

**National University of Political Studies and Public
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Doctoral Thesis

**Securitization of the European Union's borders in the context of the Syrian
refugee crisis.**

The need to rethink European asylum and migration policy

Scientific coordinator:

Prof. Univ. Dr. Ioan Mircea PAȘCU

PhD student:

Amira SAWAN

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Summary

The aim of this doctoral thesis is to conduct a thorough analysis of recent developments regarding the European Union's border security policy in the context of what I will call the "European Syrian Refugee Crisis of 2015", for reasons I will describe later, using the perspective of security as a socially constructed phenomenon, proposed through constructivism and in particular by the representatives of the Copenhagen School, out of the desire to propose a viable alternative to the common European asylum and migration policy. In this sense, central in my analysis will be the concepts of securitization and political security that I will use in order to achieve the effective analysis of the border security process that I consider as a mechanism to relegitimize the process of European political integration.

With the outbreak of the Arab Spring and the intervention of NATO forces in Libya in 2011, we are witnessing an increase in the number of arrivals in the EU, but in this paper I decided to focus exclusively on the European Syrian refugee crisis in 2015. I am fully aware that since 2015 we are witnessing a widespread European refugee crisis, but for the analysis in this paper I have chosen to refer exclusively to the crisis generated by Syrian refugees. This decision is based on elements such as: the gravity and urgency of the situation in Syria, considered the greatest crisis of humanity after the Second World War; the fact that the largest number of asylum seekers of all time has reached the EU's borders, most of them originally for Syria, which unfortunately continues today; Germany's readiness to receive refugees targeted exclusively at Syrians, or at least this was stated in the public statements of its leaders; the existence of a clear distinction between EU measures taken as a result of the current crisis between Syrian refugees and others. In addition, another reason why I have decided to address the European Syrian refugee crisis exclusively is that I believe that the way in which the EU has dealt with the crisis in Syria is one of the best examples to better understand the new Syrian refugee crisis. EU approach on the MENA area. In this regard, I believe that due to its regional importance, in addition to the potential impact that a military intervention in Syria would have had, the EU has chosen to adopt a political and humanitarian approach to the Syrian conflict, considering it necessary to join the fight against a bigger evil - the Islamic State, an idea that is also valid in the way the EU approaches the new Syrian refugee crisis on the Greek-Turkish border launched in March 2020, representing an

opportunity for its global role. In the end, I would like to discuss my Syrian origins, believing that in this way, I was able to add value to this research approach.

The main research hypothesis I started from is based on the idea that with the European Syrian refugee crisis and the consequences felt at Member State level, the previous approach to European migration and borders policy could no longer be applied, and the effects these will be lasting. In this regard, I believe that with the refugee crisis, border security has been determined both at Member State level and within the EU as a whole, with a series of anti-immigration and border restriction policies adopted, contrary to the commitments made in the EU accession, while also violating the provisions of international treaties, even affecting the functioning of the Schengen Agreement, which was not designed for the free movement of refugees within the EU. In other words, I am of the opinion that due to the fact that the EU acted under the rule of urgency, having to improvise in the face of the impressive size of the refugee wave, it could not respond adequately to this crisis, witnessing a real "battles" for strengthening its borders, generated by its inability to mobilize Member States to take coordinated and supportive action against Member States that have been directly subjected to refugee pressure.

In carrying out this research approach, I set out to adopt an interdisciplinary approach, which involves combining tools and approaches in the field of political science, especially in international relations and legal sciences. Regarding the research methodology I used, it involved a combination of quantitative and qualitative tools, both intended to support the argumentation of the main research hypothesis. Regarding the qualitative research method, it will be found in the present research project using fundamental theory and case study, as well as conducting interviews. Thus, starting from the theory of securitization belonging to the Copenhagen School, I intend to make a comparative analysis of the actions that led to the securitization of EU borders. By analysing the actions taken at EU level, I understand the identification of the border security process, starting from the context and the use of specific rhetoric, how the issue was politicized and what the security decision was. In other words, the first step in carrying out this research was to review the existing literature, both in terms of the theoretical approach and the existing European legislation on migration policy, asylum and refugee integration, security and EU borders, official statements, reports and studies.

Complementary to the process of applying the fundamental theory, I also conducted a series of semi-structured interviews designed to help me understand the causes that made

possible decisions at EU level on managing asylum and migration policy by securing borders, which were the arguments used by European leaders, what is the public perception of them, the effects and how they were felt by Syrian refugees, as well as the possible solutions that respondents can offer to resolve this crisis and adopt a new European migration and asylum policy. Regarding the way people were selected for interviews, I tried to include both the approach of institutions of interest in asylum such as: the European Commission through the Asylum Office within the Directorate of Justice and Home Affairs; The Romanian Parliament; UNHCR Romania; Ministry of Administration and Interior through the General Inspectorate for Immigration; NGOs and other organizations that are implementing projects funded by FAMI or that are actively involved in the integration of refugees and migrants, as well as addressing refugees, by conducting interviews with refugees from Romania, Germany and Sweden. My choice for these Member States was not a coincidence: I chose Romania in view of the fact that it is the Member State on which I have specifically relied on the asylum system, Germany due to the fact that it represents the Member State with the most asylum applications from the EU and Sweden because it is a country with a long tradition of providing asylum to people in need of international protection.

