

A tall metal pole stands against a cloudy sky. At the top is a large, circular floodlight. Below it, two white, dome-shaped surveillance cameras are mounted on horizontal arms. Further down, a white, horn-shaped speaker is visible. The pole is wrapped in several layers of coiled barbed wire. A white electrical box with ventilation slats is attached to the pole. The entire image has a strong magenta/pink color cast.

MIGRATION
CONTROL
INDUSTRY

2 WHO TAKES THE MONEY?

Research
por Causa

WHO TAKES THE MONEY?

The economic, human and political resources available to the border shielding are exorbitant if we bear in mind that attempts to irregularly access a country are a tiny proportion of total accesses, and that this phenomenon mostly happens after an initial legal entry. But they are even more inexplicable if we compare those resources with those destined for the closest, tangible and harmful matters that really concern citizens (i.e. medical research on cancer, Alzheimer, or resources for care-dependency services).

Indeed, irregular migration mostly begins with a legal entry¹ and often has little to do with border control. The exorbitant funding resources financing border control obbey to the confluence of certain political, ideological and economic interests, which have nothing to do with the real interest of society, but rather with economic and corporate benefits of an industry that is enriched by a fear-monger narrative that fuels antimigration attitudes: the Migration Control Industry (ICM).

At this marketplace of services and products for border protection, the lobbies try to create a demand perfectly adjusted to their offer, not only in Brussels but in the capitals of Member States and other EU agencies' headquarters. It is the perfect circle of influence, the political or regulatory capture, which takes advantage of the favorable context (the negative perception of migrations, the securitization of borders and the discourse of fear) and the mechanisms to exert their influence and increase benefits through political advocacy, media communication, advertising campaigns, debate framework change, or the permeability of private interests in political decision-making, among others.

This document analyzes, on the one hand (I) who benefits from this flow of funds: the Migration Control Industry-ICM; and on the other (II) who advocacy for their interest, their lobbies. They are both the same, two sides of the same coin.

¹ https://www.elconfidencial.com/espana/2020-06-25/inmigracion-irregular-espana-datos_2653811/

Table 1 **INDRA: the perfect circle**

INDRA sistemas is one of the most relevant multinationals of the Ibex 35, the only Spanish company in the top 100 in the world arms industry, with strong public capital through SEPI².

Border militarization is part of its core business (i.e. in 2005 it built the third Moroccan border fence in Melilla, and according to Centre Delàs, it won, together with ACS and Ferrovial, 8 out of 10 euros spent on the fences of Ceuta and Melilla).

It is part of the Top 10 of companies awarded large contracts and amounts both at national and European level (especially through the Horizon 2020 program, being the 1st Spanish company with the highest economic return and the fourth globally).

Among its executive managers there are proven examples of revolving doors (at least 29 former senior officials have served on its board of directors in recent years).

Strong presence in Brussels through industry lobbies (according to Lobbyfacts, INDRA spent almost one million euros in 2019 on lobbying activities)

They hold a Vice Presidency on the Board of Directors of the European security industry lobby EOS (along with Airbus, Atos, Leonardo or Thales, among others) and participates in its Working Group for Integrated Border Security (IBS) - to implement solutions technology at maritime and land borders.

They are also on the Board of Directors of the European Association of the Aerospace and Defense Industry (ASD), where he also chairs the Security Business Unit - Security Business Unit (SBU).

At national level, it's member in the Association of Spanish Technological Defense, Aeronautical and Space Companies TEDAE

At corporate level: meets routinely, organize and even sponsor events with EU/national decision-makers (e.g. Limax 2020 or European Defense Agency event at its own headquarters)

Invited to Personalities Groups (GoP) by the EU Commission to debate future laws or policies related to their industrial sectors, being present in the very conception of policies (i.g. in 2015 it was part of the GoP to promote European cooperation in defense within the framework of the Common Security and Defense Policy-CSDP).

² Sociedad Estatal de Participaciones Industriales (SEPI) is a Spanish state holding company that is characterized as a Sovereign wealth fund. It is controlled by the Ministry of the Treasury. <http://www.sepi.es/en>

1. THE MIGRATION CONTROL INDUSTRY

1.1. A complex concept

The **Migration Control Industry (MCI)** is an open term encompassing multiple economic and political interactions between different private actors, and between these and public decision-makers related to migration control and EU external borders shielding .

MCI's main **stakeholders** are the security and defense industry, but also other economic actors indirectly devoted to migration containment: from private security companies, to technology corporations, airlines and other transports that execute returns, or logistics providers for centers related to migration management. Although civil society actors related to the integration, assistance or rescue of migrants also depend on the same resources as the MCI, they do not do so for profit and are therefore excluded from this research.

Finally, and closely related to the concept of Fortress Europe from which MCI benefits, there is also **a lucrative migrant smuggling criminal groups**. The contractual link between migrant and smuggler, generates enormous benefits, which grow exponentially the more difficult are the route or border crossing. From the taxi driver or the small trafficker who hosts or guides small groups on a stretch of the road, to the large criminal groups that produce fake ID documents, bribe officials, and organize logistics on the long continental and transoceanic routes, the criminal business also takes advantage from migration/border control policies. According to the United Nations Office on Drugs and Crime (UNODC)³, at least **2.5 million migrants were trafficked in 2016**. It is estimated that the profit for smuggling networks was about 5 billion euros. This is the same amount spent in 2016 by US government or the European Union on humanitarian aid worldwide. Prices fluctuate based on distance, difficulty, risk of detection, or migrant profile. The tightening of border control laws and policies,

³ Global Study on Smuggling of Migrants 2018, UNODC:
https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf

according to the United Nations, is always more profit for smugglers even in times of COVID19⁴.

