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Abstract

This paper adds to our understanding of the role of norms in EU foreign and security policy by a critical assessment of the EU's naval mission Sophia. Studies suggest that the EU is a 'humanitarian' foreign policy actor, foremost promoting human rights and multilateral cooperation. This is also how the EU often describes itself, including when justifying Sophia. Critiques of Sophia have however questioned its legitimacy, claiming instead that its main aim is to reduce the flow of sea-born migration to the EU. Studying the relevance of this claim, we find that although Sophia is a search and rescue operation, the EU does not live up to all the human rights standards it has set for itself in the conduct of the mission. Instead, as the refugee crisis continues and Sophia is amended, the EU seems to be moving towards becoming more of a traditional foreign policy actor.

Keywords

Introduction

This paper adds to our understanding of the role of norms in EU foreign and security policy by critically assessing the EU's anti-smuggling naval mission Sophia. Empirical studies have suggested that the EU is a 'normative', 'ethical', or 'humanitarian' foreign policy actor, due to its focus on promoting human rights and multilateral cooperation rather than the member states' material interests (cf. Cross 2011; Manners 2002; Sjursen 2006a). This is also how the EU often describes itself, including when justifying operation Sophia. For example, the Council of the EU's (hereafter the Council) decision on Sophia's launch states that an EU mission was necessary to prevent further loss of life, to tackle the root causes of the ongoing emergency situation in line with the relevant international law provisions, and that its immediate priority is to prevent more people from dying at sea (Council 2015). Critiques of the EU's naval mission have however questioned Sophia's legitimacy, claiming instead that its main aim is to reduce the flow of sea-born migration to the EU. For example, Judith Sunderland (Associate Director for Human Rights Watch's Europe and Central Asia division) noted that '[t]he EU […] is basically deputising Libyan forces to help seal Europe's border' and rather than helping refugees, the EU's 'efforts to stem migration from Libya risk condemning migrants and asylum seekers to violent abuse' (Human Rights Watch 2016). An interest-based operation is also what one would expect following much of the rational choice based International Relations and EU foreign policy literature which associates common EU foreign policies mainly with the member states' internal policies and economic or security-related interests (Hyde-Price 2008; Moravcsik 2010; Schimmelfennig 2003). Confronted with an explosion of irregular arrivals of migrants at sea, struggling to forge a consensus on common solutions, increasingly fearing terrorist threats, and experiencing a dramatic rise in nativist and xenophobic attitudes, one would expect common EU policies to focus on a strengthening of external border security. In other words, despite being framed in normative terms, the operation's priority would be to curb sea-borne migration in the face of this crisis. The paper examines the relevance of this claim through a detailed empirical analysis of the mission Sophia. Specifically, in order to assess whether Sophia lives up to the normative standards the EU sets for itself in its foreign policy, we ask whether or not the mission is in line with what one would expect of a humanitarian actor (Sjursen 2006a). The defining criteria of a humanitarian foreign policy is first; that it seeks to overcome power politics by strengthening global norms, i.e. human rights law, in the international system, and second; that it is willing to bind its own international actions to such norms (Eriksen 2009; Riddervold 2011; Sjursen 2006a). For Sophia to be in line with such a model, one would thus expect that it was launched to help people in distress at sea, and that the EU in conducting the mission has bound itself to human rights law – even if this involves costs to the EU itself. Has this been the case? Is Sophia a humanitarian, 'normative' operation?

To answer this question, the remainder of the paper is organised as follows. We begin with an overview of Sophia, followed by a brief explanation of why studying this case is relevant for the broader EU foreign policy literature. Then, we introduce the conceptual framework, where we develop and operationalise the humanitarian foreign policy model. In doing this, we first also set out briefly the analytically opposite

to a humanitarian model, namely the rational choice based traditional model of foreign policy. Here, we also discuss the paper's methodological approach. The following section includes the analysis, which is structured in two sections in line with the two defining criteria of a humanitarian foreign policy. First, we discuss whether there is evidence to suggest that Sophia was launched to help people in distress. Second, we examine whether or not Sophia has been conducted in accordance with relevant human rights law. The conclusion sums up our findings and discusses their implications for our wider understanding of the EU foreign and security policies.

EU operation Sophia

Operation EUNAVFOR (MED) Sophia is part of the EU response to what has been commonly referred to as the 'Mediterranean', 'migration' or 'refugee crisis'. With 1 255 600 first time migrants applying for asylum in the EU and 3771 people dying in the attempt in 2015 alone (Eurostat 2016), the member states have struggled to find ways to deal with migrants coming mainly by boat to the EU border states. Internally, the EU saw the de facto annulment of the Dublin regulations when Germany opened its borders to Syrian refugees, while their member states built fences to protect theirs (Dernbach 2015). At the same time, outside observers blamed the European Union for its 'cost-cutting, continental infighting and bureaucratic indifference' which had 'turned the Mediterranean into a graveyard' (Haddad 2015), for its incoherent 'patchwork of migration policies' (Bilefsky 2015), as well as for appearing 'overwhelmed, belatedly scrambling to plug the gaping holes in their asylum system' (Faiola 2015). In response, a special meeting between member states' head of states in the European Council in April 2015 concluded that the EU would 'mobilise all efforts at its disposal to prevent further loss of life at sea and to tackle the root causes of the human emergency' (European Council 2015a). As part of this, the member states agreed to strengthen the EU's 'presence at sea, to fight the traffickers, to prevent illegal migration flows and to reinforce internal solidarity and responsibility' (Ibid.). One of the actions undertaken by the EU to achieve this aim was the decision to initiate a Common Security and Defence Policy (CSDP) crisis management operation in the Southern Central Mediterranean within the framework of the EU's Maritime Security Strategy (Council 2015). Originally referred to as EUNAVFOR MED, the operation was later symbolically renamed Sophia at the proposal of the High Representative Federica Mogherini after a baby born on board of one of the ships participating in the operation. Embedded within the wider EU 'comprehensive response' to irregular migration, Sophia's core mandate is the 'disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean' through the identification, capturing, and disposal of vessels and associated assets suspected of being employed for smuggling or trafficking activities (European Council 2015b).

