

## 6 EUROSUR: IT's Mediation

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What exactly is referred to, when the acronym EUROSUR is deployed by policy makers and those involved in “the progressive establishment of a European model of integrated border management”<sup>1</sup>? What kind of object is EUROSUR? Does EUROSUR refer to the situational picture, and thus to a GIS-generated map, which border guards and analysts see on their screen when wanting to inquire about the latest from the border? Does EUROSUR, as an umbrella term, refer to the technical upgrade and integration of border surveillance of EU member states, as expressed in the phrase ‘system of systems’? Is EUROSUR the electronic network installed between national coordination centers (NCCs)? Does it, as such, refer to a setup designed for the purpose of inter-organizational communication and information exchange? Is it a concretization of the ‘flanking measures’ to the Schengen Agreement and its Convention? Is it, thus, another inter-governmental arena; or can it rather be characterized a communitarian heterotopia (Foucault 1986 [1967]), indicating common concerns while at the same time displaying the crisis of precisely that common entity?

In a sense, EUROSUR is all of the above. However, in more pragmatic terms it has been portrayed as “just a network, nothing else.”<sup>2</sup> And in fact, developing this network, all the other reconfigurations have been mediated. EUROSUR is thus not an object, but a trigger. It is the mediator for several reconfigurations in EU border management.

Part II of this book started off with the intention to trace, analyze and discuss the contribution of the European Border Surveillance System, EUROSUR, to the emergence of a supranational EU border. The exploration has focused upon the

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- 1 Executive Summary to the EUROSUR Impact Assessment SEC(2011) 1537 final, p. 2.
  - 2 Head of Research and Development at Frontex, personal interview (May 27, 2011).

development phase of EUROSUR running from February 2008 to December 2013. During a period of just under six years, two results – or, in fact, products – were yielded: first, the IT application of the EUROSUR network and second, the EUROSUR Regulation. Both products revolve around the exchange of border-related information between EU member states and Frontex for the purpose of generating a common European situation picture (ESP) visualized in an electronic map. The EUROSUR development phase has been explored for those inscriptions that made it into software *and* regulation, such as for instance, menu items of the GUI that are at the same time mentioned in the regulation as obligatory element of the situational pictures.

Generally, the analysis referred both to the making of a cartographic depiction and of a legal text as mediators of the external EU border. Their interplay: the IT application provides the classifications to sort and value border-related information and offers a standardized communication format for the exchange of information. The regulation turns this standard into an official procedure, and allots the respective competences.

EUROSUR not only facilitates the exchange of information nor does it merely produce an electronic map; the processes instituted by EUROSUR rather contributes significantly to the formation, acceptance and validity of an external EU border while. The development process of these two products proposed, tested and eventually stabilized the material basis for a new taken for granted idea of an external EU border: While the IT application and its GIS produce chains of references which are supposed to increase and guarantee situational awareness, the regulation describes this accumulation of information as chains of obligations.

These chains of references and chains of obligations have been set up anew with their interrelation mediating the supranational border mandate; (new) chains of reference have been established with regard to “situational awareness,” and the provision of a “situational picture,” A new truth about what concerns the border is onscreen and guiding the allocation of personnel, resources and the legitimization for interventions. In turn, the regulation fixes the maintenance of these references as an obligation. As the ‘result’ of these reconfigurations and new fact sheets, new chains of references and new obligations of reporting and assessing the border become tangible to and exploitable by participants. This picture of the external EU border appears plausible, and finds adoption. Chains of obligations and chains of references thus work together and establish a very powerful system whose output changes the assumed geographical and informational limits of border policing.

As both software and regulation are set up for the purpose of generating a European situational picture, their parallel development has provided for the possibility of a dual claim: the ESP produces a both truth claim and a legitimacy claim. In this case, politics thus have artifacts and legislations, their power, however, “does not lie in themselves. It lies in their associations; it is the product of the way they are put together and distributed” (Joerges 1999: 5). Subsequently, EUROSUR – as process, trigger, object and system – constructs that which is legitimately taken to be the border and the need for protection, together with the authority to regulate movement. From the previous two chapters, EUROSUR’s mediation can be summarized by the following five aspects:

