

# Frontex: A Literature Review

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## ABSTRACT

Frontex is the EU agency in charge of managing the external borders of the European Union. Its budget and tasks have expanded dramatically since it was founded in 2004. Academic attention for Frontex has likewise increased. This article provides an overview of the existing literature on Frontex. In total, 72 articles were selected and analysed. Five dominant themes of research emerged from this review: Frontex' activities, the agency's characteristics, its operational effects, the issue of human rights and its position in the EU bureaucracy. Recurring debates and relevant findings in these research strands are reported. In the final section, a research agenda with recommendations for future studies is formulated.

## INTRODUCTION

Frontex is the European Union agency responsible for “European integrated border management” (EU, 2016). Its mission is to “ensure safe and well-functioning external borders providing security” (Frontex, 2019). Frontex was founded by a Council Regulation in 2004 as the “European Agency for the Management of Operational Cooperation at the External Borders” and became operational a year later. The founding regulation was amended several times, until it was replaced by a new Regulation in 2016, establishing a “European Border and Coast Guard” (European Commission, 2004; EU, 2016). These repeated legal revisions are mirrored by a rapid organizational growth of the agency. Frontex, currently, has a budget of over 300 million euros and will dispose of 11.3 billion euros in 2021–2027, with which it aims to finance a 10,000 standing corps of operational staff and acquire its own ships, vehicles and planes (European Commission, 2018).

In the wake of the rapid rise of Frontex, scholars have begun to investigate the agency's operations and achievements. There has been a rise in studies on Frontex with half of the published studies appearing in the last five years. These studies provide many relevant insights into Frontex and its operations. Yet, some aspects have escaped attention. For instance, there has been little attention for some of the agency's activities (e.g. forced returns, registration and identification in the hot spots), its internal functioning and its relations with other EU organizations. Likewise, insights from organization and management literature, crisis studies and policing research have rarely been used, even though theories in these disciplines may help us to better understand how Frontex operates. Given the growing academic interest in Frontex and noticing these empirical and theoretical gaps, this article aims to provide a systematic review of research on the agency by answering the question: What do we know (and not know) about Frontex? As such, the article intends to clearly and concisely synthesize the quickly expanding knowledge base on Frontex, identify gaps in our understanding of the organization and use this as an inspiration for defining a research agenda for future studies.

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## SYSTEMATIC LITERATURE REVIEW

### Review approach

A systematic literature review process needs to be transparent, replicable and based on deliberate decisions for each stage of the process (Tranfield et al., 2003; Jesson et al., 2011). Such reviews have a narrow scope, and relevant articles are collected by means of a transparent process, in which a search is based on specific search queries. Subsequently, articles are included or excluded on the basis of relevant selection criteria (Jesson et al., 2011). The selected articles are integrated in a research synthesis, which serves to offer insights into the scientific knowledge base and may inform policymakers (Tranfield et al., 2003; Jesson et al., 2011).

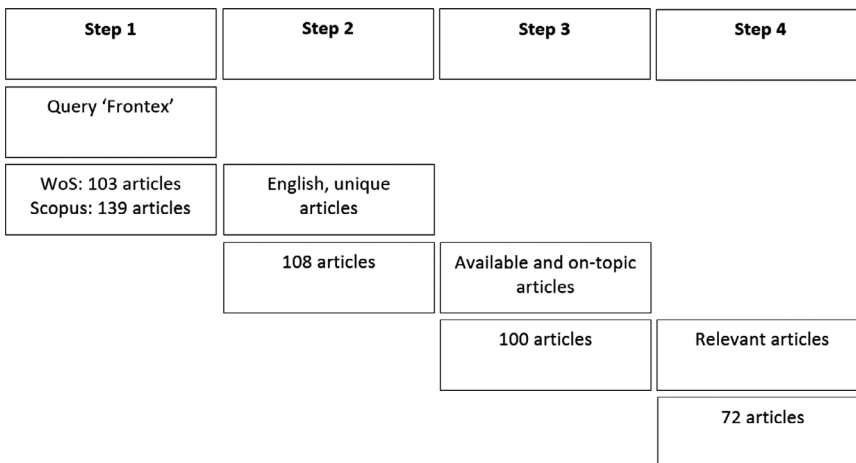
### Stage 1: Scoping

In the case of this review, the aim is to provide an overview of existing research on Frontex. The scope is narrowly defined as research that contributes to a better understanding of Frontex. This means that studies on Frontex-related concepts and tools (e.g. integrated border management, Eurosur) are not included in this review when these do not contribute to our understanding of the agency itself.

