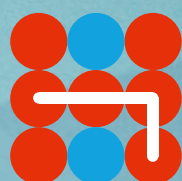


Hybrid CoE Working Paper 14

MARCH 2022

Migration instrumentalization: A taxonomy for an efficient response

ALIA FAKHRY, RODERICK PARKES, ANDRÁS RÁCZ



Hybrid CoE

Migration instrumentalization: A taxonomy for an efficient response

ALIA FAKHRY, RODERICK PARKES, ANDRÁS RÁCZ

Hybrid CoE Working Papers cover work in progress: they develop and share ideas on Hybrid CoE's ongoing research/ workstrand themes or analyze actors, events or concepts that are relevant from the point of view of hybrid threats. They cover a wide range of topics related to the constantly evolving security environment.

The European Centre of Excellence for Countering Hybrid Threats tel. +358 400 253800 www.hybridcoe.fi

ISBN (web) 978-952-7472-26-2
ISBN (print) 978-952-7472-27-9
ISSN 2670-160X

March 2022

Hybrid CoE is an international hub for practitioners and experts, building Participating States' and institutions' capabilities and enhancing EU-NATO cooperation in countering hybrid threats, located in Helsinki, Finland.

The responsibility for the views expressed ultimately rests with the authors.

Contents

EXECUTIVE SUMMARY: THE EU NEEDS A TAXONOMY OF MIGRATION	
INSTRUMENTALIZATION TO PREPARE A TOOLBOX OF RETALIATORY MEASURES	7
INTRODUCTION: THE RETURN OF MIGRATION INSTRUMENTALIZATION	8
FINDING PATTERNS: PAST CASES OF MIGRATION INSTRUMENTALIZATION	9
Infobox 1. Five ways of conceptualizing migration instrumentalization	9
Infobox 2. Indicative cases of migration instrumentalization	11
Infobox 3. Tentative taxonomy of migration instrumentalization	13
TESTING THE TAXONOMY: CASE STUDIES OF MIGRANT INSTRUMENTALIZATION	16
Case study 1. Strong state: Kingdom of Morocco	17
Case study 2. Proxy state: Belarus	20
Case study 3. Weak state: Ukraine	23
Case study 4. Non-state actor: Libyan militias	26
Infobox 4: A strong state threatens to push transit migrants into the EU.	
What happens next?	30
WHAT USE TO MAKE OF THE TAXONOMY: REACTION OR PREVENTION?	31
Even with a taxonomy, it is extremely difficult to predict MI events	31
Infobox 5. The difficulty in predicting MI events	32
There are positive arguments for reactivity and deterrence by punishment	33
Is there nevertheless a strategic role for the EU?	33
Infobox 6. The risk of “European containment”	34
Infobox 7. How to gain a fuller threat picture	36
KEY TAKEAWAYS	37

Executive summary: The EU needs a taxonomy of migration instrumentalization to prepare a toolbox of retaliatory measures

Migration instrumentalization (MI) ranks as a low-cost strategy for perpetrators: migrants are a freely available “means” of instrumentalization and can be exploited by countries that have few other strategic advantages, pushing people across borders to destabilize or coerce the target state. A small group of repeat offenders like Russia seems surprisingly free to weaponize the EU’s attractiveness to migrants, extorting financial and political concessions for controlling borders. They reduce the risk of incurring international sanctions by pointing a finger at the EU’s well-known problems with achieving a unified response to migration. This paper addresses the dilemma of how the EU can better defend itself against MI.

The guiding question is: How can the EU raise the costs for its antagonists? The EU has thousands of kilometres of land and sea borders, as well as exposed overseas territories, and it is quite easy for neighbours to use its border vulnerabilities to polarize the EU, downgrade its standing, and/or coerce concessions from it. If the EU expends too many resources on defending itself against MI, then its antagonists will have scored a cheap victory, using a freely available source of leverage – distressed humans – to trigger costly defences. Moreover, the EU will almost certainly have spread scarce means in ways that open up new border vulnerabilities to opportunists.

An efficient response from the EU logically starts with a taxonomy – a classification of MI events which helps the EU to identify patterns in the way that migration is being instrumentalized. As a first step, this paper proposes just such a taxonomy. Based on a wide range of examples of MI campaigns directed against the EU in the period from 2014 to 2020, it classifies MI episodes according to the actors behind them. The decision to build the taxonomy around types of perpetrators (rather than, say, triggers or tactics) is based on the finding that this is the key to explaining the other factors.

This paper then tests the taxonomy against four recent MI campaigns. Each of the case studies corresponds with one of the four actor types in the taxonomy – the “strong state” (a centralized country which nevertheless lacks legitimate means to influence the EU), the “weak state” (fragile countries that use migration to bind the EU to their vulnerabilities), the “proxy state” (countries that unleash MI campaigns as part of a relationship to a more powerful patron), and the “non-state actor” (criminal gangs and terrorist groups). **The four case studies on MI campaigns (Morocco, Ukraine, Belarus, and Libyan militias) confirm the basic accuracy of the taxonomy.**

In a third step, this paper asks how the EU should use such a taxonomy if it is to become a practical tool for Europe’s defence. **The basic choice facing the EU here is whether to use the taxonomy for proactive or reactive purposes:** if the EU has at its disposal a reliable system for understanding how migration is being instrumentalized, should it use this proactively to assess its own risks and mitigate its vulnerabilities, or should it use it to respond to MI campaigns as they arise, quickly ratcheting up the costs? In classic defence terms, this is a choice between “deterrence by denial” and “deterrence by punishment”.

Prevention is usually considered the most cost-efficient approach. Unusually, however, we find that **the EU should use the taxonomy to react to, rather than prevent, MI campaigns** – it should use its capacity to identify perpetrators quickly, and push them beyond their pain threshold. To this end, it should prepare a toolbox of punitive measures tailored to each of the four actor types. The reason for relying on reactive tools is that, taxonomy or not, MI remains incredibly difficult to predict, not least because perpetrators tend to be opportunistic. Being reactive does not, however, mean ignoring the bigger strategic implications of MI campaigns.

Introduction: The return of migration instrumentalization

Migration has been viewed since the 1990s primarily as a “non-state” phenomenon, a by-product of state failure (governance collapse and civil war) and of forces bigger than the state (like economic globalization and environmental catastrophe). But during the broader sweep of history, the movement of people has typically been instrumentalized by states which push people across borders for strategic purposes. States were sometimes acting for domestic reasons, expelling people from their territory for reasons of nation-building, demographic engineering or ethnic cleansing. Or they were instrumentalizing migration as a means of colonization, territorial expansion, or market entry. This old geopolitical tool is now making a comeback, but with all the added complexities of modern international relations and interdependence.

Migration instrumentalization (MI) is a tool for states and state-like entities with few strategic advantages to turn the tables on more powerful neighbours. This can take a number of forms, but the present paper focuses on one – incidences of an antagonist leveraging its capacity to control the flow of people into the target state in order to undermine the target’s standing, influence its politics and/or gain concessions from it. Historical

perpetrators of this form of MI include Idi Amin and the Castro and Kim families, who used the threat variously to keep near neighbours engaged in their affairs on their own terms or to keep them out. The EU, which today comprises 65,000 km of coastline, 14,000 km of land borders and 300 airports, and whose overseas territories jut into Africa, Latin America and Asia, has proved increasingly vulnerable to this form of MI.

Narrowing down the definition of MI to this core feature allows the creation of a concise taxonomy. Creating a taxonomy is the logical first step for the EU in defending itself. MI ranks, after all, as a relatively low-cost form of action (migrants are an abundant resource), and a taxonomy is a means for the EU to make its response equally cost-effective – whether it uses the taxonomy for the purposes of anticipating MI campaigns and mitigating its vulnerabilities, or identifying perpetrators and punishing them. The taxonomy in this paper was produced using open-source information about MI incidents, as well as interviews with EU foreign policy practitioners, migration specialists, and border officials dating back to 2016. It also drew on the existing literature on the geopolitical usages of population movements.

Finding patterns: Past cases of migration instrumentalization

Migration instrumentalization might appear to be a blunt instrument, but the tactics and combinations of means involved are varied, and the identification of patterns is not a straightforward task. MI is, for instance, seldom about sheer numbers – about the ability of the perpetrator to push large volumes of people into the target state. Perpetrators often use migration in very specific and targeted ways. They handpick migrants from particular ethnic, religious or demographic groups – young males, say – if this serves to polarize the target country. They focus on certain geographic areas of the target – such as disadvantaged borderlands, where there are strong feelings of disconnection from the metropole. And they combine attacks on the border with other domains to sustain or intensify their campaigns – from spyware to “lawfare” (exploiting the legal framework on asylum).¹

So even having narrowed the definition of MI down to its bare essentials of instrumentalizing the physical movement of people into the EU, it is not easy to conceptualize MI. Nor is the task greatly helped by the academic literature. Whilst the literature detailing individual cases of MI is quite advanced, the literature drawing patterns and explanations lacks cohesion. It treats MI, variously, as a tool of geopolitics, nation-building, counter-diplomacy and hybrid warfare – and it looks at a full range of targets worldwide, of which the EU is just one. In order to generate patterns and motives, this study therefore began with the empirical reality itself, identifying as many as 40 cases of MI perpetrated against the EU between 2014 and 2020, then generating patterns, and finally comparing the starting assumptions with the existing conceptual literature (**Infobox 1**).

Infobox 1. Five ways of conceptualizing migration instrumentalization

The public discussion on how to conceptualize MI has become highly politicized, and technical terms such as “hybrid warfare” or “mixed migration” have become more emotive than helpful. This study therefore resisted the temptation to classify MI as one thing or another, *prima facie*. Instead, it first narrowed down the focus to those episodes of MI involving a protagonist controlling the flow of people across a border into the EU. This cut out examples of MI which might be pertinent to a hybrid campaign (such as pure disinformation campaigns that stir up fear of migration) or to coercive diplomacy (such as the refusal to repatriate migrants from the EU). Having narrowed things down in this way, the study drew on the following five strands of literature to try to make sense of the phenomenon:

1. International migration flows: the “push”, “pull”, and “shove”. Migration research is the obvious place to start when trying to understand MI. Since the 1990s, mainstream research has been based on the notion that the volume and nature of migration flows in an integrating global market can be explained by “push” factors in origin countries (unemployment or resource exhaustion) and “pull” factors in Europe. More recently, analysts have examined what happens in the spaces in between the countries of origin and destination – the decision-making processes of migrants who do not set out with the aim of reaching the EU, the illicit networks which define the paths taken. This research has begun to focus on the “shove” that transit states may give to migrants. This shift of focus has gone hand in hand

¹ Georgios Giannopoulos, Hanna Smith, Maranthi Theocharidou, ‘The landscape of Hybrid Threats: A Conceptual Model’, (European Centre of Excellence for Countering Hybrid Threats, 5 February 2021), <https://www.hybridcoe.fi/publications/the-landscape-of-hybrid-threats-a-conceptual-model/>. [Unless otherwise indicated, all links were last accessed 17 December 2021.]

with the recognition that Europe is not always a natural destination, even for the citizens of its own near abroad, and that they may need a “shove” to go there.²

2. People power: demography, dissidents and diasporas. This goes hand in hand with a new awareness of the geo-strategic uses of population movements by countries of origin and destination. Much of this literature revisits the activities of *Western* governments and their past use of migration as a tool of destabilization.³ In the Cold War, during a time when international exchange and travel were restricted, Western governments tried to attract key government officials, scientists and dissidents from the other side. After the fall of the Wall, Western states continued to tie migration to their foreign policy goals, this time pointing to the threat of mass disorderly migration to justify humanitarian interventions and regime change abroad. Non-Western states like Russia point to this supposed precedent when it comes to such practices as “passportization”, using a diaspora population as a mouthpiece abroad or closing down travel options for certain groups.

3. Contested globalization and nation-building. There is, thirdly, a growing strand of literature which explores “migration weaponization” as a tool for spoiler states to contest globalization.⁴ Western-led globalization since the 1990s has been based on three licit cross-border flows – of goods (trade), capital (investment and development support) and information (liberal ideas). Newly independent states, and former empires like Russia, have been encouraged to see economic liberalization as conducive to nation-building (with trade flows helping their economies develop, capital flows turning the working classes into a middle class, and the spread of ideas encouraging middle classes to engage in democratic state-building). But the same governments now complain of being overwhelmed by globalization and are using illicit cross-border flows to push back at the main beneficiaries of the open global economy, to supplement state budgets, and to recover lost territories.

4. The power of “no”: coercive foreign policy. The academic study most often cited by analysts trying to understand MI is *Weapons of Mass Migration* by Professor Kelly Greenhill.⁵ This would seem the obvious reference point for this study, not least because Greenhill herself categorized cases involving the EU. Greenhill argues that states leverage migration for two reasons: to ensure the target stays out of their internal affairs and in order to gain “hypocrisy costs” (embarrassing the target with its bad treatment of migration). But Greenhill takes a narrow conceptual approach (game theory) and her work has not spawned a broader conceptual literature on MI. Rather, her book itself belongs to a wider category of conceptual literature, not on migration but on “coercive diplomacy” and “counter-diplomacy”.⁶ And it is this aspect which provides useful lessons, helping explain why states that do not enjoy positive tools to shape the international order resort to MI.

5. Covert warfare and hybrid threats. There is, lastly, growing awareness that the 2015–2016 Schengen crisis opened the door to hybrid warfare in which, for the first time, the EU was the target, rather than a natural destination. This prefigured the Covid-19 crisis, in which antagonists again used cross-border flows as a means of increasing the costs of maintaining an open economy. But MI differs from “classic” hybrid tools such as spreading disinformation, squeezing supply chains, attacking critical infrastructure or making corrosive investments in vital economic sectors. It is generally an *overt* practice, which benefits the perpetrator only when it is a) brought into the open and b) specifically linked in the public mind with the perpetrator’s capacity to make it stop. Not only does the target “know MI when it sees it”, it often knows who is behind it, and how. It can avoid tasks of attribution and establishing the threshold for what is legitimate behaviour.

