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EU's bordering norms in Libya and Lebanon: the impact of the local context

Daniel Meier

Introduction

EU may be a porous area when it comes to border issues, mainly on its southern and eastern flanks as unveiled by the “migration crisis” in 2015. Geopolitics is defining border regimes, possibilities or impossibilities, fluctuations and changes in border regimes as well as security issues that are most of the time related to war and terrorism while it can also address politics, economic and migration issues as well (Meier 2018). A manner to say that, in the MENA region, talking about border security management implies various level of analysis. The one I would like to investigate refers to the process of *Integrated Border Management* (IBM) originally a US concept developed in the aftermath of the 9/11 attacks in New York. It consists into an effort of coordination within border agencies and integration measures in order to follow international mechanisms (Hobbing 2005). The border management concerns primarily governance, authority and discourses of power more than effectiveness of the border control. It mainly underscores the local dimension of the management, with its domestic actors and their interests, exactly where I would like to explore and analyze the bordering process. According to Rumsford (2006; 2008), the labelling of such tasks as “borderwork” implies on the one hand the acknowledgement of the key role of EU’s policy to define its external borders and implement them, and on the second hand the possibility for other social actors to contribute to the definition of the border through their practices. This broad definition of the borderwork allow me to explore the role played by EU’s agency, international organization, state agencies as well as any other social actors intervening in the borders.

This paper intends to understand why the IBM model had poor results in some of the neighboring states of the southern and eastern flanks of the Mediterranean since the outbreak of the Arab uprisings in 2011. To do it, I chose to compare and reflect on two cases studies, Libya and Lebanon, as they display two different types of relationships with the EU and offer also two distinct political trajectories. Politically, Lebanon and Libya are introducing different states models with different EU’s strategy in dealing with EU’s main issues in the region: migration and terrorism. I would first refer to the model of the failed state. While it is a very Eurocentric notion whose limits have been highlighted and debated mainly regarding its state-centrism (Call 2008; Patrick 2007; Nay 2013), I will used it as a simple list of indicators highlighting the large

impotence of state's institutions. This category describes a state that broke down and is unable to perform any service and authority on all parts of their national territory. Such major state failure appeared following a war and the subsequent breakdown of the state's capacity alongside its legitimacy. It is also a process of nation state fragmentation and the emergence of militias that are fighting for a new shaping and controlling of the state power. The failed state can be measured, following the World Bank's governance indicators (Kaufmann and Kraay 2018) like "absence of political stability", "rule of law" or "government effectiveness" and the results are clearly shown in a comparison among Middle Eastern states (Cordesman 2018).

The failed state model have also been used by the EU alongside "fragile state" in order to define the nature and scope of their intervention (Gowan and Korski 2009). It is also a policy tools in the hand of EU as it conveys a possibility for the EU or any external regional or global actor which may have interests in monitoring the border management in supporting a local agency. Several objectives can be meaningful for the EU to support a local border agency: controlling the migration pressure pouring from and through failed states where there is a lack of authority, supporting a peace process through a state re-building process with empowerment of local state institutions alongside asserting EU's interests. In the MENA region, the failed state model refers to war or post-war circumstances like the one experienced in Libya, Yemen, Syria or Iraq.

The second case study refers to the model of the weak state, largely represented in the Middle East and illustrated hereafter with Lebanon. This state model has been introduced brilliantly by Migdal (1988) in order to highlight a common feature in the MENA region where societies, according to him, tended to become stronger in order to survive in front of authoritarian states, politically weak. The state's weakness stems either from the weak legitimacy of its rulers (Salame 1987) or from the fragmentation and weakness of its institutions (Knudsen and Kerr 2012). Weak states' lack of capacity has been also addressed as a key question in various field in order to assess the State in the Arab world (El-Kurd 2018). When it comes to borders, the coercive capacity of the state, its strength or weakness, can be assess by observing the extension of the state's authority to all regions and territory and its connected capacity to enforce law throughout the country.

This second model is prone to the implementation of the IBM under the lead of the EU and willing to comply with the European regulations, norms and the technical measures regarding the efficiency in border security management. In this model, the weakness of the state's political authority is a key element at stake as it defined the nature of the state's capacity towards its national territory and its borders. In Lebanon, this weakness (Fregonese and Ramadan 2016) is either institutional (reality of the state's institutions like the army, the police, the state's representatives as well as the reality state's services) or symbolic (perception of the state that strongly aggravated since the state's bankruptcy acknowledged in March 2020). A second key aspect of this model is its political and security fragmentations that are resulting from the first conditions but are rooted in history.

