

The EU's resilience and the management of hybrid threats coming from the Eastern neighbourhood: Belarus and the deliberate facilitation of irregular immigration

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Abstract

Taking into consideration the current developments as regards the intensification of the irregular movement of third country nationals at the EU's border with Belarus, this paper sets as its main objective to assess the resilience building measures that were taken at the level of the affected Member States and that of the EU in order to manage the newly emerged border crisis. It is being argued that we are not dealing with an ordinary migration crisis, but a deliberate act of the Belarusian regime to instrumentalise migrants from the Middle East for political purposes. The research presents the facilitation of irregular immigration in a dual nexus, firstly as a hybrid warfare tool, and secondly, as a shock/stress factor disturbing the system or the prevalent status quo. After presenting the statistics on the modification of the illegal border-crossings between Belarus and the EU in the 2021-2022 period, we shall attempt to briefly analyse the resilience building measures to the hybrid threat of weaponizing migrants that were taken at both Community and Member State level, by grouping them in five resilience building categories: political/legal, institutional, inter-institutional, regulatory and societal.

Keywords: resilience, hybrid threat, instrumentalisation of migrants, Belarus, European Union, border crisis

Introduction

Belarus was gripped by mass protests, triggered by an election widely believed to have been orchestrated in favour of the long-time president, Alexander Lukashenko. Neither the vast majority of the Belarusian people, nor the EU and the democratic Western countries have recognized the outcome of the election. As a response, the European Union had imposed sanctions on Lukashenko's regime, which has led to

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the cooling of relations between the two. Along with a number of other incidents, such as the forced landing of a Ryanair flight in Minsk and subsequent arrest of a journalist on the flight, in the summer of 2021, three Member States from the EU's Eastern flank, Poland, Latvia and Lithuania that have a common border with Belarus, have directly experienced the deployment of a new instrument of pressure meant to compel the EU decision-makers to lift the sanctions on Belarus. Namely, the Belarusian government was facilitating the transition of irregular migrants from the Middle East into the three EU Member States. As regards its structure, the paper is composed of three main chapters. While the first, theoretical chapter is dedicated to examining the conceptual foundations of hybrid threats and of hybrid warfare, uncovering what the European Union understands by the terms under magnifying glass, the second chapter demonstrates that the deliberate facilitation of irregular migration can be unequivocally included in the selective list of hybrid threats targeting the European Community and its Member States. The last part of the research presents the case study, assessing the resilience building measures taken at the level of the affected Member States (intergovernmental level) and that of the EU (supranational level) in order to tackle the hybrid threat of weaponizing migrants by the Belarusian regime.

As the main hypothesis of the research, we argue that in this case, the deliberate facilitation of illegal migration used to destabilize the three bordering countries, and implicitly the EU could be considered as a tool in Belarus', and indirectly Russia's hybrid warfare waged against the European Community. Furthermore, as the migration pressure led to changes as regards to spatial modifications, such as the erection of fences and border walls (by Lithuania, Latvia and Poland) we also target to unfold the *irregular immigration* and *spatial resilience* nexus. Thus, the present scientific endeavour not only targets the inspection of the potential of facilitating irregular immigration as a *hybrid warfare tool*, but also as a *shock* disturbing the system and the prevalent status quo. The dependent variable of the research constitutes the assessment of the Community and implicitly its Member States' resilience to hybrid security challenges (with a special focus on the deliberate facilitation of irregular immigration at the border with Belarus), the independent variables referring to all those factors that influence the capacity of the MS and of the European Union in this regard. Moreover, a qualitative discourse analysis of prominent EU and national decision-makers will be used in order to assess how the weaponizing of migrants is being constructed as a hybrid warfare tool in speech acts.

1. How are 'hybrid threats' and 'hybrid warfare' defined by the European Union?

Before speaking about its resilience to unconventional challenges of the 21st century, such as the deliberate facilitation of irregular migration, it's imperative to understand

how the EU conceptualizes hybrid threats and hybrid warfare. Leafing through the specialty literature has enabled us to form an idea about the timing of insertion of the concept of 'hybridity' into both EU public consciousness and strategic documents. The majority of the relevant studies in the field highlight the game-changing role of Russia's actions in Ukraine, more specifically the annexation of Crimea. This action is perceived as a blueprint of contemporary hybrid warfare in the vast majority of these studies (Cullen, 2021, p. 46; Lord Jopling, 2018, p. 1; Rinelli & Duyvesteyn, 2018, p. 18). Furthermore, not just the act of Russian aggression in Ukraine, but the way how it was perceived and conceptualized by its strategic partner, NATO, had played a major role in the term gaining popularity in EU military and diplomatic circles.

On the other hand, even though Giumelli, Cosomano and Besana's observations are precise with respect to NATO constructing and introducing the concept under magnifying glass earlier than the European Union (Giumelli et al., 2018, p. 146), their argument according to which hybridity entered EU jargon in April 2016, following the publication of the "Joint Framework on countering hybrid threats a European Union response" issued by the European Commission and the EU High Representative for Foreign Affairs and Security Policy leaves room for discussion; as we already find some reference to the concept in a working document of the European External Action Service (EEAS) published in 2015 (Cullen, 2021, p. 49; Food-for-thought paper, 2015, pp. 2-3). According to its drafters, this paper was intended as a 'chapeau document'¹, detailing possible ways in which Member States could be assisted in tackling hybrid threats. Within the paper, reference is made to the profoundly changed security environment and to two major developments dominating the EU's security agenda. Firstly, there's a direct acknowledgment of the large array of "well-coordinated hybrid warfare tactics" deployed by Russia in Ukraine, which can act as destabilizing forces in the larger Eastern neighbourhood as well; secondly, the paper draws attention to the instability generated by the consolidation and morphing of Da'esh in the Southern vicinity. As regards the terms under investigation, namely hybrid threats and hybrid warfare, the specialists from the External Action Service consider that instead of their conceptualisation, emphasis shall be put on their characterization.

