

ULOGA FRONTEXA U KONTROLI VANJSKIH GRANICA EU

DOI: 10.70329/2744-2403.2026.6.11.13

Izvorni naučni rad

doc. dr. Zoran Lakić¹

Sažetak:

Ovaj rad analizira ulogu Europske agencije za graničnu i obalnu stražu (Frontex) u kontroli vanjskih granica Evropske unije tokom perioda intenzivnih migracionih pritisaka (2015-2024). Istraživanje koristi multivarijantnu metodologiju koja kombinuje analizu zvaničnih statističkih podataka, evaluaciju pravnog okvira i kritičku analizu izvještaja međunarodnih organizacija. U fokusu analize je period nakon migracijske krize 2015. godine, kada je Frontex doživio fundamentalnu transformaciju svog mandata i operativnih kapaciteta. Rezultati pokazuju da je agencija ostvarila djelimičan uspjeh u smanjenju nezakonitih prelazaka granice na određenim rutama, posebno na Istočnoj Sredozemnoj ruti nakon EU-Turska sporazuma iz 2016. godine. Međutim, analiza otkriva i značajne strukturalne probleme, uključujući dokumentovana kršenja ljudskih prava, nedostatak transparentnosti i odgovornosti, te zavisnost od saradnje sa autoritarnim režimima. Rad zaključuje da trenutni model zahtijeva fundamentalnu reformu kako bi se ostvario balans između operativne efikasnosti i poštovanja međunarodnih humanitarnih standarda.

Ključne riječi: *Frontex, EU vanjske granice, ilegalne migracije, ljudska prava, pushback, EU-Turska sporazum, granična sigurnost, Sredozemlje.*

¹ Direkcija za koordinaciju policijskih tijela BiH, e-mail: zoran.lakic77@gmail.com

1. UVOD

Europska unija se od 2015. godine suočava sa najznačajnijom migrantskom krizom u svojoj modernoj historiji. Tokom te godine, preko 1,8 miliona nezakonitih prelazaka vanjskih granica EU je detektovano, što predstavlja rekordnu cifru u historiji agencije Frontex (Frontex, 2016). Ovaj masovni priliv doveo je do intenzivne debate o efikasnosti postojećih mehanizama kontrole granica i ulozi Frontexa kao koordinacijskog tijela. Frontex, osnovan 2004. godine kao agencija sa koordinacijskom ulogom, transformisan je u moćnu instituciju sa vlastitim operativnim kapacitetima i proširenim ovlaštenjima. Budžet agencije rastao je sa 5,5 miliona eura 2005. godine na 922 miliona eura 2024. godine (Frontex, 2024), što reflektuje političku volju EU da ojača kontrolu vanjskih granica. Kao što primjećuje Sarah Léonard, profesorka međunarodne bezbednosti "aktivnosti Frontex-a značajno su doprinjele tekućoj sekuritizaciji azila i migracija u EU" (Leonard, 2010). Ova evolucija postavlja ključna pitanja o odnosu između bezbjednosnih ciljeva i obaveza zaštite osnovnih prava migranata i tražilaca azila. Ovo istraživanje kritički evaluira stvarnu efikasnost Frontex-a u smanjenju nezakonitih prelazaka granice kroz analizu konkretnih operativnih rezultata, identifikuje faktore koji određuju uspjeh ili neuspjeh operacija, te ispituje kako se operativne aktivnosti odnose prema obavezama zaštite ljudskih prava koje proizilaze iz međunarodnog i evropskog prava.

Kako bi se pružio sveobuhvatan odgovor na postavljena istraživačka pitanja, ovo istraživanje primjenjuje multivarijantni metodološki pristup koji integriše komplementarne analitičke metode i različite izvore podataka. Kvantitativna analiza obuhvata sistematsku obradu zvaničnih statistika o detektovanim nezakonitim prelascima granice koje objavljuje Frontex u svojim godišnjim izvještajima o procjeni rizika. Analiza posebno fokusira periode prije i nakon ključnih intervencija uključujući EU-Turska sporazum iz 2016. godine, zatvaranje Zapadnog Balkanskog koridora, te pojačane operacije na Centralnoj Sredozemnoj ruti, s ciljem utvrđivanja njihovog stvarnog uticaja na migrantske tokove. Ovaj pristup omogućava identifikaciju trendova i kvantifikaciju efekata pojedinih mjera, premda se uzimaju u obzir i ograničenja službenih statistika. Analiza pravnog okvira nudi kritičku evaluaciju pravnih dokumenata EU koji definišu mandat i ovlaštenja Frontexa, posebno Uredbe (EU) 2016/1624 i (EU) 2019/1896, te njihovu usklađenost sa međunarodnim pravom izbjeglica i Evropskom konvencijom o ljudskim pravima. Ovaj segment istraživanja ispituje ne samo formalne nadležnosti agencije, već i praktične implikacije pravnih normi na operativnu stvarnost, identifikujući potencijalne pravne praznine ili proturječnosti između sigurnosnih ovlaštenja i zaštite osnovnih prava. Dodatno, analiza izvještaja nezavisnih institucija pruža kritičku perspektivu na rad Frontexa, uključujući nalaze Evropskog revizorskog suda (European Court of Auditors, 2021), izvještaje UN agencija poput UNHCR-a, te dokumentaciju

