers the aspects of security and defence between themselves), as well as the NATO Mediterranean Dialogue,

which we won't take into consideration due to the fact that it's a project that isn't directly lead by the EU.

The question which we intend to answer is:

- How can the EEAS use the ENP framework towards a prosperous and developed governance of the central Mediterranean?

With this question we propose the comprehension of the ENP as the key for Trans-Mediterranean cooperation in matters of security and defence, with the goal of responding in an enhanced and holistic fashion with all the current members and actors, avoiding the existence of security vacuums and breeches. At the same time the present question hopes to engage with the EU's future endeavors.

Methodology

The present dissertation will be composed by three chapters, each of them leading the way onto the final question proposed. In order to obtain the correct sources, we pushed for an investigation of the classics and other renowned authors within the security and globalization field. We believe that using established works and official documents will comprehend the best way to achieve the goals of the present thesis as a study of the current problems, and the way in which we can apply existing structures and their framework towards the resolution hereby proposed.

The hypothesis we promote here stands as the comprehension of the ENP's diplomatic work as an effective strategy towards the solution of the migration crisis faced within the central Mediterranean. We will therefore identify the different elements involved within the securitization and defence of the Mediterranean, namely those that extend from the EU.

We view this methodology as the most adequate way of engaging an enhanced focus on cooperation, due to the fact that the documents under study already compromise a majority of the goals proposed.

The establishment of concepts will flow from the understanding of the EU as a culmination of soft powers, versus the past world order establishment of a hard power situation, and focusing on the current definition of a "fast" power as described by Friedman (2000, pp. 213-247). In order to compose this situation, we intend to analyze Clausewitz for the form of "hard power" which dominated the classical world order, followed by Joseph S. Nye Jr. for the soft power approach definition, and finally using Thomas L. Friedman for the comprehension of the fast power that can be currently perceived in international relations.

While comprehending the security and defence necessities of the EU, we acknowledge that the global importance it currently carries stands on its influential nature, and thus we find the Common Security and Defence Policy (CSDP), and its evolutions, as well as some of its branching, as its the case for the ENP. Consequently attached to it, we find the relationship established with the Southern Neighbourhood, also known as Union for the Mediterranean (UfM). We thus convey our goal through the biggest member (CSDP) and gradually reduce the scope of our study, focusing on the Central Mediterranean and the actors present in it.

During this process, we intend to characterize the different concepts within a chronological order, starting with the Common Security and Defence Policy, and later on the UfM to reduce and specify our spectrum of action.

While we convey the importance of diplomatic works (the main goal of the ENP), we also intend to connect it with the currently active structures that are physically present in the Mediterranean, analyzing legal documents, and composing their reach as well as the grey areas. The goal with this method is to consolidate what is currently causing security breaches within the EU action in the Mediterranean, as well as acknowledging what structures need to be coordinated.

Therefore, the goal with this method is to verify the hypothesis supra-established, through the study and critic of the official documents at use, while proposing the way in which an enhanced cooperation structure could fundamentally improve the results aspired.

Chapter 1 will therefore be the composition of all concepts (conceptualization) required to understand the connectivity of the different agents at hand, namely through the analysis of their structure and connections that are made in regards to the Mediterranean.

Chapter 2 will enhance the notion of the construction of a coordinated response regarding security, through the efficient utilization of the means presently disposed, while connecting the nature of the different institutions to the purpose of securitization and defence of the Mediterranean, as well as introducing the existing infrastructures dedicated to such responsibility.

Chapter 3 will comprehend the nature of the Central Mediterranean route, its fragility, as the relationships shared between the EU and the countries from which such flows depart. Through this analysis we intend on providing evidence of this possibility of cooperation.

Chapter 4 intends on connecting the EU's cooperative nature, the possibility of cooperation with the other side of the Mediterranean basin due to previous engagements of extreme similarity, the possible enhancement of PESCO's projects and activity towards this purpose, while strategizing the ways in which the EU may benefit from this approach.

Chapter 1- Conceptualization

The present chapter intends to establish the main concepts out of which we will guide ourselves. Comprehending the nature of the European Union and its agents, we determine which ones will fulfill the purpose of the present thesis and gather a response to the Central Mediterranean crisis.

1.1 Security Globalization

It's important to connote the present world order by being under the constant pressure of expansion and circulation of people and goods, namely as a direct effect of both globalization and technological advances by it promoted. Hereby new terms have to be pondered, namely in regard to the notion of security globalization.

For the present dissertation, we've decided to focus on one of the first characterizations of the term theorized by Victor D. Cha, approaching on specific areas namely regarding migration and the risks incurred.

As the circulation of people and ideas reaches constant highs, Cha (2000, p. 392) adds the problematic that stems from it, as internal sovereignty faces new struggles within the public and private sectors (Reinicke, 1997). Thus, we also find the most complex part of globalization within "who are we allowing in?", which in consequence complexes what we perceive as a threat in international relations, followed by the recognition of the ways in which security no longer comprises the relationship between nations, and enhances that threats may arise from non-state groups or individuals.

It's to be comprehended the favourable impact that the circulation of ideas brings upon the social and economic development of nations, notwithstanding globalization has also permitted the enhancement of criminal activity, out of which we highlight Cha's enumeration, and we cite "drug smugglers, political terrorists, criminal organizations, and ethnic insurgents to carry out their agenda more effectively than ever before"(Cha, 2000, p. 394). While carrying the poignant conclusion, "(...) the security solutions to these problems in terms of enforcement or containment increasingly are ineffective through national or unilateral means" (Cha, 2000, p. 394), leading the way to the ideas contained in the present dissertation: multilateral security cooperation, comprised within the range of current EU influence circles.

1.2. Hard power versus soft power

For the present dissertation we intend on pursuing a classical overview of the power relations established between states, while we also incorporate them onto the power dynamics within the current world order.

Clausewitz understands the dynamics of war as the persecution of diplomacy through different means (Clausewitz, 1997, pp. 49–50), thus comprehending “hard power” and its influence as the way to push a state’s will upon another’s. It comprehends military force, and access to the most modern weapons.

Regarding the construction of the contemporary approach to “soft power”, Joseph Nye connotes it as, and we quote: “the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country's culture, political ideals, and policies. When our policies are seen as legitimate in the eyes of others, our soft power is enhanced.” (Nye, Jr., 2005, p. 10). Through this we entitle diplomatic means and the influence of economic power in today’s world as a force to be reckoned with, limiting “hard power” to extreme situations where their independence is under threat, or they find themselves in circumstances of violence between “non-state groups” (Nye, Jr., 2005, p. 10).

For the present dissertation, we also find relevant to include Nye Jr.’s (2005, p.10) approach to “soft power” as the cue to dealing with terrorism, as well as to implement situations of multilateral cooperation.

Finally, we enhance this soft power approach with the notion developed by Thomas L. Friedman on the speed of nations, or “fast power” (Friedman, 2000, pp. 213-215) as a determinant factor both in the way we produce politics, but also as the component of the power of digitalization and modernism, while it composes the distinction of economically powerful nations in the era of globalization. By establishing a prosperous economy as an influential aspect of “soft power”, we’re forced to understand that today’s most powerful nations are the one’s willing to develop themselves and keep up with the latest technological evolutions, in similitude to when they tried to upkeep with the latest weaponry developments. Nonetheless, although the EU promotes development, we do not constitute a particular technological hub, therefore unable to fully empower ourselves within this new dynamic presented.

The EU, as a developed conglomerate of nations, becomes a very attractive migration destination. As we develop ourselves and constantly allow for the implementation of the latest technologies, we intend on keeping our status as an economically and prosperous union, for this

is the way we're willing to establish ourselves and our foreign interests. Being surrounded by neighbours whose situation hasn't allowed for the *upkeeping* of said developments, which poses constraints and emphasizes situations of poverty, the EU was forced to be aware of its attractiveness and how migration from multiple African countries can originate hardships in its midst.

This technological development is equivalent to power. And therefore, although unable to construct a dynamic based on how technological advanced the EU is in comparison to the rest of the world, it's able to push for access to this power.

This understanding is what currently stands behind the European Neighbourhood Policy and the way the EU relates to its neighbours. By participating in their development, the EU intends on minimizing disparities between its interior and periphery, leading to the reduction of migration flows at a long-term goal.

1.3. The Common Foreign and Security Policy (CFSP)

The 1993 Treaty of Maastrich established itself as a consolidating process in the auspices of the most modern form of the European Union, during a moment that preceded the conceding of an Economic and Monetary Union (EMU) within the European Community. It comprised of a revolutionary and impactful moment in the history of modern Europe, that unified Member States (MS) under the common goal of coordinating economic policies. We can therefore describe the present Treaty as the result of an ever-growing chaining of ideas and necessities that arose from EMU, that led to the consideration of the MS's of the European Community to assess a stronger European integration, that could also respond to the great world challenges that marked the decade.

The 17th of January 1990 constitutes the date in which Jacques Delors presented the Commission's annual program to the Parliament and suggested that this intergovernmental conference should not only pursue EMU matters, but also extending it towards institutional aspects. This moment would comprehend the proposal of three main ideas that were to characterize the Political European Union under debate. These were, and we cite "the amelioration of the institutional functioning, the reinforcement of democratic legitimacy, and the development of the external dimension of the Community" (Martins, 2017, pp. 100-101). This moment ignited drastic reforms were to be done to the Treaties that composed the community at that moment, at that would elevate into an integrated political union.

By December 15th of the same year, in Rome, the first discussions in regard to the Common Foreign and Security Policy (CFSP) were held, as well as the other main “pillars” under which the present Union was to be based on.

Finally, in 1993, the Treaty of Maastricht (also known as Treaty of European Union, or TEU) was rectified, and the framing of the goals in regard to political, social, and economical matters, namely with the creation of organs with the competency to celebrate the aimed goals, which were: The European Council, the European Union Parliament, the EU Council, the EU Commission, and the Court of Justice of the European Union (CJEU). However, this treaty also predicted itself to be a temporary instance, that would imperatively have to be further consolidated.

The present Treaty did not aim to overpower sovereignty of the States; however, it consolidated the way in which the community would act. This aspect is immediately established by Declarations 13 and 14 annexed to the present Treaty which states, and we quote: “the CFSP provisions do not affect 'the responsibilities of MSs for formulation and conduct of their foreign policy'. The Treaty gives the EU legal personality; however, unanimity in decision-making and relatively limited roles for the European Commission and for the European Parliament reflect the continuing intergovernmental nature of CFSP” (Stanicek, 2021). The same natures comes once again to be reinforced in Research by ARENA, University of Oslo and Sjurssen where it’s composed the dependency of International institutions, subscribing the CFSP as such, and the necessity of common interests and/or a common external threat in order to enhance the co-operation nature under promotion by these institutions.

A second moment regarding the establishment and further construction of this new political union is found with the Treaty of Amsterdam in 1999. This Treaty contributed to an approximation of the intergovernmental pillars previously exposed, between which we find the CFSP, while reenforcing democratic legitimacy in the Union, and consequently the role of the citizen. Through this moment came the strengthening of the role of national parliaments by enabling a Protocol which would extend them the control for governmental action in regard to European matters, through the timely transmission of the legislative proposals the Commission, as in research from Martins (2017, pp.124-131). This contributed to the reinforcement of the CJEU by enlarging its jurisdiction in areas that were previously denied, the introduction of modifications to policies and communitarian actions, the introduction of the subsidiarity and proportionality principle, while finally establishing flexibility as one of the main principles of the EU. However, we should note that the CFSP pillar was not approached during this second moment.

It's only through the rectification of the Treaty of Nice, in 2001, that CFSP meets its necessary institutional modifications left to repair by the Treaty of Amsterdam. Their resolution was deemed essential for the enlargements aimed in central and Eastern Europe, which therefore lead to institutional reform, reenforced cooperation, possible suspension of rights of a Member-State, to the CJEU, and finally to CFSP.

As described by Guerra Martins, and we quote “the main innovations occurred at a distance from the actual revision of the Treaties”¹(Martins, 2017, pp. 143). Here the author conveyed the impact of the Kosovo war and the definition of an active common foreign and security policy as the response to such situations, and thus the Council of the Europe Union in Cologne decided to dote the Union of the necessary means to decide and respond when faced with crisis. The five Eurocorps states (Germany, Belgium, Spain, France, and Luxembourg) compromised to the conversion of this body into the “European fast reaction corps”. This moment had been preceded by the decision of the European Council of Helsinki in 1999 of having created by 2003 a 50 thousand military strong body with the ability of responding within 2 months to any international crisis non addressed by NATO, known as the Petersburg tasks.

The year 2000 was later marked by another reinforcement of this new common defence and crisis management character, and thus the Council of Europe in Nice created operational structures from crisis management- the Political and Security Committee, the Military Committee, and the Major State- which had been operational since the year 2000, as conveyed by Martins (2017, pp. 143). Thus, we pertain to the authorization character in matters of security and defence of the EU.

However, we must note that this subsequent transition didn't fully integrate the goals of an active Common Foreign Policy cooperation, it mainly drew its first lines, therefore consubstantiating a tangible goal that would need further addressing. The importance of external policies and defence are of the highest impact on the definition of sovereignty of a state, as Martins (2017, pp.368) elaborates, and consequently the Treaty of Lisbon comes to create the formalization of the European Union's action in the international scenery.

It's only in 2007 that we're introduced to the Treaty of Lisbon, that in matters of foreign affairs it strictly attaches itself to six main principles: democracy, rule of law, human rights and fundamental freedoms, respect for human dignity, the principals of equality and solidarity, and finally the respect for the United Nations Charter and International law. In this Treaty the CFSP

¹ Personal translation from the original, which reads: “as principais inovações ocorreram à margem da revisão dos Tratados.”(Martins, 2021, pp. 143)

meets a framework that would reform it and transition it onto a more operative body, building the framework for the European External Action Service.

1.3.1 Legal basis

The legal basis of the CFSP composed within the Treaty of Lisbon, was already precedent to the one established by the Treaty of Maastricht (also known as the Treaty on European Union (TEU)).

We find the legal character depicted on the Title V of the TEU, Chapter 1, article 21 which immediately depicts the afore mentioned character of the foreign action to be developed by the EU as guided by the previously exposed six main principles, while establishing the need for partnerships with third countries, and as expressed by the previously mentioned article “international, regional or global organisations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations” (European Union, 2012). Considering these principles, the component of cooperation in all fields of international relations comes to bear consistency between its operation areas. Thus the TEU establishes the components that would ensure this capacity, and so we cite Article 22 “The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect (European Union, 2012). Within this construction we may comprise the decisions of the European Council as relating to the CFSP and other areas where the European external action is of interest.

Chapter 2 composes the specific provisions of the CFSP, namely who shall put the taken provisions into effect (High Representative of the Union for Foreign Affairs and Security Policy and by MS's) while acting according with the Treaties (European Union, 2012). It should be defined and implemented by the European Council and the Council acting unanimously, except where the Treaties provide otherwise. The adoption of legislative acts shall be excluded. The CFSP shall be put into effect by the High Representative of the Union for Foreign Affairs and Security Policy and by MS's, in accordance with the Treaties, and later incorporated into the European External Action Service.

The sequence of articles that compose this body target solidarity compromises. They should be able to respond to a crisis, rather than provoke it, requiring unanimity from the council to be put to practice any sort of provision. We detail that two main characteristics can be

conveyed of what would be the core of the CFSP: a soft power engaged in external development, and crisis management.

1.4. Crisis Management

As Gorbachev came to power in 1985, the need for a crisis management approach crept. Although this period doesn't mark the Union's political progress and engagement, the crisis that culminated from the Soviet Union originated a desperate response from the countries that would be affected by it. As communism faced a crisis that intensified in the late 1980's, the perception of new neighbours was imminent, which would require a response so to stabilize the interior of the Union through its outskirts.

As Poland held their first free elections in June 1989, the people grasped on a whim what Gorbachev was only slowly inclining to cede, and thus the first country of the Soviet Union proceeded to distance themselves from Communist rule. Although Poland wasn't a member of the USSR, the influence they suffered was damning, being part of the Warsaw that opposed itself to NATO. As in research from Engel (2009, pp. 4 - 5), soon Hungary followed the flow, rejecting socialism and opening their borders with Austria. We may compare these moments to our most recent experiences with the Arab springs, as one country after another reclaim power through the protests of the people that demand change.

However, as the Fall came, the spirit previously engaged did not die, and so as Honecker fell from power and a nervous opposition formed government. As Engel (2009, pp. 5- 6) describes, it was nothing but misinterpreted words that lead to the biggest revolution experienced in the post-World War II and the post-cold war period. As the approval of visits to the West came to be, as they had previously before, but through the words of "They might leave at will" (Engel, 2009, pp. 5-6). Crowds marched and claimed their democratic rights, wishing to end their situation as hostages to a walled-up city. It's the imminent composition of a dying regime that would slowly but steadily abandon the walls it built for Russia, with Romania joining the movement in December with the death of Ceausescu presiding the ultimate step away from communist/socialist dictatorships predominant within them.

As we establish the existence of a growing perception of crisis, we may also install the need for a cooperation development that had inspired the construction of CFSP and its integration within the Lisbon Treaty as a fundamental entity. Nonetheless we must also state that this engagement with a crisis perception at east in the late 80's/90's did not happen firstly

with the EU (as its major political engagements only took form with the Treaty of Maastricht in 1992, and so we find NATO as the first response to an Eastern European crisis.

As Eastern Europe distanced itself from a now lonelier Russia, and the Iron Curtain lifted, the absence of power led to the necessity of the imposition of one that could fill this sudden void, and so we quote Asmus: “Western leaders seized a historical opportunity to open the doors of NATO and the European Union (EU) to post-communist central and Eastern Europe”(Asmus, 2008, p. 95) where Europe and the US would face new forms of strategy.

This initial engagement of NATO with Eastern Europe in the early 90’s, as in research from Asmus (2008, p. 97) came to consolidate newly founded democracies, while reinventing the transatlantic alliance in the period that followed the Cold War. NATO was to overlook security matters, however stability and conversion of these countries into functional democracies would depend on the EU. It’s therefore considerable that NATO pushed the EU into this fast-tracked adherence to a newly founded political union. Although a new challenge for which the EU hadn’t prepared itself, within the ambit of the TEU and its soft-power influence status, the role it took within the Eastern Europe came to comprise a test to this non-operational force of influence.

We therefore must comprehend that this wouldn’t pose the biggest challenge of the decade with which the EU would be face. As the end of the 80’s decade opened new doors in democratic matters, so did the early 90’s but in a different fashion.

As an economic crisis shook Yugoslavia in the 80’s, and nationalistic movements sprung to life in the early 90’s leading to the partition of the country, and the subsequent wars that would wound the decade. The first intervention of NATO in Europe since WWII arises, starting in February 1992 as the newly forged EU still didn’t comprehend a cooperative plan that could respond to it efficiently enough. It became a moment where a crisis imposed an action toward which it wasn’t still prepared for and following these events the Helsinki Headline Goal was created.

The Helsinki Headline Goal came to life in 1999, as the EU MSs understood the necessity for a military capability deployed by these members in case NATO didn’t first respond to the crisis. The weight of its capacity would be composed by the many MS’s and their contributions, however the goal stood at 60,000 troops to be deployed in 60 days, and to which we cite: “sustainable for a year, starting in late 2003”(Institute for Security Studies & Lindstrom, 2004). This decision was undertaken by the five states present at Eurocorps (Belgium, France, Germany, Luxembourg, and Spain) that have since decided to compose into the “fast reaction European corps” as stated by Martins (2017, pp. 143).

The situations of intervention to which this body would be subjected to would comply mostly with peace missions, as described by Lindstrom, and we quote: “These capabilities are to be used in support of Petersberg missions. The Petersberg Tasks presently include humanitarian and rescue tasks; peacekeeping tasks; and tasks of combat forces in crisis management, including peace-making (referred to as peace enforcement in some contexts). EU-led forces assembled in response to a crisis would last only for the duration of the crisis and it would be up to the MS's themselves to decide whether, when and how to contribute troops” (Institute for Security Studies & Lindstrom, 2004).

These were the situations that preceded the Lisbon Treaty, signed in 2007, and that thus contributed to the shaping of the current CFSP, and its first added branch, the “European Security and Defence Policy (ESDP).

The ESDP marks itself as the moment in which the CFSP develops its initial expression of an active and branch. As Posen describes, this was the effective development of the plans composed in Helsinki, as well as being considered the first publication of a common security strategy document. Using his own words, and we cite “(...) Javier Solana is the civilian figure in charge of coordinating EU foreign policy. Mr. Solana has, for the first time, coaxed European Union MS's into publishing a security strategy document, *A Secure Europe in a Better World.*” Two Political and military organizations have been created both to organize and to manage EU military operations.” (Posen, 2006, p. 171). Currently the ESDP, the entity that we can understand as the first formalization of a cooperative and integrated strategy method, can be called by another name: The Common Security and Defence Policy (CSDP).

1.5. The Common Security and Defence Policy (CSDP)

The Common Security and Defence Policy (CSDP) took form in 2007 with the celebration of the Treaty of Lisbon. It embraces the European military operations and the Union’s civil missions creating mutual assistance clauses that would both permit the EU to enhance its cooperation initiatives within the military field and ensure that the Union could provide itself with a defence capability of some form. It composes the security and defence policies and strategies to pursue as a Union, and its legal basis stands within the TEU, finding its financial dispositions exposed in the article 41°, and its policies comprehended within the articles 42° to 46°(*vid in Annex*). Within its provisions, the CSDP military capabilities are only

to be used if approved unanimously by the European Council, and in compromise with each of the MS's individual constitutions, and eventually coordinated by the EEAS.

The CSDP engages the political framing of an aggregate of policies of certain political structures and permanent military operations, that are still to belong individually to each of the MS's as they are the ones that provide them in case of necessity. We may therefore comprehend it as the policy that creates the legal grounds for the persecution of coordinated military actions both internally and external to the Union (in line with the previously addressed Petersberg tasks), as well as the common development of military capabilities through the European Defence Agency.

