Patryk Bukowski*

FRONTEX ACTIVITIES ON THE WESTERN BALKAN ROUTE DURING THE MIGRANT CRISIS (2015-…)

Abstract: According to the title, the subject of this article is the activity of Frontex (European Border and Coast Guard Agency) on the Western Balkan route during the migrant crisis, the escalation of which took place in mid-2015. The main part of the text has been divided into four parts. In the first part of the article, the author briefly described the genesis of Frontex and its current activity in the normative perspective. In the second part, the author characterised the determinants of the migrant crisis, focusing on the challenges for the European Union which the crisis generated. In the third part, the author described the course of the Western Balkan route and analysed statistical data on the population migrating that route. In the fourth and last part, the author analysed Frontex's activity on the Western Balkan route, describing the determinants of the actions taken.

Keywords: Frontex, migrant crisis, Western Balkan route

* Participant of Ph.D. Studies at Social Sciences at the Faculty of Political Science and International Studies at the University of Warsaw
1. Introduction

Although the phenomenon of migration has been accompanying people since the dawn of history, in recent years, it has become one of the leading topics of interest and discussion in the world public opinion. The reason for the growing interest in the phenomenon of migration is the ongoing migrant crisis, which escalated in mid-2015. At that time, the number of people migrating from Africa and Asia to Europe, and especially to countries belonging to the European Union (EU), multiplied, while generating a number of challenges with which both EU Member States and EU institutions had to face. One of such institutions, which was particularly affected by the mass inflow of migrants, was and still is Frontex, which was mentioned in the title of the article, namely the European Border and Coast Guard Agency. The common name of Frontex comes from the French phrase *frontières extérieures*, meaning “external borders”. Although the results of the migrant crisis were the reason for the reform of Frontex, due to its operational and research activity, data reflecting the scale of this phenomenon is widely available.

According to the title of the article, the main purpose of this article is to analyse the activities of Frontex on the Western Balkan route. As part of the introduction, the author decided in the first part of the proper text to bring readers closer to the genesis of Frontex and to describe the current functioning of Frontex in the normative dimension using the formal and legal analysis method. In the article, the author also outlined the conditions of the ongoing migrant crisis, which the author will make from the perspective of the impact of this phenomenon both on the EU itself and on EU Member States. In the same way, the author will present the situation on the Western Balkan route, presenting and discussing primarily statistical data on the use of the migratory route and the population using it. In the last part of the text of this article, the author will analyse Frontex’s activities on the Western Balkan route during the current migrant crisis (based on data from 2014-2017) using elements of system analysis.
2. European Border and Coast Guard Agency

Frontex was established on 26.10.2004 as the European Agency for the Management of Operational Cooperation at the External Borders. The tasks of Frontex and the scope of its competences over the years have been changed several times. During the last significant reform, which was formally executed on 14.9.2016 (consultation on the reform was carried out from December 2015), the European Border and Coast Guard Agency was established on the basis of earlier structures. The reasons for introducing changes in Frontex was related to the phenomenon of the ongoing migrant crisis. Inauguration of Frontex’s operations in its current form took place on 6.10.2016. Frontex has retained the short name, its current headquarters (since the beginning of Frontex, it has been located in Warsaw, although the location of the headquarters has changed over the years), the symbols used and the competences.

After the reform, Frontex can intervene in a country that is experiencing an increased inflow of migrants and is not able to cope alone with any threats at the EU’s external border, although Frontex can only intervene with the consent of such a State. The reformed Frontex has a greater impact on return operations, although decisions to oblige individual migrants to leave the EU territory are still made only by the EU Member States in whose territory they are at the moment. As part of the reform, an intervention corps was established at Frontex, consisting of at least 1,500 officers from EU Member States and the Schengen Area. Frontex also received its own equipment, as until 2016, operations were based on the use of equipment belonging to the border services of individual EU Member States.1

Currently, Frontex operates in accordance with the provisions of Regulation (EU) 2016/1624 of 14 September 2016 on the European Border and Coast Guard. Pursuant to the provisions of Article 8 of this legal act, Frontex carries out its tasks. These tasks consist in effective, rapid and uniform control of the EU’s external borders and carrying out return

---

operations. Frontex’s tasks can be divided according to their character into: joint operations and rapid border interventions; operation management and information exchange; research; risk analysis; substantive, organisational and technical support; training of services. A detailed scope of Frontex’s tasks is presented in the table below.

