

# The CSDP-FSJ nexus in maritime security: the case of Operation Sophia<sup>1</sup>

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## **Abstract**

The construction of EU security actorness has been accompanied by a narrative on security nexuses (internal-external, security-development, civilian-military, public-private) associated with the so-called “comprehensive approach”. The end of the Cold War enabled the explicitness of EU security actorness. The post 9/11 facilitated the reinforcement of previous trends (transnational threats, externalisation of ‘internal security’, cross pillarization) and the introduction of innovative tendencies (comprehensive approach, internalization of the Common Security and Defence Policy, interconnection of security nexuses). These trends have been intensified in recent years as demonstrated by the discourse on the “refugee crisis”, Daesh activity, foreign fighters, hybrid threats and border security. This paper focuses on the internal-external security nexus (IESN) declared by the EU in the post-Cold War, and reflects about the rationale and effects of the European narrative and practices on the configuration of a post-Westphalian security actor. In particular, the nexus is analysed through one of its materializations notably the interface between CSDP and FSJ. Based on the analysis of the European Union Naval Force Operation Sophia (a recent operation dealing with complex areas of law enforcement, trafficking of human beings and migration in the neighbourhood), it is argued that they reflect a securitising move of the European actor explained by the convergence of opportunity (redefinition of security, prioritization of transnational threats in a globalized world), capacity (legal, organic and operational capacity in the field of security), and (ambition to have a global) presence. The holistic approach underlying the logic of the nexus is the result of a co-constitutive adequacy: “more security” - appropriation of policies and instruments of a multifunctional actor for security purposes (security of the EU and of European citizens); “more actorness” - securitization of issues in order to promote the actor and its policies. The main contribution of the paper is to think critically on why and how security narratives, military instruments and securitization dynamics serve convergent processes of gaining political and public space for legitimising policies and actions.

**Keywords:** Security Nexus, Maritime security, EU, CSDP, FSJ, Sophia Operation.

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<sup>1</sup> Please note that this is summary paper about an early version of a research topic in the framework of a collective research project (Please do not quote. Comments are welcome.): “España ante los nuevos retos de la seguridad marítima: Instrumentos y estrategias en el marco internacional, europeo y peninsular” (DER2016-78272-R), funded by Ministerio de Economía y Competitividad (Programa Estatal de I+D+i Orientada a los Retos de la Sociedad 2017-2019). The author also acknowledges the financial support of Fundação para a Ciência e Tecnologia – FCT (Portuguese Science Foundation).



In a context in which the European Union (EU) discourse has been fertile in identifying Europe's challenges in a globalised world, amongst which we find the post-Westphalian security challenges, it is paramount to reflect upon the rationale and effects of the evolving EU security actorness. The Union has been innovative in creating a *de facto* security community that overcame the European interstate conflict, and since the end of the Cold War it endeavoured both to be a security actor (with global reach and through a comprehensive approach) and to address the multi-sector and transnational threats of a complex security environment.

EU security actorness (Kirchner and Sperling 2007; Bretherton and Vogler 2007) reinforces and is reinforced by the narrative on the security nexuses: internal-external security; public-private security; civilian-military security; security-development. This narrative and its practices raise several questionings about the what (means the nexus), the why, the how (to implement it), and the 'with what effects'. The paper focus on a Common Security and Defence Policy (CSDP) operation which demonstrates in the field the nexus between internal and external security (one of the nexus of the security spectrum, probably the main of all), and more specifically the link between the CSDP and the area of Freedom, Security and Justice (FSJ). Based on the analysis of the European Union Naval Force Operation Sophia (a recent operation dealing with complex areas of law enforcement, trafficking of human beings and migration in the neighbourhood), it is argued that they reflect a securitising move of the European actor explained by the convergence of opportunity (redefinition of security, prioritization of transnational threats in a globalized world), capacity (legal, organic and operational capacity in the field of security), and (ambition to have a global) presence. The holistic approach underlying the logic of the nexus is the result of a co-constitutive adequacy: "more security" - appropriation of policies and instruments of a multifunctional actor for security purposes (security of the EU and of European citizens); "more actorness" - securitization of issues in order to promote the actor and its policies.

The paper begins by tracing the path of EU security actorness towards a comprehensive approach. The second section frames the IESN in the post-Cold War EU's narrative on security. The third section focus on the Operation Sophia.

### **The Evolving Security Actorness: From Pillarization to Comprehensive Approach**

The economic specialisation of the European international organisation and the debacle of the European Defence Community Project, associated to the nature of the threat and the guarantee of the security needs by the USA and NATO during the Cold War, postponed the inclusion of the security agenda. Although the clarification of the security actor (and subsequent theorisation) only materialises in the post-Cold War, one can say that the problematic issue of security is ubiquitous in the European integration process.

Underlying the creation of the ECSC, there was a classic reactive security concern against a globalised European war and one preventive of a new inter-state conflict. The Monnet project built upon an institutionalised and gradual strategy aimed at guaranteeing the Franco-German peace (and thus European peace) through the integration of the coal and steel sectors in a post-Westphalian organisation. “European integration has always involved the use of economic cooperation to reduce political conflicts among EU Member-States” (Smith 2004, 7).

Countering the (realism) scepticism concerning the usefulness of the ‘community’ concept in the world of *power politics*, national interest and anarchy, the European Union has proved it possible, even if at a regional scale, to fulfil “[T]he idea that actors can share values, norms, and symbols that provide a social identity, and engage in various interactions in myriad spheres that reflect long-term interest, diffuse reciprocity, and trust” (Adler and Barnett 1998, 3).

Countering centuries of inter-state conflict, the European states have built a community in which there is “a real assurance that the members of that community will not fight each other physically, but will settle their disputes in some other way” (Karl Deutsch *apud* Adler and Barnett, 1998, 6). Set on “an institutional and societal transnational base” (Ole Waever *apud* Adler and Barnett 1998, 6) and having a structural common interest in keeping inter-state peace and security, the relations among Member-States have been characterised by mutual trust and predictability.

Internal pacification had a spill over effect on the external area. Different policies have contributed to international security and stability, especially, on the one hand, the enlargement policy that extends the security community to new States and supports the transition of candidate States and, on the other hand, the development cooperation policy which is based upon the security-development nexus.

In a first phase, an implicit security actor was built, later evolving to the creation and consolidation of an expansive security community that favoured the use of non-security

means. The end of the Cold War, the implosion of the Soviet Union, the decreased American presence in Europe and the expansion of the (widened and deepened) security agenda, created the opportunity for the actor's upgrade to a new stage. The weaknesses of its actions in neighbouring intra-state conflict situations (Balkans) and the concern with the transnational threats in an internally borderless market catalysed the clarification of the security actor thanks to the introduction of the Common Foreign and Security Policy (second pillar) and the police and judicial cooperation in criminal matters (third pillar<sup>2</sup>). This explicitness was reinforced by the Amsterdam Treaty with the formalization of the actor's military (and civilian) component (ESDP) in the second pillar's framework, the specialisation of the third pillar and the externalisation of 'internal security' also within this pillar's framework.

The trace towards a comprehensive approach is connected with EU international actorness, more specifically with the imperative of coherence (horizontal policy and institutional coordination at European level) and consistency (vertical coordination between the European and Member States levels) in EU international presence. In the security domain, early initiatives regarding the fight against organised crime, a security challenge prioritized by the creation of an European internal market, required interpillar (3<sup>rd</sup> and 1<sup>st</sup> pillars) coordination<sup>3</sup>; the improved role of the Union in conflict prevention also demanded interpillar (2<sup>nd</sup> and 1<sup>st</sup> pillars) coordination<sup>4</sup>.