2 See Cédric Audebert and Mohamed Kamel Dorai, *Migration in Globalised World. New Research Issues and Prospects* (Amsterdam University Press, 2010); Hein de Haas, ‘The Determinants of International Migration. Conceptualising Policy, Origin and Destination Effects’, DEMIG project (April 2011); Marie McAuliffe and Khalid Koser, *A Long Way to Go. Irregular Migration Patterns, Processes, Drivers and Decision-Making* (Australian National University Press, 2017).

3 Kathleen Newland, ‘Impact of U.S. Refugee Policies on U.S. Foreign Policy: A Case of the Tail Wagging the Dog?’, Carnegie Endowment, 1 January 1995, <https://carnegieendowment.org/1995/01/01/impact-of-u.s.-refugee-policies-on-u.s.-foreign-policy-case-of-tail-wagging-dog-pub-229>.

4 Daniel W. Drezner, Henry Farrell, and Abraham L. Newman (eds.), *The Uses and Abuses of Weaponized Interdependence* (Brookings Institution Press 2021).

5 Kelly M. Greenhill, *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy* (Ithaca, NY: Cornell University Press, 2010).

6 R. P. Barston, *Modern Diplomacy* (Routledge, 2019); Gerrit Kurtz, ‘Counter-diplomacy: The many ways to say no’, in *A New Theory and Practice of Diplomacy New Perspectives on Diplomacy*, ed. Jack Spence, Claire Yorke and Alastair Masser (I.B. Tauris, 2021).

Infobox 2 lists various cases of MI targeting Europe in the period 2014–2020. The episodes have been chosen to indicate the parameters of the phenomenon and include atypical cases and outliers – various actors using the momentum of migration flows for geopolitical or financial gains – alongside “classic” cases such as Russia’s January 2016 MI operation against Nordic countries, and other antagonists forcing people into the EU’s arms. Through a process of trial and error, patterns of means, tactics and background

conditions emerged. The type of actor perpetrating the attacks was identified as the main determinant of the other features of MI episodes – including the perpetrators’ ends and means, and the development of the episode right up to the denouncement. A taxonomy structured around four types of perpetrators – strong states, weak states, proxy states and non-state actors – seems to cover the case range sufficiently well to generate a policy response.

Infobox 2. Indicative cases of migration instrumentalization⁷

December 2014: The World Food Programme warns that a wave of Syrian refugees will head to the EU unless Europeans increase their funding for the WFP’s work in Lebanon. As refugees arrive in Greece in 2015, the WFP cites this as proof of its warnings and succeeds in raising more funding. Subsequent research shows that the refugees are coming not from Lebanon but directly from northern Syria, as the fighting moves northwards. The WFP was reportedly aware of this, but nevertheless makes the same plea at Christmas the following year.

November 2015: Terror attacks in Paris are carried out by EU citizens returning from fighting in the Middle East. Amidst an active information effort by ISIS (Da’esh) to associate the flows of Syrian refugees into the EU with Islamist terrorists, the attackers make a point of registering at refugee centres in the Balkans and on the route to Western Europe. One of the suicide bombers is identified by a Syrian passport bearing the name Ahmad al-Mohammad, later presumed to be stolen from a soldier in the Syrian Arab Army.

January 2016: Thousands of migrants, many of whom had reportedly fought in Iraq, appear at the border between Russia and Norway, and then at the Russian-Finnish border. They have crossed a heavily militarized zone in Russia, strongly indicating that they had been brought to the border with the backing of the security services. Norway reportedly ended the flows by leveraging trade flows, while Finland did so by entering into lengthy bilateral talks that resulted in an agreement on counter-ing illegal migration and restricting border traffic.

March 2016: Balkan people smugglers shift the political mood in the EU. They award themselves “likes” on Facebook and give testimonials for a particular service or route. They also tap into the public debate in Europe by projecting a picture of refugee hopelessness, and attack European politicians on Twitter for their lack of empathy. Authorities in the EU say such activities worsened the polarization surrounding migration; authorities have, for instance, thwarted the bombing by left-wing terrorists of the postal service of one member state, a reprisal for the use of its planes in migrant expulsions.

June 2016: In November 2015, Turkey downed a Russian jet that had violated Turkey’s airspace during a mission in Syria. Russia retaliated by bombing right up to the border with Turkey, pushing displaced Syrians sheltering there into Turkey. In June 2016, Russian media reports that the Turkish President has been forced into an apology, and was ready to do everything possible to restore friendly ties. Turkish media confirms only that the President has written to the Russian counterpart.

⁷ Interviews with EU foreign policy practitioners, migration researchers, and analysts conducted for this project and previous ones dating back to 2016.

December 2016: The EU makes a deal with Niger to hold back the people coming northwards to Libya and the Mediterranean, giving Niger large amounts of development money and deploying border experts to the northern part of its territory after setting up a field office in April 2016. Few Nigeriens head for Europe, but they do go to labour markets in the rest of West Africa. It becomes clear that governments in Francophone West Africa are putting pressure on Niger to keep its borders open for their nationals transiting northwards in order to retain access to their labour markets.

November 2018: Serbian President Aleksandar Vučić is deemed to have had a “good migration crisis”, using his country’s geographic position on the route to the EU to reverse Commission President Jean-Claude Juncker’s announcement about putting EU enlargement on ice. Critics say he reduced the EU’s readiness to impose conditionality on strongmen governments like Serbia’s. Former Prime Minister of North Macedonia, Nikola Gruevski, is less successful. He fled the country after a series of scandals which broke in 2015. It marks the failure of his strategy to retain power by exploiting the Schengen crisis and drawing in the EU.

April 2020: The EU loses out as the Trump administration announces that the US is ending 19 military construction projects to put USD 545 million towards the construction of a wall to counter migration at its southern border. The cuts include USD 275 million meant for deterrence and military mobility projects in Europe. Russia, the main beneficiary of the cuts, has been instrumentalizing migration in Latin America, giving support to governments in major refugee-producing countries, Cuba, Venezuela, and El Salvador, and putting pressure on the US’s southern border.

Infobox 3. Tentative taxonomy of migration instrumentalization

STRONG STATE	PROXY STATE	WEAK STATE	NON-STATE
<p>In a nutshell:</p> <ul style="list-style-type: none"> • “Coercive diplomacy”: a state seeks to gain immediate or gradual relative advantage or a change in international order by degrading the EU’s capacity to act, sometimes by directing migration through a proxy. • Typical strong state: Russia 	<p>In a nutshell:</p> <ul style="list-style-type: none"> • “Tail that wags the dog”: the proxy state becomes an independent player, attempting to use migration flows to play EU and patron state off against each other for its own gain. • Typical proxy states / governmental actors: Hezbollah 	<p>In a nutshell:</p> <ul style="list-style-type: none"> • “Weak weapons of the weak”: weak states have serious governance problems, for instance with territorial integrity or unemployment and use their control of flows of refugees or unemployed citizens to draw the EU into helping with the root causes of their problems. • Typical weak state: Kosovo 	<p>In a nutshell:</p> <ul style="list-style-type: none"> • “Politico-commercial strategy”: the non-state actor uses migration facilitation and control to take on state attributes such as welfare or security provision. • Non-state actors include terrorist groups with territorial and commercial aims (ISIS/Da’esh), but also militias, criminal networks and even humanitarian bodies.
<p>Context:</p> <ul style="list-style-type: none"> • Strong states that instrumentalize migration see MI as just one of a range of means, often just an incidental by-product of action elsewhere. Where the opportunity arises, migration is slotted into a much longer running influence campaign. Strong states are often engaged in the (military) action that has caused migration flows. • The EU, despite finding itself weakened by an internal crisis, has been forced into assertive action against the strong state (e.g. sanctions, diplomatic isolation). The EU may also be seeking broader decoupling from the strong state. 	<p>Context:</p> <ul style="list-style-type: none"> • Proxy states that use migration are near to the EU but, despite the proximity, have stronger ties to a non-EU power like Russia or Iran. Their legitimate means of building relations to the EU are blocked by the patron state. They use migration to gain EU attention or to push back against the EU if they feel member states are punishing them in place of the patron for another action. • The EU finds itself temporarily at odds with the patron state. The proxy lacks legitimate means to attract EU attention and migration is a way to play one off against the other. 	<p>Context:</p> <ul style="list-style-type: none"> • Weak states that instrumentalize migration are in fact often trying to diversify diplomatic and economic ties away from the EU, by opening themselves to migration from new regions (e.g. Balkan states opened themselves to migration from Middle East). • The EU has already entered into a quid pro quo with the weak state to hold back migrants, but the weak state feels the advantages are not paying off. Their citizens complain that irregular migrants transiting the territory enjoy better access or rights in the EU than they do. 	<p>Context:</p> <ul style="list-style-type: none"> • Non-state actors that instrumentalize migration are primarily smuggling gangs, but they stand out from other criminal gangs, linking the usual commercial/financial goals with territorial/international goals. • The EU itself has governance failures which are filled by non-state actors, such as search and rescue in the Mediterranean or problems in its common asylum and border system in peripheral member states (small islands, Balkan member states).

STRONG STATE	PROXY STATE	WEAK STATE	NON-STATE
<p>Ends:</p> <ul style="list-style-type: none"> International goals include gaining prestige at the EU's expense and politicizing the post-1989 model of globalization. These goals are likely to be rather broad, achieved by degrading the EU over many years. Domestic goals include demographic engineering (pushing out minorities like Kurds and Chechens). 	<p>Ends:</p> <ul style="list-style-type: none"> International goals include securing relative advantage from the EU and the patron state, forcing each to compete for the proxy state's allegiance. May also involve international rehabilitation and sanctions relief. Domestic goals include demonstrating a degree of independence as regards large powers and recognition. 	<p>Ends:</p> <ul style="list-style-type: none"> International goals include trying to gain recognition as not just an independent state but a state with strategic positioning and diplomatic leverage vis-à-vis the EU. Domestic goals include trying to prevent the EU using market access as leverage to force domestic reform in the weak state. 	<p>Ends:</p> <ul style="list-style-type: none"> International goals include trying to alter EU law-making or political cohesion. Internal goals include filling in for the local state, securing territory and providing local populations with fundamental needs.
<p>Means:</p> <ul style="list-style-type: none"> The strong state may manufacture migration flows by redirecting existing population movements (Russia) or even undertaking bombing and displacement campaigns at home and abroad (Russia). Migration tools are mixed with supply chain control, diplomatic engagement, information campaigns and cultural outreach in non-target states to undermine intra-EU solidarity, including arming Orthodox vigilantes in Bulgaria or Serbia. 	<p>Means:</p> <ul style="list-style-type: none"> Proxy states tend to already be transit states for foreign nationals heading for the EU; their own nationals typically migrate <i>away</i> from the EU towards the patron state. This frees the proxy from the usual EU influence (visa liberalization) but leaves it bound to the patron. The proxy state typically instrumentalizes migrants hostile to the patron (for instance, Hezbollah controlling flows of Sunnis in line with wishes of Shiite Iran). 	<p>Means:</p> <ul style="list-style-type: none"> The weak state instrumentalizes its own population, typically the middle classes that have given up hope of a better life at home and want to move on to the EU. Weak states with diasporas outside the EU, and whose own nationals are unlikely to seek to migrate to the EU, duly instrumentalize migrants present on their territory (e.g., Libya and migrant workers). 	<p>Means:</p> <ul style="list-style-type: none"> Non-state actors provide services for refugees and other irregular migrants, and at the same time instrumentalize these migrants for political purposes. The modus operandi is to push clandestine migration flows into public awareness in order to effect political changes, posting evocative images on Facebook and Twitter to shame EU lawmakers, using diaspora and humanitarian voices in the EU to amplify the message.

<p>Development of action:</p> <ul style="list-style-type: none"> • Action can play out in different theatres, for instance to the South and East of the EU, or on the EU's and US's southern borders. • Action can be tailored to picking apart Western alliances (NATO/EU), targeting different member states at different times, and probing mutual defence and solidarity clauses. • Action will be reactive to European threat perception, hacking into European intelligence and targeting individual intelligence analysts with disinformation. 	<p>Development of action:</p> <ul style="list-style-type: none"> • Campaign is triggered by a crisis in the proxy state, coupled with shaken support of patron state and heightened criticism and sanctions in EU. • Proxy states seek to exploit the EU legal framework on asylum by drawing populations that would seek asylum. This is a fairly risk-free strategy for proxy states, since they only benefit from very limited visa facilitation agreements with the EU, if any, and therefore avoid a potential public backlash in case of sanctions. 	<p>Development of action:</p> <ul style="list-style-type: none"> • Weak state offers to undertake dirty tasks which the EU would usually proscribe (e.g., Kosovo preventing exit of Roma population). 	<p>Development of action:</p> <ul style="list-style-type: none"> • Non-state actors capitalize on existing smuggling operations (goods, people) to yield revenues (i.e., taxes on border-crossings for smugglers, kidnapping and extortion of migrants, forced labour) and force the EU into action.
<p>Completion of action:</p> <ul style="list-style-type: none"> • Successes include inflicting permanent reputational damage on the EU in the form of legal restrictions to liberal norms or gaining greater autonomy by reducing economic and political dependence on the EU. EU incurs "hypocrisy costs". • Costs include reputational damage of allowing kin to die on precarious routes to the EU (Turkey allowing Muslims to die in the Aegean), the growth of dissident populations abroad (Chechens, Gulenists), and domestic chaos as smuggling gangs take hold. Loss of internal cohesion over military campaign or offering transit to the EU to foreigners but not to own nationals. 	<p>Completion of action:</p> <ul style="list-style-type: none"> • Successes include gaining greater recognition from the EU, the patron state or preferably both. • Costs include when the EU and the patron state make a deal over the heads of the proxy state, with the patron state gaining concessions from Brussels for bringing the proxy to heel. Patron state may cut off the flow of transit migrants or close its own labour market to nationals of the proxy. 	<p>Completion of action:</p> <ul style="list-style-type: none"> • Successes include gaining greater recognition from the EU in the form of diplomatic engagement in a breakaway territory, financial support, deployment of a FRONTEx or CSDP mission, relief from sanctions and blacklists. • Costs include reputational damage amongst own citizens or in the migrant country of origin (e.g., Serbia in Iran) or damaging its own labour market by weaponizing migrants who in fact want to remain and work there (Libya). 	<p>Completion of action:</p> <ul style="list-style-type: none"> • Successes include taking on state-like tasks, such as border control, humanitarian and welfare tasks; border closures and greater public hostility to migrants or identity groups create demand and legitimacy for these groups amongst their clientele. • Costs include tension inside multi-ethnic criminal networks and loss of status as providers of viable entry points to EU. It is difficult for non-state actors to provide a reliable service for migrants whilst also instrumentalizing them for political effect. Non-state actors often struggle to maintain their positions and alliances, in turn impeding their smuggling activities.