As the European Parliament (2017, pp. 551) composes, the CSDP is currently the most evolving policy of the EU, as it pushes for a tighter cooperation with the European Defence Agency (EDA) and the European External Action Service (EEAS).

The EEAS provides the CSDP with the diplomatic contingency from which it should operate, at the same time as we can consider it the coordinator that establishes the when/how/where interventions should happen, namely in regard to crisis response, but also as the the extended arm of the EU in diplomatic matter and establisher of External Relations of the EU.

Within its domains, the EEAS also provides a humanitarian component to the way in which it establishes certain relationships, program which we know as the European Neighbourhood Policy.

Later, in 2010 with formalization in 2011, we acknowledge the incorporation of the CSDP, along with the CFSP, within the newly created European External Action Service.

1.6. The European External Action Service (EEAS)

The European External Action Service (EEAS) corresponds to the emerging need for a diplomatic representation of the EU abroad. Having been initially developed by the Treaty of Lisbon, the service itself only came to life in 2011 defining new visions of global diplomacy, and even, as named by Spence and Bátorá in *The European External Action Service: European Diplomacy Post-Westphalia*, a “Catalyst of Diplomatic Innovation” (Spence & Bátorá, 2014, pp. 10-11). It consolidates de revival of the second pillar of the Treaty of Maastricht (the CFSP, and the European Security Strategy) in a comprehensive approach of foreign interests with security necessities.

Within this service, the MS's delegate ever rising responsibilities regarding different sectors, out of which we quote “foreign development and humanitarian aid, and even the international aspects of almost every domestic policy area” (Spence & Bátorá, 2014, pp. 3-6). Thus the ever rising challenge of producing a common foreign policy meets an embryonic framework, that incorporates the initially composed CFSP, CSDP, and the ramifications ensued where we find the Neighbourhood Policy (both at the Eastern front, as well as the Southern Neighbors).

We come to comprehend the need for a coordinated approach as the means to an end, for an European Diplomatic system could only work in its integrity if all the members by it represented found themselves in the same page, with the same goals in sight, working towards a common end. At a first instance we may find at least the same issues and similar needs, and so the coordination between EU institutions and MS's becomes the main target for the EEAS, systematizing the aimed “European diplomatic system” that would be described as “a collection of European institutions and organizations involved in the mediation of relations between the EU and its MS's on the one hand and between the EU, third states and other international actors on the other.” (Spence & Bátorá, 2014, p. 32). Through this definition we're able to understand the EEAS as the missing element of the initially founded CFSP, and that currently holds the mission, through the High Representative for Foreign Affairs and Security policy, to conduct the CSDP's tasks (Spence & Bátorá, 2014, p. 17).

The present service also came to further engage the participation of the Commission in the EU's external affairs, as the Vice-President of the Commission is to hold the office as High Representative of the EEAS, having already presided the CFSP efforts. Here the CFSP came to hold an indispensable support structure, and further engage it in the EU's external action.

We must understand that the EEAS still doesn't compose a full operative foreign ministry, but rather an interstitial organization, as described by Spence and Bátorá (2014, pp. 65-74), that serves almost as an organization to reunite different structures and funds of multiple institutions, out of which we highlight diplomacy, defence, and development. It's important to emphasize that it does not work as an autonomous structure, heavily distinguished from other agencies, as it's the case for Frontex.

The EEAS is likely to become more independent from other EU institutions over time and the gap between the EEAS and the Commission is expected to widen. (Kostanyan, 2013, p. 5)

Ultimately, the EEAS service to the EU's interests, although limited by the preferences of the MS's and their decision-making rights as well as the Commission's competences, should be influencing the countries of both neighbourhoods to do their homework and implement real reforms at last (Kostanyan, 2013, p. 6).

1.7. European Defence Agency (EDA)

The European Defence Agency (EDA) was born within the pre-Treaty of Lisbon (TEU) timeframe, namely as a part of the second pillar, the CFSP (later reformed by the said Treaty), in October 2004. As the agency took form, its responsibilities and goals conveyed an aura of cooperation between the MSs, as it promoted the development and research of military capabilities and defence goals, as well as armaments, technology, researches, military industry and market (Karampekios & Oikonomou, 2015, p. xv).

Although gifted with an autonomous character, this agency would not be constructed as a replacement of the independent Ministries of Defence of each of the MS's, but rather as a mechanism that would endorse their cooperation regarding the development and research of military capabilities and armaments, and thus we quote "It is not, therefore, an agency for European Defence, but an European agency *for defence* (slightly better expressed in its French version *Agence européenne de défense*) supplementing the efforts of its constituent defence establishments at strengthening their collective endeavours" (Karampekios & Oikonomou, 2015, p. xv).

In 2003, as the Thessaloniki European Council decided on the creation of EDA, the fundamental structure of the CSDP was already in place. Firmly commanded by Javier Solana, the High Representative for Foreign and Security Policy, the conception of a space dedicated to armament and technological contribution, providing a network between the states, wasn't built upon a new idea. The European Commission (EC) had pertained to the acquisition of a remarkable role regarding defence industry matters and defence market regulation, as well as information exchange between its partners (Karampekios & Oikonomou, 2015, p. xvi) since the 1997 Bangemann Report². As the Union grew closer, it no longer made sense to approach the economic aspects of defence only within NATO and the Western European Union, and thus

² Bangemann Report: a report, conducted in 1993 and finalized in Corfu by June 1994, on "the specific measures to be taken into consideration by the Community and the MS's for infrastructure in the sphere of information"(Cordis, n.d.).

the 2003 to 2013 conception of EDA was to comprehend 4 directorates: Capabilities, Research and technology, Armaments, Industry and Market (Karampekios & Oikonomou, 2015, p. xvi).

In 2006, a “Long-Term Vision” document came to pertain to the evolution and aims of EDA for a coordinated “Capability Development Plan”, however to this day it hasn’t gathered enough support from the states as individual actors, who don’t wish to envision their military capabilities through a coordinated spectrum.

The result of these constraints was the transformation of EDA as an ambitious project, to a modest agenda, that in 2008 started to take on a focus on practical projects, small cooperations, while drawing it closer to the main institutions, as it’s the case for the European Commission (Karampekios & Oikonomou, 2015, p. xvii).

To the present EDA, as in research by Karampekios and Oikonomou, has developed a nature as “a coordinator, a conscience and a catalyst”(2015, p. xvii), and we highlight the emerging transparency commitment, the way in which it promoted coordinated efforts from a bi-national to a multi-national perspective and finally "enlightening a common reflection of all MS's on the Commission's defence industrial agenda" (Karampekios & Oikonomou, 2015, p. xvii).

1.8. The European Global Action Strategy (EUGS)

The European Global Action Strategy (EUGS) composes the document in which the EU defines its strategic goals for a set period. In this document we face the establishment of what composes our current challenges, while elaborating an action plan along the lines of the EU’s values and goals. It entertains the autonomy aimed by the EU, as well as the composition of the common interests, values, and goals that lie within its citizens through a common strategy and thus achieve a stronger Union.

For the present dissertation, we highlight certain circumstances, namely those that pertain to security, cooperation, and defence strategies.

As a first concept, the EU conceives that all its actions will derive from the need for peace and security. As initially experimented through the Petersburg tasks in 1992, the EU would only act at a humanitarian level, aiming to prevent conflict and keep the peace, manage crisis, disarm, and cooperate through military advisory, while developing post-conflict stabilization tasks (Glossary of Summaries - EUR-Lex, n.d.). These goals were formalized within the Amsterdam Treaty and currently still represent the way in which the EU intervenes.

As the main goal, the EUGS composes the security of its citizens and territory, however it also comprehends the connection of our internal stability to the one of our neighbours. The EU therefore promotes the Sustainable Development Goals, while supporting prosperity, respect for human rights and democracy between its allies. This engagement and our commitment to it represents our “external credibility and influence” (European External Action Service, 2017, p.8) as we promote a global order that respects the rules.

The EUGS also establishes five priorities in order to determine its principles, out of which we enumerate: “The security of our Union”; “State and Societal Resilience to our East and South”; “An Integrated Approach to Conflicts and Crises”; “Cooperative Regional Orders”; “Global Governance for the 21st Century” (European External Action Service, 2017, p.7).

Regarding the first priority, the EU comprehends the necessity of enhancing efforts in different areas, and thus we quote “defence, cyber, counterterrorism, energy and strategic communications” (European External Action Service, 2017, p.9).

As we move onto the State and Societal Resilience to our East and South, the EU extends internal interests and values onto its outskirts, as it promotes closer ties with other regions, out of which Central Asia and Central Africa, as the regions that currently pose the biggest migration risks due to their instability. To elaborate these ties, the EU comprehends its enlargement policy as pertaining to the amelioration of these countries regarding their rule of law and respect for human rights, while pushing for development namely within the Western Balkans and, (the eternal candidate) Turkey. Such works are conducted through the European Neighbourhood Policy (ENP), in which the EU pertains to use its attractiveness as the motor for influencing development within these countries, while straightening ties between the EU and its many neighbours, in addition to diminishing contrasts between the inside and the outside.

Through the ENP, the EU is set to comprehend the support towards a better governance, while targeting its most fragile sectors (namely regarding economic, social, and energy areas), while pushing for the development of “more effective migration policies for Europe and its partners” (European External Action Service, 2017, p.9).

Regarding the third priority, the EU embraces the commitment undertaken in 1993, and formalized in 1999 of the afore mentioned Petersberg tasks, promoting stabilization and an adequate response that promotes peace-keeping, and a constant presence to prevent possible conflicts from arising again during its most sensible periods.

Notwithstanding, the EU understands, however, that due to the intricacies of some regions, there must be an action at different levels of governance (at a local, regional, and global level), comprehending that cooperation between different actors is the only path for a correct resolution of conflicts.

For the fourth priority, the EU elaborates the importance of cooperation, while enhancing the role of regional dynamics.

Finally, for the fifth goal, the EU commits to the guarantee of a sustainable development that will influence transformation across its neighbours, aiming for a strong UN, and the development of coordinated responses “with international and regional organizations, states and non-state actors.” (European External Action Service, 2017, p.10).

During the present goals, the EU also intends to exploit the mechanisms already at its disposal, namely the CSDP, through the cooperation goals established within its many institutions and agencies, as well as reinforcing the element of unity in its external policies. From EUGS we highlight the following quote:

“Internal and external security are ever more intertwined: our security at home entails a parallel interest in peace in our neighbouring and surrounding regions.”
(European External Action Service, 2017, p.7)

The afore-mentioned citation encompasses a crucial EU need: the enhancement of cooperation efforts between MS's, while entailing brings the notion that our neighbours are a direct influence to our internal stability and therefore we must act and operate in a way that not only promotes their development but their security and response to crisis, and we cite “Europeans must be able to protect Europe, respond to external crises, and assist in developing our partners security and defence capacities, carrying out these tasks in cooperation with others” (European External Action Service, 2017, p.20). Here we commend the aspect that we must emphasize for the present dissertation: the conception of cooperation between the EU and its neighbouring countries for security purposes, development and extension of defence capabilities directly affects our internal stability and security.

In this fashion we must comprehend that these goals stem immediately from our already extensive solidarity goals, and which are expressed both within our internal and external dimension. And thus, the EUGS pushes for an important possible element of internal cooperation: “Common Security and Defence Policy (CSDP) missions and operations can work alongside the European Border and Coast Guard and EU specialised agencies to enhance border

protection and maritime security in order to save more lives, fight cross-border crime and disrupt smuggling networks”. (European External Action Service, 2017, p.20). This comprehends a cooperation goal at an internal institutional level (EEAS and Frontex) that can be extended to the expression of interest of the EU, as previously enhanced, in the development of the security and defence of our own neighbours through cooperation.

1.9. Frontex

The idea of a corps designated to protect the EU’s borders is said to be as old as the idea for a free movement space, and later the Schengen area. As the free movement of people, goods, capital, and services were identified in 1957, pertaining to the main goals of the Community under construction, its initial formalization depended on the Treaty of Rome. Later on, these foundations came to structure the 1995 “Schengen area”, bearing new risks as borders were abolished between MSs, as well as coordinating rules regarding visas and asylum rights. In 1999, as the Treaty of Amsterdam was celebrated, this body got incorporated into the EU framework (Origin & Tasks, n.d.).

In its initial stage, and due to the pressures of a contrasting and underdeveloped neighbourhood that comprehended many possible migration inflows, that would thus constrain internal security and stability, the External Border Practitioners Common Unit was created, and comprised itself of members of the, and we cite, “The Common Unit coordinated national projects of Ad-Hoc Centres on Border Control. Their task was to oversee EU-wide pilot projects and to implement common operations related to border management.” (Origin & Tasks, n.d.).

Later in 2004 these goals were maintained; however, they required a more conciliatory situation, out of which the composition of the European Agency for the Management of Operational Cooperation at the External Borders of the MSs of the European Union (Frontex) was established.

However, as the crisis arose between the neighbourhoods, namely throughout the Southern Mediterranean, Frontex came to compose the European Border and Coast Guard Agency in 2016, coming into full force in 2019.

Currently its main tasks revolve around the coordination and development of the security and defence of the EU border, namely reigning themselves through the respect of the EU fundamental rights charter. At the same time, they act namely as agents that support the MS's with the screening, debriefing and identification of migrants (Origin & Tasks, n.d.).

However their work isn't resumed to acting solely as a barrier to the "European Fortress", but rather as the first step onto the correct integration of migrants within their desired destinations, namely due to necessities of international protection. Due to this nature, they cooperate closely with the European Asylum Support Office (EASO) and the national authorities at an individual level.

Frontex's work also serves as the tool to identify perils of higher turmoil within our borders, identifying migratory patterns and trends, and we cite "Frontex analyses data related to the situation at and beyond EU's external borders. It monitors the situation at the borders and helps border authorities to share information with MS's" (Origin & Tasks, n.d.), and, through the data gathered, assessments are made regarding relocation of migrants (and the MS's ability to receive them), as well as possible interceptions, and rescue operations of migrants. It also carries out the task of returning people who haven't legitimized their claims for asylum, namely by providing them with travel documents and cooperating with consular authorities of the relevant non-EU countries (Origin & Tasks, n.d.). The agency is also responsible for organizing return operations, as well as coordinating efforts with escort officers and the migrant's countries of origin, to carry out their transportation to the source.

Regarding the Mediterranean and its fragility, during the years comprehended between 2015-2021, the operations carried out by Frontex have registered 18 076 fatalities, as well as 538 910 successful rescues (European Council, 2021). We can acknowledge the success, but at the same time we're forced to ponder on the obvious difficulties of regulating such a space to avoid tragic outcomes. We're also forced to acknowledge the blatant pressure such inflows poses upon the country's most susceptible to these flows, namely the Central Mediterranean route (also known as Operation Themis (European Council, 2021)) as it holds the astounding number of 266 978 migrants -and counting- (European Council, 2021) that have dared to undertake such risks. Therefore, Frontex carries out the responsibility of organizing rescue operations, as well as assisting MSs in the control of their external borders. In order to carry out these goals, we cite "The agency deploys European Border and Coast Guard teams, including a pool of at least 1 500 border guards and other relevant staff to be deployed in rapid interventions. The members of the rapid reaction pool must be provided by MSs upon request by the agency. It also deploys vessels, aircraft, vehicles and other technical equipment provided by MSs in its operations" (European Council, 2021).

We're able to compose a nature of the cooperation between MSs, as well as establishing Frontex as a shared body accessible to all and composed by all. However, there's also a sensible aspect of Frontex that connects it directly to the external cooperation goals (previously

established by the EUGS, and carried out by EEAS), which is the possibility of extending missions outside of EU in case of flagrant migratory pressure.

Frontex therefore carries out a nature of not only an independent body provided by the EU, but as a cooperative engagement between law enforcement authorities, EU agencies and customs at sea borders, the European Fisheries Control Agency (EFCA) and European Maritime Safety Agency (EMSA), through the sharing of any relevant information gathered during these operations (Origin & Tasks, n.d.). With these cooperation relations, the goal is to carry-out multipurpose operations, out of which we highlight the focus on, and we cite “preventing smuggling, human trafficking and terrorism as well as many other cross-border crimes” (European Council, 2021).

For the purposes of this dissertation, we comprehend the cooperative nature at an internal and external level to be of the highest relevance, as well as the way in which it works closely with a series of other European institutions and agencies, while enhancing security and defence practices.

1.10. The European Neighbourhood Policy

The European Neighbourhood Policy (or the ENP) was born at the occasion of the enlargement of the European Union in 2004, moment in which the Union did not only develop itself as a growing unity, but as a common project, focused on the development of its new neighbours (hence the



[Img.1] Illustrative image of the composition of the ENP. The New European. (2015, December 16). *Europe and its neighbours: The good, the bad and the ugly* [Illustration]. ThenewEuropean.Eu. <https://www.theneweuropean.eu/archives/europe-and-its-neighbours-the-good-the>

Neighbourhood). Deeming them as possible sources of insecurity and migration inflow, the 2004 enlargement had to consider a holistic approach for it not to extend new problematics that

would strain the new member's economic development. It was thus to be considered a "ring of friends" as Karen E. Smith pertains to.

Here we establish that the focus relied on the guarantee of internal security and border defence strategy, as well as a comparative insight of the different perspectives that could lead to a rise in illegal migration, and how to tackle it through a securitization cooperation, allied to the prospect of development and stability, establishing cohesion. As we can read in the following excerpt "efficient and secure border management will be essential both to protect our shared borders and to facilitate legitimate trade and passage" (Marchi et al., 2017, pp. 202).

This 2004 enlargement is described to us as a geographical approximation to Russia, that while we we're stretching ourselves towards a larger Union and new neighbours the Union would find itself in dire need of a project that would keep them as exterior to the European Union but meriting from a tighter bond, stable relations, in order to avoid a possible "spill-over" effect that would directly affect the new members, thus risking the same "spill" and instability into the larger EU. Concerning this problematic, we quote "The 2004 enlargement, however, brought the EU closer to them, and thus created an immediate need to ensure that the wider neighbourhood was stable, to avoid the risk of instability spilling over into the larger EU. As Christopher Hill has argued, the extension of the EU's border is 'the most important of all the foreign policy implications of enlargement'" (Balzacq & Carrera, 2016).

As a direct response to this situation, the European Commission in 2003 proposed, and we cite: "the European Union should aim to develop a zone of prosperity and a friendly neighbourhood (...) with whom the European Union enjoys close, peaceful, and co-operative relations (Commission of the European Communities, 2003), a project namely aimed towards the Eastern, Southeast borders, as well as the South of the Mediterranean. Its goals come to rely on a tighter cooperation that extends beyond the European Union, promoting new security notions at the shared borders, as well as a deeper contact between distinct and diverse cultures, as it's the case for Bosnia-Herzegovina, Serbia, Montenegro, and Turkey.

The Turkish case is, however, very particular and specific, and therefore it would not be included in the current paper, as we cite: "The Wider Europe Communication does not bring Turkey within the scope of this Instrument, since Turkey benefits from a close relationship with the EU which goes well beyond the relationship between the EU and non-candidate neighbours" (Commission of the European Communities, 2003), distinguishing itself as already being a partner with whom the EU already shares a stronger bond.

This project was to be established in two distinct stages, the first starting the year immediately post the communication of this project, lasting from 2004 until 2006, defined by a period of development of works and cooperation strategies, as well as the financing of operations so that, in a second stage, the work regarding new legal organs would be efficiently developed. As we can understand through the reading of the following excerpt “An initial phase from 2004-2006 will focus on significantly improving coordination between the various financing instruments concerned within the existing legislative and financial framework. In a second phase, for the period after 2006, the Commission intends to propose a new legal instrument addressing the common challenges identified in the Wider Europe Communication (Commission of the European Communities, 2003). As explained by Diego Castellani, the premiss to consider at the time of this project is the transition towards a security policy that sits on the above-mentioned cooperation, nominatively through a neighbourhood policy that would engage 12 countries (during a first stage), and that would allow for a political and economic development that would facilitate their stabilization due to its proximity, and so we quote ““In questo senso l’allargamento ad Est avviato nei primi anni ’90 e realizzatosi tra il 2004 e il 2007 rappresenta un esempio di utilizzo del contratto di adesione come strumento di politica estera e di sicurezza in quanto ha consentito all’UE di indurre i 12 Paesi aderenti a effettuare riforme politiche economiche e giuridiche di ampia portata e quindi di creare un’area più vasta di sicurezza e benessere” (Castellani, 2011).³

The main goal within the Eastern side has been to expand the Union, pushing for integration, and leading negotiations, to respect the membership criteria. This enlargement should only pertain to democratic countries, in which the respect for the State of Law stays true, while expressing respect for Human rights.

At the Southeast border, the main concern resides within the ex-Soviet Union states and their, far too recent, political composition. Due to them being surrounded by six MS's, thus the European Commission establishes, and we quote “These countries have had historical links for many centuries. The current economic exchanges and the experience of legal development and the public administration reform process in the accession countries constitute the major interests for this type of co-operation.” (Commission of the European Communities, 2003).

³ Translation: “In this sense the Eastern enlargement that started within the 90’s and taking place between 2004 and 2007 represents an example of the usage of the membership contract as an instrument of external and security policy as it allowed the EU to introduce the 12 adhering countries to reform themselves politically, economically, and within wide-ranging legal frameworks and therefore to create a wider area of safety and well-being”

Turning to the South, most matters fall within the migration influx topic, namely since countries with a less stable political and economic background are being considered, and where the main weakness stands upon the fact that we're looking at a maritime border. At the same time, it becomes impossible to ignore the contrasting development between both sides of the Mediterranean basin, which enhances migratory influxes, as we can read in the following statement: "In the South, the border between the European Union and the Eastern and Southern Mediterranean countries is almost exclusively maritime in nature and will be between eight MS's and ten neighbouring countries. It covers the length of the Mediterranean Sea (c. 5500 km) with the various maritime crossings varying significantly in distance. It is characterised by a significant development gap between the North and South of the Mediterranean but has close historical, cultural and human links." (Commission of the European Communities, 2003).