Accordingly, they understand by hybrid warfare "centrally designed and controlled use of various covert and overt tactics, enacted by military and/or non-military means, ranging from intelligence and cyber operations through economic pressure to the use of conventional forces" (Food-for-thought paper, 2015, pp. 2-3). Various forms of subversion, disruption of communications and other services, such as energy supplies, state-to-state aggression, massive disinformation and empowerment of insurgent groups are among the few hybrid tactics that are being highlighted within the document. Moreover, the paper also recognizes the

¹The introductory text in a treaty or agreement that broadly defines its principles.

continuously evolving nature of such threats, empowered by technological developments as well, underlining the importance of resilience building in order to counter them. In the views of the EEAS experts, recognizing the vulnerabilities of Member States and addressing them are imperative for the prevention and successful management of hybrid threats, as these exploit the MS' weak points. Four methods are being proposed for the reduction of such vulnerabilities and for a more efficient and coherent response to hybrid threats, such as: improved situational awareness, resilience building, deterring aggression, consolidating the ability to respond to attacks (Food-for-thought paper, 2015, pp. 4-6).

Following the EEAS's chapeau document, in April 2016 was elaborated the EU's framework paper targeting the conceptualization and countering of hybrid threats (Joint Framework on countering hybrid threats, 2016; Giumelli et al., 2018, p. 146; Lonardo, 2021, p. 1077). Just as its predecessor, also this document is the result of recognizing the profound changes within the global security landscape, together with the fluidity and constantly evolving nature of the threats that it generates. Within the paper, it is being argued that these constantly morphing transnational threats could be more efficiently managed by a coordinated response at Community level. However, it is underlined that EU policies and instruments are intended as complementary, only assisting the actions taken at national level, the primary responsibility in tackling them belonging to the Member States. Besides giving a coherent response to shared threats, EU policies and actions are aimed at reducing vulnerabilities at MS level, as these weaknesses are being exploited by the actors generating hybrid threats. Community assistance will not only lead to awareness building in MS, but it will also improve their resilience to unconventional threats. Furthermore, every MS is encouraged to develop country specific hybrid risk surveys, firstly determining their key vulnerabilities, and secondly, clearly distinguishing between conventional and unconventional threats with a strong emphasis on hybrid related indicators which might pose a serious threat to both national and Community structures and networks (Joint Framework on countering hybrid threats, 2016, p. 3).

With respect to conceptualization, the framework document is of a major importance, as it does not only delimit the term under scrutiny, but in the same time acknowledges that the threats' constantly varying nature demands a more open and flexible approach, arguing that neither their definition, nor their classification is steady and exhaustive. Accordingly, in the EU's understanding, hybrid threats encompass a mix of "of coercive and subversive activity, conventional and unconventional methods" (i.e. diplomatic, military, economic, technological), that can be deployed in a coordinated way by both state or non-state agents aimed at achieving precise targets, outside the ground of formally declared warfare (Ibidem, p. 2). Besides actions meant reducing vulnerabilities at national level, the Joint Communication puts forward a series of steps for improving awareness and countering hybrid challenges, such as the establishment of agencies, like the EU

Hybrid Fusion Cell and of a Centre of Excellence for countering hybrid threats, enhancing collaboration with strategic partners, such as NATO or capacity building for a better prevention, response and recovery from crisis etc. Resilience building occupies a central position within the document, as enhancing resilience at both intergovernmental and supranational level is perceived essential for the efficient management of hybrid challenges.

After the publication of the EU's framework paper targeting the conceptualization and countering of hybrid threats in 2016, two years later, the European Commission came forward with a Joint Communication, a document deliberately aimed at tackling hybrid challenges by consolidating resilience at both MS and EU level (Joint Framework on countering hybrid threats, 2016; Joint Communication on Increasing Resilience and Bolstering Capabilities to Address Hybrid Threats, 2018). Besides some institutional innovations, the joint communication exhibits concrete efforts that the Community has taken in order to boost Member States' capabilities in their strenuous fight to counter hybrid, nuclear, chemical, biological and radiological threats. Among the concrete actions we find (Joint Communication on Increasing Resilience and Bolstering Capabilities to Address Hybrid Threats, 2018, pp. 1-11):

- improving the situational awareness by enhancing the capacity to early detect hybrid threats;
- supporting the decision-making process by establishing supranational institutions/structures/agencies;
- elaborating by national experts (and exchange among MS) of gap analysis reports as regards the detection equipment for different types of Chemical, Biological, Radiological and Nuclear-related scenarios;
- organizing regular exercises testing national and multinational decision-making capacity in response to complex hybrid threats;
- further improving and professionalizing EU strategic communications capabilities in order to successfully tackle disinformation through education;
- strengthening capacities through support measures, stronger coordination and new structures to advance technology and deployment in cybersecurity
- improving ability to attribute cyber-attacks at both EU and MS level through a more efficient intelligence-sharing;
- enhancing and streamlining coordination among MS/EU for the countering of hostile intelligence activity etc.

Conclusively, it may be stated, that even though 'hybridity' entered the EU jargon later than that of NATO, since its 2016 framework document, the diversification and mushrooming of unconventional security threats prompted the elaboration of a considerable number of joint communications and strategic papers countering hybrid threats, seconded by concrete instruments and policy actions. Building and enhancing resilience at Community, Member State and partner countries' level stand at the core of the aforementioned policy papers. Consequently,

following this theoretical framing, the upcoming chapter is preoccupied with demonstrating that the deliberate facilitation of irregular migration can be identified as a new form of hybrid warfare tool/threat at the EU's Eastern border. Firstly, we shall inspect the written sources on the topic, revealing the visible lacunae in the specialty literature framing the intentional instrumentalisation of population movements as a hybrid warfare tool; secondly, we shall undertake a qualitative discourse analysis, assessing the construction of 'weaponizing migrants' as a hybrid warfare tool in the speech acts of prominent EU and national decision-makers.

2. The deliberate facilitation of irregular migration: a new form of hybrid warfare tool/threat at the EU's Eastern border?

