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Security, Migrant Flows, and Terrorism in the European Area of Freedom, Security and Justice

1. Introduction

The New York, Madrid and London terrorist attacks that took place in the early 21st century revealed the necessity of a change in security strategy. Those events gave rise to a crisis of the concept of security that had been widely used until then. After those attacks, terrorism has become one of the greatest threats for both national and international Security. Experts in Strategic Studies, State Governments and International Organizations made it clear: the security policies and the security tools created during the 20th century no longer work, as they were devised to confront more traditional threats to security. It seems that the “old models” are not working in the “new times.” It is time to work on the Security Strategy for the Twenty-First Century. Two fundamental ideas must be underlined at the start: on the one hand, the types of threats have increased in number, and, on the other hand, the unilateral perspective is not enough to guarantee the security of States.

In this context, a new concept of Security is necessary. The need is for a concept out of which new strategies can emerge that are suitable for confronting both current and future threats. The economic, technological, and social changes have an important influence on the contents of Security, both objective and subjective. It is therefore essential to bear this in mind when defining strategies and devising tools aimed at guaranteeing State security.

In this respect, changes occurring in present-day societies – changes brought about or expedited by globalization – are creating new security spaces and new models of conflict that coexist with the classic ones. This, in turn, opens new possibilities for conflict resolution and modifies the conditions and the environment in which Security Policies must be developed.¹ The design and adoption of any Security Policy must be guided by the following idea: “security levels are closely related with those sectors that we want to preserve.”²

1 A. Recasens, *La seguridad y sus políticas*, SA Atelier Libros, Barcelona 2007, p. 19.

2 G. Orozco, *El concepto de seguridad en la Teoría de las Relaciones Internacionales*, “Revista CIDOB d’Afers Internacionals”, no. 72, 2006, p. 169.

This need for a new perspective is also evident in the European Union, common space in which internal security policies are shared, in terms of competence, by the EU and its Member States. Moreover, the crisis of refugees from Syria, Iraq and Afghanistan and the terrorist attacks in Paris in November 2015, have put the EU at the crossroads again.

In this paper, I will try to explore the different concepts of security used in history to conclude with an analysis of the European perspective in the field of European security policies.

2. Framing a New Concept of Security

2.1 The Traditional Concept of Security

For centuries, the concept of security has been settled from a national security perspective. It has largely focused on aspects closely linked to sovereignty, State borders and natural resources. In that context, security was focused on the State that had been responsible for the safeguard of its community interests.³ There was a close link between National Security and unity and territorial integrity. Unity and territorial integrity must be safeguarded, almost exclusively, through military capacity. Military advantage over foreign nations was seen as the main element of the system:⁴ the stronger the military power, the higher the levels of Security. In this context, two concepts set important political and strategic trends: Deterrence and Defense. From this point of view, the State main function in the security context was to defend itself and its population from foreign threats –invasions, military attacks- and internal threats – coup d'état, rebellions or national terrorism.

The First World War and, above all, the Second World War radically altered this situation. After 1945, unilateral military advantage was no longer enough to guarantee, on its own, State Security. It was necessary to forge a new concept that goes beyond the national perspective and becomes international in scope. A new idea emerged: International Security. The atrocities of the Second World War and the need for a new concept finally persuaded the Big Powers to do something new. In 1945, the United Nations Organization was created, its main purpose being the maintenance of international peace and security.

3 UNESCO, *Promoting Human Security: Ethical, Normative and Educational Frameworks in Latin American and the Caribbean*, available at <http://unesdoc.unesco.org/images/0013/001389/138940e.pdf>, accessed 20 January 2016.

4 A. Dastis, *Diccionario Lid. Diplomacia y Relaciones Internacionales*, LID, Madrid 2005, p. 300.

The concept of International Security Concept was thereby linked to that of the International Community and to the idea of preventing a new World War. This approach guided the security system created by the United Nations Charter as reflected in its Preamble.

To achieve this aim, a system based on three fundamental principles was created: the principle of sovereign equality, the principle of non-intervention and the prohibition of threat or use of force.⁵

Therefore, according to this 1945 conception, International Security must be maintained through the general prohibition of the use of force and the creation of a Security system. Essentially, there were few changes apart from the notion that the military advantage must be multilateral. It was necessary to safeguard the territorial integrity and political independence of a State in its cooperation with other members of the International Community.