Quantitative research can be found in this research thesis by performing the process of analysis, interpretation and comparison of existing data and statistical information for the purpose of testing research hypotheses, as well as observing the evolution of the literature. As for the secondary research hypotheses, they are characteristic of each chapter, and together they contribute to providing the necessary information to prove the main hypothesis.

I consider that the novelty of this topic is given by the fact that, based on the analysis of the documents, I proposed the application of the theory and especially through interviews with representatives of international, European and national institutions, civil society and Syrian refugees - the main beneficiaries of the European Common Asylum System be able to issue and present a set of general principles on the new Common European Asylum and Migration Policy.

The present research project is structured in **four chapters**, each of which has the mission to answer the proposed research questions, derived from the main objective of the project. **The first chapter** contains an analysis of how the EU's foreign and security policy has been built over time, culminating in an evolutionary presentation of the Union's relationship with Syria. In carrying out this approach, I started from the hypothesis that

European security is not a given, it was in a continuous process of construction and adaptation depending on the perceived threats. Thus, I believe that European security requires both responding to threats from outside, under the CFSP, and from within the EU and under JHA case law, both of which are constantly in the process of change and transformation. Another important aspect for my analysis was the European Neighbourhood Policy and the importance of migration for the security of the European Union, showing that borders have a key role for the Union in defining its policy, both internal and external, in addition to the important geopolitical role they play in defending its territory.

I believe that neighbourhood is essential for European security in terms of the Union's interest in having well-managed borders, and that the existence of neighbours involved in violent conflicts or weak states where there is strong organized crime, a dysfunctional society or the exploitation of the population, involves a number of problems for Europe. In this regard, I presented the fact that EU initiatives to establish a unified and comprehensive framework on migration and asylum have not achieved their desired effects, reinforced by the fact that the challenges identified for European security continue to be associated with these issues. Thus, the paradox is that, although EU legislation in this area is extremely comprehensive, unfortunately the field of asylum, an integral part of the JHA falls under intergovernmentalism, and states continue to refuse to adopt a unanimous position on shared management of the refugee crisis, as the border security falls between humanitarian and internal security obligations of the Union and in particular of its own citizens. Moreover, I believe that the EU has missed the warning that the humanitarian situations in Afghanistan, Iraq and Libya have represented in terms of migratory pressure on European borders, which has automatically led to a lack of preparedness for the magnitude of the European crisis refugees from 2015 and its associated effects.

Another aspect analysed in the last part of the first chapter concerns the relationship between the EU and Syria before the crisis, which I consider to fit perfectly with the EU-promoted framework for the MENA area, which prioritizes economic interest and the desire to prevent the spread of radicalism and illegal migration, for which strong relations have been established with those authoritarian leaders, against whom the “Arab Spring” revolutions have been launched. Thus, in my opinion, Syria is one of the best examples to be able to understand the new EU approach to the MENA area after the European refugee crisis, a non-interventionist, political and humanitarian one in the Syrian conflict, prioritizing the imminent fight against a greater evil - the Islamic State and its effects.

The second chapter is dedicated to the identification of the main provisions of the theory proposed by constructivism and especially by the representatives of the Copenhagen School, as well as some of its main criticisms through the representatives of the Paris School. In this sense, I believe that the constructivist grid of analysis, which assumes that security is a social construct that can be reformulated indefinitely, is the best choice for analysing European security decisions, in view of the fact that we live in a reality in full evolution, and the security threats perceived at the beginning of the European Communities no longer find their applicability today, in a global and interdependent world.

The theory of securitization, defined in terms of the Copenhagen School, assumes that security is the result of a social process, in which security issues are built on speeches through which threats become represented, recognized and prioritized, imposing exceptional measures that, in the absence of the context of existential threat, they could not find a legal framework to justify them. Moreover, in the authors' perspective, securitization, as in the case of politicization, must be understood as a socially and intersubjectively constructed process, which once done (right or wrong) becomes a political fact that produces consequences, causing the actor to act differently from as it would normally act. I consider it important to emphasize that the success of a securitization is not decided by the securitizing actor, but by the audience.

