



University of South-Eastern Norway
Faculty of Humanities, Sports and Educational Science
Institute of Culture, Religion and Social Studies

Master's Thesis

MSc Human Rights and Multiculturalism

Spring 2022

Vilde B. Winge

Migration, technology, and control:

A critical discourse analysis concerning data gathering and information sharing of third-country nationals



University of South-Eastern Norway
Faculty of Humanities, Sports and Educational Science
Institute of Culture, Religion and Social Studies
PO Box 235
NO-3603 Kongsberg, Norway

<http://www.usn.no>

© 2022 Vilde B. Winge

This thesis is worth 45 study points

Word count: 27 136

Abstract

The use of technology in migration management and border control is not a new phenomenon. However, the use has grown enormously since 9/11 and the so-called “refugee crisis” of 2015/2016 in Europe; now, also, since the COVID-19 pandemic (Follis, 2017, 1004: Human Rights Council, 2021, 4: Lemberg-Pedersen and Haioty, 61, 2020). This thesis focuses on the technologies used by the EU to monitor their external borders and movements within the Union. Data gathering is particularly directed at third-country nationals and information sharing is used to stop irregular migration to Europe; as well as to facilitate returns. This practice has been criticized as it challenges migrants’ rights to seek asylum, their right to privacy and data protection as well as the non-refoulement principle (Human Rights Council, 2021, 5-6: UNGA, 1971). Therefore, a critical discourse analysis, inspired by Fairclough, has been applied in this thesis to expose the power relations that shape the discourses that legitimize the practice. As it will show, the EU has the power to bring forth ideological discourses of securitization and criminalization of migrants that allow the exclusion of irregular migrants and the potential violation of their rights to protect EU citizens’ trust and security. Cox’s theory on social forces, states, and worlds orders (1981) and the concept of hegemony are further used to understand in which structures the migration management regime is formed. Within these structures, social forces place the EU in a position to convince third-countries to cooperate based on the shared idea of a need to save migrants, as well as their material power to award and punish third-countries for their cooperation efforts (European Commission, 2016b, 9). The use of different technologies works to institutionalize an ideology that serves to protect the EU and its citizens from the perceived threat from the outside; throughout the Union and into third countries. As data gathering and monitoring of third-country nationals will serve to prove the existence of irregular migration, the technologies will work to materialize and legitimize their own perceived necessity.

Contents

1	Introduction.....	7
1.1	Introductory context.....	7
1.2	Research Question and the Purpose of the Research.....	8
1.3	Human Rights and Multiculturalism.....	10
1.4	Structure of the thesis.....	10
1.5	Definitions.....	11
1.5.1	Third-country and third-country nationals.....	11
1.5.2	Irregular migrant.....	11
1.5.3	EUROSUR.....	12
1.5.4	Border externalization.....	12
1.5.5	The Commission.....	13
2	Literature Review.....	13
2.1	Europe’s technological migration management.....	13
2.1.1	External border control.....	14
2.1.2	Internal migration control.....	16
2.2	The Profiteers.....	17
2.2.1	Private and Semi-Public Companies.....	18
2.2.2	Politicians.....	20
2.3	Securitization and Dehumanization.....	21
3	Theoretical framework.....	24
3.1	Discourse analysis and CDA.....	25
3.2	Cox – Social Forces, States and World Orders: Beyond International Relations Theory	29
3.3	Power, Ideology and Hegemony.....	31
4	Methodology.....	34
4.1	The Four Stages of Fairclough’s Methodology.....	34
4.1.1	Fairclough’s three-dimensional model.....	37
4.2	Sample.....	38
4.3	Epistemological and Ontological Foundation.....	42
4.4	Ethical Considerations and Positionality.....	43
4.5	Problems and Limitations.....	44

5	Findings and Analysis	46
5.1	The view on third-country nationals arriving irregularly	47
5.2	The legitimation and purpose of surveillance and information sharing	50
5.3	Linking the external and the internal	53
5.4	Power imbalances	56
5.5	The never-ending improvement potential	59
6	Summary and Concluding Remarks.....	63
7	References	67

List of Acronyms and Abbreviations

AU – African Union

CDA – Critical Discourse Analysis

EU – European Union

ECRE – European Council on Refugees and Exiles

ESS – Entry-Exist system

ETIAS – European Travel and Authorization Information System

EUROSUR - European Border Surveillance system

MS(s) – Member State(s)

NGO(s) – Non-Governmental Organization(s)

SIS – Schengen Information System

VIS – Visa Information System

Acknowledgements

For many years I have wanted to study human rights and I could not have felt any surer that this has been the right program for me. Though the process of writing this thesis has had its ups and downs, never did I ever feel tired of the topic.

I want to share my deepest gratitude to Dr. Gabriela Mezzanotti. I think it is safe to say her energy and passion for human rights have been an inspiration for all the students of this master program. I was among the luckiest to have her as my supervisor for this thesis. This thesis would not have been possible without all her help and support. Thank you so much for always being patient, flexible and understanding. Thank you for all the encouragement, valuable insights and guidance.

I would also like to thank all my friends and family who have helped and supported me through the entire process.

1 Introduction

1.1 Introductory context

Technology has for a long time been used in migration management and border control, but the use has grown enormously since 9/11 and the so-called “refugee crisis” of 2015/2016 in Europe, and now also since the COVID-19 pandemic (Follis, 2017, 1004; Human Rights Council, 2021, 4; Lemberg-Pedersen and Haioty, 61, 2020). In migration management, technologies are used to track, identify, and control people who intend to or have crossed borders (Skelton, 2020a). Technologies such as social media scraping, cellphone tracking, video surveillance drones, satellites, iris scanning, and biometric checkpoints are used on migrants even before they reach a border. Further automated algorithmic decision-making systems and predictive data analytics are used, but this practice is often lacking governance or oversight and may not even be validated (Secretary-General, 2020, 5; Skelton, 2020a). In the lack of common regulations of the use and the involvement of private companies, the use varies both in terms of which technologies are being used and how they are used. This selectivity leads to varying outcomes for vulnerable migrants who are used as test subjects of different technologies (Skelton, 2020b). Several reports by different UN agencies have brought attention to these issues and their racial and discriminative outcomes (e. g. Secretary-General, 2020; Tendayi Achiume, 2020, Human Rights Council, 2021). They have pointed out that technologies are not as neutral as often assumed because in the end the technologies are human designs and can therefore build on existing priorities, values, and inequalities which in many cases have been based on racial, ethnic, and national origin grounds (UNGA, 2020, 2). Furthermore, they are developed within an economic, historical, institutional, geographical, and political space. The technologies will then reflect these interests and the result can be that instead of technology achieving greater neutrality it rather reinforces structures already found in society causing social inequalities (Tendayi Achiume, 2020, 4). An example of this “human influence” is how many politicians or political groups have gained votes on the promise of “taking control over the borders” (Follis, 2017, 1011). Technology that contributes to this control or an image of this would be in favor of these politicians. In addition to this, the technology and categories vary in use between different countries, even within Europe, which results in different migration regimes (Latonero and Kift, 2018, 6). It is further claimed that technology cannot solve a problem that is in great part a political one (Akkerman, 2018a, 89).

While there is a general call for the right to privacy and the importance of limiting the personal data collection of Europeans (EU, 2022), there seems to be lacking attention when the same issue (or worse) applies to migrants who are already in a vulnerable position. The lack of regulations and

accountability seems to allow the technological migration management to keep growing. I, therefore, find it urgent to address the consequences different technologies cause and to understand better how these practices are legitimized and maintained in the first place.

1.2 Research Question and the Purpose of the Research

As for today, the ‘burden sharing’ of refugees is unfairly distributed at the regional and international levels. Spain, Germany, France, The United Kingdom and Greece are the main receiving European countries, processing more than 72% of the applications within the EU (before Brexit)(European Commission, 2019, 4). At an international level, there are only 10 countries that host more than 60% of the world’s refugees. About 85% of the world’s refugees are hosted by developing countries, meaning the entire developed world only hosts about 15% of people in need of Asylum (Andersson, 2016a, 1058; European Commission, 2015b, 8; Hathaway, 2018, 593). Even fewer are hosted in Europe alone. This unequal distribution of migrants and refugees is why I have chosen to focus on Europe in my research. As most European countries are of middle to high-level income, they should be better equipped to handle big numbers of refugees compared to those countries that now host most of them. Yet from media and politicians, we hear about “waves” of migrants streaming into Europe, the so-called “refugee crisis of 2015” (for example European Commission, 2020, 1), and the discriminatory discourse on migrants and their role in ‘spreading’ COVID-19 during the pandemic (Human Rights Council, 2021, 4; Lemberg-Pedersen and Haioty, 61, 2020). This migration “crisis” is increasingly met with a logic of *securitization*, which has been criticized multiple times for contributing to worsening the situation (Follis, 2017, 1019; Leurs and Ponzanesi, 2018, 7). In 2015-2016 skepticism arose about how many migrants and refugees could come to Europe as they would leave pressure on host countries and the asylum systems. According to the European Commission, at the end of 2015, there had been “1,82 million illegal border crossings” at the European external border (European, Commission, 2020, 1). A number which is measuring about one-third of the refugees of the war in Ukraine who are now welcomed with open arms all over Europe (UNHCR, 2022).

As will be better explained in this thesis, technology is increasingly used as a part of the same logic of securitization (Madianou, 2019, 6). Yet securitization alone cannot explain why technology is increasingly used in migration control. Even less when studies show that securitization leads to more smuggling and human trafficking, a possibility of doubling the number of deaths along the migration route, and an even increased numbers of migrants (Akkerman, 2016, 8; Molnar, 2020, 25). Most of

the literature I found on the topic either focused on the consequences of different technologies, or the industry behind it. However, this thesis is rather concerned with how the technologies are legitimized in the first place. If the idea of technology (and securitization) in migration control is to stop migration, stop smuggling or human trafficking, or save lives, the strategy is clearly failing. Addressing this failure has led me to question which power relations and discourses play a role in legitimizing the technologies whilst obscuring the violations of migrants' rights. Hence the research questions of this thesis are:

1) How do power relations determine the way relevant discourses are formed in migration control and what are the underpinning discourses that legitimize data gathering and information sharing of migrants? What is the role of social forces, ideas, and institutions in this process?

2) How is the use of technological tools for information sharing and surveillance in migration control related to the securitization of migration? How can data gathered through these technologies contribute to their own legitimation?

To answer the research questions, I will explore the relevance of discourses, power, ideology, and hegemony for how technologies are legitimized. These factors will be useful to understand how technologies build on existing values, priorities, and inequalities (UNGA, 2020, 2). The thesis is based on critical discourse analysis (CDA) to identify the relevant discourse. I have focused on the CDA and methodology as developed by Fairclough. Fairclough focuses on how events and structures are connected through social interaction or discourse, and how the same interaction is influenced by events and structures (2013, 184). Hence, the thesis aims at understanding the selected data as shaped by the different discourses on migration as well as the structures in which migration management operates. Cox's theory about social forces, states, and world orders (1981) will work to illuminate the structures in which migration management policies are formed at regional and international levels. Cox's theory will be useful as European migration management works within the Union as well as it expands to third-countries (for example, European Commission, 2016b and Valletta Summit, 2015a and b). The second part of the research question builds on the concepts of social forces, ideas and institutions as presented by Cox (1981). These concepts present relevant structures that form and sustain discourses and ideologies found in European migration policies. By identifying discourses and structures that form and sustain European migration policies, the aim of this thesis is to expose the underlying power relations and ideology that legitimize technologies that are specifically directed

at third-country nationals. This in turn will make contradictions transparent and uncover the human responsibility for the unequal dispersion of consequences that the technologies in question cause.

1.3 Human Rights and Multiculturalism

The thesis topic is relevant for the study program in human rights and multiculturalism as these technologies affect certain groups more than others and because these effects include violations of human rights (Human Rights Council, 2021, 3). The databases are specifically directed at third-country nationals, in other words, non-Europeans. Europeans are perceived as a safe and lawful group that can move freely within the Union. Their freedom within the Union is however perceived to be threatened by the outside. Outside the union, there is war, radicalization, poverty, smuggling networks, and migrants trying to enter the union irregularly (European Commission, 2015a, 12: 2015b, 7). Thus, migrants arriving in Europe in a so-called *irregular* manner are portrayed as unlawful and as a potential threat to EU citizens' trust and security. Therefore, technologies are used in a larger migration management regime that specifically targets migrants from outside the Union. The human rights that are the most challenged by these technologies are the rights of migrants, in particular the right to seek asylum, the right to non-refoulement, and the right to privacy and data protection (Human Rights Council, 2021, 5-6: UNGA, 1971). The likely violations of human rights make out the relevance of the topic and stress the importance of studying how the technologies have come to be. The thesis is therefore not focused on the legal aspects of the technologies used in migration control. Instead, the focus has been to identify the discourses that legitimize this discriminatory practice. With this focus, it is applied an interdisciplinary approach within sociology, political science, and critical theory of international relations, to study the entanglements between language, power, and ideology in European migration management.

1.4 Structure of the thesis

Beside this introductory chapter, the thesis is divided into 5 sections: Literature review, theoretical framework, methodology, findings, and analysis, and at last summary and conclusion. In the literature review, I will first explain what kind of technologies are used in Europe's migration control both at external and internal borders. Then the thesis addresses how some actors make profits from this practice, before moving on to studying the relevance of securitization and dehumanization.

In chapter 3 the theoretical framework will be presented. *Discourse* is the first concept that will be explained to better understand what critical discourse analysis is about. The other theory used in this thesis is Cox's idea about social forces, states, and world orders, which will complete the discourse analysis. As this thesis will explore the less obvious reasons for why different kinds of technologies are applied in migration control, there will be another subchapter to give a deep understanding of the concepts of power, ideology, and hegemony. These concepts will further expose the human responsibility behind the practice of technologies within migration management and its consequences. Chapter 4 presents the methodology of the thesis. The chapter will present Fairclough's four stages and his three-dimension model used as a guide to approach the data. The chapter will further introduce the 15 documents I have used as data for the thesis. Then I will reflect on the epistemological and ontological foundation of the thesis, before reflecting on ethical considerations and limitations. Due to the nature of CDA which studies the language in-depth and constantly fluctuates a focus between events and structures, there is no clear distinction between the findings and analysis. Therefore, this is presented together in the same chapter (5). Finally, a summary is presented followed by concluding remarks.

1.5 Definitions

1.5.1 Third-country and third-country nationals

The chosen documents that I used as data for my thesis often refer to the “*third-countries*” and “*third-countries nationals*”. The documents do not define the term, but according to the European Commission, a third-country can be defined as “*A country that is not a member of the European Union as well as a country or territory whose citizens do not enjoy the European Union right to movement*” (European Commission, n.d.-b). The right to movement is limited to EU countries, Iceland, Norway, Liechtenstein, and Switzerland (Schengen Borders Code, 2014). Thus, a *third-country national* is a person who is not from any of these countries, meaning not from a country member of the Schengen agreement (European Commission, n.d.-c).

1.5.2 Irregular migrant

Another term that was actively used but was never properly defined in the data was “irregular migrant”. As most of my data is from the European Commission, this thesis will work with their definition which reads as follows:

“In the EU context, a third-country national present on the territory of a Schengen State who does not fulfil, or no longer fulfils, the conditions of entry as set out in the Regulation (EU) 2016/399 (Schengen Borders Code) or other conditions for entry, stay or residence in that EU Member State” (European Commission, n.d.- b).

According to the Schengen Border Code, these conditions of entry include having a valid travel document, a valid visa if needed, the justified purpose of the stay and sufficient means of subsistence, and not being marked an alert in the Schengen Information System (SIS), and not be considered a threat. If the person fulfills these criteria, he or she would also go through verification in the Visa Information System (VIS) (Schengen Border Codes, 2014). An irregular migrant is therefore someone who lacks any of these requirements.

According to Haas, Castles, and Miller, *“irregular migrant”* includes those who overstay their entry visas, illegal border-crosser (which excludes refugees as they have the right to cross a border to seek protection), and asylum seekers who are not considered ‘genuine’ refugees (2020, 362). The status of *“irregular migrant”* should in this case dissolve if the migrant receives an approved asylum application. Yet until then, the migrant is labeled as irregular and the term, therefore, has a focus on *how* migrants came rather than *why*.

1.5.3 EUROSUR

The European Border Surveillance system (EUROSUR) is a system or framework used to share information and for the member states and Frontex to cooperate on situational awareness at the external borders. The system is meant to improve the capability to prevent cross-border crime, prevent irregular migration and protect the lives of migrants (European Commission, n.d.- a). As EUROSUR uses drones and satellite images to monitor areas outside the EU and information is shared with third-countries, the practice makes an example of border externalization (Latonero and Kift, 2018a, 6).

1.5.4 Border externalization

Border externalization can be explained as different processes that transfer border control to foreign countries. (Molnar, EDRi, and the Refugee Law Lab, 2020, 35). The different technologies contribute to border externalization as third-countries become involved in the EU’s migration

management regime. Control equipment and other technologies are given to third-countries by the EU and member states. This includes training on how to approach boats to return migrants before reaching Europe, and facilitation of return and readmission of migrants who were found in Europe (Akkerman, 2018a, 44; Molnar, 2020, 35).

1.5.5 The Commission

The Commission is simply the abbreviation of the European Commission. In the documents published by the Commission, the same abbreviation was used, and for ease, I will do the same. The Commission has the responsibility to represent the general interest of the Union. It drafts policy proposals and implements them when agreed on, though commonly depends on a decision made by the European Council (of ministers) (Corbett, Peterson and Kenealy, 2018, 50). There is one commissioner from each member state who is a politician elected by the prime minister or president of their country and holds office with the approval of the European Parliament. Their role is to balance national and European interests. The commissioners work together with permanent civil servants who are normally recruited through a particular examination and do not rely much on national appointees (Corbett, Peterson and Kenealy, 2018, 51-53).

2 Literature Review

2.1 Europe's technological migration management

Within the Schengen territory most of the earlier mentioned types of technologies are used. Therefore, the next sections will rather focus on the use of technology that is particularly used within the Schengen territory and its external borders. More specifically, the three main databases used within the region and the use of satellites and drones at external borders by the European Surveillance System (EUROSUR), and some critiques of the use will be introduced

Latonero and Kift (2018) emphasize the distinction of different use of technology for the migration control at the external and internal border because they have a different purpose and follow different logics. Latonero and Kift argue that EUROSUR focuses on strengthening the external borders, and with the use of drones and satellites they intend to stop migrants from crossing the borders of the Schengen territory in the first place. The databases, on the other hand, are used for migrants who have already crossed the borders, and the focus is on identifying these individuals (Latonero and Kift, 2018, 2 and 6). Biometrics are stored in these databases where individuals are listed into different

categories depending on their history and the database in use (European Commission, 2016a, 6). There are several databases used by the EU, but as it would be too broad to address each one, this thesis will focus on the main databases used specifically for border management which are Eurodac, the Visa Information System (VIS), and the Schengen Information System (SIS). The SIS is also used for law enforcement and is the largest and most actively used information system (European Commission, 2016a, 22).