**Table 1. Detailed scope of Frontex’s tasks**

<table>
<thead>
<tr>
<th>Task group</th>
<th>Scope of tasks</th>
</tr>
</thead>
</table>
| joint operations and rapid border interventions         | • support for EU Member States in situations requiring increased technical and operational assistance at the EU’s external borders, especially in cases of crisis situations that exceed the possibilities of their overcoming by EU Member States (this support can also be provided by third countries)  
• organisation and coordination of joint operations and rapid border interventions to overcome the crisis situation (at Article 8(1)(d)-(f))  
• support for EU Member States in returning people from EU territory, by organising or coordinating return operations (at Article 8(1)(l)) |
| operation management and information exchange           | • developing and maintaining information systems enabling rapid and reliable exchange of information on emerging threats in managing EU external borders and return operations (at Article 8(1)(r))  
• support and coordination in the development and operation of the European Border Surveillance System (EUROSUR)(at Article 8(1)(s))  
• development of technical standards regarding equipment (at Article 8(1)(j))  
• cooperation with the European Police Office (Europol) and the European Union’s Judicial Cooperation Unit (Eurojust)(at Article 8(1)(m))  
• cooperation with the European Fisheries Control Agency (EFCA) and the European Maritime Safety Agency (EMSA)(at Article 8(1)(t)) |
| research                                               | • research activities related to the control and protection of the EU’s external borders, to ensure the most effective management of the EU’s external borders, using innovative and advanced surveillance technologies (at Article 8(1)(q)) |
| risk analysis                                          | • monitoring migration flows in all aspects of integrated border management (Article 8(1)(a))  
• assessing the ability and readiness of EU Member States to face threats and challenges at the EU’s external borders (at Article 8(1)(b))  
• appointing liaison officers in the Member States to monitor the EU’s external borders (at Article 8(1)(c)) |
### Task group

**substantive, organisational and technical support**

- creation and deployment of European Border and Coast Guard Teams (at Article 8(1)(g))
- creation of technical equipment resources that are to be used in carrying out the rapid border interventions (at Article 8(1)(h))
- support for migration management in hotspot areas, through the creation and appropriate deployment of Frontex teams together with the necessary technical equipment, to provide appropriate assistance in border security control and due service of migrants, in all its dimensions (at Article 8(1)(i))
- supporting joint operations (at Article 8(1)(k))
- supporting return operations (at Article 8(1)(m)-(o))
- organising and technical assistance to EU Member States and third countries in their cooperation, especially in the field of rescue operations (at Article 8(1)(u))

**training of services**

- support EU Member States in training national border guards, representatives of other formations responsible for border surveillance and experts in the field of illegal migration
- developing uniform training standards (at Article 8(1)(p))


The migrant crisis is a phenomenon that is of interest to the international community, which is undoubtedly connected to its intensity. Nevertheless, the occurrence of significant migrations to the countries of Western Europe is a common phenomenon after the Second World War. Moreover, such migrations were intensified after the breakup of the Eastern Bloc and the Union of Soviet Socialist Republics (USSR) at the turn of the 1980s and 1990s and after the accession of Central and East European countries to European and Atlantic integration organisations at the turn of the 20th and 21st century. Regardless of the reasons for individual migrations, it is estimated in some sources that between 1989 and 2015, within the territory of the most affluent EU countries, about 1 million people migrated each
year, mainly from North African countries, from the countries that formed
the USSR and from the Republic of China.2

A characteristic feature of the migrant crisis was the intense increase
in the number of migrants, which took place especially during the first
months of the migrant crisis, in the period of its escalation, which took
place in the second half of 2015. However, the number of migrants was
not the main cause of the problems that resulted from the migrant
crisis, as other conditions influenced the situation more significantly.
The consequences of the migrant crisis have affected all EU Member States
and EU institutions. The reasons for the migrant crisis are primarily outside
Europe, as a significant number of internal political crises and armed
conflicts have occurred at a short distance from the EU’s external borders.3
Internal political crises and armed conflicts in non-European countries
were the main reason for the increase in the number of migrants heading
to the EU territory. Due to the scale of the impact of the migrant crisis,
as well as the inability to overcome it with appropriate management,
the EU institutions in autumn 2015 concluded that problems arising from
the influx of immigrants will not be able to solve using the political and
technical instruments used up to that point.4