Since its launch in June 2015, Sophia has been conducted in four sequential phases. The first was a deployment and assessment phase, including information gathering and patrolling of the high seas to monitor migrant smuggling activities. The second phase involved the boarding, search, seizure and diversion of the vessels suspected of participating in human smuggling or trafficking on the high seas (2A), and then in the

territorial and internal waters of Libya, provided that the EU obtains a mandate from the UN Security Council (UNSC) or the approval of the Libyan authorities (2B). Also contingent on UN authorisation or the consent expressed by Libya, the third phase implied taking disruption actions against the smugglers' networks by disposing of the suspected vessels or rendering them inoperable. Finally, the fourth phase marked the withdrawal of forces and the completion of the operation. So far, the UNSC has only agreed on a resolution allowing the EU (and other forces, like NATO) to conduct boarding and search on the high seas – but not in Libya's territorial waters (UNSC 2015). The Libyan government had not given its consent either. Sophia has thus not moved beyond phase 2A. On 20 June 2016, Operation Sophia's mandate was extended until 27 July 2017. The Council added also two supporting tasks: training the Libyan navy and coastguard, and contributing to the implementation of the UN arms embargo to Libya (European Council 2016). Since November 2016, Sophia forces also receive support from the North Atlantic Treaty Organization's (NATO) Sea Guardian Operation (NATO 2016).

As with all EU civilian missions and military operations, decisions on Sophia fall under the special Common Foreign and Security Policy's (CFSP) intergovernmental procedures, whereby member states decide unanimously on proposals from the High Representative of the Union for Foreign Affairs and Security Policy (HR) or member state initiatives. The Political and Security Committee (PSC), composed of national ambassadors and chaired by the representatives from the European External Action Service (EEAS), has the political control and ensures the strategic direction of crisis management operations, based on the member states' decisions. The member states' military contribution to EU operation is voluntary, and they cover the costs themselves. Military operations are, however, conducted under common EU command. There is thus also a joint budget, which is shared by the EU members, foremost covering the running costs of the Operational Headquarter in Rome, Italy, and the Force Headquarters in theatre. At the time of writing (November 2016) nine ships, four helicopters and three air assets make op the force. 25 EU member states contribute to the operation (all except Ireland, Croatia and Denmark) (EEAS 2016a). While Sophia cannot carry out legal investigations of suspected smugglers or traffickers, it is the member states who have jurisdiction over such investigations, in line with relevant international law provisions.

Why study operation Sophia?

Unlike other EU operations, border management, and control policy instruments, operation Sophia has not attracted much scholarly interest so far. To date, research on Sophia has remained mainly confined to briefings or papers published by think tanks scrutinizing EU politics and policies (see, for instance, Mortera-Martinez and Korteweg 2015; Roberts 2015; Tardy 2015). Recent studies on internal security and migration in the Mediterranean foremost refer to the operation *en passant*, but without engaging in a more in-depth analysis of the topic (Marrone et al.2015; Mathew and Harley 2016; Koenig 2016). To our knowledge, there are no systematic studies exploring the operation from an International Relations or EU foreign policy perspective. This relative lack of interest is surprising, as the operation constitutes a relevant case to study for better understanding EU foreign and security policy.

First, we argue that Sophia is a critical case to study from the perspective of understanding the role of norms in EU foreign and security policy – of whether the EU remains true to the values it has set for itself when faced with crisis and challenges. This is a case where, despite EU claims that its policies are based on normative considerations, a rational choice perspective would indicate that norms were primarily employed as instruments to facilitate the achievement of various self-centred goals. It is also a case where a potential conflict between preventing migrants reaching the EU's shores on the one hand, and protecting these people in line with their human rights on the other, can be observed. This tension, we argue, makes it a particularly relevant case to study the legitimacy and characteristics of EU foreign policy more broadly. While Sophia is only one part of the EU's response to the 'Mediterranean crisis', it also represents a least likely case of a humanitarian policy due to the high costs incurred by pursuing a migration policy in line with all the relevant global regulations presented below. If, even in this hard case, findings would indicate that the EU acts consistent with what one would expect of a humanitarian actor, then the hypothesis of a normative EU foreign and security policy would be strengthened.

Second, Sophia is innovative in several ways. Together with operation Atalanta and the EU Maritime Security Strategy (EUMSS), it confirms the maritime dimension of CSDP in the management of new types of security threats. It also brings CSDP closer to EU internal security policies 'in the sense that an internal security and societal challenge is partly handled […] through an action that takes place outside of the EU' (Tardy 2015: 2). Sophia is also potentially the first CSDP operation with an openly coercive mandate. Different from other CSDP military operations, Sophia has a more robust mandate under UN Chapter VII and its measures can be implemented in the territorial waters of a third state, even in the absence of the consent of the concerned state, provided the existence of a UN mandate. This resembles more a peace enforcement context, which may imply as much as 'a qualitative shift in the EU's security and defence posture' (Ibid.). This differs from most of the EU operations conducted so far, which are typically civilian, small-scale, low-intensity, and focus on pre- and post-crisis management (Toje 2010). This coercive element is also the main reason why, so far, the EU has not gotten such a mandate from the UN Security Council or the Libyan government (Ibid.).

Framework and methods: A humanitarian mission?

The debate on EU foreign and security policy – interests and norms?