### Stage 2: Selection

The search query used for this systematic review was “Frontex” (see Figure 1). It is the most common way of referring to the European Union border agency and is typically used as the preferred acronym over its previous full name (i.e. “European Agency for the Management of Operational Cooperation at the External Borders”) and its current name (i.e. “European Border and Coast Guard”). The search query “Frontex” was used to identify studies in two primary databases (i.e. Web of Science (WoS) and Scopus). The query returned 103 hits in WoS and 139 hits in Scopus. Search queries of the full names did not return additional studies.

FIGURE 1  
REVIEW PROCESS



As a next step, all non-English articles were removed to ensure a transparent review process that other authors can replicate without language barriers. At this stage, all duplicated articles that were returned by both search engines were also removed, leaving 108 articles. A reading of the titles showed that four articles had nothing to do with the border agency, while four other articles were not available.

In the final step of the selection process, all articles were scanned to discover their relevance. Thirty-one articles did either not refer to Frontex at all or provided only very basic information, so were left out of the review. Finally, journals that published three or more articles on Frontex, as found in the database, were searched to make sure that relevant publications had not been missed by the search engines. Three articles were found to be missing and were added to the database, which contained 72 articles for review (see Figure 1).

### Stage 3: Synthesis

The articles in this database differ considerably since they were written for a variety of audiences and build on different literatures. In addition, some use Frontex as a case study for making a theoretical argument, while others focus on the agency specifically. Also, Frontex' communication and actions are sometimes considered broadly, whereas other studies focus on specific operations (e.g. Operation HERA II) or activities (e.g. working arrangements).

All included studies in the database build on qualitative research methods and aim for improving our understanding of Frontex (see Tranfield et al., 2003). Thus, the integration and comparison of these qualitative studies required processes of interpretation. Specifically, through the process of reviewing articles and synthesizing findings, five themes emerged over time: Frontex' activities, Frontex' agency characteristics, Frontex' operational effects, Frontex and human rights, and Frontex in the EU bureaucracy. Three of these themes emerged in an early stage. Specifically, it became clear that some articles focused primarily on Frontex' formal tasks and practical operations (i.e. Frontex' activities), while other articles were about the nature of Frontex as an organization (i.e. agency characteristics) or focused on the consequences of its work for migrants and migration (i.e. operational effects). Yet, some authors adopted a very specific focus on Frontex' human rights records and used examples of the agency's operations or effects to make an argument on refugee or migrant rights, so that a specific category seemed in place. A final set of studies dealt with the emergence of Frontex, its rise and its relative autonomous position. These studies shared a focus on the agency's (evolving) position in the Union bureaucracy and could therefore be grouped in a theme on Frontex in the EU bureaucracy (Figure 2).

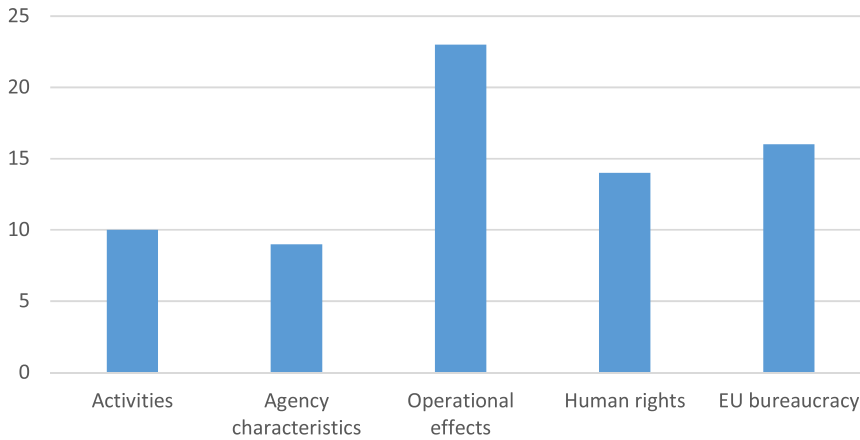
A descriptive analysis of the database shows a clear, general increase in studies on Frontex (Figure 3). The first few years after the agency was founded, no studies appeared, but the number of published articles rose rapidly to ten publications in 2017. Authors studying Frontex are mostly affiliated with universities in (Western) Europe. In fact, the UK, Germany and the Netherlands provide for half of the institutional backgrounds of researchers. It is noteworthy that there is also a significant contribution by non-European scholars, primarily affiliated with research institutions in Anglo-Saxon countries. Authors are most interested in the wider operational effects of Frontex, but other themes also attract a fair share of attention.