2.1. The visible lacunae in the specialty literature framing the intentional instrumentalisation of population movements as a hybrid warfare tool

Within the current research, we argue that while the refugee/migration crisis triggered by the Arab Spring and the subsequent turmoil in Syria has been the subject of a great number of scholarly works, a plethora of different scientific fields exploring this phenomenon from numerous perspectives, the specialty literature dealing with the instrumentalisation of irregular migration as a hybrid warfare tool/threat is rather scarce. Conversely, the literature on weaponizing population movements is more abundant. As regards the practice of 'weaponizing migration' Kelly M. Greenhill's work is pioneering. The coining of the concept of 'weaponized migration' is attributed to her, describing it as "the manipulation of population movements as operational and strategic means to political and military ends" (Greenhill, 2008, p. 7). Furthermore, the authoress, conceptualizes the term, *strategic engineered migration*, understanding by it, those "in- or out-migrations that are deliberately induced or manipulated by state or non-state actors, in ways designed to augment, reduce, or change the composition of the population residing within a particular territory, for political or military ends" (Greenhill, 2008, p. 7). Additionally, Greenhill pinpoints the existence of four distinct types of strategic engineered migration that can be used by both state and non-state actors during times of war, such as (Greenhill, 2008, p. 8; Greenhill, 2010, pp. 116-117; Schoemaker, 2019, pp. 360-363):

- *Dispossessive* - has the objective of appropriating the territory by dislocating the indigenous population;
- *Exportive* - undertakes displacements with the aim of strengthening domestic political position, or, on the contrary, weakening the territory/area controlled by an adversary by flooding it with refugees;
- *Militarized* - undertakes displacements during an active conflict with the aim of obtaining military advantage against an opponent, whether it's by means of disrupting, destroying command and control, logistics, or the movement

capabilities of the adversary or by increasing one's military forces and capacities;

- *Coercive* - uses real or threatened outflows as a bargaining chip, a foreign policy tool, with the objective of persuading an adversary to adopt certain behaviour.

Greenhill gives multiple historical examples for all the four types of strategic engineered migration, thus proving that the phenomenon is not new. However, despite assessing various forms of using the movement of people as a political weapon or as an instrument of coercion, within Greenhill's research we find no reference to framing the weaponizing of migration as a hybrid warfare tool. Reference is made only to the most likely perpetrators of strategic engineered migration (both state and non-state actors), acknowledging the unconventional or asymmetric nature of the act of deliberately manipulating population movements (Greenhill, 2008, p. 13).

Roell, Punda, Shevchuk, Veebel, Schoemaker, Lubinski, O'Rourke-Potocki and Rettman are amongst the few scholars and columnists, who investigate the potential connection between migration flows and modern hybrid warfare, wondering whether the increased number of migration flows to the EU originating from conflict zones and destabilized countries, could be somehow linked to the enduring rivalry between the EU/West and Russia (Lubinski, 2022; O'Rourke-Potocki, 2016; Punda et al, 2019; Rettman, 2020; Roell, 2016; Schoemaker, 2019). In our opinion, the biggest added value of Punda, Shevchuk and Veebel's research is that it raises the possibility that Russia's interventions in Syria and Ukraine might have had a direct impact on the European Union, deliberately sowing instability and disorder, and thus generating increased migration flows. This act is being described as part of Russia's strategy of non-linear warfare. In their final assessment, the authors reach the conclusion that since Russia is responsible for the interventions in these countries, it can be also held accountable for the amplification of the migration phenomena targeting the European Community. Therefore, according to this reasoning, the instigation of large-scale uncontrolled migration flows could just as well be perceived as a novel form of hybrid warfare (Punda et al, 2019).

In one of his studies, Hans Schoemaker, an official at the Council of the EU, also tackles the allegations of Russia weaponizing migration against the EU, firstly by analysing Putin's intervention in Syria, and secondly by examining the existence of any kind of deliberate intent behind the actions targeting the civilian population and the increased migration flow it generated. Moreover, Schoemaker argues that in spite of former Supreme Allied Commander of NATO and Commander of the United States European Command, General Philip Breedlove and former senator John McCain repeatedly labelling the Putin and Assad regimes' actions of deliberately instrumentalising migrants from Syria as a hybrid warfare designed to overwhelm the EU structures and their decision-making and problem solving capacity, in reality, not many pundits had taken the trouble to respond to such allegations with well-founded scientific research. After thoroughly examining the specialty literature on

the subject, the eurocrat had also arrived to the conclusion that these serious accusations didn't lead to the elaboration of substantiated research work meant to revolutionise our perception about the genuine reasons behind the triggering of the 2015 migration crisis (Schoemaker, 2019).

The experts of the European Commission and of the Hybrid CoE include the following activities related to the phenomenon of migration to the wide range of tools used within hybrid actions (Giannopoulos et al., 2020, pp. 33-34):

- manipulating discourses on migration to polarize societies and subvert liberal democracies;
- exploiting immigration for political influencing;
- using migration as a bargaining chip in international relations.

Within their research, also the specialists of the European Union Institute for Security Studies acknowledge the vulnerability of borders to various types of hybrid attacks and increased migration flows, also taking into consideration the prospect of 'weaponizing' cross-border migration flows. Furthermore, the authors do not dismiss the possibility of migration flows being used for political leverage as well by various state entities (Fiott and Parkes, 2019, p. 8). After revealing the scantiness of scientific research tackling the intentional instrumentalisation of population movements as a hybrid warfare tool, with the help of a compendious qualitative discourse analysis, the following subchapter will enable the authors to prove their main hypothesis, namely that the deliberate facilitation of irregular immigration by the Belarusian regime at the EU's eastern border is a hybrid warfare tool.

2.2. The construction of 'weaponizing migrants' as a hybrid warfare tool in speech acts: a brief discourse analysis

As a reaction to the fraudulent presidential elections in Belarus and the subsequent human rights violations, since the autumn of 2020, the EU has progressively imposed sanctions on the regime of Lukashenko, more restrictive measures following in the summer of 2021 after the incident with the Ryanair flight. Lukashenko's swift response didn't delay much, taking the form of a state sponsored instrumentalization of migrants targeting the European Union. Namely, the Belarusian regime was deliberately orchestrating a migrant crisis at its external border with the EU, by flying in migrants from the Middle East with the help of Belarusian travel agencies. The tactic of weaponizing migrants and intentionally pushing or transporting them to the border has been previously deployed by Russia against the Nordic states in 2015, thus the technical scenario of 'migrant dumping' at the border had been sketched and implemented beforehand (De Bondern, 2021; Bruneau et al., 2021; Grzebalska, 2021).

