

## *Original Paper*

# Irregular Migration and Terrorism in the European Union—An Analysis Based on Reports of EUROPOL and FRONTEX

Dr. Robert, Bartko<sup>1\*</sup>

<sup>1</sup> University of Győr Faculty of Law and Political Sciences, Department of Criminal Sciences  
(Hungary-Győr)

\* Dr. Robert, Bartko, University of Győr Faculty of Law and Political Sciences, Department of  
Criminal Sciences (Hungary-Győr)

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### ***Abstract***

*The international migration has intensified during the last two decades. The number of the irregular migrants entered the European Union reached unprecedented level between 2014 and 2018. From 2015 to nowadays the European Union experienced a massive number of casualties caused by terrorist attacks. These facts are reinforced by the data of the European criminal statistics as well. Having regard to that the terrorist attacks constitute one of the most serious violations of the human rights and fundamental freedoms on which the EU is founded, it is very important to deal with the relationship between the mentioned two phenomena. Although, there is no evidence to declare that all of migrants are terrorist, however—it can be underlined-, the terrorists make use of migratory flows to enter into EU. It shall be emphasized that the phenomenon of the irregular migration is favorable to the terrorist organizations. The paper deals with the question of whether is there a connection between the irregular migration and the terrorism in the European Union, using European statistics of the European Law Enforcement Agency (EUROPOL) and the FRONTEX. Dealing with legal documents and analyzing them is not aim of this paper.*

### ***Keywords***

*irregular migration, terrorism, European Union, EUROPOL, FRONTEX*

## **1. Introduction**

As a starting point, it shall be underlined that the irregular migrant can be defined as an individual who crosses a border without proper authority or violating conditions for entering a country. The irregular migrants usually use the following ways entering the territory of EU: (a) border-crossing without

proper authority, either through clandestine entry or with fraudulent documents; (b) entering with authorization, but overstaying it; (c) deliberately abusing the asylum system; or under the control of the smugglers and traffickers. In connection with the mentioned thoughts, it shall be emphasized that the international migration has intensified during the last two decades. Europe has been receiving increasing number of migrants from the developing countries. Until between 2009 and 2010 the number of the irregular migrants crossed the border of the EU was about 100.000 each year, this number rose to more than 280.000 by 2014 at the pan-European level. The mentioned number represents a 138% increase over the previous years. It can also be factually recorded that the number of migrants entered the EU irregularly has increased further in the recent past, to an unprecedented level in 2015 and 2016. According the FRONTEX data the Member States recorded nearly 1.800.000 illegal border crossings at the peak of the migration crisis in 2015, while in 2016 this number—although much less—was 511.047 illegal border crossing which can be considered still extremely high. Irregular migration as a phenomenon is defined in different ways by the Member States. The most of them give an administrative legal answer to the problem. However, it can be underlined that the criminalization is not a widespread response, the illegal border crossing and the illegal residence are not considered a criminal offence in the western European countries. Although Europe is still divided on how to consider the irregular migration, in the political dialogue it is often described as a phenomenon which threatens the state sovereignty and the public security. The news reports show that the public security can be influenced by the irregular migration. Therefore, different legal measures have been adopted by many Member States after 2015 in order to control the illegal migration and deal with its harmful consequences.

In the recent years the migratory pressure pointed out that European Union's liberal migration-policy has caused a serious security deficit in Europe. The positive expectations and impacts have served as a starting point in many European countries to a more liberal migration policy become unfounded in the area created by the new type of the migration. Irregular migration is accompanied by the intensification of other forms of crime, such as the smuggling of human beings, furthermore, the individual terrorist groups can easily profit from it, as they are able to bring their "soldiers" to the destination country more easily. In the context of the above, it can be stated that migration can be both a means and a catalyst for terrorist acts. In the latter case, migration develops conflicts, which later result in violent acts. While in the former, the existing migration networks help the entry and integration of aggressors. The majority of the experts refute the direct causal relationship between illegal/legal migration and terrorism. However, it is clear from the statistical data that the more unstable internal security situation caused by the migration favors the escalation of terrorist attacks. The purpose of this paper is to analyze whether there is a relationship between the irregular migration and the increased risk of terrorism. In the focus of the paper are on the one hand the EUROPOL TE-SAT reports and on the other hand the annual risk analysis published by the FRONTEX. These data can provide a good basis for responding the mentioned question from a science perspective.