Political security is the third concept theorized by the authors of the Copenhagen School, which together with the securitization process, is the necessary theoretical basis in the analysis I want to perform in this paper. Political security presupposes the organizational stability of the social order, and the core of the political sector is represented by non-military threats to state sovereignty. In this regard, I consider it important to emphasize that political security concerns are two-ways, targeting both non-military threats to non-state political units and those that have as a reference the systemic level such as international society or international law. The idea of the state, especially its national identity, the organizing ideology, and its institutions through which it expresses itself are the targets of political threats. In other words, political threats aim at offering or withdrawing the recognition, support or legitimacy or recognition of essential political units or patterns, such as existing structures, processes, or institutions. These threats are possible because the identity of an international unit is not a given, it represents a generally established category of international subjectivity, of statehood, to which the individual unit must relate.

The authors of the Copenhagen School consider that institutions such as the EU have their legitimacy in the elements assumed and internalized by the component units such as respect for international law, ethics, world politics, the existence of a common morality and norms, this materializing both in relation to the calculation. to state interests, but also to the manifestation of obligations that go beyond the national state or the principles of moral connection. As far as the EU is concerned, there are various concerns on the European security agenda, but in order to lead to securitization it is necessary that an important principle, characteristic of the international or regional order, be existentially threatened. An example of this is presented by Buzan, referring to the characteristic argument of European policy after 1989 until now, namely the idea that Europe needs integration to avoid fragmentation. In this sense, the author considers that integration becomes urgent, because his alternative is fragmentation, a process that will destroy the European project. Thus, for Europe, fragmentation becomes an existential threat, with the risk that such an evolution will lead to the irreparable loss of the European project.

The third chapter is dedicated to **identifying the process of securing European borders in the context of the Syrian refugee crisis and the need to relegitimize the European political project.** By the process of securing the borders of the European Union in terms of the Copenhagen School, I understand that the **exceptional situation** generated by the pressure exerted by the waves of refugees and the attitude of rejection of solidarity both at Member State level and towards people suffering from Member States which have culminated in the adoption of anti-immigration and border-restriction policies at their individual level, contrary to the commitments made by accession to the Schengen area and the signing of international treaties in this field. In this regard, I consider that **one of the main threats to the EU's political security is to challenge and / or deny the principle of European integration, being perceived as an existential threat to the EU, similar to that of a state's national sovereignty.** In carrying out this research, I identified the **reference object** as being represented by **European integration**, even the survival of the European political project which, in my opinion, was threatened during the refugee crisis, by the fact that some Member States such as Hungary, Poland, Greece, Italy, overwhelmed by the magnitude of this phenomenon, have adopted a series of protesting attitudes materialized through anti-immigration and anti-European statements and measures, totally contrary to the European spirit promoted by the EU, which ultimately led to on the suspension of the common provisions adopted by the Dublin and Schengen regulations.

With regard to the **securitization actor**, who presents and publicly assumes the joint European decision to securitize the subject matter, I consider that he is represented by the **High Representative of the Union for Foreign Affairs and Security Policy, one of the Vice-Presidents of the European Commission, who chairs the Foreign Affairs Council**, represents the Union in matters relating to the common foreign and security policy, carrying out political dialogue with third parties on behalf of the EU, but also expresses the Union's position in international organizations and international conferences. I consider it relevant in this regard that the HR has been mandated to prepare and present publicly the EU Global Strategy on Foreign and Security Policy (SGUE), an extremely important EU position paper to understand the logic behind the Union's actions due to the European refugee crisis of 2015. Thus, through the SGUE, Ms Mogherini identified the perceived threat, proceeding towards the re-legitimization of the European project, aiming to regain global importance and coherence existing before the refugee crisis. In addition, it emphasizes the danger of fragmentation, as it is automatically linked to increasing instability in the region, while also providing the solution to combat these threats – by adopting a common strategy of collective responsibility, to meet the expectations of European citizens who perceive the EU as global security provider, this was only possible through joint and united action at Member State level.

In addition, I find it interesting to note how the HR, indirectly, refers to the continuation and intensification of the integration process in areas such as security and European defence, discussing the military operations in which the EU was engaged, but also the idea that at European level non-coercive and coercive power go hand in hand. Furthermore, with regard to the EU's common foreign policy priorities identified in the EU's Global Strategy, they addressed issues such as the security of the Union; the resilience of states and societies in the eastern and southern EU, developing an integrated approach to conflict, regional co-operation orders, global governance for the 21st century.

This document also refers to the re-legitimization of the European project through aspects such as: credibility, unity, and continued integration. In addition, the Union's credibility depended on investment in foreign policy, and in the field of security and defence, with the aim of intervening in external crises to strengthen partners' capabilities and guarantee the EU's security. In other words, the solution proposed by the HR requires unity at Member State level for crossing threats, but also for achieving a stronger Union, with an active collective role in the world, while taking into account common interests, principles and

priorities. In addition, I believe that HR brings to the fore the legitimacy of foreign and security policy actions the idea that European citizens are the ones who need unity both in terms of Member States' objectives and in terms of actions generated by EU policies. Moreover, the idea is induced that the last wish of the citizens in this extremely fragile and conflict-ridden world would be to witness the fragmentation of the EU, a successful project that has helped to ensure 70 years of peace.

