



Mr. Chairman,

Distinguished members of the Board and coworkers of the Society for Military Law and the Law of War,

For the third consecutive time, the Research Center for Military Law and the Law of War is organizing a three-day conference here in Bruges under the auspices of the umbrella organization *Society for Military Law and the Law of War*. This annual conference gives extra visibility to an international organization that focuses on the accumulation and dissemination of knowledge with regard to military law. The fact that this mission is carried out with sincerity and accuracy, became already perceptible in 2017 when the '*Leuven Manual on the International Law Applicable to Peace Operations*' was published. That manual can easily be regarded as a standard reference for anyone wanting to gain more in-depth knowledge on the legal aspects of military law and the law of war. The combination of in-house analysis, synthesis, accumulation and dissemination of knowledge as well as its communicative and operational translation are therefore worthy of well-deserved words of gratitude and appreciation to anyone closely or remotely involved in the activities of this international organization and its Belgian Group. Mr. Chairman, distinguished members of the Executive Board, dear legal advisers : allow me to express my sincere appreciation for your ambition to be a relevant partner in the field of military law and the law of war, but above all, for your commitment to guarantee the day-to-day operations of this research center.

Ladies and gentlemen, honorable guests,

Two years ago, the British historian Michael Burleigh published the book '*The Best of Times, The Worst of Times*'. This book is a reflection on the current geopolitical balance of powers in the world. The author focuses on three events that were crucial in recent geopolitical history. First and foremost : the horrendous attacks of 9/11 by Al Qaeda. Secondly : the invasion of Iraq in 2003. Its consequences can now be felt worldwide, with wars and unrest in countries such as Yemen, Syria and Lebanon but also in the form of countless terrorist attacks perpetrated on the European continent. Thirdly and to top it all, a global financial and economic crisis unfolded from 2008 onwards. In 2007, the European Central Bank issued a warning with regard to the risk of financial instability in countries such as Russia, China and Japan but it didn't expect this instability to take such proportions that between 2008 and 2010, European countries such as Greece, Cyprus, Portugal, Iceland and Spain, would no longer be able to refinance or repay their public debt. The impact of this on the French and German banks was significant, as a result of which the entire Eurozone faced turbulent times.

These three anchor points have contributed both to one of today's major challenges as well as to the socio-political climate in which policymakers have to manage that challenge. The invasion of Iraq, the subsequent 'Arab Spring' and the large influx of refugees into Europe that we experienced, particularly in 2015 and 2016, are undeniably linked. In 2015, the EU had to deal with as many as 2.2 million people moving illegally within its borders, either because the person in question did not register

himself or herself correctly or because that person had left the Member State responsible for handling his or her asylum application. 54% of all refugees worldwide came from three countries only : Syria, Afghanistan and Somalia. This massive influx of refugees has to be managed in a context in which many citizens at least feel that their standard of living has been dropping year after year. Since 2009, the International Labor Organization has stated in several studies that the consequences of the financial and economic crisis of 2008 have resulted in lower wages, poorer working conditions and cut-backs on social services and social protection. In recent years, the success formula for winning elections across Europe has been to play on the concerns of voters about the combination of all these issues – migration, jihadist terrorism and a sense of decline among a large part of the population. The radical, populist or nationalist parties have, quite often, been the biggest winners of these elections.

We may of course disagree on both this analysis and the solutions but it seems difficult to me to deny that the issue of legal and illegal migration to Europe has been high on the political agenda for some years now. Both the causes of migration and the possible solutions are complex with only limited room for European Member States to maneuver. Asylum and migration are to a large extent embedded in international and European treaties and regulations. There are few themes in which the call for a *'coordinated European policy'* is so intertwined with a NIMBY attitude on the part of national politicians. The political successful formula in telling citizens that the cake that they feel is getting smaller and smaller, must be shared with more and more people, has not yet been found, regardless of the major moral and politico-ideological statements that have been made about that from Berlin to Dublin in recent years. Regardless of my high regard for European politicians who are firmly convinced that their country and people will be able to cope with this whole process, I notice that their voters have not yet believed them, about any of this.

Quo Vadis Europe ? In what direction is Europe headed ? What's the plan ?

Tackling the migration issue requires a phased approach. The first phase is linked to the question of what to do with those who are outside our European external borders. Those who are one step further and are within our external borders, present a second challenge. Finally, the third question is what to do about refugees moving within the European Union or within the Schengen area. The latter raises the question as to whether Member States have any plan at all to deal with those newcomers and whether these plans are realistic and can be implemented in the short run.

First and foremost : those who stand at our external borders. The first challenge we face is to increase the budget for border controls and to further develop our European Border and Coast Guard. The European Commission suggested to increase the budget for border controls from 2.7 billion euros in the period 2014-2020 to 9.3 billion euros for the period 2021-2027. These additional resources are needed and contribute to a reinforced fight against human trafficking and the development of high-quality accommodation for asylum seekers in safe countries outside the European borders. However, I am aware of the legal and political entanglements : you have to find countries that allow for such accommodation on their territory. Secondly, these countries must respect human rights. It's clear that for a country as Libya for example, that's not the case at all.