Both of these theoretical tools intend to bring back southern states' nature in the debate on the implementation of EU's border norms which, by definition, refer to a central authority that is supposed to be in control of its territorial borders. The various institutional actors of the security apparatus of both states will be assessed through the type of cooperation developed with two key agencies dedicated to the implementation of the IBM model. I will first refer to Frontex as the main body of EU's external border management whose policy will be scrutinized in relation to the Libyan case and institutions. In Lebanon then, I will analyze the work done by the EU-funded International Centre for Migration Policy Development (ICMPD) in connection with the various state's security agencies acting on borders. Local actors' dynamics as well as geopolitical changing environment will then highlight, first in Libya and then in Lebanon, the evolution of EU's outsourcing processes of its external borders and the local dynamics that are highlighting a much complex picture when it comes to implement the EU border norms and externalize the borderwork.

In this paper, I will contend that EU's agency or EU-funded international institutions poor successes in the border management is due to the fragmentation of the local states. After a first part of the paper dedicated to the IBM framework in the EU and the role Frontex and ICMPD are playing in the implementation of these norms, the Libyan case will offer the scenario of a failed state with the attempt of a border monitoring by Frontex. Secondly, the Lebanese case – archetypal of the weak state – will show the limits of the implementation of the EU norms in terms of border management in such context. Both cases will highlight the key role of the local institutions, their fragmentations as well as their ability to bypass the rules.

1. the MENA towards the European Neighboring Policy and the role of two EU's and international agencies

Generally speaking, the whole Middle East region is still shaped by the Westphalian "sovereign" state approach. Most of the states' borders have been designed by the Western British and French Empires and interestingly did not change much once they became independent states, despite some attempts of unification shaped by pan-Arabism or more recently pan-Islamist ideologies. The region is also marked by a lack of successful regional organizations (Fawcett 2013) and rather rare border cooperation. The only successful regional organization, the Gulf Countries Council (GCC) did not really succeed to avoid the dominance of Kingdom of Saudi Arabia. For the rest of the states, a lack of trust between regimes tend to prevent the development of further border security cooperation (Koch 2017). Recent exceptions linked to Israel need to be mentioned – with Egypt in 1978 and Jordan in 1994 – as they included a coordination on border security enforced with Israel and a subsequent growing development of databases and digital monitoring of border crossing points.

Historically, the MENA region have been confronted with illegal trade and workflow, each state trying to manage its border outposts with more or less success. Since the 1990s, terrorism became another key issue related to borders through the

spreading of Salafi jihadism, in the Maghreb (Algeria's civil war, Egypt's jihadi movements) and the global Jihadism with al-Qaida and ISIS bringing more concern in Western countries after the 9/11 attacks on New York in 2001. In the meantime, the globalization process started to connect more directly key ports and capitals of the MENA region with the rest of the world, implying a process of improvements of control on goods as well as a securitization toward the human flow (Vignal 2017). The two processes met the EU's bordering dynamics embodied by the European Neighborhood Policy (ENP). According to its definition and its neighborhood policy (ENP), EU intended to expand its border regime, rules and practices also to states that will not join the EU soon (Casas-Cortes and al. 2013). Among others, the Arab states of the Eastern and Southern Mediterranean flanks are concerned. In 2010, Del Sarto's (2010) formulate the idea of the Middle East as an EU's borderlands; this vision meets other analysis that also showed that external borders of the EU tended to have been dislocated to third states (Guild 2009; Bigo and Guild 2005; Groenendijk, Guild and Minderhoud 2003).