## FIVE RESEARCH THEMES

### Frontex' activities: EU border management

Ten studies (14 per cent) shed light on the nature and implementation of Frontex' activities. The Frontex Regulation has been repeatedly revised to expand the agency's mandate. In fact, Article 8

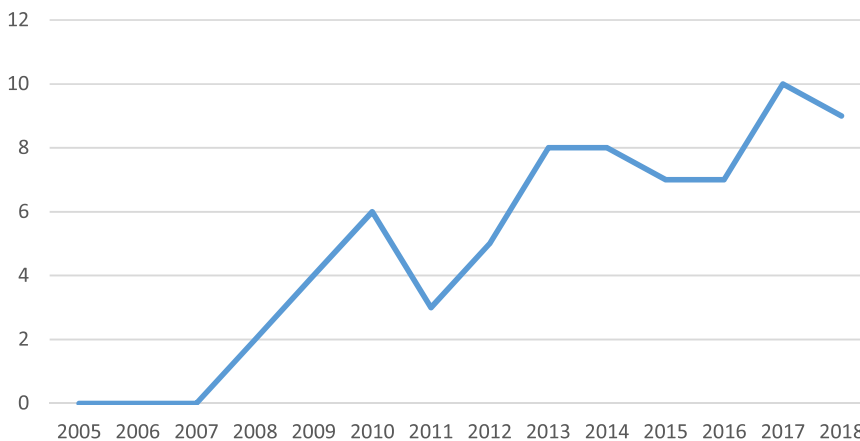
FIGURE 2  
RESEARCH THEMES



of the EU Regulation establishing the European Border and Coast Guard identified no less than 21 tasks that Frontex is mandated to carry out. Beyond merely listing these responsibilities, these studies describe how such official tasks are translated into practice.

Frontex can be viewed as the EU's attempt to implement "integrated border management" (IBM), which aims to introduce non-arrival measures and curb illegal migration. This requires cooperation of Frontex with various partners, such as Member States, third countries and relevant other agencies (e.g. Europol) (Demmelhuber, 2011). Frontex is primarily preoccupied with joint

FIGURE 3  
NUMBER OF ARTICLES ON FRONTEx



operations to reinforce border control, many of which focus on the Mediterranean (Üstübcici and İçduygu, 2018). To this end, Frontex coordinates the deployment of border officials, who participate in border patrol, thereby contributing to the arrest of suspected facilitators and setting in motion a continuous decline in the number of migrants crossing (Tryfon, 2012). An analysis of hot spot “Moria” on Lesbos, Greece, demonstrates that Frontex personnel not only monitors the border but also engages in migrant identification and registration. As migrants arrive in the camp, they access a “registration street”, in which Frontex screeners identify the nationality of migrants, while advanced-level document officers check the veracity of their identification papers. Fingerprinters take fingerprints and enter these into databases, after which Frontex’ partners begin the asylum process and provide humanitarian aid (Pollozek and Passoth, 2019).

To facilitate the effective and efficient deployment of personnel and capabilities, Frontex also gathers intelligence and produces its own risk analyses, which address the (expected) situation at the EU external borders. As its intelligence role is growing, the agency collects data from cross-border movements inside the EU and from entrance information that Member States and the various organizational partners provide (Den Boer, 2015; Takle, 2017). Some of this information is also retrieved from third countries, with which Frontex has concluded working arrangements. This is beneficial for Frontex as it ensures continuous data exchange on relevant migration trends and the sharing of best practices (Coman-Kund, 2018). In turn, representatives of these third countries have been participant observers in Frontex operations (Sagrera, 2014). To what extent these agreements are binding remains subject to debate (cf. Sagrera, 2014; Coman-Kund, 2018).

Finally, Frontex also mediates between the Member States to coordinate joint returns when multiple Member States have nationals of the same country to be sent back. The agency makes sure that returnees are gathered in one Member State from where a collective return flight departs. A Frontex staff member monitors compliance with its Code of Conduct when it organizes the return flight (Pirjola, 2015).

It is striking how rapid Frontex’ responsibilities have expanded. Frontex’ tasks, first of all, horizontally expanded with its mandate to set up rapid response teams that can be deployed on short notice. Frontex’ tasks have also deepened as existing responsibilities were elaborated. For instance, Frontex received the authority to organize return flights. At this moment, Frontex could even contribute to the reintroduction of border controls when a Member State does not comply with the recommendations that follow its vulnerability assessments (Scipioni, 2017).

While these studies provide valuable insights into the context and evolution of Frontex’ tasks, some tasks have received limited empirical attention (e.g. implementation of forced returns) and almost all activities are studied based on documentary data, so that ethnographic research and interview data sets may help us to better grasp how Frontex personnel translate policies into practice.