One of the main debates in the literature on EU foreign and security policies has been linked to its main characteristics and in particular, to what, if any, role norms play in the making and conduct of common policies. On the one hand, building on empirical studies, a number of scholars have argued that the EU is a 'normative', 'civilian' or 'ethical' foreign policy actor. Although there is much variation across the different characteristics of the EU, these studies share the idea that the EU is a 'force for the good', promoting norms rather than self-interests when acting on the international scene (Duchêne 1972; Kissack 2010; Manners 2002; Orbie 2008). A number of authors have however questioned both the theoretical robustness and the analytical usefulness

of concepts such as 'normative' or 'civilian' foreign policies (Diez 2005; Börzel and Risse 2007; Hyde-Price 2008; Sjursen 2006a). In particular, due to the lack of clear analytical categories, it is often challenging to identify a normative (as opposed to a non-normative) policy empirically, making it difficult to control for rhetorical action. Moreover, scholarly definitions of a normative policy are often linked to the use of civilian or soft foreign policy means, hence limiting their applicability when studying cases involving the use of force, such as military operations (Riddervold 2011). In order to overcome these challenges, in this paper, we therefore operationalise and apply Sjursen's humanitarian foreign policy model (Sjursen 2006a; Sjursen 2012). A humanitarian policy actor is defined by two main criteria: first, it seeks to overcome power politics through a focus on strengthening cosmopolitan norms, i.e. human rights law, in the international system, and second, it is willing to bind itself to such norms in conducting its foreign policy (Eriksen 2009; Sjursen 2006a). The distinction between cosmopolitan and international law is crucial in this definition: while a traditional model of foreign policy rests on the idea that states are the makers and addressees of any common regulations and institutions, the humanitarian model focuses on the domesticating of state relations, i.e. on the idea that individuals are both makers and addressees of law. It follows that in order to be considered humanitarian, the operation would not only have to aim to protect migrants, but also be conducted in accordance with the human rights conventions and with other relevant conventions protecting individual rights.

On the other hand of the spectrum, scholars applying rational choice based perspectives have challenged the claim that the EU is a normative or humanitarian actor, arguing instead that their conventional state-based analytical tools and models can describe and explain EU foreign policies. Though there are major differences between neo-liberal and neo-realist approaches within the rational choice based tradition, building on such perspectives, one would expect that once the EU acts on the international scene, its behaviour will be in line with what we expect of a traditional foreign policy actor. In the same manner as states, the EU's foreign policy would follow from an internal aggregation of interests and the main aim would be to promote these interests in the most efficient way available. If the EU refers to or promotes human rights norms, this would be a strategic choice. The main aim would be to advance the member states' common preferences, and any reference to or promotion of human rights would be instruments in this regards, which in the literature is referred to as the use of 'smart' or 'soft' power (Cooper 2003; Nye 2004). Following a traditional foreign policy model, one would in other words expect the EU to conduct mission Sophia to reduce migration to Europe. Considering the economic and political costs associated with growing migratory pressures, such an explanation seems almost intuitively right. During the last years, the increase in the number of irregular arrivals to Europe has not only been financially costly – at least in the short run, but it has also helped fuel populist parties across the continent, increased the fear of terrorist attacks and undermined one of the core foundations of the EU itself, namely free movement across the internal market. Precisely for these reasons, the influx of migrants has commonly been labelled as a crisis, by both officials and observers alike (see for example Berry et al. 2016; Trauner 2016).

Methodological approach

Building on Habermas' theory of communicative action, the methodological approach applied in this paper is to study the justifications given for Sophia in order to uncover the mobilizing arguments behind its launch and conduct, controlling for the EU's actual behaviour in theatre (Sjursen 2002; see also Riddervold 2011). The credibility and relevance of such an analysis might be questioned on the grounds that there is often a considerable gap between what policy makers say and what they actually mean or do. This is, after all, the underlying assumption of the rational choice-based claim that references to norms are used mainly instrumentally, to help foreign policy actors promote particular material interests, as discussed above. In our analysis, in order to study the relevance of this claim, we seek to control for rhetorical action by triangulating between different data sources, by examining the consistency of arguments presented across time, across different member states and EU institutions, and not least by controlling for consistency between what is said and what is actually done. More precisely, to control for consistency between words and deeds, we draw on Kilian and Elgström (2010) and also study other actors' perceptions and assessments of the operation. Given that the two main indicators of a humanitarian policy are that it promotes and binds itself to global human rights law, we devote special attention to the UN Refugee Agency (UNHCR), non-governmental human rights groups (Human Rights Watch, Statewatch) and legal scholars' assessments of Sophia when studying the relevance of the humanitarian model. What is more, we make no claims regarding the real or true motives behind Sophia. As rational choice theorists argue, it is impossible to uncover policy-makers 'sincere' motives and beliefs. This is, after all, why such perspectives for methodological reasons start from the assumption that actors are motivated by the aim of maximising self-interest. The methodological approach applied in this paper instead builds on two alternative assumptions. First, we assume that actors are communicatively rational, meaning that they have the ability to justify and explain their actions, and that they coordinate their behaviour through communication (Deitelhoff 2009; Eriksen and Weigård 2003; Risse 200; Sjursen 2002; Sjursen 2006a). Second, we expect that social action can be accounted for by interpreting what it was that made it intelligible to the actors involved (Eliaeson 2002: 52). On this basis, we assume that EU policies are based on arguments given by proponents that have to be comprehensible and acceptable for at least some co-decision makers for decisions such as that about Sophia to come about. Uncovering the arguments that led to a particular decision or action thus amounts to an explanation of this outcome. This approach is particularly relevant when seeking to understand foreign and policy decisions, which after all rest on agreement between all the EU member states. The arguments leading to an agreement on a given policy (i.e. the mobilizing arguments) can of course refer to particular self-interests, as one would expect if Sophia were launched to avoid immigrants reaching EU soil. However, by defining actors as communicatively rational, one also allows for the possibility that the actors can 'reflect on the validity of different norms, and why they should be complied with' (Sjursen 2006b: 88), hence allowing also normative, and thus humanitarian, behaviour to be considered rational.

Empirical expectations

To operationalise the two models in order to see whether or not Sophia is in line with the humanitarian model, we make a distinction between two analytically distinct types of arguments that might have been used to justify operation Sophia (Sjursen 2002). We here also set out the expectations one would have to the EU's in theatre behaviour following the two models.