Within this new environment, staged by the Cold War, the maintenance of security by each State Security depended on the maintenance of the *status quo*, which meant the maintenance of the two “Blocs” equilibrium. As a result, all along the Cold War, the biggest threat to Security was an armed attack from States belonging to one Bloc against one State belonging to the other Bloc; the worst-case scenario was the possibility of a nuclear attack. Threats to the security of a State could materialize in armed attacks against *its* territory or *its* interests in a direct way.

2.2 Security Now and Tomorrow

After the fall of the Berlin Wall, this perspective has begun to change. Gradually, “the perception of an absence of direct threats, in a conventional sense, to the territory of the traditional powers has drawn attention to conflicts that did not directly affect their vital interests. Such a perception fostered the belief that armed conflict, in the form of interstate war as known from the Peace of Westphalia to the 20th century, was a thing of the past.”⁶

The new scenario brought about a change in the perception of the causes of insecurity and, consequently, of the instruments to confront them. Internal conflicts have replaced the threat of direct foreign military attacks against the territorial integrity of a State. During the 90s, many internal conflicts took place in various

5 C. De Castro, *El Derecho de Injerencia Humanitaria en el orden internacional contemporáneo: el Impacto de la Operación Libertad para Irak*, Madrid, 2005, pp. 19–23.

6 E. Fojón, *El análisis estratégico: la vuelta al pragmatismo*, 18/03/2009, Real Instituto Elcano, available at www.realinstitutoelcano.org, accessed 3 November 2015.

regions of the world and caused the destabilization of the relative peace achieved during the Cold War. It became evident that state security was to be safeguarded through lack of interstate conflicts. This idea is still embraced by many.

In this context, the concept of “New World Order”, a term that had been coined by the President of the United States of America, George Bush, in 1991. This notion was based on multilateralism and the role played by the Security Council, which was supposed to be the institution representing the International Community interests. In this manner, the Security Council became the pillar of International Security and, above all, a key actor for State Security. The new situation favors the reactivation of the Security Council, a body that, until then, had displayed few and different peace missions all around the world.

In this new “Strategic Outlook”, one idea became particularly relevant: International Organizations have enough means to maintain Peace and Security and to face up to any security problem. As Fojón remarks: “what was a feature belonging to the doctrine of internationalism, or trans-nationalism, combining state action, multilateral action and cooperation to secure international peace and security, rapidly gained importance in its reductionist version: multilateralism, labelled as a strategic option, which actually ended up transformed into a panacea applied to international security.”⁷ In short, the prominent role in this new scenario changes from national actors to one international actor; it is believed that through the rule of Law a “World Government” will emerge and the Kantian dream of Perpetual Peace will ensue.

However, the NATO intervention in Kosovo had underscored the Security Council weakness, as this body had not been capable of adopting the appropriate resolutions to face up to the inevitable threat that Serbian policy posed to International Peace. Few years later, the September 11 terrorist attacks were a step further along this path, revealing the interdependence between internal and foreign threats, on the one hand, and the interdependence among all the States of the International Community when confronting this new form of threat to international security, on the other.

Thus, it is evident that we are living in convulsed times, with new “threats” and new “enemies” to fight against, and the classical concept of security, based on national security and territorial integrity⁸ is not fit for the current scenario; today, the security “language” must go beyond the defense of Sovereignty and States’ rights.⁹

7 Ibid.

8 G. Orozco, G, *El concepto...* op.cit., p. 176.

9 J. Ortiz, *La doctrina de la seguridad humana en la política exterior canadiense*, “Revista Cidob D’Afers Internacionals”, no. 60, 2002/2003, p. 53.