### **Frontex’ agency characteristics: Legitimacy, accountability and transparency**

Nine articles (13 per cent) discuss agency characteristics of Frontex. Since the agency is relatively new and has often assumed an experimental approach, several researchers have questioned the legality of Frontex’ operations. Additionally, due to the sensitivity of its activities, Frontex has arguably become a closed agency and appears to be concerned with avoiding blame for its activities. Consequently, researchers have displayed an interest in three of the agency’s characteristics in particular: legitimacy, accountability and transparency.

Frontex’ legitimacy is considered problematic for various reasons. Primarily, the overall legal basis of the agency and its involvement in operations is under-regulated (Buckel and Wissel, 2010; Pandit, 2012). The liability of deployed personnel is not clearly arranged so that Frontex can avoid charges of violations of international or EU law by shifting legal responsibility to Member States. Indeed, the Member State always remains responsible for the legality of implemented operations,

regardless of the growing influence of Frontex in making operational decisions (Coppens, 2012; Horii, 2018). This means that it is also very difficult for a person that was harmed by a Frontex' operation to hold Frontex liable (Carrera et al., 2013).

Frontex' legitimacy is also being criticized since its accountability mechanisms are viewed as insufficient. One way for studying Frontex' accountability is by assessing political accountability through control and oversight over the agency. This shows that hierarchical control is in the hands of the Management Board consisting of national civil servants, leaving the agency subject to national political interference rather than accountable to EU institutions. The European Parliament, potentially functioning as a democratic control mechanism, can only oversee Frontex' operations to a very limited degree as it is not fully informed and is unable to hold the agency's leadership to account (Buckel and Wissel, 2010; Pandit, 2012). When Frontex operates in the framework of a military CSDP operation, such as in the case of Operation Triton, standard reporting requirements of Frontex, and its accountability to the EP in particular, do not apply, reducing accountability even further (Dura, 2018). Although national parliaments can question the Frontex Executive Director about operations in which Frontex is involved, this ensures only limited accountability (Horii, 2018). In general, Frontex' political accountability to parliaments is therefore poor (Pollak and Slominski, 2009). Next, accountability through administrative oversight is complicated by Frontex' secretive posture (Wolff and Schout, 2013). There is a trend towards more administrative accountability with the establishment of a consultative rights forum, the appointment of a dedicated officer for protecting fundamental rights, and the possibility of audits and complaints investigations by other EU institutions (Pollak and Slominski, 2009; Pandit, 2012). However, administrative accountability remains limited to post hoc accountability mechanisms (Carrera et al., 2013). Lastly, public or social accountability is compromised by the lack of detail in Frontex' annual report, while timely operational information is not shared either (Pollak and Slominski, 2009; Coppens, 2012). Overall, therefore, scholars agree that accountability is poorly arranged with some minor first steps in the right direction.

A crucial condition for effective accountability is the availability of relevant information. Yet, transparency is challenging for Frontex. Indeed, meaningful accountability of Frontex is checked by its unwillingness to share information. This is evidenced in a tendency to heavily redact published documentation and reduce information in annual reports. In turn, this inhibits legal responsibility and democratic oversight (Ghezelbash et al., 2018).

Finally, some agency characteristics have received surprisingly little attention, in particular the internal functioning of the organization and how Frontex has coped with its rapid expansion. In general, interviews and observational research may provide interesting new insights into the agency's structure and culture.

### **Frontex' operational effects: Securitization or biopolitical control**

A total of 23 articles (32 per cent) are primarily concerned with describing the broader effects of Frontex operations. Apart from rare studies demonstrating the beneficial effects of Frontex' activities, much of this literature takes one of two critical perspectives on the agency. Some authors claim that Frontex securitizes migration, which allows for the implementation of exceptional border management activities, while others see Frontex as a biopolitical actor that governs border spaces in unremarkable but pervasive ways. Regardless, the implications for migrants are significant.

The main goal of creating Frontex was to facilitate improved coordination in EU border management. Frontex has indeed contributed to better cooperation between Member States. It has developed a Common Core Curriculum and tools and manuals for trainings of border guards. These trainings have socialized border guards across Europe and fostered a professional border guard community (Horii, 2012; De Capitani, 2014). Frontex also manages Eurosur, which has led to

competition on how to implement the platform, but has also facilitated further cooperation among Member States and agencies (De Capitani, 2014; Andersson, 2016). The consequent general convergence of border management approaches in the EU is made possible by high levels of participation (Hori, 2012).