This ENP saw the light just after the Madrid and London terrorist attacks (2004 and 2005) immediately coupling migration policies to security policies. The process of securitization has been ongoing since then with the EU's vision and norms toward its southern Mediterranean neighbors. Studies on EU's migration and security policies towards third countries build on the notion of externalization of internal Union's policies in the realm of the Justice and Home Affairs (JHA) department (Bigo 2006; Geddes 2005). This process implies the moving of EU's territorial borders and border controls to the periphery while "policing at a distance" thus transporting the border beyond the borderline (Bigo and Guild 2005; Balibar 2004). A process that entails a partial outsourcing of border security controls to third countries and the co-option of these governments into the management of the EU's borderlands. This externalization involves the delegation of legal and human rights responsibilities to third countries with very few attentions paid to the monitoring and enforcement of such principles. The management of such border controls is known as *Integrated Border Management* (IBM) and rely on a coordination within border agencies. The migration crisis expanded the number of indirect neighbors on the southern and eastern flanks of the Mediterranean Sea. This increasing fuzziness of EU's external borders (Christiansen & al. 2000) bears resemblance to a post-modern empire (Del Sarto and Tholens 2020; Gravier 2009; Zielonka 2006), underlining the accuracy of the empire's notion of borderlands to define with the same term territories, an imbalanced relation of power and the outsourcing of EU's border norms and practices with IBM. This crisis also shed a new light on the key importance of southern neighboring states for the EU as a net capable of withholding the massive influx of migrants (Di Peri and Zardo 2017).

Proponents of EU IBM describe it as a package of standards and technical procedures that enhance legal flows of goods and people thanks to training and equipment to perform the enforcement of stringent border control. The border management concerns primarily governance, authority and discourses of power more than effectiveness of the border control. In other word, it appears as a relation of

power and not simply as a strictly technical measures or transfer of knowledge. Moreover, the double process of externalization of border security and extension of the EU-external frontier into neighboring countries call into question the rather EU-centric approach (Andreas and Snyder 2000). The attempt that follows will try to de-center the perspective in focusing on local actors in neighboring states, Libya and Lebanon, in their relationships with two key agencies that are working on the ground. Frontex and the International Centre for Migration Policy Development (ICMPD) thus appeared at the forefront in the implementation of the IBM process in these two Middle Eastern states and at the core of EU border externalization policies into the EU-functional regimes and practices (Casas-Cortes and al. 2013).

Founded in 2005 and established in Warsaw, Frontex's tasked with coordinating border control and management of the EU's external borders. It has the ability to enter autonomously into working arrangements with third countries thus signaling a growing Europeanization of external border control. Frontex has been understood as a midway compromise short of the formation of an EU border guard corps (Carrera 2010) and several maritime operations in the Mediterranean Sea have illustrate its true nature (Panebianco 2016). Its Integrated Border Security model is based on a four tier spatialization of the border conceived as different level of action. The first and second tiers aimed at a coordination within EU members on exchanges of information and cooperation on border and customs control. The third tier is dedicated to cooperation with border guards, customs, and polices in neighboring countries while the fourth tier focuses on developing cooperation with non-adjacent third states on migration. Under the lead of the *Global Approach to Migration and Mobility* (GAMM) (2005), an intergovernmental coordination on migration that includes joint EU and non-EU Frontex patrols as well as advisory roles to help non-EU states to build capacity to manage migration and asylum. GAM marks a clear shift in expanding EU's own framing of migration and border policy beyond EU's borders.

Frontex is an institution trying to think about security as a technical but non-political task (Comand Kund 2019; Meissner 2020). But policing EU borders, by definition cannot bypass its inherently political dimension when considering that Frontex implemented political decisions (Perkowski 2021). Frontex actions is taking place in various regional formations each having "local border control regimes" which are depending on three variables: the geo-morphological qualities of the borders; power relations between neighboring destination and transit countries; the institutional capacities of member states playing EU border functions in the region (Kasperek and Wagner 2012: 188-9). With the 2011 Arab uprisings, new migration routes emerged through central and eastern Mediterranean where the EU struggled to find a reliable partner for controlling these sections of its southern borders. In the meantime, the migration crisis that occurred – also a crisis of the EU border regime – was an opportunity for an attempt at its further consolidation (Jeandesboz and Pallister-Willkins 2016) expanding the role and resources allocated to Frontex. Reid-Henry (2013) spoke of 'geopolitics of incorporation' which means a gradual expansion of the EU border toward the extraterritorial spaces and also the "creation of a border

management apparatus which is in some way superordinate to the national bodies that are locally called to enforce border controls" (Campesi 2019: 17). The 2015 migration crisis tended to consolidate Frontex's role as a proper European Border and Coast Guard with prerogatives for processing of incoming migrants and their repatriation. In parallel, the agency increased its role in a more diplomatic relationship with third countries since, according to the new regulation, it may post its liaison officers in major transit country (Meissner 2021).