The upgrade from interpillarisation to cross-pillarisation came from the need to fight the complex threat of terrorism after the 9/11. The materialization of the threat, firstly in the US and then in EU Member-States, inaugurated a new stage in the actor's construction, tempering the fragmented pillarisation: "The European Union will intensify its commitment against terrorism through a coordinated and inter-disciplinary approach that will incorporate all of the Union's policies" (European Council 2001, 1). Although the focus of the European fight was placed on the police and judicial instruments, the complexity of the threat justified a cross-pillar approach underlined by the four axis - prevention, protection, pursuit, response - of the Counter-Terrorism Strategy (Council of the EU 2005). The coordination between the pillars concerning security previously required both by conflict prevention (1995) and by the externalisation of cooperation in

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<sup>2</sup> In the Maastricht Treaty, the third pillar ('Justice and Home Affairs') concerned also cooperation in the fields of immigration and asylum.

<sup>3</sup> See recommendation 6 of the Action Plan to Combat Organised Crime (Adopted by the Council on 28 April 1997) regarding the fight against corruption.

<sup>4</sup> For the prevention of conflicts, peacebuilding and structural stability concurred several policies domains from the 1<sup>st</sup> (trade, finance, development, environmental policies) and 2<sup>nd</sup> pillars (CFSP/ESDP).

the ‘internal security’ realm (1999), reached a new level by contemplating the three pillars simultaneously – cross-pillar coordination. In 2004, the ‘Conceptual Framework’ (European Council 2004) countered the European legacy to fight terrorism with judicial and police instruments, and declared for the first time the possibility of using ESDP including internally (internalization of an external policy).

Since this period, the EU narrative and practices on Comprehensive Approach have been applied to several security problems such as crisis and conflicts<sup>56</sup> (from prevention to peacebuilding), organised crime<sup>7</sup>, piracy<sup>8</sup>, cybersecurity<sup>9</sup>, failed states<sup>10</sup>, trafficking in human beings<sup>11</sup>, radicalisation<sup>12</sup>, hybrid threats<sup>13</sup>. Differently from NATO, the EU approach is not restricted to the civilian-military coordination, and, distinctly from UN, surpasses the security-development nexus. It is a holistic perspective to deal with “wicked” security problems, from conflicts and crisis to cyber threats, from external to internal and cross-border challenges.

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<sup>5</sup> “The ideas and principles governing the comprehensive approach have yet to become, systematically, the guiding principles for EU external action across all areas, in particular in relation to conflict prevention and crisis resolution” (European Commission and High Representative 2013, 2).

<sup>6</sup> See annex 4 (“Overview of How Different Instruments can be Combined to Provide a Comprehensive Package of Crisis Assistance”) of “Civilian Instruments for EU Crisis Management” (European Commission, April 2003).

<sup>7</sup> “The high level of safety in the area of freedom, security and justice presupposes an efficient and comprehensive approach in the fight against all forms of crime” (The Prevention and Control of Organised Crime: a European Union Strategy for the Beginning of the New Millennium, 2000, [online], available at [http://publications.europa.eu/resource/cellar/f3b0c604-969c-4234-86d8-0213e3baa4a4.0006.02/DOC\\_1](http://publications.europa.eu/resource/cellar/f3b0c604-969c-4234-86d8-0213e3baa4a4.0006.02/DOC_1)).

<sup>8</sup> “While bearing all aspects of organised crime, piracy is a complex issue that can only be overcome by combining political and diplomatic efforts with military and legal action, development assistance and strong international coordination. With all these tools at its disposal, the European Union (EU) is in a unique position to contribute to international efforts, and addresses that challenge through a ‘comprehensive approach’ tackling both current symptoms and root causes of the problem.” (European Union 2012, 1) “Addressing the adverse effects of piracy through the range of relevant instruments and of other forms of organised crime (e.g. trafficking of humans, weapons and drugs), of terrorism but also the effects of irregular migration – all offshoots of poverty and insecurity in the region.” (Council Conclusions on the Horn of Africa, 3124<sup>th</sup> Foreign Affairs Council meeting, Brussels, 14 November 2011).

<sup>9</sup> “Due to the potential or actual borderless nature of the risks, an effective national response would often require EU-level involvement. To address cybersecurity in a comprehensive fashion, activities should span across three key pillars— NIS, law enforcement, and defence — which also operate within different legal frameworks” (Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace JOIN/2013/1 final).

<sup>10</sup> “The European Community (...) will develop a comprehensive approach to state fragility, conflict, natural disasters and other types of crisis” (Council, Representatives of the Representatives of the Member-States European Parliament and Commission, European Consensus on Development, 2005)

<sup>11</sup> “[EU Anti-trafficking Coordinator] tasks include addressing the urgent need to ensure consistent and coordinated strategic planning at EU level and with international organisations and third countries, to address this issue in a comprehensive manner.” (Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, COM/2012/286 final).

<sup>12</sup> “The European Council of 12 February 2015 at which Heads of State and Government called for a comprehensive approach, including initiatives regarding social integration, among others, which are of great importance to prevent violent radicalisation” (Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the role of the youth sector in an integrated and cross-sectoral approach to preventing and combating violent radicalisation of young people 14 June 2016)

<sup>13</sup> “A holistic approach that will enable the EU, in coordination with Member-States, to specifically counter threats of a hybrid nature by creating synergies between all relevant instruments and fostering close cooperation between all relevant actors” (Joint Communication to the European Parliament and the Council Joint Framework on Countering Hybrid Threats a European Union Response JOIN/2016/018 final).

The first document presenting the EU's "security doctrine" confirmed this comprehensive tendency: a holistic security concept, an interdependence of threats (threats dynamics/"threat multiplier"), the security nexuses (security-development; internal-external security) (Brandão 2015). The European Security Strategy (European Council 2003) corroborated yet another relevant change in the actor's discourse:

It stands for a discursive turn in the sense that the very theme of (external) security is no longer off-limits to the EU in the way it traditionally used to be. (...) Whereas the EU previously pertained to security in a rather indirect manner and did so mainly through its structural essence by providing a unifying centre rather than appearing itself explicitly as a securitizing agent vis-à-vis the external environment, the new doctrine seems to be part of efforts that aim at bolstering the Union's actorness on the international scene. (Joenniemi 2007, 136)

In the same line, the first EU Internal Security Strategy (Council of the EU 2010), appealed to a holistic concept of internal security, a comprehensive approach to deal with the common threats and the interdependence between the internal and external components of security. *A posteriori*, the first document to clarify the common understanding of 'comprehensive approach' (to external conflicts and crisis) was only adopted in 2013 followed by an Action Plan in 2015<sup>14</sup>: "Comprehensiveness refers not only to the joined-up deployment of EU instruments and resources, but also to the shared responsibility of EU-level actors and Member States" (European Commission and High Representative 2013, 3). The updated strategies and priorities in the security area (European Commission 2015; European Council 2016) consolidated this comprehensive trend.<sup>15</sup>

In order to understand the CA (in the security field) in its complete spectrum, it is worth considering also 'the why'. The literature on the issue advances two main arguments. The pragmatic argument underlines the need to avoid duplication and promote

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<sup>14</sup> Council of the EU, 2015. Joint Staff Working Document - Taking forward the EU's Comprehensive Approach to External Conflict and Crises - Action Plan 2015 (7913/15).

