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D3.8 ANNUAL SOCIETAL SECURITY REPORT 5

EU SECURITY BUDGETS: FOLLOWING THE MONEY

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D3.8 ANNUAL SOCIETAL SECURITY REPORT 5

Abstract: This Report investigates European security spending and takes a critical look at the policies and strategies of funding security-related spending at European level. This report complements the analysis done in WP 4 about policy actors in European societal security.

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1. INTRODUCTION: PUTTING MONEY WHERE THE MOUTH IS

Capturing Europe in a tag cloud of key words and concepts, security would sit in bold letters in the centre as one of the main policy issues, frequently referred to in public discourse, shaping discussions in the governing political bodies of the European Union. The political importance of security as a European policy area has been highlighted time and again, for example in 2016 when Julian King took office as the newly established Commissioner for the Security Union. Describing the portfolio in his Letter to the new Commissioner, the President of the European Commission, Jean-Claude Juncker, linked King's mission to a number of popular threats:

“Security is one of the pressing challenges I have highlighted in my Political Guidelines, which recalled that “Combating cross-border crime and terrorism is a common European responsibility”. This was followed-up by the adoption of the European Agenda on Security on 28 April 2015, setting out the main actions envisaged to ensure an effective EU response to security threats over the period 2015-2020. In particular, three priorities were identified as needing to be addressed: tackling terrorism and preventing radicalisation, disrupting organised crime, and fighting cybercrime. Repeated subsequent terrorist attacks have underlined the importance and urgency of making swift progress towards an operational and effective Security Union, as highlighted in the Commission Communication of 20 April 2016. The focus of your portfolio work should therefore be on concrete operational measures where the action of the EU can have an impact – and where we can show that this does not compromise our commitment to fundamental rights and values.”¹

Terrorism, radicalization, organised and cyber-crime – these are in the Commission's view the main security concerns guiding European security policy. They are described in more detail in the European Agenda on Security (see further below).

The description resonates nicely in style, tone and overall rhetoric with other key policy documents such as e.g. the *EU global security strategy*, presented by Frederica Mogherini in 2016. Here the same threats are repeatedly highlighted justifying the close link between internal and external security policy initiatives, between military intervention and economic development.

The internal/external link in security discourse semantically and politically bridges the gap between military and civil security, bringing old-school ideas of security in International Relations studies, where the state was the main referent of security and where threats were primarily of a military nature, closer to internal and civil security.

Another important conceptual divide in security discourse was to draw a line between private and public security provision. As with internal/external and military/civil, however, the difference between private and public is blurring in security discourse. A plethora of policy papers addressing so-called “hybrid threats” push for more cooperation and a shared responsibility between public and private actors. For example, as Limnell points out in a 2018 paper, listing all the presumed benefits of PP-models in security points out:

¹ Mission Letter to the Commissioner for the Security Union, 2 August 2016



“There are numerous examples of the ways in which the private sector has become deeply involved in providing security against diverse, complex and often transnational security risks. They are not only protecting the vital functions of society, private companies are also taking care of border security and emergency preparedness, for example. The armed forces have also become increasingly dependent on infrastructure and assets in the private sector. The trend in Western countries is for private companies to take on even greater responsibilities task-wise, which was previously the remit of the public sector. The role of the private sector in national security is duly increasing as a result. On the other hand, careful consideration should be given to those areas of national security and vital societal functions that would be considered “off limits” for privatization.”²

The areas of security that are declared to be “off limits” for privatization have become smaller over the years – though being off-limits does not mean that there is not a business case for the private sector. While national and European defence policy and military affairs may legally still be a prerogative of the political sphere, equipment, technology, research and development are provided and governed by private corporations, merging with the political sphere into what has since the days of American President Dwight D. Eisenhower, been called the military-industrial complex. With the end of the Cold War, the military-industrial complex has spawned and morphed into a broader security-industrial complex.³ While the main driver sustaining the dynamic growth of the military-industrial complex was the threat emanating from the communist countries – the so-called *Empire of Evil* in the bipolar world order – the security-industrial complex operates with the idea of complex, blurred, protracted, cross-sectoral threats that no longer can be captured within the frame of established dichotomies of internal/external, military/civil, public/private. The new threat landscape driving security policy constitutes a seamless continuum from natural disasters, vulnerable techno-enabled infrastructures to civil unrest and economic crisis, from terrorist attacks to globally operating organised criminal cartels. As will be shown in the following sections, this rapidly expanding notion of what must be addressed under the banner of “security” is reflected in rapidly expanding EU security budget lines.

This has happened precisely as European security policies have merged the traditional inter-state security scenarios with new inner-state threats. And just as the emergence of security as a central policy area within the EU was crowned with the establishment of the Commissioner for Security in Juncker’s administration, so the Common Foreign and Security Policy (CFSP) has evolved into the Common Security and Defence Policy (CSDP), reflects the ever closer links between the military, the political and the economic.

1.1 Problems and solutions: the values behind the budget lines

The dominant policy framework of institutional responses and security measures to confront these hybrid threats is largely modelled on a traditional policing strategy, where threats are seen as being caused by individual criminals or groups of predators. Within this framework bad things have bad causes, i.e. negative effects on security must be caused by actors with bad intentions. Hence it is rather difficult to perceive of security threats in terms of detrimental and unintended side effects or systemic vulnerabilities of complex techno-social systems or to locate security threats at the level of long-term

² Limnell, J. (2018) *Countering Hybrid Threats: Role of Private Sector Increasingly Important. Shared Responsibility Needed*, European Centre of Excellence for Countering Hybrid Threats: <https://www.hybridcoe.fi/about-publications/>.

³ Hayes, B., Rowlands, M., & Buxton, N. (2009). *NeoConOpticon: the EU security-industrial complex*. Amsterdam: Transnational Institute.



societal dynamics.⁴ The narrow approach to threat and security where evil forces are the main source of evil acts translates into strengthened, sharpened, and extended regimes to ‘fight’ or even wage ‘war’ against these evil forces – forces that come in all shapes and sizes: as terrorists, ‘illegal’ or ‘radicalised’ migrants, criminal organisations or cyber-predators.

Increasing and extending surveillance and control, giving more powers to police, pursuing a punitive approach with harsher sanctions and other restrictive measures targeting offenders, groups and individuals deemed dangerous are now standard elements in the policy toolbox of the fight against crime. While this security policy has a narrow focus on a few selected and symbolically highly charged villains, it at the same time extends its reach into other policy areas, aligning them to a strategic rationale focussed on security.

Hence, Juncker suggests the Commissioner for Security should seek close cooperation with his colleagues from other DG, listing Migration, Home Affairs and Citizenship, Justice, Consumer and Gender Equality, Education, Culture and Sport, Employment and Social Affairs, Skills and Labour Mobility, Digital Economy and Society, Climate Action and Energy to – last but not least, when it comes to security research – Research, Science and Innovation. Looking at this list one might be inclined to rename Julian King’s position as *Commissioner for Securitization*, tasked with introducing a securitizing perspective to other policy fields, raising awareness for presumed threats and vulnerabilities to be addressed in cooperation with a task force of members from other DG, established to support the Security Commissioner in his work.

As we will see in Section 2, putting security centre stage and operating with the notion of threats, predefined by policy-makers relying on expertise and threat assessments from corporate Europe, the law enforcement community and myriad security experts, voices from civil society are largely excluded from European security discourse. Attempts to strengthen input from civil society and NGOs into the discourse on security at European level such as the RAN network, funded by DG Home⁵, still stay within the paradigm of fighting crime. They draw a line between the realms of law-abiding and the dangerous elements of society and focus on radicalisation as a security threat represented by radicalised individuals who then become the target of surveillance-based security measures.

The comprehensive securitization of all policy areas is perfectly encapsulated in an interview with the manager of a Youth Service organisation in Vienna, conducted for another research project, who pointed out that budget negotiations for his organisations were notoriously difficult, since public funds for social service and social policy initiatives suffered from austerity measures. However, he has managed to hire two more social workers on the basis that he would need them to work with young migrants as part of a de-radicalisation programme to be launched by his organisation.

Citizens come into the picture in security policy discourse only via aggregated responses to stimuli in Eurobarometer surveys, asking respondents to rank a predefined list of security issues.⁶ Such survey-

⁴ A telling example would be the current violent protests against government policies in France, that can hardly be reduced to an outbreak of violence caused by identifiable criminals. A policing approach to this kind of security threat will not address the wider political, economic and societal causes.

⁵ See https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation_awareness_network_en

⁶ See e.g. Special Eurobarometer 371 *Internal Security* Brussels 2011



based rankings are presented to support policy decisions paving the way for solutions supporting social sorting, surveillance and control, extending the market for new and improved security technologies developed with European Union funding.

Apart from such general references to security perceptions and fears of European citizens, the economic drivers of security policy play an important role in shaping the political agenda and the distribution of public funds in this policy area. The security industry is one of the most prosperous business fields, with high growth rates over the last years and a market volume over now measured in hundreds of billions of euros for products and services. The examination of the development of European policy measures in the following section reveals the strong links between policy and industry. Increasing the global competitiveness of the European security industry is considered a key objective of the European security research programme⁷. Narrowing down security to problems that can be solved by technologies, other approaches that consider root causes are marginalised in favour of an approach that critics have labelled as “techno-solutionism”⁸.

Breaking this hegemonic approach to security as fight against the forces of evil is difficult for a number of reasons. To begin with, security creates profitable business opportunities. As noted above, with the end of the Cold War the military-industrial complex began to diversify into a security-industrial complex, linking corporate interests and policy actors. Upgrading security in public space within the dominant threat-based paradigm requires significant investment to upgrade surveillance and control technologies.

There has in turn been an incremental growth of technology-based security installations in many areas, shaping public space, travel and mobility. Comparing standard procedures of passenger handling at airports before and after 9/11 the continuous securitisation of air travel is a good example to demonstrate the spread of technologies introduced to upgrade security through intrusive screening of passengers. The spread of CCTV in public urban space is another well-known example. With security becoming a dominant rationale for public policy, the well-established distinction between the policy domains of internal and external security begin to blur and with it the distinction between military and police agendas. Hybrid public security agencies keep growing, both in terms of resources and legal-administrative powers; private sector institutions are integrated in complex surveillance schemes. Air carriers and financial institutions have to perform due diligence checks or screen their passengers to identify potential security risks, report suspicious individuals or transactions to law enforcement agencies.

Upgrading the capacities of police, border guards, customs, Financial Intelligence Units and other agencies endowed with security tasks also involves new technologies from intelligence-led policing through automated, algorithm-based facial recognition, to new ICT-based tools for producing social media intelligence. Regulatory frameworks governing investigative powers of law enforcement agencies are adapted to legalise the use of these technological surveillance systems. Corporate strategies and the agenda of law enforcement agencies are mutually reinforcing: new security technologies create new

⁷ See e.g. the study by Ecorys from 2014, commissioned by DG Enterprise on the *Competitiveness of the EU security industry* Brussels (Ref: Ares 2014-74475)

⁸ See e.g. Morozov E (2013) *To save everything, Click here: the folly of technological solutionism*. New York: Allen Lane.



business for providers and extend legally defined surveillance powers of law enforcement. Also, experts from the law enforcement community are called upon by policy actors to provide threat assessments feeding into new policy initiatives. Making a convincing argument in a policy hearing that security threats are high and urgent action is required will lead to initiatives increasing police powers and budgets.

For political actors, security is a highly seductive topic of high use value endowed with apparently endless political capital. It helps to focus public attention on one single issue while other, probably more controversial topics fade into the background. Also, the typical security threat scenario operates with categories of inside and outside, as e.g. the rhetoric of 'Fortress Europe' threatened from evil outside forces demonstrates. Invoking the notion of a community under threat is a frequently used political trope, even if those doing the threatening are scarcely capable of matching the threats of by-gone eras.

The hegemonic approach to security is sustained because it meets the needs of policy, security agencies and industry alike, and because it can be seamlessly integrated into their respective strategies: focus public attention, expanding institutional powers and opening new business opportunities in the growing market of security technology.

When looking at the European Agenda on Security, which has been set out by the EU and is sustained by constantly updated policy papers and communications, the shape of the hegemonic concept of security can be clearly seen in the strategies and policies that flow from this concept and which are examined in subsequent sections in this document. Inevitably, however, these documents are always introduced with a promise of compliance with fundamental rights, transparency and accountability. Nevertheless, it is the more operational objectives such as the need for a more joined-up inter-agency and cross-sectoral approach – and the need to bring together all internal and external dimensions of security - that are much more important for the envisaged European approach to security than any abstract value-based principles. And despite the promiscuity with which references to fundamental (European) values are spread across security-related policy documents, when it comes to the development of practical solutions, values and legal safeguards tend to lose their core, limiting function.

Nowhere is this clearer than in the developing EU strategy to improve the 'interoperability' of security-related data and information sources. More information and more exchange of this information across different agencies is considered a key task for the EU security policy agenda. SIS data should be linked with Interpol's Stolen and Lost Travel Documents (SLTD) in border controls. Common risk indicators and standards for border management are envisaged, as well as a new legal basis for Europol as major hub for information exchange. An EU PNR system (for travel surveillance), communications data, the European Criminal Records Information System (ECRIS) and a European Police Record Index System (EPRIS) are to be made 'interoperable' – i.e. joined-up – and data are to be exchanged with the Maritime Common Information Sharing Environment (CISE). Apart from creating a seamless environment of interoperability for information exchange, operational capacities at the EU level are being correspondingly strengthened by the Committee on Operational Cooperation on Internal Security (COSI) to address cross-border and EU-wide security threats. More Joint Investigation teams (JIT), Joint Customs



Operations (COJ), Police and Customs Cooperation Centres (PCCC) and better judicial cooperation in criminal matters are presented as essential security solutions.

Funding for all these activities will be provided by the Internal Security Fund, described as a “responsive and flexible tool to address the most crucial challenges up to 2020” (Agenda on Security, p.11). The budgets for the period from 2014-2020 foreseen for security related policies, measures and programmes at European level, some of it managed by Member States comprises not only the Internal Security Fund (ISF) but also the Asylum, Migration and Integration Fund (AMIF). Overall budgets for the 2014-2020 period for ISF and AMIF already amount to seven billion Euros and, as will be shown in Section 3, they will be massively expanded under the next multiannual financial framework. The fund also supports working groups like ENLETS operating at the interface of security technology providers and law enforcement agencies.

Security-related research and innovation funded through other programs and helping to sustain a flourishing security industry are also central to the European Security Agenda, both as means of enhancing security and industrial competitiveness.

Looking at national reports for the interim evaluation of the current budget lines, substantial funds in some countries are flowing to national military forces (as e.g. in Malta) to purchase new and update existing equipment. New systems for surveillance, based on state-of-the-art technology make up significant part of the expenditures along with upgrading of systems for collecting and processing personal data of individuals at national borders. Detection technologies (CBRN, IEDD) and protective gear (bullet proof vests) are purchased, justified as investments to enhance internal security. With most of the financial resources from these funds at the disposal of national security agencies there is no central mechanism in place at Union level to comprehensively assess the use of the funds.

1.2 The pre-emptive turn as a driver for endless security spending

The evolution of arguments and reasoning of security discourse in different arenas, from media to academia, from public policy debates to administrative strategy papers reveals a shift of focus, perception and reasoning in post-war Western societies. In the traditional paradigm of security, civil society was perceived as an assemblage of institutions, laws, traditions, economic activities, governed by a political order constitutionalising state power. The default assumption was, that this assemblage is reproducing over time. Policy interventions targeted sector-specific imbalances or deviations from a path foreseen by national specific ideological variations of the modern welfare state. Security was about protecting this realm of civil society cum state against military attacks from outside by a hostile state or enforcing criminal law by police.

With the emergence of the new security paradigm, the sphere of civil society lost the status of an autonomous and resilient, self-reproducing assemblage and was increasingly perceived as a complex and fragile social system to be monitored and screened for any emerging threats jeopardizing its reproduction and survival. Economic growth, effective governance and balanced public budgets to finance standard social policies sustaining stable living conditions were no longer self-evident. The sovereign nation state, governing an ethnically and culturally homogenous population of citizens in a



defined geographical territory with clear borders seemed unfit to address new challenges of globalisation and seemed itself threatened in its very autonomous existence.

Against the background of these developments, politically progressive ideas, often fuelled by critical academic research, and driven by values of social justice and security supported the growth of a discourse on security with potentially detrimental effects. Critical social analysis of social deprivation or cultural exclusion and new social movements like the Greens, who put new global threats on the agenda, raised their voices to bring new issues on the political agenda and to raise public awareness for negative effects and side effects of the existing political and economic order in their societies.

However, putting the emphasis on the genuine societal nature of security is one thing, turning these insights into a strategy for security policy is another. The ironic twist from critical analysis to practical policy can be nicely demonstrated in the case of criminology. Evidence from research on criminal offenders showed how (typically young and male) individuals embark on criminal careers, how institutional reactions to juvenile deviance and a lack of social resources and support draw them into a life of criminal conduct. This research was designed as a critique of the dominant person-blame approach, where the criminal offender was perceived from an individualising psychological perspective as a person with personal, moral, psychological deficits, driven by a kind of criminal energy. Bringing into the focus the wider social context, the institutional responses to deviant juvenile behaviour to demonstrate how external, societal factors shape individual conduct, the person blame was replaced by a kind of system-blame approach. While this shift from personal to systemic factors partly took the burden of legal responsibility from the individual offender it at the same time paved the way for new approaches to crime by law enforcement and police. It facilitated the shift from repression towards prevention, establishing new categories like the so-called pre-delinquent individual, to be monitored and surveilled before s/he would engage in serious criminal activities in the future.

This preventive turn not only reshaped strategies and policies in the area of law enforcement and extended police powers in the fight against crime. We see policies based on the idea of prevention, precaution or pre-emption spread out across other security policy domains as well. Staying within the realm of the hegemonic approach of security thinking, where security threats are understood as being caused by evil forces and extending this approach by putting these evil forces into their wider societal context removes (legal, institutional, operational) barriers for intervention in the name of prevention.

The presumption of innocence, as the default societal attitude based on trust was replaced by the idea of *dangerisation*, where everyone is a potential suspect until proven otherwise.⁹ To pass this test and being identified as an eligible and legitimate individual and not a dangerous person entails a myriad of more or less routine interactions with techno-social systems in automated environments. As Lianos and Douglas put it:

“Automated environments undermine the social processes of value reproduction and reinforcement not only through their increased reliability but through their focusing on one discrete aspect of the world. To a telematic server one is a ‘caller’, or more precisely a valid caller number. One is a ticket-holder in car parks, a ‘press to cross’-button-pusher in pedestrian crossings,

⁹ Lianos, M., & with Mary Douglas. (2000). Dangerization and the end of deviance: the institutional environment. *British Journal of Criminology*, 40(2), 261-278.



a ‘too-fast-walker’ in shopping malls scanned by an image analysis system. Only those parameters that the ASTE is built to evaluate are relevant and in that sense the social universe is inevitably and progressively subjected to new configurations according to new managerial priorities.”¹⁰

Citizens under this regime have to be machine readable, being defined through pin-codes, pass words, swipe cards and biometric features stored in data bases of businesses and public authorities. To maintain the dense web of technology-enabled controls requires a complex infrastructure of data processing that has to be regularly updated and refined and protected against misuse. This drives research and development of the security-industrial complex, adding new layers of surveillance and control on to everyday mundane actions, and requiring constant investment from the tax-payer.

1.3 Security spending in context: globalisation and neoliberalism

European societies are undergoing a number of very fundamental changes. These changes leave their traces in security discourse and are reflected in security policy programmes. From a perspective of social theory authors like Zygmunt Bauman, Ulrich Beck or John Urry among others have pointed out how global economic forces re-shape the social fabric and bring new problems on the political agenda.¹¹ Bauman’s term *liquid modernity* captures the overall thrust of these social changes transforming societies, eroding established structures and turning citizens under the regime of electronic consumerism into highly mobile users and techno-social subjects, constantly leaking personal data that are collected and processed by global corporations and public authorities alike.¹² Governing mobility and securing the constant flow of data, information, goods, finance, services and individuals becomes a key challenge in these societies. Some of these flows transcend geographical boundaries and the regulatory capacities of national governments. Others, such as global migratory flows have to be addressed in real world physical space, where borders and mobility hubs like airports have become the site of new security practices.

Europe, as a political project is caught in a predicament. The European political project was built on the promise of providing freedom of movement and economic exchange within its boundaries. The four basic freedoms (of goods, services, capital and people) as set out in the Treaty of Rome were supposed to create an area of freedom, justice and security for European citizens. These mobilities, however, have become a security threat from the perspective of governance. The dominant security threats, as repeatedly highlighted by European security policy makers in their communications and policy documents all concern the governance, control and surveillance of flows. In this paradigm, *Terrorism* only originates outside Europe and terrorists are perceived as predators flowing into Europe from war zones outside. *Radicalisation* involves indoctrination and social media messages coming from groups located outside Europe, spreading their message via communication channels that are hard to control. The policy narrative on *organised crime* is based on scenarios of transnational criminal networks, exploiting European freedoms and stretching across the whole continent and beyond. *Cyber-*

¹⁰ *Ibid.*, p. 265.

¹¹ Bauman, Z. (2013). *Liquid modernity*. John Wiley & Sons. Beck, U. (1996). World risk society as cosmopolitan society? Ecological questions in a framework of manufactured uncertainties. *Theory, culture & society*, 13(4), 1-32. Urry, J. (2016). *Mobilities: new perspectives on transport and society*. Routledge.