In sum, the main goal of the ENP can almost be compared to an European Marshall Plan, to be put to practice within the countries that are exterior to the EU, not as a future enlargement planification and development situation, but rather as a solution to the problems with which the EU comes to arms with, pursuing a "soft power" approach in order to obtain stable relationships, as it supports the fulfilling of the set goals financially and through technical and political cooperation, whilst promoting access to the European market.

Although international migration problems seem to be rather extensive, due to the media focus on the crossings of the Mediterranean to Italy and Greece, only 3% of the world population migrates. Most migratory movements develop due to economic factors in search of a prosperous job market, however as it was previously explained and due to political oscillations, we're equally flooded by a wave of war refugees, becoming impossible to ignore. At the same time, we consider the respect for the Human Rights Convention as an essentiality the EU has compromised to follow, as well as certain articles within the Treaty of Lisbon, we also have to look at these flows as pertaining to a security breach that can be an effective threat to the EU and its stability.

Therefore, in 2015, the European Union comes to offer a new perspective on the ENP due to the newfound necessities exposed with the migration crisis we came to arms with in the same year. We find a revision of the ENP in this year, that focuses away from an economical compromise and onto a cooperation for security and defence, and we cite "There will be a new focus on stepping up work with our partners on security sector reform, conflict prevention, counter-terrorism and anti-radicalisation policies, in full compliance with international human rights law. More than ever after the November 13th terrorist attacks in Paris, intensified

cooperation with our neighbours is needed in these areas. Safe and legal mobility and tackling irregular migration, human trafficking and smuggling are also priorities. Poverty, inequality, a perceived sense of injustice, corruption, weak economic and social development and lack of opportunity, particularly for young people, can be roots of instability, increasing vulnerability to radicalisation.” (European Commission, 2015).

Thus, the ENP didn't meet a full reform since it already considered a long-term engagement, however they come to know a temporary focus to be able to respond to the problem at hand, as the following excerpt explains “The ENP is a long-term engagement with the EU's neighbours, but it also needs to take account of the most pressing needs. In the next three to five years, the most urgent challenge in many parts of the neighbourhood is stabilisation. The causes of instability often lie outside the security domain alone. The EU's approach will seek to comprehensively address sources of instability across sectors” (European Commission, 2015).

In this revision, it becomes established a closer compromise in terms of security, that can respond to the predicaments of international law and human rights, looking for ways to anticipate and respond to conflicts, as we can read in the following citation “As in other areas, the revised ENP will offer a tailor-made approach to cooperating on security-related matters, and will actively ensure that our overall engagement is conflict-sensitive, and fully compliant with international law, including international human rights law. The new ENP aims to work on conflict prevention through early warning, coupled with early preventive measures, and enhance partners' capacity in this regard. The measures set out in this Joint Communication seek to offer ways to strengthen the resilience of the EU's partners in the face of external pressures and their ability to make their own sovereign choices.” (European Commission, 2015).

In conclusion, the European Neighbourhood Policy developed itself in two distinct stages, responding to two types of needs. In a first stage, and as previously mentioned, it appeared as a mechanism of development of its new neighbours, looking for an approach to stabilize their situation so that the '04 enlargement wouldn't encompass difficulties regarding social contrasts between the new MS's and their neighbours. Later on, and now due to the 2015 migration crisis, we find a new focus on the Mediterranean, complementing notions of security and development by being confronted with such an evident weakness. Nevertheless, this focus is already found within other areas of the EU's external relations even before the creation of the ENP within projects such as the 1995 Declaration of Barcelona. This Declaration comes to

compose the first moment in which the EU tried to establish a prosperous relationship with its neighbours, by enhancing cooperation and development efforts with other Mediterranean States.

1.10.1 The European Neighbourhood instrument

The European Neighbourhood Instrument (ENI) was born in the auspices of 2014, as a replacement of the European Neighbourhood Partnership Instrument (ENPI) as it reached its deadline. The current ENI has thus served a similar purpose and will see a new light within the new mainframe of the EU legislative proposals or policies comprising from 2020 to 2027 as discussed by the European Commission.

This instrument has been namely aimed at supporting political, economic, and social reforms within the neighbours by it embraced, therefore conveying a stronger and more prosperous environment with these actors, promoting security and a more sustainable growth that comes to match the EU's own ideals through an openly economic diplomatic dialogue between the EU as a whole and each of these partners, through bilateral agreements.

The ENI marks itself as the action plan through which the ENP sees its core values put to practice, as those who complied to the ENP demonstrate a commitment to its democratic identity, nonetheless, each one of these action plans are individual which portrays the notion of the bilaterality of this policy, as we can read in the following excerpt "Although the action plans are tailored to each of the neighbouring countries, they generally refer to a number of common activities, ranging from political dialogue to trade-related issues and economic and social cooperation"(European Commission, n.d.).

The currently working ENI carries a budget of 15.4 billion EUR for its 7-year duration, through which it must employ the promotion of human rights, rule of law, all within a democratic composition. At the same time and as previously established, the ENP also aims at a tighter economic integration between the neighbours and the EU's internal market, as they flow into a sustainable economic growth. Socially the EU comes to target people in the same way as it does internally, by providing mobility opportunities such as student exchanges in similarity to the renown Erasmus project, thus engaging and exposing the civil society to new realities. (European Commission, n.d.).

We denounce once again that the instrument here exposed will meet its end by the end of 2020, however we reiterate that due to the nature of this project and the fact that effective measures in regards to development haven't been put to practice to the point of it being dissolute in a near future, and thus meets the "Neighbourhood, Development and International Cooperation Instrument" (European Commission, n.d.), which carries out similar goals, while entertaining the application to the missions already undertaken. This will be the instrument implemented within the years of 2021-2027, comprehending an allocation of 79.5 billion euros.

Within the 2021-2027 instrument, we highlight the applications towards the rapid response mechanism, that considers conflict prevention, emerging and unpredictable situations, both in crisis and post-crisis.

1.10.2 The Declaration of Barcelona

Also known as Euromed, the Declaration of Barcelona took place in 1995, at the Euro-Mediterranean Barcelona Conference with the goal of instilling a tighter bond between the EU and the Mashriq and Magreb regions (UfM, 2020). In order to establish its importance in an international scenery, we cite "From the European perspective, stability and development in the Mediterranean is essential for security at home and abroad"(Benedicte, 2016), allowing for the determination of the duality established between European security and stability, as well as the development of the same premises in the other margins of the Mediterranean, that (at the time) also encompassed 3 candidates to the EU (Croatia, Turkey, and North Macedonia), as well as other 9 Mediterranean partners, among which we find: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria and Tunisia (Barcelona.com, 2020).

It was namely considered to be an ambitious initiative that presently pertains to a first draft of the ENP. Recognizing its goals within stability and development, the EU once again takes on a role as a "soft power", pushing for a democratically invested development, respect for Human Rights and the State of Law, as well as a diplomatic approach to conflict resolution.

The Declaration of Barcelona detained 3 major goals: firstly the development of a shared space of peace and stability, while also pushing for a partnership for security and defence in which the dialog in these themes was reinforced; secondly, we find an economical and financial partnership, that intended to create a region of prosperity aiming at eventually pushing for the integration of a free trade space, looking for the correct means to enhance their socio-economic development, encourage cooperation and regional integration, encompassing a substantial rise in financial aid made available by the EU; finally, and in a third stage, we find

a partnership for social, cultural and humane matters, in which it proposed itself for the development of human resources and promotion of dialog and coexistence between cultures and civil societies, in order to grant an extensive respect of the diverse cultural realities present along the Mediterranean basin, developing a climate that does not comply with any sort of discriminatory situations (Barcelona.com, 2020).

During the overture of these works, we find the figure of Javier Solana as a Spain's representative during the presidency of the European Union Council, and its future leader. Solana describes the conference and the presence of its members as moment in which they united, and we cite "to straighten out the "clash of civilizations" and misunderstandings that there had been between them, and that it "was auspicious" that they had convened on the 900th anniversary of the First Crusade" (UfM, 2020), while describing that its potential conveyed and aura of unity within the Mediterranean. The Declaration of Barcelona was rectified by the 27 countries present, and where Javier Solana posed as a predominant figure for its concretization (Barcelona.com, 2020).

The Declaration of Barcelona is thus to comprehend the *de facto* foundation of the relationships established with the regions across the Mediterranean. Nonetheless its creation was rapidly followed by the events that carved such a heavy mark in the western world (namely the 9/11 World Trade Center terrorist attack in New York), which inspired a new security agenda and full commitment to development plans of the region would be far too complex to maintain. As Abis, Petiot & Semerari highlights "to maintain economic growth and investment, the continuity of political systems was deemed preferable" (Abis, Petiot, & Semerari, 2015), and so the EU pursuit of the democratization of its partners was deemed to be withdrawn.

In the meantime, fear of rising Islamization of these regions potentiated an incapacity to promote their democratization, while authoritarian regimes and threats of terrorism ascended (Abis et al., 2015). Abis, Petiot & Semerari express the previous affirmation during the following excerpt "The Euro-Mediterranean vision, devised in a geostrategic framework that, at the time, could justify an ambitious tone, never truly became a reality over the years. It must also be said, without playing down its importance in terms of operational and readability consequences on regional action, that multiple initiatives have been developed in parallel without necessarily being in synergy" (Abis et al., 2015).

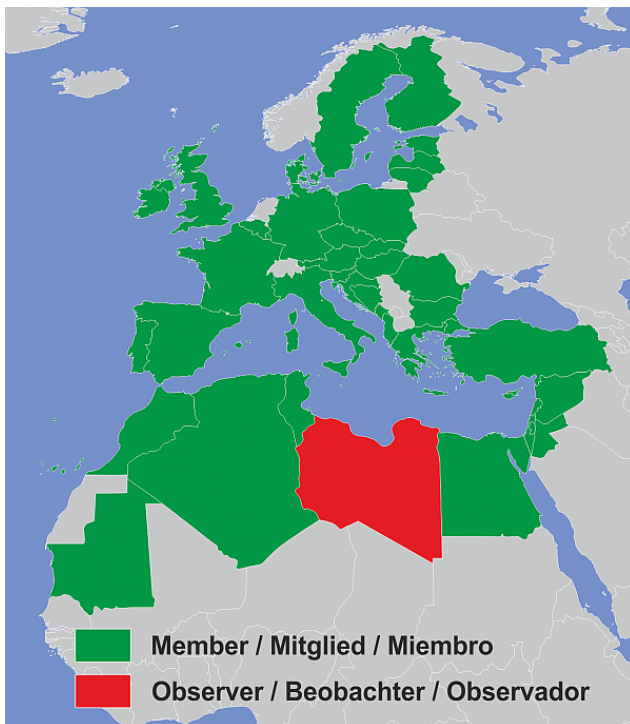
The budgets were dismissed, considering that in the period comprehending 1995 up to 2006 we find 16 billion euros being put to use into cooperation and development regional programs that would compose the financing of socio-economical projects. The results were

expressed in the modernization of the industry and health systems, as the 2015 IEMed report for the “20th anniversary of the Barcelona Process- IEMed” exposes. Therefore, and pursuing the previously stated authors, Abis, Petiot & Semerari, there is no denying that there really existed an investment in the area and in the established goals of the Declaration of Barcelona, nonetheless it was still unable to fully conclude the goals strategized (Abis et al., 2015).

Currently we can consider that its goals were embraced by many different institutions as it’s the case of the ENP, within the Union for the Mediterranean branching. This assimilation was the result of the incapacity of clear actions to be attained through the Declaration of Barcelona, while grasping how its ideas and goals weren’t considered to be something that should be abandoned, in addition to comprising to the ENP goals.

1.10.3 Union for the Mediterranean (UfM)

The Union for the Mediterranean (UfM) was born in 2008, under the French President Nicolas Sarkozy that found in this entity a chance to establish a platform that could entertain political dialog while pushing for Regional and sub-regional projects, and so we cite “(...) an opportunity to maintain a platform for political dialogue while making relations more operational, with the initiation of new regional and sub- regional projects relevant to those living in the region. Projects address areas such as economy, environment, energy, health, migration, education and social affairs” (IEMed.,



[Img.2] Map Illustrative of the UfM MS's

Union for the Mediterranean. (n.d.). *UfM Member Countries* [Map Illustration]. [Http://www.Geo-Ref.Net/](http://www.Geo-Ref.Net/). <http://www.geo-ref.net/en/t-ufm.htm>

2015).

It’s to be considered that the Declaration of Barcelona was the catalyst of the dialog between the European Union and the Southern countries, however our abstention in their progress proved itself to be partly responsible for the ongoing scenery. The countries harboured by the Declaration of Barcelona, eventually turned to the USA powers and Asian investments which

propelled their relationships, rather than further enhancing an European bond, while gathering foreign investment from the Gulf States, Turkey or the BRIC countries (Abis, Petiot & Semerari, 2015), further enhancing the contrasts between the North and South of the basin. Here it becomes highlighted how the younger generations would dare themselves to dive into the unknown and embrace the Mediterranean Sea in their journey to prosper, which further enhances the migratory inflows suffered, as the following excerpt highlights “It is likely that security issues will override all other dimensions in the Mediterranean region. It is now also certain that even cooperation between the EU and SEMC will be primarily designed to attenuate tensions and threats” (Abis et al., 2015).

Furthermore, we therefore consider that the Declaration of Barcelona (or Euromed) has not been fully extinguished, or at least the goals to which it pertained to, but rather integrated within the Neighbourhood Policies in analysis, namely in its relationship with Union for the Mediterranean. It’s possible to relate these two mostly in regard to how they both commentated the development of a mutual peace and stability area, that would respond to the securitization goals, essential for good relationships between the different actors of the Mediterranean.

The UfM has in its midst the following members: Algeria, Bosnia and Herzegovina, Egypt, Monaco, Albania, Cyprus, Israel, Jordan, Lebanon, Mauritania, Montenegro, Palestine, Syria and Turkey; composing a total of 42 MS's when summed up with the European Union, therefore stretching its arms both into the Balkan region, the North of Africa, and the Middle East.

As part of the focus of this reconstruction of the Declaration that preceded this union, we find a mutual goal that stands on the opportunity of the construction of a political dialog, while it further built up a set of more operational relationships, in a gradual introduction to new projects between the EU and the involved regions, as it also aimed to energize them in a social, political, economic, educational, health, as well as migratory (Bicchi, 2011, p. 3).

As described by Federica Bicchi, who tries to define the UfM in a more extensive and institutional plan, but whose nature isn’t totally innovative, we cite “More specifically, the UfM must be understood in relation to the EMP and to the European Neighbourhood Policy (ENP), launched in 2004. While the UfM embodies a dynamic of its own, it was established in a thick institutional context. Therefore, while bringing a degree of novelty and rising out of a radically different political context, the UfM is expected to relate to an already well-established set of practices and roles” (Bicchi, 2011).

The division between the Declaration of Barcelona and the UfM isn’t merely time-wise, we must also consider that in its first form the ENP would mostly encompass the Eastern regions

of Europe, while using the Declaration of Barcelona as a Mediterranean situation, however and due to lack of active action by the latter, Sarkozy made its proposal as a revival of these goals as they were so well achieved by the ENP, making it more dynamic.

As the UfM itself comes to express, as an entity the Mediterranean neighbours have benefited from progresses within regional relationships directly derived from its action, therefore posing itself as an “added value” of the Neighbourhood Policies, while also engaging as a common action for the establishment of the prosperity sought after, as we can evaluate in the following excerpt “The High Representative of the EU and Vice-President of the European Commission, Federica Mogherini, and the Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn, presented today the review of the European Neighbourhood Policy. The text highlights that regional cooperation in the Southern neighbourhood has seen progress through the Union for the Mediterranean. The organization has proved to be a valuable forum for political and economic discussion, providing a framework for cooperation on issues of common interest and on operational projects in the region. Many in the public consultation recommended a deepening of cooperation between the EU and the Union for the Mediterranean” (UfM, 2020).

It’s imperative to note that the UfM did not meet a constant rhythm of dialog, only finding its prime between the years if 2013 and 2014, where matters in regard to transportation, energy and climate change, “blue economy”, women’s rights, digital economy and regional cooperation were approached (EU Neighbours, 2019).

We can therefore claim the potential of the UfM as an energizer of the diplomatic affairs within the Mediterranean, endorsed as being the most challenging zone of our neighbourhood due to its complexity in matters of cooperation and regional stability. Furthermore, we should look at the UfM and its dynamic to promote the initiatives already used by the Declaration of Barcelona for more than 20 years, adapting its actions to the constantly changing realities.

The UfM translates to an extrapolation and a complementary action to the Neighbourhood Policies in practice, conditioning the established affairs with its individual agents in the Mediterranean, and further establishing them as branches that may have once be born separated but inseparable now. This statement is confirmed within the following take “The Barcelona Process: Union for the Mediterranean will be complementary to EU bilateral relations with these countries which will continue under existing policy frameworks such as the Association Agreements, the European Neighbourhood Policy action plans” (European Union, 2008).

Thus, the UfM comes to respond to the necessities of the weakened Declaration of Barcelona, as the same time as it fills a gap within the ENP, and composes a branch specifically designated to the Southern Neighbours, while trying to approach them to the European sphere.

Chapter 2- The construction of a coordinated response

Friedman composes the post-globalized world order as being made of intricate networks, and in which a country's influential power is measured as being comparably as powerful to one's armed body. We therefore consider a "fast power", as pertained by Friedman, as the new "soft power" conveyed by Nye and focus on how the EU understands development and access to such resources as the way to build connections, which directly engaging the EEAS, and for the present dissertation, the ENP-UfM.

The ENP arises as the means to achieve stabilization within our neighbours, as we perceive our current security crisis as stemming directly from instability, lack of resources and the "search for a better life", leading to the comprehension of the Mediterranean security crisis as a development and contrast crisis.

Having understood the dynamics of the EEAS as the diplomatic actor of the EU, it also incorporates the insertion of security matters as being directly related to the way in which we intend to use our influence. This connection has been made multiple times, and with special regard for the ENP, in situations where security was at risk and thus diplomacy came to action. In 2004, when the EU met its biggest "growth spur", security accessions were developed, and thus the ENP came to life, leading to the concretization of the following: a diplomatic development program was born out of the notion that the underdevelopment of our neighbours would threaten our own stability, for migration is immediately introduced into the equation.

The EEAS and the way in which it currently conceives the ENP was pondered within the notion of conditionality, in which their individual adhesion to such a program was dependent on the reforms they could incorporate in their countries. As in research by Kostanyan (2013, p. 3), this system was not correctly implemented as it didn't succeed in the translation of the plan into practice in the years precedent to the creation of the EEAS, lacking an organized body to push the EU values in a similar attitude to what we would expect from a ministry of

foreign affairs, permitting the construction of a common and organized voice and a push for the governments of our partner countries to comply to the duties elaborated by the ENP, as seen in the following excerpt: “The governments of the neighbourhood countries are currently often reminded about the commitments that they made to their own citizens such as reforming the judiciary, fighting corruption, creating jobs and renewing their society at large” (Kostanyan, 2013, p. 3).

We can consequently comprehend that the EEAS came to provide an efficient assessment to the commitments undertaken, making it actually viable to conduct reformist efforts as it created an immediate connection between the third parties and the EU body. Therefore the EU managed to conduct “soft power” and “fast power” types of influence within its neighbours in order to achieve stability.

The Neighbourhood, as previously established, divides itself in two: the Eastern Neighbourhood, in which the interactions are developed between the EEAS and the Council’s Eastern Europe and Central Asia (COEST); and in the Southern Neighbourhood the Mashreq/Maghreb (MaMa) working groups (Kostanyan, 2013). These relationships seem at first glance to mostly enhance economic partnership and diplomatic development, however at an immediate level up, and we cite “the EEAS deals with the representatives of the MSs in the Political and Security Committee (PSC). The MS's conduct horizontal checks in the *Comité des représentants permanents* (COREPER) and their foreign ministers take the decisions in the Foreign Affairs Council (FAC)” (Kostanyan, 2013, p.4), assessing security.

Therefore, the diplomatic commitments undertaken by the EEAS through the ENP compose security aims as well, which address cooperation between both sides of the Mediterranean basin. While the ENP may be under constant scrutiny and undermining due to its “soft” power nature (as it is many times accused of being a mere carrot rather than an actual and active reforming commitment) the goals it entails push it towards a coordination of efforts.

Currently we may understand that the structure that we lack is an EU “strategic foresight” definition, only asserted in 2020 when faced with the COVID-19 crisis, in which a coordinated response would’ve better entertained the MS's individual goals. The failures of the present coordination have been established, considered, and recognized by the EU, namely due to structure weaknesses, and comprehension that present governance goals are to be stretched beyond borders.

During the present year (2021), we highlight the newly introduced goals of the “Strategic compass”, composed by Josep Borrell, High Representative of the EEAS and Director of EDA. In it we find the goals of investing in security and defence at an European level,

constructing them in four categories: the enhancement of our current engagements (namely within the 17 missions currently active); construction of a more appropriate and responsive crisis management mechanism; civilian and military capability development at an European level; and finally, the development of our partnerships through cooperation, as well as international organizations (namely NATO) (Borrel & European External Action Service, 2021).

Confining ourselves to the first commitment, we accentuate the enhancement of a recent mechanism proposal: the European Peace Facility (EPF). Within it the EU builds the capacity to improve the armed forces of its partners, going beyond the training of the military, but also their equipment. It works under the framing of the CFSP (therefore EEAS) and intends on both conjoining the Athena mechanism (the mechanism that allows for the financing of operations related to the EU, undertaken by MS's) and the African Peace Facility (that supports peace-building missions, capacity building, and an early response mechanism), while aiming to fill their gaps and coordinating efforts (European External Action Service, 2020). At the same time, April 2021 meets the European Defence Fund (EDF)- a fund dedicated to the development and research of military capabilities, under EDA, aiming to place the EU as a leading actor in this field. Both of these elements are of particular relevance as the EDF provides the EU and its MS's with leading technology and state of the art capabilities, while the EPF allows for the sharing of these achievements with partners.