2 A. Konarzewska, Migracyjne problemy Unii Europejskiej [Migration problems
3 The internal political crises and armed conflicts that were the cause of the escalation
of the migrant crisis are in the first place:
1) civil war in the Syrian Arab Republic: since 2011, it has been between State
forces loyal to President Bashar al-Assad and armed opposition, including many different
groups (among them the Islamic State);
2) internal conflict in Libya: it broke out in 2011 after the overthrow of Muammar
al-Gaddafi. As part of this conflict, the current Libyan authorities are fighting with
the other clan-political parties that have been involved in the overthrow of al-Gaddafi;
3) internal conflict in eastern Ukraine: lasting since 2014, when Viktor Yanukovych’s
political camp was removed from power. Ukrainian services faithful to the current state
authorities are fighting against pro-Russian separatists from the Donetsk and Luhansk
oblasts, currently functioning as the People’s Republic of Donetsk and the Lugansk
People’s Republic.
4 K. Borońska-Hryniewiecka and others, Instytucjonalna i polityczna reakcja UE na
kryzys migracyjny [Institutional and political response of the EU to the migration crisis],
in: P. Sasnal (ed.), ‘Niekontrolowane migracje do Unii Europejskiej – implikacje dla Polski’
[Uncontrolled migrations to the European Union – implications for Poland], Warszawa
2015, pp. 15-16; M. Duszczyk, Kryzys migracyjny czy kryzys Unii Europejskiej? [The
migration crisis or the crisis of the European Union ?], “Biuletyn Instytutu Zachodniego” 2015,
no. 205, 1.12.15, pp. 1-2; H. Tendera-Właszczyk, Kryzys migracyjny zagrożeniem dla
The migrant crisis was the reason for the formal and legal problems. The problem was the determination of the true status of migrants arriving in the EU territory by the relevant institutions and services, in particular the determination of this status in the short term. If individual migrants are granted refugee status, they are entitled to receive appropriate assistance, both material and immaterial. Unfortunately, the migrant crisis is usually used by economic immigrants who want to dishonestly use to enter the destination country under the conditions of the right refugees. In international law, a refugee is defined as a person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”\(^5\). The problems of interpretation mainly concern the “well-founded fear of being persecuted”. In practice, the granting of refugee status to a given migrant depends on the policy of the State accepting such a person on its territory, and this results mainly from the assessment of the internal situation in the country from which the person emigrated.\(^6\)

Problems with determining the legal status of migrants was the cause of a change in the perception of this phenomenon. In the mainstream discourse, this phenomenon functioned until mid-2014 as a “refugee crisis”. The term refugee crisis was used in politics and in the media, as it was thought at that time that the migration of people to the EU territory was

---

\(^{5}\) Convention Relating to the Status of Refugees, Article 1(A)(2).

the result of persecution, which undemocratic regimes of African and Asian countries, especially in the regions of the Middle East and North Africa, used towards their citizens. The second reason for migration was to be armed conflicts in these countries. This perception of the phenomenon described in this article changed in mid-2015 when numerous attempts to use the circumstances of the migrant crisis by economic migrants was noticed.  