First, moral arguments are characterised by reference to justice and rights – to what is good for all, independent of material interests – and is what one would expect to find if Sophia was launched and is conducted to help migrants in accordance with their human rights, in line with a humanitarian foreign policy model (Riddervold 2011; Sjursen 2002). Specifically, if this is so, one would expect that actors across different EU institutions and member states would refer to the moral and legal duty to rescue people in peril of being lost at sea when justifying the operation. The respect for the rights of migrants would also have to be consistently followed up in practice. Most importantly: even when colliding with material interests, such as when resulting in even greater migratory pressures at its borders, or when incurring particular costs to the EU or some of its member states, the EU would be expected to promote and adhere to global law. In this case, the main legal requirements include: i) the general obligation of shipmasters and states to provide assistance to any person or vessel in distress at sea, irrespective of their nationality, legal status or circumstances in which they were found, as codified in the international Law of the Sea (UNCLOS); ii) the obligation of states to disembark the rescued persons to a 'place of safety', enshrined in the 2004 amendments to the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention on Maritime Search and Rescue (SAR); iii) and the protection of the right to life, liberty, property and the non-refoulement obligation under international human rights law and international refugee law (see Butler and Ratcovich 2016). Also the Preamble of the UN Security Council resolution 2240 (2015) underlines that all states must 'comply with their obligations under international law, including international human rights law and international refugee law'. Of particular importance in this regard is the respect for the 'principal protection instrument of international refugee law', namely the obligation not to send refugees back to a place where they would be at risk of persecution (non-refoulement, Butler and Ratcovich 2016: 251). This obligation is established in the UNHCR Refugee Convention and a number of human rights treaties (Ibid.). Thus, for Sophia to be characterised as humanitarian, it would not only have to abide by the provisions of international law. It must also be conducted as a search and rescue operation which prioritises the task of saving lives. At the same time, rescued persons should not be transported back to places that are unsafe or where they are at risk of prosecution, and such behaviour should be consistent, irrespective of the status of the migrants, in full respect of their human rights.

Second, pragmatic arguments are characterised by reference to utility – and is what one would expect if Sophia instead was launched and is conducted mainly to curb immigration, in line with a traditional foreign policy model (Riddervold 2011; Sjursen 2002). Such arguments refer to a policy's expected material output: in this case, curbing the migratory flows towards Europe. If this hypothesis is substantiated, one

would expect EU actors across institutions and member states to primarily justify Sophia by the need to launch an operation to reduce immigration. There would also be evidence to suggest that the use of military means was considered an efficient way of achieving this goal. The EU may also refer to its obligation to assist people in distress at sea, and indeed conduct search and rescue, but such concerns would only be secondary in importance to the goal of reducing immigration and would not necessarily be promoted consistently. Instead, one would find indications that the EU policies are in breach of the global laws discussed above, and that such rights are be sidestepped if in conflict with the aim of reducing immigration.

Data

To explore whether or not Sophia is in line with a humanitarian foreign policy model, the analysis draws on the following sources. First, key EU official documents concerning the operation, from the Commission, the EEAS, and the European Council. Unpublished working documents about the operation were collected from WikiLeaks. We also examined relevant documents from a selection of member states: Italy (where the operational headquarter is situated) and the 'Big Three' participants: Germany, France, and the UK. Newspaper articles have also been a source for detecting these states' positions. As discussed above, to study the extent to which the operation has been conducted in line with a humanitarian model, we have also collected data from a number of human rights observers and specialists: the UNHCR, the Council of Europe, and various human rights organizations including Human Rights Watch and Statewatch. These sources have been supplemented with information derived from the studies on Sophia published by the UK House of Lords and from different opinions expressed by legal scholars.

Analysis: A humanitarian mission?

According to the United Nations High Commissioner for Refugees 3771 people died crossing the Mediterranean in 2015 (UNHCR 2016). At the time of writing, 4899 persons were reported drowned or missing so far in 2016 (per 21 December 2016, Ibid.). All the EU decisions regarding Sophia suggest that the operation was launched in response to these humanitarian crises. For instance, in its special meeting on 23 April 2015, the EU heads of states unanimously concluded that 'the situation in the Mediterranean is a tragedy' and added that 'our immediate priority is to prevent more people from dying at sea' (European Council 2015a). This statement and the 'strong commitment to act in order to prevent human tragedies resulting from the smuggling of people across the Mediterranean' were also underlined in the Foreign Affairs Council's decision to launch a naval operation in May the same year (Council 2015). Similarly, according to the High Representative Mogherini, '[…] this is one of the stories of the European unity we can be proud of […] this is an important sign of the European unity we should be proud of again: saving lives' (EEAS 2016b). A humanitarian focus is also clearly illustrated by the name of the operation, suggested by Mogherini with the following statement: '[…] I suggest we use the name: Sophia. To honour the lives of the people we are saving, the lives of people we want to protect,

and to pass the message to the world that fighting the smugglers and the criminal networks is a way of protecting human life' (EEAS 2016).

The year of 2015 saw an unprecedented high number of drownings off the coasts of Italy, Malta, Spain and Greece. At the height of the humanitarian emergency, the number of deaths peaked in April 2015, when a fishing vessel carrying nearly 800 migrants capsized outside the Italian island Lampedusa in the deadliest single loss of life incident in the Mediterranean in decades, echoing another incident earlier that month when approximately 400 people were lost at sea after their boat sank. Our data suggest that this series of humanitarian emergencies played a key role in triggering a joint EU response. For one year, Italy had conducted its own emergency search and rescue operation, Mare Nostrum, rescuing more than 100 000 people, while at the same time pushing for joint efforts under the EU. With a cost of more than 100 million euros a year and increasing difficulties in handling all the boats coming, Italy ended its Mare Nostrum in October 2014, thereby placing further pressure on the EU member states to take over this task jointly. Many member states were however reluctant to replace Mare Nostrum with an EU search and rescue operation, despite the number of drowning increasing during 2014 (The Guardian 2014). Instead, the EU border agency Frontex began coordinating a new operation called Triton which had a limited mandate and could not operate on the high seas, where most accidents occurred (The Guardian 2014). After all, Frontex is a border control, internal security agency – not a coordinator of operations conducted on the high seas. As put by Frontex itself: 'Of course, we will also do search and rescue actions, but if you don't have enough capacity will you be there in time? I would expect many more sea deaths the moment that Mare Nostrum is withdrawn' (Ibid.). Despite this, and despite widespread criticism from human rights organizations and the Council of Europe, many EU member states continued to reject Italy's call for a joint EU search and rescue operation. In particular, the UK expressed a negative view on any form of rescue operations, claiming instead that such initiatives would only have an 'unintended pull factor' as 'they encourage more migrants to attempt the dangerous sea crossing, and thereby leading to more tragic deaths' (Joyce Anelay, Minister of State at Britain's Foreign Office, as cited in Hasselbach 2014). Also other member states opposed an EU search and rescue operation for similar reasons. For instance, the German Interior Minister Thomas de Maizière commented about Mare Nostrum that it "was an emergency plan but has proven to be a bridge to Europe" (Ibid.). Nevertheless, the Lampedusa events in April 2015 appear to have changed that opposition. The Council of Europe indirectly blamed the EU member states for not taking action by noting that Lampedusa was a 'tragedy that should have been avoided by all means. These deaths [...] put into question the decision to end the full-scale search-and-rescue mission Mare Nostrum in 2014' (Council of Europe 2015). Like numerous other observers, it called on European governments to reconsider their actions and finance a more effective search and rescue operation, to create alternate legal migration possibilities and to enhance their efforts to fight smuggling (Ibid.). By this time, reluctant member states had begun to shift their position in favour of a joint operation. Some of the member states, including Spain, Greece, and France have traditionally been in favour of taking EU maritime security integration forward (Riddervold 2011). But in other countries, including the UK, we observe a clear shift in position following the Lampedusa events in 2015. In

