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IMMIGRATION AND ITS EFFECT ON THE SECURITY DISCOURSE IN EUROPE: TIME FOR DEMYSTIFICATION

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"In policy debates over migration in western Europe, we see the conflation of the idea of 'immigrant' and even 'refugee' with ideas of crime, especially drug trafficking, robbery and prostitution. The 'problem-centered' view of black people and other dispossessed minorities is dominant in debates on immigration and asylum, whilst racism and neo-fascism, though duly deplored, are inevitable if numbers are not restricted. Rather than seeing racism as a problem for all the citizens of Europe, we are locked in to seeing minorities and migrants as a problem for Europe (…)."[1]

Introduction

According to the Eurobarometer, migration is seen as an issue, which ranks higher than terrorism[2]. Immigration is a nexus area in the EU, partly because it has links with the labour market, partly because it is related to debates about national identity (and indirectly the loss of national sovereignty). Immigration is increasingly perceived as a worrying, even destabilizing phenomenon. To a large extent, as has also been analysed by Bigo, Den Boer, Huysmans, Loader[3] and others, migration has been subject of a securitisation process. Buzan et al. (1998) argue that an object or phenomenon (e.g. migratory movements) can never be a threat by itself. A security actor or "securitising" actor[4] is required to define something as a threat. Moreover, securitisation is essentially an inter-subjective process[5], in which actors share the interpretation of an object being defined as a threat. My thesis would therefore be that we require discursive vehicles for the promotion of shared positive and negative security notions: politics, the

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[1] B. Hudson, 'Racism and Criminology: Concepts and Controversies', in: D. Cook & B. Hudson, *Racism & Criminology,* Londen: Sage 1993, p. 24.

[2] A. Luedtke, 'European Integration, Public Opinion and Immigration Policy. Testing the Impact of National Identity', *European Union Politics*, (6) 2005, p. 84.

[3] E.g. J. Huysmans, *The Politics of Insecurity. Fear, Migration and Asylum in the EU*, Routledge: New York 2006; I. Loader, 'Policing, Securitization and democratization in Europe', *Criminology and Criminal Justice* (2) 2002-2; M. den Boer, 'Crime et immigration dans l'Union européenne', *Culture et Conflits, "Sécurité et Immigration"*, 1998-31/32: M. den Boer, 'Moving between bogus and bona fide: the policing of inclusion and exclusion in Europe', in: R. Miles & D. Thränhardt (eds.), *Migration and European Integration. The Dynamics of Inclusion and Exclusion*, London: Pinter Publishers 1995.

[4] B. Buzan, O. Waever & J. de Wilde, *Security. A New Framework for Analysis.* Boulder/London: Lynne Rienner Publishers 1998, p. 40.

[5] *Idem*, p. 30.

media and leading institutions can be seen as major transmitters of the (de-) securitisation process.

Anxiety seems to be one of the core drivers of current domestic and European politics, and has visibly given a strong impetus to private security business worldwide.[6] Yet, as we have seen with the ratification of the new Treaty on European Union, anxiety can also become an obstacle in further integration. The *Anxiety Society,* which now emerges is symbiotic with the *Risk Society*[7]. In the risk society, crisis and catastrophy – being the exceptional condition – become the norm[8]. Nowadays, the fight against terrorism – whether incidental or structural in nature – has become a widely accepted norm in the organization of safety and security. The perception of risk and anxiety is based on a perceived erosion of security and trust, and on the exposure to a society which has turned more anonymous and more globalised. To some extent, the Anxiety Society is based on the reflective notion of a 'safety utopia'[9], a society in which citizens can live in mutual peace, trust, and solidarity.