In various news outlets, reports and discourses, this practice is being described firstly as an 'act of retaliation' to the imposed restrictive measures, and secondly, it is being labelled as a 'hybrid warfare tool' in Belarus and indirectly Russia's arsenal,

aimed at exerting pressure on the European Community and its Member States. In our opinion, constructing this practice as ‘an act of hybrid warfare’ or a ‘new form of hybrid threat’ within the rhetoric of prominent journalists, national and international decision-makers has played a major role not just in familiarising EU citizens with a novel type of threat by augmenting the palette of hybrid warfare tools targeting the Community, but, it has also constituted the first step towards taking efficient measures for its management, future prevention and to resilience building. Articles published by trustworthy European and international media outlets, such as Euractiv, Politico, Reuters, Foreign Policy, Deutsche Welle, Washington Post etc. and the discourses of several high profile national and EU decision-makers have unanimously identified the weaponizing of migration orchestrated by the Belarusian regime as a new form of hybrid warfare. Politicians from EU Member States directly targeted by Belarus’ actions (Poland and the Baltic states) have all condemned their neighbours’ deliberate act of weaponizing human beings’. For example, Lithuanian Defense Minister Arvydas Anusauskas not only denounced Belarus’ hybrid war waged against the European Community and NATO, but also pointed out the unconventional nature of the migration crisis triggered at the Community border. A similar view could be found in deputy Polish interior minister, Maciej Wasik’s and the Lithuanian Interior Minister, Agne Bilotaite’s intervention, both of them labelling Lukashenko’s actions as a “well-organized plan and a form of hybrid warfare” (Reuters, 2021a). Estonian Minister of Defense, Kalle Laanet argued that this deliberate hybrid attack had also triggered a genuine security crisis, directly affecting the Baltic region. Moreover, the official representatives of Poland and of the Baltic states have openly expressed their concern about the planned and systemically organized border crisis in several joint statements. These joint statements are of an utmost importance as they not only frame within speech acts the instrumentalising of irregular migration as a hybrid attack, but in the same time, urge the European Union, its agencies and Member States to take collective action and to swiftly respond to this newly emerging unconventional security challenge by diplomatic, financial and technical means, by working “to discourage and stop new irregular migration routes at their inception” [...] “to further strengthen EU return capacities” [...] and “to intensify negotiations with the countries of origin of illegal migration” etc. (Joint Statement of the Prime Ministers of Estonia, Latvia and Lithuania, 2021; Statement of the Prime Ministers, 2021). Besides labelling the weaponizing of refugees and immigrants as a threat to regional security and a serious breach of human rights, the prime ministers from the Baltic States and Poland, highlighted the utter necessity of bringing the issue to the attention of the United Nations Security Council and the United Nations High Commissioner for Refugees, accusing the Belarusian government of breaching international humanitarian law.

As regards the classification of the phenomenon, top EU politicians, such as Commission president, Ursula von der Leyen, EU Commissioner for Home Affairs, Ylva Johansson and the High Representative of the Union for Foreign Affairs and

Security Policy, Josep Borrell have taken the same stance as the aforementioned decision-makers. While the president of the European Commission refused to identify the border impasse as a migration crisis, instead labelling it “a cruel form of hybrid threat with a state-sponsored instrumentalisation of people for political ends”, Mrs. Johansson argued that the Belarusian regime was “using human beings in an act of aggression” (European Commission, 2021a; Parrock, 2021).

Accordingly, we stress that the deliberate construction of the phenomenon as a hybrid threat within speech acts has played a major role in familiarizing EU citizens with this novel security risk, and in setting the ground for the elaboration of subsequent policy actions. Namely, we argue that how a phenomenon is being perceived at intergovernmental/supranational level, largely influences the type of actions that will be taken and the kind of instruments that will be used for its prevention and management. For a successful resilience building is imperative to have a proper knowledge and classification of the stress/shock causing factors. As underlined in Von der Leyen’s speech, the refusal to ‘tag’ the incident as an ordinary migration crisis impelled both the Community and the national decision-makers to find a solution for a newly emerging unconventional security threat at the eastern border.

The upcoming chapter represents the case study and also the main added value of the paper to the existent literature on resilience, hybrid threats and the deliberate facilitation of irregular immigration. This final part of the study is aimed at assessing the resilience measures that were taken at the level of the MS and the EU in order to tackle the hybrid threat of instrumentalizing migrants.

3. An assessment of the resilience building measures taken at intergovernmental/supranational level

As presented in the methodology, the facilitation of irregular immigration appears in a dual nexus, firstly as a hybrid warfare tool, and secondly as a shock/stress factor disturbing the system or the prevalent status quo. Previously, we have demonstrated that the deliberate facilitation of irregular migration can be unequivocally included in the selective list of hybrid threats targeting the European Community. On the other hand, if identified as a shock or stress factor challenging the ability of the EU and its Member States to “withstand, cope, adapt, and [...] recover”, then it’s imperative to tackle the resilience building capacity. For the conceptualization of the term ‘resilience’, within this paper, we shall use the definition provided by the European Commission, describing it as the “ability of an individual, a household, a community, a country or a region to withstand, cope, adapt, and quickly recover from stresses and shocks such as violence, conflict, drought and other natural disasters without compromising long-term development” (European Commission, 2016, p. 2).