With the EPF, the EU takes on a challenging role as a global security provider, while aiming to increase the effectiveness of operations, through the common funding of CSDP missions and operations (European External Action Service, 2020), as well as supporting EU partners beyond the African Peace Facility, namely at an international and global scale. Considering the Southern Neighbourhood as being heavily influenced by its own neighbours, the EPF comes to bring the stabilization and enhancement of cooperation beyond those we consider our current partners, stretching the EU's influence and complementing its security. Nonetheless this mechanism still doesn't entail a "hard power" type of influence, since the EU's form of action is consolidated as a stabilization mechanism that does not wish to pose forms of threat, rather act as a supporting force to partners when such is specifically required.

Thus, we commend the EEAS as the entity that consolidates the different areas of influence of the EU, as well and providing for a long term commitment beyond borders, that understands that interior stability starts beyond.

2.1 The EEAS and its branching relationship

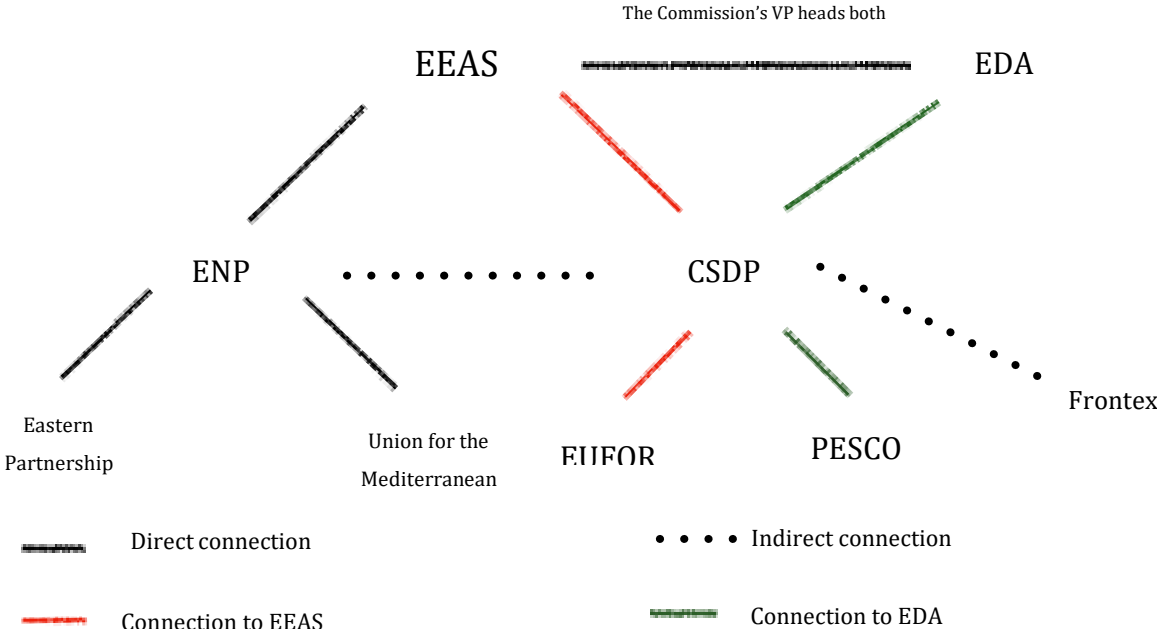
As mentioned in earlier instances, the ENP was born prior to the construction of the EEAS. It composed the effort of understanding the new fragilities that the latest enlargement had dragged along, however it worked as a diplomatic program without a formal diplomatic body, which deeply undermined its goals.

As we elaborated earlier, in 2008 Sarkozy took on the revival of the Declaration of Barcelona and incorporated the 1995 cooperation goals onto the Union for the Mediterranean project, composing it as a ramification of the 2004 ENP. Through it the Mediterranean would become a space of trade and development, allowing for the construction of prosperous economies, conducing largely to the reduction of the migration flows experienced, while stabilizing the region through the sharing of democratic values and respect for Human Rights and the Rule of Law. Initial opinions stood at the “fallible” nature of such agreement, namely considering that it promoted a form of adhesion without actually carrying it through, as it pertained to the goals of the Copenhagen criteria (the criteria for assessment to the EU) without actually achieving the target goal.

Presently, the EEAS comes to compose the efforts of a coordinated security and defence policy, aggregated to the Union’s foreign interests. By establishing the ENP-UfM as a foreign dialog to be developed, we also comprehend it to be a security project.

The EEAS comes to complement the ENP-UfM by establishing a connection that goes beyond economic interests and being able to provide it with security and foreign interests to it tied, due to its nature as the present framing network of the CFSP and CSDP.

We compose the EEAS and the different policies to work in the afore mentioned fashion:



Scheme 1. Configuration of the EEAS and EDA. By the author

As elaborated above [scheme 1.], the EEAS establishes two main branches while being connected to the EU Commission as the “head of operations” and sharing the Commission’s Vice President both as the EEAS High Representative and the EDA Director. Both the EEAS and EDA comprehend the CSDP as part of their legal framework while sharing Frontex’s security aims.

PESCO and its separation from Frontex comes from both a futuristic goal and an imminent need. As the 2007 Lisbon Treaty came to life and inspired the growing union that eventually would also pertain to security goals, Article 42(6) and 46 of the TEU comprised the possibility of the creation of a common military to the Union (this goal would be found in the annex of the TEU, under Protocol 10). However, such efforts would be met with crescent euro-scepticism in the years the followed, in addition to the belief that such an effort would undermine individual sovereignty, as well as not composing a possible reality without the

reform of the EU's current Treaties, and consequently it would imminently be considered as a futuristic goal. Nevertheless, while this objective couldn't be persecuted, the EU proceeded with the creation of Frontex as an independent agency that would provide the Union with its necessary security body, pertaining to the CSDP as its main framework. It was only in 2017 that PESCO came to life (almost comparable to the revival of the Declaration of Barcelona, as it persecuted the projects earlier undertaken by the CFSP *pre*-Treaty of Lisbon), still as an underdeveloped mechanism that inspires collaborative projects between the many EU armies without fully committing the Union to one army.

The Mediterranean conglomerates three types of actions, two out of which are direct agents of the EU: CSDP led military (EUFOR) and civilian operations, as well as civilian independent corps. Within this stance, the Mediterranean has namely been the stage for CSDP military and civil actions and engagements, where we can also find civilian independent actors that will act outside of the CSDP and its framework.

Presently Frontex (CSDP civilian) does not hold capacities of its own, only security goals, as, once again, such an acquisition by an EU body is deemed to go against the nature of the treaties presently at work. Nonetheless, Frontex's EU Border and Coast Guard Agency carries surveillance, securitization, defence, and rescue missions, while EUFOR carries collaborative operations between EU MSs limited to crisis activations, all through the utilization of MS's own capabilities.

As established in the Council Regulation No 2007/2004 of 26 October 2004 (paragraph 14) "The Agency should be independent as regards technical matters and have legal, administrative and financial autonomy. To that end, it is necessary and appropriate that it should be a Community body having legal personality and exercising the implementing powers, which are conferred upon it by this Regulation" (EU Council, 2004). Therefore, we understand Frontex as an independent element, working cooperatively with EU MS's authorities as well as other relevant EU institutions, thus not being expressed regarding connections to the institutions and agencies under scrutiny in [scheme 1.], separating itself from military operations due to its nature as a civil force, while EUFOR congregates military efforts in crisis situations.

Furthermore, for the present dissertation we highlight PESCO's project "Harbour & Maritime Surveillance and Protection (HARMSPRO)" as military capabilities under development. This project is presently coordinated by Italy, and in its midst, we find Greece, Italy, Poland and Portugal. It presents itself as a maritime capability project that would provide MSs, and we cite, "with the ability to conduct surveillance and protection of specified maritime areas, from harbours up to littoral waters, including sea line of communications and choke

points, in order to obtain security and safety of maritime traffic and structures. It will deliver an integrated system of maritime sensors, software and platforms (surface, underwater and aerial vehicles), which fuse and process data, to aid the detection and identification of a range of potential maritime threats” (PESCO, n.d.). Therefore, constituting a collaborative effort, while the sharing of information is commended in order to achieve a holistic and comprehensive approach to Maritime security.

Thus, we’re forced to establish two main differences between the bodies: PESCO works as a permanent engagement between MS's capabilities at a military research and development level; Frontex is an agency of border control at an EU MS’s level, able to carry out operations outside of the EU if it borders at least one member-state.

As previously established, coordination and cooperation have been frequent responses to crisis management. As the EU is trying to set itself in a more active paradigm regarding self-security, the EEAS becomes the main actor, allowing us to envision the EEAS as an indirect composer of security (utilizing EUFOR operations in situations of crisis, as well as the EPF), and the ENP as a catalyst for change.

Although the EEAS commits a direct practicality of the CFSP framework, the EUGS elaborates that decision-making is still derivative of the EU Council’s domain, while the ENP and forms of international cooperation come to be competencies of the EU Commission (European External Action Service, 2017, p. 536).

Considering that the EPF is a mechanism still under construction having only been approved in March 22nd 2021 and not yet fully put to practice by the present year (2021) (Brzozowski & Almeida, 2021), we deemed the [scheme1.] to only represent the currently working structures, nonetheless we esteem it as glancing beyond the neighbourhood and providing exactly what it needs, as well as intending to develop it as an essential element of enhanced cooperation at an international level. We comprehend it as a direct branch of the EEAS, that will thus be connected to the CSDP. As conducted by Borrel, the EU’s future must stand with the improvement of our own armed forces, between the necessary capabilities for the MS's to fulfil the objectives of their own missions, non withstanding to be able to engage in new engagements, such as Operation Irini (Borrel & European External Action Service, 2021). The later constitutes the arms embargo conducted on Libya, in which it has come to the EU’s attention the scarcity of the means to correctly fulfill tasks, and the evident need to avoid capability gaps to be able to confront crises as they arise.

2.2 The central Mediterranean crisis: Governance of security and Defence of the Mediterranean

“you have to understand, that no one puts their children in a boat unless the water is safer than the land”- Warsan Shire (Wilson & Shire, 2015)

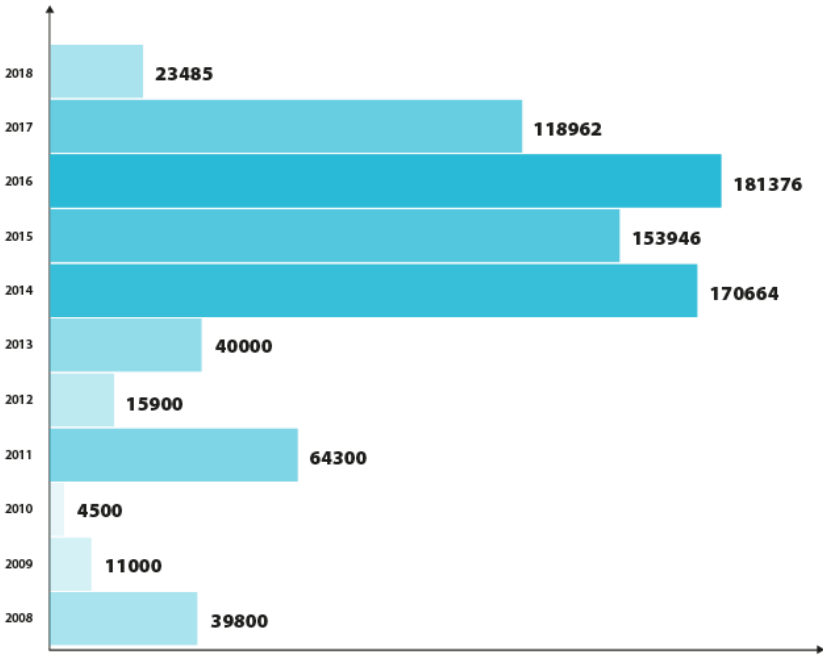
December 2010 marks the beginning of the most astounding period in North Africa and Middle East. As Tunisia met the highest point of discontent and protests, a fire that initially seemed nothing but murderous to a simple Tunisian fruit seller, soon became the symbol of a revolt that ignited indiscriminately. Widely present in social media and traditional media, soon Algeria followed the movement, as well as Jordan, Oman, Egypt, Syria, Iraq, and at last Libya. In consequence, the “Arab springs” were born, tributing the similar “Prague springs” movement of the 1960’s.

Nevertheless, with revolts arise crisis and conflicts, and unfortunately such became the common case for most of these countries. The Mediterranean Sea was shortened into a lake as despair rose, and 2014 and 2015 would forever be marked as the most hectic years regarding Mediterranean migration.

Three main routes come to bear the highest responsibility for these crossings: Western Mediterranean, Central Mediterranean, and Eastern Mediterranean. Out of these the Central Mediterranean route has continuously proved to be the most eligible one regardless of its recognition as the “deadliest route”, carrying the highest burden of tragedies at sea.

We come to consider three periods that came to define the politics of the Mediterranean affairs: the 1990’s/2000’s that composed the hopeful Declaration of Barcelona, the 2008 Union for the Mediterranean and its subsequent inclusion in the European Neighbourhood Policy, and finally the 2015 revision of the European Neighbourhood Policy. These pertain to three different periods of North African and Middle Eastern stability, as the first precedes the rise of terrorism and instability in the EU; the second as a reform of the relationships that would still need to be carried out in order to provide the EU with strong neighbours in similitude to the exigences of the 2004 enlargement; and finally a reform that came out of the most dire necessity, and acknowledging a new vision on migration that would dominate indefinitely.

Contemplating the Central Mediterranean route as the focus point of the present dissertation, we acknowledge the flows and their differences along the present decade.



[Img. 3] Illustrative graph of the evolution of the migration flows in the central Mediterranean route.
Frontex. (n.d.). *Illegal border crossings on the Central Mediterranean route (including Apulia and Calabria) in numbers.*[Graph]. Frontex.Europa.Eu.
<https://Frontex.europa.eu/we-know/migratory-routes/central-mediterranean-route/>

As we can transcribe from [Img.3], the period preceding the Arab springs incorporated some forms of flows directly derived from regional instability, not only comprising Tunisia or Libya’s own situation, but their neighbour’s. As we gather from the Economic and Social Research Council (2017), the influence of some of the highest points of the crisis (2015-2016) did not stem directly from the regions they left, but rather the culmination of “sub-flows” that eventually merged into Libya, and in the Eastern case, Turkey.

The main distinctive feature between the Eastern Mediterranean situation, and the Central route derive from their form. While one is namely characterized by being a land crossing, in which the EU proceeded with the arrangement of a blockade with Turkey (highly frowned upon), the Central Mediterranean route comprises countries in which the crossings were maritime, and that were met with political turmoil. Therefore, we understand them as different dynamics as they require different conceptions of solutions.

As exposed by Frontex (2018), the year 2016 registered the highest number of migrants that dared such a cross (181 376), having most been smuggled by different human trafficking networks operating in Libya, expressively related to the groups who aspired to control the

region. Nevertheless, it would be the previous year that would constitute the greatest call for action, as exposed by Dura (2018), the EU would only feel such a desperate call in the Mediterranean after the tragedy of the 18th of April 2015, in which the capsizing of a dingy near the coast of Italy would result in the tragic death of hundreds of migrants who had taken such a wretched leap of faith.

The notion of Mediterranean crisis is comprehended within the comprising years of 2014 to 2017, which registered the highest figures both in migrants as well as death toll, as well as a massive drop carried out between 2016 and 2018. The responsibility of such a drop pertains namely to the reform of the ENP and Frontex, as the composition of mechanism that could address the migratory routes by both proceeding with rescues, locating migrants, and controlling the flows and their harbour (also carried out by the “mare nostrum” missions, and later the EUNAVFOR Operation Sophia).

For the definition of the present approach undertaken under the 2015 ENP reform (applied in 2016), we proceed with the term coined by Garelli et al. (2018) of “Military-Humanitarianism” and “Military-Humanitarian border”. Here the authors ponder on both the task and evident necessity of proceeding with Humanitarian action but acknowledging the point in which their displacement and integration may constitute a burden and source of turmoil within the host countries, and therefore the expressive need for the deconstruction of smuggling rings both in the name of stability and decrease in mobilization of people across the deadliest of the borders (Garelli et al., 2018).

We consequently compose the present review of the ENP as a reaction to the Arab Springs, in which the EU hoped to engage in a role of promoter for the democratization efforts being developed in the region, as well as, and we cite “establishment of political order in its neighbourhood and an anchor for its stability”(Henökl, 2017, p. 534), as their stabilization would immediately have a positive outcome for the EU’s own situation. It intended on providing the recognition of differentiation between states, and that it implied that not all could compromise to the same “one-size” approach previously promoted, and we cite “recognising that not all partners aspire to EU rules and standards, and reflecting the wishes of each country concerning the nature and focus of its partnership with the EU” (High Representative of the Union for Foreign Affairs and Security Policy, 2015). This would lead to the focus on combating terrorist networks that had greatly challenged the EU and its values, namely during the infamous night of November the 13th 2015, as well as a multitude of other moments that

came to emphasize the need for the creation of a more appropriate response to the crisis at hand, as the present mechanisms had proved to fail.

The aim of this “new” ENP would be to enhance cooperation in a wide array of sectors, stretching arms beyond government and onto the civil societies, while at the same time applying resources when necessities arose. Out of these newly established priorities we enumerate: stabilizing the Neighbourhood; Enhancing partnerships; Development of better governance, democracy, rule of law and human rights; Economic developments, modernization of sectors; Development of opportunities for the youth; Better transportation infrastructures; Energy security and climate action; Development of the Neighbours security dimension, making them more resilient and able to respond to crisis, protect their borders, while tackling terrorism and radicalization (High Representative of the Union for Foreign Affairs and Security Policy, 2015).

Out of these aims, the security sector reform comes to bear the highest responsibility for the success of these operations, as it comprehended the need for an operative body to impose adequate order within the limits imposed by both democratic rule, rule of law, as well as human rights and dignity. It would therefore come to incite cooperation between MS's and partner authorities regarding security matters, while incentives would be handed onto the commitment of reforms in their civilian and military security, and we quote “Such cooperation may include strategic and policy advice, institution and capacity building activities, dialogues with civil society, and support for community security programs” (High Representative of the Union for Foreign Affairs and Security Policy, 2015). Here we’re instilled with the notion of cooperation between both sides of the Mediterranean as the way to develop stronger and less compromising security situations within the partner countries, understanding them as equal in ability but underdeveloped in capacities, and which investment would significantly alter compromising security situations, allowing for the EU to be involved in the development of their security post-reform, while providing partners with the necessary tools to face their adversities.

Within the application of this framework, the CSDP would therefore constitute the backbone to the strategy to be implemented, allowing for a prosperous exchange of practices under the EU’s security and defence architecture, once again aiming towards cooperation and capacity building (High Representative of the Union for Foreign Affairs and Security Policy, 2015). Finally we highlight another relevant element: the possible participation of the southern neighbours in CSDP missions and operations according to relevance and case by case basis, sharing responsibilities and fostering the commitment to a mutual development and mutual dialogues, namely through the association of partners onto relevant programs and agencies as

its the case for European Defence Agency and the European Security and Defence College (High Representative of the Union for Foreign Affairs and Security Policy, 2015).

We're thus able to conclude that the present revision wouldn't undermine states sovereignty but provide them with the tools to better apply it, considering them as partners rather than pushing them onto a submissive position, so they would be able to persecute and tackle forms of external pressure in a more resilient and independent fashion. In consequence these countries were pushed onto being able to react in situations of crisis, and defend their own stability, rather than requiring constant international aid to face such adversities.

More recently, the EUGS comes to pertain to the ENP as, and we cite "a compatible yet independent field of EU action" (European External Action Service, 2017, p.535). Such a stance contemplates the recognition of the neighbouring countries own resilience and ability to entertain their own necessities, while still considering them as close partners. The EU's action on the field, and its Global Strategy goals, are translated onto the amelioration of the coordination of instruments and policies, pertaining to a stronger political impact in the region, further interconnecting the EUGS and the ENP as being more converging forms of action along the region, that allow for the recognition of the EU's present strategy as directly encompassing the Southern Neighbourhood.

In the construction of a more efficiently working neighbourhood, changes had to be done at an European institutional level, and therefore the evolution of such structures permitted a clearer coordination, as well as developing wider compromises with the Global Strategy and the ENP in which these would be more directly intertwined, as previously pertained to.

Nonetheless, the EU Mediterranean approach would concentrate efforts of individual MS's, namely those more afflicted by the weight of the migration flows, as well as reinforcing Frontex's field of action. In 2016 Frontex was enlarged with the European Border and Coast Guard body, responding to the crisis at hand by providing the Mediterranean with an extra official body, acting as an EU agency that would conduct Joint Operations out of which we highlight Triton. Triton would meet the CSDP framework, aiming for cooperation between MS's during the conduction of missions in high seas and Libyan territorial waters. At the same time, we find civil entities developing missions independently from official bodies, and outside of the developed frameworks, as it's the case for SOS Méditerranée (developed in France by European citizens, with the goal of proceeding with humanitarian missions when such arise) (SOS Méditerranée, n.d.).

At the present, Libya no longer conducts the highest toll regarding migration flows within the Central Mediterranean route, namely due to the more controlled approach undertaken

regarding it. In its place we find Tunisia that in 2018 would already represent the most common nationality within this route, along with Eritreans (Frontex, 2018).

In February 2021, Tunisia still strikes the highest number of nationals undertaking such a route, along with the Ivory Coast, Guinea, Bangladesh and Eritreia. Such numbers could be deemed odd due to Tunisia's striking success during the Arab Springs, however underdevelopment, economic and political turmoil has caught a hold of the people, leading to a less efficient border and maritime control, and allowing for the rise of smuggling cases (European Council, 2021b).

In conclusion, we're able to grasp that the matters of Mediterranean governance derive from an inter-institutional approach within the EU and obtained through a deeper development of the ENP (achieved in 2015), stratifying to an individually developed member-state's division and securitization approach, aided by Frontex and currently developing efforts through PESCO.

Finally, our limits are bound to the maritime "borders". That statement may seem so definite, however these flows come to expose just how ambiguous they are. As we reach European limits, our Neighbours spaces begin, and thus the need for an effective collaboration that mitigates ambiguity (translated directly into grey zones, with scarce surveillance) comes to bear the greatest necessity.