A crucial element in the debate about the road towards a new society is whether safety is an ideal within reach, or a utopian illusion, which is impossible to achieve. It can thus be concluded that the anxiety about migration issues has been framed as an issue for domestic politicians who seek to reinforce national identity at the expense of migrant populations. Beck argues that the utopia of a risk society remains peculiarly *negative* and *defensive*: "Basically, one is no longer concerned with attaining something 'good', but rather with *preventing* the worst; (…)".[10] Jackson[11] paraphrases the perspective of the anxiety society as individuals "…prone to moral panics and increased anxiety about a vast array of potential and actual dangers…", in response to which "public officials have taken up the role of societal risk managers..". Solidarity, which arises from anxiety becomes the new binding political force.

Security care providers and security managers may well benefit from the sweet and sour mix between the many popular assumptions about the axis between migration and security. Folk devils and moral panics about crime

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[6] C. Holmqvist, *Private Security Companies. The Case for Regulation.* Stockholm: SIPRI (Stockholm International Peace Research Institute), January 2005.

[7] U. Beck, *Risk Society. Towards a New Modernity*, London: Sage Publications 1992. See also J. Young, *The Exclusive Society*, London: Sage 2006, who mentions six components of risk, namely 1) a real rise in risk; 2) the world we experience as risky is revealed as risky on a wider and wider scale in all areas and parts of the social fabric; 3) rising expectations; 4) less predictability of behaviour due to greater mobility and a decline of communities; 5) the problematisation of risk itself; 6) the public assessment of risk due to mass media spreading a plethora of images of crime and deviance.

[8] R. Jackson, 'An Analysis of EU Counterterrorism Discourse Post-September 11', *Cambridge Review on International Affairs* (20) 2007.

[9] H. Boutellier, *De veiligheidsutopie: Hedendaags onbehagen en verlangen rond misdaad en straf*, Den Haag: Boom Juridische Uitgevers 2002.

[10] Beck 1992, *supra* note 7, p. 49.

[11] Jackson 2007, *supra* note 8.

and insecurity are easily dispersed around the world, in which the mass media play a crucial role.[12] Politics, in turn, can play a role in the amplification of difference and perpetual demonising of selected sub-communities. As Young says, given the strong performative power of speech, perceived deviance become real deviance. "Criminalisation itself is an important feature of the discourse of exclusion".[13]

The question is also how we seek to analyse the issue, i.e. which lens we would like to adopt for the interpretation of certain phenomena. In various law enforcement discourses, migrants are primarily seen as (potential and real) perpetrators of crime, but recent studies show that migrants themselves are also victims of crime. Intra-group crimes and hate crimes with racist motives illustrate the type of criminality to which immigrants may fall prey.[14] There is also a link between crime and unsafe areas, and these are the locations where many immigrants live; there are studies which demonstrate that immigrants are victim of theft and burglary, almost as often as many indigenous Dutch inhabitants.

The selective look tends to prevail however. Popular assumptions about the nexus between migration and security are easily transmitted and turned into wide spread beliefs in times when societies are fundamentally fragile and fluid in terms of identity and economic well being. In Europe, more widely, the Area of Freedom, Security and Justice (AFSJ) has become a potent umbrella for the harbouring of hybrid security notions, or the inter-connection between security, crime and immigration. The AFSJ accommodates a "security continuum"[15], in which migration is regarded as a meta-propeller for many different problems. On top of this, the European Union has projected itself as a potentially powerful actor, which jumps into a control-deficit and which advocates its potential as a coordinating actor.[16]

I. Europe: Lingering between Inclusion and Exclusion of Migrants

The current trend of excluding migrants from entry into Europe may crystallise by reiterating clustered differences between immigrant and non-immigrant, integrated and non-integrated, employed and unemployed,

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[12] Young 2006, *supra* note 7, p. 128f.

[13] D. Cook, 'Racism, Citizenship and Exclusion', in: D. Cook & Barbara Hudson (eds.), *Racism & Criminology,* Londen: Sage 1993, p. 156.

[14] F. Bovenkerk & Douwe Korf, 'Allochtonen als slachtoffer van criminaliteit', *Delikt en Delinkwen*t 2006, aftl. 6/43.