Nor can the concept of International Security, focused as it is on a Collective Security System and on multilateral military power, provide the required perspective as the internal component must be part of the concept of security. As a result, “the military tools, traditionally means of the external dimension, will be applied in the internal area of the Security”; in the same way, “Internal Security will have a foreign dimension through civil, police and judicial instruments and in the context of international cooperation and multilateralism.” In short, “the concept of security is closely linked to Peace, being largely a means to this end, so that Security implies a stable situation both from a foreign point of view and from the internal perspective of the State.”¹⁰

3. The Comprehensive Security Concept as a Premise: New models

The changes undergone by the International Society – the end of bipolar confrontation, the outbreak of internal conflicts linked to development problems or economic stagnation or political emergencies- have entailed the superseding of the classical or traditional Security concept, as explained above. This process of evolution and “globalization” of the concept has been driven by migratory flows and international terrorist attacks. In short, today the concept of Security cannot be reductionist and State Security problems cannot be considered to derive solely from foreign attacks or internal rebellions. Far from it, Politicians and Academics consider, in the same way, that trafficking with weapons, organized crime, international terrorism, massive migrations, natural disasters, genocide, crimes against humanity, human rights violations, or the lack of development and democratic principles are some of the most important topics in the World Agenda and fall into the realm of Security.¹¹ Therefore, a comprehensive concept of security is needed. Today, Security threats are “multiform” and come from very different actors; therefore, the instruments and policies needed to guarantee security must inevitably be global, in terms of actors and instruments alike.

Following this trend, new models have been designed that take into account all these phenomena and are linked to the globalization process. They do not focus

10 M. A. Acosta, *La Política Europea de Seguridad y Defensa y la Gestión de Crisis Internacionales: Las Operaciones Petersberg*, Dykinson, Madrid 2008, pp. 37–38.

11 I. Briscoe, *La prevención de conflictos y la respuesta europea a los Estados en crisis*, 01.03/2007 FRIDE, available at www.fride.org, accessed 18 October 2015.

exclusively on the military or economic level, or on the national or regional ground. Rather the opposite, these fall into the expansionist Security point of view.¹²

One of these new tendencies in the Security context considers that States must change their points of view in Security, moving from the logic of the national thinking to the logic of global thinking; in this context, it can be said that the problems of Governments exceed national Agendas. This idea was reflected in the *UN Management Fee Global Governance Report* (1992–1995) that used the term “Global Security” to refer to necessities that the International Community must bear in mind to protect Peoples. Global Security must be understood as including both the traditional concept of state security and those Security of the people and the Planet.¹³ The challenges for Security actors in the 21st century involve, on the one hand, protecting States against war and, on the other hand, finding new mechanisms to achieve two new objectives: a) to protect the population against internal threats of brutality and great hardship and, b) to warrant the integrity and viability of the Planet Vital Systems.

Therefore, this new concept means that the Security of the people and the Security of the Planet are to be objectives, like the Security of the States, of a new Policy for Global Security. Today we need global answers for global problems. With all these ideas, a “new thinking about Security” emerged in academic fora, in International Institutions and in national Governments¹⁴ during the eighties. All these approaches recognize that the international system has changed in a fundamental way in the last years and the need for an innovative approach to identify changes and to respond to new challenges has now become evident. It is obvious that today, in a world that is becoming increasingly globalized, the worst threats to Security come from situations that involve genocides, international terrorism, human rights violations, World epidemics, the Deterioration of the environment, Forced Labour and Modern Slavery. The idea is very clear: “the main characteristics defining the international system for over half a century were transformed by the breakdown of the bipolar order. Furthermore, changes in state capabilities and their effects on related matters such as sovereignty are

12 Ch. Abbott, P. Rogers, J. Sloboda, *Respuestas globales a amenazas globales, Seguridad sostenible para el siglo XXI*, FRIDE, Working Paper 27 September 2006, available at www.fride.org, accessed 1 October 2015.

13 G. Orozco, G., *El concepto...* op.cit., p. 173.

14 K. Pérez de Armiño, *El concepto de seguridad en la Teoría de las Relaciones internacionales*, “Revista CIDOB d’Afers Internacionals”, no. 72, 2006, p. 62.

having repercussions on structural aspects and on the attitudes of international actors and the way these are regarded.”¹⁵

Another factor that has contributed to this change in outlook where security is concerned is the complexity of global problems and their repercussions for millions of people. There are now threats very different from that of a military attack against one's homeland, including environmental risks, drug trafficking and terrorism. All this entails far-reaching changes in the basic idea of sovereignty and shows that national capabilities are inadequate to deal with the main problems. The new international context is changing the scale of problems that used to be wholly national in character, requiring a new international system where only the ability to pool forces will restore to states the ability to generate, jointly with other actors, a legitimate order that can satisfy the demands arising at the national, regional and world level.