2.1.1 External border control

Follis (2017) explains how technology can in a sense be used to blur out the physical borders. With the use of satellites and drones, European border control can better monitor activities in the Mediterranean Sea, other borders of the Schengen area and EU, as well as get some insight into other states such as Turkey and Libya (Akkerman, 2016, 11; Follis, 2017, 1005; Latonero and Kift, 2018, 6). As Latonero and Kifts explain, EUROSUR expands the physical borders into third-countries with the purpose of stopping migration (2018, 2). EUROSUR was officially launched in December 2013. The system is used to provide real-time images and data between EU Member States (MS). This is done by a network of National Coordination Centres, coordinated by Frontex (Akkerman, 2016, 11). With the use of satellites and drones, border controls can monitor what happens at sea while omitting legal obligations to help boats in distress. This way one avoids responsibility that requires time and money (Follis, 2017, 1012).

Among the arguments for this use of technology is to stop “illegal migration” and prevent drownings by stopping migrants from leaving border countries in the first place (Follis, 2017, 1004). However, by cooperating with third-countries to stop migrants, refugees are hindered from the access to the right to seek asylum and non-refoulement. The return of migrants can be a direct violation of the non-refoulement principle, and if not, the practice is still used to deter migrants from depending on smugglers to reach (European Commission, 2016b, 6). However, there is no proof that deterrence has any effect on migration as it does not affect the root of the causes (Moreno-Lax, 2018, 128). Further, the numbers thus far show that although the technology has contributed to fewer people reaching the European border, death rates have rather increased (Follis, 2017, 1004, Akkerman, 2018, 4; Molnar, 2020, 25). This is due to legal and other pathways being cut off and migrants are pushed to use other more dangerous routes, depending on worse traffickers (Akkerman, 2018, 3-4).

Another problem related to this type of surveillance is its dependence on third-countries. Countries that cooperate with the EU get funds, diplomatic benefits, visas, technological equipment, training, and weapons. Money for development aid is also used for migration control (Andersson, 2016a, 1063 and 1070; Akkerman, 2018, 37). There are at least 35 countries that the EU cooperate with for the externalization of their border. Among these countries the vast majority have been criticized for lack of human rights protection and close to half of them (48%) can be considered authoritarian. Cooperating with these countries is likely to result in increased instability and insecurity in the region which again is likely to push more people to flee (Akkerman, 2018, 3). This can either be a result of the training and equipment given to security forces of the countries, or when this equipment later ends up in the hands of other non-governmental forces, either after an ended conflict, through corruption, or other ways (Akkerman, 2016, 7 and 2018, 5 and 35). In addition, cooperating with third-countries give these countries a source for blackmailing. An example of this has been Ghaddafi's way of threatening to release many migrants unless more resources and political recognition were given (Andersson, 2016a, 1064). Other countries that in recent years have openly used migrants to push for their own interests, are Turkey and Belarus. The last case gained a lot of attention when migrants got stuck in the forest between Belarus and Poland during the winter (BBC, 2020; Euronews, 2021). Such examples demonstrate that cooperating with third-countries is not a solution to what Europe considers a migration problem. It does not handle the root cause. Instead, migrants are pooled together in countries or situations where their rights can be at risk, and where they can be used for blackmailing.

Despite the unsustainability of cooperation with third-countries, different frameworks for cooperation in Europe as well as with other countries have been created since 2015. The Partnership Framework under the European Agenda on Migration from 2015, is a follow-up initiative and complementary work to the implementation of the Joint Valletta Action Plan or the Valletta Summit (Akkerman, 2018 16; European Commission, 2016b, 2). These different frameworks for cooperation between different countries to manage migration will be better presented in the methodology section. However, it is important to highlight that under the Partnership Framework there are at least 35 countries that the EU prioritizes to cooperate with. Half of these countries have low human development, have an authoritarian government, and have a high risk of human rights violations. One-fifth of the countries have an EU and/or UN arms embargo, and yet all these countries buy weapons from the EU (Akkerman, 2018, 28). Akkerman argues that the EU's focus should rather be on promoting democracy, human rights, and fighting poverty (2018, 28). Instead, money from different EU funds for emergencies or development is used to fund security forces. Departing or

transit countries are also being prioritized for funds over countries that are most in need (Akkerman, 2018, 37).

2.1.2 Internal migration control

There are three main databases used within the Schengen territory. Eurodac is the centralized EU database. The other two are the Schengen Information System (SIS) and Visa Information System (VIS). These are all systems to control movement within the territory by identification and categorization of individual migrants, and at times other relevant persons such as family members or employees that provide ground for visas. In addition, the Common European Asylum System (CEAS) determines the responsibility for asylum claims among MS as well as it is policing external borders (Dencik and Metcalfe, 2019). The relevance of these categorizations is to identify who qualifies for asylum, who does not, and who and where they are (Latonero and Kift, 2018, 6). Data collected in these systems can be from persons as young as 6 years old, and the information can be saved for five years. Fingerprints are commonly collected from third-country national migrants who arrive in Europe without authorization (European Commission, 2016a, 9 and 22: 2020, 4). Fingerprints saved in Eurodac are divided into three categories: 1) as an applicant for international protection, 2) as having crossed, or attempted to cross, a border illegally and 3) as a potential illegal immigrant, who has not gained asylum status, lacks papers, and has been found within a MS (Dencik and Metcalfe, 2019). These categories are justified to prohibit “asylum shopping” and duplicate asylum claims in accordance with the Dublin Convention (Dencik and Metcalfe, 2019). It also makes it easier to identify migrants who return to the Schengen territory, which makes it easier to deport them again (Broeders and Engbersen, 2007, 1603). The information is shared among the MSs, as well as Europol and European police that can access some of this information with the argument of a need to prevent and detect acts of terrorism or other crimes. As a part of checking whether these migrants are potential criminals, their social medias are also sometimes checked by Frontex and Europol. Especially migrants without the right ID documents are more likely to have their social medias and smartphones checked to see if their stories seem true (Latonero and Kift, 2018, 6-7). The databases can create a sort of migrant history for a listed individual. Such migration history together with the identity and nationality of the individual is needed for a MS to return the individual to their suspected country of origin (Broeders and Engbersen, 2007, 1590 and 1603).

There are concerns about how this practice challenges migrants' right to privacy. The right to privacy and freedom from unnecessary interference is to be found in several international instruments that EU MSs are bound to. Two examples are article 17 in the International Covenant on Civil and Political Rights and article 8 in the European Convention on Human Rights (ECHR) (UNGA, 1966: ECHR, 1950). Further, the EU has regulations such as the European Union's General Data Protection that are meant to ensure data protection and privacy. However, the UN Human Rights Council has criticized MSs for having exemptions in the context of immigration enforcement. This results in individuals having their privacy rights diminished based on their nationality. Moreover, because of migrants' vulnerable situation and the power relations between border management authorities, it challenges voluntary consent (Human Rights Council, 2021, 11-13).

2.2 The Profiteers

The use of technology within migration management is often justified "under the guise of needing novel ways to manage migration" (Skelton, 2020a). However, those in charge of this development fail to contemplate the serious effects these technologies may have on human rights and lives (Skelton, 2020a). A relevant question is therefore not only how these technologies are used, but also by whom. The most decisive actors are the nation states and private companies. Not only do they decide which priorities to make, but they are also the ones who largely benefit from the use of technological tools, while the migrants who are subjects for data gathering and surveillance and its consequences have little to no say in how the technology should be used or shared. By this, the technology reinforces asymmetric power structures while conflict zones and refugee camps become grounds for technological experimentation without consent (Skelton, 2020a). A real concern is if market forces prioritize profitable outcomes without taking into consideration which racist or intolerant consequences they might have (Tendayi Achiume, 2020, 6). Furthermore, the partnership between states and private companies has blurred out the lines of accountability. There has grown a complex and comprehensive border regime based on a range of practices, technologies, and locations which makes it hard to reduce it to a specific actor either private or public (Dencik and Metcalfe, 2019). There is also varied practice in how gathered data is shared among companies and other organizations (Akkerman, 2018, 89; Dencik and Metcalfe, 2019; Skelton, 2020b).

2.2.1 Private and Semi-Public Companies

Framing migration as a security issue has opened Europe to a security market. As controls fail to stop migrants it opens up for new innovations and further investment as a constant attempt to finally achieve control (Andersson, 2016b, 36). Among the actors that benefit from stricter migration control are the European military, the security industry, and states. Many companies that profit from selling and producing technology used in migration control are private, while others are semi-public (Akkerman, 2018, 3-4). These companies, like the European Organization for Security (EOS), Airbus, Thales, and Finmeccanica (now Leonardo), and more, have been active in lobbying for the externalization and increased border security. It may therefore not come as a surprise that the very same organizations are among the ones that benefit the most from the securitization of European borders (Akkerman, 2016, 38). EOS, which is a group for many European security companies, has a special focus on surveillance, technology, and information sharing over the traditional military means. EOS wishes for the inclusion of the private sector under the EU's Common Information Sharing Environment (CISE) which would give them access to maritime surveillance data (Akkerman, 2016, 20). Further, they have, on several occasions, organized meetings with the industry and EU officials and politicians where they may share recommendations (Akkerman, 2016, 19). In September 2010 EOS suggesting creating a new body or institution to serve as a kind of border guard at the EU level that would be better capable to support MS interventions and buying their own equipment. Akkerman argues that this suggestion is very similar to the creation of the European Border and Coast Guard (2016, 20). Today, the European Border and Coast Guard Agency is referred to as "*Frontex*" (EU, n.d.). It, therefore, seems more like an expansion of the mandate, rather than a supplement. EOS further lobbied for the creation of an "EU Internal Security Fund" which was established for the period 2014-2020 (Akkerman, 2016, 20). The Commission has encouraged the use of this fund to employ different databases and to improve their interoperability (European Commission, 2016b, 15).

Furthermore, Frontex has a close connection with the military and security industry. Frontex has previously had one-to-one meetings with different companies but is now rather arranging biannual industry days where companies can introduce their products. However, there are restrictions to what Frontex can do and buy, and it therefore remains to see if the new European Border and Coast Guard Agency(/Frontex) with more purchase opportunities will become a bigger target for lobbying (Akkerman, 2016, 14 and 22). Frontex already pays companies for field demonstrations for which they have paid up to 198 000 euros (Akkerman, 2016, 33).

Yet, Frontex is not the only actor making an arena open to discuss and present migration control matters. Companies arrange workshops, and states host security fairs where Frontex, different security companies, and official delegations from different countries (even involved in war, conflict, and repression) are invited. Such fairs are perceived as profit opportunities for security companies but allow for support of dictatorships and human rights abuses (Akkerman, 2016, 23).

In addition to funding through the Schengen Agreement, the EU offers different funds for migration-related activities under the Instrument for Pre-Accession Assistance (IPA and IPA II). Not only the EU or other European countries can get funds from IPA (Akkerman, 2018, 28). These funds are just a few among many. The overall spending by the EU and MSs on surveillance and other migration-related activities is impossible to know. It is unclear how many EU funding instruments support the EU's external migration policies, but Den Hertog has identified around 20 funds. Among the funds are the EU Emergency Trust Fund for Africa (EUTF) and European Development Fund (Den Hertog, 2016, 28-29). With all these funds it becomes unclear what money goes to which project, but there is a general prioritization of security and irregular migration (Akkerman, 2018, 17). It is further predicted that the 2021-2027 EU budget for the management of migration, asylum, and external borders will more than double the budget of 2014-2020. The total makes nearly 35 billion euros (Human Rights Council, 2021, 7). Still, it is unclear which funds are covered by this budget. In addition, there is even more security spending done at MS levels (Andersson, 2016a, 1059). Other initiatives are a mix of private and public cooperation. The semi-public French company Civipol was funded with 53 million euros by the EUTF to set up fingerprint databases in Mali and Senegal which would help in the facilitation of the return of migrants found in Europe (Skelton, 2020b).

Further, the European Council has stated that all relevant policies and instruments can be used to "prevent illegal migration" (Akkerman, 2018, 37). The European Parliament on the other hand has expressed concern over the development aid that has been used to stem migrant flows and cooperation with authorities that can commit serious violations of fundamental rights (Akkerman, 2018, 37). While the European Commission has celebrated that the Partnership Framework and cooperation between MSs and third-countries contribute to new investment opportunities for private sectors (Akkerman, 2018, 38; European Commission, 2017, 2 and 14), several authors argue that this industry is a result of securitization as most of the companies are from the security industry, while cooperation with third-countries includes strengthening the borders (Andersson, 2016b, 23; Follis, 2017, 1017; Laterno and Kift, 2018, 5). Molnar further criticizes states for leaving the responsibility of human rights to private companies that may not have the competence to understand the consequences of their

own technological products. It does not mean, however, that states are no longer responsible for human rights. Both states and companies are responsible for respecting international human rights law as well as domestic legislation. Though the practice is not limited to borders and includes multiple actors it does complicate the overview of who is responsible for what (Molnar, 2018, 36). Further, the global market for border security is generally not that transparent and although it is unclear what the products will be used for, it has created many billions of revenues (Akkerman, 2016, 30 and 35). Neither is there a complete overview of all companies that provide equipment for border security. However, as mentioned earlier, those European companies lobbying the most on European border security policies are among the biggest beneficiaries of the same policies (Akkerman, 2016, 36).

2.2.2 Politicians

Andersson questions how the “illegality industry”, the security market that leads to the criminalization of migrants, can continue despite its failure to stop migration. He argues that the political usefulness of it plays an important role in its upholding. First, politicians can show short-term “toughness” on migration. Second, the more sectors, actors and states that are involved in the migration control regime, the more difficult it becomes to place accountability and responsibility (Andersson, 2016a, 1066). According to Andersson, this migration control regime is creating even more chaos, while a focus on creating legal pathways would rather enable oversight, better control, and identification (2016a, 1068).

The arguments for the use of different kinds of technologies are commonly about a need for novel ways to handle migration flows to Europe (Molnar, 2020, 1). However, some argue that there are both political and social reasons to exclude migrants in an irregular situation. Broeders and Engbersen (2007) state that a political reason is how lots of migrants may add to an accusation that states have lost control, and that migrants, therefore, challenge the sovereignty of the state. A social reason, they explain, is how there is often a resistance against migrants in irregular situations and that they are regularly blamed for societal problems such as social inequalities and unemployment (Broeders and Engbersen, 2007, 1594). Follis, Leurs and Ponzanesi state that politicians have gained votes based on their promise to be tough on migration (Follis, 2017, 1011; Leurs and Ponzanesi, 2018, 8).

2.3 Securitization and Dehumanization

Dehumanization is a concept that refers to when someone, or a group, is denied the qualities or nature of being a human, meaning that they are treated as less human. This happens when someone or a group is presented as less human or by attributing the group a certain negative, often threatening, characteristics. This further works to legitimize the treatment of the given group, including the deprivation of human rights (Haslam, 2006, 252; Pavetich and Stathi, 2021, 369-371). Securitization and criminalization contribute in different ways to the dehumanization of migrants by portraying them as potential threats or criminals, and thereby legitimizing excessive migration controls and exclusion. Strict migration control hinders migrants from arriving in Europe where they would be able to apply for asylum and increase the chance of violating the non-refoulment principle (Moran, 2021, 1044). Further, migrants who do find themselves in Europe may go underground to avoid having their data stored in different information systems in fear of being returned (Molnar, 2020, 13). Life as an irregular migrant in Europe is a life with limited rights and potential dependency on criminal networks which in turn would leave the migrant in a seriously vulnerable situation (Broeders and Engbersen, 2007, 1598). Thus, the logic of securitization can be understood as an ideology that represents migrants as a potential national threat which allows for excluding them from Europe and their access to rights. In other words, it allows for discrimination against migrants (Mezzanotti, 2020).

The logic of securitization has grown since 9/11(2001) and the European so-called refugee crisis of 2015. This logic is about securing the borders and perceives refugees as a potential security threat. In this logic, technologies become key security measures in form of surveillance and data infrastructures. Biometrics are used to control the borders and such data is shared between states and intergovernmental agencies such as UNHCR. Concerns have been raised about “function creep” referring to how the collected data is further used for other purposes than the original objective (Madianou, 2019, 6). This is already the case with some of the databases used within the Schengen territory. Technologies such as databases were first developed for a specific purpose within the migration management regime, which later has been used in the “war on terror” or other crimes, or the other way around. For example, Eurodac was first made as a system to store fingerprints to identify asylum seekers and irregular immigrants and to determine which MS was responsible for the asylum application. Now Eurodac is also used in the war on terror (Dekkers, 2019: eu-LISA, 2021, 5). While in the SIS you find both data on migrants and their legal status as well as information related to crime such as stolen vehicles and ID papers, smuggling, drugs, and matters of terrorism (Broeders, Engbersen, 2007, 1603). This way matters of migration management and matters of security or law enforcement become blurred (Broeders and Engbersen, 2007, 1603). By specifically targeting asylum

seekers, technologies are used to control the movement of “unwanted” forms of human mobility and assumed criminality (Dencik and Metcalfe, 2019). This suspection of migrants as potential threats contradicts the idea of using technology to improve the objectivity in treatment and decision-making concerning migrants. Information technology is used to evaluate migrants as high-risk or low-risk (Dekkers, 2019). To find out who is high-risk, criminal justice data and technology are mixed into the migration control. This provides a basis for which migrants are welcome and who will be excluded (Dekkers, 2019). Algorithmic processing of lots of data can be used to anticipate and speculate on future behavior and threats. This correlates with a logic of security and an idea of data systems’ capacity to understand social life (Dencik and Metcalfe, 2019). Broeders further points out how these databases can be used to find the percentage of different categories such as type of immigrant, visa, or country of origin, that later intend to return irregularly to Europe (Broeders, 2007, 88). This possibility to re-identify migrants who return to Europe contributes once again to making legal pathways to Europe even fewer and may increase migrants’ dependency on smuggling and trafficking organizations during and after the travel route (Broeders, 2007, 88: Broeders and Engbersen, 2007, 1592).

Moreover, one can see that among the categories for fingerprinted persons saved under Eurodac it is only the first category that does not impose an illegal status on the individual. This is an example of how these technologies not only create an “immobilized global underclass”, but an “illegal global underclass” (Dencik and Metcalfe, 2019). This again makes a reason for targeting migrants and intensifying the surveillance systems. In combination with the EU’s heavy effort in stopping migration and challenging legal pathways to Europe which has made it harder to come regularly in the first place, this security regime is actively producing “illegal migrants” (Dencik and Metcalfe, 2019). Once a person has been “datafied” it will be hard to change the category and it may have long-lasting consequences such as differential treatment and discrimination. In the bigger picture of movement in Europe, people are sorted into desired groups with easier access to Europe than other undesired groups. Such social sorting can result in an entire “data-banned” population. This social sorting may reflect economic and political motives for control over movement. The categories are criticized for being overly simplified and miscalculated and have little effect to ease the “refugee crisis” (Dencik and Metcalfe, 2019). If the system has little effect on what is considered a problem while it systematically marginalizes and excludes “unwanted” migrant populations, it becomes important to question the political “usefulness” behind these practices and the justice to it.