[15] D. Bigo, 'The European Internal Security Field: Stakes and Rivalries in a newly developing area of police intervention', in: M. Anderson & M. den Boer (eds)., *Policing Across National Boundaries*, London: Pinter 1994, p. 164.

[16] S. Sterkx, *De alomvattende benadering van migratie. Een discourstheoretisch en –analytisch onderzoek naar de externe dimensie van het asiel- en migratiebeleid van de Europese Unie*, Antwerpen 2006, p. 58 (op cit Jef Huysmans, 'The European Union and the Securitization of migration', *Journal of Common Market Studies*, (38) 2000-5).

criminal and non-criminal, and Muslim and secular. In addition, we seem to be moving from an "inclusive society of stability and homogeneity to an exclusive society of change and division".[17] According to Young[18], "(…), the excluded create divisions amongst themselves, frequently on ethnic lines, (…)". "*The dialectics of exclusion* is in process, a deviancy amplification which progressively accentuates marginality, a Pyrrhic process involving both wider society and, crucially, the actors themselves which traps them in, at best, a series of dead end jobs and at worst, an underclass of idleness and desperation."[19] This trend undermines the self-confidence of immigrant groups, who even feel diminished by the societal resistance, which they encounter.[20]

The rise of exclusiveness is an undercurrent process in the construction of the deviant other in late modernity, as Young puts it, and crime certainly has an impact on those patterns of exclusion. The security industry, "whose very job is exclusion", contributes to defensive exclusion in the form of e.g. gated communities.[21] The "actuarial cordon sanitaire" separates the world of the losers from that of the winners; life is made more tolerable for the winners while the losers are being "scapegoated".[22] The deviant other thus becomes spatially and socially segregated: "Crime itself is an exclusion as are the attempts to control it by barriers, incarceration and stigmatization. Such processes often exacerbate the problem in a dialectic of exclusion: (…)"[23] (id. 2006 (1999): 26). Van den Brink[24] regards this as a phenomenon of cultural and ethnic segregation, culminating in the withdrawal of members of migrant

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[17] Young 2006, *supra* note 7, p. vi.

[18] *Idem*, p. 12.

[19] *Idem*, p. 13.

[20] See e.g. F. Buijs, 'Bij Marokkaan zit gevoel van vernedering diep', *NRC Handelsblad*, 14 June 2006; see also R. Coolsaet (ed.), *Jihadi Terrorism and the Radicalisation Challenge in Europe*, Oxon: Ashgate 2008.

[21] Young 2006, *supra* note 7, p. 20.

[22] *Idem*, p. 21.

[23] Young 2006, *supra* note 7, p. 26.

[24] G. van den Brink, *Culturele Contrasten. Het verhaal van de migranten in Rotterdam*. Amsterdam: Bert Bakker 2006. "Of het nu gaat om woonwijken of om het basisonderwijs, om de huwelijksmarkt of het besteden van de vrije tijd – overal doet zich een proces van ontmenging voor, waarbij mensen met vergelijkbare voorkeuren op het gebied van levensstijl elkaar opzoeken. (…): wereldwijde processen van migratie en vermenging leiden tot schurende beschavingen omdat culturele diversiteit door veel gewone burgers niet aantrekkelijk of zelfs onwenselijk gevonden wordt." (p. 20); "Voor veel bewoners van Rotterdam kan de toename van het aantal kleuren wel eens tot het beeld van een 'geschifte' stad leiden., dat wil zeggen een samenleving waar de verschillende kleuren met elkaar vloeken of in elk geval slecht bij elkaar passen. Dat heeft een nadelige invloed op de leefbaarheid en veiligheid in de stad."(p. 285). In another chapter in the same volume, Loes Verplanke observes that there is a lot of bonding within the ethnic communities, but hardly any bridging with the native urban community: bridging seems to be a bridge too far in Van den Brink 2006, p. 193. "Wil men op het niveau van de civil society tegenwicht bieden aan het 'schiften' van de stad, dan zou men vooral die activiteiten en verenigingen moeten steunen waar de nadruk op *bridging* wordt gelegd, en niet op *bonding.*', Van den Brink 2006, p. 289.