2.4 The limits of EU cooperative operations and projects and Frontex's missions in the Mediterranean

The previously introduced ENP 2015 review was namely targeted at the production of a security ring set within our partners, in which their development and introduction to a cooperative securitization procedure was deemed as the main objective. Nonetheless MSs would still be battling with the strain of constantly conducting actions individually while dealing with the difficulty of hosting such an intense population. Here it becomes particularly relevant to note how these pressures came to inspire a tumultuous political period that still wounds us to the present, characterized by far-right engagement, xenophobia, and racism, while at the same time the need to inspire internal security rose. In guise of these events, border control was stretched beyond the Eastern border onto the ambiguous Mediterranean (a complex transition due to the nature of these borders).

The 2015 ENP review was matched with a 2016 extension and revision of Frontex. Here its tasks were expanded from being the "European Agency for the Management of

Operational Cooperation at the External Borders of the MSs of the European Union” to the “European Border and Coast Guard Agency” presently at work. In the current regulation, its tasks were also stipulated as the following: “to establish a technical and operational strategy for implementation of integrated border management at Union level; to oversee the effective functioning of border control at the external borders; to provide increased technical and operational assistance to MS's through joint operations and rapid border interventions; to ensure the practical execution of measures in a situation requiring urgent action at the external borders; to provide technical and operational assistance in the support of search and rescue operations for persons in distress at sea; and to organise, coordinate and conduct return operations and return interventions” (Official Journal of the European Union, 2016, p. 2).

Furthermore, and keeping the supra-explained tasks in mind, the activities developed by Frontex became particularly relevant as they were to support the MS's activities, fully financed by the EU, while interlocking cooperative missions with security forces (MS's coast guards) confined to their field of action. They would therefore only act within the MS's maritime reach.

As the regulation of the European Border and Coast Guard conducts “European integrated border management should be implemented as a shared responsibility of the Agency and the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. While Member States retain the primary responsibility for the management of their external borders in their interest and in the interest of all Member States, the Agency should support the application of Union measures relating to the management of the external borders by reinforcing, assessing, and coordinating the actions of Member States which implement those measures” (Official Journal of the European Union, 2016, p. 2). We can consequently affirm that sovereign limits would be respected, only enhanced by the present agency, as well as bringing a close coordination between the institutions, the agency, and the task at hand.

Elaborating the previously expressed tasks, the agency would further contribute to preventing criminal activity in the Mediterranean, namely cross-border dimension as its the case for human and drug trafficking, migrant smuggling, and acts of terrorism, while coordinating such activities with Europol (Official Journal of the European Union, 2016). At the same time, the agency would carry out rapid interventions when such a challenge arose, towards which MS's should provide capabilities and border guards upon their agreement on such an intervention (Official Journal of the European Union, 2016).

Frontex would hence constitute the first step towards a cooperative securitization and defence action between the EU as an institution and the MS's as individual sovereigns, allowing

them to be able to rely on an EU funded mechanism, as well as still overseeing their own needs. Consequently, Frontex as an EU mechanism would comply to the Commission's regard of the Common European Asylum System and fundamental rights, while ensuring collaboration between other relevant agencies, such as the European Asylum Support Office (EASO), as well as other synergies between the various actors in the maritime environment, ensuring their compliance to the European integrated border management and maritime security strategies (Official Journal of the European Union, 2016, p. 6).

Finally, another intricate matter arises: the encouragement of cooperative operations beyond MS's and into third countries, utilizing the relationships established between the EU and the neighbourhood at hand, in the field of external borders, out of which we enhance the deployment of, and we cite: "liaison officers to third countries and cooperate with the authorities of third countries on return" (Official Journal of the European Union, 2016, p. 7). On that account, and as previously expressed, we're able to understand that Frontex acts as an independent agent that cooperates with MSs, and possibly even third countries (namely neighbours). Being a distinctive EU agency, the means with which it's able to achieve such an extensive approach derive from the relations achieved by the EU, namely through the ENP.

As previously expressed, PESCO saw its creation in December 2017, after prior approval by the EU Council upon understanding the necessity of launching a Permanent Structured Cooperation (PESCO), thus meeting the ambitious EUGS published the year prior. Although planned and dreamed within the premises of the Lisbon Treaty (introduced by article 42(6), as well as the annexed Protocol N°10 on PESCO) as the pursuit of a practical and effective EDA, the means to cooperate on defence matters have finally met an adequate dimension to follow through with defence research and development of capabilities (PESCO, n.d.a). This moment provided the EU with the amplitude to become a prominent international capabilities developer and researcher, utilizing the connections established by EDA and the Coordinated Annual Review on Defence, and we cite, "which supports MS's efforts to better identify opportunities for new collaborative initiatives (in particular PESCO projects). The coherence of these initiatives with PESCO and their orientation towards the agreed EU Capability Development Priorities is key to focus the new dynamic in European defence matters towards a more coherent European capability landscape and a full spectrum force package usable for operations and missions" (PESCO, n.d.a).

Initially having developed 17 projects, PESCO now counts with 46 active projects, out of which only 6 target maritime grounds, mostly considering the development of training and capabilities rather than the pursuit of effective operations. Nonetheless efforts regarding

maritime surveillance are being pursued namely within 2 projects: Harbour and Maritime Surveillance and Protection (HARMSPRO) (previously presented), as well as Upgrade of Maritime Surveillance (UMS). The grounds in which such operations would be undertaken are never specified as they're still considered projects for the development of capabilities.

It's important to note that *ensemble* commitments are not to be taken as pure novelty, as 2008 marked the year for the launch of the first EUNAVFOR mission, as a Council Joint action. EUNAVFOR- Atalanta composes the execution of a EU military maritime operation that would combat piracy and other forms of criminal activity off the Somali coast, in accordance to multiple UN resolutions, as well as the first enforcement of EU foreign interests abroad (EUNAVFOR- Operation Atalanta, n.d.). This operation was to be directed and controlled by the EU's Political and Security committee, the antecessor of the present EEAS, utilizing the EU military committee for advice, and the EU MSs for support and monitoring of the mission (EUNAVFOR- Operation Atalanta, n.d.). Presently Operation Atalanta is still in execution and marks a moment of deep interconnection of MS's militaries pursuing a common goal, under the EU flag.

Envisioning these parameters of EU collaboration, and the stretching of these goals beyond EU borders and onto partners, we're able to highlight EEAS's EUNAVFOR Med Operation Sophia as the primary conduction of a collaborative mission that establishes migration control stemming from Libya, while pursuing the training of Libya's coast guard as the more efficient response to migrant smuggling across the Mediterranean. It was composed by 26 EU states and aimed at having a mandate duration of approximately 5 years, having started in June 2015 and terminated in March 2020 (EUNAVFOR Med- EEAS, n.d.). Through the effective utilization of EEAS established relations in the ENP-UfM range, and regardless of the limits of these operations to only be utilized in clear perceptions of crisis, we compose the present operations as essential towards the complementation of an EU wide security and defence paradigm.

Presently Frontex holds flaws as its independence from the states allows it to pursue with different courses of action that don't rely on an ample review and unanimous approval, having been often accused of violating human rights at the Greek maritime border regardless of its ties to the EU charter on fundamental rights (Fink, 2020).

It is known that Frontex aims to develop a different type of surveillance: Maritime Aerial Surveillance with Remotely Piloted Aircraft Systems (RPAS); this model of surveillance carries the ability to detect incoming migrant boats as well as any other type of criminal action,

while also posing the ability of intervening only when such is absolutely required, allowing it to shift blame and responsibility as its often accused of doing.

Whilst it being mutual of both EUNAVFOR and Frontex bodies to be able to act in the Mediterranean, presently Frontex holds the protagonist role as it's a permanent actor in the field, while EUNAVFOR requires activations, limited to specific periods of crisis.

As 2020 has accounted for 1 417 deaths, out of which 983 stem directly from the central route, and by March 2021 the numbers being already set at 294 (with 232 being once again from the central Mediterranean) it's evident that action is still highly required (Missing Migrants Project, 2021).

Chapter 3- The security situation of the “other” side of the basin

The “other” side of the Mediterranean basin has often been both the source of migration flows, as well as its impediment. Both moments have produced different engagements between the EU and North African countries, as they bear responsibility over their socio-economic and political stability (providing an environment prosperous enough for its population), and thus

becoming a buffer zone between the EU and the “hot spots” out of which most flows derive from.

It’s in this spirit that we first meet the ends of the application of the ENP, through the UfM branch, and its subsequent developments. We understand it as a policy that should promote development, and consequently promote security (an expected and wished upon effect of the ENP), while increasing bilateralism.

It would nonetheless be an oversight to describe the relationships established between the EU and North African countries as having only evolved during the period after the creation of the UfM, as the Barcelona Process did in fact aim to promote cooperation, out of which we highlight the EU’s Action Plan against terrorism in 1999, where Algeria came to be coined as one of the priority countries for counter-terrorism, and involving Tunisia at a lesser extent (Bicchi, 2010) (these aims would be later revived in 2006).

Unfortunately, the Arab springs bloomed conflict, and ravaged the countries that tried to embrace it. In its midst, we find the collapse of Libya and Tunisia, as well as Syria in the Eastern Mediterranean, and an increase in the spread of terrorism, in addition to a remarkable refugee crisis. Thus, the countries in which we thought we would witness the development of overarching democracies became agents of migration, whose youth in particular would try to find more suitable living conditions, work, etc. In its most dire circumstances, the Southern Mediterranean of today, as described by Borrel (2021) is worse than it was both in 1995 and 2011.

The ever-growing gap between the EU and its neighbours is also to be accused of these movements. From an Economic point of view, Europeans are expected to be at least 8 times wealthier than their North African counterparts, presently facing the backlash of being “one of the least economically integrated areas in the world” as pertained by Borrel (2021), with regional trade accounting only for 6% of their international trade.

Thus, we’re able to denote that the economical engagement enticed by the ENP is undoubtful to lead onto the securitization of the EU and its borders, in addition to a complex externalization of the Eu borders onto our neighbours.

This problematic of border externalization has been introduced as far back as 1992, namely as the free movement of people and goods came to be embraced in the EU through the Maastricht Treaty. Later, in 1999 as the EU gathered the Southern Neighbourhood countries in the previously mentioned alliance to counterterrorism, it dared to compose a stronger moment regarding an EU external action, with a strict agenda regarding migration set for 2004. This year became an important mark namely due to the Cap Anamur Boat incident, in which 37

people that had been rescued from the southern Mediterranean found themselves expelled from, raising the need for a policy that would oversee burden-sharing between MSs, as well as enabling the British proposal regarding the establishment of processing centres external to the EU (Biondi, 2012).

Therefore, we find three hard lines composed before the implementation of the modern ENP, the first one regarding the need for an efficient development of counter-terrorist measures, a second one emphasizing economic development, and a third one engaging the need for a migration policy that would be developed before incurring in such situations.

Although two of these hard lines enterprise the limitations of migration towards the “European fortress”, the way in which the EU designs the conduction of its security and defence strategy can be held within a humanitarian-military approach. Here the fatality of the Mediterranean corridor is recognized, as well as of the lack of better alternative for those who dare to pursue such a path, nonetheless part of the responsibility lands equally on the EU border politics and restrictions to third-country nationals. As described by Garelli et al. (2018), we’re faced with a policy framework that will not grant the safety of arrivals across the Mediterranean, as well as migration containment operations originating from the Southern and Eastern shore that once again foment this understanding of the externalization of the EU borders through the implementation of restrictions manifesting from these countries.

While taking into consideration the EU’s necessities of border reinforcement and security, namely due to the ways in which internal borders and movement have been integrated so widely, this externalization was deemed to be essential, however comprising the need to respect human rights, and here we engage the importance of the ENP. As the ENP would commit its application onto the effective development of these neighbouring countries, that in exchange would limit migration into the EU, the reduction of tragedies in the Mediterranean would entail. Unfortunately, and as a result of the Arab springs previously approached, the relationship between the EU and the Southern Neighbours was heavily affected, and thus the Mediterranean Sea would inevitably become the actual “pre-frontier” to the EU.

The later years have accounted for an increase in the utilization of the Mediterranean as point of entry into the EU (having previously accounted for 15% between the 1990’s and 2000’s (Global Initiative 2014; UNHCR 2015)), at the same time the composition of these fluxes has come to equally change dramatically with a myriad of groups of both men and women, of all age ranks, no longer mobilizing only due to economic reasons, but fleeing war and violence, which incited the change of narrative regarding how “closed” borders should be.

Considering these migrants as vulnerable and victims of poor government practices, the EU could no longer stand as witness to the shipwrecks, and to the accounts of those dying trying so desperately to leave, and consequently rescue missions would constitute the main approach followed by the EU and its MS's (hence the humanitarian-military approach to the security and defence of the Mediterranean).

Consequently, this major drift in the type of migration looking for refuge in the EU, connected to the type of missions that should be undertaken in the Mediterranean, entailed a restructuring of the EU migration politics, both in their constituency as an eventual permanent population, and we quote “either as recipients of some type of international protection, as overstayers of a temporary protection status, or as illegalized presences by status rejection. In short, this is not a migrant population that can be easily targeted for criminalization or deportability (De Genova 2010) processes” (Garelli et al., 2018, p.4).

The humanitarian-military missions developed in the Mediterranean would be tasked with search and rescue operations performing under international regulations that oblige the rescue of any boat in distress within the vicinity of a seafarer, which thusly launched operations with the purpose of intercepting boats in distress, and bringing them safely to land, in addition they would comply to maritime law as part of the governmental approach that conducts the humanitarian aspect of the military forces in action. In the likes of such we find as examples the Italian mission “Mare Nostrum” in 2013 (later replaced by Operation Triton in 2014), comprised of naval and air forces in the performance of these operations, as well as the common EUNAVFOR Operation Sophia in 2015. This humane transformation of military intervention, as proposed by Garelli et al. (2018) would concede the central stage to the relationship established between humanitarianism and military interventions, proposing the actions of NGO's and UN agencies to be pushed aside and favouring national militaries (the case of Operation Mare Nostrum), and later on EU military forces (Operation Sophia) (Garelli et al., 2018).

At the same time it was understood the imminent necessity of proceeding with operations that would prevent the flows from even reaching the Mediterranean, namely through the destruction of the “smuggling” industry (Garelli et al., 2018), in which EUNAVFOR Operation Sophia becomes the protagonist.

Deriving as a unified effort between all EU MSs in a coordinated action with Libyan military forces, the direct aims of Operation Sophia started on land through the dismantlement of smuggling and trafficking networks of people from Libya into the EU, proceeding with

rescue missions and ensuring their safe arrival on land, or even pursuing a blockage approach of migrants and refugees in transit (Garelli et al., 2018).

Having previously exposed the drastic reduction of migrant crossing through the Central Mediterranean route along the years (and namely from 2016 until the present), in which the Libyan route had once taken the highest toll of migrant crossings, along with the number of fatalities, we're able to compose the success of the policies undertaken in more recent years, as well as the pacification of some conflicts. Nonetheless, Tunisia is presently the state out of which we find most departures namely due to its political instability, which leads us to wonder on the possibility of enhancing such forms of cooperation and proposing it onto other partners. In consequence, we proceed with the elaboration of the present bilateral relationships between the EU and its strategic partners, developing the means to erase situations of "blank spaces" regarding security and defence of the Mediterranean, alleviating the pressure of both EU MS's as well as ENP states, and thus promoting a prosperous governance of the Mediterranean.

3.1 EU-Algeria Relations

For the purpose of the present analysis, it's important to denote that Algeria isn't considered a Central Mediterranean agent as the flows originating from it do not reach Italy, and thusly is considered a Western Mediterranean country. Nonetheless we come to analyse the bilateral relationship established between Algeria and the EU, as its geographic position could be considered a strategic asset for a widening of security and defence cooperation engagement regarding vigilance and interception of migrant boats in distress.

The bilateral relations between EU-Algeria have namely been marked since the 1995 Barcelona Process in which the auspices of an economical partnership were met. Later, as the 2005 ENP came to bring on the revival of the relationships previously established, the Algerian government did not wish to fully integrate it (Börzel & van Hüllen, 2014).

Algeria poses itself as a regional power in the Maghreb and Sahel, namely as it's considered to be a relatively wealthy country due to the presence of rich energetic resources (such as hydrocarbons), which allows it to project its power at an international level. Such wealth permits its disposition and projection of military capabilities and "recognized counterterrorism expertise" (Boukhars, 2019, p. 243). However, the Algerian economic model pursued (in which the state exercises control over it), as well its complex political situation, has been the source of divergences that have guided it away from cooperating with the EU.

Having namely been driven by the principle of “non-interference” that has vastly guided its external relations, a heritage of the Algerian civil-war in which the Islamic groups were supported by Saudi Arabia, we’re able to identify a period of isolationism that marked the experience regarding bilateral negotiations previously undertaken during the 90’s, followed by a period of developments between 2005 and 2017 with a wider flexibility and pragmatism (Thieux, 2019).

Such isolationism has been found to derive from its previous engagement with NATO’s Mediterranean Dialogues in 2000, having participated in several joint exercises and even becoming, and we cite, “the first country-member in Operation “Active Endeavour”” (Aïda Ammour, 2013, p. 3) in 2006. Nonetheless, NATO’s intervention in the 2011 Libyan conflict without resorting to Algerian consultation resulted in a consequent downgrading of relations.

In 2002, Algeria refused to take on the comprehensive obligations necessary to take part in the ENP, thus engaging in “a dense web of informal cooperation activities has developed within the ENP and beyond, basically focusing on the establishment of migration systems in Mediterranean countries”(Casserino & Lavenex, 2012, p.285). What followed was a series of fragmented developments and transference of know-how and capacity building regarding border and migration control, engaging at an EU level as well as directly through MS’s (Casserino & Lavenex, 2012). Although at the present we may consider Algeria as an ENP partner, it has been proven to be a difficult task to establish negotiation channels, namely due to the priorities established by Algerian policymakers.

Regionally, Algeria has engaged in a wide array of counter-terrorism initiatives, which (allied with border control and migration policies) comprehend the main engagements developed, pursuing combined action along with its southern neighbours. In this regard we may take the Mali crisis as an example of Algerian support towards Malian army units in counter-terrorism efforts, namely through logistical support due to its previously established “non-interference” perception of external action (Aïda Ammour, 2013). However, Algeria has still attempted to pursue a leadership role in the fight against terrorism, in this regard we find the creation of the Tamanrasset based Comité d’Etat-Major Operationnel Conjoint, (CEMOC) in 2010, which intended on conducting military and security cooperation missions, as well as, and we cite, “intelligence and logistical coordination, between its members (Algeria, Mauritania, Mali, and Niger) and build support for a 75,000-strong joint force” (Boukhars, 2019, p. 245), which therefore establishes Algeria as a state that does wish to pursue coordinated operations that will also favor it, and enhancing its importance as a leader in regional security.

It's particularly expressed the regard in which Algeria's own neighbours attend to the realization of the importance of having it as a partner, out of which we highlight the role played by Algeria in Tunisia regarding the stabilization of the country in the political transition post-Ben Ali (Boukhars, 2019). Such interventions should ally it closely with the EU, nonetheless Algeria has chosen to exclude it from its initiatives, which lead to France and the EU backing platforms outside of Algeria's orbit, as an example we find "Military interventions by France in Mali (January 2013), Niger (May 2013), and Burkina Faso (January 2015) have demonstrated the utility of its power-projection capabilities" (Boukhars, 2019, p. 246).

As the 2017 EU-Algeria Partnership Priorities promoted a regularity of dialogue on issues pertaining to mobility, migration and asylum (EU-Algeria Association Council, 2017), difficulties regarding the correct implementation of such measures by the EU have failed in committing to cooperation between both parties, as in research by Caruso & Geneve (2015), and we cite: "Flexible, non-binding and trade-related tools such as the Mobility Partnership or the migration compacts did not attract the interest of the Algerian government never agreed to start negotiations for a Mobility Partnership, de-politicization of the migration issue through technical cooperation never materialized, since the country is not involved in any bilateral project funded by the EU funding instruments, except for broad regional projects" (Caruso & Geneve, 2015).

Nonetheless, previous years have been pivotal for the ratification of UN conventions regarding the protection of migrant rights, as well as amending its Criminal code (as early as 2009) in order for it to comprise the crimes of "irregular exit from the territory for its citizens and resident aliens, as well as the crimes of smuggling and trafficking of persons, in accordance with the ratified Palermo Protocols"(Caruso & Geneve, 2015), defining smuggling as "the organization of irregular exit from the national territory for profit, as opposed to trafficking, whose potential transnational nature is strictly rejected by the Algerian authorities whenever engaging in cooperation with external actors"(Caruso & Geneve, 2015). As a direct effect, migration routes have significantly been affected, a positive outcome for the European shores, nonetheless such measures came as a response to domestic insecurities, as the Algerian government has regarded since the events of 9/11 the deep connection between terrorism and border insecurity, which also lead the criminalization of irregular border entries.

Another important detail to consider regarding maritime security, is the absence of cooperation between the Algerian government and Frontex, having officially rejected in 2018 a proposal regarding the establishment of disembarkation platforms (Abderrahim, 2019), measures that would promote the externalization of EU borders. The separation of activities

that would conduct a joint and coordinated action regarding migration policies between EU-Algeria, has thus become expressed. While showing itself as cooperative with international Organizations (as earlier displayed through the ratification of UN conventions regarding migrant rights), Algeria seems adamant in cooperations regarding smuggling and border crossing, not utilizing its military troops outside of Algeria. However, in 2012 we find the Algerian Maritime forces participating in the Maritime Interdiction Operation training exercised promoted by NATO at the Interdiction Operation Center in Greece, namely as it focused on the threats that Algeria itself perceives, working in counter-piracy and maritime security (Aïda Ammour, 2013). We can therefore deem to be possible to entertain Algeria's main threats within the EU's own perception of threats, and thus it's pivotal that we regard Algeria as an influential partner in the ENP.