4. Western Balkan route

The Western Balkan route was one of the eight main routes of this type used by migrants, which Frontex has defined by monitoring the EU’s external borders during the described period. The Western Balkan route connects the south of the Balkan Peninsula with Central Europe. It starts its run in the Hellenic Republic, then runs through the Republic of North Macedonia and the Republic of Serbia, through which it reaches the Republic of Croatia and Hungary. Due to the political activities of some of the countries on the Western Balkan route, such as Hungary’s decision to build a border


9 Earlier, the Republic of North Macedonia used the name Former Yugoslav Republic of Macedonia (FYROM) internationally. The name change by the Macedonian authorities was caused by a dispute with the Hellenic Republic over the name Macedonia. According to the Greeks, for historical reasons the name Macedonia is registered for the northern areas of Greece. Macedonia internationally had to use the name FYROM precisely because of the dispute with Greece. The Macedonian authorities began the name change procedure in 2018 to resolve the Greek-Macedonian dispute, which blocked Macedonia from joining international organizations such as the EU and the North Atlantic Treaty Organization (NATO).

barrier\textsuperscript{11}, this route changed its course several times during the migrant crisis. The most important feature of the Western Balkan route is the route through the territory of North Macedonia and the territory of Serbia, i.e. through the territories of countries that do not belong to the EU and the Schengen Area. Such a route as the Western Balkan route causes various problems. For Frontex, these are problems of an organisational and legal dimension.

During the escalation of the ongoing migrant crisis that took place in the second half of 2015, the Western Balkan route became one of the two most-used migration routes to the EU territory. Frontex registered a 17-fold increase in the number of illegal crossings of the EU’s external border between Serbia and Croatia or Serbia and Hungary. In 2014, 43,357 cases of this type were registered. In 2015, their number increased to 764,038, of which 229,746 cases took place in the third quarter of 2015, while 466,783 occurred in the fourth quarter. In 2016, the number of registered illegal crossings of the EU external border using the Western Balkan route dropped to 122,779 cases, while the vast majority of these cases were in the first quarter of 2016: 108,649 cases. Data from the first half of 2017, when 5,731 cases of illegal crossing of the EU external border were recorded, indicates a significant decrease in the use of the route by migrants. Detailed data on registered illegal crossings of the EU external border using the Western Balkan route are presented in the table below.

\textsuperscript{11} During the escalation of the migrant crisis, the Hungarian government refused entry to the territory of Hungary persons arriving from third countries recognised as safe. This group included all countries through which the Western Balkan route runs. At that time, the right to apply for asylum was also tightened, while only those who had been granted refugee status earlier were allowed to enter Hungary.

Table 2. Registered illegal crossing of the EU external border using the Western Balkan route

<table>
<thead>
<tr>
<th>Period</th>
<th>Number of people</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st quarter of 2014</td>
<td>3,340</td>
</tr>
<tr>
<td>2nd quarter of 2014</td>
<td>3,011</td>
</tr>
<tr>
<td>3rd quarter of 2014</td>
<td>9,086</td>
</tr>
<tr>
<td>4th quarter of 2014</td>
<td>27,920</td>
</tr>
<tr>
<td>2014</td>
<td><strong>43,357</strong></td>
</tr>
<tr>
<td>1st quarter of 2015</td>
<td>32,950</td>
</tr>
<tr>
<td>2nd quarter of 2015</td>
<td>34,559</td>
</tr>
<tr>
<td>3rd quarter of 2015</td>
<td>229,746</td>
</tr>
<tr>
<td>4th quarter of 2015</td>
<td>466,783</td>
</tr>
<tr>
<td>2015</td>
<td><strong>764,038</strong></td>
</tr>
<tr>
<td>1st quarter of 2016</td>
<td>108,649</td>
</tr>
<tr>
<td>2nd quarter of 2016</td>
<td>11,102</td>
</tr>
<tr>
<td>3rd quarter of 2016</td>
<td>5,889</td>
</tr>
<tr>
<td>4th quarter of 2016</td>
<td>4,621</td>
</tr>
<tr>
<td>2016</td>
<td><strong>130,261</strong></td>
</tr>
<tr>
<td>1st quarter of 2017</td>
<td>3,507</td>
</tr>
<tr>
<td>2nd quarter of 2017</td>
<td>2,224</td>
</tr>
<tr>
<td>1st half of 2017</td>
<td><strong>5,731</strong></td>
</tr>
</tbody>
</table>

Sources: Frontex Risk Analysis Network Quarterly Report, Frontex, Quarter 1, January-March 2015, p. 10; Frontex..., Quarter 1, January-March 2016, p. 6; Frontex..., Quarter 1, January-March 2017, p. 6; Frontex..., Quarter 2, April-June 2016, p. 6; Frontex..., Quarter 2, April-June 2017, p. 6; Frontex..., Quarter 3, July-September 2015, p. 6; Frontex..., Quarter 3, July-September 2016, p. 6; Frontex..., Quarter 4, October-December 2015, p. 8; Frontex..., Quarter 4, October-December 2016, p. 8.