communities into their own ethnic "zones". A radical translation of this is the emergence of transnational tribalisation: ethnic communities which are dispersed throughout the world, but who keep in contact with each other through informal communication structures and informal economies (like the hawala banking system). These may be seen as a side effect of globalisation, but at the same time combine a new type of separatism.[25]

Certain criminological theories put forward the suggestion that crime and deviance occur because of the lack of inclusion in a given society. As Young says: "Crime occurs because of a *deficit of culture.*"[26] Another theory (the deficit model) suggests that crime occurs because of a lack of inclusion in the economy, i.e. because of material deprivation. In either case, non-integrated (mostly young, male) immigrants tend to be overrepresented in crime statistics. Seen from this perspective, social, cultural and economic exclusion, combined with geographical segregation, raises the chances of insecurity and crime. But according to Young, the significance of subcultures may be higher than that of segregated communities: seen from a societal perspective, subcultures cannot be hermetically separate in an interrelated society. Subcultures, which occur throughout society, are the "differently accentuated interpretations of the wider values which vary by age, class, gender and ethnicity."[27] Such a theory would lend itself for a more positive appreciation of the position of migrants in western societies, whose ethnic cultures may either stay or disappear. Crime and deviance are patterns, which occur on the seams and overlaps between subcultures: crime occurs where relative deprivation is highest and this happens mostly where there is a degree of assimilation.[28] Several recent publications argue that marginalisation of immigrants in societies can be seen as one of the root causes of skepticism and radicalisation. And those phenomena are, in themselves, perceived as a threat to state security: "Ensuring citizenship based on security is therefore a pre-condition to State security, or better, an intrinsic part of State security."[29]

Hence, from a state security perspective, radicalisation is regarded as a worrisome issue. Annual reports of national security services contain indications of growing groups of "alienated citizens", who create links with inner bases for the purpose of recruitment.[30] In Leiken's terminology, we are

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[25] A. Bakas, *Megatrends Europe. The Future of the Continent And Its Impact on the World*, London: Cyan Books 2006, p. 43: "In Churchtown swearing is prohibited; in Little Arabia it is forbidden to sunbathe topless in your garden and a headscarf is obligatory for women, in Gaytown, open sexual behaviour is completely accepted and this in turn gives rise to excesses of hedonistic cultural life, including a rich artistic life and a red-light district; on the edge of the Goldcoast, you are frisked before you are allowed to enter." (p. 43f).

[26] Young 2006, *supra* note 7, p. 79.

[27] *Idem*, p. 90.

[28] Young 2006, *supra* note 7 p. 93.

[29] C. Sokoloff & R. Lewis, *Denial of Citizenship – A Challenge to Human Security*, Issue Paper 28, European Policy Centre, 1 April 2005, p. 4.

[30] Wetenschappelijke Raad voor het Regeringsbeleid (WRR), *Dynamiek in islamitisch activisme. Aanknopingspunten voor Democratisering en Mensenrechten*, Amsterdam University Press 2006, p. 151, referring to O. Roy, *Globalized Islam. The Search of a New Ummah*, London: Hurst &

talking here of a dramatic instance of "adversarial assimilation – integration into the host country's adversarial culture."[31] Seen from this perspective, integration policy is not merely a question of active implementation, but also of discouraging trends that may be counterproductive to the social integration of immigrant communities. Or, on a slightly larger scale, Western societies ought to become more self-confident and less defensive. The moderate Islam movement propagates a Europe, which embraces a strategy, which deconstructs and decouples the explosive inter-linkage between insecurity, migration and unemployment, shifting the attention towards constructive actions (education, employment, emancipation).[32]