In order to have as a clear picture as possible of the changes in the number of illegal detections at the border between Belarus and the EU countries, it’s important

to consult the data provided by the competent national authorities and the EU's Border and Coast Guard Agency, Frontex. While, in August 2021, the Polish Border Guard reported a record number of 349 detections of illegal border-crossings in just one day (2100 during the entire month), the representatives of the Lithuanian law enforcement agency disclosed data on more than 4000 unauthorized entries in 2021 all year, Latvia registering more than 400 detections. Moreover, representatives of the Lithuanian border service openly accused 12 Belarusian officers of illegally entering their territory and deliberately pushing a group of migrants over the border in August 2021 (BBC, 2021; Reuters, 2021b). With respect to the number of illegal border-crossings not only the representatives of the national border agencies of the involved MS, but also Frontex has reported about a rising trend in 2021. As highlighted by Frontex, at the Eastern land borders a record number of 8184 illegal border-crossings were identified, this signifying a tenfold increase compared to the previous year, 2020, with only 677 illegal border-crossings. In 2019 only 722 detections were reported, while in 2018 the authorities registered 1084 illegal border-crossings. These statistics demonstrate that before 2021 the Eastern land borders route was not amongst the main entry points of refugees/migrants to the EU, and compared to the Western Balkans, Central Mediterranean or Eastern Mediterranean routes, the number of illegal border-crossings at this section of the EU external borders was insignificant. Frontex had also attributed the sharp increase in 2021 to the artificial border crisis orchestrated by the Lukashenko regime, even stressing that the subsequent declarations of a state of emergency in the three neighbouring countries, Poland, Latvia and Lithuania were a direct consequence of the still increasing migratory pressure, peaking in the second half of 2021 (Frontex, Eastern Borders Route). Additionally, the Jesuit Refugee Service has declared that more than 24 people have lost their lives while attempting to cross the border from Belarus to Poland in the 2021 and early 2022 period. On the other hand, even though the war in Ukraine has led to an exodus of Ukrainian refugees since February 2022, migrants from Yemen, Iraq, Syria, Afghanistan etc. are still coming to the EU transiting Belarus. However, their number has decreased significantly, in April 2022 the Polish border guards reporting only 977 cases of illegal border-crossings. Compared to the 3000 to 4000 migrants gathered along the Polish border in November 2021, this clearly shows a declining trend (Jesuit Refugee Service, 2022). Also Frontex confirms the decreasing pattern at the Eastern land border route, in the January-July 2022 period registering only 2923 irregular border-crossings, this signifying with 32% less detections than in the previous year (Frontex, 2022).

After presenting the statistics on the modification of the illegal border-crossings between Belarus and the EU in the 2021-2022 period, we shall attempt to briefly assess the resilience building measures that were taken at both Community and Member State level. Accordingly, we shall see whether the measures that were taken at these levels could be grouped in any of the five resilience building categories:

political/legal, institutional, inter-institutional, regulatory and societal (Kalniete and Pildegovičs, 2021, pp. 24-25).

3.1. Intergovernmental level

As emphasized earlier, we consider that the construction of ‘weaponizing migrants’ as a hybrid threat within speech acts at both intergovernmental and supranational level, constitutes the first step of resilience building, preparing the ground not just for the elaboration of subsequent policies by the decision-makers, but also for the correct informing of the citizens about the true nature of the threat. According to this reasoning, this could be considered as a *societal resilience building measure*, as it is focused on providing trustworthy information to the EU citizens.

Following the deliberate dumping of large groups of migrants originating from the Middle East, in the summer of 2021, Poland, Lithuania and Latvia have declared a *state of emergency* (Euractiv, 2021; Mészáros, 2018). In Poland, the state of emergency was declared by President Andrzej Duda for 30 days, at the request of the Council of Ministers on September the 2nd, 2021, in the Podlaskie and Lubelskie Voivodeships, covering 183 settlements on a 3km strip along the border with Belarus (Polish Government, 2021; ACAPS, 2022). While in September 2022, the Lithuanian Ministry of Interior had requested the extension of the state of emergency along the border with Belarus and Russia until the 16th of December 2022, on the 1st of July 2022, Poland ended its state of emergency with Belarus following the completion of a 186 km long steel wall (Polish Government, 2021; Schengenvisainfo, 2022). As regards Latvia, it has declared state of emergency for the first time on the 11th of August 2021 (until the 10th of November 2021) in four municipalities, Ludza, Krāslava, Augšdaugava and Daugavpils. Since then, it has been extended four times, the government announcing again its extension on the 9th of August 2022 until the 10th of November 2022, in several Latgale municipalities. The Latvian executive had justified the need for further extending the state of emergency with a moderate increase in the number of illegal detections at its border with Belarus (Latvian Radio and Latvian Television, 2022a). Besides the declaration of state of emergency, on the 9th of November 2021, Lithuania introduced a ‘state of extraordinary circumstances’ which forbids movement within 5 km from the border area and in the vicinity of migrant centres (European Commission, Responding to State-Sponsored Instrumentalisation, 2021). The declaration of the state of emergency could fit within the framework of *political/legal measures* of resilience building.

Apart from declaring state of emergency, the 3 affected countries have introduced new legislation, specifically for addressing the deadlock. For example, in Lithuania, the Seimas (the Parliament), adopted some legal measures which have contributed to the reduction of the existing rights of third country nationals to apply for asylum, also enabling the militarization of the border. The 1st amendment

introduced under the umbrella of the state of emergency modified the Alien's Law, limiting the possibility of third country nationals to have access to asylum procedures (removing safeguards in the asylum procedure), in the same time increasing the period and use of detention (up to six months). According to Statewatch, it also curtailed aliens' access "to information, interpretation, medical care and legal aid" (Statewatch, 2022). The second amendment approved on the 10th of August 2021, had listed three scenarios in which asylum applications were accepted on the territory of Lithuania (Statewatch, 2022):

- If lodged to the Lithuanian Border Guard Service at an official border crossing point;
- If submitted to the Migration Department by a TCN who entered legally in Lithuania;
- If submitted outside the country at a diplomatic mission or consulate.

Several high profile international organizations and agencies have criticised Lithuania following the modifications brought to its Law on the Legal Status of Aliens, some of which accused the small Baltic state of collective pushbacks, *automatic, unlawful detention and denial of asylum*, inhumane conditions of detention, abuses against people in detention, heavily securitized detention centers, etc. (Amnesty International, 2022; Peseckyte, 2022). Lithuanian Minister of Interior, Agnė Bilotaitė defended the modifications brought to the legislation, arguing that in reality no pushbacks were being carried out, the Lithuanian border guards were only preventing migrants from entering the country. Despite the criticism from the Fundamental Rights Office of Frontex and the European Court of Justice as regards the practice of pushbacks, the Lithuanian Ministry of Interior pledged not to back down on the new amendment, blaming the EU decision-making for being slow and not being able to resolve the impasse in due time (Andrukaitytė and Stankevičius, 2022).