¹² See Lyon, D. (2016). Big data surveillance: Snowden, everyday practices and digital futures in Basaran, T., Bigo, D., Guittet, E.P. & Walker, R. B. J. (eds) *International Political Sociology: Transversal Lines*, 208. London: Routledge.



crime, last not least, is the de-territorialised threat par excellence, creating local damage from an undisclosed position somewhere in global cyber space. As Didier Bigo et al nicely demonstrated¹³ this results in a paradoxical constellation of controlled mobility under surveillance enabled by ever more intrusive security technologies.

What can be observed, taking a bird's eye perspective, is the translation of social-structural challenges of globalisation into problems of control and surveillance, fuelled by panoptic fantasies of transparency. Global flows – of goods, data, money, humans – escape the control of any central authority, they cannot be governed and comprehensively screened for illegal or dangerous elements. Nonetheless, European (and national) security policy and strategy develop along a path that involves more of the same, adding new check points and data-based surveillance while hoping to keep track of these flows. At the same time, it is acknowledged that the surveillance regimes in place are highly ineffective. A typical example is provided by the fight against terrorist financing: “The current system for reporting suspicions of money laundering, terrorist financing and other serious crimes through the international financial system is not working effectively. In all major financial markets, the number of reports of suspicions of money laundering continues to grow. Despite this, the estimated impact of anti-money-laundering (AML) reporting, in terms of disrupting crime and terrorist financing, remains low. Compared with the total amounts of criminal and terrorist funds assessed to be flowing through the international financial system, the levels of seizure and recovery of those funds are small – estimated at less than 1%.”¹⁴

Despite recurrent acknowledgement of failure, security as intrusive mass surveillance remains the guiding policy approach, sustaining a growing market for soft- and hardware, products and services provided by the private sector. The phantasma of transparency and control not only drives the technological modernisation and growth of European agencies like EUROPOL or FRONTEX, the European agency in charge of border control of the European Union but at the same time forces private actors to take over tasks from law enforcement agencies, such as in the case of Anti Money Laundering and terrorist financing (AML/TF), where banks, real estate agents and other professionals involved in major financial transactions are legally obliged to check whether their clients' funds are from legal sources. These “checks” again can be outsourced to specialised private companies who turn these new requirements into profitable business cases, offering their clients a risk assessment of potential business partners using their own profiling tools and data-bases.¹⁵

With a narrow focus on curbing illicit global flows as main target of security policy a wide variety of other problems are ignored by security policy makers. First, the presumably dangerous illegal flows (from human trafficking to illegal immigration or drugs and money laundering) are not approached or understood in their wider contexts. All attempts to stop these flows are doomed to fail as long as the underlying dynamics, drivers and causes remain unaddressed. To take the example of drug policy:

¹³ See the analysis of D. Bigo et al SOURCE D 4.3 on the freedom technology surveillance paradox. (SOURCE Deliverable)

¹⁴ Maxwell, J.N., Artingstall, D. (2017), *The Role of Financial Information-Sharing in the Disruption of Crime. RUSI Occasional Paper*, London.

¹⁵ Thomson Reuter offers such services to their clients from the financial sector, checking potential customers against entries in their World-Check data base. See <https://www.refinitiv.com/en/products/world-check-kyc-screening/world-check-one-kyc-verification>



intervening successfully in the transnational drug trade will primarily lead to rising prices at end-user level which in turn will draw new suppliers into the market, neutralising the effects of prior successful law enforcement intervention. Understanding the “security problem” of organised international drug trade from an economic perspective could lead to more successful policy approaches, e.g. by pursuing a strategy of controlled legalisation of certain drugs or redefining drug-use as a public health and not a law enforcement issue. A similar case could be made for illegal migration, where security policy puts the main focus on stopping flows before they enter European soil instead of addressing primarily the economic push factors in the regions from where migration originates.

Secondly, there are several significant security threats developing beyond the dominant framework guiding European security policies that escape the attention of mainstream security policy discourse. Looking at environmental hazards or the institutional provision of health care services a number of obvious threats to life and limb of citizens could be identified, ranging from so-called iatrogenic fatalities¹⁶ to serious health problems caused by environmental pollution.

Both of these examples however do not follow the logic that bad intentions lead to bad outcomes, rather they are detrimental side effects created by standard procedures of profit-oriented policies, effects that usually are defined as so-called “externalities”. Giving the hazards and security threats emerging from nutrition, health provision, tax evasion, environmental pollution or growing social and economic injustice the same weight as terrorism, organised and cyber-crime would dramatically shift the discourse on security and also should lead to a reallocation of funds and a reorientation of regulatory reforms. This reorientation would entail a stricter governance of economic processes, increased consumer protection, better prosecution of and harsher penalties for corporate malfeasance. This political agenda, however, would contradict the dominant neoliberal ideology of market rationality and free enterprise and declaring corporate policies as a security risk is beyond the rationale of mainstream security discourse.

¹⁶ See e.g. Makary, M. A., & Daniel, M. (2016). Medical error—the third leading cause of death in the US. *Bmj*, 353, i2139.



2. THE ACTORS SHAPING EU SECURITY BUDGETS

2.1 Introduction

The question “where does EU policy on X come from?” is seldom easy to answer, even for seasoned observers of the European Union, and even if the pages of EU textbooks make things appear fairly straightforward: the EU Treaties set the objectives and parameters for policy, the European Commission acts as the “executive” by proposing legislation in line with the those objectives and parameters; the Member States in the EU Council and the European Parliament acting as “co-legislators” in respect to Commission proposals and in accordance with the Treaty provisions; all three institutions have greater or lesser responsibility for the implementation and review of legislation, often in conjunction with specialist EU bodies, agencies and networks; the EU Court of Justice is on hand to rule over any disputes; and the EU Court of Auditors is responsible for ensuring that everyone plays by the rules.

In practice, things are invariably more complex. While the European Commission is the ostensible “guardian of the Treaties”, it is both susceptible to lobbying by both EU Member States and private interests, and heavily reliant upon external expertise to develop and implement policy. And whereas the EU Council ostensibly represents the will of the 28 Member State governments, massive power imbalances – reflected in voting rights, the influence of regional groupings such as the P5 and G7/G8 and frequent “horse trading” – mean that the common positions adopted by the Council rarely reflect the common will of the 28. Like the European Commission, the Members of the European Parliament are also highly susceptible to influence from both national politics and external interests. And, once established, EU agencies, bodies and networks can quickly develop their own agendas, including the protection and expansion of their mandates, and may also be subject to influence or “captured” by particular interest groups.

EU “legislation” is itself also hugely complex, and not just because of the range of legislative instruments at the EU’s disposal. Indeed, things are generally so complex that “EU policy” in any given area is likely to be a combination of (i) the parameters set by the Treaties; (ii) “hard law”, including primary legislation, secondary legislation and implementing decisions; (iii) “soft law”, which includes binding decision-making commitments such as EU Council Conclusions and European Parliament Resolutions as well as practical commitments on the part of Member States to pursue common courses of action; (iv) non-legislative measures such as EU Action Plans, strategy documents, “roadmaps” and even so-called “non-papers”; and (v) the minutiae of rules, procedures and processes that govern the activities of the EU institutions and the implementation of particular pieces of legislation.

In the realm of EU security policy things are complicated further still by the tension between national security on the one hand, which remains the competence of national governments, and EU security policies on the other, which have often developed outside the “normal” EU institutional or legislative processes, and frequently reflect compromises designed to limit the influence of the latter on the grounds of the “sovereignty” of the former. This has resulted in the relatively *ad hoc* development of EU security policy, for example through the Schengen framework for policing and border control which was developed outside the formal EU framework up until the incorporation of the Schengen Convention into the EU acquis under the Amsterdam Treaty. In practice this meant that the role of the



European Commission and EU Court of Justice was significantly restricted in various policy areas, and the design and development of key operational agencies like EUROPOL and FRONTEX, as well as a plethora of EU security databases and surveillance systems, has been determined by the Member States, rather than the more neutral and democratic arbiters of European integration represented by the Commission and the Parliament. It has also meant that European funding for EU security policies and complementary measures in the Member States has become an important means through which the European Commission can become more relevant to national security, by funding or facilitating their domestic efforts.

All of this this leaves academic lawyers, political scientists and other observers of EU policy-making with a gargantuan task in terms of doing justice to questions of “where does EU policy come from?” Importantly, it also creates the space to explore the impact of particular actors and arguments on specific EU decision-making processes. In particular it enables the formalities of European integration that are prioritised by mainstream accounts of EU policy-making to be supplemented by more critical accounts of EU policy outcomes derived from actor-network theory, political economy and criminology. In this section of the report we provide a brief history of EU policy development and map different actors trying to influence the development and implementation of EU security funding instruments.¹⁷

2.2 A potted history

As noted above, EU security policy – or Justice and Home Affairs policy or the “Third Pillar” as it was then known – developed in piecemeal fashion until the entry into force of the Amsterdam Treaty in 2001, with the attacks of “9/11” providing an important catalyst for EU policy-making. Whereas border control, immigration and asylum policy, police cooperation and EUROPOL, and judicial cooperation, and decision-making had developed incrementally under the supervision of the Member States in the EU Council and Schengen Working Groups, Amsterdam paved the way for the development of a more integrated “Area of Freedom Security and Justice”. This in turn provided a basis for the longer-term political consolidation of EU security policies and a significantly expanded role – though still limited in comparison to other areas of European integration – for the European Commission.

The Lisbon Treaty provided for further consolidation in Justice and Home Affairs and ushered in more powers for the Commission and a long-awaited co-legislative role for the European Parliament, It also formally established the EU’s Common Security and Defence Policy (CSDP), formalising the hitherto Member State-led framework for defence, crisis management and approaches to international and conflict security into the EU constitutional framework. This created the post of CDSP High Representative, currently held by Federica Mogherini, together with an EU Military Staff, and incorporated agencies such as the European Defence Agency, FRONTEX, which is now formally known as the European Border and Coast Guard Agency, and the EU Institute for Security Studies. The CSDP is currently framed by the EU Global Strategy of 2016, which priorities closer links between the EU’s

¹⁷ This section draws on the approach and critique in Hayes, B., Rowlands, M., & Buxton, N. (2009). *NeoConOpticon: the EU security-industrial complex*. Amsterdam: Transnational Institute and Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.



internal and external security policies, a “more rapid and effective” CDSP, and “closer connections between civilian and military structures and missions”.¹⁸

The idea of an “Area of Freedom, Security and Justice” (AFSJ) has, meanwhile, been eclipsed by a new “Security Union”, cementing the fears of pundits who had long since branded the AFSJ an “Area of Security, Security, Security”.¹⁹ All of these developments have been matched by a steady increase in the funding made available by the EU for the development and implementation of internal and external security policies. These are addressed in detail in the next section of this report, but in terms of broad trends we see the most significant increases in the current and pending Multiannual Financial Frameworks, which cover the periods 2014-2020 and 2021-2027 respectively. Prior to 2014, the budgets for internal security, external borders, security research, EU agencies dealing with security issues and other specific security issues are quite small in both actual and relative terms. The most significant allocations in this period go to external borders, including the incorporation of the 10 states that joined the Union in 2004 into the EU border regime and support for immigration controls in countries of origin and transit of migrants, resources for EUROPOL and later FRONTEX, the development of EU law enforcement databases, funding for EU security missions in third countries, and from 2007, a significant security research budget. In the current MFF we see a much bigger allocation of funding to the Internal Security Fund, and increases across all of the aforementioned areas. From 2021, under proposals currently going through the EU institutions, a fivefold increase on current EU security spending levels is envisaged (see following chapter).

As noted in the introduction, among the most significant developments is the EU Security Industrial Policy of 2012, under which support for European companies producing security equipment and technologies has become an EU priority in and of itself. This development is quite surprising given that the industry barely existed at the turn of the 21st century, even if it is today presented by the European Commission as obvious adjunct to the wider EU industrial competitive strategy given perceived global insecurity. The EU Security Industrial Policy also reflects the fact that governments and law enforcement agencies have increasingly turned to technology to enhance surveillance, border control, policing, counterterrorism, cyber-security and the ever-growing list of security (or securitised) policies that have come to comprise today’s “Security Union”. This includes aviation security, maritime security, critical infrastructure protection, intelligence collection, crisis management, civil protection and physical security protection.

At the same time, the increasing prioritisation of security technologies and those companies that develop them remains a political choice, the legitimacy of which must be assessed in the context of the prioritisation and value placed upon the other security-relevant treaty objectives such as human rights, democracy, criminal justice, peaceful international relations and good governance. These issues are addressed further in subsequent sections of this report.

¹⁸ *Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union’s Foreign And Security Policy*, European External Action Service, 2016.

¹⁹ Busch, H (2002) *Vertiefung, Erweiterung, Verfassung - eine Einleitung* [Intensification, extension, constitution], *Bürgerrechte & Polizei/CILIP*, no. 73 (3/2002).



2.3 The Security Industrial Policy: supporting supply, promoting demand

According to the European Commission, the combined market value of Europe's Security Industry is between €26 billion to €36.5 billion, collectively employing 2.3 million people. Its annual turnover is an estimated €191 billion – a value “significantly larger than has been suggested by previous estimates”.²⁰ Globally, the value of the security industry is said to have increased tenfold within the first decade of the 2000's, growing at a much faster rate than GDP more widely. In response to this “significant potential for market growth”, the Commission included the security industry in its flagship “EU 2020” initiative of 2010: “An Integrated Industrial Policy for the Globalisation Era Putting Competitiveness and Sustainability at Centre Stage”.²¹

This paved the way for the EU's “Security Industrial Policy: an Action Plan for an innovative and competitive Security Industry” (SIP), which was published by the European Commission in 2012, asserting that the security industry required greater investment, cohesion, and harmonisation: “The EU security industry faces a highly fragmented internal market and a weak industrial base... It is essential to develop a fast-track system for approval of priority technologies; to make substantial further progress on harmonisation, standardisation; to consider coordinated public procurement; and to accelerate research on security technologies including dual-use”.²² Citing market forecasts claiming that European companies' global security market share “could drop by one fifth from around 25% of the world market in 2010 to 20% in 2020, if no action is launched to enhance the competitiveness of the EU security industry,” the SIP sought to address these ‘shortcomings’ and “enhance growth and increase employment in the EU's security industry”.²³

In effect, the SIP built on the approach on the European Security Research Programme, launched in 2007 as part of the seventh framework programme for research and development, which allocated 1.4 billion euros to security R&D (see further below). In comparison to its previous policy strategy of enhancing European competitiveness by liberalising the European defence market, direct intervention to stimulate the security industry marked a decisive shift for the EU, and one which is now being replicated in respect to the defence industry itself, through the European Defence Industrial Development Programme (EDIDP, see further below).²⁴ By providing funds for both the development and procurement of new security technologies through the SIP, and defence technologies through the EDIDP, the EU is – as *Statewatch* has repeatedly pointed out – seeking to create a “self-fulfilling loop of supply and demand” around security and defence goods and services.²⁵ This trajectory alarms civil libertarians and human rights advocates because it appears to engender a kind of security arms race, which threatens to deliver everything from total surveillance to killer robots.

²⁰ ECORYS (2015). *Study on the development of statistical data on the European security technological and industrial base: Final Report*, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/security/reference-documents/docs/security_statistics_-_final_report_en.pdf.

²¹ European Commission (2010). *An Integrated Industrial Policy for the Globalisation Era Putting Competitiveness and Sustainability at Centre Stage*. Brussels, 28.10.2010, COM (2010) 614 final.

²² *Ibid.*, p. 27.

²³ European Commission (2010). *Security Industrial Policy: Action Plan for an innovative and competitive Security Industry*. Brussels, 26.7.2012, COM (2012) 417 final.

²⁴ Vranken, B. (2017). *Securing Profits: How the arms lobby is hijacking Europe's defence policy*, Antwerp: Vredesactie. P. 5.

²⁵ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute. P. 2.



Oblivious to these concerns, the creation of this loop has also required a constant reiteration of the importance of the security industry to EU policy. From the bold claim by Franco Frattini, a former EU Commissioner for Justice and Home Affairs, in 2007, that “security is no longer a monopoly that belongs to public administrations, but a common good, for which responsibility and implementation should be shared by public and private bodies”;²⁶ to the headline claim in the 2012 SIP that “A competitive EU security industry is the *conditio sine qua non* of any viable European security policy and for economic growth in general”;²⁷ to the blunt assertion by Julian King, current EU Commissioner for Security Union, that “we won’t be successful in our endeavours to enhance the collective security of Europe if we don’t work hand in hand with industry”.²⁸

2.4 The role of security and defence industry companies, networks, and lobbyists

The reaction to the publication of the European Commission’s SIP by prominent security lobby groups, such as the *European Organisation for Security* (EOS) and the *AeroSpace and Defence Industries Association of Europe* (ASD), was overwhelmingly positive, with EOS “delighted to welcome the adoption of the long awaited Security Industrial Policy”.²⁹ Unsurprising because the security and defence industry – consisting of those companies, networks, and lobbyists which have a direct economic interest in the expansion of the EU security agenda, due to their activities in providing security and/or military related goods and services – are the prime beneficiaries of these policy developments. They are hugely influential because they are economic powerhouses, and because they have successfully utilised their economic strength to form strong lobby networks to push their agenda, by heavily investing in lobby activities vis-à-vis the Commission. This is evidenced by both the policy outcomes and the large amounts that private companies from the defence and security industries and the networks they have formed to pursue their collective interest have spent on lobbying the EU in pursuit of these outcomes over recent years (see further below).

While it is not possible to quantify exactly what tens of millions of euros spent on lobbying can buy, it is fundamentally clear that these actors are pushing for the development and strengthening of security industrial policy at the EU level, which in turn supports their R&D activities and supports the development of the European security market more generally. Specifically, these groups are lobbying for increased public-private partnerships that bring public institutions and private security companies closer together; research funding and investment to develop new security and defence technologies; a commitment to purchase by the EU and its Member States; and an expanded and harmonised security market through which their political interests and future profits can be secured. Whereas current EU policy reflects these demands, other actors seeking to influence the EU security policy framework have not enjoyed anything like this kind of influence.

²⁶ *Security by design*, based on a speech by Commissioner Frattini to the EU Security Research Conference in Berlin, 26 March 2007, Homeland Security Europe, available at:

<http://www.homelandsecurityeu.com/currentissue/article.asp?art=271247&issue=219>.

²⁷ European Commission (2010). *Security Industrial Policy: Action Plan for an innovative and competitive Security Industry*. Brussels, 26.7.2012, COM (2012) 417 final.

²⁸ Vranken, B. (2017). *Securing Profits: How the arms lobby is hijacking Europe’s defence policy*, Antwerp: Vredesactie. P. 5.

²⁹ European Commission (2012). *Security Industrial Policy: Action Plan for an innovative and competitive Security Industry*. Brussels, 26.7.2012, COM (2012) 417 final. P. 5.



AeroSpace and Defence Industries Association of Europe (ASD)

ASD describes itself as “the voice of the security industry in Europe,” representing over 3,000 companies through a membership-based network that combined “employed more than 843,000 people and generated a turnover of €220 billion in 2016”.³⁰ The aforementioned “big five” EU defence and security companies (*Airbus, Indra, Leonardo/Finmeccanica, Safran* and *Thales*) are all members of ASD. The organisation spent around €3.5 million on EU lobbying in the four years to 2016, though campaigners to believe that it may have substantially under-reported its EU lobbying budget.³¹

There is also considerable overlap – a symptom of what critics of lobbying call the revolving door – between ASD, the industry’s largest companies and EU institutions. For example, the current Chair of the ASD’s “Security Business Unit” is Andrea Biraghi of *Leonardo*, while its former Chair, Alberto de Benedictis, now chairs the Horizon 2020 Protection and Security Advisory Group (PASAG), which provides structured input into the work programmes of the European Security Research Programme.³² ASD’s Defence and Security Director, Burkard Schmitt, served as a Defence Expert at the European Commission for over eight years and was an Assistant Director at the European Union Institute for Security Studies for the seven years prior to that.³³ ASD’s Strategy Director, Agnes Palomeros-Ferragu, previously worked for *Airbus’* Intelligence, Surveillance and Reconnaissance Business Unit.³⁴

ASD’s stated objectives include influencing the EU security agenda: “to inform relevant EU policies and to improve business preconditions at the EU-level” as well as to “create a suitable policy framework” to grow the security sector for its members.³⁵ In practice this means “establish(ing) policy positions for the industry on key strategic sectorial issues, cooperating with industry and EU institutions on a number of market developments and technology research projects,” such as to “stimulate the procurement of equipment”.³⁶ To facilitate its lobby activities, ASD has organised its work into four thematic Business Units: Civil aviation, Defence, Security (including influencing the European Security Strategy), and Space across six cross-functional areas (see Figure 1, below). According to *Lobbywatch*, it has focused its activities on the establishment of new EU policy instruments and budgets, including the Preparatory Action for Defence Research, the European Defence Industrial Development Programme, the European Defence Fund, the European Security Strategy, the Review of the EU Security Research Programme, the Instrument for Peace and Stability, Horizon 2020 and Horizon Europe.³⁷

³⁰ See ASD website: <https://www.asd-europe.org/aerospace-and-defence-industries-association-of-europe>.

³¹ Corporate Europe Observatory (2017) *Arms industry lobbying and the militarisation of the EU*. Available at: <https://corporateeurope.org/power-lobbies/2017/12/arms-industry-lobbying-and-militarisation-eu>.

³² See European Commission Register of Experts: <http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=15142>.

³³ See Linked In profile: <https://be.linkedin.com/in/burkard-schmitt-a05798106>.

