

The European Union in a Security-Centered Context: Reconfiguring Migration Policy in the New Doctrinal Framework

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Abstract: This article examines migration from a security-centered legal perspective, highlighting the tendency to securitize this phenomenon in the context of international instability. Irregular migration is reinterpreted as a potential risk to public order and state stability, thereby legitimizing the adoption of strengthened control and prevention measures at both national and European levels. The analysis emphasizes the interdependence between the competences of Member States and those of the European Union, as well as the need for institutional cooperation in managing transnational risks. In this context, migration becomes a strategic domain in shaping security policies, influencing both legal intervention mechanisms and the overall direction of public action.

Keywords: Security, Irregular Migration, Securitization, European Policies, Institutional Cooperation

Introduction

In the contemporary context, marked by the intensification and diversification of human mobility flows, migration is increasingly analyzed through the lens of its implications for international, European, and implicitly national security. From this perspective, the migratory phenomenon is no longer perceived exclusively as a social or economic reality, but as a potential risk factor requiring enhanced mechanisms of prevention, control, and strategic management (Stępką, 2022).

The current context leads states to prioritize tools for border protection, the strengthening of surveillance systems, and the adoption of control policies aimed at limiting the vulnerabilities associated with cross-border mobility, as reflected in EU border governance practices and the increasing use of technological and data-driven surveillance systems (Thym, 2023; Blasi Casagran, 2021; European Commission, 2025; European Parliament, 2023). In this framework, the emphasis shifts from human rights-centered approaches toward measures designed to deter any illegal practices.

Therefore, analyzing migration from a security perspective requires highlighting key dimensions of current relevance that influence both state stability and the configuration of public policies in the field (Planas Gifra, 2024). It is essential to distinguish between the internal security of the European Union (an area in which the European Union has competences, such as police cooperation) and national security (reserved to the Member States). Migration is situated precisely within this area of overlap.

It should be recalled that the field of national security remains, in accordance with Article 4(2) of the Treaty on the European Union, the exclusive responsibility of the Member States. The competences of the Union are governed by the principle of conferral, as laid down in Article 5 of the Treaty on the European Union. The Union may act only within the limits of the competences conferred upon it by the Member States. Accordingly, national security remains an area reserved to state competences, yet not one completely isolated from Union law. Member States retain primary competence; however, the exercise of this competence must not contravene the obligations arising under the Treaties when acting within the scope of EU law (Azoulai, 2011).

Reconfiguring Migration Policy at the Level of the European Union

At the 62nd Munich Security Conference, in light of the unstable global situation, emphasis was placed on a new vision of the present and the future. In her speech in Munich on 14 February 2026, the President of the European Commission, Ursula von der Leyen, stated that “*essentially, each of our policies needs a clear security dimension,*” adding that security interests are an essential priority, which calls for “*a new doctrine*” at the European level (European Commission, 2026). This statement reflects a strategic reorientation of the European approach, in which security becomes a cross-cutting criterion across all policies. This raises the question of what this new doctrine entails. By analyzing the entire speech, such a doctrine can be understood as an extensive reinterpretation of existing competences. It can be argued that the link between the idea of a “*new European doctrine*” centered on security and migration is both direct and structural, at both the legal and political levels.

In the context of migration, through the transversal approach to the security dimension, human mobility tends to be reinterpreted not only as a humanitarian and socio-economic phenomenon (Azoulai, 2025), but also as a vector of strategic risk (demographic pressure, instrumentalization, terrorism, destabilization).

It is important to note that securitization involves the transformation resulting from the incorporation of new domains, such as international migration, into the sphere of security concerns. As highlighted in the literature, migration may be perceived as a threat to the capacity of a society with national boundaries to sustain and reproduce itself (Faist, 2005). Scholars from the Copenhagen School have expanded the traditional understanding of security and have highlighted pressing concerns related to the emergence and evolution of complex security risks, including, by way of example, transnational terrorism, environmental degradation, organized crime, as well as irregular migration (Buzan et al., 1998). Within academic studies (Liszkowska, 2024), the concept is used in the analysis of EU migration security and addresses securitization as a process through which migration is represented as an issue that may affect public order and security.