II. European Citizenship and Inclusiveness

Integration policy is more a matter of citizenship than of nationality, but the denial of nationality leads to the deprivation of citizenship. Worldwide, it is claimed, millions of people continue to live without the benefits of citizenship.[33] The denial of citizenship may be regarded as a challenge to Human Security. The 2003 report of the Commission on Human Security defines human security expansively as covering "the vital core of all human lives in ways that enhance human freedoms and human fulfilment." The safety and dignity of the individual human person are crucial values, as opposed to the power and authority of the state. Protection and empowerment are essential benefits to be gained from citizenship. Non-citizens cannot benefit from human rights as much as citizens, which is due to their economic, social, political and legal marginalisation.

Young advocates a new contract of citizenship which "emphasizes diversity rather than absolute values, and which sees such diversity not as a catalogue of fixed features but as a plethora of cultures, ever changing, ever developing, transforming themselves and each other." Such would not constitute a citizenship of rights but one of reciprocity between citizens and which fully recognises the reciprocity between state and citizens in "the enactment of social goals and institutional change."[34]

When we transpose this discussion to migrants who live in Europe, the status of undocumented migrants is an issue that academics and policy-makers should be concerned about. Often, they are not included as a target group of integration – let alone immigration – policies. Undocumented migrants have basic human rights, and the nation states are required to protect those rights.

Company 2004; R. S. Leiken, 'Europe's Angry Muslims', *Foreign Affairs* 2005 July/August, p. 120.

[31] Leiken 2005, *supra* note 30, p. 127.

[32] T. Ramadan, 'Europa is hard toe aan een revolutie van het vertrouwen', *De Volkskrant*, 15 June 2006; B. van Stokkom, *Mondig tegen elke prijs. Het vrije woord als fetisj*, Den Haag: Boom Juridische Uitgevers 2008.

[33] Sokoloff and Lewis 2005, *supra* note 29.

[34] Young 2006, *supra* note 7, pp. 198-199.

It is argued that it is in the interests of society and of the migrant, that their access to essential services is protected (e.g. emergency medical care, education for children). Hence, the integration strategy ought to be explicit on the minimum rights of undocumented migrants, with special attention for the protection at work in the event of irregular employment. For them, citizenship may initially be far-fetched, but anchoring their status into a social texture facilitates their acquaintance with a new culture and a new country.

Which brings us to the question whether the European Union is paradoxical or even contradictory in its implementation of the integration policy. The issue of how to best integrate migrants is a core challenge throughout Europe as there are deep concerns about the rise of anti-semitism and Islamophobia, and about the increase of xenophobia and racism in general. Meanwhile also, the EU has taken tentative steps toward a common immigration policy (this not the same as a common integration policy, but they are strongly interdependent). It seems that Europe is struggling with three major tensions however. The first tension is its inherently ambivalent attitude to migration. The other is the domination of state sovereignty, which hinders the European Commission in taking this policy issue forward. The third tension is that it seeks to enhance internal security by excluding refugees that "do not deserve protection" and complying with international refugee protection standards and human rights.

To begin with the first tension: the EU has fallen prey to the ambivalence, which surrounds the migration issue. Migrant labour is explicitly acknowledged as an essential complement to the European labour market, in order to balance the lack of unskilled and highly-skilled workers, and to counter the stagnation the growth of the European population whilst the demand for labour continues to rise. A contrastive argument often ventured in the EU is that the inflow of migrant workers is seen as a major competitor from the point of view of domestic labour markets, mainly because they are seen as a threat to low-wage[35] and low-skilled employment.

This resistance enhances the chances for protectionism and has prompted several domestic debates about migration policies. In turn, the politicians have responded with more restrictive migration policies. The EU measures to fight illegal immigration have tended to overshadow the management of root causes of refugee flight, and the improvement of refugee protection in third countries, which has led to a lack of coherence between the EU measures to integrate migration issues into external policies and its human rights and development co-operation policies.[36]

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[35] European Council on Refugees and Exiles (ECRE),*Broken Promises – Forgotten Principles: An ECRE Evaluation of the Development of EU Standards for Refugee Protection*, Tampere 1999-Brussels 2004, London/Brussels, 2005, p. 4.
[36] *Idem*, p. 5.