Further, the use of satellite images and drones contributes to extending the criminalization of migration. Even though satellites and drones are used to create an image over the situations and can give a lot of information, it still does not give all relevant details and can even create misleading ideas. First, the surveillance has a military side to it where one tracks and targets migrants which gives a narrow view (Follis, 2017, 1013). Further, how this information is interpreted will also depend on the same factors (geographical, historical, social, economic, political) that shape the technologies and the way they are used (Follis, 2017, 1015). This way of monitoring migrants contributes to anonymizing and depersonalizing migrants into numbers and a potential “illegal group” (Follis, 2017, 1015; Latonero and Kift, 2018, 6). The criminalization of migrants contradicts the international refugee law. Migrants have done nothing illegal if their purpose is to seek asylum. As addressed in the introductory note of the *Convention Relating to the Status of Refugees* from 1951 (the 1951 Refugee Convention), refugees are allowed to breach immigration rules as it may be needed to be able to seek asylum (UNGA, 1951, 3). It therefore becomes important to ask how criminalization affects the relationship between border controllers or other relevant actors and the migrants, emotionally, legally, and politically.

The use of satellite images and drones is often part of broader cooperation with third-countries. Cooperation with third-countries further leads to the criminalization of migrants in several countries in Africa. Repressive control is carried out where migrants have been put through arbitrary raids and informal mass expulsions. Migrants are being detained over longer periods of time with their rights at risk, and many are deported (Andersson, 2016a, 1064). Countries that the EU share maritime or border information with, send their coast guards to intercept boats and return them (Akkerman, 2018, 44; Amnesty International, 2019). This way migrants are hindered from entering European territory and are denied the possibility of applying for asylum. Their rights are further put at risk in the country they are returned to as many are placed in inhuman detention facilities, at the risk of abuse and having other rights violated, even at the risk of dying. This practice denies migrants having individually processed asylum applications and is a likely violation of their non-refoulment rights (Moran, 2021, 1044). The right to non-refoulment is found in several international conventions such as the 1951 Refugee Convention, *the Convention Against Torture* (CAT), and the *International Convention for the Protection of All Persons from Enforced Disappearance* (ICPPED). Non-refoulment is the individual’s right to not be sent somewhere his or her life and freedom would be at risk, but the right can be limited if the individual poses a risk to the national security (United Nations General Assembly, 1951: 1984: 2006). The right is not limited to individuals’ asylum status and the non-refoulment principle is, therefore, a right on its own and for everyone. Non-refoulment has been

further elaborated in *The Charter of Fundamental Rights of the European Unions* (CFR) and *The Treaty of the Functioning of the European Union* (TFEU) (EU, 2012; Moran, 2021, 1043). The CFR and TFEU emphasize that no one shall be sent to a state where they can be at risk of death and/or other inhuman or degrading treatment. It further includes the prohibition of collective expulsions, which confirms the importance of individual treatment (EU, 2012).

Increased security measures and tougher border control do not stop the “risk” of migration. Instead, legal pathways are getting fewer, and the alternatives become more dangerous while migrants depend even more on smugglers. The new routes and challenges lead to the need for new (political or technological) solutions which again contributes to the continuation of a security market that profits the security sector, states, and smugglers (Akkerman, 2018, 3-4; Andersson, 2016a, 1062 and 1065).

3 Theoretical framework

Doing a discourse analysis was a natural choice as the research question for this thesis is about the discourses that shape EU migration management and the discourses that legitimize the use of technologies and information sharing. Further, it would be useful to make a *critical* discourse analysis (CDA) as I am interested in the relevance of power relations that influence the direction discourses take, which ones become dominating and how they contribute to maintaining the same power relations. CDA is an interdisciplinary approach that emphasizes the combined effect of language, power, and the use of ideology for hegemony. Thus, CDA will help to understand the power relations that work to bring forth certain discourses and ideology that legitimize the current migration management, as well as to understand what pushes subordinated parts to accept the practice.

CDA fluctuate the focus between event and structures. In that sense, my analysis oscillates between the texts or documents constituting my data and presenting products of discursive events, as well as the social structures that influence the discourse at the same time as the discourse influence the structures and the event (Fairclough, 2013, 184). Cox has a theory of international relations in which he explains the different sides forming historical structures. These historical structures are helpful to understand the spheres discourses shape and are shaped by. Therefore, Cox’s theory will help to identify relevant structures in which migration management is formed and developed. Other relevant social structures and concepts that are relevant in both CDA and in the theory by Cox, are power relations, the way society is organized and its institutions, and ideology and hegemony. Together these concepts help to understand how some actors are in better positions to present their ideology through discourse and to preserve power and consent.

3.1 Discourse analysis and CDA

Foucault is often considered the father of discourse analysis. His concern was not what reality is, but how reality is created. He was never clear about how he defined a *discourse*, but his work shows an understanding of discourse as more than just language. In his work discourse can be understood as a system that influences and institutionalizes the ways we speak, think, and articulate about certain things in a certain field, for example in a human scientific discipline, and how this further influences the way we act. What is important is not the language of discourse itself, but the influence discourses have on both statements and practices. In the scientific field, discourses are connected to processes of developing knowledge (Hammer, 2017b, Schaanning, 1999, 8).

Foucault questions how certain statements and practices originate and how they influence the constitution of social reality, such as practices in an institution, over time (Hammer, 2017b, Schaanning, 1999, 8). As Foucault does not provide a clear definition of discourse, Hammer suggests it might be more useful to not focus too much on what discourse is, but rather on what it helps us to see. Instead of thinking about discourse analysis as a method per se, it can be understood as a strategy to approach our data (Hammer, 2017a, 94). In discourse analysis one studies the language to recognize how statements appear, function, and affect certain processes of the social reality. What is relevant for the study is the dynamic of discourse and how it leads us in the same direction instead of other alternatives (e.g. how all the different discourses still lead to the same increase of technology in migration control at all stages). In other words, discourse analysis is not limited to linguistics, it is rather a study of the interplay between what we say and what we do and how this is influenced by discourses at the same time as it forms the discourses (Hammer, 2017a, 95). This way discourse can be understood as a system of processes that transform, construct, and give direction to social reality. Based on this, the discourse analysis studies how the social reality emerges and transforms (Hammer, 2017a, 96).

Fairclough is one of the main theorists within *critical* discourse analysis. His interest is the relationship between how language is used and social practices to expose how certain discourses, or *semiosis*, contribute to the maintenance of certain practices and how these practices confirm the discourse again (Bratberg, 2017, 52). He is interested in social change and has been inspired by Foucault's discourse analysis in the study of relations between language, ideology and power (Fairclough, 2009, 166). However, his way of understanding *discourse* is not the same as

Foucault's. While Foucault studies discourse as a social system that transforms, constructs and gives direction to social reality, Fairclough sees *discourse* as the process of producing as well as the process of interpreting a *text* (spoken, written or visual) and how this is formed by the text itself or language as well as the current social conditions (Fairclough, 1989, 24).

Language is social. It is based on collective codes and conventions which give meaning, values or even identity to objects, subjects, material realities, and so forth in the social world (Dunn and Neumann, 2016, 2). Further, language plays a role in creating, reflecting and maintaining collective ideas of aspects of the social world (Tjora, 2017, 183). As language is perceived as social practice, the production and interpretation of a text will also be based on social practice. Even though an individual can understand something in their own way, their understanding will still be influenced by social meanings, social relations, struggles and so on that the individual has internalized (Fairclough, 1989, 24). These internalized elements will form what Fairclough calls "member resources". With member resources, Fairclough refers to what people have in their head when interpreting a text (or event), such as discourse, knowledge of language, representations of the world they live in, beliefs, values, assumptions etc (Fairclough, 2015, 57). This way language is a part of social processes and interactions that is always influenced by its social context and history (Wodak, 1999, 186). In other words, language is a kind of action in a social context. Further practice, meaning what people do, is important because a society is kept together through common practice (Dunn and Neumann, 2016, 37).

A communicative event or an interaction, is a social practice in which power relations, ideologies, values, and norms play an influencing role (Wodak, 1999, 186). Discourse is in this case the interplay of social conditions for the way a text is produced and interpreted (Fairclough, 1989, 25). An *order of discourse* constitutes the social conditions of a discourse and commonly carries ideologies (Fairclough, 1989, 28). According to Fairclough an *order of discourse* is understood as the combination of *genre*, *discourse*, and *styles*. These are semiotic categories influencing discourse as a social practice which again mediate the relation between events and structures. "*Semiotic*" or "*semiosis*" refers to all forms of meaning-making found in language – spoken and written, body language, visual images and even in social practice (Fairclough, 2001). Genres, discourse and styles are then the semiotic sides of the social practices (Wodak and Meyer, 2009, 27). *Genre* refers to different ways of acting and interacting in different situations. *Discourse* is the semiotic ways of construing aspects of the world. This can usually be recognized as different positions or perspectives of different social groups (Fairclough, 2013, 180). The third semiotic category that Fairclough uses

is *style* which refers to “ways of being”, identities or the performance of a position (Fairclough, 2001: Fairclough, 2009, 164). Different orders of discourses are based on specific relationships between genre, discourse and styles resulting in a certain meaning-making and can result in social fields, institutions, organizations, etc. (Fairclough, 2009, 164). Studying and order of discourse will demonstrate that some aspects of ordering are dominant, marginal and alternative. An order of discourse is not static, there are always different options in social practice and these options may compete or coexist (Fairclough, 2001). Power relations are relevant for the way an order of discourse is structured and for the ideology it upholds (Fairclough, 1989, 31). Therefore, by studying the order of discourse and the alternatives that exist, one should be able to expose the power relations that form the prevailing structuring of the order of discourse. Fairclough’s CDA treats the dialectical relationships between semiosis and other elements of social practice. Examples of elements of all social practice are productive activity, the means of production, social relations, cultural values, consciousness, and social identities. These are all dialectically related to social practice and all social practice has a semiotic element (Wodak and Meyer, 2009, 27). Fairclough divides *social process* into three related levels: *social events*, *social practice*, and *social structures*. *Text* understood in its broadest sense (written, spoken, visual) makes the semiotic aspect of a *social event* (Fairclough, 2009, 164). *Social practice* has a broad meaning based on the three semiotic categories genre, discourses, and styles, while *social structures* refer to specific power relations and ways of organizing the society (Bratberg, 2017, 53). According to Fairclough, social practice is what connects social structures with social events. On one hand, social practice is defined by its position within a structured network of practices. On the other hand, social practice contributes to the reproduction or transformation of the same structures. This way social practice has a productive function in the shaping of social life (Fairclough, 2001). Fairclough’s CDA studies the dialectic relation between structures and events and within these relations, the semiotics, and other elements (Fairclough, 2009, 164). Summarized, semiosis relates to the other elements of social practice and social events in three major ways: as an aspect of action, in the construal/representation of aspects of the world and in the creation of identities (Fairclough, 2013, 179).

Fairclough’s CDA oscillates between a focus on structure, the social structuring of semiotic diversity (orders of discourse) and a focus on action, the productive work of particular texts and interactions (Fairclough, 2001). Fairclough grants semiotic character to social actions because acts are based on choices; choices that are influenced by different discourses in relation with genres. Choices are a part of events and choices are made with an aim to pursue (Fairclough, 2013, 182). He further explains that events are primary to representations (how they are produced, interpreted, and expressed), and

genres are primary to discourses and styles (Fairclough, 2013, 182). Structures are also seen in part to be semiotic. When genres emerge and some are selected, institutionalized, and normalized as the dominant ones, they take part in the structuration of social interaction (Fairclough, 2013, 183). A discourse can become operationalized or “put into practice” in a dialectic process with three aspects: enactment, inculcation, and materialization. A discourse can be enacted as a new way of (inter)acting; it can be inculcated as a new way of being (identity), or it can be materialized in the sense of creating new ways of organizing space. Enactment and inculcation can later take new semiotic forms which could entail new genres or styles (Fairclough, 2013, 180).

The focus of CDA fluctuates between structures and social agents’ strategies. From both these perspectives, CDA further studies shifting relations between genres, between discourses, between styles and the social structuring of them. One studies the ongoing working and reworking of relations between them in text and addresses which of them achieve a relative permanence and stability in orders of discourse (Fairclough, 2013, 180). This is relevant to understand the significance of semiosis and of dialectical relations between them and other social elements in a social process (Fairclough, 2009, 166). It is important to study the relations between social structures and strategies as they influence each other. Structures constrain strategies, but strategies can produce changes in structures. Discourses are part of such strategies but can also have influence on the construction of structures (Fairclough, 2015, 49).

In Fairclough’s CDA it is important to understand what role semiosis plays in the establishment, reproduction and change of unequal power relations in ideological processes and what is considered human “well-being” (Fairclough, 2009, 163). As the logic and dynamic in society are not transparent to all, understanding these kinds of relations will help to expose wrongs in society such as inequality, injustice and so forth (Fairclough, 2009, 163). This is in part what makes this type of discourse analysis *critical*. It is also critical because through this type of analysis one studies how dominant logic and dynamics are tested, challenged, and disrupted by people to find ways of overcoming obstacles, address “wrongs” and contribute to well-being (Fairclough, 2009, 164). Power is further relevant in CDA to understand how inequality is constituted and maintained. CDA often studies the language of those in power, those who are responsible for the inequalities. Language indicates and expresses power and is involved in struggles over power. Language can be used to challenge power or to legitimize it and is often influenced by ideology (Wodak, and Meyer, 2009, 10). Language works to construct and transmit knowledge, how it organizes social institutions and its role in exercising power (Wodak and Meyer, 2009, 7). Yet, CDA is not concerned about linguistic units per se. In

difference to other discourse analysis, CDA focuses more on the dialectic relationship between language and society; in particular social structures such as ideology and power and their influence on each other (Wodak and Meyer, 2009, 21). Ideology can often be found in language as, more or less, a mutual understanding of what is being communicated, depending on “common sense” meanings. The term *ideology* can be understood as a stable set of beliefs and values (Wodak and Meyer, 2009, 8). CDA is concerned with the more hidden and latent types of everyday beliefs and how certain ideas seem to arise more commonly than others. Wodak and Meyer explain that dominant ideologies appear as “neutral” and are rarely challenged (Wodak and Meyer, 2009, 8). For this, the problem-orientated and critical nature of CDA works as a multidisciplinary and multi-methodological approach to such complex social phenomena and does not take any social phenomena or “common sense” for granted (Wodak and Meyer, 2009, 2). Instead of taking any social phenomena for granted, CDA studies how the power relations and social structures have a role in how discourses are shaped and which ideologies get a more dominating status. This way, CDA will deny easy or dichotomous explanations, reveal structures of power and make ideologies and contradictions transparent (Wodak, 1999, 186: Wodak and Meyer, 2009, 8). Based on this, CDA can be used to study how discourses reproduce inequalities, as well as the moral standards and social structures that legitimize them (Wodak and Meyer, 2009, 9-10). This includes researchers doing CDA, who have to be aware of how the social context influences even their own work, as well as their values and beliefs. A part of doing “critical” research is to be aware and transparent about their own position (Wodak, 1999, 186: Wodak and Meyer, 2009, 7). Therefore, they should keep a safe distance from their research and allow the data to speak for itself. To do this they must have an abductive approach and constantly balance between theory and empirical phenomena. (Wodak, 1999, 186). Further, Fairclough explains that CDA is both an explanatory and normative critique. It is explanatory in the sense that it explains realities of the effects of structures, mechanisms, and forces. It is normative as it also evaluates the realities by assessing how they may match up to widespread values or norms (Fairclough, 2013, 178). Fairclough’s CDA also aims to be both positive and negative. Negative in its critique, and positive in its goal of improvement (Fairclough, 2013, 187).

3.2 Cox – Social Forces, States and World Orders: Beyond International Relations Theory

Cox is a critical theorist who seeks to understand the prevailing order of the world that came about. To understand this, he explains the need to study the origins of social and power relations, see if they are in a process of changing and, if so, how (Cox, 1981, 129). His theory can be helpful to understand

the structures that may influence the direction of discourses found in EU migration management, both within the EU and in cooperation with third-countries.

He explains that the framework for action and historical structure is based on a particular configuration of forces. This configuration imposes pressures and constraints on action without being directly determining. Individuals, therefore, can move with or against the pressure but cannot ignore it (Cox, 1981, 135). In Cox's model, structure is based on three categories of forces: material capabilities, ideas, and institutions. Material capabilities are wealth, technological and organizational capabilities with productive and destructive potentials. Ideas are intersubjective meanings or shared notions leading to habits and expectations of behaviors widespread in a particular historical structure. But ideas also refer to collective images of social order such as the view of justice or public good, which is different between different social groups (Cox, 1981, 136). Institution refers to the stabilization of a particular order over time. Institutions entail ideas and material power and, therefore, reflect power relations. At the same time, they encourage to collective images that consist of such power relations, and the further development of ideas and material capabilities (Cox, 1981, 136-137).

Cox writes that there is a close connection between institutions and hegemony. He explains that institutions provide ways to deal with internal conflicts and can reduce the use of force. When the weaker part accepts the power relations as legitimate, the dominance stays strong without force. By representing diverse interests as well as to universalize policy, institutions can make ground for hegemony to settle (Cox, 1981, 137). However, hegemony is not only an institutional dimension and therefore one has to distinguish between hegemonic and non-hegemonic structures.

The study of historical structures does not cover the whole world but is limited to spheres of human activity in its historically located totality. These structures are to be studied in the historical situation they are found in and with a search for the emergence of other structures that display alternative possibilities of development (Cox, 1981, 137). Furthermore, Cox explains that the method of historical structure is to be used at three interrelated levels/spheres of activity. First is the organization of production and the social forces prompted by production processes. Second, is the sphere of state-society complex constituting forms of state, and the last sphere is the world orders which are the particular configurations of forces that can define the problematic for an ensemble of states. Each of these levels or spheres can be studied in the configuration of the historical structures earlier explained to be based on material capabilities, ideas, and institutions (Cox, 1981, 138).

3.3 Power, Ideology and Hegemony

One of the “other social elements” that Fairclough refers to is relations of power. It is these relations that define the existing character of a social order. Fairclough emphasizes the distinction between legitimate and non-legitimate power. Legitimate power can be when we accept that someone has more power, like the elected government, a doctor, or a teacher. It is non-legitimate when the power results in bad effects (Fairclough, 2015, 26-27). Furthermore, Fairclough writes that power is exercised and enacted in discourse, while it is also power relations behind discourse (Fairclough, 2015, 98). Thus, he distinguishes between power *in* discourse and power *behind* discourse. Power *in* discourse refers to those who get a more powerful position within a discourse. Fairclough points out three types of constraints in the exercise of power in discourse: 1) constraints on contents, meaning what is said or done, 2) subjects or the position that people can occupy, and 3) the social relations people enter in a discourse (Fairclough, 2015, 76 and 91). For example, what is said about migration and how migration management is practiced, the different positions of different actors that are involved in the migration regime and the relations between these actors (the states, institutions, and people). Power *behind* discourse refers to the power to shape and constitute the orders of discourse, or what discourses and genres that are available or who has access to which. Both these discourse-related powers give power over other people independent of being legitimate or not (Fairclough, 2015, 27). Power behind discourse is often hidden. It contributes to the differentiation of standard and non-standard varieties of language; it contributes to unequal distribution of access to forms of discourses and varieties of language that could increase power and it influences the order of discourse of social institutions and organizations (Fairclough, 2015, 27). According to Fairclough power can be exercised physically (material conditions or violence), or, through the ability to achieve consent (Fairclough, 1989, 4). For example, Cox explains that even with the strongest military power and the ability to destroy a foreign country, such power would not be enough to lead the country as it would also lead to resistance (Cox, 2007, 523). For the second type of power, ideology is the prime means to manipulate consent (Fairclough, 1989, 4). Therefore, language is given such a big importance in critical discourse analysis. One tries to identify the power relations that discourses carry and how they contribute to their own legitimization.