While Frontex appears relatively successful in harmonizing EU border management, it has also profoundly affected the framing and treatment of migrants. One line of research focuses specifically on the securitization of migration. Indeed, migrants have been associated with crime and terrorism, and have subsequently been treated as dangerous subjects. Even though Frontex may not have been the actor that started this securitization of migration, its practices are perceived as securitizing activities nevertheless. Specifically, Frontex' activities invoke associations with earlier security threats (e.g. military conflict, crime) and reflect extraordinary mechanisms, thereby suggesting that something extreme is unfolding (Léonard, 2010). Bigo (2014) has identified securitizing practices in different social contexts, such as the implementation of border control by military means, the management and policing of flows of migrants, and the statistical categorization of individuals. These practices contribute to securitization by routinely using force, interrogation and profiling of migrants, who must therefore be suspicious.

Such securitization has serious consequences as it legitimizes (further) militarization of border control and the exclusion of migrants. In this regard, Maurits (2015) stresses that the name Frontex is telling, since "front" typically has a connotation of war and battle, while "ex" can refer to expelling. Frontex, he concludes, is involved in a war to expel migrants (Maurits, 2015). Others support this view and refer to Frontex' reliance on military-style operations and its use of military technologies, including satellites and drones, to engage in the "battlefield" of illegal migration (Little and Vaughan-Williams, 2016; Csernaton, 2018). For instance, smugglers and their means (i.e. migrant boats) may be targeted even though this can potentially victimize migrants on the boat. The war on crime is framed as being a means to support migrants, but it sacrifices their interests and rights in the process, as rescues ultimately serve interdictions (Moreno-Lax, 2017). In doing so, Frontex has increasingly marginalized the contexts that contributed to migration, ignored the vulnerabilities of particular groups (such as women and children) and therefore failed to adequately protect migrants in need of protection (Bürkner, 2018).

While this line of research emphasizes the exceptionalism of Frontex' border management, other researchers shed light on the normalization of Frontex' work instead, portraying the agency as an emerging sovereign that exercises control over previously ungoverned border spaces. This approach can be traced to Neal (2009), who viewed Frontex as a relatively unexceptional risk-oriented agency, that was shaped by an emerging link between complex policy areas (e.g. border control, counterterrorism, migration) which incrementally converged. Subsequently, Frontex has been much concerned with risk analyses, providing trainings and facilitating coordination in operations. This reinforces these links in an unspectacular way. Congruent with this line of thinking, Frontex' activities can be seen as a combination of experimentation and managerialism, which has resulted in largely unnoticed activities to arrange border control in line with a range of other EU goals (Reid-Henry, 2013). In short, rather than extraordinary measures, Frontex aims to "govern" migrants to manage the EU border.

It is important to emphasize that Frontex, through such border management activities, challenges the conventional notion of the border as a separation line (Vaughan-Williams, 2008; Green, 2010). For example, Frontex' activities affect migrants' movements through patrols and intelligence gathering, even though these migrants are (still) far away from the EU's border. As such, Frontex operations "perform" the border in places that are remote from the EU mainland (Vaughan-Williams, 2008; Perkins and Rumford, 2013; Triandafyllidou and Dimitriadi, 2014). It is therefore common to speak of border spaces or borderzones. These borderzones can even stretch into third countries, with which working agreements have been concluded and in which migratory movements are consequently controlled (Little and Vaughan-Williams, 2016). In short, borderzones are sites in which

intense surveillance, deterrence and other interventions take place, so that borderzones can be understood as biopolitical spaces (Topak, 2014).

A biopolitical perspective on Frontex unveils the ways in which the agency governs migrants. Operation Triton displays how Frontex exercises power over migrant lives by trying to prevent people from arriving at the EU shore through its self-acclaimed humanitarian interventions, which ultimately serve to contain migration (Tazzioli, 2016). Likewise, Frontex devised both Eurosur and Jora, which are software programmes that enable the monitoring of migratory movements in real time. As such, these programmes enable the ongoing production of spaces in which migrants can be kept and governed (Tazzioli, 2018). Typically, there is a large distance between governors and the governed, which reduces empathy for the latter and restricts a sense of responsibility by the former (Csernaton, 2018).

Regardless of whether Frontex' activities are viewed from a securitization or biopolitical perspective, the implications of Frontex operations for migrants are significant. Scholars find that migratory routes shift as a consequence of Frontex actions. In one example, previous routes to Gibraltar were closed and migrants moved south to cross towards the Canary Islands (Vives, 2017). Over time, Frontex' involvement also effectively closed this route, inducing migrants in West Africa to redirect their route across the Sahara towards the Mediterranean (Maher, 2017). Likewise, when a newly built fence between the Greek and Turkish land border was completed and guarded with Frontex' support, migrants shifted to using boats to cross the sea between both countries (Triandafyllidou and Dimitriadi, 2014). Even though people find such new routes, their itineraries become more difficult and deadly (Andersson, 2014; Vives, 2017). Irrespective of the exceptionality or normality of Frontex' attempts to control migration, authors argue that migrants suffered the consequences of the agency's activities.