Testing the taxonomy: Case studies of migrant instrumentalization

To test the relevance of the taxonomy for European policymakers, it has subsequently been applied to four case studies of real-world MI episodes – Morocco (strong state), Ukraine (weak state), Belarus (proxy state), and Libyan militias (non-state). These cases were selected according to two criteria: the MI episode in question was not included in the original cases used to generate the taxonomy, and each case seemed *prima facie* to conform to one of the four actor types. Morocco, for instance, unleashed an MI campaign against the European Union over the summer of 2021; making full use of the powers of its central government, Morocco exhibited the attributes of a strong state.

Besides testing the basic accuracy of the taxonomy, the aim was twofold:

- to ascertain whether the simple fact of correctly classifying the antagonists as a particular type of actor did indeed yield clues about their aims and *modus operandi*;
- and to see whether the taxonomy provided a basis to join the dots between individual MI events and generate a more rounded threat picture for the EU.

In sum, the taxonomy proved broadly accurate and helpful; the classification of each perpetrator as a certain type of actor revealed clues about its basic “cost-benefit assessments” in resorting to MI, as well as giving clues about how the EU could increase the costs of its action; and it provided relevant sub-categories (such as motives and means) to help compare and contrast cases, so yielding a rounded picture.

The case selection was, however, not unproblematic. Two of the four selections initially seemed quite straightforward: the sole criterion was that

the four case-studies should not have featured in our original case range, and the strong and proxy state examples (actions by Morocco and Belarus in 2021) fulfilled this – they occurred after the time limits of our original case range (2014–2020).

But both the perpetrators, Belarus and Morocco, *had* featured in the original case range, albeit with separate campaigns, so there was a risk of confirmation bias. Still, it is important to note that the same perpetrator may behave differently under different circumstances. Thus, Russia was named in the taxonomy as a classic “strong state”; but it could find itself behaving like a “proxy state” for – say – its more powerful neighbour China under certain circumstances. The same was potentially true of Morocco or Belarus, so the test was legitimate.

As for the “weak state” and “non-state” case studies, these were trickier. It proved impossible to identify any distinct recent episodes of MI by these two categories of state, so the selection boiled down instead to two episodes that occurred within the time range 2014–2020 but had been considered borderline – the cases of Ukraine and Libyan militias. In 2014, there had been vague speculation that Ukraine was behaving as a “weak state”, using the threat of migration to draw the EU into its security problems: after the Russian incursions, Ukraine welcomed EU migration missions onto its territory. But in fact, the case study of Ukraine revealed no evidence of MI by Kyiv. It turned out to be a case of a strong-state aggressor – Russia – using the threat of irregular migration to dissuade Western militaries from intervening. This does not invalidate the taxonomy – indeed, it shows how important it is to have a tool to help the EU avoid making false accusations of MI.

Case study 1. Strong state: Kingdom of Morocco

In the space of two days, between 17 and 18 May 2021, an estimated 8,000 to 12,000 people⁸ crossed from Morocco into the Spanish enclave of Ceuta. The images of people scaling fences, taking to the sea in dinghies, or swimming across the border alerted Madrid and other European capitals to a potential migration crisis. Morocco and Spain were quick to react: 300 people had been returned to Morocco by the end of the day on 17 May,⁹ followed by a further 5,000 in the subsequent days.¹⁰ Morocco, meanwhile, closed its borders with Ceuta. But even if migration flows quickly abated following this recent episode, diplomatic tensions remain high.

Goals

Morocco's desire to gain international recognition of its sovereignty over the Western Sahara¹¹ was at the heart of this episode (and indeed previous MI events). The Kingdom has repeatedly used migration to force Spain and its other European neighbours to change course on decisions related to the Western Sahara, more often than not with success.¹² This time, the spark came from a Spanish hospital where Brahim Ghali, leader of the Sahrawi nationalist movement the Polisario Front, was being treated for Covid-19 in April 2020. Morocco saw an opportunity to renew pressures on Spain, boosted by President Trump's recognition amid US efforts to stabilize relations between Israel and Arab powers in late 2020.

Means

Morocco has its eye on the Spanish cities of Ceuta and Melilla and uses their geographical exposure as an instrument.¹³ In a bid to force Spain to open negotiations about the status of the semi-enclaves, Morocco has long leveraged questions of access and border control. At the end of 2019, Morocco suspended tax-free cross-border trade but also cracked down on the illicit smuggling of goods.¹⁴ This cut a lifeline to the two Spanish cities, which are economically weak. Morocco's leverage automatically increased following Covid pandemic-related border closures. Evidence has subsequently emerged that the Kingdom used (Pegasus) spyware to retrieve information on Western Sahara supporters and other high-level politicians not only in Spain but across Europe, potentially calibrating its border activities to coincide with their activities.¹⁵

Migration nonetheless remains the instrument of choice in Rabat's toolbox. In recent years, Morocco has become a destination for migrants from Western and Central Africa. An estimated 700,000 migrants from these regions reside in Morocco, attracted by the country's economic growth.¹⁶ Spain and the EU have increased financial support to Morocco for border control but also migration governance

8 Mixed Migration Centre, 'Quarterly Mixed Migration Update: North Africa', Quarter 2 2021, <https://mixedmigration.org/wp-content/uploads/2021/07/gmmu-q2-2021-na.pdf>. As of January 2022, the Spanish government has not communicated official data.

9 Laura J. Varo, Francisco Peregil, María Martín, '5.000 personas llegan a nado a Ceuta en plena escalada de tensión diplomática con Marruecos', *El País*, 17 May 2021, https://elpais.com/espana/2021-05-17/un-millar-de-personas-llegan-a-nado-a-ceuta-en-plena-escalada-de-tension-diplomatica-con-marruecos.html?ssm=FB_CM.

10 Mixed Migration Centre, 'Quarterly Mixed Migration Update: North Africa'.

11 Since the Spanish withdrawal from the Western Sahara in 1975, Morocco has occupied and administered 80% of the territory. It faces opposition from the Polisario Front, the Sahrawi nationalist movement supported by Algeria, which proclaimed the Sahrawi Arab Democratic Republic (SADR) over the remaining 20% of the Western Sahara's territory and contests the Moroccan occupation.

12 Aleksandra Eriksson, 'Morocco deals don't cover Western Sahara, EU lawyer says', *EU Observer*, 13 September 2016, <https://euobserver.com/economy/135063>.

13 Spanish government, Ministry for Foreign Affairs, 'El gobierno de España convoca a la embajadora de Marruecos para pedir aclaraciones por las declaraciones sobre Ceuta y Melilla de su primer ministro', 21 December 2020, www.exteriores.gob.es/Portal/es/SalaDePrensa/Comunicados/Paginas/2020_COMUNICADOS/20201221_COMU097.aspx.

14 In August 2018, Moroccan authorities had already closed the border post of Beni Enzar bordering Melilla to force goods destined for the Spanish semi-enclave to transit through the harbour of Nador. Bernabé López García and Miguel Hernando de Larramendi, 'Approfondissement des crises avec le Maroc', *Afkar/Idées*, Issue 63 (2021), <https://www.iemed.org/publication/approfondissement-des-crises-avec-le-maroc/?lang=fr>.

15 Madjid Zerrouky, '« Projet Pegasus » : l'obsession du Sahara occidental pousse le Maroc à tenter d'espionner le maire d'Ivry-sur-Seine', *Le Monde*, 19 July 2021, https://www.lemonde.fr/projet-pegasus/article/2021/07/19/l-obsession-du-sahara-occidental-pousse-le-maroc-a-tenter-d-espionner-le-maire-d-ivry-sur-seine_6088772_6088648.html.

16 Driss El Ghazouani, 'A Growing Destination for Sub-Saharan Africans, Morocco Wrestles with Immigrant Integration', Migration Policy Institute, 2 July 2019, <https://www.migrationpolicy.org/article/growing-destination-sub-saharan-africans-morocco>.

and migrant integration,¹⁷ won over by the country's efforts to regularize 50,000 asylum seekers and migrants since 2014 and the King's efforts to focus in particular on vulnerable migrants, as he diversifies economic links away from the EU and uses migration as a diplomatic tool towards the emerging economies to its south.¹⁸

Development

Although the EU has pushed for migration reforms on the other side of the Mediterranean, an effective mechanism *within* the EU to alleviate the pressure on Europe's small, exposed Mediterranean and Atlantic territories remains elusive. And the European Union and its member states are comprised of many such exposed territories (Ceuta and Melilla, the Canary Islands, Lampedusa, Pantelleria, Cyprus, Malta, French DOM-TOMs, and a number of Greek islands): a recent spike in arrivals along the Western African route to Spain's Canary Islands has again tested Europe's capacity to cope with changing migratory dynamics.¹⁹

It is in this context that Morocco has been able to manufacture migration crises repeatedly, often trying to wrong-foot the EU. The hyper-centralization of power in the Kingdom allows for swift decision-making. Law-enforcement authorities are well-aware of migrant settlements in and around the border cities of Fnideq (close to Ceuta) and Nador (close to Melilla). They regularly conduct camp destructions but, when doing so, they occasionally communicate their intention to ease border controls with Spain. At such times, Morocco is careful to increase surveillance at its eastern and southern borders so that it does not encourage potential transit migrants – offering clues to European intelligence analysts.

Morocco also continues to control its migration campaigns beyond its borders. The Kingdom collaborates with Spanish authorities to return its own nationals and third country nationals that have reached Spain via its territory, by virtue of a readmission clause used solely during such migration episodes. Spain's capacity for swift returns does not seem to act as a deterrent to migrants, offering a useful lesson for those European governments which view swift returns (and the attendant costly readmission agreements) as the best deterrent for irregular migration.

Completion

The most recent campaign served as a reminder to the EU of Morocco's offensive capabilities as a strong state. In an effort to de-escalate the situation, the Spanish government ejected the Minister of Foreign Affairs, Arancha González Laya, and then cancelled the nomination of her Head of Cabinet, Camilo Villarino, as Ambassador to Russia – thus leaving Morocco to claim the scalp of the person who had authorized Brahim Ghali's entry to Spain.²⁰ Measured in these narrow terms, therefore, Morocco's last MI campaign has certainly paid off, and Morocco will most likely trigger similar migratory episodes in the future. But this behaviour is not cost-free.

First, Morocco – or rather the King – is at risk of losing the international prestige on which he depends for domestic authority. Since 2013, he has made a show of its progressive domestic immigration reforms, coupling these with high-level migration diplomacy: Morocco has hosted some of the big global discussions on migration, and opened embassies in Western and Central African states – which in turn opened representations to Morocco in Western Sahara. It has also taken a strong role on migration issues since it re-joined the African Union (AU). Integration in the AU entails taking a leading role in regional free movement regimes which, in turn, give Morocco a strong stake in good regional migration governance.

Second, the Kingdom may suffer domestic consequences. The Covid-19 pandemic, as well as Morocco's decision to halt smuggling across the borders with the Spanish semi-enclaves, have

17 Parliamentary questions, 'Answer given by High Representative/Vice-President Borrell

18 According to a Moroccan expert, about 23,000 people were regularized in 2014, including 5,600 Syrians. Among them, excluding Syrians, some were regularized once again during the second campaign in 2017. According to these estimates, Morocco is far from a total of 50,000 regularizations. on behalf of the European Commission, Question reference: E-002732/2021', European Parliament, 26 July 2021, https://www.europarl.europa.eu/doceo/document/E-9-2021-002732-ASW_EN.html.

19 See <https://www.politico.eu/article/lesvos-migrants-limbo-camp-canary-islands-migration-asylum-hotspot/>.

20 Lluís Bou, 'Nuevo gol de Marruecos a España: Después de Laya, ahora la embajada en Moscú', *El Nacional*, 25 August 2021, https://www.elnacional.cat/es/politica/nuevo-gol-marruecos-espana-gonzalez-laya-embajada-moscu_639272_102.html.

severely impacted a local economy reliant on tourism, trade, and cross-border activities. Protests have erupted regularly since the closure of the border with Ceuta and Melilla, as political and economic frustrations have mounted. Interestingly, while sub-Saharan nationals made up the majority of people crossing during previous campaigns, it was not the case this time around²¹ and more than a tenth were unaccompanied Moroccan minors (about 1,500).²² Disappointed Moroccan returnees and their families could amplify the protest movement. Local NGOs had already begun to record discontent about the way that the King had apparently been favouring vulnerable West and Central African migrants over locals (and, paradoxically, also anger that he allows the EU to expel African migrants so readily).