The securitisation of migration control has resulted in the investment of increased budgets to raise the number of border guards, the strengthening of maritime surveillance, the use of surveillance equipment such as infra-red detection devices, and the use of biometric and fingerprinting equipment.[37] Illustrative is the creation of the EU Agency for the Management of External Border Controls, FRONTEX, which enjoys a gradual expansion of its mandate as well as its financial means. The 'war on terror' has pushed security concerns to the top of the agendas of all States; restrictions of the free movement of persons feature high on those.[38]

The second tension – the domination of state sovereignty in a policy domain which is increasingly subject of internationalisation - is caused by the influence and power over policies concerning illegal immigration and trafficking in human beings still residing with the Member States. In the Area of Freedom, Security and Justice (AFSJ), the Justice and Home Affairs Council decides on those policy issues with unanimity.[39] This remnant form of intergovernmental decision-making may thus be seen as an obstacle to progressive development and common policy approaches.[40] Hence, whilst the EU has a mandate to issue legislative proposals concerning the harmonization of an EU immigration policy, the results have been limited thus far: the predominance of national politics, combined with resistance against further harmonization of immigration policies, has slowed down the legislative process.

What remains is a vast divergence between national immigration policies, also when it concerns regularisation programmes and expulsion policies.

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[37] *Idem*, p. 15. In its opinion which was published on 30 September 2005, the Working Party on the Protection of Individuals with Regard to the Processing of Personal Data (set up under Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995), the huge amount of data on the body of a person which can be accumulated through the use of biometric features in passports, travel documents and identity cards can be a problem for immigrants, because they may "unjustly targeted under such a system, (…)." Opinion of the Working Party on the Council Regulation (EC) No 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States (OJ L 385, 29/12/2004, p. 1-6), p. 8.

[38] M. den Boer, 'The EU Counter-Terrorism Wave: Window of Opportunity or Profound Policy Transformation?', in: M. van Leeuwen (Ed.), *Confronting Terrorism: European Experiences, Threat Perceptions and Policies*, Den Haag: Kluwer Law International 2003, pp.

[39] K. Hailbronner, 'Asylum law in the Context of a European Migration Policy', in: Neil Walker (ed.), *Europe's Area of Freedom, Security and Justice*, Oxford: Oxford University Press, 2004, p. 50: "There is a broad consensus that the principle of unanimity prevailing in immigration and asylum law must be considered as a major reason for the rather slow and frequently unsatisfactory legislative process."

[40] S. Carrera, 'Towards an EU Framework on the Integration of Immigrants', in S. Carrera (ed.), *The Nexus Between Immigration, Integration and Citizenship in the EU*, Collective Conference Volume CHALLENGE, April 2006, p. 7. (http://www.ceps.be).

Pastore[41] observes a "panorama of national normative frameworks on admission"; the approach was "extremely heterogeneous and marked by a deep divide between countries still formally adhering to a policy of 'zero immigration' and countries – particularly those in Southern Europe – with an explicit policy of economic migration." Illustrative in this context was the political resistance expressed in The Netherlands, notably by our former Minister for Alien Affairs and Integration, concerning the regularisation programme in Spain. She argued that Spain was too liberal and discredited a common European approach to illegal immigration. Currently, the Netherlands faces a similar dilemma with the asylum-seekers who have passed the procedure without having been given an asylum status.