the aftermath of the April accident, then Prime minister Cameron said that such tragedies marked 'a dark day for Europe', mentioning that 'search and rescue is only one part. We need to go after traffickers, help stabilise these countries' (BBC 2015). Similarly, German policy-makers referred to the need to take action to save lives. For instance, Chancellor Angela Merkel emphasised that such recurrent tragedies have to be avoided at all cost, stressing that 'everything – really everything – must be done in order to save lives' (Deutche Welle 2015). The importance of the Lampedusa events for understanding the EU consensus on a joint operation is also supported in a number of reports. The extensive report on Sophia elaborated by the UK House of Lords finds that the operation came 'in response to the loss of 700 lives in the Lampedusa tragedy', which triggered joint efforts 'to prevent further loss of life at sea' (House of Lords 2016: 5). Similar conclusions are drawn in other reports. According to Thierry Tardy (2015: 1), Sophia 'came after a series of mass drownings and the "strong commitment to act" pledged by the Council following the death of 800 migrants'. Similarly, Matilde Ventrella notes that 'the EU has responded to the level of smuggling of migrants by concentrating on smuggling of migrants […] by sea because so many people die whilst trying to reach EU by sea' (Ventrella 2016: 7).

In sum, the Lampedusa events facilitated member state consensus on the need for EU action in response to the refugee crisis. As Rear Admiral Credendino, the commander of Sophia, explained before a Senate hearing: 'The operation would normally have required between four and six months to be launched, both because it is a complex operation, and also because of the bureaucracy which requires a certain numbers of visits to Brussels to obtain approval' (Senato della Repubblica 2015). Instead, the operation was launched in 'record time' (Ibid.). After the decision regarding its establishment was reached on 18 May, Italy prepared and presented a 700-page long Operation Plan (OPLAN) two weeks later. And despite 'extremely different opinions on the topic: there were the more interventionist, the less interventionist, and those who had other interests', consensus was reached among the 28 parties 'in less than a week' (Ibid.).

So, if the tragic deaths in Lampedusa are instrumental in understanding the rapid coalescence of consensus among member states, does it follow that Sophia is a humanitarian operation? As we recall, for Sophia to be in line with a humanitarian model, one would expect it to have been conducted as a search and rescue operation, representing its main priority. However, Sophia should also have been conducted in accordance with relevant human rights law. In particular, rescued persons should not be transported back to places that are unsafe or where they are at risk of prosecution; and this should be applied consistently, regardless of the status of the migrants. The data show a mixed picture. On the one hand, Sophia has clearly been a de facto search and rescue operation (House of Lords 2016). As of November 2016, operation Sophia has saved more than 29,300 lives during 200 operations, and has provided assistance to different organizations in rescuing 41,200 persons (EEAS 2016). In this sense, Sophia has been described as 'ready and equipped' to fulfil its commitments under the SOLAS and the UNCLOS to provide assistance to anyone in danger of being lost at sea (House of Lords 2016: 18). There is also evidence to suggest that Sophia prioritises this part of its mandate, and that it does this despite the anticipated costs of such an approach in terms of potentially attracting more migrants. After all, as discussed above '[c]ritics

suggested that search and rescue activity by Operation Sophia would act as a magnet to migrants and ease the task of smugglers, who would only need their vessels to reach the high seas' (House of Lords 2016: 3). In spite of this concern, human rights organizations have commended the EU for its search and rescue actions.