Another aspect of power behind discourse is how some social groups have fewer possibilities to access certain discourses; it varies who has the power to impose and enforce constraints on this access (Fairclough, 2015, 89). Sometimes people need a certain position or status to be allowed to speak or act in a given situation; how one can get such a position or status supposedly is the same for everyone, but not everyone succeeds for that reason. An example is school and education, where social classes

and degrees of education are often reproduced over generations (Fairclough, 2015, 91). In the case of migration, we can discuss the right to free movement, but the movement is still restricted to visas and ways of traveling. Visas are not equally available for all; not everyone has the money for tickets or visas and those who define what is considered “regular migration” are not the migrants themselves.

Fairclough highlights the importance of analyzing how discourse relates to power relations at different levels. At the highest level are the ones who have economic and/or political, social, and cultural power. Then we must analyze the relation between these groups of people and the rest of the “common people”. People with economic power have a particularly strong position because they can influence society through their investments in research and politics, and they have the resources and contacts that can be used in media, corporate public relations, and lobbying (Fairclough, 2015, 28). One domain of power is the ability to impose a particular domain and maintain it (Fairclough, 1989, 13). He further explains that ideological power, the power to project one’s practices as universal and “common sense”, is practiced through discourse and can effectively support economic and political power (Fairclough, 2015, 64). Fairclough explains that institutions play a great role in the maintenance of ideological power relations. People working within the institutions may not have much power, but the institutions work to shape people’s way of acting in a way that contributes to the maintenance of existing power relations (Fairclough, 1989, 33).

Fairclough summarizes normative critique as the critique of power *in* discourse and explanatory critique of power *behind* discourse, including ideology. When criticizing ideology, one needs to identify the forms and features of discourse which are necessary for the maintenance of power relations (Fairclough, 2015, 49). Fairclough explains that ideologies are representations of aspects of the real world (Fairclough, 2015, 32). He writes that ideologies are the results of differences in experience, position and interests between social groupings found in a relation of power. This relation is often associated with a specific institution where groups have different interests and a struggle will occur over the institutional power (Fairclough, 2015, 110). Capitalism is a common example of ideology, but ideologies are found in many variants and fields. For example, one can talk about ideologies in particular institutions such as the ideology of those who control medicine. In the medical case, the ideology answers to what a doctor is, what a nurse is, what professional behavior is, what a patient is and so forth (Fairclough, 2015, 88). This correlates to the power *behind* discourse (Fairclough, 2015, 89). When an ideology is dominating within an institution, it will naturalize the power differences and authorities in a way that makes them appear commonsensical. Language or communication often relies on “common-sense” assumptions; therefore, it can be a carrier of

ideology. Through language, power is supported as ideologies often present certain hierarchies or power relations (Fairclough, 1989, 2).

The relevance of these aspects, or ideologies, are open for normative critique and how they are needed to sustain the existing social reality, social relations of power, how they are practiced and how they take form. When a discourse has the function of making aspects seem natural or “common sense”, it is ideological. Genres and practices are ideological if they embody and operationalize such discourses (Fairclough, 2015, 32). Fairclough draws on Gramsci when he explains that ideology is like an implicit philosophy in practical activities of social life. This philosophy remains in the background, taken for granted, and therefore is presented as “common sense”. Ideology, furthermore, has a role in serving the sustainment of unequal relations of power in varying degrees (Fairclough, 2015, 107). When something is understood as common sense it is not questioned; neither are the power asymmetries it sustains. For that reason, ideology is most effective when its workings are least visible (Fairclough, 2015, 108). A discourse can become common sense. This happens through a process of naturalization where a dominant discourse loses its connection to ideologies and turns into the common-sense practice of an institution (Fairclough, 2015, 126). An ideology can be exposed in the study of rationalization where the reasons given for social change are not the main or even real reasons (Fairclough, 2015, 34). This can be compared to manipulation and is open for normative critique by explaining the relation between the discourse and how the wider social reality is necessary to sustain it (Fairclough, 2015, 34). Furthermore, there is always the existence of more ideologies which gives us the possibility of interpreting them at distance and not always taking them for granted. In other words, “common sense” is not a requirement of ideology; rather, common sense is ideological if it contributes to sustaining unequal power relations (Fairclough, 2015, 108 and 126).

Hegemony is a concept developed by Gramsci which has been an inspiration for several theorists such as Fairclough and Cox. According to Gramsci hegemony is a sort of cultural leadership exercised by the ruling class. His view was that control is not only based on economy and state apparatus, but also on cultural leadership and the consent of the masses (Ritzer and Stepnisky, 2014, 282-283). Cox describes hegemony as a fit between power, ideas (here ideology is found) and intuitions (Cox, 1981, 140-141). Yet he emphasizes that the combination of the three categories of historical structure does not automatically result in hegemony. It is important that the specific configuration is put together in a way that allows the weaker part to accept the power relations. Such support can be achieved through distributions of goods or benefits (Cox, 1981, 144).

While discourses have a more local character, often related to institutions, hegemony is a process found at the societal level (Fairclough, 2010, 63). According to Fairclough hegemony cuts across and integrates politics, economy, and ideology. He further writes that hegemony is leadership as well as domination across the economic, cultural, political, and ideological domains of society (Fairclough, 2010, 61). Fairclough explains that hegemony is about constructing alliances. Instead of simply dominating subordinated groups, subordinated groups are integrated through ideological means to give their consent (Fairclough, 2010, 61). When an ideology is taken for granted as “common sense” or “legitimizes” the domination of certain social groups over society, this ideology has become hegemonic; while a discourse will lose its ideological connection if it becomes naturalized into common sense practice of an institution (Fairclough, 1989, 107: 2015, 32).

4 Methodology

4.1 The Four Stages of Fairclough’s Methodology

CDA is a theory and methodology of discourse analysis where discourse is considered a “moment”. This “moment” can be political, political-economic, or generally social, and is dialectically related to other elements/moments such as power, institutions, ideologies, identities, etc. (Fairclough, 2013, 178). Fairclough’s CDA oscillates its focus between changing features of particular bodies of texts and changing orders of discourse (Fairclough, 2013, 184).

Fairclough explains his methodology in four stages:

1. *Focus upon a social wrong, in its semiotic aspect.*
2. *Identify obstacles to addressing the social wrong.*
3. *Consider whether the social order “needs” the social wrong.*
4. *Identify possible ways past the obstacles.* (Fairclough, 2009, 167)

Stage 1 – Focus upon a social wrong, in its semiotic aspect

With “social wrong”, Fairclough refers to different things or situations that challenge human well-being that could have been different or even omitted. Some examples are social inequality and lack of freedom. Yet, for change to happen, it likely necessitates major changes in social systems, forms, or orders (Fairclough, 2009, 167-168). The first thing to do at this stage is therefore to choose a social wrong to focus on, with special attention to its dialectical relations between semiotic and other

“moments” or temporary order of discourse (Fairclough, 2009, 168). The focus on a social wrong will make the research relevant as they are problems to untie and demonstrate that things could be different. However, to make a topic into a research object it needs to be theorized. The next step, after choosing a social wrong, is therefore to construct the research object by theorizing the social wrong in a transdisciplinary way (Fairclough, 2009, 168). This involves relevant bodies of theory in various disciplines, not only the obvious ones, and should also cover some theory from discourse or semiosis. This will help to better understand the context, the processes at issue, multiple perspectives on the topic, and different ways how well-being is affected. It would be the initial analysis of complex relationships between reality and discourse (Fairclough, 2009, 169).

Stage 2 – identify obstacles to addressing the social wrong

In stage two the researcher should question how structures and organization of social life prevent the social wrong from being addressed. This requires an analysis of the social order which should be based on relevant “texts” and studying the dialectical relations between semiosis and other social elements (Fairclough, 2009, 169). This includes the relation between orders of discourse and other elements of social practice, and between text and other elements of events. The next step is to select texts, focus points, and categories to make up the object of research (Fairclough, 2009, 169). The texts should be analyzed both interdiscursive (genres, discourses, and styles) and semiotic. The aim is to approach the object of research in a way that is transdisciplinary, in a dialogue between different theories and disciplines, and that covers relations between the level of social practices and the level of events (Fairclough, 2009, 170). The focus of the research should then oscillate between the structure of orders of discourse and the action or interaction. An obstacle to solving the social wrong lies partly in the social structuring of semiotic differences in orders of discourse, and partly in the dominant ways of using language or interacting. The interaction should be analyzed in terms of genres, discourses, and styles (Fairclough, 2001).

Stage 3 – Consider whether the social order “needs” the social wrong

Stage three is about studying whether the social order “needs” the social wrong, or if the change is needed to improve the conditions. One needs to consider whether the social wrong is inherent to the social order, if it can be captured within the social order, or if capturing it is only possible by changing the order. If the social wrong turns out to be intrinsic to the social order this indicates that change would be needed to transform or modify the social wrong. Ideology is relevant to this because if a

discourse is ideological it will contribute to sustaining certain relations of power and domination (Fairclough, 2009, 170-171).

Stage 4 – Identify possible ways past the obstacles

Stage four examines the possibility of overcoming obstacles to address the social wrong. Through careful analysis, it looks at how these obstacles are tested, challenged, and resisted, and how the dominant discourse is perceived, contested, and opposed (Fairclough, 2009, 171).

The four stages can help to understand and identify which problem, or social wrong, the policies are meant to address and why this issue is perceived as a problem. By identifying the discourses that define the problem, one can further study the social structures and power relations that contributed to how the discourses defined the problem. The same social elements (structures, power relations, and more) that defined the problem are likely to influence how policies are shaped to address the problem. If alternative discourses that highlight other sides of the problem are excluded from the policymaking, there is a chance that relevant issues are not taken into consideration. A dominating ideology can be the reason for the exclusion of other discourses, especially if these challenge the social order that the ideology strives for. It is, therefore, useful to get to know other ideologies and discourses that can challenge how the social wrong is identified and addressed (Fairclough, 2013, 180: 2015, 108 and 126) and whether the dominating discourses and ideologies work to sustain inequalities while supposedly addressing the social wrong. Therefore, these four stages can be useful to understand how policies rely more on certain discourses than others, and how they could be ideological.

Fairclough writes that policymaking has a “problem-solution” character. When studying policies, the “problem-solution” relation is not the focus itself, but rather the generic features of policy discourse that pertains to it. To study this relation, Fairclough, suggests focusing on forms of practical argumentation (Fairclough, 2013, 183). Practical argumentation includes a value premise, a goal premise, a circumstantial premise, a means-goals premise and a claim or conclusion. The circumstantial premise is relevant to how states of affairs are represented and problematized. From the circumstantial premise, the goal premise is used in the construction of possible and desirable alternatives for future states of affairs in line with values and concerns, the value premise. The means-goals premise concerns how to move from the existing problematic state of affairs to a desirable future in accordance with values. The claim is an advocated course of action. The goal premise is represented as solutions for future states of affairs to replace the existing ones (Fairclough, 2013,

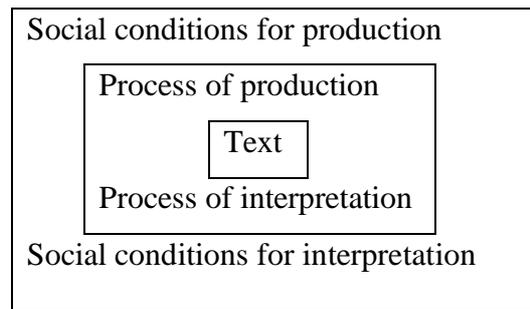
183). Values are constantly relevant because they influence what is perceived as a problem and why, and further what is perceived as good solutions. Means and goals are connected, not only because means can lead to a certain goal, but because one goal might be the means of another goal, and so on. These goals can further lay the ground for new circumstances for future arguments (Fairclough, 2013, 184). The data used in this research was coded in accordance with these premises.

Fairclough further explains three ways a practical argument can be criticized: criticism of the conclusion of the argument, criticism of the validity of the argument, and criticism of the rational acceptability or the truth of the premises (Fairclough, 2013, 190). In Fairclough's CDA it is important to continuously study how discourses provide premises for the argument and consequently also influence actions. Discourses work as an external reason to act in certain ways over others. Therefore, it is relevant to study how both semiotic and extra semiotic factors influence this kind of selection (Fairclough, 2013, 192). Fairclough's three-dimensional model helps to consider the different discourses whilst studying the data and making the analysis.

4.1.1 Fairclough's three-dimensional model

Fairclough has developed a three-dimensional model to guide critical discourse analysis. The basis of his model is the understanding of discourse as the social process of producing and interpreting a text and how this is influenced by its social conditions such as structures and power relations (Fairclough, 1989, 24). Language is relevant for a discourse, both in the process of production and interpretation. When interpreting familiar language, we often depend on the "common sense" of words or phrases. Sometimes the "common sense" is not as neutral as it appears and may support certain power relations. If the "common sense" is not questioned, language and discourse will work to uphold the "common sense", and power relations may be naturalized. If this "common sense" upholds power relations, it is likely to be ideological. Thus, ideology is relevant for the production and interpretation of a text and how it is articulated in orders of discourse, as well as how this is expressed in discursal events (Fairclough, 2010, 60). Therefore, the discourse analysis needs to consider all these three dimensions and their interrelations. As such, ideology can be addressed as the material effects of the discursive process (Fairclough, 2010, 59).

Fairclough's three-dimensional model helps to approach the data, or the text(s) of the study to see the connection between the text, the discursive practice, and the social conditions. As a three-dimensional model, it naturally contains three dimensions: the text, interaction, and the social context.



Fairclough's three-dimensional model (1989, 25)

He explains that the text is a product of a social process as well as it is a resource for interpretation. Therefore, the aim of the model is to understand the interplay between the three dimensions that are connected through discourse, referring to the process behind the production, as well as the further interpretation of it (Fairclough, 1989, 24). To study this interrelation, Fairclough suggests three stages of analysis: description, interpretation, and explanation. Description is about the formalities of the text. Interpretation refers to the relationship between a text and interactions, both in terms of production and interpretation. Explanation concerns the relationship between interpretation or production and its social conditions and their determining effects. Together these stages present the relationship between the cognitive process in the production and interpretation, constituting a momentary event shaped by its more stable and long-lasting social structures (Fairclough, 1989, 24). At the same time, this event or text and the way it has been produced or interpreted can have effects on social structures, especially in combination with other texts or events.

4.2 Sample

As a result of conducting a qualitative study, a purposive sampling method was selected to ensure that the data obtained would provide me with the relevant information needed for the research question at hand (Bryman, 2012, 418). As I was interested in the discourses that influence migration policies it seemed logical to find documents published by the EU that would shine a light on their migration policies. I decided to focus on documents that were published in 2015 or later, as they would have been published during the so-called refugee crisis of 2015 and 2016. This period is known to have strongly influenced the increased use of technology (Follis, 2017, 1004; Lemberg-Pedersen and Haioty, 61, 2020). These documents could reveal discourses from the time, which may help us understand the practice of technologies in migration management that we see today. I decided to include newer documents to see if prevailing discourses from 2015-2016 were still the same or if

there were any changes. The Valletta Summit and the Partnership Framework are often mentioned in the literature in this area, and therefore became the first documents examined for this thesis. As I read the documents, other documents were mentioned that were either already published or soon-to-be published. Among those were the European Agenda on Migration, which further referred to the European Agenda on Security, and Stronger and Smarter Information Systems. The two agendas and the Partnership Framework were followed up by progress reports which became natural to use as they would show me what was considered progress, what needed further improvement and if there were any changes in the discourses. I decided to add the New Pact on Migration, as it is a newer document meant to represent a new direction for the EU's migration management. I therefore wanted to examine this document to see if this new direction also presented a new direction for prevailing discourses. I also found the latest annual report for Eurodac which I wanted to use for two specific reasons. Firstly, because I wanted another document that was particularly focused on some of the technology that I concentrate on. Secondly, because I wanted to see if identified discourses from other documents could be outside the context of presenting specific migration policies. Other documents that I have chosen to get different perspectives outside that of the European Commission include the Common African Perspective for the Valletta Summit, and three documents from the European Council on Refugees and Exiles (ECRE). There is intertextuality between the documents as they all refer to at least one of the other documents in the selection (Bryman, 2012, 555). The intertextuality between these documents that are published at different times, by different authors or publishers, has enabled the possibility to address discourses within a specific social and historical context (Bryman, 2012, 538). Below I will present each document.

The European Agenda on Security and The Agenda on Security

The European Agenda on Security presents the EU's main planned actions to respond to security threats. The three priorities for immediate action according to the document are: a) terrorism and radicalization, 2) international organized crime, and 3) Cybercrime. The Agenda on Security is meant to be read in conjunction with the European Agenda on Migration and focuses jointly on internal and external security as "*threats do not stop at national borders*" (Publications Office of the European Union, 2015b). The European Agenda on Migration is meant to set concrete initiatives to improve migration management. This includes making sure that all EU countries "*take their share*" of immigrants and asylum-seekers, as well as boosting cooperation with countries outside the EU (Publications Office of the European Union, 2015a).

Stronger and Smarter Information systems for Borders and Security

In the Agenda on Migration, the Commission wrote that they intended to present another proposal on Smart Borders in 2016 (European Commission, 2015b, 11). The communication on Stronger and Smarter Information Systems for Borders and Security, was published in 2016, and focused particularly on facilitating the potential of the different databases and information systems used in the Schengen territory. This document built on the European Agenda on Security and Migration and continued the exploration of the link between migration, terrorism, and organized crime (European Commission, 2016a, 2).

The Valletta Summit – Political Declaration, Action Plan, and The Common African Perspective for the Valletta Summit

The Valletta Summit on Migration took place in November 2015 between the EU and 35 African nations. Documents from the 2015 Valletta Summit were selected because the Summit marks an important cooperative decision made between the EU and third-countries after the so-called migrant crisis of 2015 had started. There are no direct mentions of the specific technologies I focus on, though intelligence and information sharing are mentioned as well as maritime surveillance. Other literature has noted that the externalization measures have had a strong increase since the 2015 Valletta European - Africa Summit. Together with the EU emergency Trust Fund for Africa (EUTF), the Migration Partnership Framework, and the Refugee Facility for Turkey, it has contributed to the increased budget for strengthening the external borders (Akkerman, 2018, 2). Besides this, the documents can expose discourses around migration management that existed at this time. The African Union was also invited to the Valletta Summit to share their perspective and concerns and have them considered for the Summit (African Union, 2015, 3). I therefore also analyzed *The Common African Perspective for Valletta Summit on Migration*, which would offer me a non-EU perspective as well.

The Partnership Framework and the fifth progress report

As mentioned, the Partnership Framework, together with the Valletta Summit and other agreements, have contributed to border externalization. The Partnership Framework is also of relevance as many of the countries in this cooperation are either authoritarian or have poor human rights records (Akkerman, 2018, 28). Furthermore, it builds on both the Valletta Summit and the European Agenda on Migration, though with a particular focus on achieving results (European Commission, 2016b, 17). As progress reports for the Partnership framework were published, I could also analyze which discourses that followed, what was considered positive progress, and what needed further improvement. Due to time limitations, I chose to focus on the last published progress report.