By reference to the European Parliament and Council of 14 September 2016, Frontex appears as the key agency with the task to "facilitate and encourage technical and operational cooperation between Member States and third countries" (EU regulation 2016/1624). In this task, Frontex deploys liaison officers to these third countries and cooperate with local authorities in each of them, including in the acquisition of travel documents. On 10 liaison officers of Frontex based in non-EU countries, the Middle East counts only 2 of them, one in Ankara and one in Libya in the framework of the EU border Assistance mission (EUBAM) in Libya. In 2019, according to its annual report¹, the agency run its various missions with a budget of 333 millions Euros dedicated to a wide range of border tasks mainly the maritime and aerial surveillance overseas (Mediterranean, Aegean, Black, Adriatic and Baltic) and on land borders (Poland, Slovakia, Croatia and Hungary) including the spreading of new technology for border control. In 2019, an average of 1500 Frontex officers have been deployed along the EU external borders while more than 3500 of border and coast guards have been trained in order to enter in function in 2020. Illegal border crossings across the Mediterranean Sea are showing a stronger pressure on the eastern side of the sea with 82'000 events when compare to the central Mediterranean (14'000) and Western part (24'000).

Technical assistance projects can complement and enhance the agency's external cooperation work in non-EU countries. 4 mio Euros have been dedicated to a project with the African continent and thus involving Maghreb states like Morocco, Tunisia, Algeria, Libya and Egypt. It first aims at improving the inter-regional information-sharing with each of the national agencies and Frontex; and second the operational capabilities of partner countries to fight organized crime and assess the regular/irregular migration flows. Among the project partner, the International Center for Migration Policy Development (ICMPD) is an international organization founded in Vienna in 1993 which receive an EU funding through competitive tenders. It has four specific policy areas and practices: 1) the East European axis 2) the Mediterranean Transit Migration Dialogue 3) i-Map project which is an interactive cartography tracing migration routes into EU and 4) the Migration EU expertise initiative that supports third countries to address irregular migration and implementing IBM (Casas-Cortes and al. 2013). ICMPD spread Immigration Liaison Officers along these routes, created the Migration research and management centers and is at the forefront of the outsourcing of the asylum processing centres from EU member states to the five North African countries, a process highly criticized by the UNHCR. ICMPD is also

¹ https://frontex.europa.eu/assets/Publications/General/frontex_inbrief_website_002.pdf

underscoring IBM's ability to fit according to the local issues thanks to the adaptation of the procedures to the specificities of each state. For instance, in Tunisia a hub for migration with a historical strong connection with Europe, ICMPD is strengthening the capacities of the Tunisian authorities to monitor, control and train border guards to control the Libyan-Tunisian border segment of 495 km long, thus improving state's good governance (See ICMPD website; Casas-Cortès and al. 2013)

Despite the rather poor implementation of IBM systems in the MENA region, it may be worth exploring more precisely how things are unfolding in two different states showing different profile: a failed state in Libya and a weak state in Lebanon. How does cooperation occur? What are their objectives and the limits? These questions may help to assess how the cross dependence works between the two agencies and these two states.

2. Libya, the limits of the externalization of the border management

Libya is one of the well-known failed state of the MENA region and a vivid example located in the Maghreb (Atilgan and al. 2017). There, a civil war erupted in the aftermath of the fall of Kadhafi (2012) and the subsequent division of the country into rival militias. Following the 2014 crisis of legitimacy faced by the General National Council (GNC) that created a division between the followers of the Army high officer Khalifa Haftar in Tobrouk and the former representatives of the GNC gathering in Tripoli, under the umbrella of Islamists militias. Finally, by mid-2016 a Government of National Accord (GNA) was mounted in Tripoli, headed by the Prime-minister Fayed al-Sarraj, under the aegis of the EU and western powers (Pusztai 2019). In other Middle Eastern examples of current failed state, like in Yemen, Syria and Iraq, the breakdown of the state was followed by a territorial fragmentation with a military confrontation between militias and the state or representatives of what remained of the state and recognized by key actors of the international community (Lynch 2017). Depending on the location and resources of such states, the investment of the international community may be high or low depending on their interests in containing/solving the war. In this perspective, the state borders may become at stake depending on the neighboring environment. For Libya, the direct link with a global player is the EU (Lindbo Larsen 2011) and more traditionally with Italy, a neighboring EU-member state.