- *Europeanization.* Since cooperation and information exchange have been cautiously valued and rejected by member states from the very beginnings of the Schengen Process, the development of EUROSUR has produced a degree of integration that did not previously exist and that even seemed heretofore unrealistic. A “detour” – through the development of a communication platform for the exchange of information – mediated member states’ willingness to accept obligations concerning the reporting and operationalization of border surveillance and control.
- *Composition of a new visual language.* The most powerful mediation is achieved by way of visualization of the information exchanged in EUROSUR in the European situational picture (ESP). The electronic map of the ESP, the “EUROSUR on the screen,” not only provides an image to the added value of information exchange, it also offers what Latour has called a “new visual language” (Latour 1986: 19), that allows the external border of the EU to be naturally ‘seen’ as a supranational entity. Just as at the turn from medieval to the modern age when “maps depicted political authority as homogeneously territorial and linearly bounded *even before* political practices and institutions were operationalized as such” (Branch 2011: 2, emphasis added), the mapping practices instituted by EUROSUR have been analyzed with regard to the crafting of the supranational authority they evoke. The IT network not only facilitates the exchange of information, but also mediates the integration of border policing in Europe by translating local occurrences into “border-related incidents.” It composes a novel and binding association of informants, isolates or rather black-boxes the discontinuous generation of data, and delegates the outline of an external EU border and its supranational mandate to the visualization of information on a screen. In this way, all kinds of information – risk analyses, geodetic data, daily news, police information and (live) monitoring data – are combined

and visualized as ‘one’ on the screen. EUROSUR does not mediate the formation of an external EU border by demarcating a cartographic space, but by visualizing and geo-referencing risk analyses, incident reports and the attribution of impact levels.

- *Appropriation/Assembling of supranational competences.* The European situational picture not only depicts the occurrences along the external borders of the EU. It rather outlines and projects the area of supranational concern along a tailored body of processed surveillance data. Thereby, EUROSUR triggers that the ideas about the appropriate and legitimate forms of European political authority differ them the territorial logic. The supranational notion of the virtual border is perpetuated by surveillance information that is analyzed along self-determined prognostic criteria, and which acquires the status of “situational awareness” once visualized in the European situational picture. Gathering, aggregating, and evaluating data is the basis for risk analysis and thus the distribution of resources and personnel along a frontier, but also for individual checks and other measure carried out by border service staff. The appropriation of EU competences is not mediated via territory, but via information and data management. Surveillance is the supranational realm of competences, providing risk assessments as a service and the *better* (the supranational) overview.
- *Increase in competences for Frontex.* In this context, the Frontex agency is given an enormous power to define and set the agenda. Since the prognostic criteria and indices for data analysis are defined by Frontex itself, the European situational picture is critically influenced by the agency’s services and risk analysis. By developing the technical network, by providing pre-frontier information and risk analysis, by visualizing the surveillance information in the ESP, and by administering the common application of surveillance, Frontex has acquired the position to produce a dynamically developing knowledge base that serves to justify and legitimize border control, surveillance and intervention measures. At the same time, its institutional competences merely appear in disguise with reference to the function of a ‘coordinating’ agency or a ‘service’ to the member states.
- *Infrastructural take on immigration and asylum policies.* Mediated through the production of a situational picture, the emerging EU border locates its enforcement areas by tracing vessels. As a result, the operational area is rendered dynamic. The border of policing is not so much limited by reference to geography, but rather mobilized by reference to ever-changing migratory routes and moving vessels. As a result, routes, vehicles and infra-

structures both of mobility and surveillance are emerging as the relevant means of power.

This chapter has highlighted EUROSUR's quality as an optical device that provides the "new visual language" (Latour 1986: 19) to naturally see the external EU border. The European situational pictures changes the self-conception of border enforcement. The latter is centrally mediated by information management and the notion of suspicion and less by territory and the notion of inside-outside. Furthermore, it is sorting out the *bona fide* from the *mala fide* movement. This kind of external EU border tackles the "crimmigrant" (Aas 2011) and their means of transport.

It should be stressed that, to date, no European asylum legislation or migration law exists. In the visualization of the situational picture, however, "unauthorized border crossing" first appears as a risk and then takes on the status of "border criminality" in the incident report. EUROSUR thus sketches a unified view of violations of immigration rules, although common immigration laws are absent. While the legal border of policing finds mobilization and mandating via EUROSUR, the legal borders of rights remain scattered. Technically the attempt is being continued to integrate the motives of hunter and friend by rendering their work interoperable in the EUROSUR system. Stefan Kaufmann considers this active ambivalence – the *power to flexibly change* from an authoritarian mode of governing to a humanitarian mode – characteristic of the contemporary border regime. The following chapters explore how the migrant vessel by its versatile nature paradoxically allows for this flexibility.