Presently Algeria doesn't only serve as a country for migration departures onto the Mediterranean, but as a suitable destination for immigration, with prosperous work conditions that have attracted employees of foreign companies, Sub-Saharan migrants, as well as international university graduates, which has further diversified the profile of immigrants (EEAS, 2017). Furthermore it's the development of the external dimension of a migration policy, as proposed by the EU that has conducted a growing pressure onto Algerian borders, namely due to the efforts carried out through the 2016 EU-Turkey agreement in addition to the EU and Italy that have lead migrants flows towards Algeria (Caruso & Geneve, 2015). The consequence of this misstep has thus further separated the management of activities between the EU and Algeria, as the latter demonstrates a preference for direct bilateralism, focusing on coordinating security matters, in military cooperation, with neighbouring countries.

As in research by Caruso & Geneve 2015 "(...) the proposals that the EU put on the negotiation table over time lacked (and still lack) clarity, as a result of diverging positions within the EU and of the on-going policy-making process. On the other, despite the EU's attempts to give Southern Mediterranean countries more power in determining the kind of activities, projects and programmes on migration management remain strongly EU-driven (Trauner & Wolff, 2014; Zardo, 2017). Both these features of the EU's approach are curbing the Algerian willingness to sign agreements and advance cooperation" (Caruso & Geneve, 2015). This unwillingness could easily be deterred as the EU shares points of convergence regarding migration matters with Algeria, as previously established, which therefore raised the bar onto the means in which negotiations should be developed, obtaining a higher degree of independence for Southern ENP countries.

It's essential that the EU proceeds with the development of initiatives that take into consideration the Algerian perception of cooperation regarding migration, namely due to the presentation of Algeria as a state with a high disposition of security capabilities, that permit a high degree of efficacy regarding the fight against terrorism and border crime (EEAS, 2017). They therefore become an essential partner namely regarding Libya and the region of Sahel, having even participated in the European mechanism of civil protection by the EU Commission (EEAS, 2017), however the present partnership must be flexible enough to take into consideration the Algerian perception of sovereignty as not being dependent from a third party influence, in addition to their inherent need to secure national security through the protection of their borders, in which the inability to fully grasp these needs have estranged Algeria as a partner.

In the past, prosperous relations regarding the development of Algerian capacities have been obtained. Here we denounce that Algeria is one of the largest importers of conventional armaments, utilizing Russia as its main strategic partner and representing 13% of its arms sales and 93% of Algerian arms imports, while attempting to diversify its sources in later years (resorting to European partners such as Germany, Italy, Sweden, and Spain) (Aïda Ammour, 2013). In 2016, Algeria was even regarded as one of the top African military powers, while gathering the largest defence budget (S\$10.5 billion in 2017), only second to Egypt (Boukhars, 2019, p. 243), and still it has been unable to project itself as the dominant regional power.

It's paramount that the EU develops initiatives that thus take into consideration ENP partners own sovereignty and needs, while at the same time these partners must reach an agreement regarding the negotiable aspects that they deem possible to be included in their approaches regarding migration control and counterterrorism. Algeria is still a considerable partner, in which the EU must invest regarding a consolidated and coordinated military maritime approach, namely realizing their dismissal of Frontex as a partner, but not of MS's military or even their ensemble under EU (in similar tasks and missions such as EUNAVFOR Operation Sophia).

In other situations, Algeria's own surveillance goals have matched present EU necessities. As in research by Aïda Ammour (2013), Algeria has aimed at coordinating Sahel countries between the military and other intelligence agencies "supporting and arming Bedouin Arab nomad militias operating in the areas of northern Mali, as well as northern Niger"(Aïda Ammour, 2013, p. 3) as well as pushing for an electronic surveillance points system, sustained by alarms and radars able to detect border crimes such as infiltration, smuggling and trafficking, both by humans and vehicles, while also utilizing aerial surveillance means, as well as

deploying troops to these areas. In a similar guise we may find PESCO's HARMSPRO and UMS projects, which although pursuing a maritime nature also promote a wide development of surveillance systems, providing EU MS's with an improved security and safety of maritime traffic and structures, in addition to, and we cite "an integrated system of maritime sensors, software and platforms (surface, underwater and aerial vehicles), which fuse and process data, to aid the detection and identification of a range of potential maritime threats" (PESCO, 2021).

Although envisioning different partners, PESCO is in fact pursuing similar projects that could be promoted and devised towards Algeria, enhancing our ENP cooperation while acknowledging Algeria's own regional threats through the EPF. They would nonetheless be performed under the EU's own perception of correct conduct regarding security and defence, allied with respect for Human Rights (as pertained by all of EU's ENP developments).

Therefore, we acknowledge the complexity of engaging with Algeria in matters related to counter-terrorism and migration, namely by pushing an EU approved stance on it, while Algeria rejects all impositions towards its own sovereignty, and thus conducts only informal relations regarding ENP, refusing to formalize and officialise such ties. However, Algeria does not conduct itself as an isolated agent, conducting external actions that directly pertain to its needs, as well as having engaged with the EU and other international actors in a myriad of circumstances, if they comply to Algeria's own necessities. Thus, we're able to comprehend the possibility of an enhanced and strategic cooperation regarding maritime security, defence, and surveillance, having it as a project that could benefit Algeria, enabling its compliance to EU terms due to the matching of necessities and providence of essential capabilities for such.

3.2 EU-Tunisia Relations

Tunisia is considered to be the grand victor of the Arab springs. Being the igniter or the most revolutionary moment of the decade, we commend the success that initially derived from it, in which a pluralistic democracy was established. A Nobel peace prize followed to the Tunisian National Dialogue Quartet, but the central stage is still far too ravaged and unstable to be completely certain of what may follow.

At the present, and as previously exposed, Tunisia carries the burden of migration flows into the EU, with a considerable amount of these migrants being of Tunisian origin and therefore composing the most accurate definition of the reasons conducting the ENP- a policy

designated towards the **stabilization** of partners to **prevent** migration flows through the development of targeted states and regions, while **coordinating** policies. Nonetheless, political turmoil derived from an exhausting economic crisis has perpetuated the inability of progress and prosperity.

In the past, bilateral cooperation between Tunisia and EU MS's immediately invoked the migratory governance established with France, ratified in April 2008, and applied in 2009, in which the agreement was structured around organized and legal mobility of migrants (namely by pursuing cooperation in regards to deportation, as well as the readmission of irregular Tunisian migrants, followed by the implementation of a development model towards their country of origin (Casserino & Lavenex, 2012). In consequence, Tunisia would thus be able to count on the support of EU MS's regarding its Advanced Status.

In consideration of Tunisia's previous embrace of the ENP proposals, we find prosperous economic relations, which have promoted an economic development enhanced by its outwards driven model, deepening the economic relationships established through the ENP (Bicchi, 2010). It's of a striking dissonance the political engagement pursued by Tunisia within the ENP framework, tackling economic relations as a priority that would not be nuanced by political undertones brushed by the ENP dialogues, admitting the possibility of rejecting all types of relations while guising their regime and particularities as being elements of "third world countries", and we quote "it has skilfully played on a 'third world 'interpretation of human rights, by which the provision of political freedom would be useless without access to health care, housing, etc." (Bicchi, 2010, p. 213), thus exploiting the political divisions regarding application and respect for human rights within the different EU MS's.

In addition, Tunisia posed itself at an equal stance with Algeria regarding its struggle against international terrorism and religious fundamentalism, both elements that would shape its foreign affairs regarding cooperation in migration policies, posing it as a permanent security threat that should be assessed adequately. Consequently, the respect for human rights (one of the ENP pillars) was often pushed aside when managing international migration, often ignoring the roots of the problems faced by migrants, such as social inequality, poverty, underdevelopment, as well as political violence and repression (Casserino & Lavenex, 2012). Nonetheless, the political shift suffered by Tunisia in 2011 was adjacent to new priorities regarding security strategies, namely in migration aspects as they were suddenly forced to reform the policies previously pursued, obliging to humanitarian perspectives, namely with respect and defence of fundamental rights (Casserino & Lavenex, 2012).

As a member of the Khartoum Process⁴, Tunisia has embraced cooperation with the EU with reference to migration control, however they often find themselves at arms with problematics derived from the multitude of migration and asylum policies in Mediterranean Countries, but the present political shift could promote Tunisia's eminent transition regarding security as a closer EU partner derived from its pursuit of democratic rights (as promoted by ENP policies), and in consequence to their separation from isolationist policies.

This transition will forcefully entail a reform of the Tunisian security sector, as they attempt to build trust in their new form of government. However their military (Forces Armées Tunisiennes or Tunisian Armed Forces- TAF) are already renowned for their refusal to use lethal force against Tunisians, although being previously subordinated and controlled by the government (Hanlon, 2012). These armed forces have abstained from being political, as well as abstaining from the legitimization of the former regime.

Regarding capabilities, the TAF are rather impoverished in addition to the inexistence of accurate numbers concerning the actual size of the security forces, according to Hanlon (2012), having displayed 27 000 armed forces, and a limited maritime defence capacity as they don't possess deep water ships. As the regime of Ben-Ali fell, the armed forces were driven to protect and maintain people's security and stability, all the while facing challenges along their land and maritime borders as refugees from Libya's civil war fled to Tunisia and Algeria, as well as approximately 30 thousand Tunisians escaped to Europe (Hanlon, 2012).

In comparison, the total security forces seemed to be close to 40 to 80 thousand forces, with a substantial and solid police capacity recognized by their high levels of education, and even having attended European police training academies. However, these same forces were once responsible for Ben-Ali's repressive regime, conducting human rights violations such as arbitrary arrests, torture, and in some circumstances extrajudicial executions (Hanlon, 2012). A year post revolution, Tunisia seeks to ensure transparency and accountability towards these institutions, in addition to democratic and fundamental rights.

At the present, Libya remains a complex neighbour whose turmoil has reflected directly onto Tunisia's own economic development and stability, that, according to The World Bank, witnessed a 24% drop in their growth in domestic product between 2011-2015, in addition to the return of expatriated Tunisians that once inhabited and worked in Libya (which remittance

⁴ Khartoum Process: an interregional forum on migration, comprised by the Horn of Africa and Europe (with a total of 40 members), focused on the challenges of migrant smuggling and trafficking. It promotes a regional dialogue for enhanced cooperation on migration and mobility as well as a collaborative effort between countries of origin, transit and destination on the migration routes (IOM, 2021).

income to Tunisia experienced a similar drop at around 32% from 2010-2014, as well as a subsequent increase in rent prices) (Wehrey, 2020). We also identify the flows of refugees as having at times been too strenuous to manage, and although diminished, each time the conflict worsens Tunisians must brace for possible spikes in border crimes (such as land and maritime smuggling and trafficking from Libya), allied with spill over violence and other situations that have deterred foreign investment from the region.

Tunisia is therefore faced with diplomatic hardships presented in Libya's constant turmoil and absence of an established government as well as, and we quote "an utter lack of formal and centrally controlled border security units with whom the Tunisian military can engage" (Wehrey, 2020, p. 3), thus establishing an inability to push for security and defence cooperation with its most complex neighbour, allied to the evident presence of smugglers at the border with Libya that promotes insecurity. The absence of a stable and official government has led Tunisia into working with the militias, all the while pushing for a defence strategy that targets containment through the militarization of Tunisia's borders while utilizing sophisticated electronic systems (vastly similar to the Algerian tactic), such as, and we cite "motion detectors, cameras, ground surveillance radars, and tethered balloons (aerostats) equipped with optical and infrared sensors" (Wehrey, 2020, p. 5).

In the persecution of such strategy, Tunisia has heavily relied on United States funding, as well as the German armed forces, displaying its availability and disposition concerning security and defence cooperation. Presently the TAF are recognized as presenting capability deficiencies and gaps, as well as an expressed lack of interagency cooperation, finding it difficult to address problematics not stemming directly from border fragility, as well as refraining from intelligence sharing among security institutions (directly impacting strategy and planning at a higher level, and a problem currently under process).

Having been victimized by the Ben Gardane terrorist attacks, Tunisia now faces the necessity of security and defence agency cooperation, as well as intelligence sharing and fusion of centres, to compose more appropriate responses to terrorism and similar threats, all the while being aided, coached, and mediated by the United States. We thus compose that the present defence system has been namely backed by foreign actors, focusing it on asymmetric threats and diminishing its scope of action, while influencing its priorities towards their own necessities, as in research by Wehrey, and we cite, "steering it toward the containment of two spill-over threats: stopping sub-Saharan migrants from crossing the Mediterranean (a concern for Europe) and countering terrorism (a priority for the United States but also Europe)" (Wehrey, 2020, p. 9).

In this template, we find the United States as the partner who conducts Tunisia's defence through the 2017 Bilateral Country Action Plan (BCAP), utilizing it as the "connective tissue among the Tunisian military branches who have been unable to formalize or coordinate their own planning process"(Wehrey, 2020, p. 11), inputting as its main priorities: the development of a Joint Operations Center (JOC) dedicated to the control and vigilance of threats (namely from Libya); the construction of an intelligence, surveillance and reconnaissance service (ISR) that would share contact with JOC; the development of Tunisia's military intelligence through U.S assistance; and, at a final instance, Tunisia's special operations forces interoperability and capabilities (Wehrey, 2020).

We thus compose Tunisia's present democratic rule as matching the EU's own goals in the construction and availability of the ENP (although with some contingencies regarding perception and respect for Human Rights), as well as having provided a remarkable opening towards cooperation in security and defence matters that match its own necessities. By committing capabilities and strengthening relations through their possible co-participation in common projects (such as eventual EUNAVFOR operations), the EU may find in Tunisia a favourable partner that (although presently weakened) would highly benefit from the enhancement of its own maritime defence capabilities, namely as it could better respond to the fragilities exposed during the Libyan political turmoil. They would thus be the perfect candidate for the EPF, as the EU could enhance its ties to the country by aiding with their access to the necessary capabilities to face their struggles. We also identify the continuation of relationships previously established, as well as a process of democratization that pushes for a closer relationship with countries that could foment such changes further.

3.3 EU-Libya Relations

During the days prior to the Arab springs, Libya's stance on the ENP was as non-engaging state, even abstaining from the Barcelona Process. In aspects concerning to its foreign policies, Libya would reach onto other African countries, identifying closer with their own political identity stance rather than possible western partners.

Nonetheless, in dire contrast with Tunisia, Libya developed a striking conflict that has affected the region to an extreme extent, as well as pushing for an immense migration crisis, that infected the Mediterranean. Presently, and after almost a decade of conflict, a new government has been established as of March 2021- the Government of National Unity (or Government of National Accord- GNA) and thus a new political scenario takes place.

Taking into consideration previous bilateral relations established between Libya and other EU MSs, as well as the democratic path the present Government intends on pursuing (having been backed by the United Nations, and subsequently supported by western powers), we compose the likelihood of developing an attitude more set on the developments and support received during the conflict.

Regarding its northern EU neighbour, Italy, we identify the Treaty of Benghazi that was immediately suspended by the Italian government as the animosity in Libya grew in 2011. In its application, the present Treaty came as the safeguard of Italy's coast (highly appraised by Malta and even the EU), that however (and due to the aggressive nature of the authoritarian government previously in place) rejected conducting its migration restrictions under human rights limits, often violating these fundamental premises. In its auspices, this Treaty promoted prosperous relations between both parties, posing itself as a wedge between the previous colonial past endured by Libya (Biondi, 2012). Such a Treaty was deemed an accomplishment since, as in research by Biondi (2012), the Libyan diplomacy was largely marked by its preference over informal and verbal arrangements, as they tried to upkeep discretion, which the Italian government did not oppose to.

At the same time, Italy's policies regarding migrants that fled the region became increasingly more aggressive, being close to sanctions as thirteen NGO's and European Parliament members denounced the adoption of collective expulsions towards Libya, in an abject violation of the EU charter on fundamental rights, namely of the *non-refoulement* principle. Such claims fell upon Italy's own sovereignty, and thus the EU's hands were tied (Biondi, 2012).

In its relation with Libya, the EU had for 18 years lead an arms embargo, only terminated as Libya accepted to abandon its weapons of mass destruction (while still under Gaddafi's regime), allowing for Italy to develop its long wished economic interests in the region, the construction of a new 540 kms gas pipeline (running from Libya to Sicily), while pushing for the equipment of Libyan authorities, thus being more effectively able to control its borders and limit migration flows (Biondi, 2012).

As the crisis ensued, with no future resolution in sight, the EU utilized its ENP relationships as its personal "policemen"- as described by Elspeth Guild (Observatory of the Centre for European Policy Studies, n.d.), wishing to make use of the favourable economic situation its market provided to these southern neighbours, placing them as irregular migration flows buffer zones. At the same time, the EU would foment the sharing of information between these partners, regarding the monitoring of flows, readmission agreements, etc. that in

consequence deeply strained the EU's relations in the region, creating situations of tension and instability (Bialasiewicz, 2012).

The training of Libyan coastguard took place, further compromising the country's complex situation regarding authorities, as it comprehended an intertwine of actions between the Libyan Navy and criminal networks (such as migrant smuggling). Through this hasty persecution and propulsion of the EU's own interests, it was exposed how little the EU understood the political order in place and, as expressed in research by Raineri et al. "While the EU is not the only SSR actor in Libya, its inadequate understanding of the local hybrid political order is de facto helping unpalatable non-state armed actors to appropriate and hijack the reconstruction of the state security apparatus." (Raineri et al., 2020, p. 11).

In this complex response to the crisis, the EU deemed proper to initiate financing of Libya through the European Neighbourhood and Partnership Instrument (ENPI or ENI), utilizing 10 million euros to support its economic integration, nonetheless such efforts ended up blocked as the conflict ensued (Eikiz, 2018, p. 420).

The policies that ensued were deemed to promote migrant detention in Libya, further compromising the EU apparent promotion of criminal exploitation and traffic, exposing the dire separation of human rights and EU values when crisis arose, as well as its questionable handling of conflicts (Raineri et al., 2020).

Nonetheless, 2021 has been a preponderant year for the EU's external policy and its choices in Libya. As the GNA takes power and joins the international community, promoting peace, stability, and multilateral agreements. As in research by Ranieri (2020), this Government is hardly deemed to be in a secure situation, namely as other international actors use Libya to constraint and override the EU, thus never relieving the EU of the possible continuation of the conflict, and consequently of the crisis. In such a prosperous scenery, the EU MS's proceed to envision the ways in which their relations may entail economic interests: in the case of Germany, we find the selling of technology, while France pursues geopolitical interests; in addition and at a long term commitment the EU wishes to participate in the necessary institutional/state reforms (that at the present are accused of being extremely complex, "with overlapping competencies" between the different agencies)(EEAS 2017), enabling the measures aimed with the ENP (Eikiz, 2018).

Although we're faced with the prospect of prosperity in Libya, the years comprised between 2011 until the present comprehended a complex shift in actions within the EU. Recognizing itself as a humanitarian actor, the EU would also be forced to assess the security and defence demands of intense migration flows as they posed constraints onto its MS's.

Unequipped with common military capacities, Libya posed both a risk as well as an opportunity, and thus the EU council pushed for the launch of EUFOR Libya pushing for a military-humanitarian action, put into action in 2015

3.3.1 EUNAVFOR- Operation Sophia

Regarding our Southern Neighbours as being only separated by a finite extension of water, long crossed, and roamed through centuries, Operation Sophia was born in recognition of the perilous possibilities the rise of the Arab springs could promote, namely the strain it would impose onto its MSs (Italy), and thus the need for a comprehensive approach regarding the migration crisis at hand.

The possibility of EUFOR missions would be conceded under article 42(1) of the TEU, providing the Union with operational capacities to be used inside and outside of the Union within the limits of peace-keeping activities (Petersburg tasks), as well as being performed with the aim of strengthening international security (as predicted by the United Nations Charter).

Having been legally established by Council Decision (CFSP) 2015/972 of 22 June 2015, in its core, the present operation aimed at tackling human trafficking and smuggling networks in the central Mediterranean, as well as being able to board, divert, and seize vessels *en route* to the EU in case they conducted such types of criminal activities (Butler & Ratcovich, 2016). In addition, the EU Commission also imposed the necessity of saving lives at sea (as in compliance to the international law of the sea and its duty to rescue all persons and vessels in situation of distress), while taking into consideration their need for repatriation (in case of possibility), or even the relocation of migrants towards neighboring countries that would thus allow to avoid the dangerous route at hand (Baldwin-Edwards & Lutterbeck, 2018).

The mission came into force as the situation in Libya deteriorated regarding control of flows, and 170 000 migrants arrived to Sicily in 2014, while 3500 drowned. In 2014 we're also able to denote the impact of the Syrian conflict as 42 000 of the 170 000 were of Syrian origin. Soon other nationalities became equally as emphasized due to the deflagration of their own conflicts (Baldwin-Edwards & Lutterbeck, 2018).

We must take into consideration its particularly complex and sensitive nature regarding international law, law of the sea, in addition to complying to international human rights law, as well as the added intricacy of the non-state status of the EU (acting as an international organization fully dependent on the transference of powers by its MS's). In this sense, all actions undertaken under the EU may abide to the the CFSP and CSDP framework as non-legislative

acts, rather than its classical composition of Ordinary Legislative Procedure, in which the initiative must depart from the EU Commission, followed by the EU Council and EU Parliament as co-legislators (Butler & Ratcovich, 2016).

As previously exposed, the nature of the present mission is in no way a *debut*, having the first mission been Operation Somalia in 2008 (and presently still operative), aiming at combatting piracy activity in the Gulf of Aden, while working in a joint effort with NATO's operation Shield (Butler & Ratcovich, 2016).

However, many years separate both missions, and in the case of Operation Sophia the launching of the EU Maritime Security Strategy (EUMSS) would forcibly shape the missions incurred, namely the character and persecution of objectives on the high seas (the first and second stage of the present operation), and later on pursuing a more direct emphasis on Libya's shore (particularly complex as international law predicts the inability of enforcing authority onto the territory of another state) (Butler & Ratcovich, 2016, p. 246). In this situation, Libya has in fact previously demonstrated the wish to maintain its "non-intervention" right as well as having "refused Operation Sophia jurisdiction to operate in its territorial waters (Butler & Ratcovich, 2016, p. 246).