The **functional actors**, defined by the Copenhagen School theorists as those actors who decisively influence the decision in the field of political security, I identified as the far-right / nationalist political parties existing in the Member States, but also the danger posed by to terrorist networks operating both in the territory of the Member States and in the countries of origin of refugees, deeply ravaged by conflict (Syria, Iraq, etc.). **The audience**, which approves, legitimizes and ensures the success of the securitization action, in the case of the securitization process of the European borders, we identified it as consisting of the population of the Member States, the over 500 million inhabitants. **The facilitative conditions** of the discursive act, meant to ensure its success, we have identified as follows: internal conditions derive from the almost obsessive use in the official European discourse of words such as security, unity, integration, external threats, migration, common borders, solidarity , common rules, European citizens, whose mission is to immerse themselves in the imagination of the audience, becoming sine qua non conditions, thus contributing to the legitimacy of EU action to strengthen its borders, despite harsh international criticism and external conditions represented by justified fear of terrorist attacks in the Member States, materialized by the public presentation of cases of aggressive behaviour of applicants for international protection and the backlash generated among Member States, the context generated by the 2019 European elections and the pressure of the danger of far-right nationalism .

The last chapter is dedicated to **identifying new developments in European security and the need to rethink European migration and asylum policy**. In this regard, I have shown that beyond the challenges that the European Syrian refugee crisis has brought to the Union and its leadership, it has also been an opportunity to strengthen the European project by continuing integration in the field of European Security and Defense Policy. Common (CSDP). Thus, I analysed all European initiatives in the field of defence after 2015 and especially with the adoption of the EU Global Strategy on Foreign and Security Policy (SGUE) in 2016, when the strategy for CSDP was defined, perceived as an essential element. both for the EU's external credibility, motivated by its desire to respond to crises and to

strengthen partners' capacities, and to ensure security. In November 2016, the Defense Implementation Plan was presented, which involved a coordinated annual defence review process (CARD), with a focus on expenditures; improving the EU's rapid response capability by using, inter alia, EU battlegroups; a new single mechanism for permanent structured cooperation (PESCO) for Member States wishing to make greater commitments on security and defence, as well as the creation of a European Defense Fund. The shaping of this policy followed in the period 2017-2019, when we witnessed major developments in this field, which I believe that despite the challenges posed by the European refugee crisis and which have led to the strengthening of the image of the fortress, are believes that this could also be seen as an opportunity for further European integration, in areas that have previously faced strong rejection from Member States, as has been the case with defence policy.

The second part of chapter four is devoted to identifying the main features of a new European asylum and migration policy, taking into account both recent developments at European level and the answers received in interviews with representatives of the European Commission, UNHCR Romania, national authorities, NGOs and last but not least with Syrian refugees. Adopting a comprehensive approach to migration and asylum is one of the priorities of the new European Commission, driven by a desire to strengthen the EU's global leadership capacity by strengthening relations with its neighbours. From my point of view, it is essential for the EU's external credibility to remain a place of refuge for those fleeing persecution, as well as an attractive destination for those arriving on its territory in the hope of a better life, and this appreciation it is based on the idea of honouring in practice the values and commitments set out in the public discourse, including the protection of refugees. In this regard, I believe that there is a need for a set of basic measures, combined with a coherent and clear common policy, which should ultimately aim at restoring confidence in the European Union's ability to generate convergence of European and national efforts to find solutions to the problems of asylum and migration, while fulfilling its international and ethical obligations, but also to work together in an effective manner, in accordance with the principles of solidarity and shared responsibility. During the interviews, I asked the representatives of the institutions working in this field about how they consider the new European asylum and migration policy should look and what they should prioritize in this new approach - refugee protection or securing the external borders of the EU. In this regard, although the EU's merit in being able to manage migration and asylum policy more effectively if it was an exclusive competence was reconfirmed, most of the respondents

considered it to be unfeasible in the current context, believing that it would be more useful to adopt a new European asylum and migration policy which requires a balance between respect for the fundamental rights of refugees and the need to control migration so that it can be reasonably managed for the benefit of all concerned.

From my point of view, the new European asylum and migration policy must include, beyond this balance between refugee protection and border security, two key components - one internal and one external. The external component presupposes the EU's ability to engage beyond its borders, in its immediate vicinity, by virtue of solidarity and responsibility towards these countries, principles assumed in the European treaties, and the internal one must include both the extension of common competences on protection and protection. the integration of refugees through the adoption of new comprehensive and appropriate common policies in these areas, as well as the development of the EU's capacity to be prepared, on the basis of lessons learned, to respond to future situations such as the European refugee crisis in 2015.