<sup>15</sup> "We need a common, comprehensive and consistent EU global strategy" (High Representative, Strategic Review - *The European Union in a Changing Global Environment* - Executive Summary, 2015; "The EU response must therefore be comprehensive and based on a coherent set of actions combining the internal and external dimensions, to further reinforce links between Justice and Home Affairs and Common Security and Defence Policy" (European Commission, "The European Security Agenda", COM/2015/185); "All the dimensions of a Europe that protects its citizens and offers effective rights to people inside and outside the Union are interlinked. Success or failure in one field depends on performance in other fields as well as on synergies with related policy areas" (Strategic Guidelines for the Area of Freedom, Security and Justice, in: European Council Conclusions, 26/27 June 2014); "The European Union and its Member-States can bring to the international stage the unique ability to combine, in a consistent manner, policies and tools ranging from diplomacy, security and defence to finance, trade, development and justice. Further improving the efficiency and effectiveness of this EU Comprehensive Approach" (European Council Conclusions, 19/20 December 2013)

synergies, considering the co-dependency between civilian and military security (Rintakoski and Autti 2008). The political argument demonstrates that the European Union uses the CA narrative to show its positive uniqueness and differentiation as a global security actor (Germond, McEnery and Marchi 2016; Chappell, Mawdsley and Petrov 2016). In addition, it should be stressed that the CA trend has been favoured by mutually reinforcing contextual, legal and institutional factors. The Post-Cold War environment has been characterized by complex multidimensional and cross-border security problems and a broad understanding of security in terms of threats, security objects, security providers and instruments (multi-sectoral and multilevel security). This widener/deepener perspective has also been nourished by the security nexuses narrative and practices (internal-external security, civilian-military security, development-security, among others). In legal terms, the combined use of instruments from different pillars to fight against common threats and, most significantly, the changes inserted by the Lisbon Treaty (EU legal status, the end of the pillars structure, the transference of internal security to the TFEU, the High Representative as member of both the Council and Commission) created the Treaty basis for the CA. Finally, regarding the institutional dimension, it is manifest the interest of the Commission in promoting the CA also in the security domain. In order to reverse an historical absence from this sensitive domain, the Commission pushes for the combination of multiple instruments to face complex security problems, particularly those from policy areas in which the institution has expertise and influence.

Similarly to previous treaties, the Lisbon Treaty ensured continuity, formalised actual amendments and introduced innovative elements whose scope can only be perceived as they are implemented. Reaffirming the objectives of making the European Union institutionally more efficient, closer to the citizen, more efficient and coherent in external action, it introduced a goal concerning global challenges (Portugal 2007).

In this reforming context, the CSDP and, particularly, the ‘internal security’, stood out as the most dynamic areas of the last revision. Before analysing specific changes, three transversal changes that also have implications in the security domain should be highlighted.

First, the Lisbon Treaty ended the dual (EC/EU) system in force since 1993 that penalized the Union’s action capacity and its external recognition. Endowed with unique legal personality<sup>16</sup>, EU assumes the external representation, and it is capable of

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<sup>16</sup> “The Union shall have legal personality” (Article 47 TEU).



celebrating treaties and of participating in International Organisations. This means that, for the first time, CFSP/CSDP and ‘internal security’ evolve in the framework of an International Organisation under International Law. Beyond the legal meaning, Solana underlined the political importance of this change that facilitates the recognition, visibility and readability of the Union: “it would be easier for third countries to understand the EU without the complication of dealing with, and sometimes signing agreements with, different entities.” (UK 2008, 33).

Second, the Treaty overcame, if only on the surface, the Thatcherian pillar matrix, coming closer to the tree-like Delors matrix and consecrating *de jure* the tendency initiated by the *de facto* cross-pillarisation, namely in realms such as external relations, security and the environment benefiting the actor’s coherence and efficiency. The policies of the former second and third pillars were brought under the jurisdiction of a single entity; however, we can state that there subsists a disguised pillarisation, namely concerning the decision-making, with implications in the realms of external action and security. In fact, the CFSP (and the CSDP) maintains a separate legal character<sup>17</sup> that safeguards its intergovernmental nature. Concerning the Commission’s right of initiative, it is restricted to the Union’s High Representative for Foreign Affairs and Security Policy:

The CFSP’s specificity also justifies the CSDP exclusion from the scope of Article 352 of the TFEU (Wessels and Bopp 2008). Furthermore, it should be noted that, contrary to the simplification established by the Constitutional Treaty, the above mentioned domains are under the aegis of both treaties. So, concerning the security domain, the CFSP and the CSDP remain in the European Union Treaty (TEU), whilst the ‘internal security’ is transferred to the Treaty on the Functioning of the European Union (TFEU).

Finally, the creation of the posts of European Council President and High Representative intends to contribute to the inter-institutional and inter-policies coordination in a context of further continuity. The innovative formula associated to the European Union’s institutional complexity and the absence of a clear division of

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<sup>17</sup> “The common foreign and security policy is subject to specific rules and procedures. It shall be defined and implemented by the European Council and the Council acting unanimously, except where the Treaties provide otherwise. The adoption of legislative acts shall be excluded. The common foreign and security policy shall be put into effect by the High Representative of the Union for Foreign Affairs and Security Policy and by Member-States, in accordance with the Treaties. The specific role of the European Parliament and of the Commission in this area is defined by the Treaties. The Court of Justice of the European Union shall not have jurisdiction with respect to these provisions, with the exception of its jurisdiction to monitor compliance with Article 40 of this Treaty and to review the legality of certain decisions as provided for by the second paragraph of Article 275 of the Treaty on the Functioning of the European Union.” (Article 24 of the TEU).

competence generates “role conflicts between the President of the European Council and the High Representative” (Wessels and Bopp 2008, 18).

### **The Internal-External Security Nexus**

The interdependence between the internal and external dimensions (European Council 2003 and 2008, Council of the European Union 2010) is a transverse view to official EU documents relating to security. What does this interdependence mean?

Both in the political and academic contexts<sup>18</sup> different expressions, not necessarily synonymous, have been used to refer to the phenomenon. This wording cacophony does not facilitate the work of policy-makers and academics. The scientific field has been marked by "empirical ambiguity, theoretical fragmentation and a lack of scholarly dialogue on this issues" (Eriksson and Rhinard 2009, 244).

Historically, the study of security, associated to state polity, was based on the separation between "the two arms of the Prince" (Pastore 2001), the image of "separate tables"<sup>19</sup> being quite fitting. The complexity of the phenomenon, associated with the diversification of threats and the multitude of actors, either as providers of security or as a source of threat in the context of intense mobility and communicability worldwide, bucked the traditional paradigmatic, political and organizational separation between the internal and external dimensions of security defined by the realist legacy. The end of the Cold War and the events of September 11, 2001 potentiated the perception of a holistic security (comprehensive approach) covering four areas: security sectors (multisectoral security beyond political and military sectors); subjects of security (multiple actors, including individuals and groups beyond the state); security players, either as security providers or as sources of threat; border dynamics (transgovernmental cooperation for security; actions of transnational entities for security purposes; perverse transnational actors). In sum, internal and external security as separated (Realism), as interdependent (Neoliberalism), as a *continuum* (Bigo 2001) or merged phenomena.

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<sup>18</sup> “blurring the distinction between internal and external security” (Pastore, 2001); “external dimension of Justice and Home Affairs” (Wolff, Wichmannb and Mounier, 2008); “dimension/outer face of internal security” (Rees, 2008); external aspects of internal security” (Trauner, 2006); “convergence of external and internal security”/”division between dissolving external and internal aspects” (dissolving divide) (Lutterbeck, 2005); “merger between internal and external security” (Bigo, 2000 and 2001; Ehrhart, Hegemann, Kahl 2014), “interface between internal and external security” (Ekengren, 2006), “internal -external security nexus” (Eriksson and Rhinard, 2009; Trauner, 2013), “externalizations of internal security (Monnar, 2010); “External dimension of the area of Freedom, Security and Justice” (Cremona, Monar and Poli, 2011; Monar 2014).