As the present operation pursues rescue, we're obliged to keep in mind 'what comes next?' matters presently left unanswered by International law until recently, and mostly conducted under the 2004 SOLAS Convention that promotes their disembark to "a place of safety", and possibly looking for third states for such a purpose (Butler & Ratcovich, 2016, p. 249). As in research by Baldwin-Edwards & Lutterbeck (2018), the security of the state tends to be prioritized over that of the individual, and here we find the utmost division between the MS's on the strategy to be applied and the reasons to consider the present Operation to be a failure: in 2014 the UK openly opposed EU search and rescue (SAR) missions (previously baptized 'mare nostrum') as they may lead others to jump at the same opportunity transforming it to "pull factor" (Baldwin-Edwards & Lutterbeck, 2018, p. 2243) as they may not be returned to countries in which they could face persecution; to abide to the undiscriminated principle of "non-refoulement" (Butler & Ratcovich, 2016, p. 244); in other instances we find the UK and France overshadowing the EU intervention and taking independent leadership within the region (Eikiz, 2018). In addition we find the professionalization of "smuggling" and "trafficking" networks, namely as demand grew alongside the risk, and thus the profit became "worth the risk" (Butler & Ratcovich, 2016).

In the results we consider prominent of the years in which the present mission took place (2014-2020), we're able to detect a reduction of the flows, nonetheless these are derived from

the stabilization of the regions and its conflicts, and, in the case of Libya in particular, the development of an aggressive behaviour in its coastguard discouraged many from taking the risky leap into the EU (Baldwin-Edwards & Lutterbeck, 2018).

Baldwin-Edwards and Lutterbeck even declare the present Operation as a failure if we judge it by the goals, it set itself on. If we wish to consider the aim of reducing the flows, we'll find an actual increase and a record number in 2016, along with the number of migrant fatalities (as registered by UNHCR (UNHCR 2016b). Although successfully arresting 110 suspected smugglers, the present authors describe such results as a fraction of the goal, and we cite "(...) these are minuscule numbers in relation to the scale of the problem. Moreover, smugglers now avoid being on the boats, and typically offer free passage to young male migrants (often minors) to guide the vessels into international waters until they are detected and rescued" (Baldwin-Edwards & Lutterbeck, 2018, p.2253.). Despite the present accusations, we find 20 000 people to have been rescued, as well as the concretization of a UNSC mandate for operating in Libyan waters along with the Libyan forces (long accused of expressed violations of migrant/refugee rights under international law) (Baldwin-Edwards & Lutterbeck, 2018).

The result of the present operation was a further externalization of the EU borders, shifting the responsibility onto Libya, achieved through the cooperation with the Libyan Coast Guard, as well as other local actors (Baldwin-Edwards & Lutterbeck, 2018). Nonetheless it becomes evident the need to engage Libya onto the respect for human rights in their treatment of migrants at detention camps, as well as those that are caught trying to flee, otherwise the EU's commitment to this reenforced securitization may vilify it.

This irresponsible stance is compromised due to the rise of Libya's previously expressed preference of "informality" in regard to agreements, a trend that has caught up to EU countries, and we cite "There has been a general trend in recent years among EU countries of 'informalising' and 'invisibilising' migration controls. Rather than relying on formal and official agreements with source and transit countries (e.g. formal readmission treaties), increasingly the EU and its MS's have resorted to ad hoc and largely opaque measures – in the form of memoranda and other informal arrangements aimed at reducing irregular migration flows and enhancing returns of migrants (Cassarino 2007)" (Baldwin-Edwards & Lutterbeck, 2018, p. 2256).

Only time will be able to tell the sort of agreements the EU may obtain with the present Libyan government, however the support the EU is able to extend to Libya as they reform their sectors and re-build their security and defence situation may be quite favourable to both the

way in which the EU expects to restrict migration, in addition to promoting the new narratives it has tried to compose during the past few years (utilizing the European Peace Facility as the foundation for a security and defence cooperation that may favour both parties).

Chapter 4- Application of capabilities for a reenforced governance of key areas, and EEAS-ENP cooperation

As the EDA comes to assume a new challenging role under the new European Defence Fund (EDF) envisaged for 2021-2027, as the coordinator of efforts between the EU MS's, while pushing for a cooperative development of capabilities and the industrial sector within the EU, new powers come to be obtained.

The EDF is born through the perception of the present decades new geopolitical challenges, as well as the EU's ambitions to become a renowned security provider, as well as more self-sufficient, with prosperous industries in this field that would be able to both reduce external dependence on military grade equipment, and potentially achieve strategic autonomy.

The present fund hopes to target the inefficiency faced by the EU markets, that result in the duplication of resources, while allowing for MSs to pursue important research and development goals in this field of expertise (a highly disregarded sector, enduring extensive budget cuts in the past 10 years) and maximizing the investments made. As reported by the European Commission (2018), in 2015 only 16% of the defence equipment was bought collaboratively between MS's (an effort to be inspired and pushed through EDA).

We denounce the importance of EDA and EDF as providing the means for research and development of innovative defence products and technologies, an essential quality for the necessities of the Mediterranean. Carrying a budget of EUR 4 100 000 000 for research actions, as well as EUR 8 900 000 000 for development actions, we find that the new fund shall be able to enhance the research on surveillance mechanisms (European Commission, 2018).

For the present maritime matters, we invoke Josep Borrel's own declarations in January 2021, in which the conceptualization of the EU as a global maritime security provider came through the launch of the pilot Coordinated Maritime Presence (CMP) in the Gulf of Guinea. An effective response to the piracy threats experienced in the coast of West Africa, as well as the adequate progression of the previous Maritime engagements (such as EUNAVFOR Operation Sophia and Irini).

Although we recognize the construction of the CMP as an evident evolution of the EU's commitment to international security, but in regard to the Mediterranean the main field of concern stands on migration and cooperative missions have already been attempted, in which we once again highlight Operation Sophia as stemming from both an EU cooperative operation, as well an externalized action with an ENP country. Considering the goals of this Operation as

not having been successful to the standard required, we're forced to compose a new strategy based on the type of capabilities that could be addressed and applied, thusly reenforcing the power of surveillance systems.

Taking into consideration Operation Sophia, we're forced to also engage with the execution of surveillance operations, and the utilization of the EDA-MARSUR project. This project qualifies as the longest-running project undertaken by the Agency (having been launched in 2005), that enhanced the sharing of information and dialog between European Maritime systems. Here, it becomes defined that a distinct characteristic is, and we cite "(...) there is no central EU component that collects and distributes information." (European Defence Agency, n.d.-a), creating a situation that emphasizes the collection of important data with accuracy and speed, enhancing the effectiveness of an adequate response. As described by Claude-France Arnould, EDA Chief Executive: "MARSUR is a great example of efficient Pooling & Sharing of existing capabilities. The project has now reached the point where it is ready to be used by European navies" (European Defence Agency, n.d.-a), thusly producing the means in which such a capability can evoke the element of cooperation.

Nonetheless, this capacity was also deemed to be an element to be integrated within the Common Information Sharing Environment (CISE) that currently operates under the European Maritime Agency (EMSA), providing it with a military layer, as well as being able to work, and we cite "(...) in conjunction with other "systems of systems" to ensure efficient interaction with other European maritime security stakeholders and also in support of CSDP missions" (European Defence Agency, n.d.-a).

At the present, CISE provides the EU/EEA Member States with an interoperable surveillance system, composing a network in which the concerned authorities can share information as they deem necessary, in order to enhance the performance of their missions at sea (European Maritime Security Agency, n.d.), as well as providing a decentralized mechanism for this exchange. However, we deem that CISE and EMSA work namely in a civil manner, thusly not composing the central framing we intend on scrutinizing.

We will therefore compose the MARSUR capability, as well as PESCO's own surveillance projects: HARMSPRO and UMS; while concentrating in the possibility of interoperability of developed assets, namely engaging the ENP security framework.

4.1 Interoperable maritime assets for security and defence

The consideration of practicing a security and defence operation, that stands on the interoperability and common sharing of maritime surveillance systems, comes to be far from recent. At the same time, it also pertains to one of the few attainable goals to be persecuted with third party partners (in this case ENP members), but in which we must face the moments that condemned it to a short coming.

We're equally forced to interpret how maritime surveillance is distinct within its many fields, out of which Stepien (2009) identifies, and we cite: "fisheries, vessel traffic management, and border security surveillance" (Stepien, 2009, p.396). Here we find that although not purposefully conducted towards different roles, these systems also prove to be an added value towards the sector of border protection, with a special regard for the construction of an adequate response towards vessels in distress and requiring rescue.

As in research by Stepien (2009), coastal states have sovereignty over their territorial waters, allowing them to retain the right of enabling or preventing the passage of ships possibly carrying illegal immigrants within their waters. However, most tragedies happen within high seas where the principle of freedom of navigation applies, in which flagless ships (possibly transporting migrants) can be intercepted by any state.

Surveillance systems have been an investment namely undertaken by Mediterranean countries, who have also dedicated themselves to their development. In these circumstances we identify the Spanish SIVE (*Sistema Integrado de Vigilancia del Estrecho*) as pertaining to the integrated composition of multiple military-style technologies, satellite images, and data surrendered by other maritime surveillance systems, that allows it to detect objects that would normally pass undetected, namely utilized in the Strait of Gibraltar, but also to be extended towards the Canary Islands.

In a similar approach we find EMSA's Common Information Sharing Environment (CISE), an EU initiative aiming to coordinate EU/EEA MS's surveillance systems, allowing for an efficient sharing of classified and unclassified information needed to perform adequate missions at sea (European Maritime Security Agency, n.d.). It's a voluntary collaborative process, born in 2009, with a decentralized framework, complemented by how it doesn't interfere with the administrative structures of the MSs, while providing coherence in information sharing among them.

However, it's important to understand CISE's nature as carrying out multiple surveillance tasks with different natures, such as, and we cite "maritime safety, security and

prevention of pollution by ships, fisheries control, marine pollution preparedness and response, marine environment, customs, border control, general law enforcement and defence” (European Maritime Security Agency, n.d.). It also comprises more than 300 EU and national authorities that share similar maritime surveillance goals (European Maritime Security Agency, n.d.).

As expressed by EMSA, and we cite “CISE enables an effective understanding of all activities carried out at sea that could impact the security, safety, economy or environment of the EU and its member countries” (European Maritime Security Agency, n.d.). Nonetheless we target three main flaws of the present system when regarding it under the scope of the present dissertation matters, in a first moment we find that CISE in 2019 was still in a transitional phase towards actual operational status, in a second moment the way in which CISE considers cooperation beyond the EU borders as a secondary stance, and finally its civil nature.

Nonetheless, it’s remarkable how CISE would engage with the EEAS, EDA, the European Fisheries Agency (EFCA), EMSA, Frontex, as well as the European Union Satellite Centre (SatCen). It would structure an effective coordination between EU institutions, agencies, and MS’s, encompassing both civil and military capabilities, resources, and staff. However, it’s undeniable the way in which it does constitute a prominent EU project that has the ability to be stretched out.

Frontex itself also carries the investment in surveillance systems, as previously exposed, even configuring the utilization of drones and other aerial systems that could be dedicated to the surveillance of EU maritime zones. We denounce thusly the importance attributed to such systems, as Frontex utilizes them for a more efficient detection of possible emergencies at sea (Stepien, 2009). Nonetheless, the present systems are to be applied in a civil framework, while Frontex also carries the burden of having restricted relations with non-EU partners.

In the fight against illegal immigration, we find the European Surveillance System for Borders (EUROSUR), that in 2015 would incorporate Frontex, and we cite “gradually replace national surveillance systems at land and maritime borders, providing cost-effective solutions, including e.g. a combination of radar and satellite surveillance at European level” (Stepien, 2009, p.402). Its goals would be to, and we quote: “support border operations, to detect and analyse cross border criminal activities, such as smuggling of migrants, arms, drugs, cigarettes and other contraband, and to detect migrants in distress” (European Commission, 2015), while at the same time preventing tragedies from happening within these routes. It should congregate drones and satellites, and we quote “with imagery and analysis provided by other EU agencies including the Joint Research Centre (JRC), the European Union Satellite Centre (EUSC) and the European Maritime Safety Agency (EMSA)” (Heller & Jones, 2014). As estimated by the

EU Commission, this mechanism would carry a cost of implementation and operation, between 2011 and 2020, that could amount to €340 million.

As in research from Stepien (2009), the Eurosur system would be greatly comparable to what CISE constructed, wishing to create and we cite “common monitoring and information sharing environment for the EU maritime domain” (Stepien, 2009, p. 403) debuting in 2010. European authorities and national authorities should cooperate in a fashion that would enable an efficient reaction, pursuing the sharing of “near-real time information exchange, regular intelligence sharing and close cooperation among authorities at national and European level” (European Commission, 2015), pursuing a division of external land and sea borders into sections with a given “impact level”(classified between low, medium, and high), permitting the identification of hotspots and their proper accession through voluntary cooperation between agencies and MS’s.

With EUROSUR, the MS’s would be supplied with surveillance on the external borders through combined surveillance activities and information sources, provided through the EUROSUR Fusion Service. In this framework, cooperation between MS’s and neighbouring countries outside of the EU would be attained in a bilateral manner, pursuing bilateral agreements to be concluded between the third countries and shared with the Commission.

As expressed by the European Commission (2015), this system was of particular relevance when faced with the 2015/2016 Eastern Mediterranean crisis in the Western Balkan routes, as well as the terrorist attacks that victimized European countries, thusly evidencing the need to reenforce such a cooperative and comprehensive information exchange and adapt it to the new responsibilities to be undertaken by Frontex.

As a surveillance system, EUROSUR has facilitated the rescue of migrant lives in distress at sea through the exchange of relevant information for such missions to take place. As an example, the European Commission (2015) utilizes the example of unidentified objects being detected at sea in October 2015, near the Lybian coast, by the EUROSUR Fusion Services, which then proceeded to inform the adequate Italian authorities, which later notified the EUNAVFOR MED flagship that could carry on with the rescue of the migrants due to its presence in the area. In 2017, the EUROSUR Fusion Service for Multi-purpose Aerial Surveillance had contributed to the Search and Rescue Operations of 19 different vessels in the Mediterranean.

At the present, EUROSUR has been a key entity in the development of synergies at an European level, however we’re still able to distinguish its main flaw: the unilateral approach to security, especially as the EU has pursued ENP relations established on the security factor it

can provide. With third countries, the EUROSUR committed countries should emphasize the principle of non-refoulement as well as the fundamental rights established by the EU Charter in Recital (15) and Article 2 (4) of Regulation (EU) No 1052/2013, thusly enhancing their respect for human rights when pursuing bilateral agreements (European Commission, 2018b).

The cooperation to be conducted with these neighbouring third countries should also comprehend the exchange of information that is deemed essential for the management of the migration flows at hand and prevent overlaps or grey areas.

However, and as expressed by Heller & Jones (2014), surveillance doesn't immediately pertain to rescue. Detection and "saving lives" are two elements that although could be connected remain distinct, but in the case of EUROSUR it composes its main goal, having been inserted into its legislation later by the European Parliament. Initially the Commission's dispositions related to this engagement in 2012 only accounted to one mention in the preamble, thusly not implying EUROSUR's prioritization of these missions, neither the commitment to save lives. As further accused by Heller & Jones (2014),

Several cases demonstrate that detection, or any other form of knowledge of distress at sea, is no guarantee that migrants will be saved. In 2011, journalists, NGOs, an MEP, and the Watch the Med project documented what is now referred to as the "left-to-die boat case". [16] A boat carrying 72 people left the Libyan coast in the early hours of 27 March 2011, sailing through waters that at the time were being monitored by over 40 naval assets charged with enforcing the arms embargo imposed during the international military intervention in Libya. In the early afternoon of the same day, the boat was identified by a French aircraft, which informed the Italian authorities. A few hours later, the passengers sent out a distress call to the Italian rescue agency, which, because the boat was still located in the Libyan Search and Rescue (SAR) zone, simply passed on the information to Malta and NATO command. The boat was flown over twice by a military helicopter of unknown nationality which assisted only by providing biscuits and water, probably hoping that the boat would be able to continue far enough to enter the Maltese and Italian SAR zone. It never did. Soon after, the boat ran out of fuel and began a deadly drift that lasted 14 days, leaving only nine survivors. No actor provided them with assistance that could have averted their tragic fate. (pp. 10-11)

Here we're elaborated on the problematic of constructing surveillance, even in a shared environment, without further embodying it with the correct legislation, as well as the proper form of cooperation between all the possibly engaged partners. In the case of EUROSUR, it works as a civil mechanism incorporated within Frontex, and as previously expressed, although composing essential elements of a common surveillance system, it's still deprived of a cooperative mechanism that would be well received by ENP members as whole.

Some countries have demonstrated unwillingness to cooperate with Frontex, as well as being reluctant to intervene in areas that are outside of their jurisdiction, nonetheless when pursuing cooperation by EUNAVFOR Operation Sophia we did witness cooperation between officials (in this case an operation under the flag of the EU, in cooperation with Tunisia).

Therefore, we're able to understand that EUROSUR's gaps could be filled in through a possible military approach, out of which we engage the possibility of participating in the development of capabilities (giving them space to be both a part of the construction of the security environment to be aimed at, as well as more than a cooperative country to be engaged in a EU project).

Comprehending the common development of capabilities, we create the possibility of third-party participation in PESCO capabilities projects development as an important resource to enhance cooperation between the MSs deeply involved in the security and defence of the Mediterranean.

4.1.1 PESCO and cooperation with Third States

We understand PESCO as the composition of a permanent framework for cooperation between EU MSs, pushing for integration in the field of research of military defence capabilities, as well as reinforcing the previously expressed EU's strategic autonomy goals. These military capabilities are to be made available for NATO and UN missions and operations if deemed essential for its correct development. Outlined in Articles 42(6) and 46 as well as in Protocol 10 of the Treaty on EU, PESCO is to be comprehended as an essential step towards a more independent EU, as well as enhancing its role as an international security provider in capabilities development and industry (PESCO, 2021) delivering an efficient contribution to CSDP operations and missions.

This framework is to be pursued out of a voluntary will of the states, depending on their capacity to pursue the goals at hand, while also keeping decision-making in the hands of the MSs in the Council and not compromising individual security and defence policies of the MSs. During the construction of these capabilities, MSs are to be aided in secretariat functions by EDA and EEAS.

In a second stage, PESCO's framework intends on working towards a Full Spectrum Force Package (FSFP), that, as accused by Benchechroun "will contribute to the realisation of the EU Level of Ambition as envisaged by the forthcoming Strategic Compass. The FSFP will have to be interoperable, deployable and modular, in accordance with the EU Capability

Development Priorities and CARD recommendations, to contribute efficiently to CSDP operations and missions” (Benchekroun, 2020).

Through these agencies, the composition of close cooperation between MS’s is enhanced, namely as EDA pursues the construction of the Coordinated Annual Review on Defence (CARD), in which projects to be developed by the MS’s in matters of capabilities are advertised for possible cooperation between others interested.

In matters of extending this cooperation into states outside of the Union, their participation is restricted to an invitation on the behalf of the MS’s participating in the development of a specific project at hand if they do meet certain general conditions. This ability was adopted in November 2020, as expressed in PESCO’s factsheet (2021) “These general conditions and related procedures were adopted in the form of a Council Decision of 5 November 2020, which encompasses a set of political, substantial and legal requirements in line with the nature and goals of PESCO, while acknowledging the added-value that partners can bring to PESCO projects” (PESCO, 2021). This process would be dependent on three stages: a first in which the MSs of individual projects consider on inviting a third State to participate, followed by the project coordinator submitting that request to the Council, and later on the 25 PESCO participating MS’s should agree unanimously as predicted by Article 46(6) of the Treaty on the European Union.

Within the adoptions previously composed, we comprehend the possibility of pursuing projects that both correlate to capability’s development within PESCO, as well as Maritime security and defence enhancement. Here we identify two projects presently in development: The Harbour & Maritime Surveillance and Protection (HARMSPRO), as well as the project on Upgrade of Maritime Surveillance.

In HARMSPRO we identify a maritime capability that intends on providing MSs with surveillance and protection of specified Maritime areas, and we cite “from harbours up to littoral waters, including sea line of communications and choke points, in order to achieve security and safety of maritime traffic and structures. It will deliver an integrated system of maritime sensors, software and platforms (surface, underwater and aerial vehicles), which fuse and process data, to aid the detection and identification of a range of potential maritime threats”(PESCO, n.d.-b). Finally, this project would also supply the demand for security and defence in maritime spaces, namely in harbours and coastal areas, with a command-and-control function for the deployable system created (PESCO, n.d.-b).

Regarding UMS we find a project that intends on integrating land-based surveillance systems, maritime and air platforms, attaining an increased level of cooperation between MS’s

to be interconnected through this system, providing them with an improved ability to respond in international waters. Comprehending the enhancement of the Maritime Surveillance, Situational Awareness and potential Response Effectiveness of the EU through the adequate composition of this project, UMS intends on utilizing existing infrastructure and other assets that could be related to these goals, while aiming to address “new and old threats and challenges such as energy security, environmental challenges, security and defence aspects)” (PESCO, n.d.-b).

Both projects constitute an effective development of cooperative capabilities that focus on the maritime aspects of security and defence of the EU MS’s, nonetheless these efforts could be common to ENP neighbours if they were to meet the adequate criteria, receive an invitation, and be accepted unanimously. Considering the present political situation experienced in these countries, allied with a complex historical background between ENP partners and EU MS’s (the example of France and Algeria), a unanimous invitation towards participation in the development of these capabilities is deemed to be highly unlikely.

4.1.2 MARSUR

In the composition of a surveillance system that already integrates a wide array of EU maritime surveillance systems, pursuing a tight cooperation in an already established operational format, we find MARSUR.

In the context of the EDA-MARSUR relationship, it’s to be expressed how EDA isn’t an operational agency, but its work in the field of research, and development of technology and capabilities provides the Maritime Surveillance Awareness capabilities of MS’s involved in EDA with the necessary support to carry out the enhancement of their defence.