From this it appears that the steps towards EU control of immigration matters have resulted in a *less* liberal immigration policy (fewer rights, freedoms and privileges for immigrants). "Successive developments since the entry into force of the Treaty of Amsterdam have confirmed a tendency which was already previously evident: mutual recognition much more easily works 'negatively' (disfavouring immigrants, by generalising the effect of negative acts or provisions) than 'positively' (by generalising favourable effects)."[42] Moreover, in EU Directives, the tendency is mainly towards compliance by immigrants with a series of restrictive conditions.[43] References are made to the EU legislation concerning visa regulation and expulsion orders. Thus far, the Area of Freedom, Security and Justice has focused more on the development of repressive legislation concerning the control of irregular migration, than on regular migration.[44] An unresolved but most pertinent issue to be addressed concerns the question whether EU immigration policy should be subject to the same standards of democratic and judicial control as national immigration policies.

The third tension has surfaced particularly since 9/11, namely the EU's attempt to enhance internal security by excluding refugees "who do not deserve protection" and its compliance with international refugee protection standards and human rights.[45] Measures proposed to screen those suspected of terrorist involvement at an early stage include pre-entry screening, a strict visa policy, biometric data, enhanced co-operation between border guards, intelligence service, and immigration and asylum authorities. Although not a central issue in this article, this perspective has implied a shift from reactive to proactive law enforcement (more intelligence-based, more secret, with the aim to investigate radicalisation, recruitment and preparatory activities), and a

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[41] F. Pastore, Visas, Borders, Immigration: Formation, Structure, and Current Evolution of the EU Entry Control System', in: N. Walker (ed.), *Europe's Area of Freedom, Security and Justice*, Oxford: Oxford University Press 2004, p. 109.

[42] *Idem*, p. 107.

[43] Carrera 2006, *supra* note 40, p. 7.

[44] Pastore 2004, *supra* note 41, p. 109.

[45] Particularly illuminating in this regard is the Commission Working Document 'The relationship between safeguarding internal security and complying with international protection obligations and instruments', Brussels, 05.12.2001, COM (2001) 743 final.

spill-over from security politics into migration policy.[46] Although the Commission fully and explicitly endorses the line of UNHCR that there ought to be "a scrupulous application of the exceptions to refugee protection available under current approach", the door has been opened up for exceptions. As these exceptions are primarily imposed by the Member States themselves, there ought to be strict monitoring of the conditions under which these exceptions apply, certainly in the knowledge that the people who might become subject of such measures have no regular status or do not enjoy full citizen's rights. In practical terms, the screening procedure implies that all asylum seekers will be channelled through an asylum procedure with a view to identifying possible suspects of crime(s); hence, asylum seekers will be "known and identified, their background thoroughly investigated in one or more interviews, and checked against all available information on countries, groups and events."[47] Viewed from this perspective, the EU counter-terrorism strategy has certainly bolstered its defensiveness rather than its inclusiveness.

Although the European Commission has demonstrated sensitivity to the effects of the securitisation trend, the framing of migration as a security problem has become sheer irrevocable, particularly in relation to terrorism, and to a large extent in relation to transnational organised crime. One of the first trends it should counter, is the increasing presence of repressive migration policies in the Area of Freedom, Security and Justice. The EU can still invest more effort into preventive policies against illegal immigration, both in partnership with source countries, as well as by means of harmonizing admission policies, which have been presented as an effective tool of clandestine and irregular migration[48]. Moreover, the securitisation process should be subject to demystification, and in this regard it is instructive that Europol has recently issued reports that provide a detailed deconstruction of the organised crime threat, as well as the terrorism situation in the EU, indicating that although the threat of an Islamist terrorist attack in some countries has increased, the majority (88%) of all reported terrorist attacks are of a separatist rather than an islamist nature.[49]

As noted above, an integration-based migration policy seeks to promote a regular status of migrants in European societies, thereby seeking to suppress marginalisation and radicalisation trends. Furthermore, the field of family reunification requires further development. EU free movement law applies to third-country nationals of all EU citizens, regardless of whether those nationals have exercised their free movement rights, and they could

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[46] On this issue, see also M. den Boer (2006), 'Fusing the Fragments: Challenges for EU Internal Security Governance on Terrorism', in: D. Mahncke & J. Monar (eds.), *International Terrorism. A European Response to a Global Threat?*, College of Europe Studies No. 3, Brussels: Peter Lang Publishers; J. Sheptycki, 'High Policing in the Security Control Society', *Policing*, (1) 2007-1.