Regarding **the losses derived from the ineffective Common European Asylum System (CEAS)**, the European Parliament report on “*The cost of non-Europe in Asylum Policy*”⁵ (2018) **calculate in €49 billion per year the cost of the status quo.**

⁴ See report: SANCHEZ, Gabriella, ACHILLI, Luigi — Stranded: the impacts of COVID-19 on irregular migration and migrant smuggling, Policy Briefs, 2020/20, Migration Policy Centre, Retrieved from Cadmus, European University Institute Research Repository, at <http://hdl.handle.net/1814/67069> <https://cadmus.eui.eu/handle/1814/67069>

⁵ “The Cost of Non Europe in Asylum Policy”: EPRS | European Parliamentary Research Service, Authors: Wouter van Ballegooij and Cecilia Navarra October 2018:
[https://www.europarl.europa.eu/RegData/etudes/STUD/2018/627117/EPRS_STU\(2018\)627117_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/627117/EPRS_STU(2018)627117_EN.pdf)

1.2. Fundación porCausa Data Research Framework

The journalistic branch of this investigation focuses geographically on the **Spanish Southern border**, and in the time frame of the **2014-2019** period, coinciding with the current European financial framework (2014-2020). After searching, locating and compiling all available public contracts awarded by the Spanish central government on migration between 2014 and 2019, and after submitting several dozen requests for public information under the Transparency Law, porCausa's team of journalists created a database that includes more than 1,700 public contracts. **Left out of this database are all public contracts that remain secret for reasons of national security or simply were not published, as well as public financing granted to the private sector (companies and NGOs) through subsidies.** All the analyzed contracts have been obtained directly from **official sources** (requests to the Transparency Portal, searches in the digital files of Public Contracting, ministries, the Official State Bulletin, etc.). These contracts come almost entirely from four ministries: **Interior, Transport and Urban Mobility** (until 2019 it was called 'Development Ministry'), **Defense and Employment, Social Security and Migration.**

To structure the information, we created three main categories:

1. Border Perimeters: It covers all contracts on border control, both maritime and land, in 5 subcategories:

- **Borders:** This category encompasses contracts related to land borders (border crossing points, fences, etc.).
- **Surveillance:** It includes contracts on the border surveillance systems of the National Police and the Civil Guard (excluding SIVE).
- **SIVE:** Comprehensive External Surveillance System (SIVE by its Spanish initials), dependent on the Civil Guard, which, due to the number and volume of contracts, deserves its own sub-category.
- **Maritime Surveillance:** It encompasses contracts for patrol boats of the Civil Guard and the Spanish Navy that carry out surveillance tasks in the Alboran Sea, the Mediterranean, the Strait of Gibraltar and the Canary Islands.
- **Maritime Rescue:** It refers to contracts related to the maintenance and acquisition of resources for the Maritime Salvage media on the southern border, the Canary Islands and the lower half of Levante (from Valencia to Murcia and the Balearic Islands).

2. Detention / Expulsion: It has been split into four subcategories:

- **CIE⁶:** It includes works, services and maintenance contracts for the seven Foreigner Internment Centers (CIE by its Spanish initials), distributed throughout the Spanish peninsula and the Canary Islands.
- **CETI⁷:** It includes works, services and maintenance contracts for the two Temporary Immigration Stay Centers (CETI by its Spanish initials), one located in Melilla and the other in Ceuta.
- **Deportation flights:** It includes contracts with airlines for the expulsion of immigrants in an irregular situation.
- **CATE⁸:** This category is empty because as of the date of publication of this report, the Spanish government has not published any contract relating to Temporary Attention Centers for Foreigners (CATE, by its Spanish initials). The only record on the cost of these centers is in this announcement of 'Emergency Actions 2018', which accounts for more than 6.5 million euros destined to install the CATE in Almería, Motril and Málaga, and the contracting of services for these CATE and the one from Cádiz.

3. Reception and integration: All contracts related to refugee asylum, translation services, integration policies, etc.

- **CAR⁹:** Service and maintenance contracts of refugee reception centers (CAR by its initials in Spanish).
- **Integration:** Contracts involving social policies, fight against racism and xenophobia.
- **Asylum:** Contracts to grant assistance to asylum seekers and international protection and refugees.

⁶ CIE (Centro de Internamiento de Extranjeros)

⁷ CETI (Centro de Estancia Temporal de Inmigrantes)

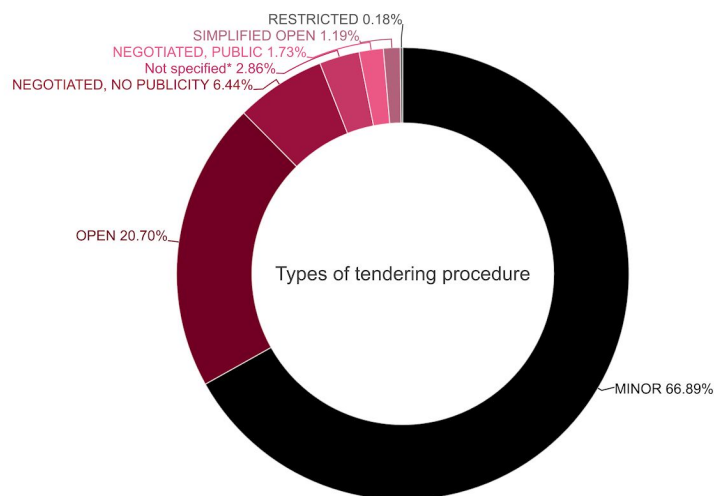
⁸ CATE (Centro de Atención Temporal de Extranjeros)

⁹ CAR (Centro de Acogida a Refugiados)

1.2.1. Patterns of the Migration Control Industry

The number of analyzed contracts (2014-2019) is **1,677 contracts**. The total amount of all contracts is **660.7 million Euros**.

