



InsSciDE Work Package 6:

Security: Scientific and Technical Cooperation in the Context of European Diplomacy

Case Study n°6.1	Technological decisions and the diplomacy of sharing security critical information between EU and NATO partners
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Abstract

Europe faces unprecedented security threats and thus great parts of the populations in its nation-states are overwhelmed by the perception of risks, even by moral panic. There is widespread approval of discussion on new forms of 'gate-keeping' that will regulate access to territories, to networks, and to social, political and economic roles and activities. The political and humanitarian aspects of massive migration, combined with the indiscriminate stigmatization of whole populations as potentially deviant cases, have made issues of control in parallel to issues of social integration even more complicated. There is an ongoing debate on how to better secure Europe's borders, while the existing shortcomings in information management and information sharing are also revealed. Constrained by the diversity of European Union members' positions, the formulation and implementation of appropriate measures necessitate persistent diplomatic and technical efforts. Working together to solve problems of border security necessitates negotiations among a variety of stakeholders: diplomats, science experts, governmental and non-governmental actors, or exponents of inter-state networks. Approaches developed in the sociology and history of science can be very fruitful in understanding these processes. Our case study seeks a comprehensive understanding of international and cross-national negotiations on technological decisions and the sharing of critical information on security technologies between the EU members, and in special cases with non-EU NATO members. Technological decisions regarding the development, maintenance, upgrading, and modification of large border control information systems are embedded in processes of political decision making and in policies agreed as a result of science and technology diplomacy.

Introduction

The interplay between policy, legal and technological problem solving in the field of security in Europe is not new. From the very beginning of the formulation and implementation of policy measures following the Schengen agreement technical issues have been at the epicentre of transnational cooperation. However, since 1995, concrete steps have been undertaken to develop border control information systems. The Schengen Information System (SIS) is now in its 3rd edition. A considerable variety of experts has been involved right from the beginning. Lawyers, and specialists in international relations, have worked alongside experts from national police forces and Europol. But their decisions had to be translated into concrete and effective border control operations. If we take in also the phase of preparation, we can talk of a 35 year history of science and technology (S&T) diplomacy with the aim to build and operate border control information systems. This process builds on previous experience from Interpol, although the science and technology aspect was not as significant in the phase preceding the 1980s. The operation of international networks of technology experts also roots in banking, with the SWIFT experience being crucial in this respect.



Why is the study of the history and present dynamics of developing border control information systems relevant for shared S&T diplomacy in Europe? Both system specifications and operational standards are to a great extent shaped by the outcome of processes of science and technology diplomacy in the EU context. Not everything must be invented. There are invaluable traditions in place that await further exploitation. But where there is a deficient perception of problems, and correspondingly of the cultural and cognitive conditions of solution-finding, or where path-dependencies and lock-ins inhibit the formulation and implementation of policies, new directions must be invented. Our chosen case demonstrates the need for new ways of understanding the transmission of policy measures into technological systems like those developed for border control, as well as new ways for understanding the modalities of uses of these technologies.

Actors

The main actors are the European Ministries of Foreign Affairs (often in collaboration with Law-and –Order ministers); The National Police Force of the EU Nations within the Schengen area; The European Commission; The EU-Large Information Systems Agency; and private IT Companies, as well as companies and research institutes specializing in biometric technologies. Various groups of experts and civil society organizations specializing in the legal aspects of border control and monitoring of minority groups are also involved in the formulation of pertinent policies.

Fields and disciplines, interfaces with technology

The study of science and technology diplomacy can learn a lot from the STS and technology history -based fields of information systems studies and strategic technological system studies, and from their interplay with socio-legal research on both negotiations and contracting. (As social artefacts, contracts play a crucial role in shaping the design and implementation of large information systems. Moreover, the settlement of disputes through negotiations culminates not only in formal contracts, but also in informal, implicit and relational contracts.) The findings of various research communities working on security engineering must also be taken into consideration. Special attention will be given to biometric technologies and their relations with big data structures, as well as to the interfaces which make these systems user-friendly and thus enable sound and effective border control and monitoring operations.