The last part of this current chapter includes the case study carried out in the case of Romania, starting by presenting and analysing the national asylum system, the involvement of national authorities in the European Syrian refugee crisis in 2015, as well as subsequent developments. As far as the national asylum system is concerned, I think it is quite balanced in terms of the need to protect refugees and the need to secure borders. In addition, I identified Romania's positive contribution to resolving the European refugee crisis through our participation in the EU resettlement program, proof of our commitment to solidarity and sharing of responsibilities for refugee protection and assistance. This idea was shared by most of the interviewees, who consider that our country has been quite active at European level, taking part in decision-making processes directly or indirectly related to the refugee and migration crisis of 2015, being also the signatory of all international documents on asylum and refugee rights.

In addition, the respondents referred to the humanitarian assistance that Romania provides for the benefit of Syrian refugees amounting to 5.3 million euros to mitigate the effects of the conflict on children and the Syrian population in the territories of neighbouring states, demonstrating the active employment of our country to the efforts of the international humanitarian crisis management community; participating in Mediterranean operations to halt the flow of refugees and rescue people in need; at the adoption in 2015 of the National Strategy on Immigration for the period 2015-2018, which aimed to create a flexible admission

system and to closely monitor citizens of certain states that have the potential to affect national security. In the end, after this analysis, although I am fully aware that Romania has not found itself among the Member States that have faced a large number of refugees and that there are a multitude of aspects that could be improved in the field of asylum in Romania, however, I believe that our country can be seen as an example of good practice in the region, especially by comparing neighbouring states and the measures to limit access taken by them as a result of the European refugee crisis.

The main conclusions of this research reside precisely in its **main objective, which involves a thorough analysis of developments in the European Union's border security policy in the context of the Syrian refugee crisis in 2015, using the security perspective as a socially constructed phenomenon, proposed by constructivism and in particular by the representatives of the Copenhagen School, out of a desire to propose a viable alternative to the common European asylum and migration policy.**

In line with the EU's migration and asylum treaties, common responsibilities in this area aim to establish a harmonious approach, generated by the need to strike a balance between national and / or European security, while the European security model presupposes an interdependence between internal and external security, facing challenges posed by issues related to protection of rights and freedoms; improving cooperation and solidarity between Member States; addressing insecurity and not just its effects; setting priorities for prevention and anticipation; involvement of all sectors that play a role in public protection (political, economic, social), informing citizens about security policies, and finally, recognizing the interdependence between internal and external security in establishing a global security approach with countries. In this regard, **I consider that the initiative It is the EU's aim to establish a unified and comprehensive framework on migration and asylum has not achieved its desired effects due to the fact that the main challenges to the European security were identified precisely as those presented in the previous initiatives** . Thus, it is paradoxical for me that, although EU asylum legislation is extremely comprehensive, an integral part of the JHA, it falls under intergovernmentalism, and states refuse to adopt a common position on the common management of the European asylum refugees crisis because it is at the limit between humanitarian and internal security obligations of the Union and of its own citizens.

The Syrian crisis represents the biggest humanitarian disaster since World War II and the first response from the EU came in December 2014 with the establishment of the EU Regional Trust Fund (Madad Fund). The EU's concern for the situation in Syria continued in the coming years, culminating in the priorities expressed in 2018, at the conference "Brussels II: Supporting the future of Syria and the region", which sought to provide political, humanitarian and regional solutions for Syria. From my point of view, Syria is one of the best examples to better understand the new EU approach to the MENA area. Due to its regional importance, as well as the potential impact that a military intervention in Syria would have had, the EU has adopted a political and humanitarian approach to the Syrian conflict, joining forces to fight a greater evil - the Islamic State and its effects. Thus, I believe that in the case of Syria, the EU has primarily sought to stabilize the situation in the country by ending the conflict, initiating a political transition process based on peace-building efforts and combating violent extremism and sectarianism that would allow refugees to return to the country, at the same time being the main donor in terms of humanitarian assistance with over € 10.8 billion mobilized together with Member States for humanitarian assistance, development, economic and stabilization.