Third, the Kingdom's effort to shore up its hold over its territory is potentially jeopardized by its repeated MI campaigns, after which thousands of sub-Saharan nationals are immediately returned without a chance of starting an asylum procedure in Spain.²³ This is beginning to jeopardize Morocco's credibility as a migration actor vis-à-vis African partners, and ultimately endangers its geopolitical objectives in Western Sahara. Furthermore, it runs the risk of undermining its border to Mauritania, which may likewise instrumentalize migration in pursuit of "greater Mauritania". Morocco has migration interests in Europe too, where bilateral agreements signed with Spain and Italy²⁴ provide employment for more than 20,000 Moroccan seasonal labourers every year.²⁵ Spanish experts believe the use of minors in this MI episode could also erode Morocco's standing as a trustworthy migration partner for Spain and the EU.

Fourth, the King may find his authoritarian credentials undermined. Morocco's repeated moves to economically isolate Ceuta and Melilla have raised Spanish concerns over the semi-enclaves. Since then, the government in Madrid has set out to boost economic activity and social cohesion in the two cities. Madrid managed to Europeanize what Rabat sees as a bilateral standoff²⁶ and has signalled that it may also consider integrating them into the Schengen area.²⁷ This would result in reinforced border control, would allow for the intervention of Frontex, and would put a definitive end to Moroccans' facilitated access to the semi-enclaves. Whilst Morocco might view this as a means to exert leverage over Spain, and by extension the rest of the EU, its migration strategy could very well turn against itself.

21 The Spanish government has not released data from arrivals to Ceuta between 17–18 May 2021, but Spanish experts confirmed that Moroccan nationals made up the majority of the crossings.

22 European Parliament resolution of 10 June 2021 on the breach of the UN Convention on the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta (2021/2747(RSP)), European Parliament, 10 June 2021, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0289_EN.html.

23 Jessamy Garver-Affeldt, "Hot returns" and the cold shoulder: New developments in deterrence along the Western Mediterranean Route', Mixed Migration Center, 16 April 2020, <https://mixedmigration.org/articles/hot-returns-and-the-cold-shoulder-new-developments-in-deterrence-along-the-western-mediterranean-route/>.

24 The Expert Council's Research Unit (SVR Research Unit)/Migration Policy Institute Europe (MPI Europe), 'Legal migration for work and training: Mobility options to Europe for those not in need of protection', Study (2019-2): 40, See <https://www.migrationpolicy.org/sites/default/files/publications/SVR-Final%20Report-FINALWEB-Updated.pdf>.

25 KENZA YOUSFI, 'Travailleurs marocains à l'étranger : le ministère dévoile les chiffres de 2019', *Telquel*, 10 December 2019, See https://telquel.ma/2019/12/10/travailleurs-marocains-a-letranger-le-ministere-devoile-les-chiffres-de-2019_1660392.

26 On MI, Spain pushed for the resolution of the European Parliament on unaccompanied minors: European Parliament resolution of 10 June 2021 on the breach of the UN Convention on the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta (2021/2747(RSP)).

27 María Martín Claudi Pérez, 'Plan urgente para evitar la asfixia económica de Ceuta y Melilla', *El País*, 27 June 2021, <https://elpais.com/espana/2021-06-27/plan-urgente-para-evitar-la-asfixia-economica-de-ceuta-y-melilla.html>.

Case study 2. Proxy state: Belarus

Belarus, ruled by authoritarian President Alexander Lukashenko for 27 years, has long been dependent on Russia politically, militarily, and also economically. However, the post-election crisis of August 2020 constituted a fundamental change: Lukashenko could preserve his power only with Russia's active, multi-domain assistance. The fact that he could stay in power only with Russia's help eroded Lukashenko's freedom of manoeuvre decisively, and is likely to do so even further, as Moscow keeps gradually extending its influence over Belarus. Hence, since 2020 Belarus has largely qualified as a proxy of Russia, particularly regarding its relations to the West.

In early July 2021, Belarus started to move irregular migrants first to its border with Lithuania, and thereafter also to Poland and Latvia, setting them loose on what Frontex calls the Eastern Borders Route.²⁸ On the EU's Eastern borders there have historically been far fewer irregular migrants than on any other migratory route to the EU.²⁹ Between 2004 and 2018, Lithuania received an average of 500 asylum applications per year.³⁰ This is why the policy of Belarus to deliver non-European migrants to the country's Western borders constitutes a major shock, and an apparent case of MI. As of mid-September, Poland reported more than 7,000 attempts to illegally cross the border. Lithuania intercepted approximately 4,200 migrants, and Latvia more than a thousand.³¹

Alexander Lukashenko nevertheless has a long history of MI during his rule. As long ago as 2002, and again in 2004, he threatened the EU with "a flood of migrants", but his demands were not met.³² Hence, the latest crisis fits into a long-established pattern, with the crucial difference that this time Lukashenko carried out his threat. It was preceded by months of gradually testing the border security of Poland, Lithuania and Latvia. Belarusian authorities duly started to deliver migrants to the border zones from spring 2021 on. At first, only individuals arrived, followed by small groups.³³ Lukashenko scaled up following the EU's firm response to the forced landing of Ryanair flight FR4978 and the abduction of opposition journalist Roman Protasevich in late May.³⁴

Goals

The Belarusian regime was pursuing multiple goals. First: retaliation. Lukashenko already threatened the West with a flood of "migrants and drugs" in late May, to deter the West from sharpening sanctions following the Protasevich case.³⁵ More recently, he extended the threat by also mentioning drugs and nuclear waste.³⁶ The need to maintain credibility probably played a role in his decision after sanctions were introduced. Since the fraudulent August 2020 presidential elections, moreover, both Poland and Lithuania have been actively supporting the Belarusian opposition and are providing shelter for opposition politicians and activists. This too may invite retaliation.

Second: national budgets. Migrants have initially been required to hand over sums up to and over USD 10,000 for what they believe to be a visa, depending on how they want to get treated by the Belarusian authorities. Although the price recently dropped significantly, in some cases even to approximately USD 1,000, the operation still provides the Belarusian regime with a significant income.³⁷ If one calculates an average USD 3,000–4,000, the more than 25,000 migrants have provided Belarus with an income of USD 75–100 million.

28 Migratory Routes, 'Eastern Borders Route', Frontex, 2021, <https://frontex.europa.eu/we-know/migratory-routes/eastern-borders-route/>.

29 Ibid.

30 Euronews, 'Belarus guards crossing border to push migrants into Lithuania, claims Vilnius', 18 August 2021, <https://www.euronews.com/2021/08/18/belarus-guards-crossing-border-to-push-migrants-into-lithuania-claims-vilnius>.

31 RFE/RFL, 'Latvia Says It Intercepted More Than 1,000 Migrants On Belarus Border Over Past Month', 8 September 2021, <https://www.rferl.org/a/latvia-belarus-border-migrants/31449984.html>; Giedrė Blažytė, 'Current Trends of Migration in Lithuania', Bundeszentrale für politische Bildung, 21 November 2020, <https://www.bpb.de/gesellschaft/migration/laenderprofile/english-version-country-profiles/northerneurope/321582/lithuania>.

32 Kelly M. Greenhill, *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy* (Ithaca, NY: Cornell University Press, 2010).

33 Interview with the responsible Lithuanian official, Vilnius, September 2021.

34 Sergei Kuznetsov, 'Why the Belarusian journalist was snatched from the Ryanair flight', *Politico*, 24 May 2021, <https://www.politico.eu/article/journalist-roman-protasevich-belarusian-hijacking-ryanair-belarus-svetlana-tikhanovskaya/>.

35 LRT English, 'Lithuanian PM calls Lukashenko 'migrants and drugs' threats absurd', 27 May 2021, https://www.lrt.lt/en/news-in-english/19/1418870/lithuanian-pm-calls-lukashenko-migrants-and-drugs-threats-absurd?fbclid=IwAR0HnNAQijqUoXcH5znfNU_5UAc0gY7FIEVPQwnjoTFaViDwCxy-4dtqdU.

36 Petras Auštrevičius, 'The situation in Belarus after one year of protests and their violent repression (debate)', European Parliament, 5 October 2021, https://www.europarl.europa.eu/sed/doc/speech/20211004/1633427644220_01_en.docx.

37 Interview with competent Lithuanian immigration official, Vilnius, September 2021.

Third – and probably most worrying for the EU – by testing the EU's border defences, Lukashenko is probably testing the ground for Russia's future MI actions. Moscow is bracing for a massive influx of refugees from Afghanistan following Western withdrawal. The fact that Russian President Vladimir Putin reportedly refused Western demands to put pressure on Lukashenko in the migration issue³⁸ indicates that Moscow has an interest in the continuation of the crisis. This remains speculation, but such an eventuality derives from Belarus's status as a Russian proxy.

Means

Most migrants were flown in from Iraq by the Belarusian state-run airline, Belavia.³⁹ Iraqi Airways also participated in the operation, and this facilitated migration was so popular in Iraq that besides the long-established Baghdad-Minsk route, new routes were also opened to Belarus from Basra, Erbil and Suleymaniyah.⁴⁰ In early August, the EU put an end to the Iraqi Airways flights,⁴¹ but a private Iraqi carrier, Fly Baghdad, was still involved for a short time afterwards.⁴² As of early October 2021, Belarus started to open new destinations from which further migrants can be flown in: Belavia had flights from Istanbul Airport and started using Damascus as well. The latter is particularly worrying because war-torn Syria will probably not be short of people who want to leave the country and get to Europe.

After passenger aircraft landed in Minsk, migrants were first made to wait a few days (sometimes weeks), after which they were shipped to Belarus's Western borders. They were transported to the border zone by bus, covering the last kilometres on foot, with the direct guidance of Belarusian border guards. Sometimes the Belarusian military was also involved in the operations. Since Lithuania and Poland started to seal their Eastern borders, Belarusian police, sometimes in full riot gear, forcibly pushed migrants over the border line.⁴³

Development

In order to be able to swiftly implement the necessary measures in the border zone, both Latvia and Poland introduced a state of emergency in the border region, in early August⁴⁴ and early September respectively.⁴⁵ Both Poland⁴⁶ and Lithuania⁴⁷ also started to construct border fences in August 2021. However, they have a long line to secure: the Polish-Belarusian border is approximately 400 kilometres long, while the Lithuania-Belarus border is almost 680 kilometres, and the terrain is complicated. As an interim measure, barbed wire was installed because constructing a standing border fence may take years. Migrants who managed to cross the border were getting pushed back by border personnel.

There have been cases where people got stuck in "no man's land". In early September the situation on the Polish-Belarusian border became so critical that the International Organization for Migration (IOM) officially protested and called for more humane treatment of the migrants,⁴⁸ albeit without pointing the finger at either side. The migration situation caused considerable domestic political tensions in Poland,⁴⁹ and to a lesser extent also in Lithuania.

The EU got involved right from the beginning of the crisis. Besides repeatedly criticizing Belarus for instrumentalizing migration and using people as a hybrid warfare tool,⁵⁰ concrete action was also

38 TACC, Лукашенко поблагодарил Путина за поддержку Минска в споре с Западом по проблеме миграции, 9 September 2021, <https://tass.ru/mezhdunarodnaya-panorama/12348207>.

39 See <https://www.euronews.com/2021/06/30/a-pathetic-revenge-policy-is-belarus-facilitating-illegal-migration-to-lithuania>.

40 CH Aviation, 'Iraqi Airways suspends flights to Minsk amid migrant crisis', 6 August 2021, <https://www.ch-aviation.com/portal/news/106591-iraqi-airways-suspends-flights-to-minsk-amid-migrant-crisis>.

41 Ibid.

42 Visegrad Post, 'Influx of migrants at the Belarusian border: a crisis orchestrated by Minsk?', 31 August 2021, <https://visegradpost.com/en/2021/08/31/influx-of-migrants-at-the-belarusian-border-a-crisis-orchestrated-by-minsk/>.

43 Interview with competent Lithuanian immigration official, Vilnius, September 2021.

44 France 24, 'Latvia declares state of emergency over migrant influx at Belarus border', 10 August 2021, <https://www.france24.com/en/europe/20210810-latvia-declares-state-of-emergency-over-belarus-migrant-influx>.

45 BBC, 'Poland imposes state of emergency on Belarus border', 7 September 2021, <https://www.bbc.com/news/world-europe-58474475>.

46 Joanna Plucinska and Kacper Pempel, 'On the EU's eastern border, Poland builds a fence to stop migrants', Reuters, 26 August 2021, <https://www.reuters.com/world/europe/eus-eastern-border-poland-builds-fence-stop-migrants-2021-08-26/>.

47 BBC, 'Lithuania to build fence on Belarus border to stop migrants', 10 August 2021, <https://www.bbc.com/news/world-europe-58163073>.

48 IOM, 'Conditions for Migrants at EU-Belarus Border of Utmost Concern', News Statement, 6 September 2021, <https://www.iom.int/news/conditions-migrants-eu-belarus-border-utmost-concern>.

49 Maria Wilczek, 'Poland's migration border crisis pays political dividends for the government', *Politico*, 7 September 2021, <https://www.politico.eu/article/poland-belarus-migration-border-crisis-politics/>.