The framing of an issue in the political sphere by highlighting those elements considered capable of affecting social equilibrium—whether through direct effects or anticipated risks to society—leads the analysis toward the conceptual framework of securitization. From this theoretical perspective, defining a situation as a security threat does not constitute an objective fact, but rather the result of a political process through which actors legitimize the adoption of extraordinary measures. Thus, existential risks associated with the dynamic nature of migration can be interpreted within the logic of an expanded conception of security (Huysmans, 2000) and incorporated into strategies and policies aimed at preventing and combating irregular migration.

With regard to migration, the way in which the impact of this phenomenon on the security of destination states is assessed—particularly in the case of those receiving a high number of third-country nationals—significantly influences both national policies and European Union guidelines concerning the prevention of radicalization and violent extremism. This evolution reflects a convergence between migration governance and security governance, whereby migration is no longer addressed solely as a policy of admission and integration, but is also conceptualized as a factor contributing to resilience against transnational threats (Huysmans, 2000; Bigo, 2002; European Commission, 2020). Consequently, in order to address challenges considered relevant from a security perspective, areas that do not traditionally belong to the defense sphere, such as immigration, are integrated into security policies and used as instruments for defining and managing perceived threats.

A contemporary perspective on migration entails the balanced integration of the dimensions of security, protection, and responsibility (González del Miño & Anguita Olmedo, 2023), so that these are not treated as opposing elements, but as complementary parts of the

same framework of analysis and action. In this context, the process of securitizing migration highlights the way in which the phenomenon is transformed from a predominantly administrative and social issue into one perceived as a security concern, particularly in relation to irregular migration and the risks associated with it.

Security can no longer be understood exclusively through the lens of state institutions, as it involves a broader network of actors and practices, including political decision-makers, administrative structures, and societal collective perceptions. In this regard, the way in which irregular migration is defined, interpreted, and managed contributes to shaping the level of securitization, influencing both public policies and societal responses.

Thus, the main challenge for contemporary states lies in managing the phenomenon of migration through policies that maintain a balance between security imperatives and the respect for fundamental rights. An effective approach requires well-coordinated control mechanisms, adapted institutional capacity, and a realistic assessment of migration dynamics, including its irregular components, without automatically transforming this phenomenon into a generalized source of threat. Only through such an integrated approach can states respond both to security needs and to their normative and humanitarian obligations.

In accordance with the European Migration Strategy, a document published on 29 January 2026, *“the weaponization of migration..... has further complicated the Union’s migration and security landscape, creating new forms of hybrid threats that use migration for political purposes”* (European Commission, 2026). It is noteworthy that recent years, starting from 2021, have demonstrated that migration can be used for strategic purposes against the interests and values of the European Union - values which Member States are obliged not only to respect but also to defend. Understanding this development requires an analytical lens, and in this context, the strategic document highlights that *“the Union cannot allow hostile actors to exploit its values and principles, including the right to asylum, and to undermine its democracies”* (European Commission, 2026).

Moreover, the strategic document emphasizes that abuses of international protection mechanisms are perceived as risk factors to internal security, contributing to the erosion of trust in the capacity of institutions to effectively manage external borders and ensure the proper functioning of the asylum system (European Commission, 2026). It is underlined that such abuses affect both the legitimacy of public policies and the ability to provide genuine protection to eligible individuals. Consequently, strengthening control, simplifying procedures, and reinforcing response mechanisms become essential elements of a European architecture oriented towards security and the efficient management of migration (European Commission, 2026).

Thus, a paradigm shift from previous years can be observed, characterized by a reconfiguration of the approach to migration from a predominantly humanitarian perspective towards one in which the security dimension becomes central in defining public policies and institutional mechanisms. This evolution indicates an increased emphasis on prevention and control, in which the functioning of the asylum system is assessed not only in terms of protection obligations, but also in terms of its capacity to limit abusive uses and effectively manage pressures on external borders. At the same time, a trend emerges towards integrating legal and administrative instruments into a unified security-oriented framework, where the simplification of procedures and the strengthening of response mechanisms are justified by the need to enhance institutional resilience. This reorientation reflects the interdependence between security and protection imperatives, highlighting the effort to maintain a balance between the efficiency of migration control and the effective guarantee of access to asylum procedures for entitled persons.