Migration Control Industry contracts by type of tendering procedure (2014-2019)



* Unspecified contracts are those obtained through requests for information from the Transparency Council in which no information is provided on the type of tendering procedure.

The **vast majority of contracts** (a total of 1,112, around 66.9% of all contracts) were awarded by **'minor contract' procedure** (without public tender¹⁰). Among these contracts are a hundred awards that border on the maximum limit that the law allows to avoid public competition. The subcategory 'Border Perimeters' encompassed the majority of minor contracts: 949 in total, representing 56.9% of the 1,667 contracts analyzed. This subcategory also covered most of the contracts located and awarded by negotiated procedure without public tender (86 out of a total of 112), the most opaque modality contemplated by Spanish legislation, established for emergency situations.

¹⁰ Since September 2017, the Spanish Public Sector Contracts Law reduces the limit of minor contracts for services to a maximum of 15,000 euros, or 40,000 euros if it is a works contract. Previous to that date, the law established these limits at 18,000 and 50,000 euros respectively. In addition, there was a third way that was abolished in 2017: the so-called 'negotiated contracts' (with and without public announcement). This type of public contracting procedure is the one that allows a contract to be processed quickly and without public tender in cases of urgency or when there is a compelling reason, so the law requires justifying the reasons for such urgency. However, the Spanish legislation also indicates that the amount of negotiated service contracts cannot exceed 60,000 euros, or 200,000 euros if it is a contract to carry out works.

Contracts* awarded to the Migration Control Industry by Ministry (2014-2019)

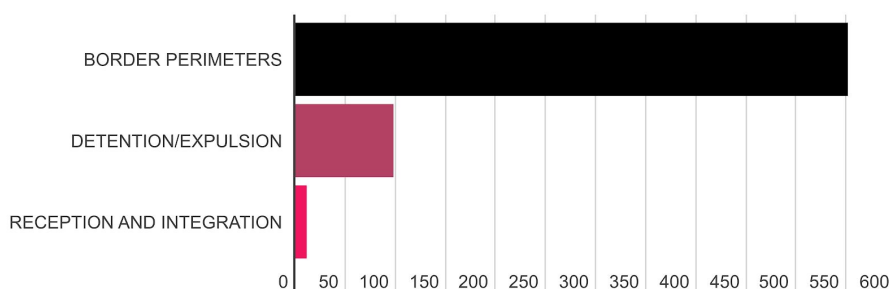
*Calculation made without accounting for Babcock.



In July 2018, the Ministry of Development (Ministry of Mobility, Transport and Urban Agenda since January 2020) awarded Babcock a contract worth €217.8 million for the air rescue service of the Maritime Safety and Rescue Society. This is the largest contract of the period analyzed. Without considering this macro contract, the breakdown of money awarded to private contractors by the Spanish ministries **shows the security-centred approach to migration management in Spain**, with the **Ministry of the Interior leading the way** (225 million in contracts for the ICM, 54.5% of all the money analyzed) , followed by Development (129.5 million, 29.9% of the total) and, at a considerable distance, the Work, Social Security and Migration Ministry (Inclusion, Social Security and Migration since January 2020).

Total amount of contracts awarded to the Migration Control Industry by category (2014-2019)

in €M



Contracts can be classified into three categories:

- **Border perimeters:** 1,297 contracts (77.4% of the analyzed contracts) for a value of 551.9 million euros (83.5% of the total amount).
- **Detention / Expulsion:** 216 contracts (12.9% of the analyzed contracts) for a value of 97.8 million euros (14.8% of the total amount).
- **Reception and Integration:** 163 contracts (9.7% of the analyzed contracts) worth 11.2 million euros (1.7% of the total amount).

As for companies, most of the public money awarded for works and services in the field of migration control (64,8% of all the money analyzed) was transferred to a group of 10 corporations. From major to minor, the main beneficiaries of the central government's public contracts on migration between 2014 and 2019 are: Babcock Mission Critical Services Spain, Abertis (Grupo ACS), Gauzon Iberica, Auxiliar Naval del Principado, Indra Sistemas, ATOS, Amper Sistemas, Airbus Defense and Space, the temporary business union (UTE by its initials in Spanish) formed by Air Europa and Swiftair and, finally, the UTE formed by Evelop Airlines, Orbest and Air Nostrum. The ranking of the 20 companies that received the largest amount in that period includes other large companies, such as Repsol, Ferrovial, El Corte Inglés, Deimos, Clece (Grupo ACS), Eulen and Thales, and totals 80.8% of the 660,7 million euros analyzed. Other large companies that are among the main beneficiaries of the Immigration Control Industry in Spain are Telefónica, Acciona, ATOS, Joca Ingeniería y Construcciones, Ofilingua, Mora Salazar, Serunión and Invelco, among others.

1.2.2. Revolving doors in the MCI

The database built by porCausa, which includes all the public contracts of the central government on migration, awarded and published between 2014 and 2019, shows that a small group of companies monopolizes most of the public money destined for migration control. In general, the main beneficiaries of the migratory business in Spain are companies with businesses oriented to the defense, aeronautics, telecommunications and public works sectors, with a high degree of reliance on the public sector and a high exposure to risks derived from normative or regulatory changes.