<sup>19</sup> Expression used by Gabriel Almond to characterise Political Science (“Separate Tables: Schools and Sects in Political Science”. *Political Science and Politics* 21 (4): 828-842)

As far as the European Union is concerned, the nexus can be applied to different phenomena which, in short, stem from three dynamics: (a) internalization of external phenomena; (b) externalization of internal phenomena; (c) cross-border phenomena. Underlying the in/out narrative is the idea of "globalization of security" associated with the "predominantly transnational character of postmodern risks" (Rehrl and Weissert 2010, 21). In this context, a CFSP that is effective in preventing and combating external threats is considered to be a condition to ensure the internal security of the European area. In turn, an effective internal security system is understood as a condition for the former to be an active policy. In the same vein, the European Security Strategy (European Council 2003 and 2008) asserts the "indissoluble link between internal and external aspects of security" (European Council 2003, 2), explained by several phenomena, namely: Europe's vulnerability due to its reliance on an infrastructure interconnected in various areas (transport, energy and information); the external dimension of organized crime; the global nature of terrorism, which has increasing resources, including connection through electronic networks; proximity to troubled areas as a result of EU enlargement; regional conflicts that have direct or indirect impact on European interests; climate change that has a "threat multiplier effect" (European Council 2008, 5). Thus, in the "era of globalization, distant threats may be as much a concern as those that are near at hand" so "the first line of defence will often be abroad" (European Council 2003, 6) and it is therefore necessary to "improve the way we reconcile the internal and external dimensions" (European Council 2008, 4). In this sense, the Internal Security Strategy (Council of the European Union 2010) supports the concept of internal security that is "comprehensive and complete, extending to multiple sectors" and a "global security approach with third countries" (European Council 2010, 29).

The most recent events, particularly in the field of terrorism, have contributed to intensifying the in-out nexus security narrative. In February 2015, the EU Council reaffirmed the imperative to complement measures in the area of justice and home affairs with a commitment externally, particularly in the Middle East, North Africa, the Sahel, and the Gulf. In the words of Federica Mogherini, the fight against radicalization and violent extremism must continue to be "a priority, not only for internal and security action, but also for our diplomatic and foreign policy" (EEAS 2015).

In short, the European narrative shows a securitization trend built on the risk of lack of control in a globalized world full of threats described as complex, dynamic, less

visible, unpredictable, where remoteness (fragile, unstable and insecure) has become close.

### *The CSDP-FSJ nexus*

One of the axis of security reconceptualization has been the dilution of the separation between the internal and external components of security (as stated by Realism). In this context, it is worth understanding the narrative of a post-Westphalian actor that following an economic rationale consecrated the dismantling of internal borders on behalf of freedom of movement of goods, capital, services and people.

The States signatories to the Shengen Agreement (1985), although then outside the scope of the Community Law, saw necessary to adopt compensatory measures for the security of the internal space: the abolition of hard borders controls was then perceived as an enabler of illicit transnational activities. On the other hand, it is worth mentioning another level<sup>20</sup> of the internal-external nexus arising from the externalization of the collective dimension of internal security (Brandão 2015). The precedent also dates back to 1980s, when the Commission identified the need to integrate the fight against drugs and organised crime in external relations. This was also reaffirmed by the European Council in its meetings of Amsterdam (1997) and Vienna (1998). The externalization (of proximity) emerged in 1998 associated to the signature of an Pre-Accession Pact on Organised Crime. The subsequent initiatives<sup>21</sup> consolidated the IESN, as evidenced by its insertion in EU strategic documents<sup>22</sup>: “Internal and external security are ever more intertwined: our security at home depends on peace beyond our borders.” (European Council 2016, 7)

EU agenda on IESN has extended the list of priority issues: transnational organised crime (since de 1990s), terrorism (since the 9/11), migrant smuggling and human trafficking (post “refugee crisis”), the link between CSDP-FSJ: “The linkages between internal and external security, including in areas such as irregular migration, trafficking of all sorts, terrorism and hybrid threats are an increasingly important context for the further development of CSDP and when considering any possible new operation/mission”

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<sup>20</sup> The externalization of “internal security” has two stages: externalization of Member States’ internal security (from national to EU level); externalization of EU collective internal security (from EU to international level). While this trend dates back to the 1990s, the reality is that the fight against terrorism (post 9/11) led it to further expansion.

<sup>21</sup> Tampere Programme (1999); Report on the EU external priorities in the JHA area (European Council of Santa Maria da Feira, 2000); Multipresidency programme for the external dimension of JHA (2010); JHA RelEx Strategy (2005).

<sup>22</sup> European Security Strategy (2003), EU Internal Security Strategy (2010), European Agenda on Security (2015), EU Global Strategy (2016).

(Council of the EU 2016, 2). After the date of entry into force of Lisbon Treaty changes, the CSDP-FSJ link was the subject of a structured reflection contained in the joint report of the Commission and the HR<sup>23</sup>, which resulted in an operational roadmap (Council of the EU 2011) with five areas<sup>24</sup> and 27 lines of action (12 short-time priorities and 15 medium-term priorities). Those initiatives of reflection and operationalization are concerned specifically to the external component (CSDP missions and operations) and the externalization of EU internal security (external dimension of AFSJ). The internalization (of CSDP) component is being approached in a separated vector, in particular associated to the Solidarity Clause.

The civilian missions of CSDP are one of the tangible expressions of the IESN, particularly with regard to security goals, civilian capabilities, planning, situational awareness and strategic analysis (European Commission and HR 2011): civilian missions of Rule of Law/Security Sector Reform designated to reduce the criminal activity (organised crime and corruption) in the host country, through judicial means, thereby contributing to greater security and stability not only in that country, but also at regional and international levels, and creating the conditions for cooperation with EU and its agencies (EUROPOL, EUROJUST, FRONTEX); missions sustained by internal police and judicial capabilities; crisis management structures which integrate elements from both domains (CSDP and FSJ) in the planning of new missions and revision of ongoing missions; situational reports, risk and threat assessment, early warning and alerting about terrorist attacks and external crisis, which cover both domains (CSDP and FSJ), as demonstrated by the activity of EU Situation Centre (SiteCen), EUROPOL and FRONTEX. A second manifestation of the CSDP-FSJ link regards to intelligence gathering and sharing whether in Brussels or in the field of the missions/operations, which has been fostering administrative arrangements between the General Secretariat of the Council and FSJ agencies as well as the interaction between these agencies and CSDP civilian missions.

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<sup>23</sup> This document (European Commission and HR 2011) was preceded by several contributes, mainly from EU Member States: Hungarian-Belgian-Poland non-paper on certain civilian CSDP issues; Belgium-Netherlands-Luxemburg (Benelux) paper on "Strengthening ties between CSDP and FSJ actors (2010); "Italian non-paper on Cooperation between CSDP and FSJ"(2010); "Finnish non-paper on Strengthening cooperation between the internal and external aspects of security" (2010); "Hungarian non-paper Tightening links between the external and internal aspects of EU Security (2011); "German input to the Hungarian non paper" (2011).

<sup>24</sup> "Awareness and Intelligence Support to the EU; exchange of information and mutual support; improving mechanisms in the decision making process; improving cooperation in planning EU external action; capabilities: Human Resources and Training." (European Commission and High Representative 2011)

The assessment of the first years of implementation of the Roadmap (four progress reports) approved in 2011 and the need to adequate it to situational changes<sup>25</sup> led the Council to define three priority areas of action (Council of the EU 2016): improving situational awareness and exchange of information within the EU; operationalising the nexus between internal/external security, especially by improving the cooperation among EU agencies and between these and the EEAS, the joint training<sup>26</sup>, and the coordination and decision-making process mechanisms; civilian-military convergence and synergies among EU missions and operations.

Although the documents value the CSDP civilian missions in the link between this policy and FSJ, we find relevant to focus on a maritime operation which materialise the IESN through military means used to deal with the (so-called) “new type threats” (Tardy 2015).

### **Operation Sophia: The CSDP-FSJ link through military means**

In order to tackle the so-called “refugee crisis”, the EU adopted a comprehensive approach (CA) based on short-time (emergency support) and medium-long efforts, multisectoral policies (humanitarian, migration, development, security and external relations), multilevel (European, national, local) and multi-actor action (EU institutions and governments, partner countries, partner organisations<sup>27</sup>, international agencies, NGOs).