MARSUR comes to comprehend EDA’s longest running project. Starting in 2005 with a request by the Defence Ministers to EDA, MARSUR would debut as a network that would utilize naval and maritime information exchange systems while enhancing cooperation between MS’s, creating a cost-efficient solution that wouldn’t disregard national security and defence (G.Giorgiev, personal communication, May 31, 2021). It marks a concept and a technology that pursues an agreement between participating states and organizations to exchange relevant and verified maritime surveillance information, as well as providing with the technology that can facilitate this exchange, supporting decision making. MARSUR would thusly pertain to a

supporting network to CSDP operations, particularly utilized for Operation SOPHIA as sponsored by EDA.

In this Operation, MARSUR took upon decisive role as it was applied in a EU operational context, bringing in the MEXS Mobile technology (further elaborated in the following text) onto a vessel present in this Operation, allowing the information gathered to be automatically shared with the Headquarters of the present Operation, and later on to the rest of the involved community.

As defined by the EDA's webpage, dedicated to the promotion of the European Maritime surveillance network reaching operational status, MARSUR's main goals come to comprise as being, and we cite "to contribute, pursuant to national laws and regulations, to security, safety and protection of the environment in the maritime domain and improve maritime situational awareness, produce and share maritime situational awareness information, improve interoperability and co-operation between EU military and civilian maritime authorities and other international maritime actors."(EDA, n.d.). Regarding the previously composed Maritime Situational Awareness, Georgiev elaborates the presence of a Maritime Situational Awareness module at EDA, that within its tasks commits to the promotion of cooperation for the collaborative collection, analysis and dissemination of maritime information, as pursuant to the goal of establishing a common European Recognized Maritime Picture, as well as this being the space in which the establishment of a common concept of operation for collective maritime surveillance, based on MARSUR, is pursued; later on, its referenced that this Maritime Situational Awareness module should also be gifted with modern IT technology for the adequate support of maritime surveillance missions and operations, as well as the connectivity between the different secretors working in this environment that require this sensitive information for an adequate performance of their tasks, and the integration of state of the art technology. In the later, Georgiev targets "emerging sensor technologies, such as long-range radars, passive radars, unmanned systems, high altitude platforms, and space assets (such as nano-satellites)" while deeming these a current responsibility of the member states, supported by EDA (G.Georgiev, personal communication, May 31, 2021).

Regarding the adequate understanding of the impact of EDA in the field of maritime surveillance, the present source indicates on how it's important to note the ways in which EDA provides studies and analysis on the current state of the MARSUR Network, enhancing the development of MARSUR's latest projects, the integration of new sensors at a national and multinational maritime surveillance network, the ability of utilizing this network for the exchange of classified information, as well as adding the possibility of utilizing algorithms for

behaviours analysis and thusly understanding better what kind of activity certain areas experience, what periods, and what type of capabilities and missions should pertain more frequently to those areas.

It's important to note that a shared network as MARSUR wouldn't invalidate other forms of information exchange, a feature we characterize as particularly relevant for the possibility of a network that encompasses third parties, namely as it utilizes two main governing agreements: The Technical Arrangement (a feature of a Basic Level mode of participation, utilizing commercial email, phone and fax to pursue the intended forms of communication), in which all parties agree to share their maritime surveillance information with all involved parties, utilizing the MARSUR Management Group as its governing body, and the Project Arrangements (an Advanced level form of participation and the real added-value, exchanging information through the MARSUR Exchange System- MEXS- a mechanism that allows them to share information in near-real time) in which the technology that creates this information is invested in, thusly requiring financial obligations to those involved (G.Giorgiev, personal communication, May 31, 2021).

In all aspects concerning MEXS, this would be the most enhanced and secure form of information exchange platform to pursue such a cohesive road of action, especially as it entertains MARSUR exclusive collaboration tools, such as a decentralized network system, protected through VPN connections, while providing a more enhanced level of security for sensitive information (a feature of MARSUR still to be put to practice).

As explained by Georgiev, although many MS's do not integrate MEXS into their national maritime surveillance systems, the performance of MARSUR isn't affected. The reasons stand normally within operational, financial, or security factors, nonetheless they may still cooperate with MARSUR in other forms, such as manually inserting information to be shared through the MARSUR User Interface. At the same time, MEXS would also provide two types of services to those involved: information exchange, allowing participants to share vessel tracks and notifying the evolution of their situation (as it's the case for incidents and the presence of vessels of interest in common maritime spaces, creating the possibility for an organized solution through cooperation) and collaboration services (such as email, chat, a tactical drawing tool, all beneficial features for the proper organization of multinational operations) (G.Giorgiev, personal communication, May 31, 2021).

Finally, and as a more recent development, MARSUR has composed a connection with the EU Common Information Sharing Environment (CISE), providing it with a defence layer, and attaining the goals expressed by the EU Maritime Security Strategy Action Plan. As its

current main goal, the two systems are to be fully integrated by mid-2022, composing a situation of cross-sectorial information exchange.

Other forms of cooperation between systems are still under present consideration, and this is a feature that EDA can provide MARSUR with, namely by establishing the necessary connections between other projects, to which we take the possible example of YARIS (Yaoundé Architecture Information System) in the Gulf of Guinea, and IORIS (Indian Ocean Information System) in the Indian Ocean. As presented by Girogiev, EDA facilitates the contact between the management of both systems, and due to the previously expressed relation of EEAS and EDA, a possible future of cooperation between them. Here we highlight how the utilization of a system that has already been demonstrated in an operational environment, and the ability to strengthen two missions characterized by the necessity of structured cooperation, as well as the next version of MEXS (developed under MARSUR III) would be compatible for future cooperation with the NATO TRITON operation.

In a final relevant instance, we denounce ways in which it can partake in the OCEAN 2020 project: an initiative for an integration of multi-country systems and organizations, working with European maritime capabilities, and focusing them onto an interoperable framework through the collection of data and information from varied sources, covering diverse operational tasks, such as “observing, orienting, deciding and acting” (EDA, 2019).

Furthermore, MARSUR and its collaborative work between systems composes the necessary step towards a cooperative maritime surveillance awareness which developments may acquire the efficiency and speed required for the European defence targets in the Mediterranean. Nonetheless to deem it as a system to be worked exclusively through an European lens conflicts with an accurate perception of the Mediterranean threats and risks, thusly non invalidating the premise of third party cooperation as it would enhance the goals pertained by it.

4.2 The role of the European Peace Facility and the ENP

As we contemplate on the interoperability of developed assets that further enhance the security and defence framework of the Mediterranean, but regarding the European conception of these systems as incomplete, we are bound to look beyond the European borders in order to commit to a more efficient surveillance of these areas, especially as these are the points from which migration occurs.

The commitment to development and economic ties between both sides of the basin through the UfM has favoured the diplomatic relations between actors, thusly the possibility of further enhancing this commitment onto a prosperous and shared system of surveillance could arise as a common project rather than an imposition from the EU onto this neighbourhood.

As already defined by Josep Borrel in his proposal of “What’s next for European defence?”, the EU needs to favour CSDP missions and operations, take decisions faster, be more flexible, and be able to deploy missions and operations more rapidly to different parts of the world (Borrel & EEAS, 2021), and although we don’t deem these as exclusive features that a common organized surveillance system would comprehend, the up-keeping of a common structure would immediately favour the deployment of necessary missions while keeping a special regard for these countries as favoured partners.

As the sharing of information has already been acclaimed as a practice, and thus we should uphold it to strengthen security, as well as having composed the impossibility of permanently placing armies and coastguards to a crisis extent, as well as the diplomatic strains it would cause. Therefore, the composition of a surveillance system that would be in permanent contact with both authorities in the European Union member states, as well as the ENP states, possibly coordinated through the utilization of EDA as a secretariat mechanism, and the EEAS as the entity to upkeep favourable affairs between the states involved, while possibly making it available through the EPF.

In its previous form as two separate mechanisms: the Athena Mechanism (a 2004 mechanism dedicated to the financing of EU military missions), and the African Peace Facility (financed through the European Development Fund and dedicated to building a peaceful environment while fostering political stability and sustainable growth). Presently it would account with a budget of €5 billion for the years of 2021-2027.

As the EPF targets a response to the gaps still to be found within the security and defence framework conducted between the EU and the African countries present in the previous “African Peace facility”, nonetheless Deneckere (2019) also proposes on how this is more than a small restructure of instruments, but rather an innovative approach to the EU peace and security policy. This would be pursued through the endowment of the EU with a more flexible framework for the deployment of military CSDP missions and operations, as well as setting up options for military capacity building assistance to third countries partners and regional organizations (Deneckere, 2019).

As presented by Federica Mogherini in 2017, and we cite:

We need to equip ourselves with the means and resources to live up to our new joint ambition on security and defence. With the Commission we are working on the next multiannual financial framework – our spending plans for the next seven years in the Union. In that context I would propose to create a new European Peace Facility, financed, and managed together with our Member States. This would allow to be much more efficient in planning and deploying our military missions, but also to support our partners in dealing with our shared security challenges.” (HR/VP, 2017) (Deneckere, 2019)

As denounced by Morcos & Ruy (2021) the EU’s inability along the years of complementing its development-security nexus with the supply for defence-related equipment to its partners has created a security vacuum within them, often corrected by another’s ability to provide them with such, and in many situation that actor has been Russia.

Deneckere also elaborates on how this mechanism would simplify funding streams, as well as, and we quote “the EU’s ability to engage in military support and capacity-building through new types of assistance currently unavailable to the EU, backed up with significantly boosted financial resources” (Deneckere, 2019) and consequently revigorating the EU’s scope of external action.

For the intentions of surveillance support and capability-development under the EPF, we understand them as not being encompassed by the frequent disagreements and controversy that condemns the possible inclusion of arms and ammunition as equipment to be supported by EU MS’s, while still allowing it to be comprised within a possible CSDP military operation and pushing the EU towards a more active stance in the peace-building and conflict resolution scenario, as well as a security provider in the global stage.

In its initial composition, as proposed by Mogherini, the EPF would stand on three pillars: first and foremost, as the mechanism to cover the expenditures of common EU military operations (previously covered by the Athena Mechanism), secondly it should support peacekeeping operations led by local partners and therefore replace the African Peace Facility, and finally as a third pillar the EPF would be a budget not subject to EU rules, a necessary characteristic so that the EPF is able to finance military equipment from member states and third countries, as well as financing the training of partner countries’ armed forces (Morcos & Ruy, 2021).

It’s through the EPF that we presently envision the ways in which MARSUR, as an EU surveillance system, capable of sharing accurate and necessary information for the provision of a secure maritime space, and the relationships composed by the EEAS and enhanced through

the EPF mechanism, as a possible provider of the capabilities necessary for the accurate conception of a common security and defence ring in the Mediterranean, achieved through surveillance.

This capacity would both compose a form of humanitarian action carried by all members involved, therefore committing itself to the goals pertained by the previously exposed European Global Strategy, both pushing a coordinated form of surveillance within the Union and inciting for a strategic governance that would depend on the state's own ability to conduct adequate surveillance when supplied with the tools to match the requirements of MARSUR.

While comprehending the sensitive nature of MARSUR and the intelligence provided within its most secure environment, to not consider the possible impact provided by a closed circle of security, in which the surveillance systems were of similar nature and abilities (due to their possible availability through the European Peace Facility), would be to maintain a response in prejudice that still allows for the existence of tragedies due to faults in the connectivity of the different surveillance systems at hand and even the ways in which the states involved do not establish a direct line of cooperation, being dependent on on bilateral agreements rather than utilizing the EU-ENP possible means of relationships at an individual stance.

As expressed during the communication on the launch of the European Defence Fund of 2017, "(...) the development of key technologies in critical areas and strategic capabilities to ensure technological leadership. Greater cooperation at all levels is the only way to meet Union citizens' expectations" (European Commission, 2017). When investing in capabilities and considering the new defence paradigm the EU should invest in, the response needs to pertain to a cooperation on all sides and levels. This idea is further enhanced by the EUGS, and its consideration on the relationship the EU should establish with its neighbours, out of which we highlight the intention of pursuing a full participation in EU programmes and agencies in order to enhance these partners involvement in CSDP.

Within this approach, the EUGS proposes to compose resilience as strategic priority, within and beyond the ENP with those that do want to pursue stronger ties with the EU, and those who may not wish to, as well as a second stance in which its stated the wish of the EU to compose and complement the fragilities of its partners, and we quote "We will work through development, diplomacy, and CSDP, ensuring that our security sector reform efforts enable and enhance our partners capacities to deliver security within the rule of law" (European External Action Service, 2017, p.26).

Consequently, we're able to compose the wish and necessity of the EU to pursue a form of complementarity of its partners fragilities, while up-keeping their autonomy, but denouncing how the EU's own security stands on its partners. This attitude becomes particularly enhanced as the goal of a "Peaceful and Prosperous Mediterranean, Middle East and Africa" (European External Action Service, 2017, p.34) is built, in which the EUGS constructs how the EU should invest in functional multilateral cooperation, and practical cooperation, in which we find the UfM and the need to extend this cooperation on issues such as border security, trafficking, counter-terrorism, non- proliferation, water and food security, energy and climate, infrastructure and disaster management (European External Action Service, 2017, p.34).

Furthermore, we're able to comprehend the ways in which there exists already a wish to invest in cooperations in the Southern Mediterranean that pertain directly with European security, and therefore we construct that although MARSUR possesses a fragile component, its dual form of governance is the correct way of framing this possible ring of surveillance across the Mediterranean. If a Project Arrangements/Advanced level of governance in MARSUR can be deemed as an impending risk on EU security due to the liability of the information exchanged between EU MS's, a Technical Arrangement/Basic Level mode of participation that only utilizes commercial forms of communication (and thusly connects all the states involved, although in a possibly faulty manner) is possible.

In spite of having composed MEXS as the most accurate mechanism to be utilized in the surveillance of the Mediterranean, it's important to concede the reasons by which MS's would oppose to it, nonetheless it doesn't invalidate a possible consolidation of agreements when making available the capabilities to strengthen their own maritime security through surveillance, that would conduct all information deemed essential for the prevention of tragedies, or other instances when security and defence of their maritime space is at risk.

At the same time, we deem of particular relevance to reinstate Georgiev's statement on how, and although many MS's do not integrate MEX's into their maritime surveillance systems, the performance of MARSUR isn't affected making it possible for these neighbourhood partners to complement their security, as well as the EU's, while not engaging with systems that could be considered particularly sensitive for EU security.

Conclusion

When analysing the present relationships that we find in the Mediterranean, as well as the EU's own security flaws, we're met with a common ground that can possibly be secured through the proper cooperation between these actors.

Although potentially described as idealistic, the proposal of a common surveillance maritime system isn't a far-fetched idea when looked upon with the goals established for the strategic future of the EU, and how it intends to establish itself as a security provider. If we deem the proposal of arms and ammunitions as capabilities to be made available through mechanisms like the EPF, then a maritime surveillance system would still be comprehended within the realm of attainable exchange.

We conduct that the EEAS is a defining actor in the construction of a a prosperous and more secure Central Mediterranean, as well as displaying the wish to be a distinctive maritime security provider, as evidenced by the missions and operations partaken within the CSDP. At the same time, the influence the EU can have in the Mediterranean doesn't stem from a unilateral perception of security and defence matters but consolidating flaws through diplomatic approaches to the problems encountered, a feature that the ENP-UfM framework may allow.

Comprehending the wide spectrum of relationships involved in the Mediterranean, and, for the particular purpose of this initial proposal, the central Mediterranean, we should understand the needs and priorities of the partners we wish to involve, and promote their determinant position as being entitled to their own practicability of security and defence operations, while not denying how these can be enhanced through cooperation, as the goal is to upkeep peace and consolidate a prosperous and secure maritime environment.

Through the evidence provided along the present dissertation, we conclude that the creation of a brand new mechanism would be to take further steps back, as well as the fact that MARSUR is entitled to the ownership of distinguishable capabilities, and these are means that could be made available through the EPF, that in consequence would improve both the relationships established between the EU and the ENP countries, as well as their view of the Mediterranean as the environment for tragedies and insecurity, while permitting new forms of establishing the need for accountability between the multiple actors.

We're able to conclude that complexity and success are unfortunate partners in this environment, and a ring of friends, like initially pertained by Karen E.Smith, needs to be enhanced towards a ring of safety and defence that comprehends the same friends, as they have available the same systems to face a similar "war", and in this case: the rapid coordination of a

response through the exchange of information obtained through a possibly extended version of MARSUR.

Annex:

Treaty on the European Union (L.EU Editions & European Union Legislature, 2019)

SECTION 2

PROVISIONS ON THE COMMON SECURITY AND DEFENCE POLICY

Article 42

(ex Article 17 TEU)

1. The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the MS's.

2. The common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides. It shall in that case recommend to the MS's the adoption of such a decision in accordance with their respective constitutional requirements.

The policy of the Union in accordance with this Section shall not prejudice the specific character of the security and defence policy of certain MS's and shall respect the obligations of certain MS's, which see their common defence realised in the North Atlantic Treaty Organisation (NATO), under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework.

3. MS's shall make civilian and military capabilities available to the Union for the implementation of the common security and defence policy, to contribute to the objectives defined by the Council. Those MS's which together establish multinational forces may also make them available to the common security and defence policy.

MS's shall undertake progressively to improve their military capabilities. The Agency in the field of defence capabilities development, research, acquisition and armaments (hereinafter referred to as the European Defence Agency) shall identify operational requirements, shall promote measures to satisfy those requirements, shall contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, shall participate in defining a European capabilities and armaments policy, and shall assist the Council in evaluating the improvement of military capabilities.

4. Decisions relating to the common security and defence policy, including those initiating a mission as referred to in this Article, shall be adopted by the Council acting unanimously on a proposal from the High Representative of the Union for Foreign Affairs and Security Policy or an initiative from a Member State. The High Representative may propose the use of both national resources and Union instruments, together with the Commission where appropriate.

5. The Council may entrust the execution of a task, within the Union framework, to a group of MS's in order to protect the Union's values and serve its interests. The execution of such a task shall be governed by Article 44.

6. Those MS's whose military capabilities fulfill higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions shall establish permanent structured cooperation within the Union framework. Such cooperation shall be governed by Article 46. It shall not affect the provisions of Article 43.

7. If a Member State is the victim of armed aggression on its territory, the other MS's shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain MS's.

Commitments and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organisation, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation.

Article 43

1. The tasks referred to in Article 42(1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

2. The Council shall adopt decisions relating to the tasks referred to in paragraph 1, defining their objectives and scope and the general conditions for their implementation. The High Representative of the Union for Foreign Affairs and Security Policy, acting under the authority of the Council and in close and constant contact with the Political and Security Committee, shall ensure coordination of the civilian and military aspects of such tasks.

Article 44

1. Within the framework of the decisions adopted in accordance with Article 43, the Council may entrust the implementation of a task to a group of MS's which are willing and have the necessary capability for such a task. Those MS's, in association with the High Representative of the Union for Foreign Affairs and Security Policy, shall agree among themselves on the management of the task.

2. MS's participating in the task shall keep the Council regularly informed of its progress on their own initiative or at the request of another Member State. Those States shall inform the Council immediately should the completion of the task entail major consequences or require amendment of the objective, scope and conditions determined for the task in the decisions referred to in paragraph 1. In such cases, the Council shall adopt the necessary decisions.

Article 45

1. The European Defence Agency referred to in Article 42(3), subject to the authority of the Council, shall have as its task to:

(a) contribute to identifying the MS's' military capability objectives and evaluating observance of the capability commitments given by the MS's;

(b) promote harmonisation of operational needs and adoption of effective, compatible procurement methods;

(c) propose multilateral projects to fulfil the objectives in terms of military capabilities, ensure coordination of the programmes implemented by the MS's and management of specific cooperation programmes;

(d) support defence technology research, and coordinate and plan joint research activities and the study of technical solutions meeting future operational needs;

(e) contribute to identifying and, if necessary, implementing any useful measure for strengthening the industrial and technological base of the defence sector and for improving the effectiveness of military expenditure.

2. The European Defence Agency shall be open to all MS's wishing to be part of it. The Council, acting by a qualified majority, shall adopt a decision defining the Agency's statute, seat and operational rules. That decision should take account of the level of effective participation in the Agency's activities. Specific groups shall be set up within the Agency bringing together MS's engaged in joint projects. The Agency shall carry out its tasks in liaison with the Commission where necessary.

Article 46

1. Those Member States which wish to participate in the permanent structured cooperation referred to in Article 42(6), which fulfil the criteria and have made the commitments on military capabilities set out in the Protocol on permanent structured cooperation, shall notify their intention to the Council and to the High Representative of the Union for Foreign Affairs and Security Policy.

2. Within three months following the notification referred to in paragraph 1 the Council shall adopt a decision establishing permanent structured cooperation and determining the list of participating MS's. The Council shall act by a qualified majority after consulting the High Representative.

3. Any Member State which, at a later stage, wishes to participate in the permanent structured cooperation shall notify its intention to the Council and to the High Representative.

The Council shall adopt a decision confirming the participation of the Member State concerned which fulfils the criteria and makes the commitments referred to in Articles 1 and 2 of the Protocol on permanent structured cooperation. The Council shall act by a qualified majority after consulting the High Representative. Only members of the Council representing the participating MS's shall take part in the vote.

A qualified majority shall be defined in accordance with Article 238(3)(a) of the Treaty on the Functioning of the European Union.

4. If a participating Member State no longer fulfils the criteria or is no longer able to meet the commitments referred to in Articles 1 and 2 of the Protocol on permanent structured cooperation, the Council may adopt a decision suspending the participation of the Member State concerned.

The Council shall act by a qualified majority. Only members of the Council representing the participating MS's, with the exception of the Member State in question, shall take part in the vote.

A qualified majority shall be defined in accordance with Article 238(3)(a) of the Treaty on the Functioning of the European Union.

5. Any participating Member State which wishes to withdraw from permanent structured cooperation shall notify its intention to the Council, which shall take note that the Member State in question has ceased to participate.

6. The decisions and recommendations of the Council within the framework of permanent structured cooperation, other than those provided for in paragraphs 2 to 5, shall be adopted by unanimity. For the purposes of this paragraph, unanimity shall be constituted by the votes of the representatives of the participating MS's only.

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