In Libya, the relationship with the EU developed in a period when Frontex already militarized the management of the irregular migration (Vaughan-Williams 2015). Within the framework of the IBM, the massive influx of refugees in 2014-5 arriving from Syria but also from the Maghreb and Africa, crossing the Mediterranean Sea in dramatic circumstances, led to apprehend the migrations in the management of the external borders of the EU (Athanasopoulos 2017). Border control therefore meant the "control on cross-border crime, risk analysis, the four-tier control model including measures with the third countries, cooperation with neighboring countries, control at the external borders and within the Union" (Council of European Union 2006). A

maritime security strategy was adopted in 2014 in order to prevent the region from various threat like “cross-border organized crime, human trafficking and smuggling of migrants, traffic of arms, goods, and drug” (The Council of the European Union 2014). It appeared that Frontex with *operation Triton* was unable to stop the refugees and migrants nor avoiding the massive casualties in the Mediterranean Sea (Yavas 2017). In this framework, EU signed on 18 March 2016 with Turkey an agreement of 3 billion of euros for Facility for Refugees in Turkey (European Commission 2016) which display the characteristics of the connection between “humanitarianism and border security” in the EU's border management (Vaughan-Williams 2015: 64). With the risk of seeing refugees choosing more dangerous routes of immigration to Europe (Palm 2016).

In 2016, the EU signed with the “legitimate” government of Fayed al-Sarraj in Tripoli a program of cooperation in order to improve the capacities of the authorities for migration governance at the central and local level. It took one more year to formalize, with the Declaration of Malta of heads of states and of the European Council (February 2017), to acknowledge the need to support the Libyan coast guards as key actors of the border management (The Council of European Union 2017a) in order to avoid illegal immigration from the Libyan coasts and thus slow down the migration arriving from Africa and crossing the Mediterranean Sea from Libya. The cooperation and support are multilayered: political (like in the conclusion of the European Council meeting on 18 June 2018), financial – 46 mio euros allocated in July 2017² –, material (equipment, training) and formation. The cooperation is taken at the level of government (the ministries of Interior, Defense and Finance) when it comes to border security management, according to the EU Border Assistance Mission (EUBAM)³ report which is mapping the security sector in Libya (The Council of European Union, 2017b). The cooperation is acted at the level of the security apparatus in the framework of the Security sector reform highlighting the Libyan Coast Guards and Port Security (LCGPS) as legitimate actors to enforce the sovereignty and the Libyan State laws in the maritime Libyan boundaries. Therefore, they appear as gatekeepers of the external borders of the EU in the current migration crisis (Parks 2017).

Their role has been also enhanced by a specific Memorandum of Understanding signed bilaterally between Libya's legitimate government of al-Sarraj and the Italian government in February 2017 too. This agreement – which can be characterized as a soft law (Reviglio 2019), in other words a political tool for executive powers who intend to gain in fluidity with an hyper-simplified form of adoption beyond democratic control – reinforced the EU's declaration of Malta and set up a mechanism that committed Italy to provide an economical support for the development of Libyan

² See the press conference of the European Commission: http://europa.eu/rapid/press-release_IP-17-2187_fr.htm?locale=FR

³ This mission has been established in 2013 to support the Libyan authorities to monitor their land, sea and aerial borders and develop a long-term IBM strategy. Due to security issues, the mission was put on hold most of the year 2015. Acknowledging that implementing IBM was incompatible with the complexities of the crisis, EUBAM shifted towards containing crisis spillover in Europe thus addressing mainly maritime border issues (Loschi and Russo 2020).

regions affected by migration and provide technical and technological support to Libyan organisms to fight illegal immigration, namely border guards and coastguards from the ministry of Defense as well as other organs of the ministry of Interior to train and assist those who will administer the detention centres. Reviglio (2019) underscores the ineffectiveness of this memorandum when examining on the one hand the lack of respect of criteria established by the international conventions regarding the protection of migrants and on the other hand the many violations and human rights in the rescue of migrants by coastguards, as well as their collusion with human traffickers.