50 Deutsche Welle, 'Лукашенко и его "гибридная война" против ЕС: наплыв беженцев в Польшу. DW Новости', 1 September 2021, <https://www.dw.com/ru/lukashenko-i-ego-gibridnaja-vojna-protiv-ey-dw-novosti-010921/av-59055676>.

taken. At the request of the Lithuanian government, Frontex started to send officers and equipment to Lithuania as early as 1 July and launched a rapid intervention a few days later.⁵¹ In addition, the EU Civil Protection Mechanism Response was also activated, in the framework of which 19 EU countries are assisting Lithuania.⁵²

Lukashenko's leverage was going to become stronger before weakening. Due to severe weather, the chances of migrants losing their lives due to the harsh circumstances were increasing. The first fatalities already took place in September,⁵³ and were condemned by NGOs in the EU. Moreover, as both Poland and Lithuania were trying to fully seal their borders with Belarus, more and more migrants remained stuck between the two countries or remained in Belarus. The presence of migrants in the border zone was causing local tensions in Belarus, and the authorities were likely to become more forceful in pushing them physically across the border. This would increase the risk of a physical confrontation between Belarusian and EU border guards.

(In)completion

In line with its classification as a proxy state, Belarus did not voice any particular political demands of its own. Lukashenko could have offered to bring migrant arrivals to an end in view of pursuing a deal with the EU.

There were however signs indicating that Minsk was planning to escalate further, probably increasing both the scale and the geographical diversity of the influx of migrants. In a presidential decree, Lukashenko granted citizens of Iraq and Pakistan visa-free entry to Belarus in August 2021,⁵⁴ while Iran, Egypt and Jordan are already on the visa-free list.

In this episode, Belarus has experienced only limited costs. As relations between Minsk and the EU are already frozen, Lukashenko did not run the risk of further deterioration of political relations. Theoretically, he may have risked further EU sanctions; however, Minsk probably assessed that Warsaw, Vilnius and Riga were not strong enough together to obtain additional EU sanctions – thought they managed to push through emergency asylum regulations at the level of the Commission.⁵⁵

One of the means of raising the costs for the Lukashenko regime was to sanction Belavia because the state air carrier is systematically contributing to organized human trafficking by importing migrants. The International Civil Aviation Organization (ICAO) is indeed an option, particularly because ICAO has already become involved following the Protasevich case. In addition to this, if Belarus keeps using Belavia, further targeted sanctions may also be considered against the company, including financial ones.

However, by classifying Belarus as a proxy, the EU may be able to raise costs where they really count: Russia. If Russia decides to direct future incoming Afghan migrants to Europe, Moscow may well use Minsk as a migrant channel. If the EU does not prepare accordingly, Russia will be able to employ a certain level of deniability, particularly if Belarus continues the airlifting of migrants, which would make it hard to define the exact apportioning of responsibility between the two. Meanwhile, it would be Belarus, not Russia that has to deal with the potentially prolonged presence of migrants on its own territory, as well as with most international repercussions.

Even if the EU is faced with ambiguity on the part of Russia, it can nevertheless ratchet up the costs without introducing targeted new sanctions. The EU, for instance, already has in place extensive laws on money laundering, which are not properly enforced but which would hit Russia hard.

51 Frontex, 'Frontex launches rapid intervention in Lithuania', News Releases, 12 July 2021, <https://frontex.europa.eu/media-centre/news/news-release/frontex-launches-rapid-intervention-in-lithuania-MwIEXJ>.

52 Emergency Response Coordination Centre, 'ECHO Daily Map', European Commission, 22 September 2021, <https://erccportal.jrc.ec.europa.eu/ECHO-Products/Maps?fbclid=IwAR3htbdEW8pfTUyLnqItfFRKT-N5kdD6qU5bUSQTyjwwUDaqsT-qVW0zm9#/maps/3851>.

53 Anna Włodarczak-Semczuk and Paweł Florkiewicz, 'Four found dead near Polish-Belarus border, officials say', Reuters, 21 September 2021, <https://www.reuters.com/world/europe/four-found-dead-near-polish-belarus-border-officials-say-2021-09-20/>.

54 Think Thanks BY, 'В Беларуси объявили безвиз для жителей Ирана и Пакистана', 16 August 2021, <https://thinktanks.by/publication/2021/09/16/v-be-larusi-obyavili-bezviz-dlya-zhiteley-iraka-i-pakistana.html>.

55 European Commission, 'Asylum and return: Commission proposes temporary legal and practical measures to address the emergency situation at the EU's external border with Belarus', Press Release, 1 December 2021, https://ec.europa.eu/commission/presscorner/detail/en/ip_21_6447.

Case study 3. Weak state: Ukraine

Once the conflict began in 2014, inducing significant internal displacements in Ukraine, many in Brussels were worried that Kyiv might try to instrumentalize migration against the EU, and thus coerce the EU into providing more support. In fact, quite the opposite happened: while Ukraine did not consciously employ migration against the EU, migration was instrumentalized against Ukraine by Russia.

Hence, the Ukraine case illustrates how migration patterns induced or aggravated by armed conflicts may be instrumentalized against a weak state, and how these may also have collateral effects on the EU. While Ukraine is too weak to instrumentalize migration, it is also too weak to resist when Russia also employs MI against it. In line with the general purpose of the present study, only those aspects of Ukraine's migration patterns are analyzed, which may serve as a tool of MI against Ukraine as well as the West.

Ukraine was one of the major sources of labour migration both to the EU and Russia even before the 2014 crisis. Migration from the Russian Federation to Ukraine, and vice versa, constituted the two busiest migration corridors in Europe,⁵⁶ with approximately three million Ukrainians working in Russia, and several hundred thousand in the West before the conflict began in 2014.⁵⁷

Goals

The post-2014 leadership of Ukraine is not an active actor that would willingly employ MI against the West. Instead, Ukraine is subject to Russian external pressure, which has led to such migration-related consequences as massive internal displacements and the loss of population, which Kyiv could not – and still cannot – prevent, and which are harming both Ukraine and the EU. In some cases, Ukraine had to factor in the migration-related consequences as collateral damage for ensuring its own national security. In other words, Ukraine has simply been too weak to resist Russia's military, economic and other actions, which had – among others – migration-related consequences as well, which also affected the EU. However, migration effects on the European Union were not the result of Kyiv's deliberate MI actions, but side effects of Ukraine's weakness vis-à-vis Russia. Nevertheless, as Ukraine is the source of these effects, one needs to factor them into Ukraine too.

Meanwhile, at least since the events of 2015–2016 in the High North, when Russia used MI against Norway and Finland, Moscow is aware that it can efficiently use migration as a hybrid threat weapon against the European Union.

Means

The migration-related consequences of the Russia-Ukraine conflict have a multifaceted effect on Ukraine's resilience as a state, described in detail below. Some of these are short-term, such as the phenomenon of draft evasions, while others, such as the alienation of the occupied Eastern Ukraine from the metropolitan area are weakening Ukraine in the long run as well. None of these effects are contained within Ukraine's borders, but are also affecting the security of the EU as well.

Probably the most significant phenomenon is how Russia is instrumentalizing the situation – including the migration aspects – of the population of the occupied Eastern Ukrainian territories by further alienating these regions from other parts of the country. From the perspective of the taxonomy of the present study, this constitutes a very special case as Ukraine is not controlling these territories. Developments taking place in occupied Donbas, including migration-related ones, are out of Ukraine's control. Nevertheless, as the occupied regions are parts of Ukraine, formally it is still Ukraine that is the geographical source of the problem. Hence, the weakness of the Ukrainian state is manifested not in the deliberate employment of MI, but in the inability to resist the migration-related consequences of the actions of an external actor.

Furthermore, the rapidly growing labour migration of Ukrainians into the European Union carries the risk that Russia might also capitalize on this against those EU countries that host the most Ukrainian migrants.

⁵⁶ IOM, 'World Migration Report', 2020: 89, https://publications.iom.int/system/files/pdf/wmr_2020.pdf.

⁵⁷ Unicef, 'Migration Profiles, Ukraine', 2, <https://esa.un.org/migmgprofiles/indicators/files/Ukraine.pdf>.

Development

Ukraine faced migration-related problems in keeping its armed forces properly manned at the beginning of the crisis. Starting from 2014, when Ukraine launched several waves of conscription to counter the Russian aggression, massive draft evasion started to take place in the country, with tens of thousands of fighting-age men trying to avoid being drafted into the army.⁵⁸ Thousands of them decided to go abroad. Indeed, the number of Ukrainian migrants in Poland grew considerably after 2014, with thousands of Ukrainian men fleeing to Hungary, and even the UK noting an increase in the number of Ukrainian men seeking asylum.⁵⁹ While many of them returned once the actual conscription cycle was over, the story still illustrates how a militarily weak state could become further weakened by unwanted emigration. Should Ukraine be forced to relaunch conscription, in order to react to Russia's military build-up for example, the same draft-dodging phenomenon would likely be repeated.

The internally displaced persons (IDPs) situation constitutes another dimension of how Russia's war is affecting Ukraine's migration patterns. After Russia illegally occupied and annexed Crimea, some 22,000 Ukrainians left the peninsula and became IDPs in other regions of Ukraine. Significantly more Ukrainians left the occupied parts of the Donetsk and Luhansk regions, particularly because the East has become an active war zone: as of 2016, the number of registered IDPs from these territories was approximately 1 million.⁶⁰ It should be noted that all of these numbers constitute a minimum threshold, as these are only the registered IDPs, while in reality many more people left the occupied territories, but without registering as IDPs.

Although the frontline in Eastern Ukraine has been largely stable since 2015, the conflict keeps generating an increasing number of new internal displacements. Even though such displacements are directly connected to the Russian aggression, they still affect Ukraine's migration patterns. In 2018 alone, there were 12,000 new displacements related to the conflict: in fact, in that year, Ukraine was the only European country where conflict-related displacements were taking place.⁶¹ The number of registered IDPs keeps growing: according to the UNHCR data, the combined number of IDPs in Ukraine as of January 2021 was approximately 1.459 million,⁶² posing a considerable challenge to the country's social system.

Since the outbreak of the conflict, patterns of migration from Ukraine have also changed considerably. Labour-related migration from the government-controlled territories to Russia dropped significantly.⁶³ Meanwhile, for non-IDP inhabitants of the occupied parts of the Donetsk and Luhansk regions, Russia is the only viable choice for finding proper employment, as their ties to Ukraine proper have largely been severed by the seven-year-long conflict.⁶⁴ This has been the case particularly because in order to guarantee the protection of the territories under government control, Ukraine had to introduce very tight control over people's movements across the line of contact.

Moscow has been using this newly emerged pattern of labour migration from the occupied territories to intensify its control over the Donetsk and Luhansk regions, and to further alienate them from Ukraine. Degrees and diplomas issued in Donetsk and Luhansk are recognized in Russia, the currency used there is Russian roubles, and Moscow has been conducting an active 'passportization' policy: as of September 2021, some 600,000–700,000 Russian passports⁶⁵ have already been distributed to inhabitants of the occupied Eastern Ukraine. This 'passportization' may well serve as a pretext for Russia to act against Ukraine in the future, by claiming to protect Russian citizens. These newly created citizens are also used in other ways. Many of them already participated in the September 2021 parliamentary election in Russia, being pushed by various administrative means to travel and vote in the

58 Alec Luhn, 'The Draft Dodgers of Ukraine', *Foreign Policy*, 18 February 2015, <https://foreignpolicy.com/2015/02/18/the-draft-dodgers-of-ukraine-russia-putin/>.

59 Richmond Chambers, 'Upper Tribunal Rules on Protection Claims by Ukraine Draft-Evaders', 26 July 2018, <https://immigrationbarrister.co.uk/upper-tribunal-rules-on-protection-claims-by-ukraine-draft-evaders/>.

60 Olena Malynovska, 'Migration in Ukraine: Facts and Figures', IOM, 2016, 8, https://iom.org.ua/sites/default/files/ff_eng_10_10_press.pdf.

61 IOM, 'World Migration Report', 90.

62 United Nations Ukraine, 'Inclusion of Internally Displaced Persons', Briefing Note, June 2021, 1, see https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/inclusion_of_internally_displaced_persons_2021_eng_-_kopiya.pdf.

63 Jerzy Pieńkowski, 'The Impact of Labour Migration on the Ukrainian Economy', European Commission, European Economy Discussion Papers, Discussion Paper 123, April 2020, https://ec.europa.eu/info/sites/default/files/economy-finance/dp123_en.pdf.

64 In addition, since 2014, approximately 400,000 people from the occupied territories have moved to Russia, with most of them succeeding in getting their status legalized: IOM, 'World Migration Report', 93.

65 Ukrinform, 'Danilov: Russian passportization in eastern Ukraine bogs down', 18 September 2021, <https://www.ukrinform.net/rubric-polytics/3317910-danilov-russian-passportization-in-eastern-ukraine-bogs-down.html>.

neighbouring Rostov region,⁶⁶ supposedly for the United Russia party. All in all, Russia is even using the migration-related aspects of the conflict it has generated to further weaken Ukraine, which is too weak to counter this form of MI.

In addition to this, the post-2014 Ukrainian migration to Europe also has possible MI aspects. Since 2014, Poland has become the most popular destination for labour migration among Ukrainians,⁶⁷ and as of 2021, around 1.5 million Ukrainians are officially working in Poland.⁶⁸ The real number is probably a lot higher due to short-term workers.⁶⁹ While remittances constitute a crucially important element of the Ukrainian economy (the relative peak was in 2018 when remittances equalled 11.25% of Ukraine's GDP,⁷⁰ which has decreased since then due to the Covid-19 pandemic), the rapidly growing presence of Ukrainians in Poland may carry certain risks too.