Furthermore, the European Strategy for Migration and Asylum Management highlights that *“the illegal smuggling of migrants fuels a criminal system that creates social tensions and insecurity along migration routes”* (European Commission, 2026). Faced with constant

pressure at its external borders, as well as the emergence of new challenges driven by international developments and new conflicts, the European Union, through its institutional actors, must intervene as early as possible in order to prevent and combat migrant smuggling. The effects of such early intervention reduce, on the one hand, security risks and, on the other hand, the risk of loss of human life. In this context, it should be noted that migrant smuggling is sometimes used as an instrument of destabilization, generating an exponential risk that not only pursues financial gain and thereby undermines individual security, but also weakens state security (Eurojust, 2024; European Commission, 2025; Europol, 2024). The crime of migrant smuggling has a pronounced transnational character, closely related to contemporary migration phenomena and reflects the need to protect state borders, but also the fundamental rights of people exposed to exploitation by organized crime networks (Hegheş, 2025, p. 53), which violates human dignity, in addition to the norms regarding state border, and require a tailored response (Franguloiu, 2026, p. 464)

The contemporary approach to managing third-country nationals who are in an irregular situation of stay on the territory of the European Union and who may pose security risks highlights a complex issue situated at the intersection of migration control and security imperatives. In this context, states are required to develop effective return procedures, as well as alternative solutions when the principle of non-refoulement limits the possibility of expelling the individuals concerned.

From a legal and institutional perspective, the primary responsibility for combating terrorism and crime lies with the Member States, by virtue of the prerogatives associated with national sovereignty and internal security. However, the transnational nature of irregular migration and its associated risks necessitate moving beyond a strictly national approach and developing cooperation mechanisms at the European level. In this regard, the normative framework of the European Union, including the principles of solidarity and sincere cooperation enshrined in Article 4 of the Treaty on European Union, underpins the need for coordinated action among Member States.

Consequently, the relationship between security, both at national and European levels, and migration management becomes one of interdependence. The effectiveness of institutional responses depends on the ability to combine prevention and control measures with compliance with domestic, European, and international legal obligations, as well as on the level of cooperation among the actors involved. In this framework, irregular migration is increasingly integrated into the logic of securitization, influencing the way public policies and intervention mechanisms are formulated.

Irregular migration and the misuse of international protection mechanisms are perceived as risk factors to internal security, as they contribute to eroding citizens' trust in the ability of European institutions to effectively manage external borders. This dynamic affects not only the legitimacy of public policies in this field, but also the European Union's capacity to ensure genuine protection for individuals entitled to benefit from asylum.

In this context, strengthening external border controls, intensifying measures to combat irregular migration, and preventing systemic abuses become essential instruments of a comprehensive security strategy. These measures are considered indispensable for maintaining the internal stability of the Union, eliminating abuses of the asylum procedure, protecting the right to asylum for those genuinely in need of protection, and supporting the European Union's capacity to effectively manage the challenges generated by cross-border mobility. In this context, Romania, alongside the other Member States of the European Union, acts as an integral part of a coordinated and solidarity-based approach, contributing to the strengthening of external border management, the development of joint operational capacities, and the consolidation of a coherent European response to the complex challenges of irregular migration.

Conclusions

In conclusion, irregular migration cannot be treated exclusively as an administrative issue, but must be analyzed within a broader framework in which security, political, and social dimensions intersect. The process of securitization highlights how political perceptions and discourses contribute to defining migration as a potential threat and to legitimizing exceptional measures. At the same time, the effective management of migration requires maintaining a balance between security imperatives and the respect for fundamental rights, avoiding overly restrictive approaches.