Among the **20 Spanish and foreign corporations** that encompassed most of the public money for migration control, our team identifies **at least 121 former senior government officials** with positions of responsibility on the board of directors and other top management bodies of these corporations. Currently, **at least 68 of these 121 former senior officials are still working for these companies**. These potential **revolving doors** include former ministers, high officers of the Army, regional councilors, ambassadors of the Kingdom of Spain, high officers of the CNI, aristocrats and members of the Royal Family. The parties with the greatest representation among these 121 former high-ranking officials of the State are the right-wing Popular Party and the PSOE (social democrats).

We have broken down the cases into four categories:

- **Category 0: People with relationships and power ties** who have not held relevant public positions, or hold an important public position in the past, or not work directly for these companies. They cannot be considered revolving doors. In this category, state attorneys stand out (16 in total), as well as former senior officials or immediate family members who had or have interests in any of the MCI companies, such as former President Felipe González, or businessmen Ignacio López del Hierro, Jaime Espinosa de los Monteros, Gela Rato, Luis Suárez de Lezo and Micaela Núñez Feijoo, for example, which adds up to **47 people**.
- **Category 1: People who have held public positions of high relevance** to the ICM: **41 cases**.
- **Category 2: People who have held public positions of intermediate relevance** to the ICM: **49 cases**.
- **Category 3: People who have held public positions of low relevance** to the ICM: **31 cases**.

The companies analyzed and with a prominent role in the Spanish Immigration Control Industry that accumulate the most ex-government officials are:

- Telefónica: 29
- Repsol: 26
- Indra: 25
- Grupo ACS (includes Clece and Abertis): 18
- Acciona: 15
- El Corte Inglés: 15
- Everis: 10
- Airbus: 7
- Valoriza: 7
- Ferrovial: 6
- Cepsa: 5
- Amper: 4
- Navantia: 3
- Aireuropa: 3
- Eulen: 3
- Duro Felguera: 3
- Grupo Barceló: 2

Provisional observations:

- Although people belonging to category 0 (people with important relationships and ties with public power who have not held public office, or who has held public office but is not working directly for these companies) are not our priority because they are not revolving doors in strict terms, in this investigation **they are considered relevant people that can be defined as "friends of the MCI"**.
- **Big MCI companies are the ones with the most revolving doors.** Specifically, four multinationals: Telefónica, Repsol, Indra and Grupo ACS.
- Although the vast majority are national cases that held high positions in the central government, **we see cases of people who worked in the governments of other countries** such as France, Germany, Italy or the EU institutions.

2. MIGRATION CONTROL INDUSTRY'S LOBBIES

Although the final stage of border control policies is the border in a broad sense, there are other settings where the MCI representatives prepare and materialize future benefits. Either in Brussels headquarter, in ministerial offices or elsewhere in the decision-taking path, industry lobbies try to influence or inspire EU policies that will benefit their clients. They try to create a demand perfectly adjusted to their offer. It is the perfect circle of influence.

Table 2 What is a lobby and how does it operate?

Lobbies are interest groups (industry, but also NGOs, think tanks, regions, municipalities etc.) that are intended to influence the development of policies and laws. According to [Transparency International](#) (TI), they should be an integral part of a healthy democracy, closely linked to values such as freedom of expression or the right to petition, since lobbies can improve the quality of decision-making, but provided that 1) there is an enforceable code of ethics, 2) transparency in its activities and 3) equal access to decision-makers. According to TI, however, the reality is quite different: most of the influence remains hidden and informal; there are serious conflicts of interest; Certain lobbies have privileged access to power, and the risks / effects of undue influence are so high that they can have a major impact on the economy, the environment, social cohesion, public security or human rights.

According to the sector platform [Lobby Europe](#), in September 2019 there were 11,800 interest groups in the EU [transparency register](#) (although it is estimated that around [25,000](#) are swarming around Brussels since registration is voluntary), of which: 6,000 represent corporate or industrial interests (51.9%), 3,000 to NGOs (26%), 1,000 to consultants / professionals (9.2%), 800 to think-tanks or research and/or academic centers (7.5%), 500 to local, regional and other entities (4.9%) and 50 to churches and religious communities (0.5%).

There is also a [code of conduct](#) and never-ending debates about adopting a mandatory transparency register face the fierce resistance by some industry sectors. The Von der Leyen Commission, with Commissioner Vera Jourová as responsible for the relationship with the lobbies, aims to reactivate this idea.

Regarding the security, arms and border control industry, reports such as [Border Wars](#) or those of Transnational Institute/[Stop Wapenhandel](#), or [Stewatch](#), place lobbies in the very formulation of the EU's foreign (...)

(...) and security policy agenda, even before the 2015 crisis. Since 2004, they have been framing the debate around security.

But the lobby also occurs **at the national level**. As [Corporate Europe Observatory](#) report "Captured States" points out, Member States have a key role in the elaboration of policies and laws by being part of the strategic direction of the EU through the Council and other institutions in a direct or indirect way (rotating council presidencies, committees, etc). And it is at this national level where there is less transparency and where business interests can be channeled more easily and without public scrutiny.

This section describes **(1) the panorama of political influence** or lobby of the MCI in the different European institutions, **(2) the opportunities to exercise that influence** and, lastly, which are the **(3) most powerful lobbies in the field of migration control**, mainly the European Organization for Security (EOS)¹¹ and the European Association of the Aerospace and Defense Industry (ASD)¹².

¹¹ EOS web: <http://www.eos-eu.com/>

¹² ASD web: <https://www.asd-europe.org/>

2.1. How lobbies influence the European institutions

The higher the lobby acts in the political or administrative hierarchy, the more will it have failed in the preceding stages. Advocacy is usually more effective and opaque in the stages prior to high politics or voting and plenary sessions (when a draft regulation, directive or decision reaches the voting, or adoption phase). It all starts much earlier.