Apart from declaring state of emergency, Lithuania requested help from EU agencies, such as Frontex, the European Agency for Asylum, Europol and the European Asylum Support Office (EASO) and also activated the EU Civil Protection Mechanism (UPCM) in July 2021. As a response to activating the UPCM, Lithuania received a coordinated assistance from the Commission and 19 Member States mainly composed of items destined for covering humanitarian needs, such as tents, heating systems, electric generators, beds, food-rations etc. (European Commission, EU Civil Protection Mechanism; European Commission, Responding to State-Sponsored Instrumentalisation of Migrants, 2021). The activation of the UPCM could be listed among the *political/legal measures of resilience building* as well. Conversely, requiring assistance from EU agencies and other international organizations, such as NATO could be included in the *institutional/inter-institutional resilience building measures*, however, this dimension will be covered more thoroughly in the upcoming part when tackling the resilience building measures introduced at supranational/EU level.

To address somehow the newly developed migratory pressure at the EU's eastern border, all three involved MS have decided to augment the existent political/legal, institutional, inter-institutional and societal resilience building policy actions with a new measure that is hard to accommodate within any of the aforementioned resilience building categories. Namely, we are talking about the erection of fences/walls at this portion of the border. The building of a fence could be accommodated, on the hand, within the political/legal framework of resilience building, as political will and legal acts elaborated by legitimate decision-makers are needed for its inception, coupled with human and material resources for its termination; on the other hand, as the migratory pressure altered the prevalent status quo in terms of border management and security, also signifying a potential threat mainly to EU citizens living in the vicinity of the border, the societal dimension of resilience building could be also taken into consideration. However, here we would like to introduce another type of resilience that of *spatial resilience*, which will be put under magnifying glass. By *spatial resilience*, we understand “the ability of a territorial system to bounce back to desired functions after unexpected shocks and disturbances in order to improve its adaptive capacity intending to evolve all its material and immaterial components toward a new territorial system's organization” (Brunetta & Caldarice, 2020, p. 629). When analyzing the particularities of spatial resilience, Brunetta and Caldarice assert that the shocks and disturbances could be classified in two major categories, referring to sudden events and slow-paced challenges that originate from risks of a natural and/or anthropic dynamics. While landslides, floods, urban heat, storms, volcanic eruptions, earthquakes, droughts, wildfires, etc. are grouped within the list of natural risks and threat factors, population growth, urbanization, resource scarcity, increasing gap between the rich and the poor etc., are labelled as anthropic risks. Within the current research, we contend, that if we identify the border² as a territorial system, of which status quo is being challenged by the anthropic risk of increased population movements, then, the *erection of fence/building of a wall could be perceived as a spatial resilience building measure*. The authors as well stress that “a spatial system becomes more or less resilient depending on its ability to enhance its chances of resisting disturbances (ability to be recoverable), or absorbing disturbances without crossing an irreversible threshold (ability to be adaptable), or moving toward new trajectories of development (ability to be evolutionary)” (Brunetta & Caldarice, 2020, p. 629).

In order to halt the migratory pressure at the EU's external borders, on the 7th of October 2021, in a joint letter addressed to Ylva Johansson, Commissioner for Home Affairs and Margaritis Schinas, Vice-President of the European Commission responsible for Promoting our European Way of Life, coordinating the Commission's work on a New Pact on Migration and Asylum, Ministers of Interior

² Or the Member States and their settlements found in the vicinity of the border with Belarus.

from 12 EU countries³ requested the European Commission to take into account various aspects when drafting the amendments for the new Schengen Borders Code. More specifically, they have asked the Community decision-makers to include not just cases related to Covid-19, but also acts involving the instrumentalisation of irregular migration and other hybrid threats, in the same time soliciting concrete measures for the solving of the artificially created border crisis (Joint Letter, 2021, pp. 1-2). The Home Affairs Ministers not only argued in favour of the utility of physical barriers as effective border protection tools, but also requested adequate funding from the EU budget for this purpose. The EU decision-makers answer to this demand could be considered rather ambiguous, as while Commission president Ursula von der Leyen completely excluded the possibility of the EU financing “barbed wire and walls” at the Community borders, Ylva Johansson has given proof of a more permissive tone within her declaration, admitting that MS had both possibility and the right to build fences. On the other hand, when asked about using EU funding for such constructions, her response was more evasive, stating that the still limited funds could be used instead for the financing of other equally important things (Parliamentary question, 2021). Without receiving any Community funds, Lithuania has begun the construction of a fence and razor wire on the border with Belarus in November 2021, on a 502 km long section, completing it by the end of August 2022. Following the trend set by its fellow EU Member State, Lithuania, Poland had also given green light for the construction of a 186 km long fence along its border with Belarus, the costs of construction reaching 350 million Euros. The erection of the fence was completed by the end of June 2022. Even though not affected as much as Poland and Lithuania as regards the number of illegal border crossings from Belarus, Latvia has also considered the same resilience building measure of erecting a fence. The 37 km long ‘temporary fence’ installed in November 2021, was changed to a permanent one; however compared to Poland and Lithuania, the works in Latvia are still ongoing. According to the information provided by the Latvian authorities, by September 14th 2022, 28.1 km were ready of the projected 173 km, while 85.9 km of this are planned to be finalized by the Spring of 2023, and the remaining 63.9 km a year later (Lithuanian National Radio and Television, 2022; Euronews, 2022; *Latvian Radio and Latvian Television, Five Kilometers of Fence*, 2022b).

If Ministers of Interior from 12 EU countries requested the EU decision-makers to finance the funding of physical barriers, a group of media outlets from Lithuania issued a joint statement in September 2021, asking the government to enable their access to the border with Belarus, an access that has been restricted due to the legal modifications introduced under the auspices of the state of emergency. They have justified their plea by underlining the necessity of disseminating reliable

³Austria, Bulgaria, Cyprus, Denmark, Estonia, Greece, Hungary, Lithuania, Latvia, Poland, Czech Republic and Slovakia.

information to the public about the ongoing crisis, also arguing that the activity of journalists is vital for the countering of disinformation and propaganda spread by the Belarusian regime. Restricting the access of journalists was motivated by the perceived threat that the crisis might have represented for the safety of journalists, in the same time considering the possibility of footages taken at the border to be used by foreign hostile propaganda (Lithuanian National Radio and Television, 2021a). Meanwhile, not just the media, but also the decision-makers from the three involved states and the EU also acknowledged the importance of taking serious measures for the countering of the spread of disinformation concerning the critical situation from the border with Belarus. In this regard, evidence was provided by Facebook's parent company, Meta, that the Belarusian intelligence services were setting up fake social media accounts with the aim of agitating migrants at the border with Poland.