If we expect other countries to observe the law and human rights, we ourselves are obliged to do the same. The Geneva Convention and the Dublin Convention are two frameworks that define the contours within which EU Member States must shape their asylum policy. The transposition of the existing Dublin rules has been approved by the European Parliament. This reform is crucial in order to push European asylum policy in a different direction. To me, that includes for instance processing asylum applications throughout the EU swiftly and uniformly, preventing asylum shopping and consolidating the responsibility of the first Member State of carrying out background checks upon the arrival of each asylum seeker in order to get the best possible idea of who's entering Europe.

Ladies and gentlemen, this last point is crucial.

It is neither acceptable nor explainable that we do not know who's entering Europe. After all, whoever enters Europe will also move within Europe and, more specifically, within the Schengen area. The Schengen area is a borderless zone in which people can freely move but it's not an area without borders in which we can adopt a passive attitude. We must cherish the freedom of movement of people but only of those whose identity and country of origin have clearly been established and who have a valid reason for staying here.

Identifying people is therefore of crucial importance, for instance by means of screening personal data in order for our agencies to have clear insight into the mobility of people from and to our country. In this respect, Belgium can be proud of the results achieved by the Belgian PIU team and its 37 staff members. This team was created at the beginning of 2018 and is a unique cooperation between members of the local and federal police force, customs services, national security and military intelligence agency. This team screens data of airline passengers in case their name is linked to a case of terrorism or radicalism. Since the beginning of this year, 54 men and women who had booked a flight to or from Belgium and were wanted in a case linked to terrorism or radicalism, have already been intercepted in this manner. Our intention is to extend its scope to international railway and bus companies as well. When operations were conducted on international buses in April, we noticed that travelling by international bus is an extremely suitable means of organizing criminal acts such as human trafficking across national borders without any form of identification. Our country will therefore not hesitate to discuss this vision, our methodology and the results achieved with our European partners.

I strongly believe that this method is worth following. Our country is a stone's throw from the UK and since the refugee crisis in 2015, we have experienced, almost uninterruptedly, what it means to be a kind of transit country for refugees who want to flee to the United Kingdom. The figures between January and June of this year are already pretty clear : 17.359 irregularly staying migrants were intercepted during that time. Approximately 1 in 4 (4.696) are transit migrants who plan to cross to the UK. The share of this group within the total of illegal immigrants apprehended, has been increasing since 2016. That transit migration manifests itself in a visible and less visible way : people who climb into lorries on parking lots along highways in order to cross to the UK, people who want to cross the North Sea in small boats, but also in the form of an influx of people for months on end in the Brussels North Station and the Maximilian Park, both of whom have been converted into a kind of permanent site to accommodate refugees. Such situations are degrading to human beings, they're also an ideal context for human traffickers to profit from the misery of hundreds of unfortunate people and

furthermore, they are a cause for concern amongst our own population. I recognize of course the miserable living conditions of these people. As Minister in charge of security, my first and primary task is to ensure safety and to restore public order if necessary. With the imminence of the Brexit, the challenge in terms of migration and human trafficking will of course become more complex : one of the consequences of the Brexit is that Belgium will become an external border of the European Union, with all the consequences that it entails for our security and customs agencies.

I am however optimistic. In recent months, our agencies have prepared themselves for this Brexit, for instance with regard to border controls in the direction of the UK as they demonstrated last Monday during a large-scale operation in the port of Zeebrugge. The acquisition of new equipment such as sensors capable of measuring the body temperature and drones, enables us to intervene more accurately and in a more targeted manner when it comes to border controls for instance. Furthermore, these border controls and all necessary operations will be carried out by an additional workforce of forty men and women. That number was already promised at the beginning of this year during an earlier visit to the port of Zeebrugge, as was the promise to install a Belgian liaison officer in London. One of the tasks of this liaison officer will be to ensure a correct and efficient exchange of information with the British. Finally, a position must be determined with the Belgian Coast Guard (Maritime Information Crossroads, MIK) with regard to the new phenomenon in which refugees try to cross to Britain using small boats.

Ladies and gentlemen, dear guests,

We have to recognize that migration issues are a headache for politicians and policymakers all over Europe : it is a complex issue that will have to be managed in a sharp social setting by 2019. Few other social themes have put such a strain on the relationship between nationalists and internationalists as much as the issue of 'migration'. Universal rights for all are opposed to privileges for some. Competent politicians are challenged to reconcile what is necessary with what is achievable, knowing that when the imbalance is too great, they run the risk of seeing more robust borders and higher walls being built within Europe and between Europeans.

Under no circumstances do we need the latter. It does not seem like a good idea at all to turn 70 years of European integration into a period of disintegration. The removal of borders within Europe has given us 70 years of peace and economic progress. To now choose to rebuild borders and walls, will not solve problems but create additional ones. The history of the European continent has shown that an increase in borders has repeatedly led to an increase in larger conflicts. So let's avoid that trap at all costs and look for solutions that are both necessary and achievable.

Thank you for your attention.