## 2. Method

Each year, FRONTEX publishes a summary of the European Union's Border Surveillance activities and their current situation, based on data collected from the Member States' reports, in a detailed Risk Study. In this, the organization deals specifically with irregular migration affecting the Union, its current status, analyzing data in a typical way for citizenship and for each migration route. Therefore, in order to answer the question of our research set out in this paper, it is essential to analyze these statistics, because it is worth to search relationship between the target countries identified by the migration routes and the terrorist actions detected in the target countries based on the reports of EUROPOL. We focus our research on 2014-2017. 2014 was the starting point for interpreting the size of the migration explosion' that occurred in 2015, and to see the impact of EU border surveillance activities and security measures introduced by the Member States. However, the data for 2018 were not published either by FRONTEX or by EUROPOL, which is why we closed our analysis by 2017.

### 2.1 The Analysis of the Data Published by the FRONTEX

In 2014, according to the FRONTEX data, there were a record number of irregular border crossings detected in the European Union compared to the previous years. The number of more than 280.000 was double that reported by the Member States compared to the termin of the, Arabic Spring. The mentioned increase could be traced back to the war and the unstable domestic political situation in Syria. The mentioned fact can also clearly be traced in the figures as well, because 79.169 of the more than 280.000 illegal crossing border were based in Syria. In addition, a large number of irregular migrants have arrived via Lybia from Eritrea and via the Black Sea and the Western Balkans routes from Afghanistan and Kosovo.

However, in 2015 the irregular migration has changed both in terms of quantity and quality. This year, the number of irregular border crossings detected by the Member States and reported to the FRONTEX was unprecedented with reference to the period after the II World War. From the qualitative point of view, three new type of challanges have been faced by the authorities which were basically caused by the increase of the migratory pressure: (a) the irregular migrants entering massively the European Union traveled with false documents or whitout documents; (b) the second one was the identification of migrants who were actually entitled to refugee status; (c) the third one was the abolition of the illegal stay. On the basis of the FRONTEX report for 2015, a total of 1.822.337 cases of illegal border crossings were registered in the Member States. During this period, the areas most affected by the migratory flow were the Western Balkans, the Eastern Mediterranean and the Central Mediterranean owing to the citizenship of the migrants. Namely, most migrants declared themselves to be Syrian, Afghan, Iraqi, Somali, Nigerian and Eritrea.

In 2016, the number of people who wanted to enter the European Union illegally significantly decreased to 511.371. This fact can be traced back to several causes: first of all to the EU-Turkey agreement which entered into force in March 2016; and the border protection measures introduced by Hungary which had an effect on the Western Balkan route. It shall be emphasized that in 2016 more

and more migrants tried to enter the European Union with false documents. It is an interesting fact that the false documents detected and confiscated by the authorities were typically residence permits, passports, visas and identity cards. Generally, Spanish, Italian, French, German, Belgian and Greek documents were falsified by the counterfeiters—taking into account the target country designated by the migrants. Taking into account the recent terrorist attacks in the EU, it is particularly interesting that the number of the irregular stay in France, Germany, Austria, Italy and Belgium was very high.

On the basis of the annual report for 2017 published by the FRONTEX, it can be underlined, the data concerning the irregular migration showed an improvement in 2017 and a reduction in the migratory pressure. The 204.719 illegal border crossings published show a 60% more favourable picture compared to the previous year. However, it is interesting to note from the data—in connection with our investigation related to the terrorism—that on the one hand the largest number of irregular migrants arrive from Syria, Afghanistan, Iraq, Nigeria, Eritrea, and on the other hand France, Austria, Belgium, Germany, Italy and Spain are that countries which have to take serious measures against the illegal residents.