To sum up, the main changes and tendencies in the international system that are influencing the way we observe and analyze the new security challenges, and that have given rise to a conceptualization which highlights the protection of individuals, are associated principally with the following structural and international factors:

- *The end of the bipolar conflict* with the breakdown of the Soviet Union. This removed the context within which policymaking took place for half a century.
- *The impact of globalization in different areas, and interdependence.* What characterized international relations was the differentiation between the national and international spheres, and this is tending to disappear with globalization.
- *New international actors.* New transnational actors are making a forceful appearance in the new context. Not only are multinational/transnational companies acquiring new capabilities in the conditions of globalization, but also nongovernmental organizations. The increasingly important role being played by individuals and their views in the form of global ‘public opinion’ is a potent factor in the new international architecture.
- *New power relationships.* The consolidation of the United States as a hegemonic power is translating into growing unilateralism and difficulties with multilateral policy coordination.
- *New threats to security.* Non-traditional security threats are appearing, most of them transnational and non-military in character. Examples include drug trafficking, money laundering and organized crime.

15 UNESCO, *Promoting Human Security: ... op. cit.*, p. 19.

- *Development gaps.* There are major difficulties in overcoming poverty and serious imbalances and inequalities in the distribution of economic resources and in national, regional and international decision-making.
- *Loss of state capabilities.* This factor relates to changes in sovereignty. The case of world finance most clearly illustrates states' increasing inability to control international flows.
- *An increase in intra-national conflicts.* Interstate conflicts are tending to diminish and internal conflicts to increase. The victims of the latter are mainly civilians.

All of these factors “design” a new scenario toward a broader concept of security whose objectives are peace, international stability and protection for individuals and communities. Since the mid-1990s we have seen the concept of human security, which emphasizes the protection of individuals, coming strongly to the fore. Before this new situation, we can see two different tendencies: on the one hand, the necessary adaptation of the international system created by the UN Charter to the new reality; on the other hand, the development of a new concept Human Security that implies the use of new mechanism to face up the threats.

3.1 A Few Words about the Concept of Human Security

As we have seen, the new international scenario, with a lot and different internal crises (linked, however, to human rights violations), permits the appearance of the Human Security Concept.

This concept comes from the idea that the unavoidable basis of the security is the preservation of the human being and of the necessary conditions for the free development of his capacities. From the above, it may be inferred that security shall be focused on persons and that the security of persons is threatened not only by physical violence, but also by other menaces to their survival in dignity conditions.¹⁶ It may also be inferred that the human security responses require the interaction and the feedback of other actors apart from the State, “such as NGO’s, transnational corporations, public opinion (both national and international) and multilateral platforms for discussion.”

In short, the Human Security concept refers to the necessity to protect the free development of persons in those countries where human rights are threatened or violated. It responds to the need to go beyond the traditional concept of National

16 K. Pérez de Armiño, *El concepto de seguridad en la Teoría de las Relaciones internacionales*, “Revista CIDOB d’Afers Internacionals”, no. 72, 2006, p. 62.

Security and reveals the idea according to which the aim of all institutions must be to protect human beings. In other words, the focus is shifting from the state to individuals; the fundamental issue is the protection of individuals and peoples over and above their connection with a particular state.¹⁷

Human Security has been promoted by academics, certain international organizations and even some states as a concept that would provide a better grasp of the new security challenges from the perspective of individuals or citizens.¹⁸ Furthermore, we understand that the concept of human security is a necessary input in linking security and human rights.

3.2 The European Union and new Security Approaches

Regional international organizations have introduced the new trends in security thought in their Security Strategies. The European Union (EU) can be counted among such regional organizations, as it has adopted policies on security that go beyond the classical concept of security and are committed to a holistic view, both domestically and internationally.