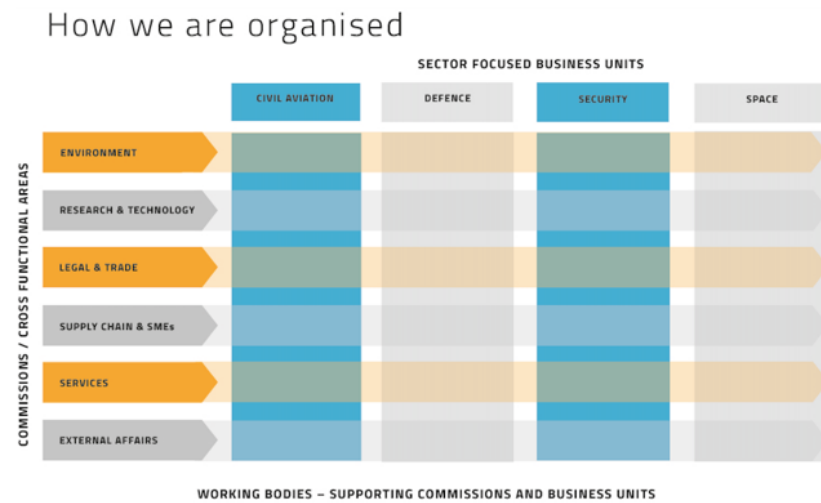
³⁴ See Linked In profile: <https://be.linkedin.com/in/agnes-palomeros-ferragu-737a82b1>.

³⁵ ASD website: <https://www.asd-europe.org/aerospace-and-defence-industries-association-of-europe>.

³⁶ ASD website: <https://www.asd-europe.org/aerospace-and-defence-industries-association-of-europe>.

³⁷ As accredited EP lobbyists, five of its staff members spend between 10% and 50% of their work time on lobby activities, implying that ASD’s annual lobby budget may be significantly higher than the €298,000 it declares. See ‘Lobbyfacts’ website:

Figure 1: ASD’s Sector Focused Business Units ³⁸



ASD’s Security Business Unit “strives for the development of a genuine security industrial policy, contributes to the preparation of the EU security research programme and works towards overcoming the current fragmentation of security markets in Europe” .³⁹ ASD’s Defence Business Unit is pushing for policies that support the development of the European Defence Technology and European Base (EDTIB). Defence & Trade Manager, Isabelle Maelcamp, describes her main tasks as that of: “Contributing to shaping EU legislation and policies by advocating common positions towards key European policy makers for the benefit of European industries and in the collective interest of the members of ASD... promoting the interests of European industry vis-a-vis stakeholders from European institutions” .⁴⁰ Developing a stronger relationship with FRONTEx (now EBCGA), is another one of ASD’s stated aims, and some of ASD’s lobby activities focus on promoting research and procurement of border security equipment, as well as “inform(ing) EU initiatives on border security” .⁴¹ ASD is also represented in several Expert Advisory Groups established by the European Commission.⁴² It currently trying to shape the future FP9 (Horizon Europe) programme and lobbying for “coherence” between security, space, dual-use and defence research; the creation of a new European Security Research Advisory Board (ESRAB); a strategic long-term agenda to develop essential sovereign capabilities; and further support for the “the market uptake of R&T findings through procurement decisions” .⁴³

<https://lobbyfacts.eu/representative/c3356e4d1c7640e2a46d29a8998c9933/aerospace-and-defence-industries-association-of-europe>.

³⁸ Source: ASD website: <https://www.asd-europe.org/aerospace-and-defence-industries-association-of-europe>.

³⁹ ASD website: <https://www.asd-europe.org/security> <https://www.asd-europe.org/about-us/asd-at-a-glance>.

⁴⁰ See Linked In profile: <https://be.linkedin.com/in/isabelle-maelcamp-8a560728>.

⁴¹ ASD website: <https://www.asd-europe.org/aerospace-and-defence-industries-association-of-europe>.

⁴² These are the Expert Group on the exchange of information on Best Available Techniques related to industrial emissions (IED Article 13 Forum) (E02611); Consultative Forum on EU External Aviation Policy (E03519); Expert Group on Drones (E03533); Competent Authorities for Biocidal Products (Regulation (EU) No 528/2012) (E03125). Source: ‘Lobbyfacts’ website: <https://lobbyfacts.eu/representative/c3356e4d1c7640e2a46d29a8998c9933/aerospace-and-defence-industries-association-of-europe>.

⁴³ Source: ASD website: <https://www.asd-europe.org/security-research>.



The European Organisation for Security (EOS)

ASD's counterpart, EOS, identifies itself as "the voice of the European security industry and research community" and seeks harmonisation and standards to "create a true, single EU security market".⁴⁴ It declared approximately €1.2 million on EU lobbying over the same period as ASD. EOS engages with "EU institutions, Member State Ministries and key agencies including EASA, EDA, ENISA, euLISA, Euro-pol, and Frontex [and has] established constructive dialogue with other European security stakeholders, including ACI-E, EARTO, ECAC, and ECSO among others".⁴⁵ Like ASD, its membership includes many major military and security companies, including *Airbus*, *Leonardo/Finmeccanica*, *Thales* and *Indra*. The CEO of EOS, Paolo Venturoni, previously worked for *Leonardo/Finmeccanica*, developing their EU and NATO cyber strategies,⁴⁶ and former CEO, Luigi Rebuffi, worked with *Thales* before founding EOS.⁴⁷

EOS' Working Groups, around which its lobbying is structured, include: Integrated Border Security, Cyber Security, Security Screening and Detection Technologies, and Crisis Management. Through its "end to end approach", EOS proposes "a new type of 'governance' structure" that strengthens public-private partnership. EOS has previously argued that by forming an "EU umbrella programme" that funnels funds from research to market, public institutions would be more receptive to incorporating the goods and services of the European security market.⁴⁸

It has been suggested that of all the lobbyists in the security arena, "EOS has been the most active on the issue of border security," directly transforming border politics to stimulate a need for their products – particularly those related to surveillance, technology, and information-sharing.⁴⁹ Their Border Security Working Group "facilitates the development and uptake of better technology solutions for border security both at border checkpoints, and along maritime and land borders".⁵⁰ Among its policy objectives is "encouraging the funding and development of research that will result in a stronger European security industry".⁵¹ EOS is said to have played a key role in expanding the mandate of the European Border and Coast Guard Agency (EBCGA), which combined FRONTEX with the EU Member States' border and coast guards: "Many of its (EOS) proposals, such as its push to set up a cross European border security agency have eventually ended up as policy – see for example the transformation of Frontex into the European Border and Coastguard Agency (EBCGA)".⁵²

EOS also successfully pushed for the creation of the Internal Security Fund, following "a steady stream of meetings between EOS and the Commission held between 2012 and 2015," and also strongly shaped

⁴⁴ European Organisation for Security (2017) *Championing partnership, innovation and state-of-the-art technologies to keep Europe secure*. EOS Brochure, available at: <http://www.eos-eu.com/Files/New%20folder/EOS-Brochure-Model3-20171024-v5-FINAL.pdf>. P.3.

⁴⁵ Ibid.

⁴⁶ Paolo Venturoni, online CV, available at: http://act.nato.int/images/stories/events/2012/id/bio_venturoni.pdf.

⁴⁷ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.

⁴⁸ Ibid., p. 34.

⁴⁹ Akkerman, M. (2016). *Border Wars: The arms dealers profiting from Europe's refugee tragedy*. Amsterdam: Transnational Institute. P. 19.

⁵⁰ See EOS website: <http://www.eos-eu.com/home>.

⁵¹ See EOS website: <http://www.eos-eu.com/home>.

⁵² Akkerman, M. (2016). *Border Wars: The arms dealers profiting from Europe's refugee tragedy*. Amsterdam: Transnational Institute. P. 2.



the Horizon 2020 agenda (see further below).⁵³ It has also pushed for provisions related to EU border surveillance and data sharing, such as through EUROSUR, the European Border Surveillance System, to enhance cooperation between Member States and FRONTEX, and helped establish the cybersecurity lobby group, European CyberSecurity Organisation.⁵⁴ EOS, together with ASD, have also lobbied *against* legislation that would institute third party liability in the event of a failure of a particularly security product.⁵⁵

The European Cyber Security Organisation (ECSO)

The European Cyber Security Organisation (ECSO) was established in 2016 and is very much in the ASD and EOS mould. Indeed, former EOS CEO Luigi Rebuffi is ECSO Secretary-General, and credited with helping found the organisation.⁵⁶ Where ECSO differs from its defence and security counterparts is that it has a formal agreement with the European Commission – a contractual Public-Private Partnership on cybersecurity (cPPP) signed in July 2016 – which guarantees it a role in shaping EU cybersecurity policies and in particular investments.⁵⁷ The aim of the partnership is “to foster cooperation between public and private actors at early stages of the research and innovation process in order to allow people in Europe to access innovative and trustworthy European solutions (ICT products, services and software)”. In entering into the public private partnership, the European Commission also cited the importance of “fundamental rights, such as the right for privacy”, to the agreement.

ECSO’s stated goals are to “Foster and protect from cyber threats the growth of the European Digital Single Market; Develop the cybersecurity market in Europe and the growth of a competitive cybersecurity and ICT industry, with an increased market position; and Develop and implement cybersecurity solutions for the critical steps of trusted supply chains, in sectoral applications where Europe is a leader.”⁵⁸ ESCO’s membership is said to include “a wide variety of stakeholders such as large companies, SMEs and Start-ups, research centres, universities, end-users, operators, clusters and association”.⁵⁹ Six EU member state public administrative bodies are represented on the ESCO’s Board of Directors, as are ten large companies, including *Airbus Defence & Space – Cybersecurity*, *Leonardo/Finmeccanica*, *Thales*, *Atos* and *Siemens*.

The “big five”: Airbus, Leonardo/Finmeccanica, Thales, Indra and Safran

As noted above, and as will be shown further in the following chapter, Europe’s largest private security and defence companies are among the prime beneficiaries of EU security policy and research funding, with *Airbus*, *Leonardo/Finmeccanica*, *Thales*, *Indra* and *Safran* among the top beneficiaries. Their

⁵³ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute. P. 39.

⁵⁴ Akkerman, M. (2016). *Border Wars: The arms dealers profiting from Europe's refugee tragedy*. Amsterdam: Transnational Institute.

⁵⁵ European Commission (2012). *Security Industrial Policy: Action Plan for an innovative and competitive Security Industry*. Brussels, 26.7.2012, COM (2012) 417 final.

⁵⁶ See EOS website: <https://ecs-org.eu/about>.

⁵⁷ See European Commission website: <https://ec.europa.eu/digital-single-market/en/cybersecurity-industry>.

⁵⁸ See EOS website: <https://ecs-org.eu/about>.

⁵⁹ See EOS website: <https://ecs-org.eu/about>.



combined revenues were €111.4 billion in 2015, with declared profits of over 7.5 billion.⁶⁰ There was also a sizeable reinvestment in EU policy-making. *Airbus* spent €7.5 million on lobbying between 2011-2015; *Safran* spent over €2 million between 2010-2015; *Indra* spent €1.5 million between 2012-2014; and *Leonardo/Finmeccanica* and *Thales* each spent €1 million EUR on lobbying in similar period.⁶¹ It is also important to stress that these are state-backed ventures – insert ownership stats – and these are companies that lobby on multiple fronts, including through the Member State governments, who, see their interests as part of the national interest, whether through their stakes or because of the jobs the industry sustains. However, these claims are frequently overplayed. In the UK, where the current government has justified the continued sale of weapons to Saudi Arabia on the basis of “protecting British jobs”, the defence industry accounts for less than half of one per cent of the labour force.⁶²

In their own words...

- **Airbus:** *Airbus is a global leader in the defence sector, the largest defence supplier in Europe, and among the top 10 defence companies worldwide...designing, developing, and manufacturing military aircraft.*⁶³
- **Leonardo/Finmeccanica:** *We are a global high-tech company and one of the key players in Aerospace, Defence and Security.*⁶⁴
- **Thales:** *World-class technology, the combined expertise of 64,000 employees and operations in 56 countries have made Thales a key player in keeping the public safe and secure, guarding vital infrastructure and protecting the national security interests of countries around the globe. We are proud of the role we play in a world that is increasingly mobile, interconnected, interdependent and dangerous.*⁶⁵
- **Indra:** *Indra is one of the leading global technology and consulting companies and the technological partner for core business operations of its customers world-wide. It is a world-leader in providing proprietary solutions in specific segments in Transport and Defence markets.*⁶⁶
- **Safran:** *As a high-tech industrial Group operating on all continents, Safran is a key player in the propulsion and aerospace equipment, space and defense sectors.*⁶⁷

Smaller players

⁶⁰ Akkerman, M. (2016). *Border Wars II: An update on the arms industry profiting from Europe's refugee tragedy*. Amsterdam: Transnational Institute. P. 12.

⁶¹ Akkerman, M. (2016). *Border Wars: The arms dealers profiting from Europe's refugee tragedy*. Amsterdam: Transnational Institute. P.46.

⁶² The defence industry employs 140,000 people out of a total UK labour force of 33.4 million people. See: <https://www.statista.com/statistics/605100/employment-figures-uk-defense-industry/>.

⁶³ See Airbus website <https://www.airbus.com/defence.html>.

⁶⁴ See Leonardo website: <http://www.leonardocompany.com/en/chi-siamo-about-us>.

⁶⁵ See Thales website: <https://www.thalesgroup.com/en/global/about-us>.

⁶⁶ See Indra website: <https://www.indracompany.com/en/indra>.

⁶⁷ See Safran website: <https://www.safran-group.com/group-0#1>.



The big security and defence industry players and not the only private interest trying to influence EU security policy, even if no other actors have anything like the resources at their disposal to achieve their aims. The Confederation of European Security Services (CoESS), a European umbrella organisation for 27 national private security employers' associations claims to represent 50,000 private security companies generating a yearly turnover of approximately €35 billion and employing a total of 1.8 million people. CoESS has declared 1.75 full-time employees dedicated to lobbying on the EU register,⁶⁸ and in response to a European commission public consultation on the future of DG HOME Policies ("An Open and Safe Europe – What's next?"), "strongly insists that private security services industry role and importance is recognized in any upcoming/reviewed DG HOME relevant policies and legislation; especially on internal security strategy, protection against serious and organized crime, trafficking in human beings, border controls, terrorism, disaster management, CBRNe, protection against serious and organized crime". CoESS also called on DG HOME to devise "EU tools such as risk assessments, contingency planning, trainings, public-private dialogue, best practices sharing to support Member States, authorities and stakeholders in the coming years"; to develop an "EU framework on Third Party Liability" to support victims of crime; enhance "public-private dialogue" across EU security policies; and to fund "smaller added value projects" with a "simplified application procedure" so all relevant stakeholders "can apply without burden, especially SMEs".⁶⁹

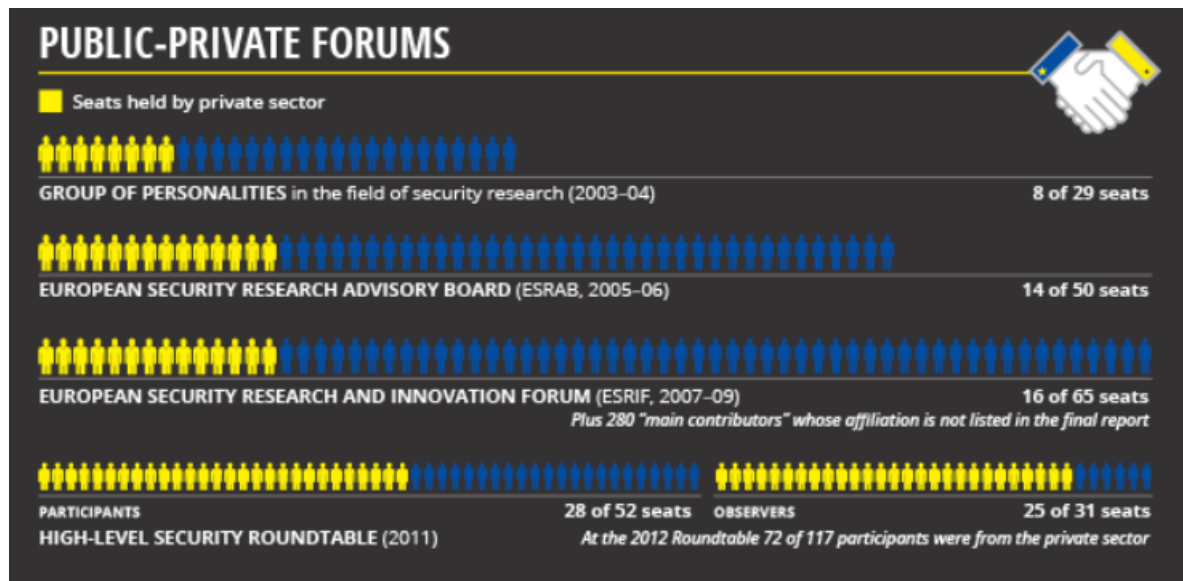
EU "Groups of Personalities" and Security Advisory Boards

It is important to stress, as the EU's contractual Public-Private Partnership on cybersecurity shows, that it is not simply a case of industry lobbying the European Commission to play a more active role in policy development, but the European Commission inviting industry to play that role in formal and less formal settings. In addition to the cPPP on cyber security, the Commission has established a series of advisory groups to deliver high level recommendations on the design of EU funding instruments in the fields of security and defence.

⁶⁸ Source: 'Lobbyfacts' website: <https://lobbyfacts.eu/representative/255c5713236849be8295c2237a37b7d2/confederation-of-european-security-services>.

⁶⁹ Confederation of European Security Services (2014) *Private Security Services Industry views to the European Commission public consultation on the Future of DG HOME Policies*, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/public-consultation/2013/pdf/0027/organisations/coess-confederation-of-european-security-services_en.pdf.

Figure 2: Industry representation in EU security research advisory groups ⁷⁰



The influence of these boots is well documented and began with the formation of the “Group of personalities on security research” (GoP) in 2003.⁷¹ The GoP included the European Commissioners for Research and Information Society, plus, as ‘observers’, the Commissioners for External Relations and Trade, the High Representative for the EU’s Foreign and Security Policy, as well as representatives of NATO, the Western European Armaments Association and the EU Military Committee. Also represented were eight multinational corporations – Europe’s four largest arms companies, and some of Europe’s largest IT companies (*Ericsson, Indra, Siemens and Diehl*) – along with seven research institutions (see further below). The GOPs core recommendation was to subsidise R&D into security research in order to “bridge the gap between civil and traditional defence research, foster the transformation of technologies across the civil, security and defence fields and improve the EU’s industrial competitiveness”. This would ultimately become the cornerstone of the EU Security Industrial Policy.

The GOP was followed-up by two further industry-dominated security research advisory groups, informal public-private entities convened to set the agenda for future EU security research and industrial policy: the European Security Research Advisory Board (ESRAB) and the European Security Research and Innovation Forum (ESRIF). The European Security Research Advisory Board (ESRAB) was established “to advise on the content of the ESRP and its implementation”, building on the proposals of the Group of Personalities”.⁷² The defence and security industries were well represented, occupying 14 of 50 seats.⁷³ ESRIF, which was much larger though very similar in composition and supply-meets-

⁷⁰ Source: Transnational Institute, *Infographic: The EU's Security Industrial Complex*, available at: <https://www.tni.org/en/publication/infographic-the-eus-security-industrial-complex>.

⁷¹ See Hayes, B., Rowlands, M., & Buxton, N. (2009). *NeoConOpticon: the EU security-industrial complex*. Amsterdam: Transnational Institute and Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.

⁷² European Commission, *Decision 2005/516/EC of 22 April 2005 establishing the European Security Research Advisory Board*.

⁷³ Seven of the eight corporations on the GoP – EADS, BAE Systems, Thales and Finmeccanica, Ericsson, Siemens and Diehl – were given seats on ESRAB. The board was chaired by EADS and Thales, who had one ‘presidential term’ each. The



demand structure to ESRAB, continued this work, refining the “mission area” approach to EU security policy and mapping out every area of public policy with a security dimension, ultimately producing a roadmap for security research which framed EU policy to the present day. The influence of role industry was again abundantly clear, from ESRAB’s membership, the chairs of the 11 working groups, and the fact that industry accounted for 69% of the 660 consulted “stakeholders”.⁷⁴

The work of the GOP, as ESRAB and ESRIF also paved the way for the EU Security Industrial Policy, which was adopted in 2012. In just a decade, the idea that the security industry should play such a central role in the development of European security policy had become EU orthodoxy. The real prize for the movers and shakers behind this policy, however, was always the establishment of a full-blown EU defence research policy. The emphasis on dual use and the adaptation of military equipment and technology for civil security purposes had facilitated the diversification of the European defence industry into all things Homeland Security. The EU’s security research and industrial policies had also brought industry closer to the heart of the European Commission, and now provided a replicable model for the establishment for the establishment of corresponding defence policies.

With panic over terrorism, the Russian threat, and growing global instability, the “Group of Personalities” on defence research was established in March 2015. All the usual faces were represented, and as with GoP mark I, the recommendations of an informal advisory group were incorporated wholesale into EU policy-making. A Preparatory Action for Defence Research is already up and running and the GoP mark II’s recommendations on establishing a European Defence Research Programme as part of the latest Multi-Annual Financial Framework (MFF) (2021-2027) are currently working their way through the EU’s legislative process. From 2013-2016, the Commission’s directorate for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) had 37 meetings with the arms industry to discuss the Preparatory Action on Defence Research.⁷⁵ The European Defence Industrial Policy was formally launched in 2017.

While numerous actors have tried to shape EU security policy, none have had anything like the impact that industry has had in terms of shaping fundamental priorities and setting the financial and political agenda.