[47] European Commission 2001, *supra* note 45, p. 9.

[48] Pastore 2004, *supra* note 41, p. 111.

[49] Europol, 'Organised Crime Threat Assessment 2007', 2008; TE-SAT EU Terrorism Situation and Trend Report 2008.

eventually qualify for the status of long-term residents under EC legislation.[50] So far, so good, but it is argued that despite the fact that there is no hard evidence of racial discrimination, the Family Reunion Directive favours EC nationals above third-country nationals. Steve Peers interprets this as an unethical situation and claims that "many non-white people in the European Union cannot enjoy the human right to respect for their family life in the same way as the white majority, even if they are long-term residents of a Member State."[51]

However, an integration agenda imposed on the European citizens will not work if not supported by different actors throughout the European society. It is therefore crucial to advocate *ownership* of those integration policies, combined with commitment, engagement, resources, information and transparency. In addition, integration policies cannot be launched from Brussels with the expectation that local communities will implement them automatically. Therefore, a smart communication and implementation strategy is an absolute precondition to their success. Policy ownership cannot be achieved without "integration agents", individual and institutional members of society who are genuinely committed to concrete achievements, and who are the essential catalysts in the transformation process.

Integration agents need the solid loyalty and support from collective actors, such as the major institutions within the European Union. The European Commission can and must present a cross cutting policy agenda, demonstrating a comprehensive (holistic) approach to integration policy. "Courageous leadership" may be required to mobilise (and engage!!!) the different partners in civil society.[52] The European Parliament is in the position to initiate, stimulate, endorse and monitor these initiatives. It is particularly well placed to encourage a comprehensive multi-tiered strategy, which includes integration in the labour-market, social inclusion, inclusion in civil life, equal opportunities and the building of good relations as well as facilitating an inter-institutional Declaration. The European Council underlines the need for greater coordination of national integration policies.

Given the demographic developments, Member States of the EU and Schengen partners will soon have to acknowledge that immigration should not primarily be regarded as an exclusive, but as an inclusive issue; not so much as a divisive issue, but as a binding issue. For this, it is required that policy-making concerning integration will be increasingly shared at the international level and that it does not stop after the completion of the legislative process.[53]

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[50] S. Peers, 'Family Reunion and Community Law', in: N. Walker (ed.), *Europe's Area of Freedom, Security and Justice*, Oxford: Oxford University Press 2004, p. 151.
[51] Idem, p. 197.
[52] EPC and KBF, Issue paper 27, p. 11.
[53] J. van Selm, 'The Enlargement of an "Area of Freedom, Security and Justice: Managing Migration in a European Union of 25 Members', *Policy Brief*, Migration Policy Institute May 2004-4, p. 11.

Concluding Comments

A Europe, which cultivates segregation between the "haves" and the "have-nots" in and between our own societies is undesirable as it may lead to a situation, which is worse than isolated terrorism. A Europe, which can no longer deny its growing need for immigrant labour might be able to return to former traditions of absorption and integration. Cities like Amsterdam, Cordoba and Istanbul are illustrative examples of rich and successful traditions of ethnic and cultural integration. This article has argued the need for a disentanglement between the migration and security discourse, as well as the need for perceptiveness of more nuanced interpretation of facts, numbers and statistics. Politicians, policy-makers and the media carry a special responsibility for this demystification strategy. The focus on Europe and international co-operation should certainly not overshadow the need for local action. Immigration and integration establish a dossier, which ought to be implemented in accordance with the subsidiarity principle: integration is primarily a subject for local communities, however, as immigration and asylum are transnational movements, the international and European policy-making process may be a vital complementary dimension.