Adopting an international security perspective, the *European Security Strategy* (ESS) was adopted in December 2003. Its title was *A Secure Europe in a better World*. Sharing the new trends referred to above, this document stated that “the post-Cold War environment is one of increasingly open borders in which the internal and external aspects of security are indissolubly linked. Flows of trade and investment, the development of technology and the spread of democracy have brought freedom and prosperity to many people. Others have perceived globalization as a cause of frustration and injustice. These developments have also increased the scope for non-state groups to play a part in international affairs. And they have increased European dependence on an interconnected infrastructure in transport, energy, information and other fields. On the contrary, “in much of the developing world, poverty and disease cause untold suffering and give rise to pressing security concerns.” These arguments lead to the conclusion that “Security is a precondition of development. Conflict not only destroys infrastructure, including social infrastructure; it also encourages criminality, deters investment and makes normal economic activity impossible. A number of countries and regions are caught in a cycle of conflict, insecurity and poverty.” In this new environment, “large-scale aggression against any Member State is

17 S. N. MacFarlane & Y. F. Khong, *Human Security and the UN. A Critical History*, Indiana University Press 2006, pp. 143–225.

18 UNESCO, *Promoting Human...op.cit.*, p. 25.

now improbable. Instead, Europe faces new threats which are more diverse, less visible and less predictable.” These new threats are: Terrorism, Proliferation of Weapons of Mass Destruction, Regional Conflicts, State Failure and Organized Crime. Therefore, following the ESS and the documents adopted later, it is clear that, for the EU, international terrorism constitutes a threat to its external security and that, furthermore, the best way to deal with this threat is through the concept of human security in which respect and development of human rights for all are an essential element.

3.2.1 *Internal Security Strategy*

These new trends have been taken into account in the internal perspective too. In fact, *the Stockholm Program “An Open and Secure Europe Serving and Protecting Citizens”* (2010) adopts a comprehensive Security Concept and reiterates that “internal and external security are inseparable. Addressing threats, even far away from our continent, is essential to protecting Europe and its citizens.” In this context, “the European Council emphasizes the importance of the external dimension of the Union’s policy in the area of freedom, security, and justice and underlines the need for the increased integration of these policies into the general policies of the Union. The external dimension is crucial to the successful implementation of the objectives of this program and should in particular be fully coherent with all other aspects of Union foreign policy” (2010/C 115/01: 33). In essence, the aim of the Stockholm Program was to outline the political priorities of the Union’s internal security. In order to establish the political priorities, the European Council considers “that the priority for the coming years will be to focus on the interests and needs of citizens. The challenge will be to ensure respect for fundamental rights and freedoms and integrity of the person while guaranteeing security in Europe. It is of paramount importance that law enforcement measures, on the one hand, and measures to safeguard individual rights, the rule of law and international protection rules, on the other, go hand in hand in the same direction and are mutually reinforced.” There is a clear intention, then, to place human rights as an essential concern of the actions taken in this area.

In its Four Point, the document defines the Internal Security Strategy. In this specific context, the European Council is convinced that the enhancement of actions at the European level, combined with better coordination with actions at the regional and national level, is essential to protection from trans-national threats. Terrorism and organized crime, drug trafficking, corruption, trafficking in human beings, smuggling of persons and trafficking in arms, inter alia, continue to challenge the

internal security of the Union. Cross-border widespread crime has become an urgent challenge that requires a clear and comprehensive response. Action of the Union will enhance the work carried out by Member States' competent authorities and will improve the outcome of their work. The European Council thus calls upon the Council and the Commission to define a comprehensive Union internal security strategy (2010/C 115/01: 17–18).

Moreover, the document *The EU Internal Security Strategy in Action: five steps towards a more secure Europe* (COM (2010) 673 final), adopted on November 22nd, 2010, establishes that “most Europeans are able to go about their daily lives in relative safety. At the same time, our societies are facing serious security threats that are growing in scale and sophistication. Many of today’s security challenges are cross-border and cross-sectorial in nature. No single Member State is able to respond to these threats on its own. This is something that worries our citizens and businesses.” The document uses a comprehensive concept of security and says that “Internal security cannot be achieved in isolation from the rest of the world, and it is therefore important to ensure coherence and complementarity between the internal and external aspects of EU security. The values and priorities in the Internal Security Strategy, including our commitment to promoting human rights, democracy, peace and stability in our neighborhood and beyond, are an integral component of the approach laid down in the European Security Strategy. As that Strategy recognizes, relationships with their partners, in particular the United States, are of fundamental importance in the fight against serious and organized crime and terrorism.” And, furthermore, the document remarks that “The EU’s role in our internal security consists of common policies, legislation and practical cooperation in the areas of police and judicial cooperation, border management, and crisis management. In striving to reach our security objectives, the contribution from both EU internal and external policies is crucial.”