The use of military means (CSDP operation) and the concentration on the sea (maritime operation) were decided after the tragic sinking and death of hundreds of migrants attempting to cross the Mediterranean<sup>28</sup> (Pricopi 2016; Ventrella 2016). On 20 April 2015, the European Commissioner for Migration, Home Affairs and Citizenship presented a 10 point action plan on migration in response to the crisis situation in the

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<sup>25</sup> “Beyond the EU borders, terrorist organisations and irregular migration flows are profiting from instability and unresolved external conflicts, which eventually have an impact on EU citizens.” (Council of the European Union, 2016, 3).

<sup>26</sup> On November 2016, the CEPOL organised in the Centre of Excellence for Stability Police Units, Vicenza (Italy), organised an activity for Senior officers deployed or to be deployed in key operational positions at EU missions - “58/2016 CSDP / FSJ Nexus, structures and instruments” – “enable participants to improve their knowledge on the area of Freedom, Security and Justice (FSJ) and the Common Security and Defence Policy (CSDP) as well as on the links between them in order to enhance the exchange of information among staff deployed at EU missions” (CEPOL 2016).

<sup>27</sup> For e.g., EU (Sophia Operation) and NATO (Sea Guardian Operation) ships have been coordinating on information sharing and logistics with the aim of improving collaboration in the Mediterranean Sea.

<sup>28</sup> According to the UNHCR, 1,500 migrants died attempting the crossing the Mediterranean from January to 18 April 2015 (and 3,500 from April 2014 to April 2015). On 19 April 2015, hundreds of migrants died after the sinking of a 20m long boat carrying up to 700 migrants, near Lampedusa. (BBC 2015)

Mediterranean<sup>29</sup>. The second action of the plan consisted in the capture and destruction of vessels used by the smugglers (European Commission 2015c). This was reiterated by the European Agenda on Migration (May 2015) as an immediate key action<sup>30</sup>.

The Crisis Management Concept of EUNAVFOR Med was approved by the Council on 18 May and the operation launched on 22 June 2015. The mandate of the operation “disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean” by “efforts to identify, capture and dispose of vessels and assets used or suspected of being used by smugglers and traffickers”<sup>31</sup> (Article 1, Decision 778/2015). “The objective is less to stop migration flows than to disrupt smuggling routes and capabilities and, hence, reduce the flows originating from the Libyan coast, which has been (together with the eastern route) the main point of departure of migrants coming to Europe” (Tardy 2015)

The operation is based on the Articles 42(4) and 43(2) of the TEU. The adoption of the Resolution 2240 by the Security Council of the UN, acting under the Chapter VII of the UN Charter, on October 2015, reinforced the legitimacy of EU military operation<sup>32</sup>:

EUNAVFOR Med Sophia Operation is one of the CA’s elements - a complementary, not a main instrument. Migration had already been implicitly or explicitly mentioned in other EU missions and operations (EUFOR ALTHEA, EUCAP SAHEL, NIGER, EUTM MALI) (Rehr 2017, 109), but for the first time ever an EU military operation is explicitly and specifically associated to migration issues. It “is the first EU Naval Force to operate in the Mediterranean, an area of strategic and economic importance to Europe, and at the centre of many security challenges that affect Europe as a whole” (EEAS 2016a, 4). This operation reinforced the maritime dimension of CSDP being the first EU maritime military operation “aimed to deliver Sea-Based Capacity” and (EEAS 2017a), with an explicit coercive mandate and the possibility of deploying

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<sup>29</sup> The previous Five Point Plan on Immigration, presented by Jean-Claude Juncker on April 2014, did not envisage the contribute of the CSD

<sup>30</sup> “Immediate support to a possible CSDP mission on smuggling migrants.” (European Commission 2015, 6)

<sup>31</sup> “The mandate of Operation Sophia refers to ‘human smuggling or trafficking’, whereas the established terminology in international law for these two criminal phenomena is ‘smuggling of migrants’ and ‘trafficking of persons.’” (Bevilacqua 2017)

<sup>32</sup> “Today’s adoption by the UN Security Council of UN Resolution 2240 to combat the recent proliferation of, and endangerment of lives by, the smuggling of migrants and trafficking of persons in the Mediterranean Sea on the high seas represents an important political endorsement by the international community of EUNAVFOR Med – operation Sophia and its goals.” (“Statement of the HR/VP Federica Mogherini on the vote of UN resolution 2240 on EU naval operation in the Mediterranean”, Brussels, 09/10/2015)

means on the territory of a sovereign state (authorized by a UNSC Resolution) without its consent:

while the EU had so far adhered to the crisis management principles of consent, limited coercion and relative impartiality for its own CSDP operations, EUNAVFOR Med's mandate contains the possibility of the EU going beyond these principles and coming close to a peace enforcement situation. In and by itself, this constitutes a qualitative shift in the EU's security and defence posture. (Tardy 2015)

The operation involves three phases (Council of the EU 2015):

- Phase 1 surveillance - "detection and monitoring of migration networks through information gathering and patrolling on the high seas" (June-August 2015) ;
- Phase 2 operational - search operations "boarding, search, seizure and diversion on the high seas of vessels suspected of being used for human smuggling or trafficking" (2A) in international waters (on-going since 7 October 2015) or (2B) in the territorial and internal waters of Libya (there are still no legal and political pre-conditions to transit to this subphase)<sup>33</sup>;
- Phase 3 operational – disposal practices - "measures against a vessel and related assets, including through disposing of them or rendering them inoperable, which are suspected of being used for human smuggling or trafficking", in the territory Libya (timeline to be determined).

In June 2016 and July 2017 the Council approved additional (support) tasks: training of the Libyan Coastguard and Navy and contributing to the implementation of

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<sup>33</sup> The phase 2 encompasses two subphases (2A – High Seas; 2B – Coastal State/ Libya territorial waters) that require different legal conditions (2A – according to 1982 United Nations Convention on the Law of the Sea; 2B – according to any applicable UNSC Resolution or consent by the State concerned) (Bevicqua 2017). Operating in Libyan territorial waters is an essential requirement for Sophia Operation to "have a significant impact on the migrant smugglers and human traffickers' business model" (EEAS 2016, 24) According to the EEAS (2016b), in order to move phase 2B," we need firstly an invitation from the GNA, as the sole legitimate Government of Libya under UNSCR 2259 (2015), and secondly a UN Security Council Resolution to provide the necessary legal mandate to operate". According with the Report of UK Parliament: "Phase 2B would not necessarily require a fully functioning Libyan government, but would require an internationally recognised one. On the other hand, in the medium to long term, a functioning Libyan state would be necessary for the mission to proceed onshore (Phase 3). To create the security conditions in which an EU mission could act, to secure Libyan borders, to structure the necessary judicial procedures, and to prevent smugglers acting with impunity throughout Libya, would all require more than a 'government in name'." (UK 2016, 21) Regarding the possibility of going into Libya's territorial waters, Frederica Mogherini sustained at the time of the last the informal meeting of the EU Ministers of Defence (April 2017): "This would require an invitation from the Libyan authorities and a UN Security Council resolution. What we have achieved in international waters would now be useful to achieve in Libyan territorial waters, both in terms of dismantling the traffickers' network but also in terms of saving lives. You know that most of the tragedies now take place close to the Libyan coast. What we are currently doing is trying to empower the Libyans to do this work in Libyan territorial waters. This would allow us to solve the problem of smugglers and save lives without necessarily entering ourselves in the Libyan waters. Our objective is not in itself being in the territorial waters of Libya, our objective is that in the territorial waters of Libya the work is done. If it is done by the Libyans, it is even better." (EEAS 2017c)



the UN arms embargo on the high seas off the coast of Libya; setting up a monitoring mechanism of the long-term efficiency of the training of the Libyan Coastguard and Navy, conducting new surveillance activities and gather information on illegal trafficking of oil exports from Libya, and enhancing the possibility for sharing information on human trafficking with member states law enforcement agencies, FRONTEX and EUROPOL. (EEAS 2017b).