Progress Reports for the Security Union and the European Agenda on Migration

The twentieth Progress report for the European Agenda on security, was also a progress report for another document titled: *Communication paving a way towards an effective and genuine Security Union*. This was another document from 2016 which I decided not to use in my data selection. All the documents I have analyzed have referred to other documents constituting other strategies, plans, and so on. The analysis of these peripheral documents is outside the scope of this research and was left out of the CDA. A preliminary analysis of this document revealed that it entailed very little information that was of relevance to my thesis. Neither was the document needed to understand the progress report, though it may have contributed to increased focus on tackling terrorism. However, this still presents another example of where issues of security, terrorism, and migration are being mixed. Lastly, I also analyzed the last progress report I could find for the European Agenda on Migration.

New Pact on Migration and Asylum

This document was chosen as it is supposed to present a new direction for the EU's migration management. I therefore wanted to check if discourses around "*irregular migration*" had changed and if so, how it would affect the technologies.

Eurodac 2020 Annual Report

I chose the last annual report I could find for Eurodac. I chose this document to see if I could recognize any discourses of the communications from the Commission, and generally how the database was being evaluated.

Other documents

Three different documents written by the European Council on Refugees and Exiles (ECRE) are also relevant to my analysis: 1) The Regulation on Asylum and migration Management: giving with one hand, taking back with the other, 2) Civil Society Input to EU Africa Cooperation on Migration: EU—AU relations, and 3) Transforming Eurodac from 2016 to the New Pact: From the Dublin System's Sidekick to a Database in Support of EU Policies on Asylum, Resettlement and Irregular Migration (ECRE, 2021; Songa, 2020; Vavoula, 2020). The ECRE is not an EU institution but is, according to its website, "*an alliance of 105 NGOs across 39 European countries*" (ECRE, 2022). I chose these documents to obtain an outside perspective that might differ from the perspective of the European Commission.

4.3 Epistemological and Ontological Foundation

Epistemology refers to how one can obtain knowledge about the (social) world (Tjora, 2017, 26). The epistemological foundation of critical discourse analysis is interpretivism. According to interpretivism, the social world cannot be studied based on the same rules found in natural science. Interpretivism is based on the idea that human beings are not controlled by universal rules, instead, people have a strategy behind what they do. That is not to say people are not affected or influenced by their surroundings, rather, the strategy behind the actions of people cannot be ignored. Therefore, instead of explaining external forces that would determine human action, the focus of interpretivism is to understand human action based on the subjective meaning of strategy. Thus, interpretivism involves interpreting the meaning behind human action (Bryman, 2012, 28 and 30; Tjora, 2017, 26-27). Bryman argues that there are three levels of interpretation in interpretivism. First is the idea that individuals interpret the social world and act or make strategies based on this interpretation. Then, the researcher tries to interpret the interpretations of the individuals. The researcher's interpretation is further interpreted in light of chosen theories (Bryman, 2012, 31). Within CDA, one interprets the texts and their formalities, as presented in Fairclough's three-dimensional model. Then, the full meaning of the text and the strategies it presents is interpreted. At this stage, the strategy can be interpreted based on arguments and reasons stressed in the text, but it can also be understood within a wider social context as seen in the context explored in the literature review. Then chosen theories, such as the understanding of discourse and other theoretical concepts of the thesis such as world orders, institutions, power, etc., supply the further interpretation.

The ontological foundation of CDA is constructivism. Ontology is about what exists in society and the nature of social entities (Bryman, 2012, 32; Tjora, 2017, 26). The question is whether these entities have an external existence of their own or if they are, as according to constructivism, social constructions, products made by people and the social world (Bryman, 2012, 32). The idea behind constructivism is that social entities and phenomena are constructed through social interaction, and as interactions follow, the construction keeps being shaped and revised (Bryman, 2012, 33). This way the social and political world is in a content flux and therefore it will never be possible to explain what the world consists of. Instead, one needs to study how the social world comes around, how stability is maintained, and how its constantly challenged by alternatives. Discourse analysis is therefore often about understanding how and why things appear the way they do (Dunn and Neumann, 2016, 19). CDA focuses both on the interpretation that occurs during social interaction as well as how

interactions bring forth certain ways of interpretations, ways of speaking and acting, and how this influences social entities such as social structures, power, and institutions. Strategies are understood to not only be formed by a subjective meaning, but to also be influenced by social structures and power relations. There is a dialectical relationship between the way the social world is constructed through interaction and the way interaction is influenced by the social world. Building on interpretivism and constructivism, discourse analysis presents an abductive approach as it aims to understand the views or discourses presented by the authors of the texts, but also how the authors have been influenced by other social elements in their own production of the text and their interpretation of the social world (Bryman, 2012, 401, Wodak, 1999, 186).

4.4 Ethical Considerations and Positionality

An advantage of using documents as my data is that the method is not intruding, and it is also not a method where I can exert any influence on what is being said or written (Tjora, 2017, 182). However, personal positions and values can influence the selection of documents and what I find important whilst conducting the analysis. Qualitative research is often criticized for being too subjective and unsystematic (Bryman, 2012, 39 and 405). CDA holds a position that research can never be objective as knowledge will always be influenced by discourse (Hammer, 2017b, Schaanning, 1999, 8). Therefore, within CDA it is common to emphasize the importance of being critical of personal interpretations and how discourses influence our understanding of the material. One should therefore try to keep a distance from the data and adopt an abductive approach to maintain a balance between the empirical findings and theory (Wodak, 1999, 186). I may have been influenced by the literature I have reviewed, but at the same time, my aim has been to search for answers to my unique research question. The first documents I selected were influenced by the attention literature had given to the Valletta Summit and the Partnership Framework. These documents referred to other documents that I checked out, but as they had to answer my research question, the criteria I set was that the documents had to address any of the technologies of focus. It was therefore not enough to be a document about migration management, border control, or security if it did not mention any type of surveillance, data gathering or information sharing. The research question and the analysis may however be influenced by my values. As a student of human rights, I have already taken a side that mirrors my values. I am in favor of all human rights. Consequently, I do have views that support the rights of migrants wishing to come to Europe. Most European countries have ratified most UN conventions on human rights, or at least those that include the principle of non-refoulment, in addition to the EU's own treaties and regional human rights system (EU 2018, UNHCR, 2011 and UNTC, n.d.-a and b). In principle, the

EU and I should have the same view concerning human rights, including the specific rights of refugees and migrants. However, we might interpret the rights and matters of proportionality differently.

My personal position may be influenced by being born and raised in Norway and having no personal experience with European migration control. As I do not have this experience, nor have I talked with any migrant who has any experience with the technologies I study, my thesis does lack this perspective. If I had talked with anyone who had relevant experience it could have potentially influenced what I found important in my data and the further analysis. At the same time by not talking to people involved, I think it has been easier to keep an emotional distance from the findings. However, it would be impossible to completely avoid any influence from my interests and knowledge on the topic (Wodak, 1999, 186). Concerning my expectations, I did not know much about the specific technologies pertaining to this study in the first place, and therefore did not know what to expect. On the one hand, I have read many critiques of EU migration management throughout my studies. Therefore, the only expectation I may have had was that technologies could present some of the same issues the EU migration control is criticized for. To limit the influence of my position and values, I have tried to code the data based on the premises found in policymaking according to Fairclough (context, value, goal, means-goal and claim/conclusion) (Fairclough, 2013, 183). CDA acknowledges that the way we interpret a text will be influenced by discourses and our surroundings. It affects which parts of a text that is perceived as important, relevant a noteworthy (Fairclough, 2015, 59). Thus, it has been important to be self-reflective over my own interpretations of the data, actively focus on the language and interpret it with the chosen theories in mind (Wodak, 1999, 186). As I can have been influenced by some of the same discourses found in the data, it has been important to not take for granted the meaning of any adjectives, adverbs and other value-loaded words or sentences. Instead, I have paid particular attention to such words and phrases aimed at understanding the meanings they are given in a bigger picture of discourses and other social elements (Fairclough, 1989, 110-112).

4.5 Problems and Limitations

CDA, as well as general discourse analysis, have been criticized for not being testable neither theoretically nor empirically (Dunn and Neumann, 2016, 35). This is true as the nature of this type of research is very open-ended and is influenced by the interpretations of the researcher (Bryman, 2018, 28). As I have noted, through self-reflexivity I have aimed at reducing the influence of my own position. However, as we are all influenced by different discourses and our surroundings it will be

hard to achieve the exact same interpretations. Thus, the reliability of the thesis is scarce (Tjora, 2018, 83). Yet as this thesis is concerned with discourses and their role in forming migration policies, CDA and chosen theories have been appropriate for the topic. The theoretical and methodological approach has further given answers to the thesis' research question and the validity is therefore still maintained (Tjora, 2018, 80).

Bryman notes that one needs to be careful to deduce the degree to which a document can present the social reality. One needs to remember that a document is usually written and published with a purpose. Often a text is written in a way that is meant to seem pervasive in an attempt to leave a favorable or at least acceptable impression. Some documents may be published only to demonstrate that issues are being addressed, and not because of an honest wish to address them (Bryman, 2012, 555). That could be the case of documents I found by the European Commission, though my impression is that the EU does wish to address the “flows of irregular migrants” as they are perceived as a problem. However, the degree of geniuses of different arguments and measures to address the issue may vary. Yet, this is where the literature review can help to identify gaps or inconsistencies between arguments, claimed purposes, and the actual consequences. Further, the theory can help to understand how the documents can leave a convincing impression. It was important to keep in mind that communications published by the Commission, often presented proposals. Newer documents were therefore useful to check if proposals had been adopted or not. CDA was further helpful to identify discourses and power relations that had been relevant for which proposals got called into being.

Another challenge with document studies is how one document often leads to the discovery of another document and so forth. Hence, other documents could present the context in which each document is written and published (Bryman, 2012, 555). This was a challenge I met, as each document I studied was referring to multiple other documents. I often checked out these documents to see if they were relevant to my thesis or research question. One could argue that they were all relevant as context, however because of time and space limits I had to keep to the documents that could help me answer my research question and which could give me information about the use of the technologies. There were also some other documents that could have been relevant for the research question, in particular different progress reports. Yet again, because of time and space limitations, I decided to prioritize the latest documents so that the documents I chose for this study would cover most of the time between 2015 and today.

5 Findings and Analysis

Fairclough explains that policymaking often has a “problem-solution character”. Therefore, to dismantle the proposed policies he suggested to study the practical arguments that legitimize the policy. A practical argument is based on 5 premises: A Circumstantial premise, a Claim, a Goal premise, a Means-Goal premise, and a Value premise. Existing states of affairs are represented and problematized in a particular way which will provide the circumstantial premise for the policies they call attention to. The Claim presents the believed reasons or actions causing the current situation or the circumstances. The Goal premise constitutes the desired alternative future that states of affairs aim at, and the Means-Goal premise presents how the desired goal would be achieved in accordance with the value premise (Fairclough, 2013, 183). Thus, based on these premises the findings can roughly be summarized as follows:

The chosen documents present policies that were meant to handle the increased number of irregular migrations to Europe. The circumstantial premise presents irregular migration as a problem that leaves pressure on host states and the asylum systems and constitutes the risk of terrorists entering Europe through irregular ways and the connection to smuggling networks. As a potential threat and a challenge to the asylum systems, irregular migrants are further presented to challenge the trust of EU citizens in the system and sense of security (European Commission, 2015a, 7; 2015b, 12-13). The increased number of irregular migrants is explained to be caused by different reasons (European Commission, 2015b, 7). In this case, the claim is that instability and poverty are among the mentioned reasons to migrate, while the existence of smuggling networks and human trafficking facilitate the irregular migration, and the lack of effective cooperation between different countries makes the EU incapable of stopping irregular migration (European Commission, 2019a, 14; Valletta Summit, 2015a). As irregular migration is claimed to cause different societal problems the goal is to stop, or at least decrease the number of irregular arrivals (with more than 90%) (European Commission, 2017, 2; 2019a, 2; 2019b, 16). Most of the documents I have used present policies to stop irregular migration and therefore by large make out the means-goal premise. To stop irregular migration the different frameworks and policies presented by the documents are meant to address root causes that encourage people to migrate. This includes breaking down the smuggling network which will be done by monitoring external borders as well as to returning irregular migrants to deter others from relying on smugglers. Countries both within the EU and other third-countries need to share information to better cooperate so that migrants can be stopped from entering Europe or be identified within the Union to effectively be returned (European Commission, 2016a, 5; 2016b, 4 and 6; 2017, 2 and 15; 2020, 13; Valletta Summit, 2015a). All these policies are presented as legitimate with value premises that could

be validated by different social groups. The initiative to improve the migration management is based on the security and trust of EU citizens, to save lives at sea, and is further legitimized with the promise of respecting fundamental rights, including privacy and data rights (eu-Lisa, 2021, 12: Valletta Summit, 2015a).

5.1 The view on third-country nationals arriving irregularly

The migrants that are to be handled in the documents I have studied are those called “*irregular*”. No document defines what an *irregular migrant* is, though Eurodac was ordered to store the fingerprints of “*irregular migrants entering the EU unlawfully*” (European Commission, 2016a, 23) or “*third-country nationals who cross external border without authorisation*” (European Commission, 2020, 4). The connection to illegality is further expressed in two ways. First is how several documents have a goal to “*fight irregular migration*”, often in a context of a common battle against organized crime and terrorism (European Commission, 2015a, 2; 2016a, 12). This way, irregular migration is already mentioned in a context where combatting serious crime is discussed, making it seem like *irregular migration* is closely connected to serious crimes and terrorism. By this logic, irregular migration is not only portrayed as not legal, but is also linked to a potential threat. The second way *irregular migration* is presented as something not legal, is the use of the term “*legal pathways*” to Europe in the documents. These legal options of how to get to Europe are resettlement for persons in need of international protection or labor migration (European Commission, 2015b, 4 and 14; 2016b, 8; Valletta Summit, 2015a and b). Referring to labor migration as a legal option reveals a suspicion of the so-called irregular migrants to have come to Europe in hope of better economic opportunities rather than a need for international protection. This attitude has been differently expressed in multiple documents, such as in the European Agenda on Security where it was stated that the migrants who have put their lives at risk to reach Europe have done so either to seek protection “*or better economic opportunities*” (European Commission, 2015a, 12). The belief that a great part of migrants coming to Europe irregularly do so for economic reasons is also confirmed in several documents that connect “*addressing root causes of irregular migration*” to creating job opportunities and expanding the labor market in countries of origin (European Commission, 2015b, 8; 2016b, 11; 2019a, 12; 2020, 19: Valletta Summit 2015a and b). They do not deny that some have a need for international protection and thereby qualify for asylum, but they argue for using resettlement as an option for a legal pathway as “*vulnerable people cannot be left to restore to the criminal networks of smugglers and traffickers*” (European Commission, 2015b, 4; 2020, 22) This shows that the policy-makers are distrustful of how many who have protection needs and qualify for asylum, and that resettlement schemes would be a

realistic option to help those who do qualify. However, it is questionable how helpful resettlement would be when in one document it is stated that there are 60 million displaced persons worldwide, a number that is likely to have increased after the Taliban took over in Afghanistan and the war in Ukraine (UN, 2022: UNHCR, 2022). However, a more recent document (the progress report for the Agenda on Migration) states that 63 000 persons have been resettled since 2015 (European Commission 2016b, 2; 2019a, 2). 63 000 divided over the four years between the first document of the Agenda on Migration and its progress report, makes up for about 15 000 resettlements per year. This is already lower than the 20 000 that had been proposed in the Agenda on Migration (European Commission, 2015b, 5). In the progress report, it was written that irregular crossing had fallen to 150 000 in 2018, while the recognition rate for first-instance decisions was 34% between February and July 2019, while in 2014 55% of asylum requests had been accepted (European Commission, 2015b, 12; 2019a, 2 and 4). Even one third out of 150 000, meaning about 50 000, is a significantly higher number than 15 000. Therefore, I question the sustainability strategy of resettlement, especially considering the number of refugees on a global basis.

The low acceptance rate of asylum applications is further used as an argument for why irregular migration must be stemmed. Interestingly, it is admitted that the number is incorrect, as Eurodac counts the total of applications instead of per person. Sometimes a person has applied for asylum several times, either in the same country, or in different ones within the EU (European Commission, 2019a 4). One can therefore not know for sure if the acceptance rate really is that low. As the acceptance rate seems to be low, the Commission argued that it contributed to “*hampering the capacity of Member States*” and it was, therefore, necessary to “*fight against abuses*” to maintain the confidence in the system (European Commission, 2015b, 7 and 12-13). According to the progress report for the Agenda on Migration, the number of arrivals had decreased by 90% compared to September 2015, but the situation was still described as volatile. The monthly number of asylum applications had almost halved compared to 2015 and 2016 which meant that the “*pressure on national asylum systems*” had been stabilized, but the number was still higher than before “*the crisis*” (European Commission, 2019a, 2-3). As the Commission was not satisfied even with a 90% decrease in arrivals, it is questionable if they ever will be. When they speak of the numbers of asylum applications as something creating *pressure* it leaves the impression that the numbers must be decreased to be tolerable. However, there is no reason to believe that the decrease in arrivals only affects people who do not have protection needs. Instead of expanding the asylum system, the focus has rather been on avoiding applications, a logic that could challenge international refugee law by hindering people to apply and seek protection. In contrast, we see today how European countries

actively work together to help Ukrainian refugees (European Commission, n.d.-d). It is therefore questionable how serious the pressure truly was when a low number of mostly non-European migrants arrived in 2015 and 2016.