In December 2021, Meta reported about the removal of 38 Facebook, 4 Instagram accounts and 5 Facebook groups from Belarus for violating the company's policy on "coordinated inauthentic behaviour"⁴ (Gleicher, 2021, p. 3; Aljazeera, 2021). Investigations revealed that these fake accounts were used in order to criticize Polish authorities and to disseminate allegations about Polish border guards using force and intimidation against refugees and migrants. The persons behind the fake accounts posed as journalists and activists originating from Poland and Lithuania, formulated their criticism about Poland and the Polish border guards, in Polish, English, Kurdish and Russian languages. Moreover, Meta specialists disclosed the possibility of profile photos for these accounts being generated by using artificial intelligence techniques, which in our opinion denotes the available tools, skills and the high level of preparedness of those who were behind such a scheme.

On the other hand, the report also shows the removal of fake accounts and events set up in Poland, targeting Belarus and Iraq. This time, the creators of the fake profiles posed as migrants from the Middle East, sharing their negative experiences about their attempts to entry the EU through Poland. These fictitious persons tried to dissuade other migrants/refugees from coming to the EU, by using a negative rhetoric, emphasizing not only the hardship of transiting from Belarus to Poland (augmented by the strict anti-migrant policies and anti-migrant neo-Nazi activity), but also the seemingly difficult life in Europe for migrants (Gleicher, 2021, pp. 6-9).

Several fake news were dismissed by the Lithuanian officials as well, circulated by the Minsk regime concerning pushbacks and the allegedly used violence and threats against irregular migrants (Lithuanian National Radio and Television, Lithuania Officials, 2021b).

As a conclusion to this part, we argue that actions meant to counter disinformation, information manipulation spread within the written and online media

⁴ Coordinated efforts to manipulate public debate for a strategic objective where fake accounts are pivotal to the operation.

and combating misleading information to migrants could be labelled as *regulatory* and *societal resilience building measures* countering hybrid threats.

3.2. Supranational level

After briefly analysing the resilience building measures taken at intergovernmental level, the following part endeavours to examine those initiated at EU level: namely, what concerted actions did the Community take in order to boost its resilience to the hybrid threat of weaponizing migrants at its Eastern border?

First and foremost, it was necessary to create the legal framework of countering the state sponsored instrumentalisation of migrants. In this regard, the European Council Conclusions of 21 and 22 October 2021 are of utmost importance, as the document has reiterated the refusal of the Community to accept any attempts by third countries to use human beings for political purposes, and its continuous commitment to proceed with the fight against ongoing hybrid attacks launched by Belarus (European Council, 2021, p. 6). After both the Commission president and the High Representative for Foreign Affairs have raised their voice against the orchestrated instrumentalisation of human beings by the Lukashenko regime, several joint communications and proposals were put forward for the tackling of this threat, thus putting the legal basis for resilience building at Community level. On the 23rd of November, the Commission and the High Representative jointly presented their communication to the Parliament, the Council of Ministers, the Committee of Regions and the European Economic and Social Committee, detailing the Community's response to the state-sponsored instrumentalisation of migrants. Additionally, on the 1st of December 2021, the Commission launched a proposal for a Council decision on temporary emergency measures for the assistance of Latvia, Lithuania and Poland. In order to show solidarity to the affected Member States, initially, the European Commission aided Lithuania with an emergency fund of 36.7 million Euros in July 2021, later, the financial assistance being extended to Latvia and Poland as well. Under the auspices of the 2021-2027 Multiannual Financial Framework, the Commission put 360 million Euros (financed through the Border Management and Visa Instrument) on the disposal of the three MS, augmenting this amount with an extra 200 million Euros for 2021 and 2022 (European Commission and High Representative of the Union for Foreign Affairs and Security Policy, 2021, p. 4; European Commission, 2021b, p. 2).

Besides financial assistance and visits of high profile decision-makers, such as Ylva Johansson to Lithuania and Poland in 2021, assuring them of the EU's commitment and political support, the Community has taken other resilience building measures against the weaponization of immigrants with the help of its institutions and various agencies. Besides relying on its existent institutional framework, in accordance with Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises

related to migration, following the request of Lithuania, in June 2021, the ‘Guardian of the Treaties’ put the basis of a regular monitoring mechanism through the Migration Preparedness and Crisis Management Network. This mechanism enabled all the involved parties to share information and situational awareness on migration related preparedness and crises management. As part of its *institutional resilience building*, following the official request made by the Lithuanian executive in the summer of 2021, both Lithuania and Latvia have benefitted from the assistance of the European Asylum Support Office (EASO) in coping with the instrumentalisation of migrants at their border with Belarus. Assistance was provided by the EASO during the reception and management of third country nationals; furthermore, during the handling of asylum applications and translation.

Frontex and Europol have deployed experts in order to undertake border control, intelligence and return operations. By the end of 2021, 111 border guards, more than 82 asylum specialists and 2 Europol guest officers have participated in operations consolidating the affected Member States capacity to cope with the newly developed crisis at their border. Additionally, EU agencies, such as Europol have provided support in the fight against migrant smuggling as well. Since the Lukashenko regime was deliberately luring people from several Middle Eastern countries to Belarus, and afterwards pushed them to the border with the EU, Europol has played a major role in the dismantling of migrant smuggling networks. Europol experts supported the criminal investigations conducted by the European Migrant Smuggling Centre and facilitated the exchange of information within the Migrant Smuggling and Trafficking in Human Beings Joint Liaison Task Force. In order to boost national efforts taken in this regard, in February 2022, Europol put the basis of an Operational Taskforce Flow (OTF). OTF was established following Lithuania set up its own operational hub, the Joint Investigative Cell (JIC) in Vilnius. While the purpose of the hub was to enhance cooperation between the competent national law enforcement agencies, OTF was mandated with aiding national authorities in combating migrant smuggling at their borders with Belarus. Besides Lithuania, OTF cooperated with law enforcement agencies from Estonia, Latvia, Finland, Germany and Poland, and created a proper venue for the organization and coordination of joint operational activities and information exchange. OTF enables the “cross-check in real time operation information against Europol’s databases, the performance of digital forensics, and the support of investigators in the field with new leads” (European Commission and High Representative of the Union for Foreign Affairs and Security Policy, 2021, p. 4; European Commission, 2021b, pp. 2-3; Europol, 2022).