In terms of state-building and support to a legitimate institution, the EU support probably innovated and gave a strong sign to the al-Sarraj government and its local militias to identify who are the legitimate actors and institutions in the country. Unfortunately, geopolitical interests and lack of capacity of EU member states to take a firm and united stand reshuffled the cards, involving Russia and Turkey to support the two main rival Libyan forces on the ground (respectively Marechal Haftar and PM al-Sarraj) leading to the bombing of Tripoli during the Spring 2019 (Detsch 2019) and the involvement of a Turkish-Syrian surrogate militia, thus highlighting one of the key problems of the outsourced management of the migration crisis by the Libyan coastguards: the current fragmentation of the country and Al-Sarraj's government lack of control of its own territorial borders. In other words, the LCGPS found themselves in a vacuum of control from the political authority and from the EU's partners – and the Italian government displayed very few interests to inquire the human rights violations of migrants as long as few of them reached the Italian shores. The coast guards have been accused of several mistreatment towards the refugees and migrants departing from Libya and human trafficking. Facing these critiques, EU's strategy was twofold: editing a Code of Conduct for the migrant-rescue work and, in the meantime, strengthened EUBAM *Sophia* mission with the Niger Common Security and Defense Policy (CSDP) mission to starve the smuggling business at the southern border of Libya thus drying up the human trafficking and migration flow reaching the Mediterranean shores of the country (Baldwin-Edwards and Lutterbeck 2019). This policy helped to reformulate the EU goals in Libya toward a re-establishment of the work market (which employed 1-2 mio people before the war in the oil industry) in order to stop the migration flow toward Europe and bring a sustainable progress in the peace building (Parks 2017).

Looking at the CSDP 2018 annual report that is actually targeting mainly failed states (Iraq, Palestine, Somalia, Sahelian states, etc) in border and advisory assistance missions (European Union 2019), it appears that EU's focus on rather narrow aspects of local and regional crisis, namely the border management linked to migration and terrorism threat, can bring some risk for local states and internal dynamics. As well, Italian politics' narrow interest on reducing the arrival of migrants on its own shores brought dire side effects thus showing the limits of bilateral agreements to externalize the border management to third countries. Fortunately, the EU's capacity to generate critical reports on these memorandums can also lead to a broader vision, like the

rebuilding of the Libyan labor market as a new strategy to match its security and migration interests while helping to stabilize the local dynamics and fragmentation process in the country. More than the simple reliance on the border guards, a larger policy is showing a broader interdependency between the EU and the Libyan actors at various levels of the society, not only at its borders.

3. Lebanon, IBM between the state fragmentation and the Syrian refugee issue

In Lebanon, the uncomplete process of state's institutionalization with France meddling into the Lebanese mountain since the second half of the 19th century until it got the Mandate over the "Great-Lebanon" (*Grand-Liban*) from 1920 to 1943 left the door open for alternative non-state actors – from sectarian forces to pan-Arab and Islamist groups – to have a say in politics and even gaining access to position within the state while having other agendas linked to their specific identity claim (Picard 2002). This can be observable with internal powerful actors (as movements, political parties, sectarian groups, etc.) that may interfere at the security and judicial levels, allowing some segments of the society to bypass the rules or adapt these rules to their own needs (Salloukh and al. 2015). This sort of *ad hoc* State is built on a postwar deal that is enforcing the role of sectarian groups and institutionalizing them as key actors of the *muhasasa* system (sharing the state resources). Alternatively, these powerful actors may use the security apparatus for their own goals, which can be also political, financial, and symbolic.

From the view point of EU strategy in the MENA region, all the Mediterranean states are a matter of concern for EU's security strategy and implies to get all of them involved in a cooperation with EU. Since 2011 moreover, the Syrian crisis and the subsequent massive amount of refugees seeking refuge in neighboring states but also trying to reach Europe brought the issue of the border management of Middle eastern states at the forefront of EU's agenda (Seeberg 2020). More than in failed states, EU's interest lay in implementing IBM norms and regulations in order to assert EU's interests in fields of security – encompassing terrorism, migration, economy and politics – with the key goal to bring more efficiency in the management of borders. And these objectives require training to reach a professionalization of state's agencies and border officers, a long-term capacity-building on state's borders. In Lebanon, the security cooperation with EU states' actors took shape in the aftermath of the UN resolution 1701 which marked the end of the Israel-Hizbullah 33 day-war (2006). During that decade after the Syrian withdrawal ending 29 years of domination, Lebanon became a battleground for rival influences between "the axis of Resistance" (Iran, Syria, Hizbullah, Hamas) and the Western powers (alongside the Kingdom of Saudi Arabia). While Iran supported for years the weaponry of the local Shi'i movement Hizbullah, various security assistance took place with US military aid alongside other donors driven by strategic interests in the region in a polarized Sunni-Shia environment (Meier 2016). Empowering the State's security apparatus, including the Lebanese Armed Forces (LAF) served the purposes of counter-balancing the pro-Syrian supremacy in terms of

warfare and security in Lebanon. It also helped to improve the counter-terrorism capacity to contain the spillover from the Syrian conflict, after 2011, and a better migration control over Syrians who seek refuge in Lebanon (Felsch and Wählich 2017).