2.5 Think tanks and research institutes

Think tanks and research institutes active on security policy issues also play a fundamental role in shaping security policy culture of the European Union. They do this by providing spaces in which policy, industry and academic elites can meet; establishing dialogues between policymakers, industry representatives and other stakeholders; and by partnering with industry and others in conducting

remainder of the ESRAB seats went to the member states (18 seats), academics and research institutes (14), the EU, which was represented by the European Defence Agency and EUROPOL, and two “civil liberty groups and think tanks” – which did not actually include any recognised civil liberties groups.

⁷⁴ Hayes, B., Rowlands, M., & Buxton, N. (2009). *NeoConOpticon: the EU security-industrial complex*. Amsterdam: Transnational Institute. P. 24.

⁷⁵ Corporate Europe Observatory (2017) *Arms industry lobbying and the militarisation of the EU*. Available at: <https://corporateeurope.org/power-lobbies/2017/12/arms-industry-lobbying-and-militarisation-eu>.



research and analysis, including risk and threat assessment. All of this supports particular initiatives and at a more general level, legitimises the constant expansion of EU security policies.

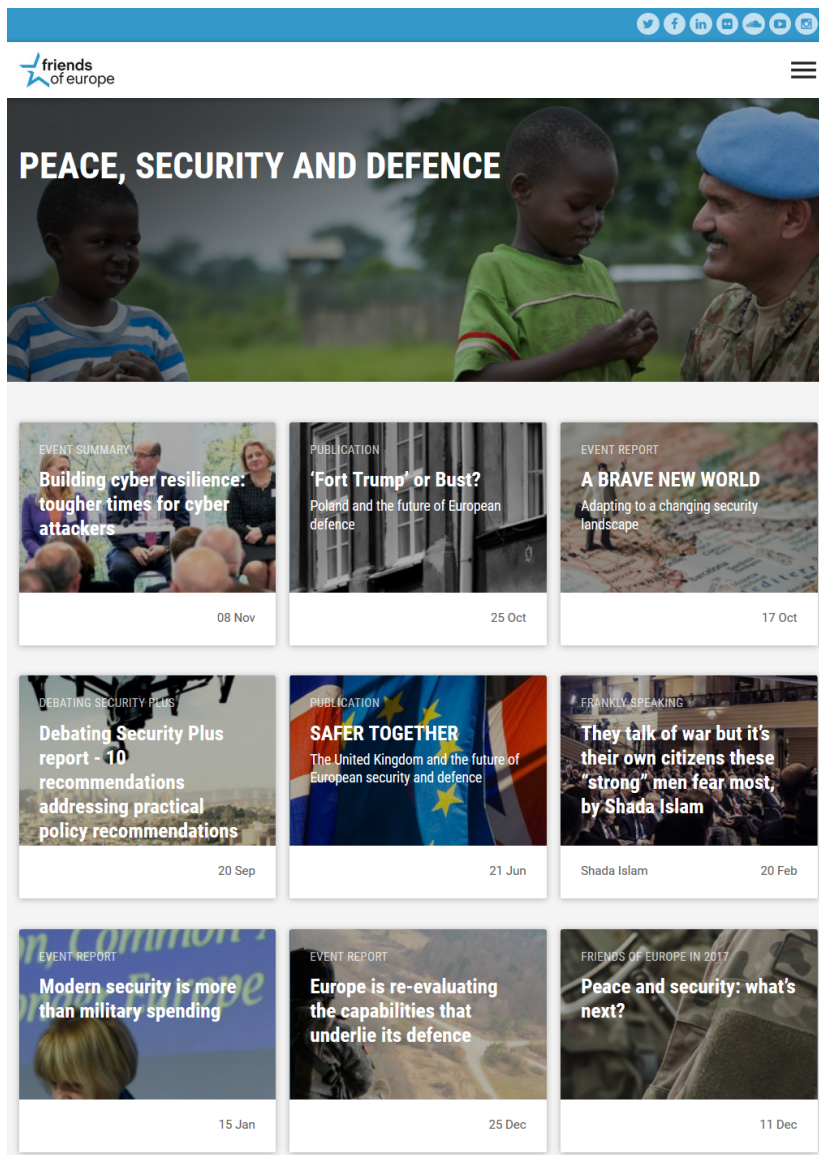
Among the most prominent was the Security and Defence Agenda (SDA), which was incorporated into *Friends of Europe* in 2014 (see below for recent publications). While the *Friends of Europe* website states that it “does not have agenda other than making a contribution toward a better understanding of the challenges facing Europe,” both the composition of the Board of Trustees and the fact that they self-reportedly spent over €3.6 million on lobbying in 2017 alone, suggest otherwise.⁷⁶

In addition to standard think tank activities, it runs the Security Jam established by SDA, a “massive online brainstorm [that] brings together several thousand participants from around the globe, and from the security sector at large – civilians and military from national governments, international organisations, NGOs, think-tanks, academia, business and the media”, which aims to “develop innovative and concrete solutions to global security challenges”.⁷⁷

As a metaphor, the idea of EU policy-making as a kind of giant “hackathon” in which industry and their partners are set security challenges to solve would appear to have much to commend it.

⁷⁶ See Friends of Europe website: <https://www.friendsofeurope.org/about-us/about-us>.

⁷⁷ Source: https://en.wikipedia.org/wiki/Security_%26_Defence_Agenda.

Figure 3: Friends of Europe website ⁷⁸

A host of further think tanks and research institutes, each with their own agendas and influence, have been established to address to specific security issues, contributing to a ceaseless evaluation of what exists and what might exist at the EU level.

The European Centre for Information Policy and Security (ECIPS), for example, is an international organisation founded in 2015 to focus on monitoring international security threats: “instability, International Terror Threats, international cyber threats, global non-proliferation threats, global warming and any threat that affects your ways of life by providing pragmatic solutions that aids to manage and mitigate these growing risks of the lack of policy in public domain”.⁷⁹ At present the ECIPS

⁷⁸ Source: Friends of Europe website: <https://www.friendsofeurope.org/>.

⁷⁹ See ECIPS website: <https://www.ecips.eu/>.



focuses on “three basic directions namely, humanitarian, Illegal Immigration and Radicalization Trends”.

The European Institute of Peace (EIP) was launched in 2014 to “complement and add value to EU and European peacemaking”.⁸⁰ It is an independent organisation that maintains a connection to official diplomacy and foreign policy through its board members, made up of eight European states that share a common commitment to a European and EU global peace agenda.

In addition to a growing number of Brussels-based think tanks, are dozens of research institutes across the EU who are active on issues related to EU security policy, whether as recipients of EU funding, or as researchers seeking to inform or influence the EU policy agenda. This includes the European Union’s Institute for Security Studies (see further below) and the European Commission’s “Joint Research Centre”, as well national research agencies and institutes, and private research organisations. These organisations can be particularly influential at the national level, in turn influencing the policy priorities and thematic research areas supported by Member States. While the most powerful EU Member States have supported the security and defence industrial policies, governments representing smaller and even neutral countries within the EU have been resistant or sought to prioritise the interests of SMEs, academia and civil society.

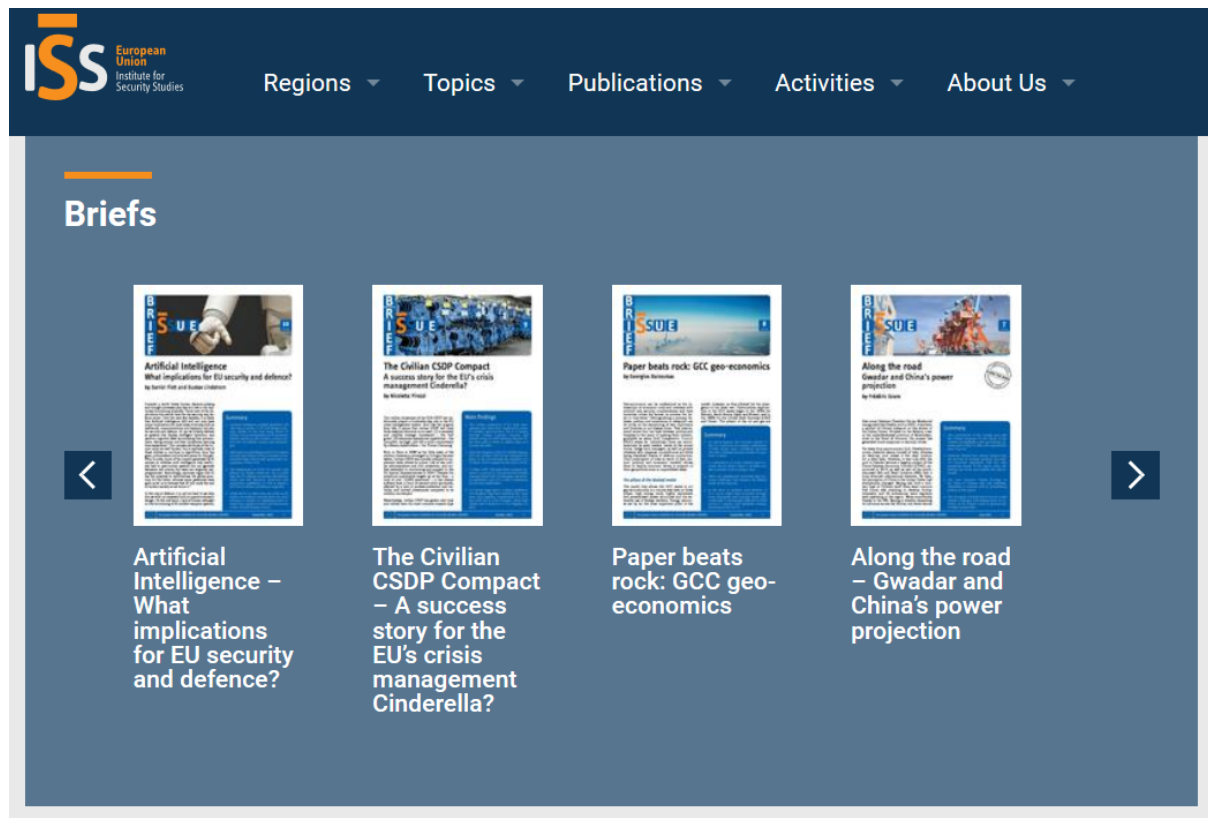
In turn, as the funding available for security research and development has increased, so research institutes have expanded their security portfolios in pursuit of funding for their research activities. As far as influence is concerned, EU security policy is clearly shaping the agendas of many European research institutes. These institutes are in turn fostering a culture of security oriented around the new priorities of EU policy. Beyond this, the capacity for European research institutes to exert meaningful influence on the EU policy agenda itself is far from clear.

2.6 The EU Institute for Security Studies

The EU Institute for Security Studies (EUISS), based in Paris, is an EU body responsible for the analysis of foreign, security and defence policy issues. Its core mission is to assist the EU and its member states in the implementation of the Common Foreign and Security Policy (CFSP), including the Common Security and Defence Policy (CSDP) as well as other external action of the Union.⁸¹ Founded in 2002, EUISS researches EU-relevant security issues and publishes in papers, books, reports, policy briefs, analyses and newsletters. It also convenes seminars and conferences on relevant issues that bring together EU officials, national experts, decision-makers and NGO representatives.

⁸⁰ See EIP website: <http://www.eip.org/en/about-us/mission>.

⁸¹ See EUISS website: <https://www.iss.europa.eu/about-us>.

Figure 4: EUISS website ⁸²

2.7 EU law enforcement, security and defence agencies

The EU has established numerous agencies and bodies with responsibility for different aspects of EU security policy. As the mandates and political weight behind some of these agencies has expanded, so too has their powers, budgets and influence. The best known of these are EUROPOL, the EU Agency for Law Enforcement Cooperation, which has a mandate to combat serious international organised crime and terrorism by facilitating cooperation between the competent authorities of EU Member States, and FRONTEX, which is now known as the European Border and Coast Guard Agency, and which is tasked with border control of the Schengen Area, in coordination with the national border and coast guards. EUROPOL is complemented by EUROJUST, which ensures judicial coordination and cooperation between national authorities to combat cross-border terrorism and serious organised crime. A third law enforcement agency, EULISA, with responsibility for large-scale EU databases in the field of Justice and Home Affairs, was founded in 2012. Acting as a kind of institutionalised watch dog to monitor human rights standards the Fundamental Rights Agency (FRA) is conducting regular surveys on different areas of European law enforcement and security policy initiatives, and also is represented in the FRONTEX advisory board as human rights expert. The FRA grew out of a temporary observatory established by the EU in Vienna after the first national coalition government with the far-right Austrian

⁸² Source: EUISS website: <https://www.iss.europa.eu/>.



Freedom Party (FPÖ) took office in October 1999 and was later upgraded to a full European agency with a permanent office in Vienna.

A European Asylum Support Office (EASO) was created in 2010 to strengthen cooperation on asylum and provide operational support to Member States dealing with large numbers of refugees. The EU Agency for Network and Information Security (ENISA) has a mandate to develop a culture of network and information security for the benefit of the citizens, consumers, enterprises and public sector organisations. A European Defence Agency (EDA) represents the interests of the Member States in the EU's Common Security and Defence Policy, and together with the European External Action Service (EEAS) forms the Secretariat of the Permanent Structured Cooperation (PESCO), the framework for military integration that has been pursued by 25 of the 28 national armed forces of the EU since 2017. An EU Security and Defence College and an EU Police college have also been established.

All of these agencies are products of EU policy, but once established they may also wield significant impact over the policy-making agenda and the allocation of EU funding [link to next section on funding]. Interestingly, while all of these EU agencies routinely work with stakeholders from industry, they have expressed no tangible support for the central premise that industry – rather than dedicated EU bodies with a security mandate – should play such a central role in EU policy and technology development.

National law enforcement agencies, courted by industry and academia alike as “end-users” of their products and ideas, have also formed a network: the European Network of Law Enforcement Technology Services (ENLETS). ENLETS was conceived in 2008 with a view to developing demand-led technology for police forces. Its mission is “to support front line policing and the fight against serious and organised crime by gathering user requirements, scanning and raising awareness of new technology and best practices, the possibility of co creation and research and development”.⁸³

ENLETS did not really get up-and-running until it received EU funds in 2012. Since this time it has developed an interest in automatic number plate recognition, open source and signals intelligence (traditionally the preserve of intelligence agencies), video surveillance and technology to remotely stop vehicles. ENLETS is also pursuing “mobile technology, surveillance systems, digital biometrics and use of social media”, which *Statewatch* suggests is “helping police forces to access and process information on a scale traditionally reserved for security and intelligence agencies, whilst providing financial and institutional backing for the development of secretive, unaccountable networks”.⁸⁴

Beyond serving as a “technology watch” body, EU Council documents suggest that ENLETS is helping Member States identify research and funding opportunities, and providing technical assistance to this effect.⁸⁵ Increased networking and communication between law enforcement and research institutes is also suggested, with the EU Council going as far as to suggest that ENLETS should: “become a leading European platform for strengthening the internal security authorities' involvement in security-related

⁸³ ENLETS (2013) *European Network of Law Enforcement Technology Services*. Presentation available at: <http://www.statewatch.org/news/2014/jan/eu-enlets-2013-fi-presentation.pdf/>.

⁸⁴ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute. P. 4.

⁸⁵ See EU Council documents 12103/13 and 17365/13.



research and industrial policy and thus bridging the gap between the end users and providers of law enforcement technologies.⁸⁶

Another EU funded network, designed as frontline practitioner and grassroots initiative was launched under the title Radicalisation Awareness Network (RAN). The idea behind RAN is to link national initiatives working on (de-)radicalisation, to share and exchange best practices and to feed into the European policy cycle in the security area.⁸⁷ Whether the envisaged approach to feed input from grassroots level into high-level policy debate on radicalisation and counter-terrorism can be effectively implemented is an open question.⁸⁸

Along the same lines, as an attempt to give the end-user communities a voice in the area of security research and funding a new call for so-called practitioner networks was launched in the security research programme in 2016. The aim is “to build a sustainable organisational Law Enforcement Agency (LEA) practitioners network focused on research & innovation addressing LEA challenges, together with a community of individuals interested to exchange and collaborate in this area. By encouraging such discussion between practitioners and experts from academia and industry, the project will stimulate LEA capabilities to influence, develop and take up research, development and innovation (RDI) that is useful and usable for LEAs, and thus help them to tackle the major challenges they face”.⁸⁹ Whether the envisaged approach to strike a balance between law enforcement end-user needs, commercial security solution providers and security researchers from academia will be successful cannot be determined at this stage, since ILEAnet started in 2018 and is still in its early phases.

2.8 Civil Society

When the EU began to court “civil society” as key partners for European integration almost two decades ago, civil society organisations were primarily identified as to non-governmental organisations (NGOs). Today, however, “civil society” has become shorthand for any organised interest group that falls between the government and private sectors. This means that human rights and civil liberties groups, which were traditionally seen as the prominent representatives of “civil society” on matters relating to security have, as the field has expanded, been joined by a host of public and private interest groups with an interest in “security”, including “independent experts”, victims associations’ and others with overt political agendas, such as the numerous counter-radicalisation organisations that have emerged to support policy in this area (see above on RAN).

“Civil society” organisations in the NGO mould like *Statewatch*, the *Transnational Institute*, *Corporate Europe Observatory*, *Privacy International*, the *European Network Against the Arms Trade*, *Vredesactie* and the *Delas Centre* have been very critical of the perceived “corporate capture” of EU security policy on the one hand, and the trajectory of particular policies and practices on the other. As European borders have become more and more dystopian, groups concerned with the rights of refugees and migrants such as the *European Council of Refugees and Exiles* have also become vocal critics of EU

⁸⁶ EU Council document 12103/13.

⁸⁷ See European Commission website, RAN: https://ec.europa.eu/home-affairs/what-we-do/networks/radicalisation-awareness-network_en.

⁸⁸ See the position paper by one of the members of RAN: Wellnböck H. (2018) *The Radicalisation Awareness Network/RAN – concept and reality*. http://cultures-interactive.de/tl_files/Positionspapiere/RAN_idea-and-reality.pdf.

⁸⁹ See ILEA website: <https://www.ileanet.eu>.



funding instruments for border on migration control. These groups are united around concerns for human rights stemming from the kinds of policies that are already being implemented, and have called for a fundamental reappraisal of policy frameworks and financial instruments.

While these organisations have not been particularly successful in terms of fundamentally reorienting EU security policy around human rights or better ensuring respect for values such as democracy, accountability and transparency, the concerns that these groups have raised about the impact of EU security policies have meant that the importance of these values, including a modest financial commitment to human rights, is constantly restated by the EU institutions, even if these commitments are rarely matched in practice.

2.9 Academia

As noted above, research institutes and academic networks have increasingly “followed the money” that has accompanied the gradual shift to the centre of EU policy-making of all things security. Whereas technical research institutes have tended to be passive recipients of the EU security agenda, adapting their research programmes and activities to pursue these new sources of funding, a small group of more critical academics have, like their counterparts in civil society, sought to challenge and provide an alternative vision for security policy, research and investment, to the orthodox, mission-area, industry-dominated approach that has come to characterise EU policy in this area.

This includes the members of the SOURCE consortium, including critical academics at the Peace Research Institute Oslo (PRIO), the École Normale Supérieure (ENS), the Vrije Universiteit Brussel (VUB), the Vienna Centre for Societal Security (VICESSE), Kings College London and Sciences Po, who have consistently challenged the hard security, technology focused approach of the EU and advocated for a more “societal security”-oriented approach – one that properly takes into account the values upon which the European Union was founded, and the human rights centric at the heart of the EU treaties. While these actors have been successful in terms of reasserting the legitimacy of “root causes” approaches to insecurity, their concerns remain largely at the margins of EU policy development.

The SOURCE consortium in co-operation with other initiatives like ESSRO⁹⁰ started a series of meetings to bring together different stakeholder groups and policy makers from national and European levels to discuss future ideas for a security research agenda that goes beyond a narrow techno-solutionist approaches. However, it is difficult to keep such initiative alive and create sustainable impact, since they work without external funding and depend upon the voluntary engagement of motivated individuals, donating time, resources and energy.⁹¹

2.10 The EU consultation on Security Funds

In terms of measuring attempts by all of the different stakeholders introduced above to tangibly influence the future of EU Security Funds it is instructive to consider the consultation on this topic that ran from January to March 2018 with the objective of “collect(ing) the views of all interested parties on

⁹⁰ See ESSRO website: <https://www.essro.org>.

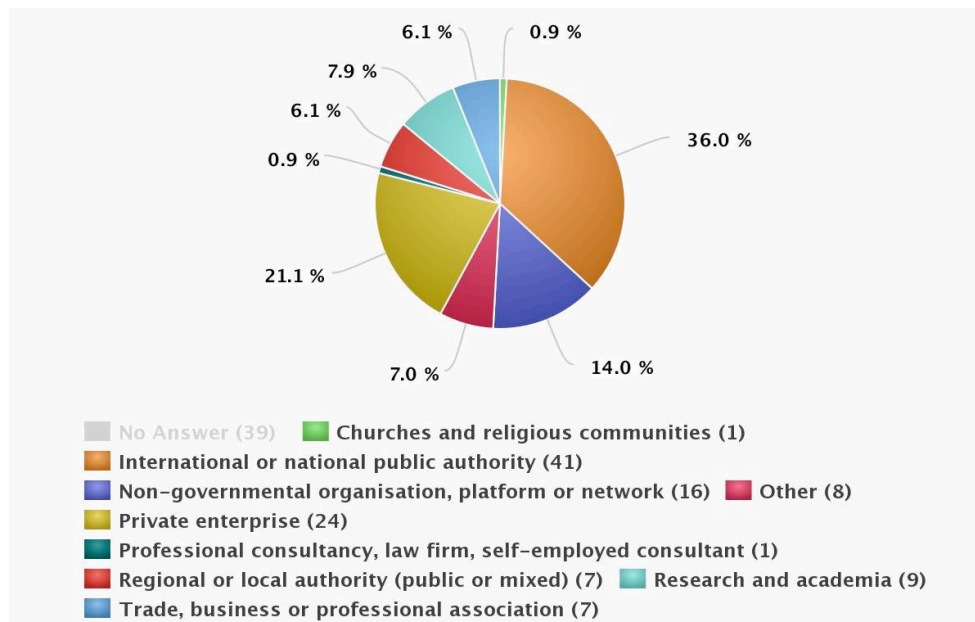
⁹¹ One of the outcomes of this initiative is a policy brief on strengthening the role of Social Science and Humanities and end-users in security research, available at: <http://www.societalsecurity.net/source-publications/policy-briefs/strengthening-role-social-sciences-and-humanities-ssh-and-end>.



how to make the most of every euro of the EU budget”.⁹² Unfortunately, whereas the European Commission has tended to publish the actual submissions received in response to its public consultations on its website, this has not happened in this case. However, some aggregate data has been made available, with the commission reporting that it received 153 replies, of which 114 came from organisations and 39 from individuals.