Furthermore, the Commission put forward the introduction of a set of temporary asylum and return measures supporting the affected MS. These measures were proposed in accordance with the EU and international law and temporarily enabled the three MS:

- to extend the period in which third country nationals could register for asylum to 4 weeks instead of the existent 3 to 10 days;

- to prioritize reception conditions for asylum seekers on the covering of basic needs and assisting vulnerable persons;
- to implement faster and more simplified national return procedures in case of third country nationals whose application for international was rejected.

The political, financial and operational support given to the three affected MS were backed up by foreign policy measures directly targeting the Belarusian regime, such as comprehensive packages of economic and financial sanctions, interdiction of flights through the Community airspace, partial suspension of the EU-Belarus Visa Facilitation Agreement, prevention and restriction of the activities of transport operators which took part or facilitated the smuggling or trafficking of migrants to the EU. Moreover, substantial diplomatic efforts have been undertaken by top EU decision-makers for solving of the crisis. Besides onsite visits to the affected MS and several attempts to directly reach political leaders from Belarus, Vice-president Margaritis Schinas in coordination with the High Representative, Josep Borrell, have visited several countries⁵ of origin and transit in order to counter the disinformation spread by the Belarusian government and to discuss aspects related to the return and readmission of their own nationals. Getting in contact with the representatives of these countries of origin and transit was imperative, as they had to be informed about the actions of the Belarusian government of deliberately luring and exploiting their citizens for political purposes (European Commission and High Representative of the Union for Foreign Affairs and Security Policy, 2021, pp. 1-3; European Commission, 2021b, pp. 1-27).

As highlighted before, the Community is very dedicated to countering the spread of disinformation. In this regard, the proposals and joint communications elaborated at EU level have put forward concrete measures for the prevention and management of disinformation, information manipulation and combating misleading information to migrants. Community experts have found evidence of information manipulation by the Belarusian regime, the latter being engaged in a widespread disinformation campaign against the EU, aimed at discrediting its international reputation by presenting the bloc inhospitable to refugees.

Adversely, Belarus portrayed itself as a state that understands the needs of the people by allowing them to transit the country, not wanting to hinder their legitimate right to migrate. Since increased transparency, an independent media and well informed citizens are key to countering information manipulation, the EU has been providing legal, financial and other support for the independent Belarusian media, moreover, EU foreign delegations were told as well to get actively engaged in the fight against disinformation. The EU's Rapid Alert System enabled the share of information between the MS and international partners, exposed by the EEAS

⁵ Thanks to the EU and Lithuanian diplomatic efforts, by August 2021, the Iraqi government suspended all flights to Belarus, thus disabling the main route through which the Belarusian government was bringing migrants to the country.

Stratcom on disinformation and information manipulation spread by the Belarusian and Russian state-controlled media. Unfortunately, social media besides connecting people all over the world has also become a useful instrument in the hands of state and non-state actors manipulating information. Apart from creating fake profiles for various purposes, social media platforms served as prominent logistical tools for migrant smugglers and migrants as well. Thanks to the EU's regulatory role, social media providers are urged to identify and remove fake accounts and all malicious content which could be labelled as information manipulation, disinformation and misleading information to migrants. Europol also assists social media platforms in order to get actively engaged in disrupting communication between the aforementioned actors. In order to prevent the spread of misleading information, the luring and exploitation of third country nationals under false promises, the Community is very keen on investing in information and awareness raising campaigns. For example, *Infomigrants* is a project, available in 6 languages⁶, that supports information and awareness raising campaigns through an online media portal by offering trustworthy and verified information to third country nationals about the life in the EU, asylum applications and the risks behind embarking on a journey in order to illegally enter the Community. These actions and policies serve as *regulatory and societal resilience building measures* against the deliberate instrumentalisation of human beings.

Conclusions

As the reader could notice, the research paper has put forward the analysis of a highly controversial phenomenon that is still ongoing at the Community's Eastern border with Belarus, namely the deliberate facilitation of irregular migration. Undoubtedly, nowadays, migration together with its regular and irregular dynamics is an omnipresent phenomenon, and since the end of the Cold War, the European Community has been also experiencing increased migratory pressure at its external borders. However, by corroborating data on illegal border-crossings from the EU's Eastern border with Belarus with those from other migratory routes, we could ascertain that previously the Eastern borders land route wasn't amongst the main entry points of third country nationals to the EU.

This data, also underpinned by the narrative of several influential national and EU decision-makers, have demonstrated that at the border with Belarus there was no ordinary migration crisis taking place, but rather a state-sponsored instrumentalisation of irregular migration for political purposes. Accordingly, the analysis, by revealing the asymmetric nature of Belarus' actions carried out in the vicinity of the EU has enabled the inclusion of the 'weaponizing of migrants' in the selective list of hybrid threats targeting the European Community and its Member States. However, we

⁶ French, Arabic, English, Bengali, Dari and Pashto.

stress that the biggest added value of the current paper constitutes the assessment of the resilience building measures taken at the level of the affected Member States (intergovernmental level) and that of the EU (supranational level) to the hybrid threat of instrumentalising human beings. The conclusion to which we arrived within this study, are the result of an original research, as none of the works from the specialty literature consulted beforehand has tackled the issue from this perspective. Our investigation not only familiarized the reader with the concepts of *resilience*, *hybrid threat* and *hybrid warfare*, but actually revealed how the process of resilience building is taking place when facing a genuine shock or stress factor.

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