Although European legislation is very complex and profuse, the legislative initiative lies with the European Commission, whose proposals are amended and finally approved by the European Parliament and the Council of the European Union, on an equal footing. When it comes to laws that are difficult to agree, they are negotiated in an inter-institutional tripartite dialogue, whose meetings and debates are completely opaque. Below are described EU institutions and lobbying possible ways.

2.1.3. The European Council

The Council is one of the most impenetrable and opaque institutions in the EU. The debates are secret, but accessible to industry lobby groups through their national ministries, the permanent Member States (MS) representations in Brussels and the various committees, groups and commissions that organize and prepare their agendas or implement the laws (see comitology table). To understand this institution, it is necessary to distinguish between the following related terms and its different permeability with respect to MCI:

- a) **The Council:** leads the political orientation and priorities of the EU. It is made up of the heads of state and government of all the EU MS, together with its President (Charles Michel) and the President of the European Commission (Ursula Von der Leyen). Depending on the government's political orientation, it may create inertias of advance or veto regarding certain policies. In 2018, up to 11 MS had governments with anti immigration parties ruling alone, in coalition or supporting as minor partner. This group brought a clear advance in border control policies and antimigration narrative.

According to Corporate Europe¹³, national governments channel corporate interests that then come to the Council. For example, the European Round Table of Industrialists -ERT, a highly elite industrial lobby that brings together the 40 largest European companies, including those in the security sector–, meet regularly with the President of the European Commission, and the leaders from France and Germany (the

¹³ Captured states: When EU governments are a channel for corporate interests (febrero de 2019)
https://corporateeurope.org/en/2019/02/captured-states?hash=GC1aQ4LQvsJ9PoYBMRD-PppbYI37-5Y_xepTi_m1UhQ

last in October 2019¹⁴ with Merkel, Macron and Von der Leyen, before his inauguration) to discuss the future European industrial strategy.

- b) **The Council of Ministers**, in its 10 configurations according to the area of discussion, which bring together the national ministers of the field, and is chaired by the MS minister who holds the rotating presidency (with the exception of the Foreign Affairs Council, generally chaired by the High Representative for Foreign Affairs and Security Policy -Josep Borrell). As in the previous case, according to the government's political orientation, the inertias of advance or veto regarding this policy will already be determined by state interests, which previously may have been influenced by national lobbies.
- c) **The Six-monthly presidencies of the Council**: although seemingly limited to chairing Council working groups and some margin of decision in the agendas, this six-month presidencies can be very political, and therefore an instrument of industry pressure groups and even sponsorship. Council Presidencies organize the Security Research Events (SRE), an annual meeting where the industry, researchers and public officials meet to establish contacts and discuss challenges and proposals from the security sector. Some presidencies and MS have been more proactive in this area, for example:

→ According to Corporate Europe, **during the 2016 Dutch EU Presidency**, the interests of the arms industry were promoted. In the Dutch Permanent Representation, more than 500 lobby meetings were held between June 2017 and June 2018, of which 73% of them were with commercial interests, and only 15% with NGOs or unions.

→ The **2018 Austrian presidency**, whose government was led by a coalition of conservatives and xenophobic populists (FPÖ) integrated the anti-immigration narrative into its "A Europe that Protects" program and in all its institutional communication, in a highly sensitive pre-electoral period to the European elections in May 2019. In an informal working document called the "Vienna Process"¹⁵, immigration and terrorism were linked, with a blatant

¹⁴ Press release of last ERT:

<https://ert.eu/wp-content/uploads/2019/10/2019-10-16-President-Macron-Chancellor-Merkel-EC-President-von-der-Leyen-meet-the-ERT-Press-Statement.pdf>

¹⁵ Room document Austrian Presidency 2018:

https://www.kleinezeitung.at/images/downloads/2/8/f/roomdocumentborderprotectionasylum_v320180708150709.pdf

(...) pg. 4: "Due to factors related to their background as well as their poor perspectives, they repeatedly have considerable problems with living in free societies or even reject them. Among them are a large number of barely or poorly

Islamophobia that spoke of a natural inclination to terrorism and the crime of migrant youth. They organized several events related to border control, including a Conference on Security and Migration where industry and European decision-makers could exchange views in a political framework dominated by the security narrative¹⁶.

- d) **Council committees and working groups.** The Council is supported by the MS Permanent Representatives Committee (Coreper) and more than 150 highly specialized working groups and committees, known as the Council preparatory bodies. These groups belong to 3 categories 1) those established by treaties, intergovernmental decisions or by the Council -mostly permanent, 2) those established by Coreper (on specific topics and chaired by the country's delegate occupying the rotating presidency) and 3) temporary ad hoc committees created for a specific purpose.

educated young men who have travelled to Europe alone. Many of these are particularly susceptible to ideologies that are hostile to freedom and/or are prone to turning to crime.

https://www.kleinezeitung.at/images/downloads/2/8/f/roomdocumentborderprotectionasylum_v320180708150709.pdf

¹⁶ Other events organized by the Austrian Presidency 2018 / October 2, 2018: High-level conference "The European Defense Fund - A driving force for defense research and innovation" / October 17: annual eu-LISA conference "Borders of the EU: each smarter through technology" / 3-4 December: Cybersecurity conference in Vienna / 2-3 December: Security Research Event 2018 in Brussels

2.1.3. The European Parliament (EP)

Members of the European Parliament (MEP) are elected by universal and direct suffrage but once elected they are grouped by political affinities, not by nationalities. Despite notable exceptions, it is quite open and forthcoming to lobbying. As the most unpredictable of the EU institutions, the Council and the Commission seek to circumvent their legislative and political control through increasing informalization of migration policy, especially in the area of outsourcing migration control to countries of origin and transit. This is the case of the 2016 Declaration of Turkey, which was outside its scope of control. Although it is on an equal footing with the Council as regards the ordinary legislative procedure, the legislative initiative rests with the Commission. However, the EP keeps a right of legislative initiative, which allows it to request the Commission to submit a legislative proposal to it. But these initiatives rarely go beyond non-binding recommendations (i.e. the [humanitarian visa](#) initiative finally adopted in December 2018).