As normative debates on the operational effects of Frontex' activities will be ongoing, other disciplines and literatures may add to the debate on Frontex' operational effects. Crisis management literature, for instance, can inform more descriptive analyses of Frontex' performance.

### Frontex and human rights: A problematic relation?

The issue of fundamental rights in Frontex' work is the main subject of 14 articles (19 per cent). Here, a shift can be recognized from accusations of Frontex' violations of important legal principles towards its increasing compliance with these standards, such as the principle of *non-refoulement*. Next, while Frontex has been criticized for the gap between humanitarian rhetoric and border security practices, other authors have argued that security and humanitarian paradigms rely on similar modes of governing populations and may not be incompatible.

Over time, Frontex has attracted repeated criticism for its treatment of vulnerable migrants during joint operations. Scholars have particularly criticized the practice of diverting intercepted migrants back to their port of departure, which occurred regularly during the early days of the agency's existence. Protection against forced returns to places of potential persecution is known as the principle of *non-refoulement*, and violations of it breach international and EU laws (Marin, 2011). Initially, there were many concerns about the legal gaps and ambiguities on how this principle of *non-refoulement* applied in practice, leaving Frontex' officials much discretion in operations. In response, legal scholars have emphasized that Frontex should comply with the principle of *non-refoulement*, regardless of where operations take place, since diverting people to places where they may be mistreated can never be allowed (Papastavridis, 2010; Moreno-Lax, 2011; Vara and Sánchez-Taberner, 2016). However, without monitoring and transparency, compliance with the principle remains difficult to guarantee (Klepp, 2010; Marinai, 2016). In addition, Frontex arguably violated human rights as laid down in the EU Charter of Fundamental Rights, for instance in Greece. Here, migrants were transferred to detention centres with inhumane conditions, leading to discussions



whether Frontex' personnel can be held responsible for crimes against humanity by sending migrants to these centres (Linden-Retek, 2012; Kalpouzos and Mann, 2015; Vara and Sánchez-Tabernero, 2016). In general, although Frontex prescribes respect for human dignity, the implications of such noble goals in the implementation of its activities have been questioned (Fischer-Lescano et al., 2009).

Yet, some authors recognize a positive trend in this regard by identifying several stages of Frontex' observation of humanitarian principles (Slominski, 2013). Following Frontex' establishment, there were no references to human rights obligations. Over time, human rights gained more attention resulting in soft law and commitments, such as a Code of Conduct and Fundamental Rights Strategy (see Marin, 2011). More precise and binding monitoring mechanisms were subsequently introduced, including a Consultative Forum consisting of civil society representatives. As such, the leeway in interpreting human rights law was progressively narrowed under external pressures (Marin, 2011; Slominski, 2013). Yet, critics argue that Frontex does still not clearly assume responsibility for possible rights violations (Marinai, 2016).

Aside from these legal debates, authors have been divided over Frontex' practice of conflating humanitarian and security approaches to migration. Some researchers stress that Frontex' humanitarian rhetoric and its border activities show considerable discrepancies, because state security ultimately takes precedence (Aas and Gundhus, 2015). This is clearly visible in the fact that interception is a stronger driving force for maritime interventions than rescue (Moreno-Lax, 2011). The discrepancy between humanitarian rhetoric and the operational focus shows a decoupling of words and behaviour, which enables Frontex to meet inconsistent demands. Yet, this "organized hypocrisy" produces adverse effects as well, since it challenges Frontex' credibility, problematizes proper reviews of its practices, and may attract more migrants while being able to save fewer of them (Cusumano, 2019).

In contrast, other scholars argue that humanitarian and security paradigms on migration are not intrinsically incompatible, because humanitarian support (e.g. rescues) and border policing are inter-related ways of governing populations. Both these modes of governance rely on a combination of providing care and exercising control over people (Pallister-Wilkins, 2015). Additionally, Frontex' personnel construct humanitarian and security actions as tightly linked, for instance by arguing that an interception leads to the apprehension of smugglers and, simultaneously, saves migrants, as well as offers them access to the asylum procedures (Perkowski, 2018). Still, operational tensions emerge in the everyday work of border guards when the people at risk (i.e. migrants) are perceived to pose a risk (i.e. threat of migration) (Pallister-Wilkins, 2015).

As much of the research relies on document analyses, there is ample room for interviews and observations to study how individual Frontex members comply with human rights principles in their daily work. Likewise, since the work of border guards is similar to that of the police (e.g. exercising care and control), findings from policing studies can be used.