Despite the focus on the fight against migrant smuggling and human trafficking, there is a clear concern to underline the humanitarian dimension of the operation. The decision of renaming it “Sophia”<sup>34</sup> in September 2015 was justified by Frederica Mogherini as a tribute to “the lives of the people we are saving, the lives of people we want to protect” and a way “to pass the message to the world that fighting the smugglers and the criminal networks is a way of protecting human life” (Mogherini *apud* EEAS 2017b). EU public diplomacy/communication strategy also emphasizes this humanitarian goal as demonstrated by the animated video “EU Global Strategy- The story of Sophia”. According with the Commander of the Operation, “we will remain committed to saving lives at sea upon request by the competent Maritime Rescue Coordination Centre (MRCC) and in accordance with the International Law of the Sea” (in EDA 2015, 31). According with the UN Secretary-General, the EU should focus on saving lives as a top priority (European Parliament 2015).

The Operation Commander commends the “great results” of Sophia Operation and its evolving scope: it “has transformed into a multifaceted Maritime Security Operation carrying out a range of tasks from Maritime Situational Awareness, to capacity building and law enforcement while building an extensive network of contacts; all furthering the achievement of the mission objective.” (EEAS 2016a, 4). The Operation demonstrated EU political will and solidarity, being launched in record time and achieving results both in the security and humanitarian components without collateral damages: arresting smugglers, destructing boats and tackling the smuggling networks<sup>35</sup>; saving lives. As of 31 December 2016, Operation Sophia had apprehended 101 suspected smugglers and traffickers, neutralised or destroyed 372 vessels, conducted 222 rescue missions and rescued at sea 31, 899 migrants and carried out 253 arms embargo events

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<sup>34</sup> Sophia is the name of a Somali baby who was born on 24 August 2015, on board of a German frigate, a naval unit of the EUNAVFOR Med operation.

<sup>35</sup> “In a letter to Sir William Cash MP, Chairman of the House of Commons European Scrutiny Committee, the Rt Hon David Lidington MP, Minister for Europe, noted that the Operation Commander argued that Operation Sophia “had a deterrent effect”, as smuggling networks could “no longer operate with impunity in international waters.” (UK 2016)

(figure 2). According with Lieutenant General Wolfgang Wosolsobe, the first phase of the operation had two main outcomes in terms of military objectives: “Processes had been «developed to gain information from the migrants», in order «to determine not only their particular circumstances, but how and by whom their passage was effected»; “identification of a network that exists to traffic women and children with a view to their sexual exploitation.” Both enhanced “understanding of the traffickers’ networks, personnel and tactics.” (Wosolsobe in UK 2016)

Despite those tangible results, Sophia Operation has been subject of criticism for its ambitious intentions and objectives (UK 2016), ambiguity (Bevilacqua 2017), ineffectiveness (Pricoppi 2016) and unintended consequences. One of the main critical voices has been the UK House of Lords (UK 2016; UK 2017), whose latest report is entitled “Operation Sophia: a failed mission” (UK 2017): the number of arrests piecemeal is modest in comparison to the scale of smuggling; given the destruction of boats, the smugglers are now using inflatable rubber craft from China that are more unsafe; the operation had apprehended only low-level smugglers (and some of them are in fact co-opted migrants), not the majors ones behind the business model; the deterrent effect of migrant flows is not working since the smugglers find new routes, generally more dangerous and expensive for the migrants; the search and rescue missions are feeding hopes of safe passage (“a magnet to migrants”) and having the unintended consequence of “assisting the job of smugglers, who now only need their boats to reach the high seas, rather than EU waters”; “serious abuses of the human rights of migrants by the Libyan coastguard”. In sum: the operation faces “an impossible challenge” (UK 2016) and has no meaningful deterrent and disruption results, being “the wrong tool with which to tackle migration in the central Mediterranean” (UK 2017, 24).

Amnesty International (2016) also criticised EU approach: “This reckless European strategy is not just failing to deliver the desired outcome of stopping departures and preventing further loss of life, but is in fact exposing refugees and migrants to even greater risks at sea and, when intercepted, to disembarkation back in Libya, where they face widespread and grave human rights violations and abuses including killings, torture, rape, kidnappings, forced labour, and arbitrary detention in cruel, inhuman and degrading conditions.” According to Ayoub Qassem, spokesman of the Libyan Navy, “the first beneficiaries of this operation are not Europe or Libya, but rather the traffickers. Irregular immigration has become an increasingly prosperous trade, and smugglers have further increased their profits” (Euronews 2016).

Regarding the intelligence gathering, critics denounce the planning of Operation Sophia (the establishment of its mandate and the Conception of operations before the intelligence-gathering phase), the limited add value of the Operation<sup>36</sup>, and the gaps in “understanding of the smugglers’ networks and the modus operandi of those networks in Libya” (UK 2016, 19). As reported by the Operation Commander, “[A]ccurate, timely and robust intelligence support is one of the critical requirements for ENFM to succeed. Due to the dimensions of the AOO and the scarce assets currently allocated to it, information sharing has to improve if we are to optimise operational effectiveness in implementing the arms embargo task.” (EEAS 2016a, 4)

There were also pointed out the lack of full transparency (classified Rules of Engagement) and the fact that Sophia Operation addresses only the symptoms, not the root causes of the problem. According to Tuesday Reitano, Deputy Director of Global Initiative against Transnational Organized Crime, “Operation Sophia is more a political display than a genuine response” (in Mathari 2017).

#### *CSDP-FSJ Link*

Operation Sophia is a demonstration of the EU narrative and practice on security nexuses (defence-Migration, military-civilian security, internal-external security, border security-human security) that justify the desiderate of “more security” and “more actorness”. These nexuses are present in the trend to construct the link between the CSDP and the AFSJ (European Commission and HR 2011; Council of the EU 2011).

The European Agenda on Migration advanced that migration would “become a specific component of ongoing Common Security and Defence Policy (CSDP) missions already deployed in countries like Niger and Mali, which will be strengthened on border management” (European Commission 2015, 5). It specifically underlined the role of the operations in the fight against human smuggling: the identification, capture and destruction of vessels used by criminal networks as “a powerful demonstration of the

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<sup>36</sup> Operation Sophia “was doing «nothing new»; «you could go to an Italian or Libyan fisherman and glean exactly the same kind of information that the naval and air forces have been gathering». He criticised [Mr. Roberts] the use of naval forces that had “no experience of intelligence gathering against organisations ashore», and were «unfamiliar with some of the forensic evidence-gathering required to provide the linkages higher up the chain.«” (UK 2016, 15). Peter Roberts, Senior Research Fellow, Sea Power and Maritime Studies, Royal United Services Institute, was an early critic of Operation Sophia. In July 2015, in an article intituled “Militarising the EU Migration Plan: A Flawed Approach” , the author sustained the failure of EU approach: “The plan announced by EU foreign-policy chief Federica Mogherini in May to combat human smuggling in the Mediterranean demonstrated a failure of EU advisers, ministers and bodies to understand the entirety of the problem to be addressed, to seek relevant lessons on counter-migration policy, or to develop the kind of comprehensive approach that could stand a chance of working.” (Roberts 2015)

EU's determination to act” (European Commission 2015). Those tasks constitute the core business of Operation.