Summarizing the above—mentioned facts, the illegal border crossings detected between 2014 and 2017 by the Member States are presented by the following Table 1.

**Table 1. Irregular Border Crossings Detected in the EU between 2014 and 2017**

| <b>Year/Route</b>                  | <b>2014</b> | <b>2015</b> | <b>2016</b> | <b>2017</b> |
|------------------------------------|-------------|-------------|-------------|-------------|
| <b>Western African</b>             | 276         | 874         | 671         | 421         |
| <b>Western Mediterranean</b>       | 7842        | 7164        | 10.231      | 23.143      |
| <b>Central Mediterranean</b>       | 170.664     | 153.946     | 181.459     | 118.962     |
| <b>East Mediterranean</b>          | 50.834      | 885.386     | 182.277     | 42.305      |
| <b>Circular route from Albania</b> | 8841        | 8932        | 5121        | 6396        |
| <b>Black Sea</b>                   | 433         | 68          | 1           | 537         |
| <b>Western Balkan</b>              | 43.357      | 764.038     | 130.261     | 12.178      |
| <b>Eastern borders route</b>       | 1275        | 1920        | 1349        | 776         |

*Source:* FRONTEX Annual Risk Analysis for 2015-2018.

## *2.2 The Analysis of Data Published by EUROPOL*

In 2014, a total of 201 cases related to terrorism were registered by EUROPOL. In this data both attempted, executed and the foiled attacks are included. In 2014, 774 persons were arrested in the European Union for the suspicion of terrorism. EUROPOL drew attention to the growing number of religiously motivated terrorist attacks (hereinafter: jihadist terrorism). Furthermore, the data show that the following countries were on the list based on jihadist terrorism: Spain, France, Belgium and Italy. By 2015, it has become clear that the jihadist terrorist cells—typically associated with the IS—were

organized locally and increasingly as a result of the fast recruiting. As it was above mentioned, in 2015 the migratory pressure also intensified. Therefore, EUROPOL tried to deal with the relationship between the irregular migration and the terrorism. At this time, the agency came to the conclusion that, although there was no evidence on the existence of the mentioned relationship, there were already perpetrators in this year who entered the EU as a member of the migratory flow. The number of arrests for terrorist offenses also increased in 2015 to 1077, of which 687 were linked to the jihadist terrorism. Summarizing the data published by EUROPOL it can be emphasized that the number of attacks related to the jihadist terrorism has doubled in 2015 compared to 2014.

In 2016, although the statistics on the prepared, attempted and completed terrorist attacks showed a downward trend at European level, but the numbers show an interesting picture concerning the target countries affected by the irregular migration (first of all in Germany, Italy, Spain, Belgium, and France). When we look at the arrest data related to the terrorism, the jihadist terrorism has been increased in this regard. France was the only country where the number of arrests with reference to the jihadist terrorism show a heavy upward trend from 2014. Although this is not clearly stated in the EUROPOL report, the above conclusions clearly show that the situation created by migratory pressure in 2015 and 2016 has been exploited by terrorist organizations for their own purposes.

The mentioned trend did not change in 2017: the number of the registered terrorist offences was 205, of which 33 were linked to jihadist terrorism. The number of arrests was 1219, of which 705 cases related to the mentioned type of terrorism. Although at first glance the number of prepared, attempted and committed jihadist terrorist attacks do not seem to be high, however, if we take the view that this number was, only 16 in 2016 at the European level, this trend can be considered very frightening.

We summarize the relevant data concerning the topic of our paper in the following Table based on the TE-SAT reports published by EUROPOL.