The Ukraine-Poland relationship is burdened by a series of historical tensions, related to the troubled mutual history of the two countries, particularly in the first half of the 20th century. Russia is documented as having aggravated these tensions by information means, as well as by provocations committed on both sides.⁷¹ Hence, the greater the number of Ukrainians living in Poland, the greater the chances that history-related tensions may escalate into minor local, but easy-to-mediatize conflicts between Poles and Ukrainians in Poland. Such concerns are justified: in 2018 the situation even induced former presidents of the two countries to issue a joint warning.⁷²

Moreover, certain developments in the Belarusian MI case, namely that Minsk may consider redirecting migrants from the Polish border to the Ukrainian one may result in Kyiv being further affected by MI.⁷³ Should migrants from Belarus start flowing into Ukraine, they may well subsequently try to cross Ukraine-EU borders. Should this happen, it would be up to Ukraine to stem the tide, or to let it flow westwards. In other words, somewhat paradoxically, should Belarus's Lukashenko decide to escalate MI by getting Ukraine involved too, this would empower Ukraine with the possibility of using MI against the EU. This would exert direct migration pressure on Poland, Slovakia and Hungary. However, considering Ukraine's strong, multi-layered dependence on the EU, including the visa-free regime, it is unlikely that Kyiv would opt for open MI against the EU, even if Belarus decides to redirect its migrants towards Ukraine.

Completion

It is impossible to define when and how the two territorial conflicts affecting Ukraine will come to an end. As long as they remain unresolved, they will continue to weaken Ukraine not only militarily and economically, but also socially, namely by preventing IDPs from returning to their homes. In addition to this, in the long run Ukraine is going to suffer a serious loss of population, due to both inherent demographic factors as well as outmigration from the country, partly due to the conflict generated by Russia. While in 2016 the population of Ukraine was 44.2 million, it might drop to 32.9 million by 2025,⁷⁴ constituting a loss that exceeds 25%. This will massively affect Ukraine's economy as a whole, including productivity as well as the sustainability of the social and pension systems.

66 Ukraine Crisis, 'How the Kremlin Pushes Ukrainians From the Occupied Territories to Vote in Duma Elections', 17 September 2021, <https://uacrisis.org/en/how-the-kremlin-pushes-ukrainians-from-the-occupied-territories-to-vote-in-duma-elections>.

67 Jerzy Pieńkowski, 'The Impact of Labour Migration on the Ukrainian Economy', 11.

68 Ukrinform, 'Ambassador Deshchytisia: Some 1.5 mln Ukrainians working in Poland', 20 July 2021, <https://www.ukrinform.net/rubric-economy/3283681-ambassador-deshchytisia-some-15-mln-ukrainians-working-in-poland.html>.

69 The introduction of visa-free entry to the EU for Ukrainians holding biometric passports has been another pull factor, allowing hundreds of thousands of Ukrainians to take seasonal and ad hoc jobs in Poland, particularly in the agricultural, hospitality, construction, and care sectors.

70 World Bank, 'Personal remittances, received (% of GDP) - Ukraine', <https://data.worldbank.org/indicator/BX.TRE.PWKR.DT.GD.ZS?locations=UA>.

71 For a slightly emotional, but informative description, see John R. Schindler, 'This Is How Vladimir Putin Manufactures Conflict Between Nations', 7 November 2018, <https://observer.com/2018/07/putin-conflict-poland-ukraine-nato/>.

72 RFE/RFL, 'Former Presidents See Threat In Rising Polish-Ukrainian Tensions', 28 May 2018, <https://www.rferl.org/a/five-former-presidents-see-threat-in-rising-polish-ukrainian-tensions/29255403.html>.

73 Euronews, 'Ukraine sends 8,500 troops to its Belarus border over migrants fear', 25 November 2018, <https://www.euronews.com/2021/11/25/ukraine-sends-8-500-troops-to-its-belarus-border-over-migrants-fear>.

74 Olena Malynovska, 'Migration in Ukraine: Facts and Figures', 4.

Case study 4. Non-state actor: Libyan militias

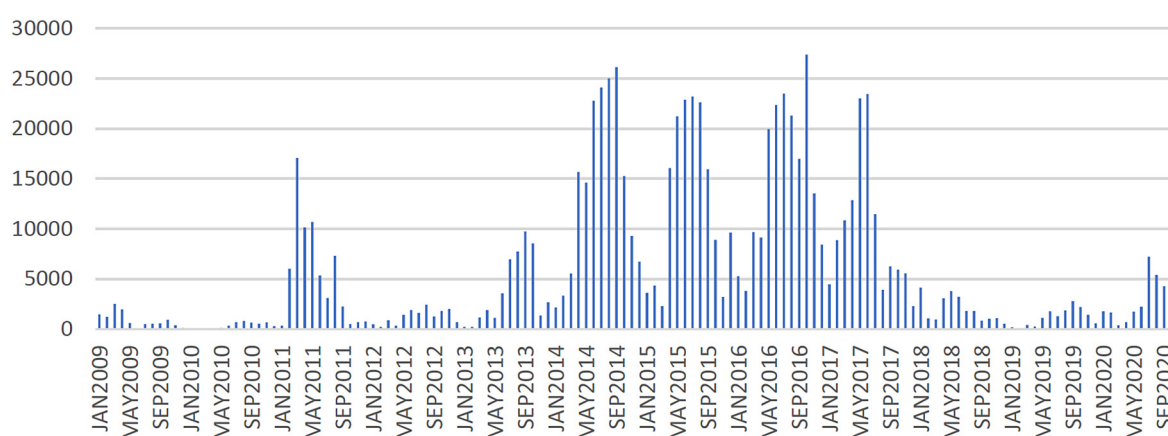
Since the fall of Muammar Gaddafi in 2011, Libya has become a major launch point to Europe for migrants from Northern, Western, Central and Eastern Africa, but also from countries further afield (Bangladesh, Iran, Afghanistan).⁷⁵ Between 2009 and 2020, over 800,000 irregular border crossings were reported along the Central Mediterranean Route (see graph for details)⁷⁶ despite huge dangers (the International Organization for Migration reported close to 14,000 deaths along the route between 2014 and 2020⁷⁷). The vast majority of migrants taking the Central Mediterranean route passed through Libya, where the EU finds itself dealing with an array of “rent-seeking” non-state actors looking for funds, engagement, and a formalization of their de facto role in carrying out functions usually reserved for the state.⁷⁸

Goals

The large numbers of migrants crossing the Mediterranean have earned Libya a reputation as Africa’s “human conveyor belt”, which can be activated by smuggling gangs as well as the armed militias fighting in the country since 2011.⁷⁹ Rather, long-established smuggling practices along Libya’s southern borders, coupled with the presence of migrants seeking work in Libya’s oil and household sectors, produced a huge potential source of cash and power which militias and other state and non-state actors have leveraged for their own survival. Europe is not a primary target in their survival strategies, but it is very much a collateral victim of these dynamics.

Militias compete for control over territory, advantageous alliances, and the recognition of semi-formal institutions that facilitate their access to smuggling opportunities and ensure revenues – sometimes with no overarching political objective other than a kind of *raison d’état*.⁸⁰ They take protection

Irregular border crossings along the Central Mediterranean Route (2009-2020)



Source: Frontex, FRAN data as of 8 December 2020

75 UNHCR, 'Operational Data Portal, Refugee Situations, Italy', January 2022, <https://data2.unhcr.org/en/situations/mediterranean/location/5205>.

76 Frontex, FRAN data as of 8 December 2020, available at: <https://frontex.europa.eu/we-know/migratory-map/>.

77 IOM, 'Migration Within the Mediterranean', Missing Migrants Project, <https://missingmigrants.iom.int/region/mediterranean?migrant-route%5B%5D=1376>.

78 Kate Hooper, 'European Leaders Pursue Migration Deals with North African Countries, Sparking Concerns about Human Costs', Migration Policy Institute, 18 December 2017, <https://www.migrationpolicy.org/article/top-10-2017-issue-3-european-leaders-pursue-migration-deals-north-african-countries>.

79 Mark Micallef, 'Trends in human trafficking and smuggling in post-revolution Libya. The Human Conveyor Belt', Global Initiative Against Transnational Organized Crime, 17 March 2017, <https://globalinitiative.net/analysis/report-the-human-conveyor-belt-trends-in-human-trafficking-and-smuggling-in-post-revolution-libya/>.

80 This was what happened in the case of the 7th Brigade that challenged Tripoli-based militias in August 2018 to access smuggling opportunities. See Jason Pack, 'Kingdom of Militias: Libya's Second War of Post-Qadhafi Succession', ISPI, 31 May 2019, <https://www.ispionline.it/en/publicazione/kingdom-militias-libyas-second-war-post-qadhafi-succession-23121>.

money and impose fees for migrant smugglers to operate on or through a given territory. The authorities also compete with militias for such fees. Cases of collusion with smugglers are reported among coast guards and officials of the Department to Counter Illegal Migration (the DCIM, which runs migrant detention centres). Municipalities have also imposed taxes on smugglers to supplement municipal budgets.⁸¹

Means

The ability of the militias to exert control over a patchwork of local territories has been a key point of leverage when dealing with European security officials. Some militias have developed quite sophisticated means of selling themselves to Europeans, be it by engaging with journalists or trying to influence the public debate in Europe by building up social media capacities and semi-formal representation. But there is a tension between a willingness to do the work of Europeans on irregular migration – in particular of former colonial powers – and their local authority, and militias have made this clear to Europeans in a bid to raise the price for their services.

These armed militias thrive on Libya's strong regional identities, the ability to recruit young people, readily available supplies of arms, and opportunities to exploit Libya's war economy. Smuggling – of migrants, fuel, drugs, and other goods – is an accepted income-generating activity that state and non-state actors alike have sought to control for financial gains since the controls of the Gaddafi regime came to an end.

Development

In 2015, the EU launched Operation Sophia, which functioned as a search and rescue operation in the Mediterranean. But in 2016, as Italy continued to face high numbers of arrivals, authorities from Europe turned to Libya's Government of National Accord (GNA) to control irregular departures.⁸²

First, Italian authorities inked a Memorandum of Understanding with the GNA to combat irregular migration and trafficking.⁸³ For financial incentives, but also to burnish their image vis-à-vis the local and international communities,⁸⁴ GNA-affiliated militias previously involved in abusive forms of migrant smuggling now turned to counter-smuggling.⁸⁵

Second, search and rescue operations were gradually removed while border controls intensified. Italian authorities issued a code of conduct aimed at bringing private rescue efforts to heel,⁸⁶ and causing some NGOs to halt their search and rescue activities.⁸⁷

Third, at the EU level, Italy pushed for the suspension of Operation Sophia. In parallel, the EU and Italy funded capacity-building and equipment for the Libyan coast guard and encouraged the authorities to restore Libya's full national search and rescue zone.⁸⁸

Completion

Taken together, these efforts contributed to drastically reducing irregular crossings – between October 2016 and 2017, the number of detected irregular crossings monthly shrank by 75%, according to Frontex data (see graph above).⁸⁹ Search and rescue NGOs have desisted from their activities, and

81 Tim Eaton, 'Libya's War Economy: Predation, Profiteering and State Weakness', Chatham House, April 2018, <https://www.chathamhouse.org/sites/default/files/publications/research/2018-04-12-libyas-war-economy-eaton-final.pdf>.

82 Ylenia Gostoli, 'Anti-migration deal between Italy and Libya renewed', Al Jazeera, 2 November 2019, <https://www.aljazeera.com/news/2019/11/2/anti-migration-deal-between-italy-and-libya-renewed>.

83 'Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic', https://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf.

84 Mark Micallef and Tuesday Reitano, 'The anti-human smuggling business and Libya's political end game', Institute for Security Studies, Global Initiative Against Transnational Organized Crime, North Africa Report 2, December 2017, 8, https://globalinitiative.net/wp-content/uploads/2018/01/Libya_ISS_Smuggling.pdf.

85 Tim Eaton, 'Libya's War Economy: Predation, Profiteering and State Weakness', 12–13.

86 'Codice Di Condotta Per Le Ong Impegnate Nelle Operazioni Di Salvataggio Dei Migranti In Mare', https://www.interno.gov.it/sites/default/files/codice_condotta_ong.pdf.

87 Isabella Lloyd-Damjanovic, 'Criminalization of Search-and-Rescue Operations in the Mediterranean Has Been Accompanied by Rising Migrant Death Rate', Migration Policy Institute, 12 October 2020, <https://reliefweb.int/report/world/criminalization-search-and-rescue-operations-mediterranean-has-been-accompanied-rising>.

88 Mark Micallef and Tuesday Reitano, 'The anti-human smuggling business and Libya's political end game', 6.

89 Although the number of departures did increase briefly after the signing of the Italian-GNA MoU in February 2017 as smugglers and migrants hastily proceeded, seeing their window of opportunity closing.

private vessels now face problems disembarking rescued migrants in the EU. Smugglers, in the wake of international efforts to destroy boats, have lost the independent means of transporting migrants across the Mediterranean, and are also finding it harder to bring migrants into Libya via neighbouring Niger. But the precarious situation in Libya and its continued reliance on armed militias do beg a counterfactual analysis to ask whether the EU has addressed this as well as it might have done.

Its co-optation of militias placed Europe in a situation of dependency, even if the EU subsequently diminished that dependency by undercutting possibilities for sea crossings and sea rescues in the Mediterranean. Further, although the EU did subsequently crack down on militias, this contributed to the fragmentation and competition in Libya – with Italy's GNA deal resulting in conflict between militias working with smugglers in Sabratha, a major departure point. Some European capitals, moreover, have reduced their reliance on militias by empowering other actors in the conflict – General Haftar's Libyan National Army (LNA) – undermining the credibility of the Italo-Libyan deal as well as a broader commitment to the GNA.