Other documents, that were not published by the EU or the Commission, agreed that irregular migration was a problem. However, what makes it a problem were different reasons within different discourses. The discourses that the Commission relies on see irregular migration as a problem because it leaves pressure on hosting states and asylum systems and hinders EU citizens' trust and sense of security (Songa, 2020, 4; European Commission, 2020, 7). However, the discourses that the AU and ECRE seem to rely on see irregular migration as a problem because it results in the death of thousands of migrants and puts their rights at risk. Further, both the AU and ECRE see irregular migration as a consequence of instabilities, war, lack of protection and few legal pathways to Europe (AU, 2015, 2-3 and 5; Songa, 2020, 5). The Commission rather sees irregular migration as a result of smuggling networks, failing migration management and migrants' wish for a better economy (European Commission, 2015a, 18). Yet they all agreed that a problem with irregular migration was the number of deaths, especially at sea. Most of the documents agreed that the drowning of thousands of migrants in the Mediterranean was a shock and a tragedy and there was an urgency to save people from drowning (See for example European Commission, 2016a, 18; 2016b, 3; 2020, 2; Valletta Summit, 2015a and b). Search and rescue initiatives were mentioned, but received relatively little attention compared to the strategies for how to stop migrants from disembarking in the first place or to increase the efficiency of returns. In terms of results achieved through different plans and policies, the focus was rather on numbers of increase in returns and decrease in arrivals (European Commission, 2017,14-15; 2019a, 1-2; 2020, 2; Songa, 2020, 4). This can be a sign of power behind discourse. Among these actors or institutions, the EU and its Commission have a stronger power to bring forth their view of irregular migration, and as a policy-making institution, the EU also has the opportunity to put its view into practice. Further, the Commission has a strong power in the discourse where they can categorize subjects in a hierarchy and form policies based on this. The discourse of irregular migrants as a potential threat can be understood as ideological because it puts different subjects into different positions, each with a different degree of power. The Commission classifies third-country national migrants into two groups. One in need of international protection and the other as one that migrates for economic reasons. This classification lays ground for a relational difference between a legal migrant and an irregular migrant, further presented as those who are accepted within the EU and who are not. Thus, the classification of migrants creates a different hierarchy among migrants where a refugee is ranked higher than someone leaving poverty. Yet, in the case of a person with a

need for international protection, the EU still prefers resettlement which entails a preliminary authorization before the person can come to Europe (European Commission, 2019a, 18; 2020, 22-23). On top of this hierarchy are European citizens who are to be protected and given the possibility of free movement within the region without being checked (European Commission, 2016a, 3). This ideology naturalizes the power relations because the irregular migrants are presented as an unlawful group, while EU citizens, qualified labor migrants, and resettlement refugees are not. It is easier to legitimize the exclusion of irregular migrants when they are labeled criminals or just “not legal”. The further dehumanization in terms of criminalization and speaking of migrants as numbers and statistics makes it even easier to distance oneself from international obligations to the migrants (Dencik and Metcalfe, 2019; Follis, 2017, 1015). It leaves the impression that the protection of EU citizens’ security, trust, and free movement is above the protection of life and human rights of migrants. The power to bring forth this particular ideology works to exclude other discourses that emphasize the EU and border management authorities’ role in pushing migrants into even deadlier routes and the violation of their human rights. It does not stop the irregular migration and their human rights are put at further risk (Andersson, 2016a, 1064). What is left is a “common sense” view of irregular migrants as a problem either because they can die and have their rights violated, or because they can cause pressure or pose a threat. The need to save lives and combat organized crime is therefore something everyone can agree to, but for AU, third-countries, and NGOs as presented by ECRE, this seems like a matter of human rights (AU, 2015, 5 and 5; Songa, 2020, 5). However, as the EU sees irregular migrants as a potential threat or potential criminals it is not enough to save irregular migrants, the logic is rather that the phenomenon of irregular migration must be stopped in the first place to maintain European security as well as trust in the asylum system. Because of their material capabilities, the EU has further possibilities not only to invest in solid migration controls, but also to encourage third-countries to cooperate in their migration regime in return of development aid, finance and equipment for border management, and other benefits (European Commission, 2016b, 9). Thus, there is a notion of hegemony through the agreement of irregular migration as a problem, and the possibility of distributed goods as repayment for cooperation.

5.2 The legitimation and purpose of surveillance and information sharing

The specific use of surveillance across external borders, databases and information sharing are legitimized in relation to the discourses around irregular migration. Different technologies can have several purposes and therefore be legitimized in different ways. However, there is one purpose all the technologies that I focus on (databases or surveillance of external borders) have in common: fight

organized crime in the form of smuggling and trafficking (European Commission, 2016a, 5; 2016b, 4; 2017, 2; 2020, 13; Valletta Summit, 2015a). Smuggling and trafficking are seen as criminal activities that facilitate irregular migration. These technologies all have a role in detecting or breaking the business of smuggling and/or trafficking of migrants. The technologies do however have different ways to combat organized crime of this kind. While surveillance and information sharing of intelligence across external borders contribute to detecting the activity where it is practiced, the databases rather have a purpose to identify migrants without the right to stay in the EU and to return them. Return is argued to be an important means to combat irregular migration and migrant smuggling because “*smuggling networks often play on the fact that relatively few return decisions are enforced*” (39,2% in 2013) (European Commission, 2015b, 9 and 11; 2016b, 4). It was further argued in the Partnership Framework that effective return, readmission, and reintegration policies would be an essential part of combating irregular migration and would “*help discourage people from risking their lives*” (European Commission, 2016b, 6). In other words, instead of implementing means that would directly affect the migrant smugglers, they would rather return migrants with the expectation that it would deter others from traveling this way. An alternative could have been focusing on legal pathways so that the migrants could arrive in Europe regularly without the need for smugglers. Both the AU and ECRE emphasize that tighter controls can lead to increased irregular migration and therefore argued for the facilitation of regular migration for example by addressing high visa fees and arduous visa applications (AU, 2015, 3; Songa, 2020, 5). Yet the legal pathways that were presented by the commission and in cooperation frameworks with third-countries, the focus was on resettlement schemes, and mobility for high-skilled migrants (European Commission, 2016b, 8; Valletta Summit, 2015a). Once again, we see that the EU and its Commission have the power behind discourse to bring forth their ideology as a guide for migration management.

Information sharing either through the databases, or through the sharing of intelligence on border or maritime surveillance was also used to improve the cooperation between different states. Cooperation between the EU and third-countries had different purposes related to migration management, but in the context of information sharing the purpose was to prevent irregular migration “*as well as enhances search and rescue*” (Valletta Summit, 2015a). In the Partnership Framework, it was written that information sharing had been critical in different operations to detect smuggling and rescue lives (European Commission, 2016b, 5) Maritime surveillance was therefore given two main functions: to prevent something “illegal” or “irregular” migration, and to save lives. Both functions are used to legitimize border surveillance. While the first function protects Europe from potential threats and criminality, it also marks a distinction between an “us”, the lawful, and the less human and not legal

migrant, allowing for exclusion from the European continent. The second purpose works to make it seem that despite this distinction, the EU and its partners are still the “good ones”, who are not only lawful, but also save the lives of those who are potential threats and undeserving of entering Europe. As earlier mentioned by playing on irregular migration as a problem both in terms of a threat and lives to save, it becomes easier to achieve consent from different parts of the social hierarchy.

Effective return and readmission were also explained as a “*key to prove disincentives to irregular migration and protect the integrity of asylum systems*” (European Commission, 2017, 15). That way return was not only legitimized to deter migration, but it was also legitimized by claiming that the way migrants arrive in Europe had a negative effect on the asylum system. One could ask if there are any other possible ways to improve the integrity of the asylum systems than returning people. Instead of other qualities like standard, sustainable, effective procedures of inclusion and integration of refugees and so on, it seems like the integrity of the asylum system becomes connected to return rates. It therefore becomes relevant to ask why return rates are the unit for measurement of integrity and not any of the other alternatives. This could be because the ideology in European migration management relies so much on the discourse of criminalization that to maintain its legitimacy and status, it needs to prove that the unlawful migrants are treated accordingly. Therefore, it seems needed to exclude the irregular migrants from Europe and return them in order to protect not only the integrity of the asylum systems, but also the EU citizens’ trust and security. One may however ask, if this is the case, when did the asylum system become an institute of law enforcement? This line between migration management and law enforcement seems to become even more blurred when information systems get more interoperable. The discourse that criminalizes migrants can become naturalized and can make further ground for hegemony when interoperability works to connect institutions of migration and institutions of law enforcement. Cox explained that institutions work to stabilize a particular order (Cox, 1981, 136). Thus, when the two different institutions are connected, they can work to stabilize a social order where migrants are perceived as and treated as criminals. In this social order, the institutions perpetuate the idea of migrants as criminals or a potential threat, as well as contributing to materializing the power relations behind the idea (Cox, 1981, 136-137).

Information sharing through the different EU databases for border management had a more comprehensive purpose. First, while I read for the literature review, I got the impression that the most important databases were the SIS, VIS and Eurodac. These are still the main databases, however, there are several other databases and new ones have been developed during the last years (e.g., the Entry-Exit System and European Travel Information and Authorization System) (European

Commission, 2020, 12). Different databases have different functions, but altogether the purposes can be summarized as determining which EU country is responsible for an asylum application, identifying whether a person has made more than one asylum application, preventing, and detecting serious crimes or terrorist activity, identifying, and monitoring secondary movements, detect fraud, detect stayovers, and facilitate returns (European Commission, 2016a, 23). All these databases are getting more and more interoperable. The Commission explained interoperability as the “*ability of information systems to exchange data and to enable the sharing of information*» (European Commission, 2016a, 14) Further the interoperability of databases was supposed to make the data management more effective and efficient “*to better protect its external borders and enhance its internal security*” (European Commission, 2016a, 20). By making the databases interoperable the original purpose of each base would automatically be expanded as they become connected to other databases with other purposes. That way a database for migration management like Eurodac would get connected to a database for law enforcement such as the SIS, and the two different fields (migration management and law enforcement) would then get connected. This shows once again how matters of migration management get transmuted into matters of potential threats and constitute examples of “function creep”. This function creep is further spread to all the MSs as the interoperability also serves to consolidate migration management (European Commission, 2016a, 18). This means that even MSs are pushed to shape their domestic migration policies according to the rest of the EU. As the practice becomes uniform among MSs it also becomes institutionalized and can serve to naturalize the power that is exercised over migrants. Several documents highlighted the importance of the consent of the migrant when having their data stored, but how can they ever give full consent if the purpose and connectivity among different information systems are in constant change? Do they even have a choice to not give their data? In the New Pact on Migration, without explaining what it entailed, it was written that asylum seekers that do not comply with their obligations would face consequences (ECRE, 2021, 3: European Commission, 2020). It seems like as migrants are being excluded in the first place, it is not given room for their perspective or experiences. If the migrants want to be included in the European region, they will have to accept scrutiny and have their data stored and shared among MSs and possibly with third-countries.

5.3 Linking the external and the internal

Both the Valetta Summit and the Partnership Framework focused on cooperation between the EU and third-countries, particularly in Africa, to increase the effectiveness of migration management and reduce irregular migration (European Commission, 2016b, 2 and 17: Valletta Summit, 2015a). In the

progress report for the Agenda on Migration close cooperation with third-countries was described as “*key to prevent migrant smuggling*” (European Commission, 2019a, 14). While according to the progress report for the Agenda on Security most of the security threats the Union was facing went beyond EU borders. Therefore, it was argued for cooperation with third-countries to build an effective and genuine Security Union. In this context, information exchange was described as “*central to this cooperation*” (European Commission, 2019b, 14). The historical structures of Cox’s theory are limited to a sphere of human activity in its historical and location context (Cox, 1981, 137). Here the locality can be understood as the EU and third-country partnerships. The historical context is hard to define. Even though the focus of this thesis is from 2015, the relations between the EU and the partner countries have a much longer history. However, many of the specific partnerships that this thesis studies were started in 2015.

The Commission explained that experience had proven that there was a direct link between migration policies inside and outside the Union. They explained that weak migration management was perceived as a pull factor for migration (European Commission, 2016b, 5). Therefore, they argued that the return of irregular migrants would lead to the break of the business model of smugglers and discourage migrants from risking paying large sums of money on smugglers and irregular ways of researching Europe (European Commission, 2016b, 6). This shows that initiatives on return are based on a logic to deter migrants. To increase return rates, the EU depended on third-countries to cooperate on returns and readmissions. Countries of origin would have to help in facilitating the identification and readmission of their nationals, while countries of transit would help by stepping up border and migration management (European Commission, 2016b, 7). Despite the EU’s power to position different groups into a social hierarchy, the EU does depend on the consent of third-countries to take part in the return and readmission agreements. This would be needed to increase the enforcement rate which would not only supposedly work against smuggling networks, but also contribute to the maintenance of the integrity of the asylum system as mentioned in the document, and the ideology it builds on. To legitimize the needed cooperation, the Commission found support in international obligations when writing that in order to increase the enforcement rate they had to “*ensure that third countries fulfil their international obligations and take back their own nationals residing irregularly in Europe*” (European Commission, 2015b, 9) Both the Valletta Summit and the Partnership Framework encouraged efforts to strengthen third-countries capacity to ensure functioning civil registers and fingerprint or biometrics digitalization to facilitate the identification and readmission of irregular migrants (European Commission, 2016b, 7). In the Action Plan of the Valletta Summit, it was reasoned that a lack of identification documents was one of the main challenges in the application

of return and readmission policies. They would therefore strengthen the capacity of authorities in countries of origin, which included modernization of civil registry systems and fingerprint digitalization (Valletta Summit, 2015a). It is not explained why fingerprint digitalization is necessary for the third-countries, however as they already link fingerprinting to the purpose of return, it seems likely to have a connection to the fingerprinting done within the European territory. If fingerprints saved in European migration management information systems can be matched with civil registers in third-countries, it seems very likely that it would simplify the return procedures. Cox explains that institutions, the stabilization of a particular order, are shaped by ideas and material conditions (Cox, 1981, 136-137). Thus, this type of cooperation can be understood as an intent to institutionalize the European idea of irregular migrants as unlawful or a potential threat. This is in part possible because the EU has the material capabilities to provide finance and equipment to modernize the civil registries in third-countries. If these registers can be used for migration management of return and readmission, it will further work to institutionalize power relations between the EU, third-countries and their nationals.

In the progress report for the Partnership Framework, it was stated that cooperation on readmission and return had continued to stall, and therefore MSs were encouraged to step up internal coordination, as well as to further negotiate readmission agreements (European Commission, 2017, 2). In the report, one can read about the progress in different third-countries under the Partnership. Generally, there had been an increase in the return of migrants from one African country to another, but the Commission was not satisfied with the number of returns from EU MSs (European Commission, 2017, 4-7 and 15). It is not stated why return rates are higher within the African region, but it is somewhat suspicious when the Commission celebrates increased voluntary returns from places like Libya where migrants are arbitrarily detained under inhuman conditions (Amnesty International, 2019, Andersson, 2016a, 1064; European Commission, 2020a, 1). Who would not want to leave such conditions? The Commission even praises the evacuation of migrants in Libya (European Commission, 2020a, 1 and 10). There seems to be something that goes unsaid, which may be a sign of power behind discourse to exclude other discourses such as those which would call for attention to migrants' situations that put them in need of evacuation or the wish to return (Fairclough, 2015, 89). Further, the AU had called for the benefits of international as well as regional migration (AU, 2015, 3), but from the documents from the Commission, it seems that the EU's wish to stop migration to Europe would even hinder migration within the African region.

5.4 Power imbalances

The main power imbalances found in the different documents are 1) the power imbalance between the EU and the individual, and 2) the power imbalance between the EU and third-countries, especially in Africa.

Concerning the power imbalance between the EU and the individual, if a person wishes to seek asylum in an EU Member State, the person has to give up some personal data that will be stored in different databases. Documents do point out the importance of letting persons know what their data will be used for, however, there is no mention of what an individual can do if he or she is not comfortable with having the data stored. Further, it is stated that there will be consequences for those who do not comply to set obligations for an asylum applicant (European Commission, 2020, 6). In contrast, EU citizens can move freely within the Union without ever being asked about this kind of information. In fact, this freedom for the EU citizens and their security, is supposedly why there is a need for the scrutiny of third-country nationals (European, Commission, 2016a, 3). There is a clear power imbalance here, not only in portraying third-country nationals as a threat and EU citizens as innocent and vulnerable, but also in excluding any other discourse that would bring attention to the data protection and privacy rights of the migrants. Several documents do repeat that fundamental rights have to be respected, though only the ones that are concerning security include attention specifically to data protection and privacy rights (European Commission, 2015a, 12: 2016a, 4-5, 2016b, 2). However, it is not mentioned how this will be ensured, and the ECRE questions the proportionality of storage periods and how much information will be available to whom when information systems and their datasets become more and more interoperable (Vavoula, 2020b, 26: eu-Lisa, 2021, 6: European Commission, 2020, 9). Further, the data is not deleted even if the perceived irregular migrant gets his or her asylum application approved. Datasets in Eurodac will be saved for 3 more years. It will be blocked from migration authorities but will be available for law enforcement purposes (Vavoula, 2020b, 3 and 26). Thus, the suspicion toward migrants as potential criminals does not disappear even in a case where a migrant has done nothing illegal. This shows how powerful the criminalization discourse is to legitimize the data gathering of migrants and one may question what reactions it would have caused if the same type of information was saved on EU citizens.

The second power imbalance, between the EU and African third-countries, is expressed in how the EU can form policies and plans and convince African countries to cooperate. The Partnership Framework and the Valletta Summit make it clear there are considerable funds available to address

irregular migration, including funds for development (European Commission, 2016b, 10; Valletta Summit, 2015a). However, no document focuses only on development in third-countries for the purpose of development by itself. Development aid is always one part of a larger strategy to prevent irregular migration. Support for development is therefore given as a part of agreements that includes strengthening border control and migration management (European Commission, 2016b, 2; Valletta Summit, 2015a).

Further, it was written that countries that readmitted their own nationals or cooperated in managing the flows of irregular migration would be rewarded, while those who did not cooperate on readmission or return would face consequences (European Commission, 2016b, 9). For example, visa measures were mentioned as an initiative to encourage third-countries to cooperate on return and readmission (European Commission, 2020, 21). It was further explained that almost a quarter of asylum applications came from visa-free countries, and that in the case of “*visa abuse*” or an assessment showing that a visa-free country posed a risk of “*abusive asylum applications*”, the result could be a “*removal of third countries from the visa-free list*” (European Commission, 2020, 22). This possibility of rewarding or punishing countries based on their cooperation efforts in terms of readmissions presents the same power imbalance between the EU and third-countries. Cox explained that hegemony works as a fit between ideas or ideology, power, and institutions (1981, 144). In this case, the EU has power behind discourse in terms of bringing forth their ideology, where the EU has to exclude the problematic and not legal migrants and return them (Fairclough, 2015, 27). Institutions can according to Cox work to suppress conflicts by forming universalized policies that are meant to present diverse interests among the different parts (1981, 137). In this case, the stabilized practice of visa issuing works to legitimize the EU’s wish to exclude these migrants at the same time as the concept of visas creates the possibility of defining a stay as legal or not. Further, the EU has the material capabilities to punish or reward third-countries depending on how satisfied the EU is with their cooperating efforts. A country can also be punished if individuals “*abuse their visa*”, meaning that an entire nationality would be punished for the acts of some individuals. Individuals who may have had reasons for what they did (ECRE: 2021, 2: European Commission, 2020, 22). In other words, the material capabilities of the EU cause a power imbalance both in terms of finance and equipment, as well as symbolic as of visa facilitations. This power of the EU is used to keep certain groups outside the Schengen territory. By offering finance and visa measures they manage to encourage third-countries to cooperate with them. If the EU is not satisfied with the level of results of cooperation, they have the power to punish the country in question and push for more efforts in strengthening the interests of the EU.

The EU further has the power to make policy priorities. The Commission has a powerful role as it has published most of the documents that are used as data for this thesis. Many documents referred to changes, improvement potentials, amendments, and proposals for new databases. This was very clear in the document *Stronger and Smarter Information systems for Border and Security* (European Commission, 2016a, 2). Proposals from this document had become reality in later documents such as in the progress reports and the New Pact (European Commission, 2020, 12). All together the documents showed that whenever gaps or improvement potentials were identified, regulations were made to keep improving the systems to work better in addressing and detecting both illegal activities and irregular migration, often with the purpose of return. Even the legal framework is being modified for changes to be possible in the ways the information systems are used (European Commission, 2016a, 4, 10 and 16). The Commission therefore seems to be able to both call upon the use of information systems, call upon changes to keep improving their functions, and call upon changes in the legal framework allowing such changes and practice. However, it remains questionable how data protection rights and privacy rights go untouched by those changes.