Among migrants who use the Western Balkan route during migration to the EU territory, the majority was Afghans, Iraqis, Kosovars, Pakistanis and Syrians. However, in the following months, their average number changed. In the quarters preceding the escalation of the migrant crisis on the Western Balkan route, Kosovars predominated: 17,569 in the last quarter of 2014 and 22,630 in the first quarter of 2015. In the third quarter of 2015, the number of Syrians increased significantly (76,426). The number of Afghans (35,021) and Pakistanis (13,715) also increased. The analysis of data published by Frontex shows that during the period of the highest migration through the Western Balkans, i.e. in the last quarter of 2015 and the first quarter of 2016, border services had a big problem with verification of the origin of migrants. Detailed data on the countries
of origin of migrants using the Western Balkan route are presented in the table below.

### Table 3. Countries of origin of migrants using the Western Balkan route

<table>
<thead>
<tr>
<th>Period</th>
<th>Country of origin</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Afghanistan</td>
</tr>
<tr>
<td>3rd quarter of 2014</td>
<td>1,895</td>
</tr>
<tr>
<td>4th quarter of 2014</td>
<td>4,393</td>
</tr>
<tr>
<td>2nd half of 2014</td>
<td>6,288</td>
</tr>
<tr>
<td>1st quarter of 2015</td>
<td>4,129</td>
</tr>
<tr>
<td>2nd quarter of 2015</td>
<td>13,940</td>
</tr>
<tr>
<td>3rd quarter of 2015</td>
<td>35,021</td>
</tr>
<tr>
<td>4th quarter of 2015</td>
<td>147</td>
</tr>
<tr>
<td>2015</td>
<td>53,237</td>
</tr>
<tr>
<td>1st quarter of 2016</td>
<td>1,093</td>
</tr>
<tr>
<td>2nd quarter of 2016</td>
<td>5,386</td>
</tr>
<tr>
<td>3rd quarter of 2016</td>
<td>2,245</td>
</tr>
<tr>
<td>4th quarter of 2016</td>
<td>1,896</td>
</tr>
<tr>
<td>2016</td>
<td>10,620</td>
</tr>
<tr>
<td>1st quarter of 2017</td>
<td>1,211</td>
</tr>
<tr>
<td>2nd quarter of 2017</td>
<td>319</td>
</tr>
<tr>
<td>1st half of 2017</td>
<td>1,530</td>
</tr>
</tbody>
</table>

Sources: Frontex..., Quarter 1, January-March 2016, p. 6; Frontex..., Quarter 1, January-March 2017, p. 6; Frontex..., Quarter 2, April-June 2016, p. 6; Frontex..., Quarter 2, April-June 2017, p. 6; Frontex..., Quarter 3, July-September 2015, p. 6; Frontex..., Quarter 3, July-September 2016, p. 6; Frontex..., Quarter 4, October-December 2015, p. 8; Frontex..., Quarter 4, October-December 2016, p. 8.

### 5. Frontex activities on the Western Balkan route

Frontex’s activity on the Western Balkan route is the same as on the other seven main migration routes and includes all the tasks entrusted to this agency, which are described in the first part of this article. Frontex constantly monitors the situation at the EU’s external borders through which the Western Balkan route runs. The data collected during the monitoring includes such information as the number of illegal border crossings registered, the number of attempts to use fake identity cards and the number of refusals to enter the EU. Based on the collected data, Frontex regularly estimates the number of illegal immigrants staying on
the territory of the countries through which the Western Balkan route runs. Detailed statistics are then periodically published as part of the annual risk analyses and quarterly reports.\textsuperscript{12}