What I call the European Syrian refugee crisis was triggered in early 2015, being characterized by the impressive number of illegal crossings detected by FRONTEX across the EU, around more than 1,822,337 such crossings, mostly on the Eastern Mediterranean route (885,386) , the route of the Western Balkans (764,038) and the central Mediterranean route (153,946), compared to those registered in 2014 which totalled only 282,962 such cases. I believe that this situation is unprecedented because it has involved an impressive number of people coming to the Member States at the EU's borders, causing them to act in new situations by raising fences, creating cordons of gendarmes, using tear gas to stop the "exodus", while Western states began to organize their political positions towards the adoption of extremely varied policies, from the unconditional reception of immigrants to the determination of the Eastern states to open unconditionally borders in the face of this massive influx of refugees. In other words, ignoring sensitive issues related to security, defence, the internal order of states and adopting strong positions on the issue of "mandatory quotas" of immigrants at EU level "without prior consultation announces a deep political disagreement. which could have jeopardized in the medium and long term the political consensus and cohesion at decision-making level, by moving away from the spirit of democracy,

consultation and free negotiation, respect, and cooperation on an equal basis between EU states.

I believe that the inability of the EU and the Member States to jointly manage the refugee crisis stems from the fact that it is on the verge between humanitarian and internal security obligations of the Union and its own citizens, and I can say that with the scale of the Syrian refugee crisis launched in 2015, the EU has realized that it faces a unique, complicated, multi-dimensional problem that requires a deep and coherent analysis of in order to arrive at a complex picture on the issue of migration and find optimal solutions both in terms of humanitarian as well as from the point of view of common European security. Unfortunately, due to the urgency and pressure of border Member States, the idea of closing borders and relocating refugees from European territory to third countries, to reduce the pressure, has gained more and more ground against the humanitarian issue. In this regard, I believe that the main measures taken by the EU to respond to the refugee crisis can be summarized in two types of action. In this sense, we have on the one hand the aspects related to the creation of "smart borders" that have strengthened the idea that Europe presents itself as a fortress, to which is added the amendment of the Dublin regulation. On the other hand, we are dealing with issues involving third countries, through negotiations on the conclusion of readmission agreements or better implementation of existing agreements, to reduce the number of refugees on EU territory to third countries. "safe" countries such as Pakistan, Turkey, Libya, and the Western Balkans, which have also been plagued by conflicts in the recent past. Finally, I would like to reinforce the idea that the main method of managing the European refugee crisis was primarily aimed at reducing the number of arrivals on its territory, while also involving a process of securing common external borders.

The EU border security process, defined in terms of the Copenhagen School, is based on the idea that with the European refugee crisis we are witnessing a paradigm shift on asylum and migration, both at EU level and in the Member States. In addition, I believe that the immediate effect of this crisis has been a process of securing the Union's borders in terms of the Copenhagen School, in that the exceptional situation generated by the pressure exerted by the waves of refugees and the attitude of rejection of solidarity have made it possible to adopt by Member States of anti-immigration and border-restriction policies at their individual level, contrary to the commitments made by accession to the Schengen area and the signing of international treaties.

Starting from the idea of the Copenhagen School theorists who believe that political security should be defined as the organizational stability of the social order and the perceived threats in the political sector are those of legitimacy or recognition of political units or essential patterns such as structures, processes or institutions existing, consider that the institutional stability of the EU derives from the way it is defined by the Lisbon Treaty, as a community of values common to the Member States that prioritizes respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights in a European society. The pillar of the international order is highlighted by the existence of common principles assumed by Member States through LT, which refer to the EU's external action. In other words, I believe that the Union can be identified as a supranational organization in terms of the Copenhagen School, characterized by a stability of the social order generated by the system of common principles promoted at both Member State and global level.

By the process of securitization of the borders of the European Union, I understand that the exceptional situation generated by the pressure exerted by the waves of refugees has led to the attitude of rejecting solidarity both at Member State level and towards the suffering people, culminating in the adoption of anti-refugee policies. immigration and national border fencing. In this regard, I consider that one of the main threats to the EU's political security is to challenge and / or deny the principle of European integration, being perceived as an existential threat to the EU, similar to that of a state's national sovereignty, which, in my opinion, it was threatened during the onset of the refugee crisis by the fact that some Member States such as Hungary, Poland, Greece, Italy, overwhelmed by the magnitude of this phenomenon, challenged the European principles and values recourse to a series of anti-immigration and anti-European measures, totally contrary to the European spirit promoted by the EU, which ultimately led to the practical suspension of the common provisions of the Dublin regulations, even Schengen, which had nothing to do with asylum and migration.

With regard to the security actor, who presents and publicly assumes the joint European decision to securitize the subject matter, I consider that in the current border security process is represented by the High Representative of the Union for Foreign Affairs and Security Policy, whose mission was to prepare and present the EU's Global Strategy on Foreign and Security Policy (SGUE), an EU position paper, essential for understanding the logic behind the Union's actions following the 2015 European refugee crisis, through which the threats facing the EU were highlighted, as well as the main solutions. The security actor

identifies the danger of fragmentation as the main threat to the EU, and the proposed solution was to adopt a common strategy, collective responsibility, continuation and strengthening of the integration process, by stepping up cooperation in the field of European security and defence. In other words, for the HR, EU unity is the essential and urgent solution to the threats posed by the complex world of the 21st century.