On the other hand, however, our data indicate that Sophia is not fully in line with all the relevant human rights regulations outlined above. Moreover, there is evidence to suggest that it is becoming less so. According to the EU itself 'all of the activities undertaken in each phase adhere to and respect international law, including human rights, humanitarian and refugee law and the "*non refoulement*" principle meaning that no rescued persons can be disembarked in a third country' (EEAS 2016). Also according to the Council Decision on Sophia, the operation is conducted in compliance with the relevant provisions of international law (Council 2015). In support of this claim, EU actions have been backed by a UN mandate which limits its actions in the territorial waters of Libya, and it has respected these restrictions. As we recall, the lack of an UN mandate or consent by the Libyan authorities, meant that the EU cannot proceed to the next phase of the mission, and has not done so thus far. However, as discussed above, when specifying and operationalizing the two models, acting in accordance with international law is not enough for the operation to be in line with a humanitarian model. Moreover, the critical difference between a humanitarian and a more traditional model of foreign policy is not whether or not an actor follows the rules of the international system, but whether it promotes and acts in accordance with cosmopolitan norms, i.e. individual rights, in this case translated into the requirements enshrined in the Refugee Convention, the Human Rights Convention, and the duty to help people in distress under the Law of the Sea. From this perspective, it is not clear whether the EU has lived up to the standards it claims to have set for its operation. In general, in an in-depth report prepared for the UNHCR, Mike Berry et al. (2016) show that a wide number of NGOs and other refugee advocacy organizations find that the EU approach 'fails migrants by predominantly focusing on the challenges posed to the EU, rather than on those faced by the human beings whose lives continue to be lost at sea' (Berry et al. 2016: 4). The same report stresses that the 'key reason for the unwillingness of EU leaders to take a more decisive and coherent approach to the refugee crisis has been the high levels of public anxiety about immigration and asylum across Europe', and points to the emergence of far-right anti-immigration parties and movements across Europe as a result of 'financial strains plus concerns over national security and cultural assimilation' (Ibid.). Several observers, moreover, point out how Sophia is becoming less in line with relevant human rights conventions as new tasks are added to the mission, and as the EU receives assistance from NATO. Human Rights Watch (2016) have for example noted that by training Libyan coastguard forces, the EU seeks to bypass the non-refoulement principle, 'so it wants to outsource the dirty work to Libyan forces […] the EU – soon perhaps with NATO's help – is basically deputizing Libyan forces to help seal Europe's border'. EU policies that result in preventing migrants from leaving Libya also infringe the right of individuals to leave any country, including their own (Human Rights Watch 2016). Similarly, other leading NGOs have been very vocal in criticising the EU's way of managing the refugee crisis, with some, like Doctors Without Borders refusing to accept EU funding in sign of protest (Doctors Without Borders 2016). Other observers have labelled Sophia as a

'militarisation of a humanitarian crisis' (Rettman 2016). And although witnesses before the House of Lords concluded that Sophia was 'essentially a search and rescue operation by another name' and even praised the operation for 'doing a great job in saving lives at sea' (House of Lords 2016: 19), several witnesses raised concerns about the future phases of Sophia, suggesting that as the operation becomes 'more targeted at tackling smugglers directly', it 'might undermine the search and rescue operation', which in turn 'would lead to much higher death rates at sea' (Ibid.).

Concluding remarks

To sum up, operation Sophia is not fully in accordance with what one would expect of a humanitarian operation. On the one hand, our analysis suggests that the 2015 Lampedusa accident forged consensus amongst the EU member states on the need to form a common response in the face of the increasing number of people losing their lives at sea in an attempt to reach Europe. De facto, Sophia has so far been conducted as a search and rescue operation. As such, the EU has abided by the UNCLOS commitment to rescue people in distress at sea. The EU has also respected Libya's right to sovereign control of its own borders, it acts in accordance with existing UNSC resolutions, and it has honoured its obligation to wait for a new UNSC resolution or invitation by the Libyan government before any breach of this principle. On the other hand, however, our analysis questions the extent to which the EU fully acts in accordance with relevant human rights law. In fact, the EU does not live up to all the human rights standards it has set for itself in the conduct of the operation. As the operation mandate is amended and updated with new tasks, and as EU-NATO in theatre cooperation increases, there is also evidence to suggest that the EU is moving further away from what one would expect of a humanitarian foreign policy actor.

What are so the broader implications of these findings? Analytically, applying a framework distinguishing between a humanitarian and a traditional model of foreign policy proved helpful in order to study the extent to which the EU lives up to the standards it sets for itself in its foreign policies. To capture a putative 'normative' mission, this paper applied a framework that defined a 'humanitarian actor' as someone who binds its actions to global law as the main indicator. This made it possible to study not only whether or not the EU abides by international law, but also if it de facto abides by the relevant refugee and human rights conventions it refers to. Empirically, our findings question the extent to which the EU will remain true to its normative or humanitarian self-image when faced with crises and severe threats to the EU and member states' core interests. Instead, as the refugee crisis continues and Sophia is amended, the EU seems to be moving towards becoming a more traditional foreign policy actor. Although one case study cannot draw any general conclusions regarding the role of norms in EU foreign and security policies, at the very least this study suggests that this is a hypothesis that deserves further studies.

References

Berry, M., Garcia-Blanco, I. and Moore, K. (2016) 'Press Coverage of the Refugee and Migrant Crisis in the EU: A Content Analysis of five European Countries'. Available from: http://www.unhcr.org/56bb369c9.html [Last accessed 29 March 2017].

Bilefsky, D. (2015) 'Europe's Promised Action on Migration Crisis Is Criticized as Inadequate'. *The New York Times*, 23 April. Available from: http://www.nytimes.com/2015/04/24/world/europe/european-union-migration.html?_r=0 [Last accessed 29 March 2017].

Brauch, H. (2008) 'Conceptualising the Environmental Dimension of Human Security in the UN'. In Goucha, M. and Crowley, J. (eds) *Rethinking Human Security*. Oxford: Blackwell Publishing, 19-49.

British Broadcasting Corporation (BBC) (20 April 2015) 'Mediterranean Migrant Deaths: EU has "Moral Duty" to Act'. Available from: http://www.bbc.com/news/world-europe-32377768 [Last accessed 29 March 2017 September 2016].

Browning, C. (2012) 'Experimenting in the Northern Laboratory: The Emergence of an EU Approach to Security Governance in the North and its Broader Significance'. In Christou, G. and Croft, S. (eds) *European 'Security' Governance*. New York: Routledge, 41-59.

Butler, G. and Ratcovich, M. (2016) 'Operation Sophia in Uncharted Waters: European and International Law Challenges for the EU Naval Operation in the Mediterranean Sea'. *Nordic Journal of International Law*, 85(3): 235-259.

Cooper, R. (2003) *The Breaking of Nations: Order and Chaos in the Twenty-first Century*. London: Atlantic Books.

Council of Europe (2015) 'Lampedusa: Another Tragedy That Should Have Been Avoided by all Means'. Statement by Anne Brasseur, President of the Parliamentary Assembly of the Council of Europe, 11 February. Available from: http://assembly.coe.int/nw/xml/News/News-View-en.asp?newsid=5425&lang=2 [Last accessed 29 March 2017].

Council of the European Union (Council) (2015) *Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union Military Operation in the Southern Central Mediterranean (EUNAVFOR MED)* (OJ L122, 19 May 2015).