organizacija civilnog društva koje se bave praćenjem ljudskih prava. Ove izvore karakteriše određeni stepen nezavisnosti od zvaničnih narativa, što omogućava uravnoteženiju ocjenu operativnih praksi i njihovih posljedica. Konačno, kroz studije slučaja provodi se detaljno ispitivanje tri ključne operativne zone: Istočno Sredozemlje s fokusom na implementaciju i efekte EU-Turska sporazuma, Centralno Sredozemlje s posebnom pažnjom na koordinaciju sa libijskom obalnom stražom i implikacije takve saradnje, te Zapadni Balkanski koridor koji ilustruje dinamiku sekundarnih migracija unutar evropskog prostora. Svaka studija slučaja pruža kontekstualizovano razumijevanje kompleksnosti sa kojom se Frontex suočava u različitim geopolitičkim i operativnim okruženjima. Važno je napomenuti da ograničenja istraživanja uključuju ograničenu transparentnost Frontex operacija, poteškoće u nezavisnoj verifikaciji statističkih podataka koje agencija objavljuje, te činjenicu da mnogi operativni dokumenti i interni protokoli ostaju klasifikovani iz sigurnosnih razloga. Ova ograničenja utiču na mogućnost potpuno sveobuhvatne evaluacije, ali ne umanjuju vrijednost systemske analize dostupnih izvora i kritičkog preispitivanja zvaničnih narativa o efikasnosti i poštovanju ljudskih prava u radu agencije. Pod bezbjednosnim podatkom podrazumijeva se saopštenje o činjenicama koje se odnosi na bezbjednosnu pojavu. Da bi ovi podaci bili u potpunosti upotrebljivi, oni moraju biti: provjereni, blagovremeni i tačni. Iz samog cilja bezbjednosno informisanja vidljivo je koliko je ono bitno, jer se na osnovu njega ponekad donose sudbinske odluke za jedan narod, čije posljedice mogu biti katastrofalne ukoliko informacije, odnosno podaci, ne ispunjavaju uslove iz prethodnog pasusa (Kovačević, Lakić, 2025).

2. PRAVNI OKVIR I EVOLUCIJA MANDATA

Frontex je osnovan Uredbom (EC) No 2007/2004 kao odgovor na proširenje EU 2004. godine i potrebu za koordinacijom kontrole produženih vanjskih granica. U ovom ranom periodu, agencija je imala ograničen mandat koji se sastojao u koordinaciji operativne saradnje između država članica, pružanju tehničke podrške i obuke graničnim službama, te analizi rizika i prikupljanju podataka o migracionim trendovima. Ključna karakteristika ovog perioda bila je da Frontex nije posjedovao vlastite operativne kapacitete niti izvršna ovlaštenja, već je funkcionisao prema modelu dobrovoljnog doprinosa država članica, gdje su nacionalne vlasti privremeno ustupale osoblje i opremu za zajedničke operacije. Migracijska kriza 2015. godine eksponirala je fundamentalna ograničenja postojećeg modela i pokrenula proces značajne institucionalne transformacije. Kao odgovor Evropski parlament i Savjet usvojili su Uredbu (EU) 2016/1624 kojom je Frontex transformisan u Europsku agenciju za graničnu i obalnu stražu sa značajno proširenim mandatom. Reforma je uvela obavezu uspostavljanja stalne rezerve od minimum 1.500 graničnih stražara do 2020. godine, mogućnost da Frontex interveniše u državama članicama u kriznim situacijama čak i bez