The functional actors, defined by the Copenhagen School theorists as those actors who decisively influence the decision in the field of political security, we identified as the far-right / nationalist political parties existing in the Member States, but also the danger posed by to terrorist networks operating both in the territory of the Member States and in the countries of origin of refugees, deeply ravaged by conflict (Syria, Iraq, etc.). The audience, which approves, legitimizes and ensures the success of the securitization action, in the case of the securitization process of the European borders, we identified it as consisting of the population of the Member States, the over 500 million inhabitants. The facilitative conditions of the discursive act, meant to ensure its success, we have identified as follows: internal conditions derive from the almost obsessive use in the official European discourse of words such as security, unity, integration, external threats, migration, common borders, solidarity, common rules, European citizens, with the mission to permeate the imagination of the audience, becoming *sine qua non* conditions, thus contributing to the legitimacy of EU action to strengthen its borders. I consider that the external conditions are represented by: the fear caused by the terrorist attacks in the Member States; public presentation of cases of aggressive behaviour by applicants for international protection and the backlash generated among Member States; the context generated by the 2019 European elections and the pressure of the danger of far-right nationalism.

Through the above, **I believe that with the onset of the European Syrian refugee crisis we have witnessed a successful European border security process in terms of the fact that EU border management has managed to regain supranational status in the imagination of European citizens (security process audience) and any action taken by the EU to protect them has become legitimate, achieving its ultimate goal of reducing the number of refugees.** Moreover, through the existence of large-scale demonstrations against refugees, coupled with the intensification of terrorist activities in Europe, I believe that the idea that the refugee wave poses a threat to European security (the context of exceptional threat) has been promoted. the most convenient solution in the short term.

The last part of the research objective was to propose a viable alternative to the Common European Asylum and Migration policy. In this regard, the fourth chapter was dedicated to outlining solutions for rethinking European migration policy, by identifying new developments in EU security following the European Syrian refugee crisis, based on the idea that the EU can play the role of global actor only when it will get to speak with one voice internationally. In this regard, I have shown that beyond the challenges that the European Syrian refugee crisis has brought to the Union and its leadership, it has also been an opportunity to strengthen the European project by continuing integration in the field of European Security and Defense Policy (CSDP), an idea materialized through the EU Global Strategy for Foreign and Security Policy (SGUE) in 2016, when the CSDP strategy was defined, perceived as an essential element for both the EU's external credibility, motivated by the desire to respond to crises and to strengthen partners' capacities, as well as to guarantee EU security. In other words, the EU aimed to create European capabilities through which was able to manage external crises, but also to help protect its members and institutions, addressing a number of challenges such as: terrorism, hybrid threats, cyber and energy security, organized crime and external border management. The operationalization of the CSDP continued in the period 2017-2019, when we witnessed a series of major developments in this field. After analysing every European defence initiatives, I believe that despite the challenges posed by the European refugee crisis and which have led to the strengthening of the image of the fortress, it could also be seen as an opportunity to further enhance European integration in areas that previously - have faced strong rejection from Member States, as has been the case for defence policy, and the successful example of defence cooperation could easily be extrapolated to European asylum and migration policy, with a view to transforming and adapting it to respond comprehensively and effectively to the challenges encountered with the European refugee crisis in 2015.

Regarding the identification of the main features of a new European policy on asylum and migration, I took into account both recent developments at European level and the responses received in interviews with representatives of the European Commission, UNHCR Romania, national authorities, NGOs profile and last but not least, with Syrian refugees. Adopting a comprehensive approach to migration and asylum is one of the priorities of the new European Commission, driven by a desire to strengthen the EU's global leadership capacity by strengthening relations with its neighbours. From my point of view, it is essential for the EU's external credibility to remain a place of refuge for those fleeing persecution, as

well as an attractive destination for those arriving on its territory in the hope of a better life. In this regard, I believe that there is a need for a set of basic measures, combined with a coherent and clear common policy, which should ultimately aim at restoring confidence in the European Union's ability to generate convergence of European and national efforts to find solutions to the problems of asylum and migration, while fulfilling its international and ethical obligations, but also to work together in an effective manner, in accordance with the principles of solidarity and shared responsibility.