The weakness of state authority and legitimacy over its territorial borders is clearly observable in South Lebanon first. The Palestinian cross-border struggle brought the LAF at the heart of the national contradiction when it had to fight against the Palestinian resistance. Few years later when the civil war started (1975), the LAF rapidly fragmented in the aftermath of the breakdown of the state. The rebirth of the state's institutions during the 1990s was jeopardized by the continuation of the territorial control of the South of the country by Hizbullah impeding any deployment of the LAF in the South, even after the unilateral withdrawal of the occupied zone by Israel in May 2000. This impotence revealed the geopolitical constraints over Lebanon, mainly the Syrian and Iranian agendas towards Israel, thus unveiling the institutionalized weakness of the Lebanese state. Things changed after the July war (2006) between Israel and Hizbullah when UNIFIL, the local UN mission, received an international backing and was reinforced from 2'000 up to 14'000 troops and started the marking of the Blue Line to secure the southern international border of Lebanon (Meier, 2016). A key moment of this expansion in the South came thanks to the UNSRC 1701 allowing the LAF to deploy up to the international border (actually the Blue Line) and banning all non-LAF weapons as a counter measure to the hegemonic control of Hizbullah over the Southern borderlands.

The weakness of the state is also observable on the Eastern and northern borderland regions too. While cross border links exist from long time before the delineation of state's borders, they continue to develop in the second part of the XXth century to the point that several villages and towns near the border were far much linked to Syrian cities like Homs, Damascus or Tartous instead of Beirut or Tripoli. There, state authority was structurally weak and its perception was defined as inefficient as almost no states' services reached these regions (Mouawad 2018). The Syrian domination after its military invasion in 1976 brought a stronger distortion over Lebanon's sovereignty up to the Syrian troops withdrawal in 2005. Still, one has to wait until the outbreak of the civil war in Syria in 2011 and the subsequent massive influx of Syrian refugees to draw attention of the Lebanese authorities over this border dyad. Thanks to the aid of UK and US, a patrolling and securing of eastern borders occurred and helped the Lebanese Armed Forces (LAF) to strengthen its position at the national level and brought more cohesion and robustness in its shaping (Tholens 2017). The cooperation looks like material and light weapons supports including training with EU IBM in establishing a Land Border Regiments (LBR). The erection of 12 protected border observation posts including remote-control long-range cameras with night vision contributed to monitor this mountainous borderland regions in an unprecedented way while an IBM training center has been inaugurated in the military base of Rayak in May 2018⁴.

⁴ See https://eeas.europa.eu/headquarters/headquarters-homepage/45718/strengthening-lebanons-border-management-safety-and-security_en

State agencies managing the security border practices are the army and its intelligence bureau. But the fragmentation of the security apparatus also affects the border management. EU IBM project targeted not only the LAF but the General Security (GS), Customs and the Internal Security Forces (ISF), the local name of the police. While Customs controlled and taxed goods, the GS is an intelligence agency controlling people entering/leaving Lebanon through land crossing points and at the airport under the aegis of the ministry of Interior⁵. ISF also depends on the same ministry but did not participate very much to the EU IBM program as it depends on other stakeholders and appears too tightly linked with the Prime minister Hariri political force (*al-Mustaqbal*). On the contrary, GS, perceived as a very professional and committed institution, has a good reputation among the internationals despite its close relationship with Hizbullah (Tholens 2017). Lebanon's migration management has emerged as a key site with many donors targeting these four security agencies, the army, police, intelligence, and customs. Among them, the Customs were a primary beneficiary of the EU IBM project but the lack of political support for this branch of the border security and internal rivalries brought more attention to the LAF, GS and ISF. The counterterrorism was among the key issue to bolster the LAF and after 2011 became part of a re-bordering process with LAF increasing its presence throughout the country. In the struggle among other Lebanese security agencies, LAF used its counterterrorism skills and material to become 'the only truly national institution' (Tholens 2017: 874; Geisser 2017) thus taking profit of international funds and cooperation to enhance its role. LAF also took the lead in a new inter-agency cooperation set up by the EU IBM, the Border Control Committee (BCC). Revealing aspect of the political weakness of the state, the BCC has no link with the political level of governance and the IBM national strategy drafted by the International Center for Migration Policy Development (ICMPD) has not yet been formally endorsed by the government although it is already implemented by the four agencies. The recent political and economic turmoil faced by Lebanon in 2019-2020 brought the implementation of IBM norms and procedures at the bottom of the issues the government has to face.