⁹² European Commission website, *Public consultation on EU funds in the area of security*: https://ec.europa.eu/info/consultations/public-consultation-eu-funds-area-security_en.

Figure 5: Distribution of the type of organisations participating in the public consultation ⁹³



Unfortunately, it is not possible to drill down further into these results to see exactly who responded and in turn how exactly they were seeking to influence EU policy-making in this area. However, the results of the consultation do indicate that there is quite widespread dissatisfaction at the approach taken by the EU to date.

These results are particularly striking with respect to the EU's new defence industrial strategy, which was considered the least important policy challenge by respondents to the consultation. It was also the area in which respondents apparently felt least satisfied in respect to the activities undertaken by the EU institutions to date.

⁹³ Source: European Commission (2018) *Factual summary of the public consultation on the EU long-term budget in the area of security*, unreferenced, p. 2: https://ec.europa.eu/info/sites/info/files/factual_summary_mff_opc_on_security.pdf.



Figure 6: Importance of policy challenges and how well current programmes/funds address them ⁹⁴

Challenge	Respondents considering the challenge important or rather important (%)	Respondents considering the challenge fully or fairly well addressed (%)
Fighting cross-border crime, including terrorism, with more cooperation between law enforcement authorities	87.6	45.1
Protection of people, public spaces and critical infrastructure	87.6	36.0
Promoting strong cybersecurity	85.0	32.0
Supporting security at the external border	82.4	41.8
Enhancing cooperation with countries outside the EU	79.1	28.8
Providing humanitarian support in large-scale emergency situations	68.6	25.5
Defending the EU's financial interests	67.3	30.7
Promoting nuclear safety	57.5	24.8
Supporting defence research and industrial development	54.9	25.5

While the European Commission has stated that all the responses to the consultation have been duly factored into further policy development, they seem highly unlikely – given the timing of the consultation vis-a-vis the already well advanced proposal negotiations on the MFF – to have any real impact in terms of fundamentally altering the priorities of the various funding instruments. However, what the consultation and wider conversations about the impact, legitimacy and activeness of EU security funds do ensure is that the industry-driven approach prioritised by the EU institutions still has to accommodate the views, activities and demands of other stakeholders.

In the following section we examine the development and implementation of the specific EU security funding instruments to try to broadly ascertain where the money has gone, and the impact that this has had on EU policy development.

⁹⁴ *Ibid.*, p. 4.



3. OVERVIEW OF EU SECURITY BUDGET LINES

3.1 Introduction

This section of the report examines the allocation of EU security funds during the 2014-2020 EU Multiannual Financial Framework (MFF). It outlines the main funding instruments and their key features, looking at how money is being spent and what on. Since the contours of the next MFF, which will run from 2021 to 2027, is currently being negotiated by the EU institutions, the analysis also includes the proposed programmatic and budget changes. EU adoption of the MFF 2021-2027 is expected to happen in Autumn 2019 subject to the approval of the new EU Parliament, with the major issues ironed out before the Spring elections.

The figures show that current MFF (2014-2020) will contribute somewhere in the region of €11 billion across numerous instruments concerned with implementing EU security policies or bolstering Member State efforts that contribute to ‘European security’, such as national border controls and asylum and migration infrastructure. While this may appear a small investment relative to national police and security budgets (by way of comparison the UK Home Office spends approximately 13 billion annually, not including national security agencies and military and defence budgets), it is a significant spend for the EU with implications for current and future policy and practice. It is also important to point out that the figure of €11 billion certainly falls far short of the total EU security budget, since it only looks at dedicated EU security funding instruments. It does not take into account things like the EU Trust Funds, which have been used extensively to support migration controls in Africa, or the European Regional Development Fund, which has also made significant security investments – for example the €25 million it provided to Romania’s intelligence agency to boost their ability to intercept communications, conduct facial recognition, and facilitate their access to databases operated by public institutions.

Under the current MFF 2020-2027 proposals, the total budget earmarked for security and a new defence fund will increase from €11 to €57.1 billion across comparable budget lines, more than five-fold increase.⁹⁵ Notably, while those programmes concerned with the coercive elements of EU security policy will enjoy significant budget increases across the board – with €10.4 billion allocated to migration-related issues, €9.3 billion for border management and €14 billion for EU security agencies – EU programmes concerned with fundamental rights/EU values and justice will see a three per cent increase and a 19 per cent decline respectively. From 2020, the EU will also, for the first time, be spending more on border and migration control than on development activities in Africa.⁹⁶

⁹⁵ Current Does not include 1.2 billion for nuclear security and decommissioning

⁹⁶ <https://www.euractiv.com/section/africa/news/for-tomorrow-eu-will-spend-more-on-border-and-migration-control-than-on-africa/>



Table 1 – Overall structure of 2014-2020 and 2021-2027 MFFs and share of individual headings.

2014-2020 MFF	% of total	2021-2027 MFF	% of total
1. Smart and Inclusive Growth	47.2 %	1. Single market, innovation and digital	14.7 %
1a: Competitiveness for growth and jobs	13 %	2. Cohesion and values	34.5 %
1b: Economic, social and territorial cohesion	34.2 %	3. Natural resources and environment	29.7 %
2. Sustainable growth: Natural resources	38.6 %	4. Migration and border management	2.7 %
3. Security and citizenship	1.6 %	5. Security and defence	2.1 %
4. Global Europe	6.1 %	6. Neighbourhood and the world	9.6 %
5. Administration	6.4 %	7. European public administration	6.7 %
Compensations	< 1 %		

Source: EPRS, 2014-2020 MFF based on European Commission [data](#).

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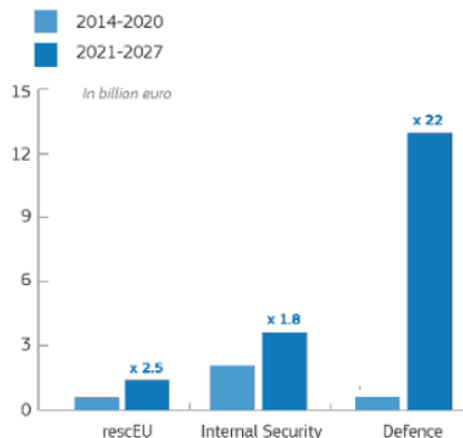
A newly established European Defence Fund, meanwhile, will see up to €13 billion euros allocated to military research, procurement and deployments by the EU. It is also striking that whereas “Security and citizenship” accounts for just 1.6 per cent of the EU’s total expenditure in the current MFF, the combined proportion of the “Migration and Border Management” and “Security and Defence” allocations for 2020-2027 is 4.8 per cent of proposed total expenditure, rising to over five percent if security research allocations are included.⁹⁸

Figure 7: EEAS – “A step change for Security and Defence”⁹⁹

Budget dedicated to the European Defence Fund



A step change for security and defence



⁹⁷ Source: European Parliament Research Service (2018) *2021-2027 multiannual financial framework and new own resources: Analysis of the Commission's proposal*, p. 4: [http://www.europarl.europa.eu/Reg-Data/etudes/IDAN/2018/625148/EPRS_IDA\(2018\)625148_EN.pdf](http://www.europarl.europa.eu/Reg-Data/etudes/IDAN/2018/625148/EPRS_IDA(2018)625148_EN.pdf).

⁹⁸ *Ibid.*

⁹⁹ Source: European Union External Action Service website: https://eeas.europa.eu/diplomatic-network/humanitarian-emergency-response/43885/eu-budget-2021-2027-invests-more-and-better-external-action-security-and-defence_en.



While the Europe and the wider world faces considerable social and political upheaval, with significant security implications, it is significant that EU will soon be spending 5% of its budget on security and will have established a full-blown military research programme, something which would have been unthinkable a just a few years ago in the context of the EU's predominantly civilian character. The question for social scientists and societal security advocates is not just whether these developments will contribute to global security and address the challenges of the 21st century, but whether the transform effective this will have on EU policy will reshape European values and social relations.

The following table provides an overview of the main security budget lines in the current and future MFF.

Table 2: Overview of security budget lines in MFF 2014-2020 and MFF 2021-2027 ¹⁰⁰

Instrument	Budget 2014-2020	Themes & objectives	Proposal 2021-2027 instrument	Proposed Budget 2021-2027	% Change
Internal Security Fund: Borders and Visas	€2.8 billion	“Integrated border management”, control of the EU’s external borders, harmonised border management measures and information-sharing among EU countries	Integrated Border Management Fund (IBMF) Border management and visas & Customs control	€8 billion (with a further €1.3 billion for a new “Customs control equipment instrument”	+197
Asylum, Migration, and Integration Fund	€6.9 billion	Implementation of asylum policy, legal migration and integration policies; return/expulsion and “burden-sharing/ solidarity.	Asylum Migration Fund (AMF)	€10.4 billion	+51
Internal Security Fund: Police	€1 billion	Combating cross-border, serious and organised crime including terrorism, and enhancing cooperation between MS authorities and with EU law enforcement bodies	Internal Security Fund (ISF)	€2.5 billion	+150
EU law enforcement and security agencies	€550 million in 2017	Funding for FRONTEX EBCGAA, EUROPOL, EUROJUST, EU LISA, EASO, ENISA, CEPOL And EMCDDA	Funding for EU justice and home affairs agencies	€14 billion, of which €12 billion earmarked for front X	+350

¹⁰⁰ Table compiled by authors using data from multiple sources.



Instrument	Budget 2014- 2020	Themes & objectives	Proposal 2021-2027 instrument	Proposed Budget 2021-2027	% Change
Rights, Equality and Citizenship and Europe for Citizens programmes	€625 million	Promote non-discrimination, the rights of the child, rights of persons with disabilities, equality between women and men, and the rights deriving from Union citizenship; Combat racism, xenophobia, homophobia and other forms of intolerance; Promote, Prevent violence against children, young people, women and other groups at risk; Ensure the highest level of data protection; Enforce consumer rights	Rights and Values Programme	€642 million	+3
Justice Programme	€378 million	Judicial cooperation in civil and criminal matters; effective access to justice in Europe, including rights of victims of crime and procedural rights in criminal proceedings; judicial training; initiatives in the field of drugs policy	Justice Programme	€305 million	-19
Security research, Horizon 2020	€1.7 billion	“Secure Societies – Protecting freedom and security of Europe and its citizens”	€2.8 billion	Horizon Europe cluster: “Inclusive and Secure Society”	+65
EU Civil Protection Mechanism	€368 million	Strengthen cooperation and improve prevention, preparedness and response to disasters	€1.4 billion	Union Civil Protection Mechanism	+280
Common Foreign and Security Policy	€2.4 billion	Civilian CFSP missions, EU Special Representatives and initiatives supporting non-proliferation and disarmament	€3 billion	Common Foreign and Security Policy	-35
Defence Industrial Development Programme	€1.09 billion	Enhance competitiveness and innovation of the EU defence industry	€13 billion	European Defence Fund	+2600
Total	€11 billion		€57.3 billion		+516



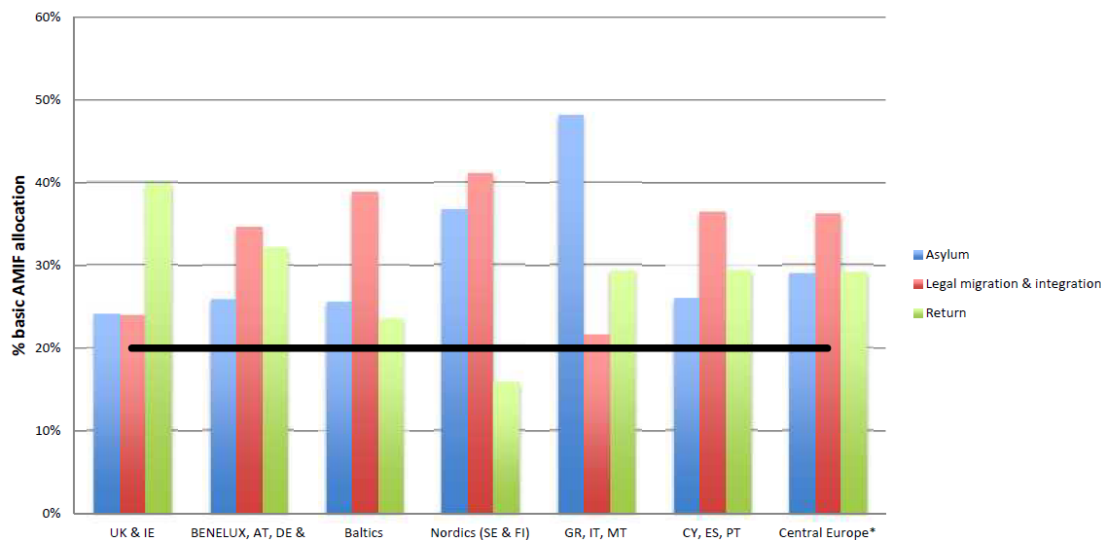
3.2 Borders and migration control

EU expenditure on borders and control is split across three main funding programmes, with additional funding for EU agencies with responsibility for asylum and immigration controls. These are the “Internal Security Fund: Borders and Visas” (ISF: Borders); the “Asylum, Migration, and Integration Fund” (AMIF); and a group of new budget lines that have been developed on an *ad hoc* basis to support migration controls and refugees policies in Africa and elsewhere.

During the current MFF, 2014-2020, the “Internal Security Fund: Borders and Visas” allocated approximately €2.8 billion to “integrated border management”, control of the EU’s external borders, harmonised border management measures and information-sharing among EU countries and with FRONTEX/ECGBA, with expenditure focussed on setting-up and running IT systems, the acquisition of operational equipment, training schemes and operational cooperation. The “Asylum, Migration, and Integration Fund” (AMIF) which was initially allocated approximately €3.1 billion to the implementation of asylum policy, legal migration and integration policies, and return/expulsion measures, was provided with an additional €3.8 billion in 2015 following the rapid spike in the numbers of refugees and migrants coming to Europe as a result of the war in Syria.¹⁰¹ The extra funding was earmarked for reception, asylum procedures, effective return, and the integration of migrants and refugees.¹⁰²

The following table, produced by the European Council on Refugees and Exiles (ECRE), shows how these policy areas have been prioritised by the Member States.

Table 3: National allocations to AMIF priority areas by European region/sub-region ¹⁰³



¹⁰¹ EU funds for migration, asylum and integration policies, 2018 Study Commission by the European Parliament, available at: <http://bruegel.org/wp-content/uploads/2018/05/EU-funds-for-migration.pdf>.

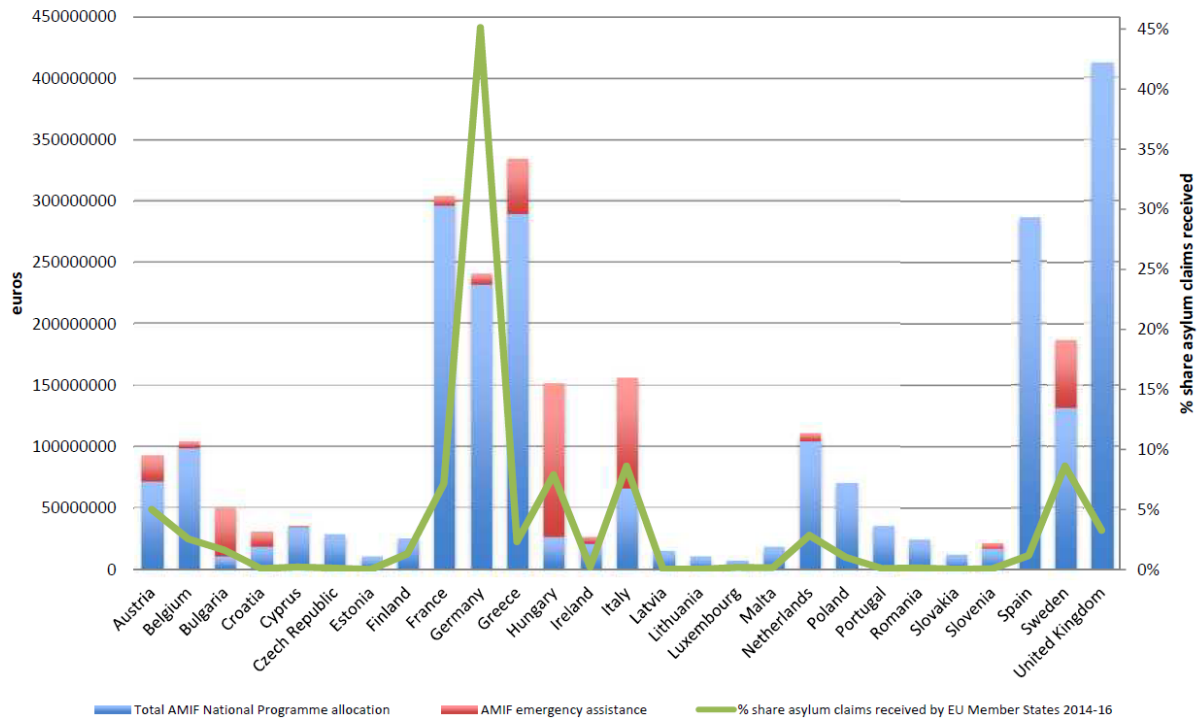
¹⁰² European Commission website, Asylum, Migration, Integration: <https://ec.europa.eu/home-affairs/financing/fundings/migration-asylum-borders>.

¹⁰³ Source: AMIF Funds at the National level, <http://www.europarl.europa.eu/cmsdata/.../presentation-ecre-amif-funds-at-national-level.pdf>.



A second, also produced by ECRE, shows how the first €437.5m in AMIF emergency assistance has been allocated following the additional funding provided to respond to the Syria emergency, and how this correlates to the number of asylum applications received by each Member State.

Table 4: Emergency assistance for actions in MS to date ¹⁰⁴



The AMIF requires that states allocate a minimum of 20% of the national allocations to asylum and integration measures. While these targets have clearly been met, it also shows that most European states are given equal priority to the return/expulsion of irregular migrants and persons whose asylum claims are refused. The data also shows that those countries who are in receipt of the most AMIF funding are, for the most part, not the states that are receiving the most numbers of asylum applications, which logically require the most support.

What the figures do not show is precisely what the money was spent on, or who the recipients of the funding were. This requires in-depth research into the actual projects that were funded, which is beyond the scope of this report. However, human rights and civil liberties NGOs have long criticised the “militarisation” of EU borders and the implementation of “Fortress Europe” policies supported by EU funding.

¹⁰⁴ Source: AMIF Funds at the National level, <http://www.europarl.europa.eu/cmsdata/.../presentation-ecre-amif-funds-at-national-level.pdf>.



A 2014 European Commission report on the “External Borders Fund”, which ran from 2007-2013 and provided €1.8 billion funding for new and existing member states for enhanced border security claimed to have directly funded:

- 3,153 vehicles (boats, helicopters, motorbikes, and more);
- 545 border surveillance systems covering 8,279 kilometres of the EU’s external borders;
- 22,347 items of “operating equipment for border surveillance” (for example thermal imaging systems, video surveillance equipment, night vision goggles, “camouflage and protection equipment”),
- 212,881 items of “operating equipment for border checks” (such as document verification equipment and fibre-optic networks);
- 710 new places in detention facilities;
- upgrades to consulates (“210 visa sections newly built or renovated, 257 pieces of equipment purchased to upgrade security”);
- the development of national systems connected to the EU’s Visa Information System, Schengen Information System II and Eurosur; and
- the training of 32,594 staff in EU border and visa legislation.¹⁰⁵

This information was derived from a “mid-term” report on the External Borders Fund published by the Commission in 2014. Reports detailing spending from the remaining €900 million allocated to the External Borders Fund, or the €2.8 billion allocated to its successor, the 2014-2020 ISF: Borders and Visas Fund have yet to be published.

In 2016, a report by the *Transnational Institute* suggested that the principle private sector beneficiaries of EU border security contracts also happen to be the biggest arms sellers to the Middle-East and North-African region, which were fuelling the conflicts that produced many the so-called migration and refugee “crisis”, and thereby profiting twice from the multiple of conflicts that have beset the region.¹⁰⁶

In addition to the funding provided by the ISF and AMIF for border and migration control, FRONTEX/EBGCA, the EU Asylum Support Office (EASO), EUROPOL and EUROJUST (see further section 3.4, below) have received budgetary increases to work in designated EU migration “hot spots”. The hot spot approach was devised in 2015 and sees EU agencies working with the authorities of “frontline EU Member States which are facing disproportionate migratory pressures at the EU’s external borders to help to fulfil their obligations under EU law and swiftly identify, register and fingerprint incoming migrants”.¹⁰⁷ The ISF also provided direct funding for the establishment and operation of hot spots. At the height of the “refugee crisis” there were five designated hot spots in Greece and five more in Italy. Some hot spots were maintained even as numbers arriving in these countries decreased markedly. Conditions and procedures were widely criticised, with migrants “often detained without a court

¹⁰⁵ European Commission, ‘Report from the Commission on the ex-post evaluation of the External Border Fund for the period 2007-2010’, COM (2014) 235 final, p.17, available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/borders-and-visas/schengen/docs/com_2014_235_f1_report_from_commission_en.pdf.