The perceived problems concerning the “flow” of migrants are related to pressure on affected states, security challenges and humanitarian consequences (Valletta Summit, 2015b). What these challenges have in common is that they first become problems for European states when migrants are getting closer to or enter into Europe. Would not the issues they bring up still be the same if migration was concentrated elsewhere, just not a problem in the territory of the EU? As of today, the reality is an unequal division of refugees on a world basis, despite European states being in a stronger position to handle them (Andersson, 2016a, 1058; European Commission, 2015b, 8; Hathaway, 2018, 593). So why does the problem occur here? Something puts the EU in a position to define this as a problem. According to Cox, there is a particular configuration of world orders and social forces that define the problem (Cox, 1981, 138). In that case, the problem should be defined by the ways the EU and the 35+ African countries they cooperate with, are ordered and how the social forces are divided by and across these states. Cox explains that the world orders are connected to the social forces and forms of states of the historical moment (1981, 138). Concerning the forms of states, there should be a great variety of forms of states among the EU and 35 African states that participated in the Summit or other states under the Partnership Framework. Between and across these states social forces are unequally divided. It is at the world order level the “problem” is defined, and as the problem first occurs when it is approaching the EU, it seems like it is defined based on the European view. Still, the documents refer to the problem of migration as a common one among the EU and African states (Valletta

Summit, 2015a and b). However, of the challenges that occur by irregular migration, only one issue seems to be a common challenge: drowning migrants. In the Common African Perspective, this is explained to be a problem for them as it is Africans that are affected, while from the Action Plan and the Partnership Framework it is reasoned on both the sympathy of the “*tragedy in the whole of Mediterranean*” and because of their legal obligations to protect these people (African Union, 2015, 5; European Commission, 2016; 17; Valletta Summit 2015a). However, neither the Action Plan nor the Partnership frameworks afford much space to explain how to save lives at sea, instead, the focus is on how to stop people from leaving the shores in the first place. The logic is if migrants never embark, they cannot drown. Maritime surveillance is used to stop migrants from embarking and is therefore legitimized to save lives. However, as we know from the literature, this approach will more likely push migrants to find other more dangerous routes (Akkerman, 2016, 8; Molnar, 2020 25).

There are many institutions taking part in migration management. The most obvious ones are perhaps the Commission that has published most of the data for this thesis, and the European Parliament, the Council, and other institutions that receive these communications. All these institutions contribute to maintaining the view of (irregular) migrants as a problem to handle. Further, there are institutions that take care of this “problem” like Frontex, the European Asylum support office, Europol, and so on (European Commission, 2015b, 6). States within the Union and neighbors go together to cooperate in handling irregular migration. All these institutions play along with the assumption of irregular migration as a problem. This assumption can be tied to an ideology which again is based on a power imbalance between the EU and third-countries and their nationals arriving irregularly. The ideology legitimizes the focus on how migrants reach Europe rather than why they came the way they did. Even in the case of migrants who do not qualify for asylum, there would still be underlying inequalities (not smugglers) that push people to migrate to Europe, the same inequalities that may leave them with irregular migration as their only option (AU, 2015, 2-3 and 5; Songs, 2020, 5). If a great part does qualify for asylum, it would make a reason to question the excessive border control with a focus on “disciplining” migrants.

5.5 The never-ending improvement potential

It is very difficult to keep an overview of this universe of policies, practices, agreements, constant improvements, amendments, new databases, and further interoperability. It would be very limited what you would understand from reading only one text. Even by reading more than a dozen documents, I could still feel lost in the references to other documents, policies, agreements,

amendments, regulations, new databases, and so on. There seems to be a hidden power behind this unclarity. Fairclough explains power behind discourse as having several functions. One of these functions is to constrain access to a discourse (Fairclough, 1989, 62). So far, we have seen that the migration management, even in partnership with third-countries, by large furthers the interests of the EU and excludes other discourses that focus more on the rights of migrants. In this case, most people who do not have a very solid competence in EU policies or the technologies in use, will struggle to fully understand what is going on which makes it difficult to challenge the policies. At the same time, precisely because it can be hard to understand all the policies, technologies and what they mean for the people that are involved, the arguments and the language used get a bigger role in achieving consent from the masses. Therefore, consent may not be achieved based on a full understanding of what exactly is going on, but rather through an ideology that presents the policies and technologies as necessary and legitimate. This shows how powerful ideology can be to manipulate consent (Fairclough, 1989, 4).

Throughout the documents, I studied there were particularly two issues the Commission has always wanted to improve: the potential of the databases for information sharing, and return. The document *Stronger and Smarter Information systems for Borders and Security* was all about improving the potential of information systems, or databases. According to the document, the number of databases used within the Schengen territory was so high it had become difficult even for authorities to manage them well. Sometimes databases were also used differently in different countries (European Commission, 2016a, 3). This way the databases did not live up to the potential they were supposed to have. Therefore, the Commission wished to set a goal to develop a joint strategy to make data management of different information systems more effective and efficient by addressing gaps, overlaps and fragmentation. To do so the Commission wanted to make particularly the main databases (Eurodac, VIS and SIS), but also others, if possible, interoperable (European Commission, 2016a, 14). Interoperability would entail being able to see combined results from different databases on one single screen, enabling the different systems to consult one another in terms of the information they store, facilitating the matching of biometrics across the databases, and making it possible to recognize information already stored in one or another database (European Commission, 2016a, 16-18). They argued that this would have economic, technical, maintenance and operational benefits, and that they would contribute better to the fight against document fraud, irregular migration, and serious crimes such as terrorism (European Commission, 2016a, 5, 11 and 17). However, there was a gap when it came to third-country nationals who were exempted from holding a visa and they, therefore, argued for the establishment of an EU Travel Information and Authorization System (ETIAS). They also

wanted to establish an Entry-Exit System (EES) that would address stayovers (individuals remaining after the visa has expired) (European Commission, 2016a, 13-14). According to the Progress Report on Security, the EU had stepped up information exchange, strengthened border checks, closed information gaps and modernized the Europe-wide law and enforcement databases (one of which was the SIS) (European Commission, 2019b, 4). The new databases seem to be directed at third-country nationals who come to Europe, with visas or authorization, meaning the “legal way”, though for a limited time. As these databases are supposed to cover a gap, they seem to present a suspicion that people may become “irregular migrants” and that new databases can identify these individuals as “stayovers”. This further shows that the criminalization discourse is further expanded to suspicion towards third-country nationals making visits to the Union. This could be legitimized by the fact that irregular migration includes overstaying visas, and not only those who arrive without authorization (European Commission, n.d.-b). By addressing those who do come with authorization it leaves the impression that the strict migration control does not only affect those who come without authorization (and often apply for asylum upon their arrival). However, even if the new databases contribute to covering every third-country national irrespective of how they arrived in Europe, the reasoning is still based on suspicion that the person may turn into an irregular migrant, thereby posing a potential threat. This suspicion builds on the same ideology that legitimizes the exclusion of non-Europeans and places EU citizens at the top of the hierarchy.

The Commission argued that the interoperability of EU information systems had led to faster and more systematic access to information and had further improved the internal security and border management. However, they still argued for further interoperability and full implementation in all MSs by 2020 (European Commission, 2019b, 4). Implementation included the ETIAS and there were proposals for further updates of existing systems such as the VIS and Eurodac. Such updates would include expanding the use of fingerprinting and extending the storage period (European Commission, 2019b 5). In the New Pact, the EES and the ETIAS were established, however work was still being done to improve the interoperability of different databases (European Commission, 2019, 12). It was common to read new proposals for changes, improvements, and even amendments to different databases in different documents. Even in the last document, an annual report of the Eurodac, the document focused on how they had managed to adapt the system to new policies from the New Pact, another regulation, and Brexit (eu-Lisa, 2021, 6). The need for improvements was reasoned on the need to address the emergence of alternative migration routes and because threats were changing. Even with a 90% decrease in irregular arrivals compared to 2015, the situation was still volatile, and it was therefore argued for keeping working together (European Commission, 2017, 2; 2019a, 2;

2019b, 16). In other words, despite clear results of strengthening migration controls since 2015, irregular migration as a phenomenon had not stopped. This could be due to the challenge of fixing a social and political problem through technological means, but it could also be because technological means contribute to detecting irregular migrants and thereby keeps proving the existence of it. That way the technologies of surveillance and information sharing work to legitimize themselves by proving the existence of that which the technology is developed to address. If it is something the technology does not manage to address, new tools are developed and amendments are made.

The New Pact takes us to other matters for constant improvement. The main difference, which admittedly is the purpose of the New Pact, is to improve the distribution of asylum applicants among MSs. In the responsibility distribution, a primary focus is on relocation and return. MSs were still encouraged to effectively return migrants, just that now it should be done within a set period. This has been criticized by the ECRE as it could possibly challenge the migrants' rights to appeal and opportunities to access effective remedies. They further emphasize that migrants' rights could be put further at risk upon return (ECRE, 2021, 4). However, MSs were further allowed to focus on "*nationalities where they see a better chance of effecting returns*" (European Commission 2020, 5). This may be legitimized as a matter of efficiency, but is it not also discriminatory to choose a nationality to prioritize for return? Afghanistan was a country in which there had been positive results in terms of returns (European Commission, 2019, 5-6). Today, after the Taliban has taken control of the country (UN, 2022), the moral of such return policies is very questionable and proves that this focus comes with a risk of violating the non-refoulement principle.

The Commission had also shown disappointment over the numbers of returnees in earlier progress reports and argued for the need for additional efforts both in MSs and with third-countries to increase the returns. Active monitoring of the situation of third-country nationals during the whole return procedure was described as a key measure to prevent absconding and secondary movements (European Commission, 2019a, 15). This was one of the situations where the Commission suggested adopting restrictive visa measures for third-countries that did not "*cooperate sufficiently on readmission*" (European Commission, 2019a, 16). Other functions of power behind discourse are policing of conventions and standardization (Fairclough, 1989, 56 and 61). While Fairclough focused on standard language, we can say that the migration management is with the help of institutions becoming standardized throughout the European region and into third-countries. However, when the standard is not achieved, for example as with expected return rates, the third-countries are blamed for the failure and punished for lack of cooperation (European Commission, 2016b, 9). These countries

are then sanctioned for not living up to the standards set by the EU's migration policies. Nowhere is it mentioned that MSs can be punished. It was only mentioned that the Commission wanted to further increase the support to EU institutions and MSs to strengthen the return capacities (European Commission, 2019a, 16). The Commission concluded that the foundations of EU migration policy were much stronger than when the "crisis" had broken in 2015, but as the situation was still unstable the work had to continue in terms of "operational and financial support, completing and implementing the legislative framework, and in deepening partnerships with third countries" (European Commission, 2019a, 20). Partnerships with third-countries were to become a "fully-fledged part of long-lasting relationships" and were to include the areas of "legal migration, the fight against smuggling and readmission" (European Commission, 2019a, 21). In other words, it was always left an improvement potential which could be used to keep forming the cooperation initiatives with third-countries while strengthening the interests of the EU.

6 Summary and Concluding Remarks

As a reminder the research questions of this thesis were:

- 1) *How do power relations determine the way relevant discourses are formed in migration control and what are the underpinning discourses that legitimize data gathering and information sharing of migrants? What is the role of social forces, ideas, and institutions in this process?*
- 2) *How is the use of technological tools for surveillance in migration control related to the securitization of migration? How can gathered data through these technologies contribute to their own legitimation?*

To answer this, I explained the technologies that are particular for the European migration management, and which are used for data gathering and information sharing of migrants. At the external borders, the European Surveillance System (EUROSUR) is using satellite images and drones to monitor the movements along the border as well as at sea (Akkerman, 2016, 11; Follis, 2017, 1012). Together with third-countries the monitoring can be used to make alerts and send third-country border guards to stop migrants before they reach Europe in the first place (Follis, 2017, 1004). For internal border control, there are numerous databases used to control the third-country nationals within the Union. Due to the limited time and space, I chose to focus on the main databases used for border management: the Visa Information System (VIS), The Schengen Information System (SIS) and Eurodac. The different databases had different purposes but could together be used to create a

sort of migrant history for listed individuals and could further be used to return the individuals to suspected countries of origin (Broeders and Engebersen, 2007, 1590 and 1603).

Fairclough's CDA (1989: 2001: 2009: 2010: 2013: 2015) has been the theoretical and methodological foundation of the thesis and has helped to identify the power relations behind the prevailing discourses. Two somewhat related discourses seem to dominate in the policy documents: *securitization* and *criminalization*. The discourses that portray migrants as potential threats and criminals, legitimize the need for effective migration control. The security discourse was drawn on some terror attacks that are claimed to have a connection to the outside of Europe (European Commission, 2015a, 7). This claim contributed to legitimizing the need for strict border control to protect the EU citizens from a potential threat from the outside.

Furthermore, by referring to the migrants as "irregular" as in opposition to "*legal*", it left an impression that even if these migrants do not pose a terrorist threat, they were still potential criminals that needed to be controlled. The unlawfulness was based on how migrants had arrived in Europe without authorization, and there was a suspicion about how many of the irregular migrants needed international protection (European Commission, 2015b, 4: 2020, 4 and 22).

Either as a potential terrorist threat or a potential criminal, both discourses present an unwanted group within the EU. To keep this group outside, based on the arguments of keeping Europe safe with a well-functioning asylum system, different measures were implemented at external as well as internal borders to control the movement of third-country nationals (European Commission, 2016a, 5: 2019a, 2-3).

Additionally, the Commission perceived smuggling networks, a wish for better economic opportunities, and failed migration control as pull factors to the Union (European Commission, 2015a, 12: 2016b, 5-6) The AU and ECRE on the other hand, emphasized how irregular migration was related to war, instability and few legal pathways (AU, 2015, 2-3 and 5: Songa, 2020, 5). Thus, it was discovered that as a policy-making institution, the Commission had power *behind* discourse (Fairclough, 2015, 49 and 89) to bring forth their view of irregular migration and put it to practice through migration management. Discourses that emphasized the rights of migrants were excluded. Moreover, the Commission had a strong power *in* the discourse (Fairclough, 2015, 76 and 91) to categorize subjects in a hierarchy and form policies based on this.

The discourses of securitization and criminalization of migration could be understood as ideological because they put different subjects into different positions, each with a different degree of power (Fairclough, 2015, 107). In this hierarchy, the irregular migrant is on the bottom and the EU citizen on top. The ideology works to naturalize these power relations as the bottom group is presented as unlawful and a potential threat, while the other as lawful and vulnerable. It further works to legitimize a focus on *how* migrants came to Europe rather than *why* they came which further allows for their exclusion and potential human rights violations. As many irregular migrants relied on smuggling networks to enter Europe without authorization, the solution to the perceived problem was thus to make it harder to enter the region in the first place and to break down the smuggling network (European Commission, 2015b, 9 and 11; 2016b, 4 and 6). This would require cooperation both among MSs and with third-countries. While monitoring of external borders was used to stop migrants from reaching Europe, the databases were used to share information, monitor movements within the Union, and facilitate the return of migrants (European Commission, 2016a, 23)

Cox's theory on social forces, states and world orders, and the concept of hegemony have further highlighted how the EU has managed to expand its migration management to third-countries. First, all parties could agree that it was a problem that many migrants die while trying to get to Europe, and that it was problematic that smuggling networks took advantage of vulnerable migrants (AU, 2015, 2-3 and 5; European Commission, 2016b, 5; Songa, 2020, 5). Second, through both the Valletta Summit and the Partnership Framework the EU would provide partner countries with finance and equipment for both development and migration management (European Commission, 2016b, 9). In other words, the EU used its material capabilities to encourage the third-countries to cooperate. Thus, by referring to saving lives and providing different goods the EU achieved the consent of third-countries, an indication of hegemony in the interest of the EU.

However, in cases where the EU was not satisfied with the cooperation efforts or results, they could use the same forces to punish the given third-country (European Commission, 2016b, 9). As Cox explained, institutions understood as the stabilization of a particular order, are shaped by ideas and material conditions (Cox, 1981, 136-137). Within this cooperation, the different technologies worked to institutionalize a migration management regime based on a European ideology that naturalizes the power relations between the EU, third-countries and their nationals.

From the data, it was apparent that there was a constant wish from the Commission to improve the potential of information systems and increase the return rates (European Commission, 2016a, 3: 2019,

5-6: 2020, 5. In the documents from the Commission, there were several proposals on amendments, changes in use or function, new databases, and improving the interoperability of the databases- some of which had become reality in the later documents (eu-Lisa, 2021, 6: European Commission, 2020, 12). This showed that the Commission had a powerful position to encourage the use of databases and propose changes, including amendments to legitimize the practice. Interoperability of the different databases further contributed to the institutionalization of the securitization and criminalization of migrants throughout the Union as migration management got universalized. As the information stored in the databases is used to facilitate the return, and as the EU provides support to third-countries to modernize civil registers and fingerprinting systems, the same institutionalization seemed to have been expanded to third-countries.

The data that was gathered and shared through the different information systems could show that movements are changing, and migrants would find new ways of coming to Europe. Therefore, the same data showed that the EU still did not have control over irregular migrants. Without control and with further changes, the technologies had to be adapted or improved to be able to capture changes such as the new routes or strategies (European Commission, 2017, 2; 2019a, 2; 2019b, 16). It therefore, seemed like a never-ending circle as the technology developed to address the existence of “irregular migration” would constantly prove its existence of it. This way the technologies worked to legitimize themselves by creating the image of a constant need for them. Therefore, it seems like it will always be a perceived need for the same technology that proves the existence of irregular migration.

Unfortunately, I do not have any documents representing the experiences or perceptives of migrants who are affected by the technologies. For further research, it could therefore be interesting to make interviews to get to know the migrants’ lived experiences. Another suggestion would be to add more documents that concern other databases for law enforcement, and which are interoperable with the databases of migration management. It could also be interesting to study how the war in Ukraine may influence the discourses dominating the migration management presented in the selected data of this thesis. As most of the technologies are specifically targeting third-country nationals, meaning non-Europeans, it could also be interesting to analyze the findings with the use of theories on racism. The power relations between the EU and partner countries could further be analyzed with theories on neocolonialization.

7 References

- African Union. (November 2015). The Common African Perspective for Valletta Summit on Migration. Retrieved from <https://www.tralac.org/images/docs/8709/the-common-african-perspective-for-valletta-summit-on-migration-november-2015.pdf>
- Akkerman, M. (July 2016). Border Wars: the arms dealers profiting from Europe's refugee tragedy. DOI: 10.13140/RG.2.2.23015.47527
https://www.researchgate.net/publication/341205388_Border_Wars_the_arms_dealers_profiting_from_Europe's_refugee_tragedy
- Akkerman, M. (May, 2018). Expanding the Fortress. The policies, the profiteers and the people shaped by EU's border externalization programme. https://www.tni.org/files/publication-downloads/expanding_the_fortress_-_1.6_may_11.pdf
- Amnesty International. (Updated 10th of September 2019). *Cut Adrift in The Med*. Retrieved from <https://www.amnesty.org/en/latest/campaigns/2019/01/cut-adrift-in-the-med/>
- Andersson, R. (2016a). Europe's failed "fight" against irregular migration: ethnographic notes on a counterproductive industry. In *Journal of Ethnic and Migration Studies*. 42:7. Pp 1055-1075. DOI: 10.1080/1369183X.2016.1139446
<https://www.tandfonline.com/doi/full/10.1080/1369183X.2016.1139446>
- Andersson, R. (2016b). Hardwiring the frontier. The politics of security technology in Europe's "fight against illegal migration". In *Security Dialogue*. Vol. 14, no 1. Pp 22-39. DOI: 10.1177/0967010615606044. Retrieved from <https://journals.sagepub.com/doi/abs/10.1177/0967010615606044>
- BBC. (March 2020). *Turkey says millions of migrants may head to EU*. Retrieved from <https://www.bbc.com/news/world-europe-51707958>
- Bratberg, Ø. (2017) Tekstanalyse for samfunnsvitere. Second edition. Cappelen Damm akademiske.