Industry lobbies have permanent access through **passes/badges to EP buildings**. Only by registering in the EU transparency register, the lobbyist can enter, access the EP facilities, meeting rooms, hearings and even MEP offices. As LobbyfactsEU¹⁷ points out, among those enrolled in the transparency portal, 60% are representatives of corporate interests, and the remaining 40% are distributed among civil society (NGOs and unions). There is no obligation to report those meetings except at the commissioner level.

Work within the EP is organized through **parliamentary committees**¹⁸ that distribute work by subject or policy. EP Committees involved on migration related matters are: **LIBE**: Civil Liberties, Justice and Home Affairs; **DEVE**: Development; and, **AFET**: Foreign Affairs (2 subcommittees: **DROI** / Human Rights and **SEDE** / Security and Defense).

The **LIBE Commission**¹⁹, for example, is responsible for human rights, citizenship, the area of freedom, security and justice; entry and movement of people; asylum and migration; common border management; police and judicial cooperation in criminal matters; as well as parliamentary control of the Justice and Home Affairs agencies, among which are euLISA, Europol, Eurojust or Frontex. The business portfolio gives us an idea of the strategic importance of any of your reports, opinions and proposals.

¹⁷Portal Lobbyfacts: <https://lobbyfacts.eu/>

¹⁸Lista de comisiones parlamentarias PE: <https://www.europarl.europa.eu/committees/es/about/list-of-committees>

¹⁹ Spanish members in LIBE:Presidente:Juan Fernando LÓPEZ AGUILAR (PSOE), Miembros: Fernando BARRENA (EH BILDU), Jorge BUXADÉ (VOX), Leopoldo LÓPEZ(PP), Javier MORENO (PSOE), Maite PAGAZAURTUNDÚA (Delegación Ciudadanos Europeos), Sira REGO (Izquierda Unida), Diana RIBA I GINER (Esquerra Republicana de Catalunya), Domènec RUIZ (PSOE), Miguel URBÁN (Podemos), Javier ZARZALEJOS (PP), Juan Ignacio ZOIDO (PP) (ex-Ministro de Interior entre 4 de noviembre de 2016 y 7 de junio de 2018)

2.1.3. The European Commission (EC)

Migration is one of the most cross-cutting and complex issues of our time. As explained in Part 1 of this report, this transversality applied to the European Commission is reflected in the plurality of departments and funds assigned to immigration containment. At the organic level, the College of Commissioners is responsible for all decisions made by the EC. Each Commissioner, one for EM, has his own cabinet, which advises him, in addition to an enormous bureaucratic apparatus that serves the daily management of his portfolio. The Directorates General (DG), under the political authority of the Commissioner, but with their own administrative inertia, implement the priorities decided by the President, Ursula Von der Leyen, and her college of commissioners. DGs are responsible for implementing the policies and executing the general budgets of the EU.

In the framework of Fortress Europe, the **Directorate General for Migration and Home Affairs (DG HOME)** is the key actor within the Commission for the purposes of BWI. According to the new organization chart of the Von der Leyen Commission, DG HOME is chaired by the Swedish Commissioner Ilva Johansson²⁰, under the new **Vice-Presidency for the Promotion of Our European Way of Life**, in charge of **Margaritis Schinas**²¹.

DGs, and especially the DG HOME, are clear lobbying objectives, as they prepare the legislation that will later be proposed by the Commission, are responsible for the allocated funding, and coordinate the most sensitive related policies with your business area. Lobbies, through position papers, meetings with decision-makers and officials, and networking, spread and pass their messages (i.e. DG HOME organized in 2018 the "Industry Day on Border Surveillance and Integrated Border Management", where Giorgio Giulianetti, from the Italian arms firm Leonardo and member of the EOS lobby executive, delivered the opening speech).

²⁰ Ilva Johansson: https://ec.europa.eu/commission/commissioners/2019-2024/johansson_en

²¹ Margaritis Schinas: https://ec.europa.eu/commission/commissioners/2019-2024/schinas_en#responsibilities

Table 3

Comitology: the great unknown

Comitology refers to a set of procedures that enable EU countries, via special committees, to oversee how the European Commission adopts implementing acts. MS representatives decide and follow up on the implementation acts by the Commission, once the law has been approved by the legislative procedure. The objective of comitology is to ensure that a law is applied uniformly.

These committees include a representative from each MS and are chaired by a Commission official. It is a forum that reflects the position of MS at the ministerial level on certain aspects of the application of EU regulations. Although there is a [comitology registry](#), it is a very opaque and unknown area and therefore susceptible to pressure from lobbies. The dates, agendas and attendees of these meetings, which frequently deal with and decide on matters of key strategic or industrial importance, lack transparency and documentary consistency. Knowing in advance who, how and where these expert committees meet is treasure for lobbyists. Committees related to migration, border security and industry: C49900 - Smart Borders Committee, C46500-Committee on Asylum, Migration and Integration Funds and Internal Security (examination and advisory functions), C42514-Committee for the specific implementation program of Horizon 2020 - Program Research and Innovation Framework (2014-2020) - Configuration "Secure societies - Protection of the freedom and security of Europe and its citizens", among others.

