



Union of European Federalists
Union Europäischer Föderalisten
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**SAVING SCHENGEN:
BUILDING A EUROPEAN
BORDER MANAGEMENT SYSTEM
A FEDERALIST WORKSHOP**

REPORT

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This edition of the Federalist Workshops invited **Prof. Sergio CARRERA** (Senior Research Fellow and Head of the Justice and Home Affairs Programme at CEPS), and **Oliver SEIFFARTH** (European Commission, DG Migration and Home Affairs, Unit C2: Border Management and Schengen) to discuss the options for saving the Schengen arrangements ensuring free movement without border controls across Europe by building a European border management system.

As a result of the reaction to the 2015 mass influx of refugees and migrants, Schengen is at risk. The agreement, too often taken for granted, is now left in a vulnerable position. Various factors, including the concentration of arrivals in some Member States within a short period of time, have led to mistrust and created a political atmosphere within which Member States find it difficult to address the issue. The lack of a system to ensure legal entry for migrants and the absence of European solutions in terms of border management and burden sharing, coupled with the limits of intergovernmental decision-making have further complicated the situation. With the most exposed Member States unable to effectively manage the external borders of the Union, border controls have been reintroduced between Schengen states in many places.

On the political level, incoherent declarations send the wrong message to potential migrants as well to European citizens and ignite further chain reactions along the different countries crossed by the routes migrants use. The over-politicisation of the issue of migration causes a vicious circle of evermore restrictive regulations among the Member States.

The Commission is aware that a comprehensive approach should be favoured. The creation of a *European Border and Coast Guard Agency* has been proposed. It would operate in parallel with Member States borders and coast guard authorities and intervene in particular crises situations. The novelty of this proposal lies in the idea that managing Europe’s external borders must be a shared responsibility. Concretely, it is proposed that the new European Border and Coast Guard would have a rapid reserve pool of border guards and technical equipment; a monitoring and supervisory role carried out thanks to risk analysis centres and liaison officers; the right to intervene during joint operations and rapid border interventions; a stronger role in returns and a duty to guarantee coast surveillance as well as internal security.



However, the Commission’s current proposals has clear limits. The Agency fails to be truly ‘European’, as it relies on Member States contributions to the Agency “pools”. Other weak points are the limited resources expected for such a force and the over-reliance on national forces and contributions by Member States. The Agency’s right to intervene in a Member State without its prior consent remains controversial. The use of military forces in ‘coast guard functions’ is also a difficult element to manage in practice, and raises the concern of the suitability of military forces for civil purposes. Furthermore, this plan hardly takes into account crucial deficiencies in domestic capacity on the ground, particularly in countries with vast coast lines. The current approach limited to crisis management does not address the structural dimensions of the crisis that requires a single European asylum policy and the option for legal routes to entry to the Union.

The resistance of many Member States to even the limited proposals of the European Commission is a great concern and shows a mistaken conception of national sovereignty and European interest.



While strengthening capabilities at the external border and cooperation with third countries will be essential in responding the migration and refugee crisis, “Saving Schengen” will also require urgency in ensuring that Member States respect the existing Treaties. As guardian of treaties, the Commission should strictly police any violation and unilateral suspension of Schengen.

In conclusion, a gloomy picture was presented during the workshop but insightful avenues for concrete actions have been suggested and the essential nature of European action on this issue was underlined throughout. The future will tell how EU will overcome this ‘make-or-break’ moment.

Further reading

[Building European Asylum and Immigration Policies and a European Border Service](#), Union of European Federalists Policy Digest, February 2016.

[A European Border and Coast Guard: Fit for purpose?](#), By Sergio Carrera and Leonhard den Hertog, CEPS Commentary, 24 February 2016.

This report provides a narrative account and attempts to provide a reflection of the discussions held. It does not claim to directly represent specific opinions offered by the speakers present at this event.