- Broeders, D. (2007). *The New Digital Borders of Europe: EU Databases and the Surveillance of Irregular Migrants*. DOI: 10.1177/0268580907070126. Retrieved from:
<https://journals.sagepub.com/doi/10.1177/0268580907070126>
- Broeders, D. and Engbersen, G. (2007). The Fight Against Illegal Migration. Identification Policies and Immigrant's Counterstrategies. *American Behavioural Scientist*. Vol. 50, No. 12, pp 1592-1609. DOI: 10.1177/0002764207302470
<https://journals.sagepub.com/doi/10.1177/0002764207302470>
- Bryman, A. (2012). *Social Research Methods*. 4th edition. Oxford University Press. ISBN 978-0-19-958805-3
- Corbett, D., Peterson, J., and Kenealy, R. (2018). *The European Union: How does it work?* Fifth edition. Glasgow: Oxford University Press.
- Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). 4th of November 1950. Roma. Retrieved from
https://www.echr.coe.int/documents/convention_eng.pdf
- Cox, R. W. (1981). Social Forces States and World Orders: Beyond International Relations Theory. In *Millennium – Journal of International Studies*. Vol. 10, No. 2. Pp. 126-155. DOI: 10.1177//03058298810100020501. Retrieved from
<https://journals.sagepub.com/doi/10.1177/03058298810100020501>
- Cox, R. W. (2007). 'The International' in Evolution. In *Millennium: Journal of International Studies*. Vol. 35, No.3. Pp 513-527. ISSN 0305-8298. Retrieved from
https://www.researchgate.net/publication/258171329_'The_International'_in_Evolution
- De Haas, H., Castles, S., and Miller, M., J. (2020). *The Age of Migration. International Population Movements in the modern World*. 6th edition. UK: Red Globe Press
- Dekkers, T. (2019). Technology driven crimmigration? Function creep and mission creep in Dutch migrations control. In *Journal of Ethnic and Migration studies*. Vol. 46. No. 9. Pp 1849-

1864. Retrieved from

<https://www.tandfonline.com/doi/full/10.1080/1369183X.2019.1674134>

Den Hertog, L. (2016). Money Talks. Mapping the funding for EU external migration policy. In *Liberty and Security in Europe*. No. 95. ISBN 978-94-6138-548-2. Retrieved from <https://deliverypdf.ssrn.com/delivery.php?ID=189069123081090109016090014085025103025072088045028034119097093076097070072088123027106016006035108029051125113105094079094030038010070008020107090092007097098021111020033003094091005077116001117089031025116127012092008070027069019007084029093021116031&EXT=pdf&INDEX=TRUE>

Dencik, L. and Metcalfe, P. (April 2019). The politics of big borders: Data (in)justice and the governance of refugees. *First Monday*. Vol. 24, No. 4. <https://doi.org/10.5210/fm.v24i4.9934>

Días, V. (2014). Legal Challenges of Biometric Immigration Control Systems. In *Mexican law review*. Vol. 7. No. 1. Pp. 3-30. Retrieved from <https://revistas.juridicas.unam.mx/index.php/mexican-law-review/article/view/7803>

Dunn, K. C. and Neumann, I. B. (2016). *Undertaking Discourse Analysis for Social Research*. University of Michigan Press. USA

eu-LISA. (November 2021). *Eurodac Annual Report*. Retrieved from <https://www.eulisa.europa.eu/Publications/Reports/Eurodac%20AR%202020.pdf>

Euronews. (Last updated 9th of November 2021). *Poland-Belarus border: EU accesses Minsk of 'cynical' exploitation over migrant influx*. Retrieved from <https://www.euronews.com/2021/11/08/poland-sends-additional-police-to-belarus-border-over-migrant-influx>

European Commission. (April 2015a). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The European Agenda on Security*. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52015DC0185>

- European Commission. (May 2015b). *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A European Agenda on Migration*. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52015DC0240>
- European Commission. (April 2016a). *Communication from the Commission to the European Parliament and the Council. Stronger and Smarter Information Systems for Borders and Security*. Retrieved from https://ec.europa.eu/home-affairs/system/files/2020-09/communication_on_stronger_and_smart_borders_20160406_en.pdf
- European Commission. (June 2016b). *Communication from the Commission to the European Parliament, the European Council, the Council, and the European Investment Bank. On establishing a new Partnership Framework with third countries under the European Agenda on Migration*. Retrieved from https://ec.europa.eu/home-affairs/system/files/2020-09/communication_external_aspects_eam_towards_new_migration_ompaact_en.pdf
- European Commission. (September 2017). *Report from the Commission to the European Parliament, the European Council, and the Council. Fifth Progress report on the Partnership Framework with third countries under the European Agenda on Migration*. Retrieved from https://www.eeas.europa.eu/sites/default/files/20170906_fifth_progress_report_on_the_partnership_framework_with_third_countries_under_the_eam_en_0.pdf
- European Commission. (October 2019a). *Communication from the Commission to the European parliament, the European Council, and the Council. Progress report on the Implementation of the European Agenda on Migration*. Retrieved from https://ec.europa.eu/home-affairs/system/files/2019-10/20191016_com-2019-481-report_en.pdf
- European Commission. (October 2019b). *Communication from the Commission to the European parliament, the European Council, and the Council. Twentieth Progress Report towards an effective and genuine Security Union*. Retrieved from https://ec.europa.eu/home-affairs/system/files/2019-10/20191030_com-2019-552-security-union-update-20_en.pdf

European Commission. (September 2020) *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. on a New Pact on Migration and Asylum*. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2020:609:FIN>

European Commission (n.d.-a). Migration and Home Affairs. *Eurosur*. Retrieved 9th of May 2022 https://ec.europa.eu/home-affairs/policies/schengen-borders-and-visa/border-crossing/eurosur_en

European Commission (n.d.-b). Migration and Home Affairs. *Third country*. Retrieved 9th of May 2022 https://ec.europa.eu/home-affairs/pages/glossary/third-country_en

European Commission (n.d.-c). Migration and Home Affairs. *Third country national*. Retrieved 9th of May 2022 https://ec.europa.eu/home-affairs/pages/glossary/third-country-national_en

European Commission (n.d.-d). *EU stands with Ukraine*. Retrieved 10th of May 2022 https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/eu-solidarity-ukraine/eu-assistance-ukraine/eu-stands-ukraine_en

European Council on Refugees and Exiles (ECRE). (2021). *The Regulation on Asylum and migration Management: giving with one hand, taking back with the other*. Retrieved from <https://ecre.org/wp-content/uploads/2021/02/Policy-Note-33-Ramm-February-2021.pdf>

European Council on Refugees and Exiles (ECRE). (Accessed 16th of May 16, 2022) *Our Work*. <https://ecre.org/our-work/>

European Union. (2012). Charter of Fundamental rights of the European Union. Official Journal of the European Union. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>

European Union. (Last updated January, 2022a). Data protection and online privacy. Retrieved from https://europa.eu/youreurope/citizens/consumers/internet-telecoms/data-protection-online-privacy/index_en.htm

- European Union. (2022b). Decentralised Agency. European Border and Coast Guard Agency (Frontex). Retrieved 17th of May 2022 https://european-union.europa.eu/institutions-law-budget/institutions-and-bodies/institutions-and-bodies-profiles/frontex_en
- Fairclough, N. (1989). *Language and Power*. London: Longman
- Fairclough, N. (2001). Critical Discourse Analysis as A Method in Social Scientific Research. In R. Wodak and M. Meyer (Red.), *Methods of Critical Discourse Analysis* (1st edition). SAGE. DOI: 10.4135/97808570280.n6. Retrieved from <https://methods-sagepub-com.ezproxy1.usn.no/book/methods-of-critical-discourse-analysis/d8.xml>
- Fairclough, N. (2009). A dialectical-Relational Approach to Critical Discourse Analysis in Social Research. In R. Wodak and M. Meyer (Red.), *Methods of Critical Discourse Analysis* (2. ed., pp. 34-61). Los Angeles: SAGE.
- Fairclough, N. (2010). *Critical Discourse Analysis. The Critical Study of Language*. Second edition. Harlow, England. Routledge. Retrieved from <https://www.routledge.com/Critical-Discourse-Analysis-The-Critical-Study-of-Language/Fairclough/p/book/9781405858229>
- Fairclough, N. (2013). Critical Discourse Analysis and Critical Policy Studies in *Critical Policy Studies*, Vol. 7. No. 2 DOI: 10.1080/19460171.2013.798239. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/19460171.2013.798239?journalCode=rcps20>
- Fairclough, N. (2015). *Language and Power*. Third edition. London. Routledge.
- Follis, K., S. (2017). Vision and Transterritory: The Borders of Europe. *Science, Technology & Human Values*. Vol. 42, No. 6. Pp 1003-1030. DOI: 10.1177/0162243917715106. Retrieved from <https://journals-sagepub-com.ezproxy1.usn.no/doi/pdf/10.1177/0162243917715106>
- Hammer, S. (2017a). Foucault og den norske barnehagen. Introduksjon til Michel Foucaults analytiske univers. Bergen: Fagbokforlaget.
- Hammer, S. (2017b, 09.04.2017). Michel Foucault [bok] (blog). Retrived from <https://sveinhammer.blog/2017/04/09/foucault/>

- Hansen, R. (2018). The Comprehensive Refugee Response Framework: A Commentary. In *Journal of Refugee Studies*. Vol. 31. No. 2. Oxford University Press. Pp 131-151. DOI: 10.1093/jrs/fey020. Retrieved from https://www.researchgate.net/publication/326173796_The_Comprehensive_Refugee_Response_Framework_A_Commentary
- Haslam, N. (2006) Dehumanization: An Integrative Review. In *Personality and Social Psychology Review*. Vol. 10, No. 3. Pp 252-264. Retrieved from https://journals.sagepub.com/doi/10.1207/s15327957pspr1003_4
- Hathaway, J. C. (2019). The Global Cop-Out on Refugees. *International Journal of Refugee Law*. Vol. 30. No 4. Pp 591-604. DOI: 10.1093/ijrl/eey062. Retrieved from <https://academic.oup.com/ijrl/article/30/4/591/5310192?login=false>
- Human Rights Council (September 2021). *Racial and Xenophobic discrimination and the use of digital technologies in border and immigration enforcement*. Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. A/HRC/48/76. Retrieved from <https://www.ohchr.org/en/documents/thematic-reports/ahrc4876-racial-and-xenophobic-discrimination-and-use-digital>
- Jäger, S. and Maier, F. (2009). Theoretical and Methodological Aspects of Foucauldian Critical Discourse Analysis and Dispositive Analysis. In R. Wodak and M. Meyer (Editors), *Methods of Critical Discourse Analysis* (2nd edition, pp 34-61). Los Angeles: SAGE.
- Latonero, M. and Kift, P. (2018). On Digital Passages and Borders: Refugees and the New Infrastructure for Movement and Control. *Social Media + Society*. Pp1-11. DOI: 10.1177/2056305118764432. <https://journals.sagepub.com/doi/pdf/10.1177/2056305118764432>
- Lemberg-Pedersen, M. and Haioty, E. (2020). Re-assembling the surveillance refugee body in the era of data-craving. *Citizenship Studies*. Vol 24. No. 5. Pp 607-624. <https://doi.org/10.1080/13621025.2020.1784641>
- Leurs, K. and Ponzanesi, S. (2018). Connected migrants: Encapsulation and cosmopolitanization. In *Popular Communication*. Vol. 16. No. 1. Pp 4-20. DOI: 10.1080.15405702.2017.1418359. Retrieved from <https://www.tandfonline.com/doi/full/10.1080/15405702.2017.1418359>

- Madianou, M. (2019). Technocolonialism: Digital Innovation and Data Practices in the Humanitarian Response to Refugee Crisis. In *Social Media + Society*. DOI: 10.1177/2056305119863146 <https://journals.sagepub.com/doi/10.1177/2056305119863146>
- Mezzanotti, G. (2020) What is left for ‘us and them’? A critical discourse analysis of the criminalization of humanitarian aid for people on the move. In LOPES, F. (ed) “*Society, Culture and Frontiers: Interdisciplinary approaches*, eds”. Fábio Lopes Alves, Eduardo Barros Portanova, Silvana Aparecida de Souza. CRV Ed.
- Molnar, P., EDRi and the Refugee Lab. (November 2020). Technological Testing Grounds. Migration Management Experiments and Reflections from the Ground Up. Pp 1-13 Retrieved from <https://edri.org/wp-content/uploads/2020/11/Technological-Testing-Grounds.pdf>
- Moran, C., F. (2021) Strengthening the principle of non-refoulement. *The International Journal of Human Rights*. 25:6, pp 1032-1052. DOI: 10.1080/13642987.2020.1811690. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/13642987.2020.1811690?journalCode=fjhr20>
- Moreno-Lax, V. (2018). The EU Humanitarian Border and the Securitization of Human Rights: The ‘Rescue-Through-Interdiction/Rescue-Without-Protection’ Paradigm*. Vol. 56. No. 1. Pp 119-140. DOI: 10.1111/jcms.125651
- Pavetich, M. and Stathi, S. (2021). Investigating antecedents of Islamophobia; The role of perceived control over terrorism, threat, meta dehumanization, and dehumanization. In *Journal of Community & Applied Social Psychology*. Vol 31, No. 4. Pp 369-382. DOI: 10.1002/casp.2512. Retrieved from https://www.researchgate.net/publication/350423869_Investigating_antecedents_of_Islamophobia_The_role_of_perceived_control_over_terrorism_threat_meta-dehumanization_and_dehumanization
- Publications Office of the European Union. (September 2015a) Document summary. EU security agenda. Retrieved from <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX:52015DC0185>

Publications Office of the European Union. (September 2015b) Document summary. Immigration – the EU response. Retrieved from https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:2301_5

Ritzer, G. and Stepnisky, J. (2014). *Sociological Theory* (9th edition.). Boston: MacGraw-Hill

Schaanning, E. (1999). Forord. In M. Foucault, *Seksualitets historie 1: Viljen til viten*. Valdres Trykkeri. Norway. ISBN 82-7556-015-2. Retrieved from https://www.nb.no/nbsok/nb/4a1c82435648418abb1ba3c44e997d3d.nbdigital?lang=no&fbclid=IwAR0gnHpDshMwme0ngxyMAU8CvuKul_xxIOgwmn6jSaWBcaXcSP8B5I8rYGI#9

Schengen Borders Code. (2014). Schengen Borders Code. Retrieved from <http://data.europa.eu/eli/reg/2006/562/oj>

Secretary-General (November 2020). *Contemporary forms of racism, racial discrimination, xenophobia and related intolerance*. Elimination of racism, racial discrimination, xenophobia and related intolerance: comprehensive implementation of the follow-up the Durban Declaration and Programme of Action. A/75/590. <https://undocs.org/A/75/590>

Skelton, S., K. (November 10th, 2020a). Border technologies largely fail to respect human rights. *ComputerWeekly*. https://www.computerweekly.com/news/252491847/Border-technologies-largely-fail-to-respect-human-rights?fbclid=IwAR0XdWild3pIQsU9_IW11AF1OV7N5Llvt-QHNnMIGWUnkCUVZdMRI-xEk

Skelton, S., K. (November 13th, 2020b). Humanitarian data collection practices put migrants at risk. *ComputerWeekly*. https://www.computerweekly.com/news/252492003/Humanitarian-data-collection-practices-put-migrants-at-risk?fbclid=IwAR0VaMaIuX0ijqhyuWEN_6cUBcv93_v7XrIEMXMv7I4HihQBiu55BG_rrx0

Songa, A. (2020). Civil Society Input to EU Africa Cooperation on Migration: EU-AU Relations. *ECRE Working Paper 07*. Retrieved from <https://ecre.org/wp-content/uploads/2020/02/Working-Paper-07-EU-AU-Relations.pdf>

- Tendayi Achiume, E. (June 2020). *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*. Racial discrimination and emerging digital technologies: a human rights analysis. A/HRC/44/57. UN Human Rights Council.
- Tjora, A. (2017). *Kvalitative forskningsmetoder i praksis* (3. utg.). Oslo: Gyldendal akademisk.
- Tjora, A. (2018). *Viten skapt*. Oslo: Cappelen Damm AS.
- United Nations. (January 2022). Afghanistan: UN launches largest single country aid appeal ever. In *UN News. Global perspective Human stories*. Retrieved from <https://news.un.org/en/story/2022/01/1109492>
- United Nations General Assembly (UNGA). (1951). *Convention relating to the Status of Refugees*. Retrieved from <https://www.ohchr.org/en/professionalinterest/pages/statusofrefugees.aspx>
- United Nations General Assembly (UNGA). (1966). International Covenant on Civil and Political Rights. Retrieved from <https://www.ohchr.org/sites/default/files/ccpr.pdf>
- United Nations General Assembly (UNGA). (1984) *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment*. Retrieved from <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>
- United Nations General Assembly (UNGA). (2006). *Convention for the Protection of All persons From Enforced Disappearance*. Retrieved from <https://www.ohchr.org/en/hrbodies/ced/pages/conventionced.aspx>
- United Nations General Assembly (UNGA). (June 2020). *Racial discrimination and emerging digital technologies: a human rights analysis*. Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance*. A/HRC/44/57

- United Nations High Commissioner for Refugees (UNHCR). (2011). *States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol*. Retrieved from <https://www.unhcr.org/protect/PROTECTION/3b73b0d63.pdf>
- United Nations High Commissioner for Refugees (UNHCR). (Last updated 9th of May 2022). *Operational Data Portal*. Ukraine Refugee Situation. Retrieved from <https://data2.unhcr.org/en/situations/ukraine/location?secret=unhcrrestricted>
- United Nations Treaty Collection (UNTC). (n.d.-a). *UN Treaty Body Database. Ratification Status for The Convention for the Protection of All Persons from Enforced Disappearance*. Retrieved 8th of May 2022
https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=129
- United Nations Treaty Collection (UNTC). (n.d.-b). *UN Treaty Body Database. Ratification Status for The Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment*. Retrieved 8th of May 2022
https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=129
- Valletta Summit. (November 2015a). Action Plan. Retrieved from https://www.consilium.europa.eu/media/21839/action_plan_en.pdf
- Valletta Summit. (November 2015b). Political Declaration. Retrieved from https://www.consilium.europa.eu/media/21841/political_decl_en.pdf
- Vavoula, N. (2020). Transforming Eurodac from 2016 to the New Pact: From the Dublin System's Sidekick to a Database in Support of EU Policies on Asylum, Resettlement and Irregular Migration. *ECRE Working Paper 13*. Retrieved from <https://www.ecre.org/wp-content/uploads/2021/01/ECRE-Working-Paper-Transforming-Eurodac-from-2016-to-the-New-Pact-January-2021.pdf>
- Wodak, R. (1999). Critical Discourse Analysis at the End of the 20th Century. In *Research on Language and Social Interaction*, Vol.32. No. 1-2, 185-193. DOI 10.1080/08351813.1999.9683622. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/08351813.1999.9683622>

Wodak, R. and Meyer, M. (2009). Critical Discourse Analysis: history, Agenda, Theory and Methodology. In R. Wodak and M. Meyer (Editors.), *Methods of Critical Discourse Analysis* (2nd edition, pp. 34-61). Los Angeles: SAGE.