**Table 2. Data Concerning Terrorism in the EU Based on TE-SAT between 2015 and 2017**

| <b>Member State</b>  | <b>2014</b>            | <b>2015</b>            | <b>2016</b>            | <b>2017</b>            |
|----------------------|------------------------|------------------------|------------------------|------------------------|
|                      | <b>arrests/attacks</b> | <b>arrests/attacks</b> | <b>arrests/attacks</b> | <b>arrests/attacks</b> |
| <b>Spain</b>         | 145/18                 | 187/25                 | 120/10                 | 91/16                  |
| <b>France</b>        | 238/52                 | 424/73                 | 456/23                 | 411/54                 |
| <b>Belgium</b>       | 72/1                   | 61/0                   | 65/4                   | 50/2                   |
| <b>Great Britain</b> | 132/109                | 134/103                | 149/76                 | 412/107                |
| <b>Greece</b>        | 13/7                   | 29/4                   | 17/6                   | 15/8                   |
| <b>Italy</b>         | 39/12                  | 40/4                   | 38/17                  | 39/14                  |
| <b>Germany</b>       | 18/0                   | 40/0                   | 35/5                   | 58/2                   |

*Source:* EUROPOL TE-SAT 2015-2018.

### 3. Result and Discussion

We can state that already from the beginning of the 19th Century the problem of the irregular migration and the assimilation has been crucial part of the political philosophies. The problem is primarily seen in the case of migrants from a lower-educated, poorer line, who—in the hope of a better life—leave their countries, have a different cultural tradition and come with positive expectations into the European states. The integration of these people is necessarily slowing down, they are quickly and easily peripheral, and in many cases, due to their irregular arrival, Member State authorities try to deport them as quickly as possible. According to our opinion it is a serious source of conflict and radicalization. The events of recent years show that a significant percentage of these migrants entered illegally the EU belong to the above-mentioned group.

If we take a view on the data published by EUROPOL, it shall be emphasized that the jihadist terrorism has strengthened in the recent years in the European Union. If we look over the terrorist attacks, we can see that most of the perpetrators in the 2014-2017 period were typically second- or third-generation migrants. These people lived in the EU for a long time neither as a citizen, or in other legal status. However, from 2016 we can also see terrorist attacks related to the jihadist terrorism, where the perpetrators entered the territory of the EU as member of the irregular migration flow analyzed above. It can be emphasized that some of the attacks can be traced back on the one hand to EU participation in the Syrian and Iraqi fighting events, and on the other hand to the radicalization of that irregular migrants who did not find their anticipation in the target country. The IS had a heavy role in this mentioned process of the radicalization.

It can be clearly seen from the data analyzed above that the phenomenon of the irregular migration is very favorable for the terrorist organizations. It is much easier to mingle in the migratory flow and to circumvent the vigilance of the authorities with using of false documents. Therefore, the primary relationship between irregular migration and terrorism can be proved with the fact that uncontrolled illegal migration makes difficult for the authorities to identify the perpetrators. Thereby, the trained “fighters”, or those who have been trained abroad, but they have legal status in a Member State can create a cell by radicalizing the disappointed members of the migratory wave, are difficult to detect. In addition, the relationship between this two phenomena is also evidenced by the fact that in that EU Member States, which are the target countries of irregular migration, not only the terrorist threat, but also the falsification of the official documents are higher. If we look at the rise of jihadist terrorism in the European Union and compare this fact with the cultural and religious trait of the irregular migrants, the relationship can also be outlined. When we look at the territorial distribution of terrorist attacks and arrests, it is very clear from the data that the potential destinations of illegal migrants are most vulnerable to the terrorist threat. The figures reflect well that the number of religiously motivated perpetrators and the attacks related to the jihadist terrorism in those Member States is high that are typically target countries for irregular migrants. In summary, it can be concluded that, although an illegal migrant is not considered a terrorist, terrorism—mainly motivated by religion or legitimized by

such arguments—is a clear beneficiary of the changed European security situation. Therefore, the border protection must be strengthened by the European Member States and—in connection with this statement—must create the necessary legal and technical conditions to achieve the desired aim mentioned above. The legal response—like in Hungary where three new crime were created by the legislator: damaging the closing of borders, irregular crossing the closing of borders and finally obstruction the building on closing of borders—should concern not only the criminal law but also the criminal procedural law as well.

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