pristanka dotične države u izuzetnim okolnostima te proširenu ulogu u organizaciji i koordinaciji operacija deportacije i dobrovoljnog vraćanja. Ujedno, ova reforma predstavlja kvalitativan skok ka supranacionalizaciji kontrole granica, premještajući dio nadležnosti sa nacionalnog na EU nivo i postavljajući temelje za dalju evoluciju agencije "kojom se Frontex smatra katalizatorom evropeizacije granične kontrole" (Perkowski, Stierl, Burrridge, 2023). Uredba (EU) 2019/1896 dodatno je ojačala Frontex, predviđajući stvaranje stalnog korpusa od 10.000 operativaca do 2027. godine. Ključne inovacije uključuju pravo agencije na nabavku brodova, aviona, helikoptera i druge opreme, "mogućnost da članovi stalnog korpusa imaju izvršna ovlaštenja na teritoriji država članica, proširenu ulogu u bilateralnoj saradnji sa državama van EU kroz koju Frontex širi i distribuira kulturu kontrole granica EU van granica EU" (Sarantaki, 2025), te uspostavljanje pozicije Službenika za osnovna prava (Fundamental Rights Officer) zaduženog za nadzor poštovanja ljudskih prava. Ova evolucija mandata učinila je Frontex prvom EU agencijom sa uniformisanim, naoružanim kadrom i izvršnim ovlaštenjima, što postavlja nove pravne i političke izazove u pogledu odgovornosti, demokratske kontrole i usklađenosti operativnih praksi sa obavezama zaštite osnovnih prava. Granična policija Bosne i Hercegovine predstavlja prvu multietničku policijsku agenciju formiranu na državnom nivou. Danas Granična policija BiH ima ključnu ulogu u očuvanju sigurnosti državne granice, sprječavanju ilegalnih migracija, prekograničnog kriminala i trgovine ljudima, te učestvuje u međunarodnim operacijama i programima saradnje sa srodnim institucijama u regionu i šire uključujući i službenike Frontexa (Doder, 2025).

3. STATISTIČKI PODACI I TRENDVI

Prema zvaničnim podacima Frontexa, broj detektovanih nezakonitih prelazaka vanjskih granica EU pokazuje značajne fluktuacije tokom posmatranog perioda. Od vrhunca od 1.822.337 prelazaka 2015. godine, došlo je do dramatičnog smanjenja od 72% na 511.047 prelazaka 2016. godine, sa daljnjim padom na najniži nivo od 124.478 prelazaka 2020. godine uslijed pandemije COVID-19 (Frontex Risk Analysis, 2024). Međutim, trend se okrenuo u post-pandemijskom periodu, sa ponovnim rastom na 380.000 prelazaka 2023. godine, najviši nivo od 2016. godine, prije pada na približno 239.000 prelazaka 2024. godine, što predstavlja smanjenje od 38% u odnosu na prethodnu godinu (Frontex, FRAN Quarterly - Quarter 4, 2024) Ovi podaci otkrivaju nekoliko ključnih obrazaca i to: dramatičan pad u periodu 2016-2019. koji je kulminirao najnižim nivoom prije pandemije, ponovni rast od 2021. godine koji ukazuje na strukturalnu prirodu migracionih pritisaka, te izraženu volatilnost koja reflektuje uticaj eksternih geopolitičkih i ekonomskih faktora na migracione tokove.

Istočna Sredozemna ruta (Turska-Grčka) bila je dominantna tokom krize 2015. sa 885.000 prelazaka, ali je nakon EU-Turska sporazuma iz marta 2016. godine zabilježen dramatičan pad na oko 35.000 prelazaka godišnje 2017-2018 (Frontex, Risk Analysis for 2016-2023). Ipak, brojke pokazuju tendenciju ponovnog rasta, sa preko 40.000 prelazaka 2023. godine, što ukazuje na privremeni karakter efekata sporazuma. Centralna Sredozemna ruta (Libija/Tunis-Italija) postala je primarna alternativa nakon djelimičnog zatvaranja Istočne Sredozemne rute, dostižući vrhunac od 181.000 prelazaka 2016. godine. Nakon bilateralnih sporazuma sa Libijom, brojke su privremeno pale na 23.000 u 2019, da bi ponovo dramatično porasle na preko 150.000 godišnje tokom 2022-2023, što ilustruje ograničenu održivost eksternih kontrolnih mehanizama. Zapadni Balkanski koridor bio je glavna ruta tokom 2015. sa 140.000 prelazaka. Nakon koordinisanog zatvaranja u proljeće 2016, došlo je do privremenog smanjenja, ali je ruta ponovo aktivirana od 2021. sa preko 145.000 prelazaka tokom 2022. godine. Zapadna Sredozemna ruta (Maroko-Španija) takođe je postala značajna alternativa sa 65.000 prelazaka 2018. godine. Ovaj obrazac potvrđuje fenomen koji je u literaturi poznat kao "balon efekt", tj. kada se jedna ruta zatvori ili postane teža za prelazak, migracioni tokovi se preusmjeravaju na alternative rute umjesto da se potpuno zaustave, što postavlja pitanje „iskrenosti” mjera kontrole granica.