The link between maritime border security and migration was initially associated to FRONTEX Operations. FRONTEX is in the forefront of the maritime border security related with migration since 2005. The main focus has been control and surveillance of external borders through EU Joint Operations and the forced return of migrants to departure State (Bavilacqua 2017). After the adoption of the Sea Border Regulation, on May 2014, the operations also encompass search and rescue: “The objective of Union policy in the field of the Union external borders is to ensure the efficient monitoring of the crossing of external borders including through border surveillance, while contributing to ensuring the protection and saving of lives.” (Council of the EU 2014b)

One month later, the Council adopted the EU Maritime Security Strategy (EUMSS). This strategy defines maritime security as “as a state of affairs of the global maritime domain, in which international law and national law are enforced, freedom of navigation is guaranteed and citizens, infrastructure, transport, the environment and marine resources are protected” (Council of the EU 2014a, 3). It encompasses both the internal and external aspects of EU maritime security. Among others<sup>37</sup>, it identifies the cross-border and organized crime, including trafficking of human beings and smuggling of migrants, organised criminal networks facilitating illegal migration, trafficking of arms as threat to the security of the EU, its Member States and their citizens (Council of the EU 2014a, 7). EUMSS left out the humanitarian (search and rescue) dimension. Both operations (FRONTEX and Sophia) evolve rescue activities, but while FRONTEX operations are mainly focused on border management, Sophia Operation is dedicated to the disruption of migrant smuggling and human trafficking routes and capabilities (Bevilacqua 2017). Despite Operation Sophia’s humanitarian component, its rationale is mainly security: Operation Sophia “is also an example of the renewed strategic and political importance of the nexus between internal and external security in the present European security environment. Beyond the EU borders, terrorist organisations and

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<sup>37</sup> Nine categories of threats: Threats or use of force against Member States’ rights and jurisdiction over their maritime zones; threats to the security of European citizens and to economic interests at sea following acts of external aggression; cross-border and organized crime; terrorism and other intentional unlawful acts at sea and in ports; the proliferation of weapons of mass destruction; threats to freedom of navigation; environmental risks; Potential security impact of natural or man-made disasters, extreme events and climate change on the maritime transport system and in particular on maritime infrastructure; Illegal and unregulated archaeological research and pillage of archaeological objects (Council of the EU 2014, 7-8).

irregular migration flows are profiting from instability and unresolved external conflicts, which eventually have an impact on EU citizens.” (Council of the EU 2016, 3).

In general terms, Rehl (2017, 109) identifies four potential inputs of CSDP to fight cross-border crime in general, and migrant smuggling and human trafficking in particular, and to enhance EU borders security, namely: “border surveillance and prevention of uncontrolled border crossings”; “processing of irregular migrants, in particular by providing training and technical assistance as well as capacity building for the so-called ‘hotspots’”; “law enforcement activities against smugglers’ networks by strengthening intelligence sharing”; “security sector reform in countries either of origin or transit”. In sum, surveillance and intelligence gathering, training and SSR, three of which are performed by Operation Sophia.

The third axe of the CSDP-FSJ link is multi-actor and multi-policy coordination. As requested in Article 8 of Council Decision (CFSP) 2015/778, “EUNAVFOR Med shall cooperate with the relevant Member State authorities and shall establish a coordination mechanism, and as appropriate, conclude arrangements with other Union agencies and bodies, in particular FRONTEX, EUROPOL, EUROJUST, European Asylum Support Office and relevant CSDP missions.” General Mikhail Kostarakos (Chairman of the EUMC) and Enrico Credendino (Sophia Operation Commander) converge in the statement that Operation Sophia has been a success in terms of complex coordination:

Operation Sophia (EUNAVFOR Med) has been a perfect test bed for coordination among EU actors on the ground. Namely, an EU regional task force on migration has been set in Catania under the coordination of FRONTEX which included EUNAVFOR Sophia, the Commission’s DG HOME, EUROPOL, the European Asylum Support Office (EASO) and the Italian law enforcement authorities, including the Prosecutor’s Office, Guardia Costiera, Carabinieri, Guardia di Finanza. UNHCR was also associated with the work of the Task force.” (Kostarakos in EDA 2016, 38)

Without a doubt, the success of this first phase is down to the comprehensive liaison network established by EUNAVFOR Med. This network includes all relevant military actors, such as the Italian Operation Mare Sicuro and FRONTEX Operation Triton, as well as non-military actors, such as EUROPOL, Eurojust and UN

agencies, international governmental and non-governmental organisations as well as local non-governmental organisations.” (Credendino in EDA 2015, 31)

### **Concluding Remarks**

EU security actorness has been evolving since the end of the Cold War by a combination of opportunity, capacity and (global) presence (ambition). This construction has been accompanied by the Comprehensive Approach narrative. This holistic approach is the result of a co-constitutive adequacy: “more security” - appropriation of policies and instruments of a multifunctional actor for security purposes (security of the EU and of European citizens); “more actorness” - securitization of issues in order to promote the actor and its policies. The internal-external security nexus, formulated both in terms of threat perception (transnational, cross-border multifaceted threats) and response to threats, justifies and is justified by the comprehensiveness of the approach of a post-Westphalian security actor. Its concrete manifestations, such as Operation Sophia, demonstrates how security narratives, civilian and military instruments and securitization dynamics serve convergent processes of gaining political and public space for legitimising policies and actions of the European security actor.

The CSDP-FSJ nexus, subject of a systematized narrative and practice since 2011, is one of the manifestations of the IESN and Operation Sophia constitutes a materialization of that nexus. EUNAVFORMED is a multifaceted CSDP operation, launched in 2015, which combines the (main) security (disruption of the business model of human smuggling and trafficking networks as the ‘core business’, and training of Libyan Coastguard and the implementation of the UN arms embargo on the high seas as support tasks) and (complementary) humanitarian dimensions.

Sophia is in several aspects a pioneering operation: the first Naval EU to operate in the Mediterranean and aimed to deliver Sea-Based Capacity; the first CSDP operation explicitly and specifically associated to migration issues; the first EU operation with an explicit coercive mandate and the possibility of deploying means on the territory of a sovereign state (authorized by a UNSC Resolution) without its consent. The security rationale underlying the operation results of the merging of several dimensions: border, maritime, military and human security. In the fight against migrant smuggling and human trafficking, EUNAFOR MED operationalizes the CSDP-FSJ by being a law enforcement using military assets, carrying out surveillance, intelligence gathering and training

activities involving means and structures of both domains, coordinating actors of both domains (CSDP and FSJ). For this reason, its achievements and failures enlightens the potential, limits and effects of IESN operationalization.

**Table 1 - Operation Sophia – synopsis**

<b>Legal basis</b>	-Articles 42(4) and 43(2) TEU -Council Decision 2015/778 of 18 May 2015 -[UNSC Resolution 2240/2015; UNSCR Resolution 2292/2016; UNSCR Resolution 2357/2017]
<b>Type</b>	Maritime military operation
<b>Mandate</b>	“disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean” by “efforts to identify, capture and dispose of vessels and assets used or suspected of being used by smugglers and traffickers”. The operation also provides “training to the Libyan Coast Guard and Navy” and contributes “to preventing arms trafficking within its agreed area of operation” (art. 1, Decision 778/2015 amended by Decision 993/2016)
<b>Phases</b>	1. intelligence gathering on the human trafficking and smuggling 2. boarding, search, seizure and diversion of vessels used for human smuggling (in international waters and then in territorial and internal waters of Libya) 3. measures against a vessel and related assets, including through disposing of them or rendering them inoperable, which are suspected of being used for human smuggling or trafficking in the territory of Libya
<b>Tasks</b>	1. disrupting the business model of human smuggling and trafficking networks 2. preventing the loss of life at sea [Supporting tasks] 3. training of the Libyan Coastguard and Navy; 4. contributing to the implementation of the UN arms embargo on the high seas off the coast of Libya 5. setting up a monitoring mechanism of the long-term efficiency of the training of the Libyan Coastguard and Navy; 6. conducting new surveillance activities and gather information on illegal trafficking of oil exports from Libya; 7. enhancing the possibility for sharing information on human trafficking with member states law enforcement agencies, FRONTEX and EUROPOL. (EEAS 2017b)
<b>Mandate duration</b>	22 June 2015 – 31 December 2018
<b>Area of operation</b>	Central part of Southern Mediterranean Sea (525,000 nautical miles) <sup>38</sup>
<b>Leadership</b>	- Operational Headquarters (planning and command) – Rome - Commander - Italian Rear Admiral Enrico Credendino
<b>Personnel</b> (total since 2015)	2266 people [Operation Headquarters - 159 people, of whom 99 are from Italy and 60 from other Member States] (EEAS 2016a)
<b>Means</b>	- 2015 (July) - 1 Italian Aircraft Carrier, 1 German frigate, 1 auxiliary ship, 1 British hydrographic ship, and 6 airborne surveillance assets (2 Italian helicopters, 1 British helicopter, 1 French Falcon 50, 1 Luxembourg SW3 Merlin III, and 1 Spanish P3B Orion MPA). - 2017 (July) - 3 naval units (1 Italian Landing Platform Dock, 1 German frigate, 1 Spanish frigate), 2 organic helicopters (1 Italy, 1 Spain) and 3 air assets (1 Luxembourg, 1 Spain, 1 France) - [the coercive phase will require ‘boarding teams’ with special force units. (Tardy 2015)]
<b>Budget</b> (Common costs – Athena)	- 11.82 million (June 2015-26 July 2017) - 6 billion (27/07/2017 – 31/12/ 2018)
<b>Contributing States</b>	- 22 (1st phase) <sup>39</sup> - 25 (2017) <sup>40</sup>