2.2. Lobbying opportunities

As [Corporate Europe](#) explains, lobbying tactics are based on **1) repeating and expanding your message** endlessly through all possible channels: from the mass mailing of positioning documents to all decision-makers or senior officials with responsibilities in the issue, even commissioning reports from think tanks that give apparently objective credibility or even commissioning scientific research oriented to their interests (the aim is for the message to have credibility and become part of the debate); **2) invest a lot of money** in the campaign; **3) be part of the expert groups that advise or feed the debate**; and, **4) mapping and knowing the lobbying target** (organizing events to access decision-makers -networking- to investigating the people who can influence or access those who were part of the institutions to guide themselves better). In case of sure defeat, lobbies have to move forward, deploy delaying tactics, confusion or threat of a future of unemployment in the sector, relocation, etc.

Best lobbying opportunities:

- **Public events:** best way to establish informal public-private contacts, either through industry-organized events to which European decision-makers are invited (eg, business events organized by EOS, such as the SMI2G 2020) or through their attendance at events organized by the institutions, such as the SRE events on security investigation, organized by the Commission and by the rotating presidencies of the Council.
- **Lobbying meetings with decision makers/takers.** Since is only compulsory to report meetings at Commissioners and DG level, and not even on the content, but time/venue and agenda items, meetings content remain quite opaque. This table shows the approximate number of meetings registered between MCI lobbies and commissioners, their cabinet members or directors-general.

Lobby	# Meetings (starting November 2014)
ASD	33
ECSO	19
EOS	16
EARTO	3
CoESS	1

Elaboración propia a partir de informaciones en Lobbyfacts.EU

A role in the decision-making process

The private sector is present even before the legislative process starts. When the European Commission prepares any policy, agenda, roadmap or action plan, the private interest groups can be present in two ways:

- **In their daily relationship with the institutions**, inspiring or contributing in an early stage in the thinking and drafting. Lobbyists send their position papers, attend parliamentary sessions, hearings and events, build lobby platforms and alliance etc. It is the daily life of a lobbyist.
- **On a more political level**, when the Commission invites key personalities from industry, governments and academia to debate and listen to different sensitivities and positions on an issue.

These more or less informal fora of mixed public-private composition, adopt different configurations and names²²: High Level Groups²³, groups or committees of experts, wisemen, etc. The recommendations of the so-called **Personality Groups (GoP)**, which can last months of conversations and regular consultations, drive and influence public decision-makers or transform into multimillion-dollar programs that aim at financing and developing new technologies²⁴

²² Expert groups register: <https://ec.europa.eu/transparency/regexpert/index.cfm?do=news.news>

²³ P.e: High Level Group on maximizing the impact of EU Research and Innovation programmes as part of the interim evaluation of Horizon 2020. https://ec.europa.eu/research/participants/data/ref/h2020/other/events/high-level-group_en.pdf

²⁴ [Corporate capture in Europe](#) - When big business dominates policy-making and threatens our rights, y Ben Hayes (2009) [Neoonopticon](#), TNI y Statwatch

As an example, in 2015, the Commission invited the security industry to prepare an investigation related to the Common Security and Defense Policy (CSDP²⁵) in order to boost European defense cooperation. In this forum, they sat next to senior European officials, senior executives of companies such as INDRA²⁶, Airbus, Saab or MBDA).

²⁵ GoP Report ISS 2015:

<https://www.iss.europa.eu/content/report-group-personalities-preparatory-action-csdp-related-research>

²⁶ GoP members:

<https://www.eda.europa.eu/info-hub/press-centre/latest-news/2015/06/18/high-level-group-of-personalities-on-defence-research-issues-statement>

2.3. The main Migration Control Industry lobbies

European Organization for Security (EOS)

EOS is the powerful lobby of the European security industry, which in turn also represents security related research centers. On its [Board of Directors](#) are all the large corporations in the sector: Airbus, Atos, Indra, Leonardo or Thales, among others. Its Integrated Border Security Working Group ([IBS](#)) seeks to implement technological solutions at land and sea borders.

EOS aims at boosting the business and influence the European and national administrations. On its website, it openly recognise direct relations with the European Commission, the European Parliament, the European Council, the European Agencies (Frontex and eu-LISA) and other international organizations.

Among its activities: communicating, pass their messages/positions to legislators, influencing the political and legislative decision-making process. It also organizes events in which it creates and consolidates networks, initiatives and contacts in the European institutions (for example the recent [SMI2G 2020](#) held in Brussels in January 2020, in which DG HOME representatives participated and moderated some session).

According to Satewatch, from the 2007-2016 budget for research for European security, EOS has received €2.5 million²⁷ for 15 projects to develop technologies such as drones, large-scale surveillance systems and biometric identification, which have been implemented to manage immigration. In recent years, EOS has influenced European security policies, with many of its proposals that have been translated into reality in one way or another.

- TNI's [Border Wars](#) report documents how EOS was involved in the creation and development of EUROSUR, the European border surveillance system operating since 2013, whose role was even pointed out by then-European Commissioner for Home Affairs Cecilia Malmström in 2011.
- In a EOS 2017 document²⁸, it recommended defining a European security policy that takes advantage of public-private cooperation. In response, the European Commission has implemented a series of actions to boost the European security industry, such as pre-commercial recruitment in Horizon 2020.