¹⁰⁶ Between 2005 and 2014, EU member states granted arms exports licences to the Middle East and North Africa worth over 82 billion euros. Some of these sales included equipment intended for border control. See <https://www.tni.org/en/publication/border-wars>.

¹⁰⁷ European Commission website, *Hotspot Approach*: https://ec.europa.eu/home-affairs/content/hotspot-approach_en.



order”, “forced to be fingerprinted and classified as asylum seekers or irregular economic migrants on the basis of a summary assessment”, and denied access to translators and the procedures available to them.¹⁰⁸ In 2018 the EU appeared to signify an extension of the hot spot approach by allowing countries who are refusing to take in refugees such as Hungary, Poland, Slovakia and the Czech Republic to establish “controlled centres” for the processing of asylum-seekers and irregular migrants.¹⁰⁹

The third funding mechanism used to support EU migration policies is a group of new budget lines that have been developed on an *ad hoc* basis to support external policies designed to prevent the departure of migrants and refugees bound for Europe from Africa using funds allocated from the EU Development Fund (EDF) to “Emergency Trust Funds”.¹¹⁰ This is the result of EU policies on what is known as the “externalisation” of migration control that have developed out of various external relations frameworks including the EU High-Level Dialogues on Migration with key countries of origin and transit, the “Valletta Summit” in November 2015, which placed migration issues at the heart of the EU's relations with African States, and the European Commission’s “Migration Partnership Framework” of 2016.¹¹¹

Using a combination of EU funds and national top-up contributions, the amount of funding provided for the “externalisation” of migrations controls has increased rapidly. However, due to a lack of overall information provided by the member states, European Commission and EEAS on how these funds are apportioned, it is extremely difficult to ascertain precisely how much has been spent. One researcher has estimated that the EU’s externalisation spend could top as much as €15 billion during the current MFF (2014-2020).¹¹²

The first Trust Funds were established in 2014 with the Bêkou EU Trust Fund providing €108 million for the stabilisation and reconstruction of the Central African Republic and the Madad Fund providing 542 million to respond to the Syrian conflict. In 2016 the EU signed an agreement with Turkey allowing it to return every person arriving irregularly on the Greek islands – including asylum-seekers – to Turkey, predominantly to camps run by the Turkish authorities. In return Turkey, which now hosts more than 3 million refugees, receives €3 billion per year through the “Refugee Facility for Turkey”. Its nationals have also been granted visa-free travel to Europe as part of the deal. The EU-Turkey deal was roundly criticised by European human rights groups and humanitarian organisations, with *Amnesty International* describing the first year of the agreement’s operation as “Europe’s year of shame”.¹¹³

The EU Trust Fund for Africa was created in late 2015 amounted and by 2018 had allocated more than €4 billion to address the root causes of instability, forced displacement and irregular migration and to

¹⁰⁸ Velluti, S. (2018). *New migrant processing centres in EU must avoid inhumanity of ‘hotspots’ in Greece and Italy*. The Conversation, 9 July 2018: <http://theconversation.com/new-migrant-processing-centres-in-eu-must-avoid-inhumanity-of-hotspots-in-greece-and-italy-99161>.

¹⁰⁹ Bulckaert, N. ‘Controlled centres’ for migrants – not ‘hotspots’, say EU leaders. Euractiv, 2 July 2018:

<https://www.euractiv.com/section/future-eu/news/controlled-centres-for-migrants-not-hotspots-say-eu-leaders/>.

¹¹⁰ EU financial instruments including the Development Cooperation Instrument (DCI) and the European Neighbourhood Instrument (ENI), as well as DG HOME and DG ECHO funding.

¹¹¹ European External Action Service website, *Migration partnership*: https://eeas.europa.eu/headquarters/headquarters-homepage_en/408/Migration%20partnership.

¹¹² Martin Lemberg-Pedersen, ‘Security, industry and migration in European border control’, in: A. Weinar, S. Bonjour, M. Siegel and L. Zhyznomirska (eds), *The Routledge Handbook of the Politics of Migration in Europe*, 2018.

¹¹³ Amnesty International, *The EU-Turkey deal: Europe’s year of shame*: <https://www.amnesty.org/en/latest/news/2017/03/the-eu-turkey-deal-europes-year-of-shame/>.



contribute to better migration management.¹¹⁴ According to a 2018 report by the *Transnational Institute* entitled “Expanding the Fortress”, a critical reference to “Fortress Europe”, the money is used to fund This includes collaboration with third countries in terms of accepting persons being deported from the EU, training of their police and border officials, the development of extensive biometric systems, and donations of equipment including helicopters, patrol ships and vehicles, surveillance and monitoring systems.¹¹⁵

In Sudan, EU border support not only brought an infamous dictatorship out of international isolation, it also bolstered the Rapid Support Forces, made up of Janjaweed militia fighters responsible for committing atrocities during the genocide in Darfur.¹¹⁶ Under the Better Migration Management (BMM) programme, financed with €40 million from the European Union Trust Fund, the EU supports the governments of Sudan and Eritrea with training, technical assistance and provision of equipment for border management. Similarly, in Egypt, EU member states have intensified border cooperation despite the growing military consolidation of power, providing equipment and regular training for border police. And despite Libya’s ongoing civil war and instability, the EU and its member states continue to channel money towards border equipment, training for the Libyan coastguard and funding for detention centres – even as news continues to emerge of Libyan militias running detention centres like prison camps and participating in human trafficking and slavery.

Indeed, according to the *Transnational Institute’s* “Expanding the Fortress” report, the vast majority of the 35 countries that the EU prioritises for border externalisation efforts are authoritarian, known for human rights abuses and with poor human development indicators.

- 48% (17) have an authoritarian government and only four can be deemed democratic (yet still with flaws);
- 48% (17) are listed as ‘not free’, with only three listed as ‘free’;
- 34% of the countries (12) pose extreme human rights risks, the other 23 pose high risks;
- 51% (18) falls in the category ‘low human development’, only eight have a high level of human development;
- over 70% (25) are in the bottom tercile worldwide in terms of women’s wellbeing (inclusion, justice, and security).

As noted in the introduction to this section, under the next MFF, the EU funding allocated to migration and border control will exceed the development funding available to African states for the first time. That EU policymakers seem entirely comfortable enlisting states with extremely poor human rights records in its fight against irregular migration from the MENA region suggests that the principles upon which the EU was founded – democracy, human rights, the rule of law and so on – are not the primary principles driving its foreign policies.

¹¹⁴ European Commission website, *EU Emergency Trust Fund for Africa*: https://ec.europa.eu/trustfundforafrica/content/homepage_en.

¹¹⁵ Akkerman, M. (2018). *Expanding the fortress: The policies, the profiteers and the people shaped by EU's border externalisation programme*. Amsterdam: Transnational Institute.

¹¹⁶ Privacy International, The EU extensively bolsters the surveillance and border control capabilities of governments around the world, 13 December 2018: <https://privacyinternational.org/advocacy-briefing/2548/eu-extensively-bolsters-surveillance-and-border-control-capabilities>.



It is also telling that the EU has not provided any funding for humanitarian organisations seeking to rescue migrants at risk of death in the Mediterranean and that this has not been a priority concern for FRONTEX. On the contrary, the EU appears to have adopted a *de facto* position that certain rescue missions act as a “pull factor” for migrants making the crossing to Europe, and that it would effectively be better if these people were not rescued and hence dives to act as a “deterrent”. The political narrative has conflated humanitarian organisations with “people traffickers” and some member states of gone as far as to charge humanitarian workers and ship captains with these offences. FRONTEX has been accused of promoting this narrative.¹¹⁷

In December 2018, *Medicine sans Frontiers* (MSF) and *SOS Mediterranee*, which operated one of the last remaining humanitarian boats conducting regular search-and-rescue missions in the Mediterranean, the “Aquarius”, announced they were ceasing operations due to a “sustained smear campaign” headed by the Italian government. Twenty-four people associated with the Aquarius, including the ship’s captain, had been put under investigation for “trafficking and illegal management of waste”. “Coupled with ill-conceived policies aimed at trapping people outside Europe’s borders, this campaign has undermined international law and humanitarian principles,” MSF said in a statement. “With no immediate solution to these attacks, MSF and SOS Mediterranee have no option but to end the operations of the Aquarius”.¹¹⁸

As noted above, EU funding for border control is set to increase significantly under the next MFF, from €2.8 to €8 billion, while the Asylum and Migration budget will increase from €6.9 to €10.4 billion. The new Integrated Border Fund will focus on “systematic checks at the borders, new large-scale and interoperable IT systems, including a future Entry/Exit system” and the prevention of “threats at sea, including of migrant smugglers and traffickers”.¹¹⁹ The goal of the new Asylum and Migration Fund will be “to contribute to an efficient management of migration flows and a common policy on asylum”, as well as the sharing of responsibility for asylum-seekers and refugees among Member States to alleviate the pressure on those countries facing the most ‘migratory pressure’.¹²⁰ However, while such ‘burden-sharing’ is supposed to be a central plank of the EU’s common asylum policy, the refusal of a growing number of Member States to take-in any refugees has cast the policy and the EU’s overall commitment to fundamental human rights principles into doubt.

The post-2020 AMF also has an explicit external dimension, including assistance for third countries with “for the management of returns, information and awareness campaigns, and support for

¹¹⁷ Maccanico, Y., Hayes, B., Kenny, S. & Barat, F. (2018). *The shrinking space for solidarity with migrants and refugees: How the European Union and Member States target and criminalize defenders of the rights of people on the move*. Amsterdam: Transnational Institute.

¹¹⁸ Embury-Dennis, T. ‘Medecins Sans Frontieres forced to pull rescue boat from Mediterranean after being stuck in port for months’. *The Independent*, 7 December 2018: <https://www.independent.co.uk/news/world/europe/msf-rescue-boat-aquarius-mediterranean-sea-migrants-refugees-italy-salvini-libya-a8671571.html>.

¹¹⁹ European Commission - Press release, *EU budget: Commission proposes major funding increase for stronger borders and migration*. 12 June 2018: http://europa.eu/rapid/press-release_IP-18-4106_en.htm.

¹²⁰ European Parliament website, *MFF - Proposal establishing the Asylum and Migration Fund*: <http://www.europarl.europa.eu/legislative-train/theme-new-boost-for-jobs-growth-and-investment/file-mff-asylum-and-migration-fund>.



reintegration measures” and “countering irregular migration”,¹²¹ while EU Trust Funds will continue to provide regional and programmatic support to migration control efforts in developing countries.

3.3 Internal Security

The current “Internal Security Fund – Police” (2014-2020) has a budget of just over €1 billion geared toward two specific objectives: (i) the “Fight against crime”, defined as “combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of EU States, including with EUROPOL and other relevant EU bodies, and with relevant non-EU and international organisations”, and (ii) “Managing risk and crisis”, defined as “enhancing the capacity of EU States and the Union for managing effectively security-related risk and crisis, and preparing for protecting people and critical infrastructure against terrorist attacks and other security related incidents”.¹²² Concrete actions to be funded through this instrument can include “a wide range of initiatives, such as setting up and running IT systems, acquisition of operational equipment, promoting and developing training schemes and ensuring administrative and operational coordination and cooperation”.

As with the funds described in the previous section and throughout this report, in the absence of concise information provided by the European Commission, painstaking research is required to ascertain how the money has been spent to date. However, some detailed analysis is provided in the *Transnational Institute* and *Statewatch’s* 2018 report on the EU “Security-Industrial Complex”.¹²³ This report suggests that two issues in particular appear to have been prioritised by the ISF.

The first is the implementation of the EU ‘PNR’ (Passenger Name Record) Directive, which opens up data on *all* travellers into, out of and across the EU to national law enforcement and intelligence agencies. With support from the ISF, Member States have received generous funding to set-up dedicated surveillance and risk profiling systems to identify suspicious or wanted persons who may be present on or travelling to their territories.¹²⁴ The European Data Protection Supervisor has earlier described the “default collection of massive amounts of the personal information of millions of travellers” as unnecessary and disproportionate, and called on legislators to adopt “less intrusive surveillance measures based on targeted categories of flights, passengers or countries”.¹²⁵ The allocations from the current ISF come on top of €50 million already provided from the previous “Prevention of and Fight Against Crime” budget in 2013, which in effect established the infrastructure for mass travel surveillance system before any EU legislation was in place

¹²¹ European Commission. *Proposal for a Regulation establishing the Asylum and Migration Fund*. 12.6.2018, COM (2018) 471 final: https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-asylum-migration-fund-regulation_en.pdf.

¹²² European Commission website, *Internal Security Fund – Police*: https://ec.europa.eu/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-police_en.

¹²³ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.

¹²⁴ *Ibid.*, p. 47-48.

¹²⁵ European Data Protection Supervisor, *EU PNR: EDPS warns against unjustified and massive collection of passenger data*. Press Release, 25 September 2015, EDPS/2015/08.



A second priority area for the EU the current “ISF – Police” budget is projects concerned with “radicalisation”, with almost one third of the total funding available – some €314 million – earmarked for national programmes or initiatives in this area. While terrorist attacks in EU member states have focussed the minds of governments and intelligence agencies on what draws people into extremist organisations or the perpetration of terrorist acts, a report published in 2018 under the auspices of the SOURCE project identified widespread concerns about the way “radicalisation” and “Countering Violent Extremism” policies have been developed and implemented at the EU level.¹²⁶

More generally, the ISF has lent significant support to the development of “intelligence led policing” models and surveillance systems in the Member States, with the aforementioned *Transnational Institute* and *Statewatch* report suggesting that EU funding was helping police forces slowly become closer to being able to access and process information on a scale traditionally reserved for security and intelligence agencies. The report also notes that the legislation establishing the Internal Security Fund has a clear link to the EU Security Research Programme (see section 3.5, below), stating that the funds can be used to pay for “projects aimed at testing or validating Union funded security research projects”.¹²⁷

As noted above under the next Multi-Annual Financial Framework the budget for internal security actions will increase from €1 to €2.5 billion, with a focus on fighting crime, including terrorism, radicalisation, organised crime, cybercrime, and protecting victims, through information exchange between EU law enforcement bodies, cross-border joint actions, and improved capacities.¹²⁸

3.4 EU Agencies

EU law enforcement and security agencies occupy an increasing share of the annual EU security budget, reaching €650 million in 2017. As the following table shows, approaching half (43 per cent) of the total EU agency budget is accounted for by FRONTEX/EBCGAA, which has seen a staggering increasing in its funding since it was launched in 2005 with an annual budget of €6.3, due to the so-called “refugee crisis” discussed in the previous section.

¹²⁶ Kundnani, A. & Hayes, B. (2018). *The Globalisation of Countering Violent Extremism Policies Undermining human rights, instrumentalising civil society*. Amsterdam: Transnational Institute.

¹²⁷ Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute. P. 45.

¹²⁸ European Commission, *Building a Europe resilient to future security challenges*, 13 June 2018: https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-internal-security-fund_en.pdf.

Table 5: EU law enforcement and security agencies: responsibilities and budget 2017 ¹²⁹

Agency	Responsibilities	Budget 2017
FRONTEX/EBCGAA - European Border and Coast Guard Agency	Risk analysis, Joint operations, Rapid response and coordination of European Border Guard Teams, Research, Training, Joint returns, Information-sharing	€281 million
EUROPOL - European police office	Joint law enforcement operations; information on criminal activities; development of law enforcement expertise	€120 million
EUROJUST – Judicial cooperation	Coordinating cross-border investigations and prosecutions, resolving conflicts of jurisdiction, drafting and facilitating European Arrest Warrants, confiscation and freezing orders	€48 million
EU LISA - Large-scale IT systems	Manages EU's large-scale IT systems used for security purposes: Schengen Information System (SIS II), Visa Information System (VIS) and EURODAC	€68 million
EASO - European Asylum Support Office	Strengthen the cooperation of EU Member States on asylum, enhance the implementation of the Common European Asylum System, and support Member States under particular pressure	€79 million
ENISA - Network and Information Security	Organises cross-Europe cyber crisis exercises, assists development of National CyberSecurity Strategies, promotes cooperation between computer emergency response teams, capacity building and best practice	€11 million
CEPOL – Law enforcement training	Provides training and promotes knowledge sharing on EU police and security cooperation	€9 million
EMCDDA - Monitoring Centre for Drugs and Drug Addiction	Provides 'factual, objective, reliable and comparable information concerning drugs, drug addiction and their consequences'	€11 million
FRA - Fundamental Rights Agency	Collecting information about human rights issues; sharing evidence-based insights and advice; raising rights awareness about human rights; engaging with stakeholders	€23 million
TOTAL		€650 million

¹²⁹ Table compiled by authors using data from multiple sources.



In 2015, at the height of the exodus from Syria, the European Commission proposed the transformation of FRONTEX from an agency with a cooperation/coordination mandate, reliant upon on the Member States to work operationally, into a full blown European Border Guard.¹³⁰ The EBCGA was established less than a year later and began ramping up its activities by deploying 1,600 border guards along various parts of the EU's external borders – adding to the 100,000 national border guards already deployed by the Member States.¹³¹

The FRONTEX/EBCGA's expanded mandate is “to ensure Union standards for border management are guaranteed at all external borders as a shared responsibility between the Agency and the national authorities”, though it remains overwhelmingly concerned with the prevention of irregular and unauthorised migration and the return of people whose applications or attempts to stay in the EU are refused.¹³² In trying to increase the number of people who are expelled or otherwise formally repatriated from the EU, the agency will “launch a targeted pilot project for an agreement with commercial carriers”.¹³³ This appears geared toward decreasing Member State's reliance on commercial flights, which have been dogged by protests by human rights activists.

The revised FRONTEX/EBCGA mandate also gives the agency a wider role in preventing cross-border crime and allows it to collect personal data, “such as license plate numbers, vehicle identification numbers, telephone numbers or ship identification numbers necessary for analysis of migrant routes and methods used in different types of cross border crime”.¹³⁴ The agency is also empowered “to carry out operations on the territory of neighbouring third countries, subject to prior agreement”. This is effectively the outsourcing of EU border management, with the aim of preventing migrants and asylum seekers from reaching EU soil and/or returning them afterwards. Under the next MFF, the EBCGA is promised a “standing corps of 10,000 operational staff and their own equipment”.¹³⁵ Moreover, added the European Commission, “no traveller will pass EU borders unnoticed as all nationals – both EU and non-EU – are now systematically checked against all relevant security databases”. To this end, FRONTEX and EU LISA, which is responsible for operating the EU's border control and law enforcement databases (see further below), have been allocated combined funding of €12 billion under the next MFF – this represents an almost 5-fold (4.91) increase in the current funding available to the two agencies.

EUROPOL and EUROJUST, which are respectively responsible for combating and prosecuting cross-border crime, have a combined annual budget of €168 billion – representing one quarter of the EU's total

¹³⁰ Watanabe, L. *New EU border guard agency is no magic bullet*. EurActiv, 27 September 2016:

<https://www.euractiv.com/section/justice-home-affairs/opinion/new-eu-border-guard-agency-is-no-magic-bullet/>.

¹³¹ European Commission, *Securing Europe's External Borders: A European Border and Coastguard*, June 2017:

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20170613_ebcg_en.pdf.

¹³² Ibid.

¹³³ European Commission, *Fourth report on the operationalisation of the European Border and Coast Guard*. 13.6.2017,

COM (2017) 325 final: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52017DC0325&from=EN>

¹³⁴ (https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/securing-eu-borders/factsheets/docs/20170125_a_european_border_and_coast_guard_en.pdf).

¹³⁵ European Commission, *Security Union: A Europe that protects*. October 2018: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181010_agenda-on-security-factsheet-progress-report_en.pdf.



spend on security and law enforcement agencies. They have been allocated just over €1.1 billion in the next MFF, suggesting that their funding will remain fairly constant. A European Public Prosecutor's Office has also been established by 22 Member States under the enhanced cooperation provisions in the EU Treaty.

EU-LISA is the European Agency for the operational management of large-scale IT Systems "in the area of freedom, security and justice": the Schengen Information System (SIS II), the Visa Information System (VIS) and EURODAC (which houses the fingerprints of all asylum applicants and irregular migrants registered in the EU). As noted above, it is set for a substantial budget increase under the next MFF. This reflects the EU's ambition to make more systematic use of these databases and make them "interoperable", effectively linking them and enabling uses to search across disparate records.

The EU Asylum Support Office has a broad mandate to develop and implement the EU's "Common European Asylum System" by facilitating, coordinating and strengthening practical cooperation; providing operational support to Member States with specific needs and to Member States whose asylum and reception systems are under particular pressure; providing other forms of practical and technical support to Member States and the European Commission; and supporting policy-making on asylum at the EU level. The agency currently has an annual budget of €79 million and will see a significant increase from 2021 under the next MFF, which has allocated a total of €900 million for the seven year budgeting period.

The remaining agencies included in the table above have relatively modest budgets and mandates and are unlikely to see significant change. It is notable, however, that as the operational capacity of the EU has developed through the plethora of law enforcement and security agencies and databases that it has established, the EU Fundamental Rights Agency has an extremely modest role: essentially to "promote" human rights. It does not have the power, for example, to undertake investigations into allegations of human rights violations by Member States or EU agencies, is not formally consulted on the development of policies with significant human rights implications, and is not involved in monitoring the human rights impact of EU policy and practice.