<sup>38</sup> “It operates within the Libyan SAR zone (which spreads up to 200 nautical miles south of Sicily). However, the ships remain strictly outside Libyan territorial waters – i.e. the zone between 12 and 62 nautical miles north of the Libyan coast (Figure 2).” (EPSC 2017)

<sup>39</sup> Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherland, Poland, Romania, Slovenia, Spain, Sweden and United Kingdom.

<sup>40</sup> Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Finland, France, Germany, GBR, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Romania, Slovak Republic, Slovenia, Spain, Sweden. [Ireland will join the operation.]

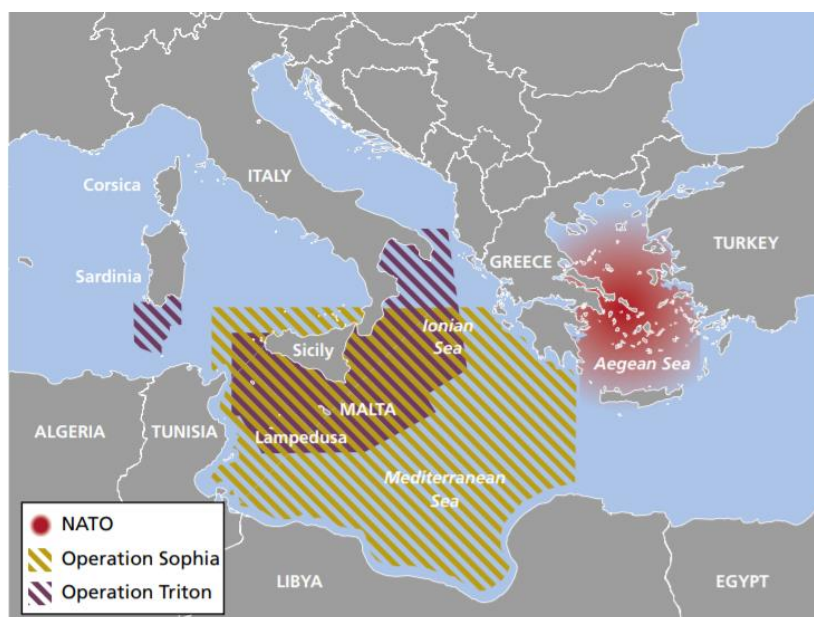




**Table 2 - Operation Sophia - Timeline (May 2015 – August 2017)**

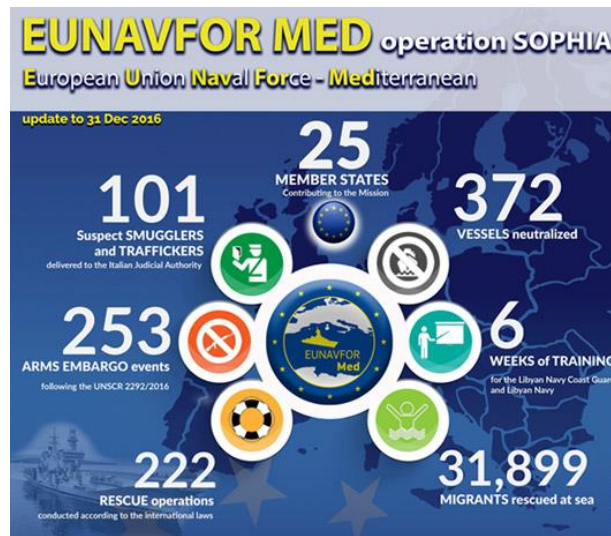
2015						2016	2017
May 18	June 22	July 27	Sept 28	October 7	October 26	June 20	July 25
Council Decision (CFSP) 2015/778	Council Decision (CFSP) 2015/972		PSC Decision (CFSP) 2015/1772		Council Decision (CFSP) 2015/1926	Council Decision (CFSP) 2016/993	Council Decision 1385/2017
Crisis Management Concept	Operation Launch	Full Operational Capability	Transition for the 2 <sup>nd</sup> . Phase	Phase 2 (operational measures – international waters)	Operation renaming – Sophia	Supporting tasks (tasks 3 & 4 table ?)	Mandate Extension (31/12/2018)  Supporting tasks (tasks 5, 6 & 7 table ?)

**Figure 2 - Naval operations to combat irregular migration on the EU's borders**



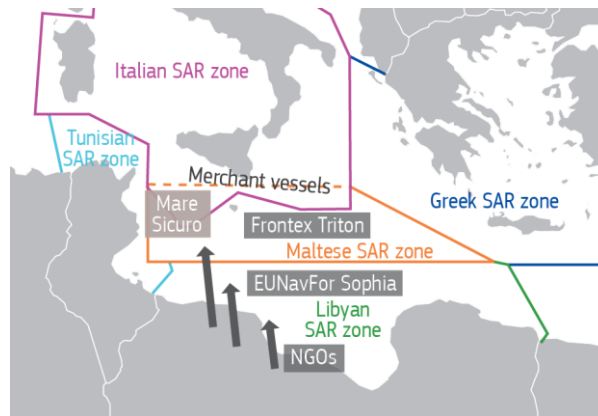
(UK 2016, 24)

Figure 2 - Operation Sophia - Results

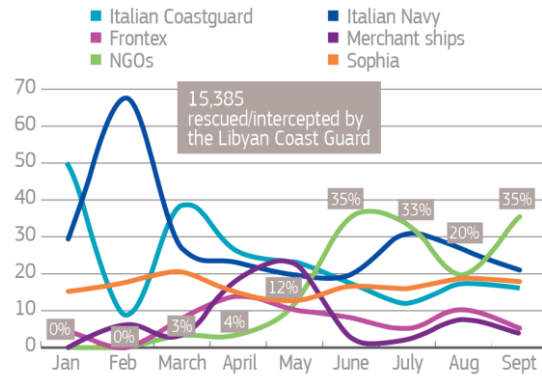


(Gros-Verheyde 2017)

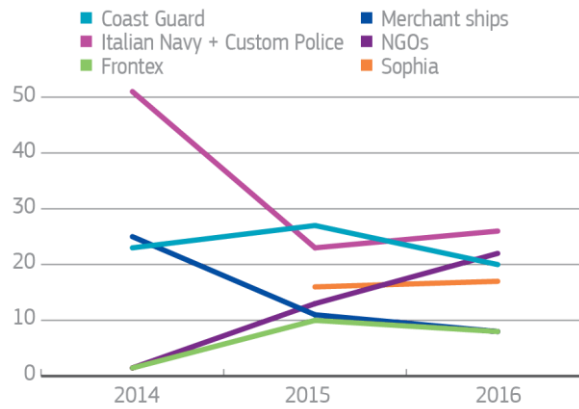
Figure 3 - Central Mediterranean: Main search and rescue activity zones



**Figure 4 - Search and rescue operations by agency / ship operator, 2016 (in percentage)**



**Figure 4 - Search and rescue operations by agency / ship operator, 2014-2016 (in percentage)**



(EPSC 2017)

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