

## Civil Society Perspective: EaP Social and Public Dimension of Integrated Border Management (IBM)

**Prepared for:** EaP Panel on Migration, Mobility and Integrated Border Management (IBM)

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### Introduction

Integrated Border Management (IBM) is a specific Eastern Partnership (EaP) know-how: a “flagship initiative”, which resulted in the separation of a single component of visa liberalisation process into an individual project in its own right. To actively implement the IBM concept, partner countries need to coordinate actions between their competent authorities – in order to create, and maintain, the balance between effective border control and human rights.

### Recommendations

#### **To the border guard services of the EaP countries:**

- To work more actively with civil society organisations – on the whole spectrum of human rights issues that (could) arise at the border
- To enhance the partnership with civil society representatives – with a focus on those working with local communities, media and public relations
- To use the analytical and methodological tools developed by EaP CSF experts (such as research and monitoring of domestic reforms in the area of migration and readmission or cross-sector analysis of migration/border legislation) more widely
- To continue facilitating public discussion around (technical) border issues, migration and human rights, which are cross-cutting topics – as a good practice
- To introduce a feedback process – to collect and systematise comments on border guard services of AA/DCFTA countries’ work from those who cross the border and are part of local communities, especially given that IBM development is one of the priorities of AA (Justice, Freedom and Security)
- To modify practices in line with the feedback received

#### **To the European Commission:**

- To strengthen and develop the concept of border management – in line with migration policy. This is because IBM lacks a connection with the management of migration flows and broader context of migration (as a policy area). The IBM initiative has a narrow aim of protecting borders, which is only a part of the (wider) problem
- To enhance the capacity of civil society organisations, which deal with border and migration management issues

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### To EaP CSF:

- To facilitate discussion on new needs and objectives of the "visa" subgroup – with possible re-organisation into a “smart borders” subgroup
- To create a sub-group, charged with developing a strategy for 2019-2020 – which would also coordinate and harmonise the work of those Forum members who possess expertise on migration

The modern European concept of IBM largely “interferes” with migration policy as a field of study. This is because it is based on the conceptual premise that “there is a border everywhere”.

According to the EU legislation, IBM entails:

- Border control and supervision, including risk assessment and exploration
- Investigation of transnational crime, in cooperation with the competent law enforcement agencies
- Four-tier access control model – measures in third countries, cooperation with neighbouring states, control at the borders and in the area of free movement of people (which should also include surveillance of foreign nationals and monitoring of their return)
- Interagency cooperation in border management – among border guards, customs, police, immigration services, security services and other specialised agencies
- Coordination of international cooperation

Within the framework of IBM, there are three identified levels of cooperation, all of which are necessary for its successful implementation:

- Vertical interaction and information exchange
- Horizontal cooperation between all services operating at the border
- International cooperation between the responsible authorities from different countries

Moreover, these points are conditional on having a (sufficient) degree of public control.

Border management is one of the issues, where implementation depends on the quality of international cooperation – both on a bilateral level between partner countries and the EU, and among countries themselves, which are supported by the EU. Some of the EaP countries have considerable experience in cooperation on border issues already, thanks to EU support.

**At the same time, further progress in introducing a modern system of border management in the EaP countries calls for significant improvements:**

- Increased civil society awareness on cross-border activities in the EaP countries; it is important to inform civil society about the benefits and challenges associated with reforming the border regime

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- Deepen the engagement of civil society representatives in migration and border policy-making process in the EaP countries
- Seek new outcome-oriented, motivational tools after completing the visa liberalisation process; IBM is a logical link in the chain between Visa Liberalisation Action Plan (VLAP) and the EU Association Agreement

The impetus for swift introduction of new approaches on border management issues in the EaP countries came with VLAP, which intended to create conditions for a visa-free regime with the Schengen countries. VLAP introduced a specific format of planning, implementing, reporting and evaluating policies, which allowed to systematically assess change in their respective fields. Georgia, Moldova and Ukraine already fulfilled VLAP criteria and their citizens now have a right to visa-free travel to EU member states.

Following the introduction of a visa-free regime, those three EaP countries are at the post-liberalisation stage – with an obligation to fulfil the suspension mechanism criteria, introduced by the EU to primarily control the risks of migration. Most of the borders and migration reforms envisaged by VLAP were extended in the Association Agreements, pending their active implementation. That said, progress in the visa liberalisation process can still be made through increased cooperation between partners in border management.

How can social activists take a part in this process, and become partners with government bodies? What role is there for civil society representatives, and what is its added value?

The IBM concept creates effective mechanisms for public involvement – and scrutiny, in the following way:

- Through strategic planning, legislative provision, monitoring and control over policy
- Protection of human rights, especially in preventing the violation of human rights – as part of border security policy, and when dealing with detainees
- Help to those who fall victim to transnational crime
- Informational and educational campaigns – to promote greater public awareness of their rights, procedures and cross-border activities

The EaP is a platform where cooperation and reform programmes can be implemented more effectively on a bilateral level, with a deeper engagement of civil society from each country – this also holds true for the sphere of border management.

### **More Information**

*The Eastern Partnership Civil Society Forum (EaP CSF) is a unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms.*

*For more information, please visit the EaP CSF website at [www.eap-csf.eu](http://www.eap-csf.eu)*