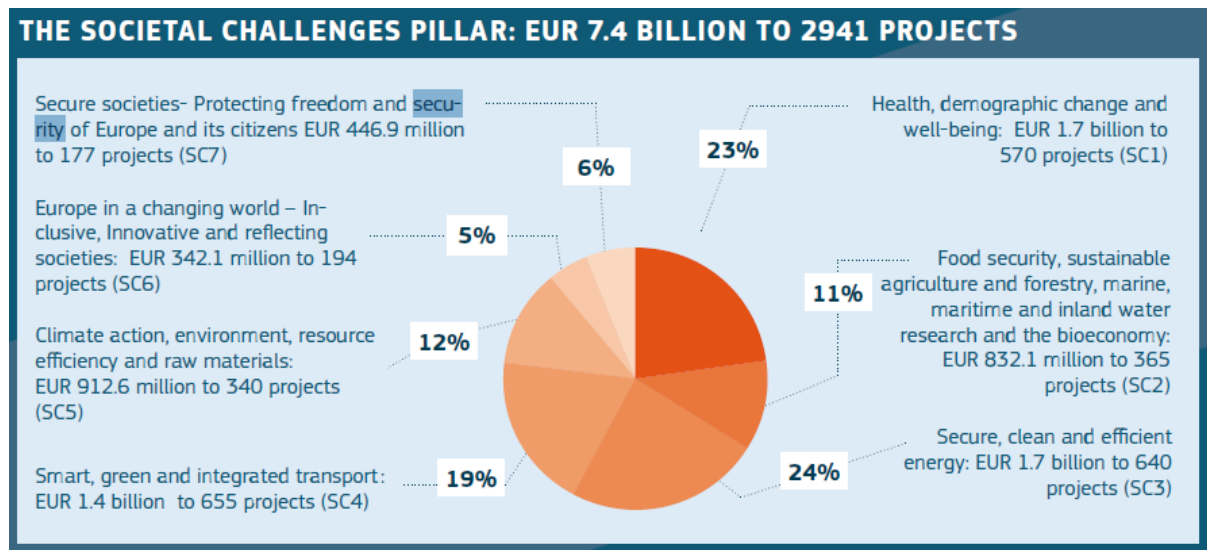
Taken together with the decisions to not increase the funding available for initiatives concerned with respect for fundamental rights and EU values – which includes initiatives to promote non-discrimination, fundamental rights and gender equality and to combat racism, xenophobia, homophobia and other forms of intolerance – and to decrease the funding available to the Justice programme, which promotes citizen's access to justice, the overall concern is that human rights will be further marginalised and security policies are further developed and implemented from 2020.



3.5 The EU Security Research Programme

The European Security Research Programme (ESRP) was launched in 2007 as part of the EU’s seventh framework programme of research (FP7) with the aim of fostering cross-border collaboration and innovation. As noted in the previous chapter, the program has been increasingly linked to the EU security industrial policy, which prioritises the development of a globally competitive security industry in Europe.

Figure 8: Societal Challenges in Horizon 2020 ¹³⁶



Under the current “Horizon 2020” programme (FP8), security research was allocated a total of €1.7 billion under the heading “Secure Societies – Protecting freedom and security of Europe and its citizens”. However, the total funding oriented toward security-related projects is likely to be much higher because of a focus on e.g. food security, energy security, climate security, transport security and so on. In the next MFF, the European Commission has proposed that the re-branded “Inclusive and Secure Society” cluster will receive €2.8 billion, a 65 per cent increase as compared to the current framework research programme.

While the architects of the security research programme have gone to great lengths to stress the freedom and inclusiveness of their agenda, the focus of the programme has remained fairly consistent since it’s design by the European Security Research Advisory Board (see previous chapter), as shown in the following table. Notably, however, while “Security and Society” was a research theme in its own right in the FP7 programme – under which the SOURCE project was funded – in the current “Horizon 2020” programme it was reduced to a “crosscutting”, “guiding principle” for all projects. On the one hand this promises more societal security-focused projects across the programme, on the other hand it restricted the scope for projects with an overarching focus on societal security.

¹³⁶ European Commission, Key findings from the Horizon 2020 interim evaluation, 2017: https://ec.europa.eu/research/evaluations/pdf/brochure_interim_evaluation_horizon_2020_key_findings.pdf.

Table 6: Thematic priorities for security research programme ¹³⁷

ESRAB proposal	FP7 topic	H2020 topic	Horizon Europe (ITRE proposal)
Protection against terrorism and organised crime	Security of citizens	Fight against crime and terrorism	Organised crime, terrorism, extremism, radicalisation and politically-motivated violence
Critical Infrastructure protection	Security of infrastructure and utilities	Covered by both disaster resilience and digital security	Protecting critical infrastructures and supply chains
Border security	Intelligent surveillance and border security	Border security and external security	Border management
Restoring security and safety in case of crisis	Restoring security and safety in case of crisis	Disaster resilience: Safeguarding and security society	Disaster resilience
No proposal	Security and society	Security as a societal value is a guiding principle” through each topic	N/A
Systems integration, interconnectivity and interoperability	Systems integration, interconnectivity and interoperability	N/A	Promoting coordination, cooperation and synergies
No proposal	No proposal	Digital security	cyber-security, privacy and data protection

The “Market Forces” report published by the *Transnational Institute* and *Statewatch* in 2017 analysed every security research every project funded up until the end of 2016, making it the most comprehensive analysis of ESRP funded projects undertaken to date.¹³⁸ It showed that the programme maintained its focus on enhancing the capabilities of security agencies, primarily through surveillance technologies and intervention methodologies, and strengthening border controls, again primarily through surveillance and interdiction.

¹³⁷ Columns 2 and 3 of this table are taken from Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.

¹³⁸ Ibid.



The report also suggests that whereas private companies, and in particular Europe's largest transnational security and defence corporations, had strongly influenced and benefited from the security research component of FP7, the beneficiary landscape is much more diverse under the current Horizon 2020 programme. While this is keeping in keeping with the goals of the EU Security Industrial Policy and the stakeholder analysis in the previous chapter, it is notable that private companies still account for the lion's share of the funding dispersed to date, receiving €745.5 million in grants since 2007, some 43% of the total dispersed by the European Commission. Report also notes that research institutes are playing a much greater role security research and current framework programme, and now account for 26% of total funding, as are SMEs, which also saw their relative share increase under the current programme. Table 7, below, shows the top 50 recipients of ESRP funding to date. Despite the diversification of the ESRP beneficiaries, Chris Jones, author of the "Market Forces" report suggests that overall direction of travel of the programme and its research outputs has remained fairly consistent.

The original development of the European Security Research Programme was heavily-influenced by transnational security and defence companies, major research institutes and technology firms, and it is their vision of security that remains dominant in a programme from which they continue to benefit. While the agenda has developed to include new themes, the number of organisations involved has diversified and grown and ethical checks on projects have been stepped up, this appears to have had only a minor effect on the core content of the programme. At its heart it remains concerned with the development of technological security "solutions" that will produce profit for companies and power for states, and a society of suspicion, monitoring and control for the rest of us.

The European Commission maintains that by fostering cooperation between private companies, research institutes, public bodies and end-users, and requiring research consortia to consider societal security approaches and comply with the EU Charter of Fundamental Rights, these values will be reflected in the content and output of the research it funds. While this may be true for some individual projects, it is the overall trajectory of the security research programme into EU security policy more broadly that continues to concern seasoned observers.

An in-depth analysis of the hundreds of security research projects that have now been completed is beyond the scope of this paper, but the claim that the programme remains heavily invested in surveillance, new technologies and border control is strongly-evidenced in the aforementioned "Market Forces" report.¹³⁹ The current (and final) work programme of the Horizon 2020 ESRP includes calls for projects on: using social media in disasters; "multi-disciplinary and multi-agency approaches to prevent and counter violent radicalisation"; "automated prevention of uploading terrorist-related content"; and "integrated situational awareness and applying augmented reality to border security" – all of which have significant implications for fundamental rights and such as privacy, dignity, autonomy and the presumption of innocence.

¹³⁹ Ibid.



Table 7: Top 50 recipients of ESRP funding 2007-2016 ¹⁴⁰

¹⁴⁰ Source: Jones, C. Bunyan, T. & Buxton, N. (2017) *Market Forces: The development of the EU Security-Industrial Complex*. Amsterdam: Transnational Institute.



Organisation	H2020 projects	H2020 funding	Average € p/prj.	ESRP total (2007-Dec 2016)	Country	Type
Fraunhofer Institute	24	€ 14,230,894.25	€ 592,953.93	€ 65,729,868.64	DE	REC
Commissariat à l'énergie atomique et aux énergies alternatives	7	€ 7,116,487.50	€ 1,016,641.07	€ 22,067,036.95	FR	REC
Atos	15	€ 6,527,301.88	€ 435,153.46	€ 14,125,323.53	ES	PRC
Thales	9	€ 4,612,836.26	€ 512,537.36	€ 33,068,767.18	FR	PRC
Centre for Research and Technology Hellas (Εθνικό Κέντρο Έρευνας & Τεχνολογικής Ανάπτυξης, CERTH)	8	€ 4,557,090.25	€ 569,636.28	€ 4,557,090.25	EL	REC
Engineering - Ingegneria Informatica	6	€ 3,966,237.50	€ 661,039.58	€ 8,064,256.50	IT	PRC
Airbus	2	€ 3,592,597.75	€ 1,796,298.88	€ 17,782,805.02	FR	PRC
TNO	7	€ 3,586,620.00	€ 512,374.29	€ 33,517,080.82	NL	REC
Italian National Research Council	8	€ 3,269,560.00	€ 408,695.00	€ 6,948,520.35	IT	REC
Institute of Communication and Computer Systems	5	€ 3,209,626.00	€ 641,925.20	€ 7,243,589.18	EL	REC
Leonardo (Finmeccanica)	5	€ 3,199,575.00	€ 639,915.00	€ 3,202,575.00	IT	PRC
Austrian Institute of Technology	5	€ 3,175,483.75	€ 635,096.75	€ 15,963,840.04	AT	REC
Universitat Politecnica de Catalunya	2	€ 3,158,400.00	€ 1,579,200.00	€ 3,782,538.29	ES	HES
Inov Inesc Inovacao - Instituto de Novas Tecnologias	7	€ 3,090,437.50	€ 441,491.07	€ 5,458,959.00	PT	REC
Department of Health	1	€ 2,835,655.00	€ 2,835,655.00	€ 4,463,656.82	UK	REC
Katholieke Universiteit Leuven	7	€ 2,804,875.00	€ 400,696.43	€ 8,257,611.24	BE	HES
IBM	6	€ 2,690,042.50	€ 448,340.42	€ 2,810,417.50	NL	PRC
Loughborough University	1	€ 2,667,700.50	€ 2,667,700.50	€ 3,225,166.82	UK	HES
Universita Cattolica del Sacro Cuore	2	€ 2,643,693.75	€ 1,321,846.88	€ 4,548,965.55	IT	HES
Stiftelsen Sintef	4	€ 2,640,390.00	€ 660,097.50	€ 8,297,490.78	NO	REC
Universite Catholique de Louvain	4	€ 2,361,983.75	€ 590,495.94	€ 5,031,552.24	BE	HES
EQS - Servicios de Engenharia Qualidade e Seguranca LDA	2	€ 2,316,312.83	€ 1,158,156.42	€ 2,316,312.83	PT	PRC
Aeorum	4	€ 2,262,963.50	€ 565,740.88	€ 2,262,963.50	ES	PRC
Norges Miljo-og Biovitenskaplige Universitet	1	€ 2,156,419.00	€ 2,156,419.00	€ 2,446,326.00	NO	HES
Universite de Nice Sophia Antipolis	2	€ 2,152,987.50	€ 1,076,493.75	€ 2,152,987.50	FR	HES
Exus Software	4	€ 2,098,125.00	€ 524,531.25	€ 2,098,125.00	UK	PRC
National Center for Scientific Research Demokritos	5	€ 2,090,462.50	€ 418,092.50	€ 9,075,434.13	EL	REC
Arttic	3	€ 2,056,827.50	€ 685,609.17	€ 7,202,277.50	IL	PRC
Technische Universiteit Delft	3	€ 2,000,147.50	€ 666,715.83	€ 6,492,939.49	NL	HES
Foundation for Research and Technology Hellas	5	€ 1,988,625.00	€ 397,725.00	€ 2,537,342.37	EL	REC

Type: HES: higher education institute; REC: research institute; PRC: private company; PUB: public institution.

Source: EU Open Data Portal, <https://data.europa.eu/euodp/en/data/>

As noted above, under the Commission proposal for the Horizon Europe cluster: “Inclusive and Secure Society”, the ESRP budget will to €2.8 billion from 2021 2027. The objective is the cluster is “Strengthening European democratic values, including rule of law and fundamental rights, safeguarding our



cultural heritage, and promoting socio-economic transformations that contribute to inclusion and growth, while responding to the challenges arising from persistent security threats, including cyber-crime, as well as natural and man-made disasters”. While the list of priority themes is still being determined, as noted in Table X, above, these have remained fairly consistent with the previous programmes. What remains to be seen is whether the commitment to democratic values, the rule of law and fundamental rights will translate into meaning action to ensure that research and development of new security technologies genuinely takes these things into account, or continues to address them in work packages concerned with ethics and fundamental rights at the margins of the overall project.

3.6 EU Civil Protection Mechanism

The EU’s Civil Protection Mechanism is designed to “strengthen cooperation between Participating States in the field of civil protection, with a view to improving prevention, preparedness and response to disasters”. When the scale of an emergency overwhelms the response capabilities of a country, it can request assistance via the Mechanism. Once activated, the Mechanism coordinates assistance made available by its Participating States.

According to the European commission, since its inception in 2001, the EU Civil Protection Mechanism has responded to over 300 requests for assistance inside and outside the EU. All 28 EU Member States participate, as well as Iceland, Norway, Serbia, the Former Yugoslav Republic of Macedonia, Montenegro and Turkey, and any country in the world can call on the EU Civil Protection Mechanism for help.

The Mechanism also seeks to develop and implement common standards enabling States for disaster response and to this end has established the Disaster Risk Management Knowledge Centre for research and knowledge sharing.¹⁴¹

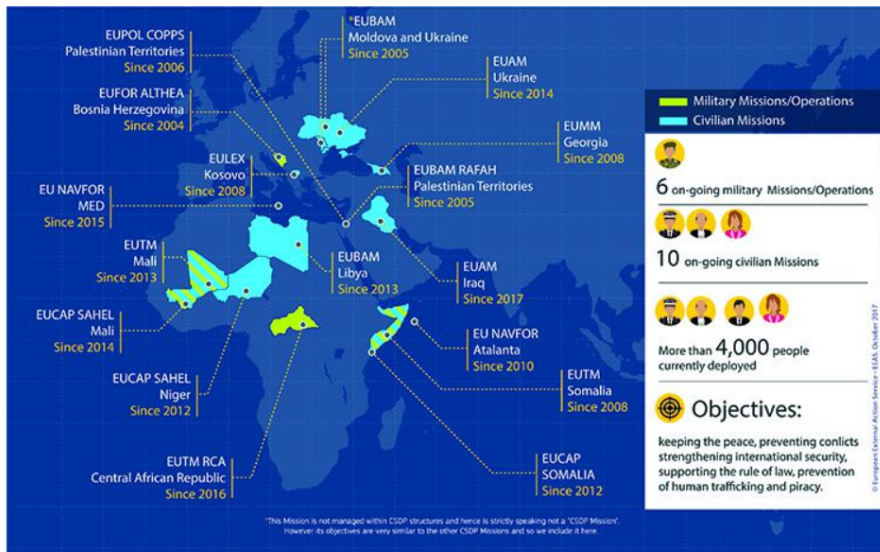
Under the current MFF the EU Civil Protection Mechanism had a total budget of €368 million. This is set to increase almost threefold from 2021 to 2027, with the Mechanism allocated some €1.4 billion (a 280 percent increase).

3.7 Common Foreign and Security Policy

The EU Common Foreign and Security Policy (CFSP) has a budget of €2.4 billion to support its activities “to preserve peace, prevent conflicts, strengthen international security and ensure the visibility and effectiveness of EU foreign policy” under the current MFF. In practice however the CFSP budget only covers supports three key EU foreign policy measures: civilian missions, including border control and rule of law missions, the EU Special Representatives and initiatives supporting non-proliferation and disarmament. The EU civilian missions with the largest budgetary allocations are the EU Rule of Law Mission in Kosovo (EULEX) and the European Union Police Mission in Afghanistan (EUPOL). Military missions are paid for by the participating Member States. The EU Court of Auditors has recently expressed doubts about the sustainability of CFSP mission results, also raising concerns about the level of logistical, technical and/or human resources support available to them.

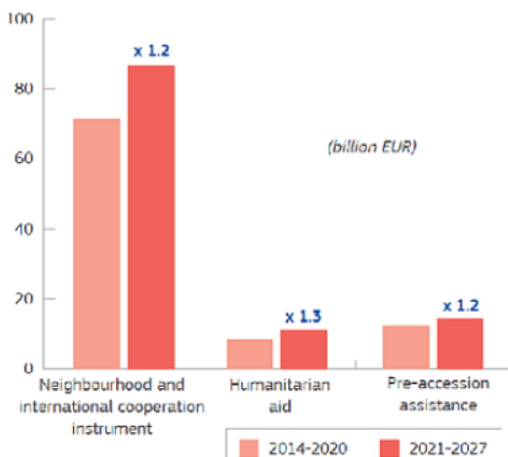
¹⁴¹ EU Joint Research Centre website, *Disaster Risk Management Knowledge Centre*: <https://drmkc.jrc.ec.europa.eu/>.

Figure 9: Overview of current EU CSDP mission and operations ¹⁴²



There are currently nine EU CFSP Special Representatives (EUSRs) covering Central Asia; the Middle East Peace Process; Afghanistan; Bosnia and Herzegovina; Kosovo; the South Caucasus and the crisis in Georgia; the Horn of Africa; Human Rights; and the Sahel. Under the next MFF, the SFPC budget will increase from €2.4 to €3 billion. By way of comparison, the overall foreign-policy budget will be over €100 billion.

Figure 10: EEAS budget 2014-2020 and 2021-2027 ¹⁴³



¹⁴² European Commission (2018) *Implementation Plan on Security and Defence – Factsheet*, External Action Service, 06 March 2018, 171019_26: https://eeas.europa.eu/headquarters/headquarters-homepage/34215/implementation-plan-security-and-defence-factsheet_en.

¹⁴³ Source: European Union External Action Service website: https://eeas.europa.eu/diplomatic-network/humanitarian-emergency-response/43885/eu-budget-2021-2027-invests-more-and-better-external-action-security-and-defence_en.



3.8 European Defence Fund

The most significant development in respect to the EU's security budget is the launch of the new EU defence fund. A €90 million Preparatory Action for Defence Research (PADR) was launched by the European Commission in 2018 and at the time of writing has already funded 34 projects. Six of the nine defence companies represented on the Group of Personalities for Defence Research (see previous chapter) which advised the European Commission on the contours of the new defence research programme, have already received PADR funding. Funded projects include:

- the "Eurodrone MALE" (or European Medium Altitude Long Endurance Remotely Piloted Aircraft Systems), which promises newly developed, operationally relevant, affordable and sovereign European military capability for the next-generation of drones by 2025;
- a Counter Unmanned Aerial System (C-UAS)
- an Integrated Unmanned Ground System (UGS), which may include a land robot and promises an autonomous control system, cyber defence solution and integrated network of sensors to improving situational awareness on the battlefield
- a Maritime (semi-) Autonomous Systems for Mine Countermeasures (MAS MCM);
- an Armoured Infantry Fighting Vehicle/ Amphibious Assault Vehicle /Light Armoured Vehicle;
- a medium range, beyond the line-of-sight (BLOS) Land Battlefield missile systems family;
- upgraded European attack helicopters;
- a Strategic Command and Control (C2) System for CSDP Missions and Operations;
- Electronic Warfare Capability and Interoperability Programme for Future Joint Intelligence, Surveillance and Reconnaissance; and a
- European Military Space Surveillance Awareness Network.¹⁴⁴

A new European Defence Industrial Development Programme with an annual budget of €500 million will run from 2019-2020 with the "aim of enhancing the competitiveness and innovation of the Union defence industry including cyber defence," including "by fostering better exploitation of the results of defence research".¹⁴⁵ From 2021 to 2027, the EU Defence Budget will have a total budget of €13 billion for EU investments in "defence research, in the development of prototypes, and in the acquisition of defence equipment and technology". The European Commission hopes that when Member State co-funding and acquisitions are included, the programme could be worth as much as €5.5 billion per year. The research budget positions the EU as "one of the top 4 research investors in Europe".¹⁴⁶ In addition, the Commission has proposed to earmark a further €6.5 billion in the Connecting Europe Facility to enhance Europe's strategic transport infrastructure "to make them fit for military mobility".

The MFF proposals are still being negotiated by the EU institutions and while the main issues relating to the size and structure of the funds have been agreed, the Parliament is trying to exclude from "Small arms and light weapons if only for export purposes", "products and technologies prohibited by applicable international law" including: "lethal autonomous weapons, including unmanned aerial vehicles,

¹⁴⁴ Permanent Structured Cooperation (PESCO) updated list of PESCO projects - Overview - 19 November 2018:

<https://www.consilium.europa.eu/media/37028/table-pesco-projects.pdf>.

¹⁴⁵ European Commission, *Proposal for a Regulation establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovative capacity of the EU defence industry*. 7.6.2017, COM (2017) 294 final: https://ec.europa.eu/info/law/better-regulation/initiative/1424/publication/29999/attachment/090166e5b2d58b9f_en.