What might an alternative EU approach have looked like – one which raised the costs for MI? First, since the militias are reliant on local acceptance for their authority, the EU might have raised the costs of rent-seeking for the militias by making alliances with other local actors. One relatively untapped network of potential allies was made up of Libyan municipalities and mayors, who themselves had often suffered discrimination under Gaddafi, and who were committed to the good treatment of African migrants. As the conflict has gone on, mayors have perhaps become the only elected officials with an undisputed democratic mandate. Gaddafi famously played one city off against another, and when the EU has engaged with mayors, it has achieved important breakthroughs when it comes to reconciliation.

Second, there was scope for more sympathetic EU engagement when it came to the management of Libya's southern border. Early in the conflict, the EU took the international lead with regard to Libyan customs control, a vital function in preventing the spread of arms. Officials from the World Customs Organization argue that the EU could have been more sympathetic to local culture, where smuggling, including migrant smuggling, is traditionally an activity devoid of social stigma in the region, and one which has provided a livelihood for many peripheral communities in Libya, as well as women and children.⁹⁰ Not only is the EU accused of repurposing customs posts for immigration control, it has also drawn criticism for not acknowledging the legitimacy of the local smuggling economy. If it had done so, it might have undercut the militias and found more reliable partners when it came to countering people smuggling. As it was, the EU was considered to be cracking down as hard on the smuggling of sugar as it was on that of people and arms.

Third, history was repeating itself, but the EU had failed to learn from past examples of MI. In 2008, European governments gave in to Gaddafi, inking a deal with him to hold back migration, even though letting people out would have weakened Libya's economy and regional standing, and relatively few migrants wanted to go to Europe anyway. Today, the presence of an estimated 600,000 largely African migrants in Libya creates money-making opportunities for militias besides smuggling – including abductions and trafficking.⁹¹ An estimated 90% of these migrants reached Libya in search of employment and do not necessarily seek to cross the Mediterranean to Europe.⁹² Many who eventually chose to be smuggled to Europe did so to escape the repeated abductions by militias.⁹³

90 Gabriella Sanchez, 'Beyond Militias and Tribes: The Facilitation of Migration in Libya', European University Institute Working Papers, 2020/09, https://cadmus.eui.eu/bitstream/handle/1814/66186/RSCAS_2020_09.pdf.

92 IOM Libya, 'Migrant Report', DTM, Round 36, March-April 2021, https://migration.iom.int/sites/default/files/public/reports/DTM_Libya_R36_Migrant_Report_FINAL.pdf.

92 IOM Libya, 'Migrant Report': IOM, 'Living and Working in the Midst of Conflict: The Status of Long-term Migrants in Libya', 31 March 2020, <https://displacement.iom.int/system/tdf/reports/living-and-working-in-the-midst-of-conflict.pdf?file=1&type=node&id=8403>.

93 Gabriella Sanchez, 'Beyond Militias and Tribes: The Facilitation of Migration in Libya'.

The four case studies confirmed the potential utility of the taxonomy for policymaking. In the case of Belarus, the case study was carried out at a time when EU officials were suggesting that Belarus constituted its own category of perpetrator, a “rogue state” impervious to any kind of influence from the EU or indeed Russia. But the research showed that Belarus was in fact exhibiting classic characteristics predicted of a “proxy state” in the taxonomy, and it is now generally accepted that Belarus has been operating under Russian patronage – largely on its own initiative, trying to improve its position relative to Moscow and Brussels, but with Russia opportunistically backing it for its own purposes. Exacerbating the tensions within this relationship between Belarus and Russia was the key to the response.

As for the case of Ukraine, as noted: the fact that it did not fit into the taxonomy of perpetrators after all and was not behaving like a “weak state” does not invalidate the scheme. Ukraine’s actions following the Russian annexation of Crimea always ranked as a borderline case, and it is a useful finding to be able to exonerate Kyiv from this kind of behaviour on the basis that it does not meet the conditions in the taxonomy. Nevertheless, the Ukraine case does call into question some of the assumptions upon which the project was built. The whole reason for developing a taxonomy was that MI was an unusually overt and unambiguous form of action. The ease with which the EU could identify perpetrators would be key for the EU in overcoming MI’s low-cost character. But the Ukraine case study suggests that MI is not always overt and unambiguous.

True, it may seem obvious that “weak state” cases are ambiguous, since these involve countries that are looking to the EU to help them out. Their basic posture is not antagonistic towards the EU. For them, MI is not an overtly hostile act so much as a means of mutualizing their problems and catching the EU’s attention. They are likely to be easily overwhelmed by the task of managing through-flows to the EU, not to mention providing

employment and security for their own citizens. The trouble is that other case studies showed that this ambiguity is not confined to the “weak state” category. Across the board, there was a fine line between antagonism and cooperation. In the case of Morocco, for instance, this took the form of the government pushing migrants into the EU with one hand and taking them back with the other.

Nevertheless, if all four types of actors are partly seeking an improvement in cooperation with the EU, this in turn suggests that the costs for all perpetrators of MI are unexpectedly high. All four categories of actor in the taxonomy are likely to have some kind of cooperative goal in mind – help from the EU in carrying a particular burden, a desire for recognition, sanctions relief, or a hedging of relations away from their patron state. Thus, MI, far from being a low-cost tool of antagonism and destabilization, incurs costs for the perpetrator. This strongly suggests that the EU can build up practices tailored to each of these categories of actors, which would escalate these costs. These EU practices might take the form of sanctions, but could also be realized through unpredictable behaviour and rewards for other players.

The literature review had already shown that that the EU is not always the natural destination for migrants, with migrants requiring a “shove” from transit states to move on to the EU. That “shove” typically requires strenuous efforts as people see that the journey to the EU is more dangerous than they thought; as the perpetrators face censure from within their own society and the migrants’ countries of origin; as their broader infrastructure and cross-border supply chains become harder to secure; as migrants get stuck in the protagonist country as EU border security becomes more efficient; and as the available stock of migrants shrinks. This thesis that the costs of carrying out an MI campaign are in fact quite high, and even “strong state” perpetrators are sensitive to the further ratcheting up of costs by the EU, is confirmed by interviews with practitioners (**Infobox 4**).

Infobox 4: A strong state threatens to push transit migrants into the EU. What happens next?

MI ranks as a low-cost tool of coercive diplomacy and hybrid warfare. Based on a retrospective analysis of the experiences of 2014–2020, however, EU risk analysts suggest that even a strong transit state actually faces significant costs when it threatens to “open the floodgates” to Europe:

- If the strong state demands an EU-Turkey-style “buffer deal”, this can push up the numbers of those moving into the country, fearful that they will miss the last chance to transit to the EU. When this happens, the transit state will quickly realize that stemming the flow of people is in its interests, and will not always wait for the EU to pay it to do what is in the national interest.
- Once the flow has stopped, each time the strong state subsequently speaks about “reopening the flood gates to Europe”, or misinformation about a border opening has spread about migrants, a few thousand people already inside the country tend to move towards its border with the EU, but hundreds of thousands move closer to its borders from neighbouring countries.
- Similarly, each time the transit state loosens controls at the border to the EU, it risks losing control not only of its other land borders, but also of its air borders, a particular problem for transit states that pose as an international aerial hub. The strong state may also see national dissidents or criminal suspects seep out of the country alongside migrants.
- Over time the transit state develops a stake in the local integration of migrants. If it “opens the floodgates” to the EU, the strong state also loses the ability to use refugees for domestic demographic engineering (to dilute areas dominated by ethnic minorities, or naturalize migrants and create a new loyal voter clientele).
- Pushing migrants across borders can pose a threat to a strong state’s domestic stability. Immigrants and refugees, for instance, tend to be marginalized within the healthcare system. Moving them around for strategic purposes would pose a threat to efforts to contain the Covid-19 pandemic.
- Many transit states try to use migration issues to build their own international prestige and attractiveness, not just appealing to high-value migrants, but posing as a leader in their religious and linguistics worlds. Each time they threaten to “open the floodgates”, they may undermine their model of “religious humanitarianism” or regional security cooperation.
- Transit states that resort to MI also lose potential allies in Europe and North America when trying to protect themselves against MI (following conflicts in their neighbourhood). Numerous transit countries have, for instance, been targeted by Russian MI actions, and can hardly hope for support from the EU if they follow suit.
- Each time the transit state tries to instrumentalize migration, it risks entering an aggressive negotiating pattern with the EU that is not in its interests – it finds itself obliged to push for visa liberalization for its broader population whilst potentially risking getting cut off from its diaspora population and business elites in the EU.
- The transit state has limited interest in losing the wealthier and more educated migrants, let alone squandering relations with wealthy states that they come from. The transit state is typically more interested in diversifying relations away from the EU, seeking trade and investment opportunities, and signing readmission deals of its own.

What use to make of the taxonomy: Reaction or prevention?

How, then, can the EU make the best use of this taxonomy? The EU's current response to MI has been criticized for being crisis-driven and reactive, and so the logical option is to use a taxonomy to move towards anticipation and prevention. Anticipation is a core principle of most approaches to security, whether it be building resilience to hybrid threats at home or preventing conflict abroad. And, when it comes to most types of crisis, prevention is usually considered more cost-effective than reaction.⁹⁴ This last section, however, explains that a taxonomy like the one developed here will not pave the way for this shift: the taxonomy helps with attribution and punishment, but it is not a tool for predicting incidences of MI or highlighting anything but the most generic kinds of structural vulnerabilities on the EU side.

Even with a taxonomy, it is extremely difficult to predict MI events

An accurate and comprehensive taxonomy of hostile actions of the kind developed in this paper would usually prove a key component of risk mitigation, allowing the EU to systematize the threats it faces, and then pre-emptively close off its vulnerabilities. So does this mean that the EU can use a taxonomy to switch to something more *preventive* –

to deterrence by denial vis-à-vis its neighbours (that is, the EU anticipates its own MI vulnerabilities, pinpoints them, and closes them off pre-emptively)? The answer is no. Simply being able to systematize MI episodes *after* they occur does not equate to a system for predicting how, when and where they will occur again in the future. It merely points to the fact that MI tends to be (relatively) overt and repetitive.

The taxonomy was based on a small caseload of around 40 past episodes and will help with attribution and identification of cases as they occur. But if the EU seeks the capability to predict future episodes, it will have to process vastly more past cases, including all of the thousands of examples when third countries had the means and opportunity but did *not* resort to MI. This is a well-known problem in risk analysis: hostile events like MI that seem obvious and predictable in hindsight are in fact extremely hard to predict and prevent. This, indeed, is part of MI's attractiveness as an instrument: hostile parties can undermine citizens' faith in the EU to deal with threats that seem blunt and obvious; a state like Belarus can appear brazen and make the EU look flatfooted. The questions in **Infobox 5** are indicative of the complexity of prediction.

⁹⁴ For a critical perspective, see Gerrit Kurtz, 'Debunking Six Myths On Conflict Prevention', DGAP, 3 December 2020, <https://dgap.org/de/node/34700>.

Infobox 5. The difficulty in predicting MI events

When Lebanon, already home to thousands of refugees, experienced a series of humanitarian disasters of its own in 2020, analysts in the EU were asked to predict whether member states would be subject to MI actions. They faced questions such as: “Will a third power try to instrumentalize a flow of migrants from Lebanon to Cyprus, and if so how?”

Such an MI action would look highly predictable in hindsight, but it is near impossible to predict: Even though countries such as Russia and Iran have a long track record when it comes to MI and are active in and around Lebanon, the EU has no systematic way of answering such questions as these:

- Third powers active in the Levant have sometimes had the opportunity to engage in MI but avoided its use in ways that might antagonize Europeans at times of tension with each other; but they have also used migration to the EU as leverage to draw Europeans to side with them against others – which logic applies now?
- If a third power does focus its MI actions on Cyprus, will it be as an EU member state or within the third power’s bilateral relations to Nicosia, or indeed to target British military bases hosted in Cyprus that allow the UK to project power into the Levant?
- Does it matter that Cyprus is not in the Schengen Area for instance when it comes to the willingness of migrants to go there, and is Cyprus’s outlier status a vulnerability for the EU when it comes to resolving the problem or does the lack of connectivity to the rest of the EU count as an advantage?
- Most fundamentally of all: do the third powers themselves even know what their intentions are when it comes to instrumentalizing migration in the Levant, or are they opportunistic?

When reacting to an MI event, the EU simply has to identify which of the four types the perpetrator belongs to, according to some very basic characteristics; prediction would require far more precision about motives and means and indeed the range of possible perpetrators. A relatively small number of actors targeted the EU with an MI campaign in 2014–2020, and they were almost wholly confined to the EU neighbourhood.⁹⁵ This made it possible to propose a simple and comprehensive classification of MI players without creating multiple categories with precise characteristics. However, when trying to predict future events, the number of actors surrounding the EU that can potentially engage in MI suddenly seems daunting – and not just because it does theoretically include more distant players like Iran. Current tensions between the UK and France suggest that even the closest relations are susceptible to a degree of MI.

As for the (relatively) unambiguous nature of MI, which likewise makes identification, attribution and reaction quite easy, MI becomes far more *ambiguous* as the EU attempts to get ahead of it. Again, this is because of the fine line between coopera-

tion and coercion. Interviewees highlighted that almost all migration cooperation is based on an implicit threat of MI. Even close EU partners like Morocco and Ukraine require incentives to hold back migrants that are heading to the EU. And the EU effectively legitimizes this by creating rewards for cooperation even on matters that should really be taken as given – issues that count as a basic obligation under international law (such as repatriation agreements), or basic tasks of statecraft (such as cracking down on cross-border crime). The EU has, moreover, used supposedly “altruistic” development, peacekeeping and even humanitarian tools as incentives.