In my opinion, the **new European asylum and migration policy strikes a balance between respect for the fundamental rights of refugees and the need to control migration so that it can be reasonably managed for the benefit of all concerned. Furthermore, I believe that it must be based on the following general principles: the EU must have the capacity to end human suffering and to become actively involved in the states on its external borders (from Ukraine to MENA); it is essential for the EU's external credibility to remain a place of refuge for those fleeing persecution, as well as an attractive destination for those arriving on its territory in the hope of a better life; the ultimate goal of a common European asylum and migration policy must be to restore confidence in the European Union's ability to generate convergence of European and national efforts to find solutions to this problem, in accordance with the principles of common solidarity and responsibility; the common assumption that no Member State can find solutions for asylum and migration management alone, requiring a new approach, with a more pronounced European character, able to use all the policies and tools available to the EU - combining internal and external policies to get optimal results; there is a need for a new, largely common European policy on asylum and migration, which strikes a perfect balance between the need for refugee protection and integration and border security, while correcting existing policies at Member State level and contributing to awareness and understanding the special needs of refugees.**

Beyond these general principles on which the future European migration and asylum policy should be based, I have identified, on the basis of the analysis of documents and interviews, the **main issues it needs to cover such as: completing the CEAS reform; the establishment of a mechanism for the redistribution of refugees between Member States, in direct proportion to the financial possibilities and individual accommodation capacities of each Member State and involving incentives and access to additional funding for Member States that are open to receiving refugees; the elimination of the**

obligation for Member States to take over their quotas, which will be replaced by the payment of funds equivalent to integration in the case of states that do not wish to receive refugees; facilitating and prioritizing resettlement in order to obtain refugee status in a Member State where there is the possibility of accommodation and integration for unaccompanied minors and vulnerable persons; the adoption of specific measures to combat populism and the extreme right by encouraging respect for solidarity both at EU level and with third countries; compliance with and enforcement of CJEU decisions on refugee return; discouraging illegal migration by introducing legal routes, by setting up EASO offices such as the current existing hotspots in Greece and Italy at the level of third countries such as Turkey, Jordan, Lebanon, Libya, etc., through which EU is able to initiate the asylum procedure, similar to the UNHCR relocation system and complementary to it and last but not least, a proactive involvement in resolving the conflict in Syria and financing the post-conflict reconstruction of the cities most affected by the war.

In conclusion, I believe that a successful European asylum and migration policy must have two components: **external and internal**. As far as the **external component** is concerned, it presupposes the EU's ability to engage beyond its borders, in its immediate vicinity, by virtue of solidarity and responsibility towards these countries, principles assumed in the European treaties as well. In this regard, there is a need for a stronger EU commitment outside its borders by developing sustainable asylum systems, supporting humanitarian operations as needed, adopting a development-oriented approach, expanding opportunities for safe pathways and developing a common approach, regulated migration. From my point of view, these recommendations have been reached in the proposals for a new European migration and asylum policy presented above. **The internal component of asylum and migration policy must involve both extending common competences on refugee protection and integration through the adoption of new comprehensive and appropriate common policies in these areas, and developing the EU's capacity to be prepared to respond to lessons learned. future situations such as the European refugee crisis in 2015.**

Regarding the case study conducted in the case of Romania, I started by analysing the national asylum system, the involvement of national authorities in the European Syrian refugee crisis in 2015, as well as subsequent developments. Regarding the national asylum system, I believe that it is balanced in terms of the need to protect refugees and the need to

secure borders. Moreover, I identified Romania's positive contribution to resolving the European refugee crisis through our participation in the EU resettlement program, proof of our commitment to solidarity and sharing of responsibilities for refugee protection and assistance. This idea was shared by most of the interviewees, who considered that our country was quite active at European level, taking part in decision-making processes directly or indirectly related to the refugee and migration crisis of 2015, being also the signatory of all international documents on asylum and refugee rights. In addition, reference was made to issues such as the humanitarian assistance that Romania provides for the benefit of Syrian refugees amounting to 5.3 million euros to mitigate the effects of the conflict on children and the Syrian population in the territories of neighbouring states, demonstrating the active employment of our country to the efforts of the international humanitarian crisis management community; participation in Mediterranean operations to stop the flow of refugees and rescue people in need; the adoption in 2015 of the National Strategy on Immigration for the period 2015-2018, which aimed to create a flexible admission system and to closely monitor citizens of certain states that have the potential to affect national security. In the end, after this analysis, although I am fully aware that Romania has not been among the Member States that have faced a large number of refugees and that there are a multitude of issues that could be improved in the field of asylum in Romania, I believe that our country can be seen as an example of good practice in the region, especially by comparing neighbouring states and the measures they have taken to limit access as a result of the European refugee crisis.

In conclusion, I believe that through the things identified and presented in this research paper I succeeded in realising the mission to meet the main research objective and the hypotheses established for my research. In this regard, I have carried out a detailed analysis of developments in the EU's border security policy following the European Syrian refugee crisis, and based on research and interviews we have been able to propose a viable alternative to the common European asylum and migration policy. The latter represents practically the novelty of the approached topic, because I was able to present a series of general principles regarding the future common European asylum and migration policy, taking into account both the approach of the European and national institutions and the refugees, its direct beneficiaries.