Cross, Mai'a K. Davis (2011b) 'Europe, A Smart Power?'. *International Politics*, 48(6): 691-706.

Deitelhoff, N. (2009) 'The Discursive Process of Legalisation: Charting Islands of Persuasion in the ICC Case'. *International Organization*, 63(1): 33-65.

Dernbach, A. (2015) 'Germany Suspends Dublin Agreement for Syrian Refugees'. *Euractiv*, 26 August. Available from: http://www.euractiv.com/section/global-europe/news/germany-suspends-dublin-agreement-for-syrian-refugees/ [Last accessed 29 March 2017].

Deutche Welle (18 June 2015) '"Everything Must be Done to Save Lives", says Germany's Merkel on refugees'. Available from: http://www.dw.com/en/everything-must-be-done-to-save-lives-says-germanys-merkel-on-refugees/a-18526125 [Last accessed 29 March 2017].

Diez, T. (2005) 'Constructing the Self and Changing Others: Reconsidering "Normative Power Europe"'. *Millennium: Journal of International Studies*, 33(3): 613-636.

Doctors Without Borders. (16 June 2016) 'MSF to no Longer Take Funds From EU Member States and Institutions'. Available from: http://www.msf.org.uk/article/msf-no-longer-take-funds-eu-member-states-and-institutions [Last accessed 29 March 2017].

Duchêne, F. (1972) 'Europe's Role in World Pace'. In Mayne, R. (ed.) *Europe Tomorrow: Sixteen Europeans Look Ahead*. London: Fontana, 32-47.

Eriksen, E. O. (2009) The Cosmopolitan Dimension. In Eriksen, E. O. *The Unfinished Democratization of Europe*. Oxford: Oxford University Press, 102-118.

European Commission (2015) 'A European Agenda on Migration'. COM(2015) 240 final. Brussels: European Commission.

European Council (20 June 2016) 'EUNAVFOR MED Operation Sophia: Mandate Extended by One Year, Two New Tasks Added'. Available from: http://www.consilium.europa.eu/en/press/press-releases/2016/06/20-fac-eunavfor-med-sophia/?utm_source=dsms-auto&utm_medium=email&utm_campaign=EUNAVFOR%20MED%20Operation%20Sophia%3A%20mandate%20extended%20by%20one%20year%2C%20two%20new%20tasks%20added [Last accessed 29 March 2017].

——(2015a) 'Special meeting of the European Council, 23 April – Statement. Available from: http://www.consilium.europa.eu/en/press/press-releases/2015/04/23-special-euco-statement/ [Last accessed 29 March 2017].

——(28 September 2015b) 'EUNAVFOR Med: EU Agrees to Start the Active Phase of the Operation Against Human Smugglers and to Rename it "Operation Sophia". Available from: http://www.consilium.europa.eu/en/press/press-releases/2015/09/28-eunavfor [Last accessed 29 March 2017].

European External Action Service (EEAS) (19 April 2010) 'High Representative Catherine Ashton Visits EU NAVFOR Somalia – Operation Atalanta'. Available from: http://eunavfor.eu/high-representative-catherine-ashton-high-representative-of-eu-foreign-affairs-and-security-policy-visits-eu-navfor-somalia-operation-atalanta/ [Last accessed 29 March 2017].

——(22 August 2011) 'Visit by Baroness Ashton, High Representative of the European Union for Foreign Affairs and Security Policy, to the EUNAVFOR OHQ'. Available from: http://eunavfor.eu/visit-by-baroness-ashton-high-representative-of-the-union-for-foreign-affairs-and-security-policy-to-the-eunavfor-ohq/ [Last accessed 29 March 2017].

—— (2 August 2012) 'The European Union High Representative Catherine Ashton visits EU Naval Force Operation Headquarters'. Available from: http://eunavfor.eu/the-european-union-high-representative-catherine-ashton-visits-eu-naval-force-operation-headquarters/ [Last accessed 29 March 2017].

—— (30 October 2016a) 'European Union Naval Force – Mediterranean Operation Sophia'. Available from: http://www.eeas.europa.eu/archives/docs/csdp/missions-and-operations/eunavfor-med/pdf/factsheet_eunavfor_med_en.pdf [Last accessed 29 March 2017].

——(15 April 2016b) 'Remarks by HR/VP Federica Mogherini During her Visit to the EUNAVFOR Operation Sophia'. Available from: https://eeas.europa.eu/headquarters/headquarters-homepage/5259/remarks-hrvp-federica-mogherini-during-her-visit-eunavfor-operation-sophia_en [Last accessed 29 March 2017].

Eurostat (2016) 'Record Number of over 1.2 Million First Time Asylum Seekers Registered in 2015. *Eurostat News Release 44/2016 – 4 March*. Available from: http://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf/790eba01-381c-4163-bcd2-a54959b99ed6 [Last accessed 29 March 2017].

Faiola, A. (2015) A global Surge in Refugees Leaves Europe Struggling to Cope. *The Washington Post*, 21 April. Available from: https://www.washingtonpost.com/world/europe/new-migration-crisis-overwhelms-european-refugee-system/2015/04/21/3ab83470-e45c-11e4-ae0f-f8c46aa8c3a4_story.html [Last accessed 29 March 2017].

Haddad, A. (2015) 'Europe Passes the Buck While Thousands Die'. *Foreign Policy*, 23 April. Available from: http://foreignpolicy.com/2015/04/23/europes-gray-suits-give-refugees-a-cold-shoulder-shipwreck-migrants-mediterranean/ [Last accessed 29 March 2017].

Hasselbach, C. (2014) 'Opinion: Is Refugee Rescue Attracting More?'. *Deutche Welle*, 28 October Available from: http://www.dw.com/en/opinion-is-refugee-rescue-attracting-more/a-18026378 [Last accessed 29 March 2017].

Houben, M. (2014) 'Maritime Security'. In Rehrl, J. (ed.) *Handbook for Decision-makers: The Common Security and Defence Policy of the European Union*. Vienna: Armed Forces Printing Centre, 166-169.