In this context, the Commission identifies the most urgent challenges to EU security and proposes five strategic objectives. The challenges are: serious organized crime, terrorism, cybercrime, border security and natural or man-made disasters. The objectives are as follows: 1) Disrupt international crime networks, 2) Prevent terrorism and address radicalism and recruitment, 3) Raise levels of security for citizens and business in cyberspace, 4) Strengthen security through border management, 5) Increase Europe’s resilience to crises and disasters. Furthermore, The Commission proposes specific actions for each objective that help make Europe more secure.

At its meeting in June 2015, the Council adopted the *Renewed European Internal Security Strategy 2015–2020*.¹⁹ The Strategy has identified three major priorities: fighting terrorism (with special attention to preventing radicalization, especially the issue of foreign fighters and border controls), preventing and fighting serious organized crime, as well as cybercrime. In this regard, Luxembourg Minister Nicolas Schmit, on behalf of the Presidency of the Council, has emphasized the importance of respect for fundamental rights and liberties as a “fundamental principle” in the context of the Security Strategy. He has also noted that the Strategy constitutes a “comprehensive, multidisciplinary and integrated approach based on intelligence,” and that accessibility, availability and exchange of intelligence shall remain “crucial” over the coming years.

3.2.2 *European Internal Security, Immigration and Terrorism*

The creation of an area without internal borders in which citizens can move and reside freely has been improved by the Treaty of Lisbon (2007). As a consequence of the creation of a citizenship common area the need emerges to guarantee the internal security of the European Union, as a different, but not separate reality, from Member States Security. Therefore, the abolition of internal borders of states calls for the strengthening of control of the external borders and the establishment of common principles and standards for that control. As has been seen above, when establishing a common security policy, the EU identifies international terrorism as one of the greatest threats to our security.

Moreover, the establishment of an area of freedom, security and justice in the EU, inevitably involves the creation of a common immigration policy including a common European asylum system. Therefore, from the recognition of the objective of free movement of persons in the SEA and the subsequent removal of internal borders by successive treaties reform, setting common elements for the reception of people at risk of persecution has become necessary.

The third vertex of the triangle is illegal immigration, which according to international estimates is between 10% and 15% of all international migration (CMW/C/GC/2, 28). In this scenario, Europe is a kind of *El Dorado* where immigrants can have access to a more dignified life, which hundreds of thousands of people try to reach at any price. This trend has increased in recent years for

19 Presidency of the Council, Luxembourg Minister Nicolas Schmit, *Draft Council Conclusions on the Renewed European Union Internal Security Strategy 2015–2020*, available at <http://www.eu2015lu.eu/en/actualites/articlesactualite/2015/07/pe-schmit-strategie-securite/index.htm>, accessed 21 October 2015.

various reasons including the economic crisis, armed conflicts, climate change and human rights violations in the countries of origin. These reasons are and will be the strongest factors in the increased migratory pressure (IOM 2012). The refugee crisis affecting Europe since the spring of 2015 is just a sample of this difficult reality.²⁰ The challenge of the European Union and its Member States in this migratory pressure is, both through its policies, and its standards and, especially, their common or individual performances, to ensure the safety of individuals, and to respect and protect the human rights of irregular migrants trying to reach the European dream.

Certainly, the concern for illegal immigration in Europe is not new and already during the nineties of the last century awareness was raised on the situation of the European countries of the Mediterranean basin as recipients of migration flows from Northern Africa. However, it was not until the early 21st century that the issue of irregular migration trying to access the EU began to be visible and disturbing, essentially for the “border-countries” like Spain and Italy.²¹ The turn of the screw has occurred in 2015 and 2016, when Europe has witnessed the biggest human displacement after World War II, with a daily displacement of 42.500 people fleeing mainly from war or from territories controlled by terrorist groups in unstable states. In this situation, it is crystal clear that “in an EU of 28 members, in which most of the internal borders have been abolished and people can move freely, each country alone cannot manage migration. The cooperation of the Member States of the EU is essential to better manage it; so the ISS starts from the need for specific actions to address the threat of illegal immigration must be carried out both at the EU and at the national and international levels (COM(2014) 365 final).”