Moreover, the transnational nature of migration and its associated risks call for strengthened cooperation between states and institutions at the European level, as well as the development of common prevention and response mechanisms. The integration of migration into security policies must be accompanied by a responsible approach that does not lead to the stigmatization of the phenomenon or the generalization of risks. In this sense, effective migration governance requires both adapted institutional capacity and a strategic vision oriented towards prevention, solidarity, and respect for fundamental values.

References

- Azoulai, L. (2011). The “retained powers” formula in the case law of the European Court of Justice: EU law as total law? *European Journal of Legal Studies*, 4(2), 178–203. <https://hdl.handle.net/1814/20183>
- Azoulai, L. (2025). European society and its law: EU law in light of social theory. *European Law Open*, 1–28. <https://doi.org/10.1017/elo.2025.10039>
- Bigo, D. (2002). Security and immigration: Toward a critique of the governmentality of unease. *Alternatives: Global, Local, Political*, 27, 63–92.
- Blasi Casagran, C. (2021). Fundamental rights implications of interconnecting migration and policing databases in the EU. *Human Rights Law Review*, 21(2), 433–457. <https://doi.org/10.1093/hrlr/ngaa050>
- Buzan, B., Wæver, O., & de Wilde, J. (1998). *Security: A new framework for analysis*. Lynne Rienner Publishers.
- Eurojust. (2024). *Annual report 2024: Migrant smuggling*. European Union Agency for Criminal Justice Cooperation.
- European Commission. (2020). *A counter-terrorism agenda for the EU: Anticipate, prevent, protect, respond*. Brussels.
- European Commission. (2025, April 25). *Revolutionising smart border management with big data analysis*. <https://home-affairs.ec.europa.eu>
- European Commission. (2025, December 11). *Global alliance to counter migrant smuggling reinforces its commitments*. Migration and Home Affairs.
- European Commission. (2026, January 29). *European asylum and migration management strategy (COM(2026) 45 final)*. Brussels.
- European Commission. (2026, February 14). Speech by President Ursula von der Leyen at the Munich Security Conference. https://ec.europa.eu/commission/presscorner/detail/da/speech_26_414
- European Parliament. (2023). *EU border controls and managing migration*. <https://www.europarl.europa.eu>
- Europol. (2024, September 15). *Europol identifies and tackles emerging threats in migrant smuggling and human trafficking*. Migration and Home Affairs.
- Faist, T. (2005). *The migration-security nexus: International migration and security before and after 9/11* (COMCAD Working Papers No. 9). Center on Migration, Citizenship and Development.
- Franguloiu, S. (2026). *Drept penal. Partea specială. Curs universitar (Criminal law. Special part. University course)*. Universul Juridic Publishing House. Bucharest.
- González del Miño, P., & Anguita Olmedo, C. (2023). The (in)coherence of European migration policy: Between securitization and protection. In *Immigrant lives: Intersectionality, transnationality, and global perspectives*. Oxford University Press.
- Hegheș, N. E. (2025). Traficul de migranți [Migrant smuggling]. In Antoniu, G. and Toader, T. (coord). *Explicațiile Codului penal. Vol. IV. Articles 257-366 [Explanations of the Criminal Code. Vol. IV. Articles 257-366]*. Universul Juridic Publishing House. Bucharest.
- Huysmans, J. (2000). The European Union and the securitization of migration. *Journal of Common Market Studies*, 38(5), 751-777.
- Liszkowska, D. (2024). Securitisation of migration in the European Union during the EU-Belarus border crisis (2021–2022). *Politeja*, 41-56.

- Stępką, M. (2022). *Identifying security logics in the EU policy discourse: The “migration crisis” and the EU*. Springer.
- Planas Gifra, L. (2024). Securitizing migration in times of crisis: Private actors and the provision of (in)security. *Cogent Social Sciences*, 10(1). <https://doi.org/10.1080/23311886.2023.2296601>
- Thym, D. (2023). *European migration law*. Oxford University Press.
- Yang, Y., et al. (2024). Automated decision-making and artificial intelligence at European borders and their risks for human rights. <https://arxiv.org/abs/2410.17278>