For obvious reasons, Frontex doesn’t disclose details of its operational activities, which include the rapid reactions and joint operations that Frontex carries out on the Western Balkan route to assist Member States at the EU’s external borders. However, it is known that such operational activity takes place, especially in return operations. Frontex discloses much more information about training border guards and other border protection services in countries through which the Western Balkan route runs. In cooperation with the European Asylum Support Office (EASO), the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR), Frontex was carried out a series of trainings whose aim is to provide support in the management of migration that is sensitive to protection, in which States from the Western Balkans and the Republic of Turkey participate. This series included training on activities such as detection of falsified documents, intelligence techniques and nationality assumption/screening.\textsuperscript{13}

On the Western Balkan route, Frontex doesn’t have to carry out search and rescue operations at sea, the most difficult challenge faced by Frontex during the migrant crisis. Frontex faces problems that arise from the route of the Western Balkan route as it runs through non-EU countries. The route of the Western Balkan as a route by non-EU countries has significantly hindered proper border management from the beginning of the escalation of the crisis, as this issue required the development of cooperation arrangements with the border services and the governments of North Macedonia and Serbia. The lack of proper coordination during

\textsuperscript{12} Annual risk analyses were first published in May 2010, a quarterly report in July 2015. More info: Western Balkans Annual Risk Analysis, 2010; Western Balkans Annual..., 2011; Western Balkans Annual..., 2012; Western Balkans Annual..., 2013; Western Balkans Annual..., 2014; Western Balkans Annual..., 2015; Western Balkans Annual..., 2016; Western Balkans Annual..., 2017; Western Balkans Risk Analysis Network Quarterly Report, Quarter 1, January-March 2015; Western Balkans Risk..., Quarter 1, January-March 2016; Western Balkans Risk..., Quarter 1, January-March 2017; Western Balkans Risk..., Quarter 2, April-June 2015; Western Balkans Risk..., Quarter 2, April-June 2016; Western Balkans Risk..., Quarter 2, April-June 2017; Western Balkans Risk..., Quarter 3, July-September 2015; Western Balkans Risk..., Quarter 3, July-September 2016; Western Balkans Risk..., Quarter 4, October-December 2015; Western Balkans Risk..., Quarter 4, October-December 2016.\textsuperscript{13} Training portfolio 2017, Frontex, p. 22.
the intensity of the migrant crisis was the reason for the clashes between migrants remaining in Greece and at the Macedonian border services after the government of North Macedonia decided to close the Greek-Macedonian border for migrants.\textsuperscript{14}

This and similar problems that occurred on the Western Balkan route forced the EU to develop solutions with both transit States, which are not its members, in order to properly realised the management of migration. At the end of 2015, the EU developed an action plan with North Macedonia and Serbia to properly control the situation on the Western Balkan route. Frontex was also involved in the realisation of the activities included in this plan within its tasks.\textsuperscript{15}

6. Summary

This article describes the activities of Frontex on the Western Balkan route during the current migrant crisis. The migrant crisis has been the largest challenge faced by Frontex in its history. The impact of the migrant crisis on Frontex’s activities was so significant that it became the cause of the reform of Frontex, which was carried out in autumn 2016. As a result of the reform, Frontex can now intervene in a State that cannot cope alone with threats at the EU external border. Frontex also obtained its own intervention corps and its own equipment. The purpose of the reform was to improve Frontex’s control of EU external borders and return operations, as proper control of the EU’s external borders and carrying out return operations in the realities of increased migration flows were very difficult.

The Western Balkan route was one of the two most-used migratory routes for migrants moving to the EU territory during the escalation of the migrant crisis. Frontex had many problems on the Western Balkan route, as this migration route runs through the territory of non-EU and non-Schengen countries. First of all, the route of the Western Balkan route through non-EU and non-Schengen countries significantly impeded proper border management. Moreover, the route through non-EU and


non-Schengen countries has forced the development of political solutions with the governments of North Macedonia and Serbia, which would enable appropriate cooperation with the border services and governments of these countries and would facilitate Frontex’s activity on this route. Cooperation solutions have been achieved, but it is difficult to assess whether they are the cause of the current situation on the Western Balkan route, as evidenced by the data collected by Frontex. Regardless of the reasons for the decreasing number of people migrating to the EU territory using the Western Balkan route, it should be remembered that the migrant crisis is still a problem, as its causes have not yet been resolved.

Bibliography