In this respect, the situation of the commonly called “refugees” throughout 2015 is worsening, prompting the Juncker Commission to place immigration among one of its priorities. Thus, in May 2015 the Commission adopted the *European Agenda for Migration* (COM(2015) 240 final) defining four pillars for better management of migration: 1. Reduce the incentives for irregular migration; 2. Border management: saving lives and protecting the external borders; 3. A strong common asylum policy; 4. A new policy on legal migration.

20 Comisión Española de Ayuda al Refugiado CEAR, *Informe 2015: Las personas refugiadas en España y Europa*, available at <http://www.pear.es/wp-content/uploads/2015/06/Informe-2015-de-CEAR2.pdf>, accessed 6 October 2015.

21 B. Olmos, *EU Return Policy and International Human Rights Law: Keeping the balance between border security and human dignity*, “Spanish Yearbook of International Law” no. 18, 2014, pp. 163–164.

This entire situation has been affected by Islamic terrorism. Terrorist attacks occurred in the early years of this century led to the adoption of the EU Counter-Terrorism Strategy in 2005 (14469/4/05 REV 4). And terrorist attacks in Paris on November 13th, 2015 “have heightened fears that terrorist could slip into Europe as part of an ongoing influx of migrants and refugees.”²² In addition, worries persist about “homegrown” extremist inspired by Islamist propaganda to commit violence at home without traveling abroad.

4. Conclusion

First of all, it can be concluded that a new perception of Security has appeared in the last years, presenting some common trends: a) the interdependence of the new threats that has revealed a close link between Internal and External Security; b) the importance of multilateralism and cooperation between the different international actors as a necessary means to confront the new threats; c) the role of the people, as human well-being constitutes an essential element of the Security.

These new trends have been taken into account in the development of the EU's Security Strategies. Indeed, the terrorist attacks of September 11th, 2001 in the United States and those suffered by Spain and the United Kingdom in 2004, provided a catalyst for the culmination of the process initiated in the seventies of the last century which resulted first in the TEU through the reform made in Lisbon (2007) and, finally, in the adoption of the *Stockholm Programme* (2010).

The triad security/immigration/terrorism has now reached enormous significance after the terrorist attacks of 13-N in Paris that have killed more than 120 people. After these attacks, the different positions on how to manage the refugee crisis in Europe have become more bitterly opposite. The risk of disrupting the European Area of Freedom, Security and Justice based on the rule of law and respect for human rights is shown as a possible future reality. But what is the goal of security? Does it not guarantee the enjoyment of rights and fundamental freedoms? If it does, the EU has the tools to manage, in a safe and respectful way for the rights of all citizens, the issue of legal immigrants and irregular migrants in Europe. The proper delimitation of the various regulations and, therefore, different legal regimes is a necessary step. There must be also a distinction between asylum policy and security policy. European leaders must be capable of doing it, and doing it well.

22 K, Archick, P. Belkin, *European Security, Islamist Terrorism, and Returning Fighters*, Homeland Security Digital Library HSDL, available at <https://www.hsdl.org/?view&did=788661>, accessed 27 October 2015.

In short, being European does not mean just raising a flag and have rights and benefits. It means sharing a project, creating spaces and common systems, and applying the values that for many years have been consolidated. Will the European Union and its Member States be capable of realizing the idea of a Europe of freedom, democracy and human rights? Will they be able to respond to the current crisis with solidarity, humanity and responsibility? Or will this new crisis make even more evident the difference of perspectives, interests and values of its member states? What impact will the revival of the terrorist threat after the terrorist attacks in Paris have on asylum policy? Does the end (of ensuring our safety) justify the means? Doesn't our security depend on the safety of others in the last resort? What about linking development/human rights/security? Again, the European project is at the crossroads; only the future will show us if it has been able to overcome this new crisis.

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