Networks and communication

This interdisciplinary approach to the diplomatic questions of border control technologies is novel. The first exploratory interviews with diplomatic circles indicate that the actors are not yet sufficiently aware of the potential of studying these facets of security policies. Little attention appears to be given to the interplay between diplomatic versus technological negotiations and coordination between European states on the one hand, and between technical staff at various echelons of EU institutions and agencies on the other hand. In the networks of diplomats these issues are communicated as if they were the result of single-track formal diplomacy, in spite of the visibly multilevel and diverse network connections between various types of officials, experts and operators.

Politics and policies

These aspects of S&T diplomacy, as well as the operational problems they may imply, emerge in social and political networks that lie for the most part beneath the radar of politicians. Politicians are only incrementally interested in these questions, for the most part as a result of their perception of political risks, especially those emerging from moral panic and xenophobia. Policies are very often the outcome of the perception of the problems related to borders and their social construction by groups of the electorate. We can see this very clearly in the case of the recent disputes on EU migration policies which play a central role for the political stability of many European countries. Here, border technologies are reduced to wire-fencing territories. But the idea behind the Schengen agreement, and of the subsequent development of border information systems, was different: the aim was to combine mobility according to the rule of law and interstate agreements (as in



the case of visa requirements), with controls that inhibit free movement only in exceptional cases. The inflows of migrants and refugees have put an enormous strain on these politico-technical systems and their operation. New decisions have to be made and new forms of interstate negotiations are needed that involve, beyond politicians and diplomats, also legal experts and most significantly information technology and biometric technology experts. This brings about new practices of multifaceted and multi-track diplomacy, of which sound practices in the field of S&T diplomacy are of catalytic, if not of pivotal importance.

Methodological approach

Two main sets of sources will be accessed: (1) Published reports in various forms (press, web publications, whitepapers, blueprints, books, academic articles, etc.); (2) In-depth narrative interviews with diplomats, technologists, or other personnel (mostly from the civil service, police and military) who have participated in diplomatic missions, task forces or project teams. The interview protocol will rely on published data and information, gathering sufficient commentary and material without need for confidential remarks on classified materials.

A vast number of official documents are publicly available, from which we can reconstruct the history of the creation and implementation of the Schengen agreement since 1985. Another set of documents allows us to reconstruct the history of the Schengen Information System (versions I, II, III), and of the systems attached to it, most importantly the information system for the management and control of the issuance and cancelation of entry visas (VIS), and the system for the management of the fingerprint database (EURODAC). But what these invaluable documents do not record is the logic of negotiations and the network relations between various stakeholders beyond the official level of the meetings of representatives of ministries of foreign affairs and of the national police forces. Especially absent from these records is information on how police force guidelines were transformed into functionalities of technological systems and modalities of interoperability between various modularly structured components of large information systems developed for European border control. With questionnaires and qualitative interviews we will try to reconstruct the sequences of decisions and actions throughout the various phases of the development of policy measures and corresponding information systems. In this way we hope to reveal the 'biography' of the Schengen large information system from the perspective of decades long processes of multi-track science and technology diplomacy as a catalytic aspect of European security diplomacy.

Our first exploratory interviews have yielded invaluable background information as well as concrete information on the institutional and technical setting of Schengen related science and technology diplomacy activities. With permission from European Union authorities, subsequent on-site field research and interviews will be conducted in the responsible agencies.

There are critical complementarities between our case study and that conducted by Ursula Naue, University of Vienna. Our study 6.1 will focus on the connection between diplomatic and political negotiations and technical decision making which requires understanding the political and legal representations of those who transform control and monitoring measures into technical specifications for border control large information systems. Naue's study 6.2 will investigate the mental representations of diplomats and other experts dealing with border control technologies, with emphasis on biometric technologies, and their impact on practices with impact on human, legal and political rights.

Essential bibliography

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