

Can Schengen survive?

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Another key European project is now under threat. Continental Europeans have become completely accustomed to crossing frontiers without being stopped for identity checks within the so-called Schengen area, composed of 26 European countries that have abolished passport and all other types of border control at their common borders. But the disturbing photos of bedraggled refugees crossing frontiers, sometimes even walking on motorways, have prompted Germany to reinstate controls at its border with Austria. Moreover, the discovery that most of the terrorists involved in the attacks in Paris had come from Belgium, and that some of them might have entered the EU as refugees via the Balkans, led the French government to reinstate controls at its border with Belgium.

These controls are all meant to be temporary; and the vast majority of the other borders remain free of controls. But the principle of a 'Europe without borders' is clearly under attack.

Those making the case for reinstating border controls suggest that the choice now is between security and liberty (of circulation). However, the call for border controls is coming mainly from politicians, especially interior ministers, who want to show publicly that something is being done. Police officers have been notably guarded on this issue because they know that in practice the re-imposition of border controls would hinder, rather than help, the fight against terrorism. If Schengen were to be abolished, thousands of police officers would be needed to check the hundreds of millions of travellers crossing the internal frontiers annually. These resources would not be available to the authorities in the painstaking investigative work that is needed to find the proverbial needle in the haystack, namely the few terrorists hiding among millions of law-abiding citizens. Air traffic alone accounts for close to 560 million border crossings each year within the EU. When one includes rail and road transport, the total must be close to 1 billion. Checking the documents of all these travellers would require huge resources, which would have to be taken from other commitments elsewhere. The number of people crossing the external frontier of the EU is also very large, but only less than one-half of the internal border movements (250 million by air).

The case of Switzerland shows that abolishing border controls can be a rational choice. The country does not want to join the EU, but it has joined Schengen because the Swiss security forces realised that it was impossible to control the masses of tourists and business travellers entering the country from all sides. Moreover, by joining Schengen the Swiss police has gained access to the Schengen Information System and other important European databases on suspected individuals, stolen cars and more.

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It has been forgotten that the abolition of border controls did not come about suddenly as the result of some whim of politicians with a vision. The first step was the signature, in the little village of Schengen, of an agreement (not even a treaty), outside the EU legal framework, to create a space without frontiers among five countries only – the BENELUX (Belgium, Luxembourg and the Netherlands) plus France and Germany. The signature of this agreement in 1985 was indeed a highly symbolic act. But it took almost ten years of hard-nosed and painstaking negotiations on many legal and technical details before border controls were actually lifted in 1995. These negotiations had to be very detailed because the abolition of internal border controls had to go hand-in-hand with a strengthening of the external border. The security establishments were, by and large, supportive of the abolition of border controls since they realised that stopping people at the internal borders did not help them in dealing with the threats that were regarded as the most serious at that time (mainly organised crime and drug smuggling). The negotiations were also aided by a few protest actions by lorry drivers, who were fed up with waiting for hours and sometimes days at internal customs booths.

The subsequent evolution of Schengen resembles that of the euro area: originally it was meant to work among a small group of countries with a similar outlook, and similar capacities to implement the common rules. However, almost immediately after its start, other countries wanted to join, and it proved impossible to say no; although some of those admitted later did not have the same capacity to protect the external border. The reasons were usually a combination of objective physical problems (long and fractured coast lines) and a lack of administrative capacity (Greece and to some extent Italy). In a similar vein some countries were admitted to the euro area with only a perfunctory check based on formal criteria. This was, again, the case of Greece.

The euro area did survive its crisis because there was one common institution that was capable of acting, the European Central Bank, and partially because member states were willing to relinquish control over their banks in order to have a more stable system overall.

The Schengen area needs to evolve in a similar direction if it is to survive. External security cannot be ensured as long as the defence of the external borders is left to individual member states, especially if one of them, Greece, is already facing a devastating economic crisis.

Member states need to realise that they can be more secure without sacrificing liberty if they create a common institution to guard the external borders and reinforce the existing framework for internal security.

On internal security, much more cooperation is already possible than is widely realised under the so-called Prüm Agreement, which established detailed specifications for finger printing data bases and allows for law enforcement officers to operate in other countries. The main problem has been that law enforcement agencies have not used all the potential available to them on this front.

The challenges are much more acute on the external border. The EU has only one operation at the present time, called Frontex, to which member states have assigned some ships for joint efforts. The budget of Frontex (a few hundreds of millions of euro) is clearly not sufficient to police the entire Mediterranean, and its intergovernmental mode of operation hampers its effectiveness. The agency must first receive a request for help and then go hat in hand to other member states to request contributions in terms of material and manpower. Frontex needs to be radically upgraded into a true European Coast Guard, with its own budget, ships and personnel. The Mediterranean will remain for some time the main security threat, both in terms of illegal immigration and as a training ground for terrorists. It thus makes sense to start with a limited, but concrete step that can have a quick tangible impact.

Even a small fraction of the EU budget would be vastly superior to the resources of any individual country. A European Coast Guard would also provide a flexible tool for placing the resources where they are needed and when they are needed. Experience has shown that migratory flows change radically over time. Last year the problem was southern Italy, today it is the Aegean, tomorrow it will likely be somewhere else.