¹⁴⁶ European Commission, the European Defence Fund, 13 June 2018: https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-eu-defence-fund_en_0.pdf.



without meaningful human control over the critical functions of selecting and attacking individual targets”. The European Parliament is also pressing the EU Council to exclude “products and technologies which could serve to commit or facilitate serious violations of International Law” and take a formal decision on whether “armed unmanned aerial vehicles” can be funded by the new Fund. The resolution of the lethal autonomous weapons issue, and the extent to which the EU will honour the call to ban the funding of “killer robots”, thus provides another litmus test as to the values and principles currently shaping EU security and defence funding. The strong focus on autonomy in PADR projects suggest this is likely to be strongly resisted by the Member States and industry.

While activists and parliamentarians had called on the Commission to increase export controls and oversight by replacing the EU Code of Conduct on arms exports with binding rules, the Member States insist that “the export of products, equipment or technologies integrating results of research activities supported by the Fund, and shall not affect the discretion of Member States as regards policy on the export of defence-related products”.

3.9 Democratic control and transparency

The EU has long been dogged by the widespread perception of a ‘democratic deficit’ with regard to the development and implementation of its policies. In respect to EU security budgets, this problem appears particularly pronounced. While basic information about the objectives and beneficiaries of specific programmes is published by the European Commission and EU executive agencies responsible for implementing them, it requires extremely painstaking research to ascertain precisely how the funds have been spent. Indeed the current method of implementing and monitoring EU security funding makes this extremely difficult, if not impossible. For the most part it has fallen to civil liberties organisations and dedicated research institutes to provide in-depth research as to their significance and implications.

Once the legislation establishing the various budget lines has been adopted, the European Parliament plays no role in determining annual priorities of specific calls for proposals, and only a marginal role in monitoring their implementation. Various expert advisory groups are supposed to ensure that the programmes meet their specific objectives but this falls far short of the kind of democratic control that is needed to ensure that European values are upheld and fundamental rights respected.

The European commission is responsible for reviewing the implementation the programmes in a mid-term (3.5 years) and final review (7 years). However, these reviews are rather anodyne, looking simply at the topics and beneficiaries of EU funding, rather than the specific outputs and their broader implications. These tardy and limited evaluations make it difficult even for legislators or the public to know whether funding programmes function as intended, effectively leaving them with little credible information on which to base decisions regarding future budgets.

It is also concerning that decisions have been taken to fund the development of specific security technologies and applications using EU budgets before legislation governing their use has been adopted. This has happened with the European Border Surveillance System (Eurosur), the Passenger Name Record (PNR) Directive and the ongoing “smart borders” initiative. In each to legislators are effectively being presented with a *fait accompli* because substantial EU funding was provided for development and implementation of these systems before the primary legislation had been agreed. In the case of



PNR and smart borders these funds were allocated and spent in direct contrast to the wishes of the European Parliament, which had at the time rejected the initial Commission proposals.

The use of EU Trust Funds to fund external security policies is also particularly problematic from a democratic control perspective. Designed to be “flexible”, the funds fall are effectively controlled by the Member States and outside the control the European Parliament’s budgetary authority.

With regard to the security and defence research programmes, once the broad priorities have been set by the legislators there is little if any space for further democratic accountability during their implementation. This is particularly concerning given the heavy reliance in the research agenda-setting process on the expertise of public and private organisations that are major beneficiaries of the programme. The general lack of transparency around how the research agenda was in fact highlighted as a problem by participants in security research projects in the recent mid-term evaluation of the Secure Societies programme, though there was no mention of this in the glossy summary of the Horizon 2020 programme ultimately presented by the European Commission.

The next EU MFF promises only modest improvements in the democratic control and transparency of EU security funding, with proposals to increase the participation of civil society and other societal stakeholders in the development of work programmes and calls for proposals. It remains to be seen if and how these proposals will be implemented.



4. CONCLUSIONS: WHAT KIND OF SECURITY, AND AT WHAT COST? ¹⁴⁷

The EU was founded on principles of democracy, human rights, the rule of law and peaceful international relations. It is rightly lauded for dismantling internal borders and establishing the freedom of movement of citizens and residents. But these measures are now (mis)used to justify spending tens of billions of euros on increased internal surveillance and external border control as the EU's founding principles are jettisoned in favour of creating a "Fortress Europe" - surrounded by a buffer zone of increasingly authoritarian regimes.

These approaches are transforming both security policy in Europe and the EU's relationship with the rest of the world, yet European citizens have not had a meaningful say in the new path that the EU is taking. The EU institutions currently debating the new budget proposals have failed to consider either the kind of "security" that is being funded, or the democratic control, transparency and accountability that could begin to ensure that the funds are implemented in a way that reflects European values and principles.

Counter-terrorism

There can be no doubt that the counter-terrorism policies pursued by the EU and its Member States have had and continue to have an adverse impact on fundamental rights. As Amnesty International wrote in January 2017 in a report on the impact of counterterrorism in Europe: "Brick by brick, the edifice of rights protection that was so carefully constructed after the Second World War, is being dismantled,"¹⁴⁸ a result of the introduction of emergency laws and the undermining of the principle of legality; the rights to privacy, freedom of expression, liberty and freedom of movement; the stripping of nationality; and the principle of non-refoulement.

The EU, despite the Commission's fundamental role as the guardian of the treaties and thus the human rights and democratic standards on which they are based, has proven either unwilling or unable to make any meaningful interventions to prevent this state of affairs. Indeed, EU funding supports such counter-democratic measures, whether directly (for example by assisting in the implementation of EU law and policy in the context of diminishing rights protections) or indirectly, by providing the responsible agencies with some measure of financial and operational support. The planned cut in the EU Justice budget and negligible increase in the Fundamental Rights and EU values programme – as compared to huge increases for all other areas of security funding – suggests that these problems will only be exacerbated under the next MFF.

More recently, under the banner of 'countering violent extremism', the counter-terrorism lens has been widened from terrorist groups and suspicious individuals to ideologies and behaviours, exacerbating the process of securitisation. Counter-terrorism, security and migration policy have become increasingly intertwined, casting suspicion over both non-EU nationals and EU citizens, particularly

¹⁴⁷ This section draws on a submission by Ben Hayes and Chris Jones to the European Commission's "Public consultation on EU funds in the area of security" submitted by the Transnational Institute and Statewatch.

¹⁴⁸ Amnesty International (2017). *Dangerously disproportionate: The ever-expanding national security state in Europe*, available at: <https://www.amnesty.org/en/documents/eur01/5342/2017/en/>.



those of ethnic minority backgrounds. Thus counter-terrorism has come to affect more and more areas of public policy and material life, with a host of public and private actors – from educators to financial service providers, transport companies to social media companies – given law enforcement responsibilities. This too has far-reaching implications for democracy and human rights as the SOURCE project has consistently demonstrated in its publications and workshops.

The need to pursue policies in the area of counterterrorism is self-evident, and many of the measures pursued by the EU and the Member States are no doubt well-intentioned. Yet their negative impact on fundamental rights has been consistently dismissed or downplayed, as *Amnesty* rightly notes, diminishing the human rights framework on which European societal security must be founded. Amid the significant increase in EU security funds to support EU counter-terrorism efforts, the emphasis on taking seriously the root causes of terrorism and radicalisation is continually diminished, with no dedicated funding and barely a passing interest in these stated EU policy objectives.

Law enforcement

It is also abundantly clear that policy and practice in the realm of counter-terrorism and national security have acted as a ‘pick-lock’ and contagion in EU and national criminal justice systems, normalising ‘exceptional’ measures and paving their way for their use in ‘ordinary’ policing. Manifestations of this approach can be seen in the ongoing acquisition of, and attempts to develop, new technologies for use in routine policing work that rely on practices and powers that would traditionally have been considered reserved for intelligence agencies. While this is in part a result of the decreasing cost of new technologies, the practical efficacy of novel methods of surveillance, identification, tracking and analysis needs to be more carefully considered in light of their broader implications for society. Both the substance and effects of EU security laws, policies and new technologies and the ways in which they are developed and implemented – for example, through expert networks and working groups – give cause for concern with regard to fundamental rights. EU funding should be predicated on strict respect for human rights safeguards and pro-active and maximal transparency.

Border security and migration

In the name of preventing irregular migration – whether of ‘economic migrants’ or refugees – an increasingly complex and sophisticated array of legal, policy and technological measures has been deployed. The role of EU security funding in this area has steadily grown in significance to the point that it now plays a central role in the ongoing attempt to develop a comprehensive European ‘integrated border management’ system. Again, while the EU promises to address the “root causes” of migration, the money it now spends and plans to spend on border controls, the “externalisation” of migration controls and the containment of migrants and refugees in Africa and other parts of the world. As noted in Section 3, under the next MFF, funding for these measures will for the first time exceed the amount of developing funding that the EU provides to Africa.

The EU’s response to the current “refugee crisis” – which to Europe’s enduring shame is ultimately a ‘refuge crisis’ – has been built upon some 30 years of ever tighter and increasingly-externalised border controls, restrictive refugee policies and toughening measures against ‘irregular’ migrants. Yet despite the vast number of actions taken and funding provided, it is clear that the ‘Fortress Europe’ approach



can only prevent migration at tremendous human cost predicated on a ‘race to the bottom’ in terms of human rights standards.

The militarisation and externalisation of borders has resulted in widespread deaths and increased violence (both physical and psychological) against individuals. The containment of people in border, buffer and transit states – through EU policies such as “hot spots” and “controlled centres” – and co-operation measures with repressive and authoritarian governments, continues to result in large-scale violations of migrants and refugees’ rights, and frays the social fabric of societies both within and without the EU. There can be no more damning indictment of these policies than Europe’s approach to humanitarian search-and-rescue operations in the Mediterranean, where tens of thousands of people have drowned. Not only did the EU fail to make any funding available to the humanitarian organisations conducting these operations, the Member States have criminalised their actions and the Libyan “coastguard”, which does receive EU funding, has threatened their safety.

Legal migrants and so-called ‘bona-fide’ travellers are also subject to drastically enhanced surveillance measures, with practically all non-EU citizens entering the bloc foreseen to be fingerprinted by 2020, and to be subject to a variety of forms of data collection, profiling and analysis. Existing and planned databases – particularly in the context of the EU’s ‘interoperability’ initiative – will create a formidable surveillance architecture and tangibly change the character of open, liberal democratic societies. As the EU’s data protection supervisor put it in 2008, in a critical response to a raft of EU border control proposals that fell largely on deaf ears, the “underlying assumption” is that “all travellers” should be “considered a priori as potential law breakers” and “put under surveillance.”¹⁴⁹

If the EU is to take seriously its responsibilities in upholding fundamental rights and international law, the model of border security pursued and funded in the name of both preventing irregular migration and facilitating regular migration must be re-examined and re-founded on an approach that enables the EU to meet its humanitarian obligations while providing durable solutions to mixed migration flows. In this context the wholly disproportionate provision of funds for border security policies based on control and deterrence must be fundamentally reconsidered.

Mass surveillance

Mass surveillance goes far beyond the communications monitoring and hacking capabilities of EU member states’ security and intelligence services revealed by whistle-blower Edward Snowden. Mandatory biometric profiling, travel surveillance, so-called smart borders, research into enhanced biometric technologies for law enforcement agencies, and ongoing demands in EU proposals for interoperable biometric databases for both migration and law enforcement purposes are fundamentally changing relationships between the state and the individual.

As the UN’s Special Rapporteur on the promotion and protection of human rights whilst countering terrorism suggested recently in remarks that are highly pertinent to EU policy, “we should be deeply concerned when expansive and intrusive data collection is being mandated for all states across the

¹⁴⁹ European Data Protection Supervisor, Preliminary Comments of the European Data Protection Supervisor, Brussels, 3 March 2008, p. 5, available at: https://edps.europa.eu/sites/edp/files/publication/08-03-03_comments_border_package_en.pdf.



globe without considered national consultation on constitutional or legislative protections for privacy, and without ascertaining the views held by all affected governments and civil society within most states on the collection of broad swathes of such personal and identifiable information (and widely sharing citizen information with other countries)".¹⁵⁰

The Court of Justice of the EU has proven an important bulwark against over-intrusive surveillance measures and has established important standards for protecting the rights to privacy and data protection, which along with EU and international law should provide the basis for assessing all measures impinging on those rights. But these fundamental principles are not being respected in the ceaseless deployment of EU funding in pursuit of ever-more surveillance measures and technologies whose necessity, proportionality and efficacy can be fundamentally questioned. This default resort to surveillance measures as a 'solution' to complex social problems must be reconsidered, taking into account both how those measures actually effect individual rights, and how they may be deployed or 're-purposed' in the future for originally-unforeseen purposes.

Shrinking space for civil society

In a growing number of EU member states, security policies have also contributed to what has been called the "shrinking space for civil society", legitimising attacks on human rights advocates and activists at a time when their work is needed more than ever. The criminalisation of humanitarian actors conducting search-and-rescue operations in the Mediterranean exemplifies this trend. This situation was confirmed in a report published in January 2018 by the EU Agency for Fundamental Rights (FRA), which stated: "Given the vital role civil society plays in upholding democratic processes and in promoting human rights, decision makers need to ensure the important work of civil society is not undermined through policy and legal changes and funding cuts".¹⁵¹ FRA Director, Michael O'Flaherty, demanded that: "Addressing this unacceptable situation should be a high priority for policy makers at EU and national levels." The FRA's report highlighted: threats, physical and verbal attacks against activists, as well as smear campaigns; legal changes that negatively affect civil society, such as freedom of assembly restrictions, often a by-product of counter-terrorism laws; shrinking budgets and increased difficulties in getting funding; and the lack of appropriate involvement of civil society in law- and policy-making. At a time when civil liberties are under threat in a way that Europe has not seen in decades, civil society is being marginalised and excluded from key decisions and debates. These developments not only restrict hard-won rights but are also leading to fundamentally disproportionate security policies. The EU could have addressed the situation by re-purposing a significant proportion of EU security funding to support the participation, pluralism and independence of civil society, but instead has left the amount of funding on offer to them unchanged. The security industry, meanwhile, continues to flourish.

Nationalism, xenophobia, racism and discrimination

As the aforementioned Amnesty report suggested: "fear, alienation and prejudice are steadily chipping away at the cornerstones of the EU: fairness, equality and non-discrimination". The discourse around counterterrorism frequently overlaps with concerns about immigration and refugees, both of which

¹⁵⁰ <https://www.justsecurity.org/51075/security-council-global-watch-lists-biometrics/>

¹⁵¹



have been ruthlessly exploited by the far right. The rhetoric and practice of the 'war on terror' has fuelled Islamophobia by perpetuating the idea that Muslims are dangerous, and that Islam/multiculturalism is the problem. While the EU is legally committed to counter such trends, the legislation and policy it proposes – such as proposals for new databases designed to address terrorism and migration management – frequently reinforces and renews them. EU initiatives, and funding for both EU and national measures should entail ongoing, meaningful and effective consideration of the impact they may have on ethnic minorities and non-EU nationals and other specific social groups. Again, more funding to counter these threats to their security could have been made available in proposals on the MFF, but was not.

Technological determinism

EU home affairs and research funds both demonstrate a profound reliance on new technologies and, as noted, surveillance measures as a response to complex social issues. While new technologies can and should play a crucial role in addressing the problems faced by European and global societies, they should only be ever be deployed in a transparent, accountable and proportionate manner that is consistent with the EU's fundamental rights obligations. The European Commission presents new technologies as neutral way of pursuing its policy objectives, yet the required balance is yet to be struck. Whereas privacy and data protection are frequently taken into account, to varying degrees, in new EU policy and research initiatives, the issues involved go far beyond this to core questions around the legitimacy and desirability of maximum security societies. As long as technology is presented as the 'solution' to security problems, it is inevitable that fundamental rights and other values will be sacrificed in the rush to develop new technologies. This is due in no small part due to the influence and motivation of the private sector, which now generates vast profits from the development and implementations of security and surveillance technologies, and which inevitably places 'efficiency' and profit ahead of other values and interests such as accountability, democratic control and human rights protection. The widespread deployment of any given technology in society should be the result of rational, democratic, deliberate choices. Beyond such fundamental concerns, the evaluations of the FP7 and H2020 security research programmes have also demonstrated that in their fundamental goal of developing new technologies for sale on the 'security market', the programmes have not been particularly successful and do not represent value for money. This too points towards the need for alternative approaches.



5. RECOMMENDATIONS ¹⁵²

Substantive issues

Priorities and agenda-setting

- New EU legislation governing the multi-annual financial framework and more specific components such as the successors to the Internal Security Fund and the research framework programme should take individual rights as their starting point. There must in turn be an equal emphasis and vastly increased funding for the protection of the fundamental rights that underpin the EU Area of security, freedom and justice.
- The increasing reliance on surveillance measures as the foundation of EU security policies and budgets must be reconsidered in light of the implications for individual rights and the broader context of constructing maximum security architectures. Surveillance must be limited to what is necessary and proportionate and under democratic control, and there must be a much greater emphasis and spend on alternatives to mass surveillance.
- The long-standing emphasis on new technologies, and particularly surveillance technologies, as a panacea for complex social problems is short-sighted and serious consideration should be given to alternative ways of achieving research and policy goals.
- All new legal, policy and funding measures should be accompanied by in-depth fundamental rights impact assessments that meaningfully explore and give genuine consideration to different policy options.
- The current framework for ethics assessment and monitoring must be extended from individual projects to annual calls for proposals, so that complex ethical issues can be meaningfully assessed and mitigated before funding is committed to particular security frameworks in ways that pre-empt or nullify such concerns.
- The role of the private sector, interior ministries and other state agencies and major research institutes must be meaningfully balanced with that of national and transnational civil society organisations, academia, legal experts and critical thinkers, both before, during and after the development and implementation of new laws, policies, funds, priorities and projects. This will require dedicated funding for civil society if it is to be able to participate on an equal footing.

Policy areas and implementation

- EU funding for counter-terrorism policy should not be used to assist in the implementation or reinforcement of emergency laws or exceptional measures that run counter to fundamental

¹⁵² This section draws on a submission by Ben Hayes and Chris Jones to the European Commission's "Public consultation on EU funds in the area of security" submitted by the Transnational Institute and Statewatch.



rights, the rule of law and democratic standards, and the EU should take an active stance in assisting Member States to reverse and delimit such measures

- The use of new technologies for the extension and novel deployment of ‘normal’ law enforcement powers and the increasing reliance on pro-active and “intelligence-led” policing must only be undertaken where strictly necessary and proportionate and where no less intrusive alternatives are feasible, and EU security funds directed towards these ends (whether at EU or national level) should be assessed in this light
- The provision of funds for border security and migration management policies (and the development of associated technologies and practices) based on control, deterrence, surveillance and profiling must be fundamentally reconsidered and replaced by a new approach based on respect for fundamental rights, international law and the EU’s humanitarian obligations. Saving lives must take precedence over ‘border security’.
- The security research programme should be redirected from seeking the implementation of existing policies and laying the groundwork for future ones, towards examining ways to address the root causes of insecurity (at home and abroad) and begin to counterbalance the overwhelming focus on increasing security of the last decade with measures to restore civil liberties, preserve fundamental rights and enhance accountability. All of these initiatives could be addressed as part of a much broader human and societal security research agenda
- The broader social context in which funds will be spent on implementing policy and developing and deploying new technologies – for example in relation to rising xenophobia and racism, the shrinking space for civil society, and the undermining of the rule of law – must be taken into account in both policy development and implementation, with the need to ensure and extend equality, freedom and justice as genuine priorities. Systematic and meaningful use of impact assessments and the employment of ‘counter-expertise’ when contracting policy studies would be useful in this respect
- Neither EU internal security budgets, security research, nor any other funding programme, should be used for the pre-emptive implementation of measures requiring EU legislation.

Procedural issues

- Decision-making on EU security funds – indeed, all EU decision-making – should be based on the principles of openness, democracy, inclusiveness and transparency during the preparatory, negotiating, implementation and review phases of all legal, policy and funding measures. If the EU wishes to ‘do more’ in the field of security (and elsewhere), then the long-standing ‘democratic deficit’ must be addressed alongside the development and implementation of laws, policies and projects that respect, uphold and extend fundamental rights.

Regarding the legislative process, there is a need for:

- genuine and meaningful public consultation on all major proposals;



- consistent use of impact assessments for all initiatives with significant social impacts, as foreseen in the Interinstitutional Agreement on Better Law-Making;
- making use of ‘counter-expertise’
- the elimination of secret trilogues;
- maximal transparency in and between all EU institutions and in their relationships with other public and private interests;
- where programmes require the establishment of national annual or multi-annual programmes (e.g. the internal security funds), ensure that negotiations on those programmes do not pre-empt democratic decision-making and that information and documentation relating to the negotiations and decisions is freely available to parliamentarians and the public;
- the possibility to withhold or withdraw funding to specific projects on the grounds of fundamental rights, the rule of law or democratic standard;

Regarding the implementation and evaluation of the internal security funds:

- pro-active publication of reports from Member States to the Commission on the implementation and monitoring of funds deployed as part of national programmes and likewise for Union actions;
- the strict meeting of obligations for interim and final evaluations, which should also be subject to a more ambitious review process (during a seven-year programme reviews could feasibly be undertaken every two years or even annually if the structure of projects and actions permits);

Regarding the implementation and evaluation of the security research programme:

- ensure that all interested parties are able to contribute and are able to understand where, how and why decisions have been taken in relation to the work programmes;
- open a debate on how better democratic input and scrutiny could be exercised over the security research programme, for example through a role for parliamentary committees;
- ensure that access to project deliverables is not unduly restricted by preventing the over-zealous use of security classification and establishing a requirement for the public archiving of all deliverables on the CORDIS website