### **Frontex in the EU bureaucracy: Its emergence and autonomy**

Finally, 16 studies (22%) aim to explain the emergence, position and rapid evolution of Frontex as an EU agency. One strand of research focuses on how the emergence and growth of the agency can be explained. Another major debate, between neo-institutionalists and intergovernmentalists, concerns the relative autonomy of the agency vis-à-vis the Member States.

Before the creation of Frontex, there was broad dissatisfaction with European border control mechanisms. As the EU was set to expand in 2004, politicians felt urgent pressures to find a new and more effective model to control (potential) migration flows (Léonard, 2009; Ekelund, 2014). Under these conditions, the Commission supported the founding of an agency, which would shift responsibilities to the EU (Léonard, 2009). The decision to establish an agency was congruent with

the popularity of this governance form and was in line with previous decisions in the process of border management institutionalization (Ekelund, 2014). The European Commission received rapid support from the Council and Member States, the latter of which did not object to a transfer of tasks as long as they kept control through Frontex' Management Board (Léonard, 2009). Even though the agency's subsequent growth could have been counteracted by other relevant organizations, such as EASO and national police agencies (Comte, 2010), this did not occur. National police agencies have even displayed a productive willingness to cooperate, as cooperation has helped them both to carry out their tasks successfully and to improve their reputations, without triggering turf wars (Busuioc, 2016).

Taking a neo-functional approach helps to explain decision-making on Frontex as a rational, incremental process. Initial temporary solutions, which were a compromise between supra-nationalism and Member State control, worked until the migration crisis put the system under stress. At that time, path dependency already was powerful enough to ensure that no one wanted to undermine Schengen and EU border control. Subsequently, many actors pushed towards further integration, such as EU institutions (e.g. EC, EP), and governmental (e.g. socialized civil servants) and non-governmental elites (e.g. pro-migrant groups and business associations) (Niemann and Speyer, 2018). Yet, contestation between EU institutions occurred. For instance, when the Council took an executive decision on new rules for Frontex' sea operations, the European Parliament sought to annul the decision claiming the Council overstepped its mandate, after which the Court ruled in its favour (Den Heijer and Tauschinsky, 2013). Regardless, the evolution of Frontex shows ongoing integration. Focusing on joint operations, Cortinovis (2015) argues that the introduction of hard law elements, such as the creation of a semi-permanent pool to which contributions were compulsory after being pledged, resulted in a hybrid governance system in which Member States can retain their sovereignty while facilitating more effective Frontex operations.

The exact relation between Frontex and the Member States remains a topic of debate between advocates of intergovernmentalist and neo-institutionalist approaches. Intergovernmentalists claim that control is primarily in the hands of Member States (Léonard, 2009). Frontex, then, is a means to enable functional collaboration on border control without a true quest for common solutions and EU solidarity (Wolff, 2008). Frontex can even be viewed as a means that is controlled by strong Member States that wish to interfere in weaker ones. From this perspective, strong states send their border guards under the guise of Frontex to support or replace border management in weaker countries (Servent, 2017).

Neo-institutionalists, instead, claim that with the emergence of Frontex, some sovereignty has shifted from the Member States to the EU. For instance, Frontex plays a leading role in managing border operations. In addition, the institution of a European Corps of Border Guards, as well as the fact that guest officers fall under EU law, implies some degree of supra-nationalization (Mungianu, 2013). In this regard, it is also interesting to note that the agency itself is increasingly playing a political role. First, the outcomes of Frontex' risk analyses have political consequences for EU Member States, as it is an implicit judgement on their perceived ability to handle (upcoming) migration pressures and opens up possibilities for appropriating EU funding (Horii, 2016). Vice versa, these risk analyses enable rational and apolitical bases for EU interference in failing Member States (Paul, 2017). Second, Frontex has assumed a central role in running the Eurosur system, which ensures it will continue to be a central node in the information network of border agencies and enables it to exercise further influence through its intelligence products (Rijpma and Vermeulen, 2015). The trend towards a greater political role of Frontex may contribute to the increasing state-like nature of the European Union, which now acts as a para-sovereignty in EU border spaces (Johnson, 2017).

The latest Frontex Regulation has invoked likewise discussion between both camps. It has considerably reinforced Frontex, enabling it to acquire its own resources and organize rapid interventions independently (Ferraro and De Capitani, 2016), but it is argued that it is unlikely that Frontex

will ever intervene in a Member State without the latter's permission, so that Frontex cannot yet be seen as autonomous (Gustafsson, 2018). As such, according to some, Frontex reflects a Europeanization of policymaking but continues to function as an EU soft governance tool (see Mungianu, 2013; Dudek and Pestano, 2019).