Still, the range of capabilities and control the state get from this expansion of its control over the border is probably a positive outcome of the IBM cooperation, at least it enhances the state capacity and power over its national territory, which is all but only symbolic. Ultimately, it improved the image of the LAF and conveyed, among the borderlanders, an image of borderlands as safer places thanks to the return of the army troops (Meier 2020). In the meantime, Hizbullah militiamen continued to cross the border with Syria at their own convenience with weapons and through secret or private roads, thanks to their connection within the Army. It is thus highlighting a limit of the ongoing cooperation with EU and the implementation of the IBM processes. Another side effect of the process of reinforcement of the authority of the state on its borders are the restriction measures for Syrian refugees implemented by the Lebanese GS in 2015. They are therefore contributing to the securitization of the management

⁵ See <https://www.general-security.gov.lb/en>

of the migrants/refugee issue. Another side effect of this policy has been the enforcement of a voluntarist return policy in Syria for the Syrian refugees, since 2017, despite all the risks for human violations refugees are facing (ICG 2020). These examples displayed the various adaptation that local institutions are doing of the EU IBM norms. The securitization process seems to be the key word of these norms, hardening the life for migrants but without real efficiency when it comes to the powerful actors like Hizbullah.

Conclusion

The paper intended to raise the issue of the impact of the implementation of EU IBM bordering processes on states of the Eastern and southern Mediterranean shores with a focus on two case studies, Lebanon and Libya, with two different state profile. After an institutional overview that brought to light the process of securitization at the heart of the bordering processes of EU's external borders, the paper tried to show the key role played by Frontex and the International Centre for Migration Policy Development (ICMPD) in the two states investigated, notably in the management of migration and terrorism issues. It shows in particular the rather weak capacity of these institutions to control the management of EU's outsourced policies. More specifically, it highlights the fundamental role of the local political context and the key role of local actors and their internal rivalries (in weak states) or political oppositions (in failed states). One common aspect in both Libya and Lebanon is the detrimental effect of the political fragmentation in such states, way beyond the local capacities of individual actors that can be trained and equipped. None of the technical measures seem to be sufficient to compensate the structural weakness of local institutions and states. The Libyan example also shows the importance to go beyond a state-to-state deal (with Italy) in order to apprehend the interest of the migration phenomenon within the realm of the fate of the southern state in order to expand the geographical scope of the issue – thus involving neighboring states in Africa as well as Libyan economic dynamics.

IBM's side effects are numerous but need to be related to a more globalized process of digitalization of border control procedures. Recently implemented in Lebanon, such measures could be detrimental for migrants, primarily the Syrian refugees, violently affected by the dire circumstances Lebanon faced since 2011. The electronic control over migrants, almost forced to return to their own state despite the lack of safe return guarantees, shows that procedures in the border management without democratic norms as gatekeepers are meant to work more as enlarged prisons than international protection against human rights violations. Beyond the use and abuse that local government can do of IBM electronic data bases, another ordinary side effect is underscored by Moreno-Lax (2017) when she explains that with IBM, the border is embodied by migrants: "(..) the border not only 'follows' the third-country national but infiltrates her position as non-citizen, conditioning her

possibilities of movement and settlement within the EU (...). The border thus becomes status related, sensitive to nationality, security, and other personal features" (Moreno-Lax 2017: 14). Therefore, while the hypothesis of an interdependency between the EU and Southern and Eastern Mediterranean states looks appealing, the larger scope of apprehension of these states like EU's borderlands has the merit to remind us of the importance to recall the geopolitical hierarchy of influence in the globalized world: IBM has been shaped by EU in order to protect and safeguard its interests at its external borders without any consideration of local states' specificities outside the EU.

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