Given these difficulties, border professionals interviewed for this and previous studies stressed that it would be both costly to create the necessary centralized analytical capability for forecasting MI events, as well as risky given the concentration of sensitive intelligence in one place. Instead, they highlighted the EU’s decentralized risk networks and the importance of tailored country analyses in *front-line* member states to ensure the EU is not taken entirely by surprise by an incipient

⁹⁵ The EU’s use of carrier sanctions on airlines carrying passengers without the requisite paperwork means that more distant states – even those in Latin America which enjoy visa-free travel to Europe and are facing a migration crisis – are unlikely to engage in these tactics.

MI episode. Some also highlighted the importance of keeping these risk analysis networks open to *non-EU* states even though this would seem to expose the EU to additional risks by revealing its vulnerabilities. In general, they wanted the EU to factor in frontline analysis when taking major decisions like introducing sanctions; they also said that the EU should provide frontline member states with its own generic lessons from a central repository.

There are positive arguments for reactivity and deterrence by punishment

Reaction and “deterrence by punishment” thus appear to be the policy course *by default*. There are, however, also “positive” reasons *in favour* of the EU choosing a reactive and punitive approach to MI, and not just because of the limitations of the taxonomy: the unusual traits of MI itself lend themselves to deterrence by punishment. MI may not be as easy to attribute as first assumed, but compared to other hostile practices below the level of war (disinformation campaigns, attacks on critical infrastructure or corrosive investments in critical sectors of the economy), MI does at least become more overt as time passes, for one simple reason. MI provides a ready source of HUMINT: field intelligence gathered from the migrants typically reveals details of the perpetrators’ methods.

Perpetrators also typically have to identify themselves. After all, migration generally has little impact – as a source either of political leverage or instability – until it is made visible to the European public. Perpetrators therefore typically need to show their hand if they are to gain concessions or cause unrest – they also need to clearly demonstrate their capacity to “turn the tap off”, revealing clues about their own capabilities and weaknesses.

Compared to, say, cyber-attacks or disinformation campaigns, therefore, the EU does not need

to invest in complex investigation and attribution activities. Nor does it need to spend time defining thresholds for what constitutes illegitimate behaviour and a legitimate response – the hostile party typically outs itself as precisely that, a hostile party.

The EU can, moreover, put itself in the best possible position to respond quickly and decisively to an MI action. Using a taxonomy like that in Infobox 3, the EU should be able to prepare a set of tools tailored to the four main actor types, and to devise punitive actions. After all, the case studies confirmed that the perpetrators’ aims and costs were linked to their nature as one of these four types of actors. The taxonomy should be used to analyse the costs incurred by each type of actor – the strong state alienating its citizens, overseas diaspora or strongman reputation; the proxy state alienating both the EU and the patron; the weak state losing its links to the EU; and the non-state actor squandering its reputation with its clients.

Is there nevertheless a strategic role for the EU?

Interviewees did, however, stress that the EU must avoid relying solely on this defensive-escalatory toolbox. The EU’s external border in its current geography is quite new, so there is some flexibility for it to wrangle with its current neighbours and, in the short run, transactional and even coercive relationships can prove more cost-effective than cooperation on the basis of shared goods. But in the long run, the EU cannot afford to surround itself with buffering agreements, hostile stand-offs, and militarized zones.⁹⁶ This would amount to a form of self-containment, with the EU hemming itself in (Infobox 6). This would suit actors from Moscow to ISIS/Da’esh perfectly, as they would never coordinate their MI campaigns, but would share the aim of limiting EU influence and standing in its near abroad.

⁹⁶ One Frontex official pointed out that a comparison was often drawn between the 2015 Schengen crisis and the “Fall of Rome”. This was polemical, except in one regard: the EU faces the same dilemma as other large integrated territories whose expansion has slowed. It is now reliant on neighbours to guard it and cannot offer them the eventual incentive of membership. Moreover, it could easily be drawn into “protection racket” deals.

Infobox 6. The risk of “European containment”

Security analysts in member states suggested that they see a key role for Frontex in joining the dots and identifying patterns between individual MI events across Europe. Although few of them used the term “containment”, what they were talking about was precisely this, the concerted use of MI to reduce EU authority and bargaining power over its neighbours. These interviews revealed four potential containment strategies:

-> **Territorial containment.** This is the most obvious risk and is designed to rule out formal EU enlargement or even the “sectoral” accession of countries to EU projects like the Schengen Area. Territorial containment can involve physical attacks on EU border personnel, perhaps at their compounds in North Africa or at sea in the Mediterranean. It may also involve accusations of “neo-imperialism” directed at FRONTEX personnel in the Balkans or EU diplomats in the World Customs Organization. Greek analysts warned the EU against the use of terms like “intelligence-led border management”. Such terms, and the deployment of armed European border personnel to the Western Balkans, allow antagonists to paint border guards as spies or military personnel.

-> **Economic containment.** German analysts pointed out that the EU’s defensive game is often off for the simple reason that it does not appreciate how the mere existence of its market model creates grudges in its neighbourhood, and hence it does not always understand how MI is used to erode its market power. The EU is a hyper-globalized zone and has reduced the internal costs of trade by lifting borders and encouraging low-cost transport models (like Ryanair). This creates grudges amongst third countries which see deregulation as a threat but also resent their exclusion. Belarus escalated relations with a risky attack on a Ryanair flight, and is now turning its traditional national flagship carrier into an advantage, using it to import immigrants.

-> **Normative containment.** One Romanian analyst pointed out that the EU is in competition with Russia and the Eurasian Economic Union over international border standards. When EU members respond to MI with more forceful treatment of migrants, they succeed in pushing down numbers but still lose out because they do so in a style which is more “eastern”. One EU diplomat also recalled being accused of hypocrisy in the framework of the OSCE when he criticized Russia for instrumentalizing migration: the EU has apparently used the offer of visa liberalization as a way of encouraging people in the breakaway regions of Moldova, Ukraine and Georgia to apply for passports from a central government they deeply mistrust.

-> **Institutional containment.** This is about exploiting cracks in Europe’s institutional architecture. The aim is to probe the limits of solidarity, not least between EU and NATO members. Risk analysts suggested that this might explain why, in 2015, Russia targeted three countries that belong either to NATO or the EU but not to both (Turkey, Finland and Norway). By targeting these three “outliers” (rather than, say, the Baltic states) Moscow may have been trying to probe differences between NATO and the EU’s solidarity mechanisms, as well as internal differences within the EU between Article 222 and Article 42(7) situations. But it is also watching as Belarus targets Central European and Baltic countries that worry about a lack of solidarity from other EU member states.

How can the EU avoid this trap of self-containment – of protectionism, externalization and burden-shifting? Academics have pointed out that the EU is good at putting labels on hostile practices by others, but that it often fails to acknowledge that it is part of the problem. They say it should address the elephant in the room: that its vulnerabilities are largely self-created and can be explained by a systematic failure to create fair cooperation agreements with its neighbours. This reputation for externalizing the burden of responsibility for migration control in turn comes down to the unfinished nature of its internal asylum and immigration rules. If EU members want a low-cost way of eliminating MI, academics say, then what could be lower cost than doing what they should have been doing anyway – improving solidarity and responsibility in the Schengen Area?

The trouble with this line of argument is that there are at least three distinct understandings of solidarity in the Schengen Area, meaning that any push to deepen integration will only fuel division in the EU. At the risk of oversimplification, founder members in the northwest say solidarity is about sticking to common rules; the Mediterranean members say solidarity is more about giving frontline member states material support with few strings attached; and eastern member states say solidarity is about finally treating them as rule-makers rather than passive rule-takers. These tensions between the EU's east, south and north overlap with existing tensions around everything from Eurozone reform

to the Recovery Fund and the rule of law. Added to this is the fact that burden-sharing in the Schengen Area has always been lubricated by offering neighbouring countries the possibility of accession, although expansion has now slowed considerably.

Rather than seeing the solution to the EU's systemic vulnerabilities as one of internal regulation (creating a level playing field for asylum claims, "completing" the Schengen Area), risk analysts argued instead that the EU needs to recognize that a project like Schengen is inherently geopolitical – and is viewed as such by antagonists. Schengen has rewritten borders, and bulked up the EU's weight vis-à-vis its neighbours. This sensibility is a precondition for EU risk analysts to identify patterns in MI events, but it could also be used to guide Schengen reform as academics demand, recalling that when Schengen was established in the 1980s and 1990s, it was seen as a tool of creative geopolitics to facilitate continental trade and overcome border and ethnic tensions. Reform today needs to be guided by a reassessment of geopolitical realities rather than abstract ideas of solidarity.

What is certainly true is that the EU needs to look for the deeper root causes of individual MI events and try to join the dots by linking them up to the overall state of international order (**Infobox 7**). This is not to downplay the potential impact of individual MI campaigns. But systemic patterns between individual MI episodes do matter, and spotting them is a logical task for the EU rather than its individual member states.⁹⁷

⁹⁷ One foreign policy analyst, for instance, said that he gained valuable clues about MI by treating it as a product of the tension between the world's big powers and their aversion to outright war: this leads to proxy conflicts in secondary theatres (the Middle East, Latin America) and the instrumentalization in primary theatres (EU, US) of people displaced by the fighting.

Infobox 7. How to gain a fuller threat picture

It is difficult to find systematic patterns to predict when a state will resort to MI – and even trickier to predict when it will *not*. Nevertheless, the effort to try to predict future cases is not futile. It provides a helpful analytical exercise, forcing the EU to look for patterns and shedding light on the underlying reasons for the phenomenon as well as the connections between MI and the overall state of international order. Just because it is hard to predict MI actions (and a reactive deterrence-by-punishment posture seems most fitting for this class of threats) does not mean that the EU should shirk the task.

When asked how to anticipate MI events, for instance, EU risk analysts proposed very different reasons for such events. Some pointed to obvious motives. They felt the risk was greatest in states that had been victims of MI (Turkey) or had a track record of similar hostile actions using different cross-border vulnerabilities (Russia, or Belarus). But others looked at more interesting traits such as imperial history, focusing on multi-ethnic states which consider their make-up or borders to be artificial and have a history of demographic engineering (Russia, Balkan states).

As for the question why states had not engaged in MI when they had the chance, this also yielded interesting answers. Why, for instance, has Russia not instrumentalized its presence in Libya and North Africa to displace people into the EU? Why was Russia generally so restrained when it came to MI in 2015–2020, only targeting the Nordic countries? Russia's restraint when it comes to MI indicate Moscow's fears that engaging in MI would undermine its status as a source of protection and order vis-à-vis its diaspora across the Balkans and EU. A Russia that pushes migrants into Europe is one that squanders its reputation as a protector of its peoples.

Key takeaways

1. It is possible to create a taxonomy of MI, at least one which adequately covers past and recent cases (Morocco, Belarus, Ukraine, Libyan militias). Moreover, by correctly classifying each of the EU's recent antagonists within this taxonomy, the EU would indeed gain clues as to their strategy and ways to quickly ratchet up the costs of their actions. It could use this to prepare a toolbox of punitive retaliatory measures to use in a crisis, thus boosting its capacity for deterrence by punishment.

2. Despite the existence of the taxonomy, it was extremely difficult to predict the timing of future actions, the particular use of means, and even the goals of the three antagonists in the case-studies – even though we are dealing in each case with repeat offenders. A reactive toolbox of punitive measures, such as a series of various targeted and general sanctions, is therefore more cost-effective than an attempt to pre-empt and prevent MI campaigns.

3. Retaliation does however incur its own costs for the EU not least due to the spectre of “self-containment”. It is tempting to rely on increased border surveillance following MI episodes, but muscled reactions also increase the risk of escalation at the border – which the EU should try to minimize, or at least aim to divert away from the border. The taxonomy and the case studies point to some of the diplomatic, operational, and political pain thresholds of the classic perpetrators of MI that the EU could target instead.

4. The case studies showed that antagonists do not always make a decisive response from the EU easy: they did not always clarify their concrete demands vis-à-vis the EU, and some seemed happy to view the EU as a secondary theatre or to simply destabilize it without any specific strategic aim in mind. Others – namely Morocco – even cooperated loyally with the EU whilst engaging in MI. This means that MI is not always easy to react to and punish. For weaker states, MI episodes tend to reflect greater territorial vulnerabilities to large neighbouring powers, which EU retaliation measures could aggravate.

5. Surprisingly often, moreover, the goal of the coercive use of migration even by strong states was to foster closer relations with the EU and Europeans. This was (presumed to be) the aim of the so-called strong man governments in Balkan states during Europe's migration crisis of 2015, as they engaged in soft forms of MI; and of Turkey during the 2015 migration crisis. This provides a further reason for the EU to make its toolbox light touch and, where possible, to hold out scope for cooperation.

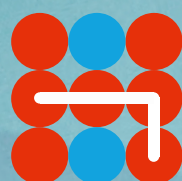
6. The four case studies underline the importance of joining the dots between individual MI events and connecting them to broader shifts in global geo-economics and geopolitics. This might involve watching out for containment strategies targeting the EU. But it also means harnessing the interest of states like Morocco in the good governance of migration and their attempt to use migration management for reasons of national prestige and good neighbourly relations.

Authors

Dr Roderick Parkes is Research Director and Head of the Alfred von Oppenheim Center for European Policy Studies at the German Council on Foreign Relations (DGAP).

Dr András Rácz is Research Fellow on Russia in the Robert Bosch Center for Central and Eastern Europe, Russia, and Central Asia at the German Council on Foreign Relations (DGAP).

Ms Alia Fakhry is an external consultant supporting the Migration Program at the German Council on Foreign Relations (DGAP).



Hybrid CoE