In general, the relation between Frontex and Member States has attracted much attention but its relations with other European actors (e.g. EASO, Europol) and its own diplomatic efforts remain under-studied. Future studies can help to shed light on how Frontex receives and uses its autonomy.

### Research synthesis

In summary, research on Frontex can be categorized into five themes: activities, agency characteristics, operational effects, human rights and the EU bureaucracy. Research shows that Frontex has been granted a broad variety of tasks: supported by its own intelligence, the agency deploys personnel and capabilities to implement border management activities to curb illegal migration to the EU. In implementing these tasks, researchers have displayed particular interest in three organizational characteristics: the lack of clear legitimacy as legal responsibilities for Frontex operations remain ambiguous; the agency's under-developed accountability mechanisms and its limited transparency. This is concerning as many authors identified considerable operational effects: some argue that Frontex governs border spaces as an unremarkable but powerful biopolitical sovereign, while other authors demonstrate how Frontex securitized and militarized migration. Scholars remain also divided over Frontex' human rights records, as some notice improvement while others remain sceptical. Similarly, researchers debate whether Frontex' humanitarian rhetoric and security actions show discrepancies or are ultimately compatible. Finally, the rapid growth of the EU agency has led scholars to trace the political roots and debates explaining Frontex' evolution, as scholars continue to discuss whether Frontex is controlled by Member States or reflects a shift of sovereignty to a relatively autonomous EU agency.

### CONCLUSION: A RESEARCH AGENDA

Existing research has provided a broad insight into how Frontex operates as an agency and the complex institutional, operational and legal contexts in which it navigates. Yet, since the agency continues to expand in relevance and given the research gaps in the current literature, it is important to improve our understanding by expanding the empirical focus, broadening used research methods and developing new theoretical connections.

### Expanding the empirical focus

The existing research focus can be expanded to become more comprehensive in several ways. For instance, there has been limited attention for some Frontex activities, such as its forced returns, its coast guard tasks, and registration and identification in the hot spots (cf. Pirjola, 2015; Pollozek and Passoth, 2019). A full comprehension of Frontex requires a broad analysis of its activities. Next, the internal functioning of the agency has attracted little attention. For example, we do not yet know how the organization is internally organized and whether the external lack of accountability and transparency are reflected internally or whether, instead, there are debates on border management within the organization. In this regard, studies on other EU agencies, that have served as blueprints for Frontex' set-up, are likely to offer better understanding. Additionally, we know little about how the agency has coped with continuous organizational expansion. A better understanding

of the organizational culture can also help to explain its behaviour and characteristics. Lastly, it is unclear how strong or extensive Frontex' relations are with relevant partners, including EU institutions (e.g. EASO, Europol) and host countries (i.e. local governments). Likewise, it is still uncertain whether and how the agency is politically active or engages in diplomacy within the Union. A better understanding in this regard would help us to gain an improved understanding of the agency's position in the EU bureaucracy and to what extent it shapes its own fate.

### **Broadening research methods**

The main challenge in conducting research on Frontex is the secretive nature of the agency. Consequently, most studies rely on analyses of legislation, newspaper reports and EU documents. In turn, there are few studies that build on interviews with Frontex personnel and even if interviews have been conducted, there are usually a few key respondents rather than a broad data set (e.g. Slominski, 2013; Aas and Gundhus, 2015; Bigo, 2014; Busuioc, 2016; Pallister-Wilkins, 2015; Perkowski, 2018). Moreover, there are very few studies relying on observational research or ethnographies (see Pollozek and Passoth, 2019). In the absence of such rich data, there is a potential risk that we know insufficient about the actual implementation of Frontex' activities, to what extent Frontex officials comply with human rights standards in their daily work, and how frontline Frontex personnel translate policies into practice.

### **Developing theoretical connections**

Current studies on Frontex display strong links to the field of critical theory, migration law research and literature on EU public administration. This has provided many insightful publications. Yet, there are very few connections with organization and management literature, crisis studies and policing scholarship, even though these disciplines may improve our understanding of Frontex' agency characteristics, how it operates during joint operations and how Frontex negotiates tensions between providing care and exercising control. Likewise, EU studies can shed light on the relations between EU agencies and other European actors and what this means for their relative autonomy (e.g. Egeberg and Trondal, 2011). Next, while there are some links between the five themes, these connections can be reinforced in the interest of theory-building. For instance, there is a suggestion that Frontex' autonomy (in line with neo-institutionalist explanations) reduces its accountability (Carrera et al., 2013). Likewise, Frontex' limited accountability and transparency may help to explain its continuing struggles with human rights. In general, as Frontex continues to expand, new theory-building is needed to further assess and understand the agency and its impact.

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