²⁷ Chris Jones (2017) Market forces: The development of the EU security-industrial complex, StateWatch and TNI p30

²⁸ <http://www.eos-eu.com/Files/EOS%20Reflections%20Comprehensive%20Assessment.pdf>

European Association of the Aerospace and Defense Industry (ASD)

ASD presents itself as the key technology provider for the protection and safeguard of European citizens. To fulfill its mission, it operates a **Security Business Unit (SBU)** — chaired by David Luengo (Indra) and vice-chaired by Giorgio Mosca (Leonardo)²⁹. The objectives of the SBU are to develop the security industry and to contribute to the preparation and implementation of the European Security Research Program. In this sense, the ASD is already exerting pressure through the position paper [Security research priorities beyond 2020](#) which calls for more funds and further development of technologies. Looking at the 2018 Commission proposal for the next MFF 2021-2027 on security and defense technology many of the ideas clearly influenced the Commission.

Chaired by Eric Trappier of Dassault Aviation, ASD also has INDRA executives (Fernando Abril Martorel), Airbus, Leonardo and Thales on its [Board of Directors](#).

With a total of [33 meetings](#) with representatives of the European Commission in the last 6 years, ASD is a particularly powerful lobby when it comes to influencing European security policies.

²⁹ <https://www.asd-europe.org/sectors-policies/security>

Other MCI Lobbies

- **European Cybersecurity Organization (ECSO)**

Founded in 2016 by Luigi Rebuffi - former executive of Thales and the EOS lobby for 10 years. It also has among its represented Thales, Leonardo and Airbus. According to the report [Securing Profits](#) by the Dutch organization Vredesactie, ECSO plays a key role in the EU's cybersecurity agenda and is involved in a million-dollar public-private partnership with the European Commission worth €450 million.

- **European Association of Organizations on Research and Technology (EARTO)**

It has 350 Research and Technology Organizations in 20 countries. It is very active in security and defense research, intervening in groups of personalities that advise the European Commission on issues of access to Horizon 2020 funds, from which its members have benefited.

- **Confederation of European Security Services (CoESS)**

Represents 23 national associations -including 17 European countries- in matters of private security services. It is recognized by the European Commission as a sectoral social partner. The European private security services industry generates an annual turnover of approximately € 35 billion.

Table 4 The Spanish lobbies

Spanish lobbies are in Spain, but also in [Brussels](#). Transparency International published in 2014 the report ["An evaluation of lobbying in Spain: Analysis and proposals"](#), which highlighted the deep mistrust in public perception of lobbying practice, almost always associated with a toxic influence, linked to corrupt practices (revolving doors, bribes, exchange of gifts, commissions, among others).

While some organizations - union, employers or entities such as professional associations and chambers of commerce - are perfectly assimilated and regulated, other lobbies such as communication, public affairs, corporate diplomacy or institutional relations consultancies carry out advocacy tasks, trying influencing political decisions and setting the political agenda, in a rather unregulated and uncertain environment.

In Spain there is a voluntary lobby register ([Registro de Grupos de Interés](#)) host by National Commission of Markets and Competition (CNMC), but at the moment there is no national regulation of interest groups. Only regulations at regional, local and sectoral level.

In the defense and security sector, the Association of Spanish Defense, Aeronautical and Space Technology Companies, [TEDAE](#), represents the interests of large companies operating in the area of immigration control and border shielding.

Regardless of the actions of their intermediaries, large companies in the sector, such as [INDRA](#), directly exercise their lobbying and influence actions, with their own departments and those responsible for corporate diplomacy or public affairs.

Migration Control Industry (MCI) is an investigation by Fundación porCausa

which aims to reveal who benefits from anti-migration policies and how much money they cost. This work gives continuity to the work we started in 2017 and is licensed under a Creative Commons BY license (you can use and spread it freely; just please quote porCausa).

This research has two main components: on the one hand, it is part of an exhaustive study of the European mechanisms involved in the design of Community migration policies. The



team in charge of this area was coordinated by researcher Ana González-Páramo and managed to reveal the complex ecosystem of European institutions, agencies and bodies involved in financing migration control companies. The second branch of this research, coordinated by the journalist José Bautista, delves into the Spanish case, based on a series of interviews with relevant sources in the migration business, and using an extensive database that compiles in detail and analyses 1,677 public contracts* (taken from open sources) totalling more than 660 million euros, which were awarded by the Spanish government between 2014 and 2019, in accordance with the financial framework of the European Union. The journalistic aspect of

this investigation also pays attention to the phenomenon of 'revolving doors' and reveals more than 120 former senior government officials who were hired by MCI multinationals.

Over the course of a year, this investigation has faced major obstacles in obtaining information of general interest. The main hurdles were concentrated in obtaining public contracts which, according to the Transparency Law and European legislation on access to public information, should be fully accessible to the public. In this sense, Fundación porCausa is awaiting numerous resolutions from the Transparency Portal. Due to the opacity surrounding the management of public money and the securitarian nature of the anti-migratory business, the porCausa database (open and free) only reflects those contracts that the Spanish Government made public, and which represent only a part of all European spending and the general state budget in the MCI. Public contracts classified as 'confidential' for reasons of national security, as well as subsidies, civil servants' salaries in the service of the MCI and other expenses incurred with public money, are not included in this database.



This research is the result of the collective work of the network of journalists and researchers who collaborate in porCausa. Over the course of a year, the following have participated in Industria del Control Migratorio: Alberto Alonso, Lorena Alonso, José Bautista, Sheyla Bermúdez, Álvaro Bravo, Macarena Decabo, Julio Díez, Gonzalo Fanjul, Pablo Fernández, Sabela González, Ana González-Páramo, Fermín Grodiera, Alessandra Guida, Marta Maroto, Arturo Martín, Emilia G. Morales, Diana Moreno, Sara Ortega, Santiago Pedrazzoli, Lucila Rodríguez-Alarcón, Joseba Torronteras and Enric Vall.

**porCausa needs you
to keep on investigating migrations
like nobody does.
They're small. Make them great.**



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