House of Lords, European Union Committee (2016) 'Operation Sophia, the EU's Naval Operation in the Mediterranean: An Impossible Challenge'. *14th Report of Session 2015–16, HL Paper 144.* Available from: http://www.publications.parliament.uk/pa/ld201516/ldselect/ldeucom/144/144.pdf [Last accessed 29 March 2017].

Human Rights Watch (6 July 2016) 'EU/NATO: Europe's Plan Endangers Foreigners in Libya Migrants, Asylum Seekers Face Killings, Torture, and Rape'. Available from: https://www.hrw.org/print/291538 [Last accessed 29 March 2017].

Hyde-Price, A. (2008) 'A "tragic actor?" A Realist Perspective on "Ethical Power Europe"'. *International Affairs 84(1)*: 29-44.

Kissack, R. (2010) *Pursuing Effective Multilateralism*. New York: Palgrave Macmillan.

Koenig, N. (2016) *EU Security Policy and Crisis Management: A Quest for Coherence*. Abingdon: Routledge.

Manners, I. (2002) Normative Power Europe: A Contradiction in Terms? *Journal of Common Market Studies*, 40(2): 235-258.

Marrone, A., Nones, M. and Ungaro, A. (2015) 'Politica di Difesa, Strumento Militare e Operazioni nel Mediterraneo'. In Marrone, A. and Nones, M. (eds.) *La Sicurezza nel Mediterraneo e l`Italia*. Rome: Edizioni Nuova Cultura, 115-140.

Mathew, P. and Harley, T. (2016) *Refugees, Regionalism and Responsibility*. Cheltenham: Edward Elgar Publishing.

Moravcsik, A. (2010) 'Europe: Rising Superpower in a Bipolar World'. In Alexandroff, A. and Cooper, A. (eds) *Rising States, Rising Institutions*. Washington: Brookings Institution Press, 151- 176.

Mortera-Martinez, C. and Korteweg, R. (2015) 'Dead in the Water: Fixing the EU`s Failed Approach to Mediterranean Migrants'. *Centre for European Reform*, 23 April Available from: http://www.cer.org.uk/insights/dead-water-fixing-eu%E2%80%99s-failed-approach-mediterranean-migrants [Last accessed 29 March 2017].

North Atlantic Treaty Organisation (NATO) (27 October 2016) 'Operation Sea Guardian'. Available from: http://www.nato.int/cps/en/natohq/topics_136233.htm?selectedLocale=en [Last accessed 29 March 2017].

Nye, J. (2004) *Soft Power: The Means to Success in World Politics*. New York: Public Affairs Press.

Orbie, J. (ed.) (2008) *Europe's Global Role: External Policies of the European Union*. Hampshire: Ashgate.

Rettman, A. (2016) 'NATO to Join EU Warships in Libya Migrant Operation'. *EU Observer*, 10 July. Available from: https://euobserver.com/migration/134278 [Last accessed 29 March 2017].

Riddervold, M. (2011) 'Finally Flexing its Muscles? Atalanta – The European Union's Naval Military Operation Against Piracy'. *European Security*, 20(3): 385-404.

Risse, T. (2000) '"Let's Argue!": Communicative Action in World Politics'. *International Organization*, 54(1): 1-39.

Roberts, P. (2015) 'Militarising the EU Migration Plan: A Flawed Approach'. *RUSI Newsbrief*, 7 July. Available from: https://rusi.org/publication/newsbrief/ militarising-eu-migration-plan-flawed-approach-0 [Last accessed 29 March 2017].

Schimmelfennig, F. (2003) *The EU, NATO and the Integration of Europe: Rules and Rhetoric*. Cambridge: Cambridge University Press.

Senato della Repubblica (2016) 'Audizione dell Ammiraglio di Divisione Enrico Credendino, Operation Commander della Operatione EUNAVFOR MED – Operazione Sophia'. *18a seduta, 4 febbraio, AU 0683*. Roma: Senato della Repubblica.

Sjursen, H. (2002) 'Why Expand? The Question of Legitimacy and Justification in the EU's Enlargement Policy'. *Journal of Common Market*, 40(3): 491-513.

——(2006a). 'The EU as a "normative" power: how can this be?'. *Journal of European Public Policy*, 13(2): 235-251.

——(2006b). 'Values or rights? Alternative conceptions of the EU's "normative" role', In Elgström, O. and Smith, M. (eds) *The European Union's Roles in International Politics*. London: Routledge, 85–100.

——(2012) 'Democratic Challenges to the EU's Foreign Policy'. In Eriksen, E.O. and Fossum, J.E.(eds)*Rethinking Democracy and the European Union*, 143-158.

Tardy, T. (2015) 'Operation Sophia: Tackling the Refugee Crisis with Military Means'. *EUISS Brief Issue 30/2015*, DOI: 10.2815/1141.

The Guardian (31 October 2014) 'Italy: End of Ongoing Sea Rescue Operation "Puts Thousands at Risk"'. Available from: https://www.theguardian.com/world/ 2014/oct/31/italy-sea-mission-thousands-risk [Last accessed 29 March 2017].

Toje, A. (2010) *The European Union as a Small Power*. London: Palgrave Macmillan.

Trauner, F. (2016) 'Asylum policy: The EU's "Crises" and the Looming Policy Regime Failure'. *Journal of European Integration*, 38(3): 311-325.

UNHCR (2016) 'Refugees/Migrants Emergency Response – Mediterranean'. Available from: http://data.unhcr.org/mediterranean/regional.php [Last accessed 29 March 2017 October 2016].

UNSC (2015) 'UN Security Council Resolution 2240'. *UN Doc S/RES/2240* (9 October 2015). New York: UNSC.

Ventrella, M. (2016) 'The Impact of Operation Sophia on the Exercise of Criminal Jurisdiction Against Migrant Smugglers and Human Traffickers'. *Questions of International Law*, 30: 3-18. Available from: http://www.qil-qdi.org/impact-operation-sophia-exercise-criminal-jurisdiction-migrant-smugglers-human-traffickers/ [Last accessed 29 March 2017].

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