Multivarijantna analiza sugerise da nekoliko faktora ima značajan uticaj na broj nezakonitih prelazaka. Bilateralni sporazumi sa trećim zemljama, posebno EU-Turska sporazum iz 2016. i saradnja sa libijskom obalnom stražom, pokazali su se kao najmoćniji instrumenti za smanjenje brojki na specifičnim rutama, premda njihova održivost i pravna osnova ostaju predmet kritičke debate. Politička situacija u zemljama porijekla i eskalacija konflikata u Siriji, Afganistanu i Sahel regionu direktno se reflektuje u povećanju migracionih pritisaka i predstavlja strukturalni faktor koji nadilazi operativne kapacitete Frontexa. Ekonomski uslovi, uključujući recesiju u EU i efekte COVID-19 pandemije, privremeno su smanjili tzv. "pull faktore". Konačno, operativno prisustvo Frontexa u vidu pojačanih patrola i tehnološkog nadzora ima umjeren efekat, ali statistička analiza ukazuje da ovaj faktor nije samostalno odlučujući bez podrške eksternih bilateralnih aranžmana i povoljnih geopolitičkih okolnosti.

4. STUDIJE SLUČAJA

EU-Turska sporazum od 18.03.2016. godine predstavlja kontroverzni ali ključni instrument evropske migrantske politike (European Council, 2016). Sporazum predviđa vraćanje svih "nepravilnih migranata" sa grčkih ostrva u Tursku, princip 1:1 prema kojem EU za svakog vraćenog Sirijca prihvata jednog sirijskog izbjeglicu direktno iz Turske, te finansijsku pomoć EU od 6 milijardi eura za

poboljšanje uslova izbjeglica u Turskoj, uz obećanje vizne liberalizacije za turske građane i ubrzanje pristupnih pregovora, tj. obećanja koja nikada nisu u potpunosti implementirana. Sporazum je imao dramatičan efekat na smanjenje prelazaka sa 885.386 u 2015. na 35.000 u 2017. godini, uz značajno smanjenje broja mrtvih na ovoj ruti sa preko 1.100 u godini prije sporazuma na 81 u godini nakon (UNHCR, 2015-2017). Međutim, ove statistike maskiraju ozbiljne humanitarne probleme. Nastali su pretrpani centri na Lesbosu, Chiosu i Samosu gdje migranti čekaju procjenu azilnog zahtjeva u lošim uslovima, dok je veliki broj aplikacija proglašen "nedopuštenim" na osnovu proglašenja Turske "sigurnom trećom zemljom" bez individualne procjene slučaja. Dodatno, dokumentovano je sistematsko vraćanje brodova sa migrantima bez procedure tzv. "pushback" operacije, što krši princip "non-refoulement", dok je Turska povremeno koristila "otvaranje granica" kao instrument geopolitičkog pritiska na EU, posebno tokom marta 2020. godine, što postavlja pitanje održivosti eksternih mehanizama kontrole koji počivaju na bilateralnoj saradnji bez čvrstih pravnih garancija. Nakon djelimičnog zatvaranja Istočne Sredozemne rute, Centralna Sredozemna ruta postala je glavna alternativa, što je podstaklo EU i Frontex da razviju kontroverznu strategiju saradnje sa libijskom obalnom stražom. Ova strategija uključuje finansiranje, obuku i opremu za libijsku obalnu stražu, koordinaciju putem satelitskog nadzora i zračne patrola, te razmjenu informacija o lokacijama brodova sa migrantima. Forensic Oceanography, istraživački projekat koji koristi satelitske snimke i podatke o pomorskom prometu, dokumentovao je kako Frontex koordinira "pushback" operacije gdje libijska obalna straža presreće brodove i vraća ljude u Libiju, i gdje su dokumentovane torture, silovanja i prisilni rad u zatvorskim centrima. UN je opisao uslove u libijskim centrima kao mjesta gdje se odvijaju "zločini protiv čovječnosti", što postavlja ozbiljna pravna pitanja o posrednoj odgovornosti EU i Frontexa za kršenja ljudskih prava počinjena od strane partnera sa kojima sarađuju. U aprilu 2022. godine, izvršni direktor Frontexa Fabrice Leggeri podnio je ostavku nakon što je Evropski ured za borbu protiv prijevara (OLAF) objavio izvještaj o njegovoj umiješanosti u prikrivanje kršenja ljudskih prava i ometanju istraga (European Anti-Fraud Office, 2022). OLAF istraga otkrila je sistematsko prikrivanje incidentata pushback operacija, neposlušnost prema Evropskom parlamentu i odbijanje pružanja dokumenata, mobing zaposlenih koji su pokušali da prijave kršenja, te neadekvatnu implementaciju mehanizama za zaštitu ljudskih prava. Ovaj skandal eksponirao je strukturalni problem tzv. "deficit odgovornosti" u Frontexu i nejasne linije odgovornosti između EU agencije i nacionalnih vlasti tokom zajedničkih operacija, što postavlja fundamentalna pitanja o demokratskoj kontroli i pravnoj odgovornosti u kontekstu supranacionalizovane kontrole granica gdje se izvršna ovlaštenja dijele između različitih nivoa vlasti bez jasnih mehanizama nadzora i sankcionisanja kršenja.

5. IZAZOVI I KRITIKE

Evropski revizorski sud zaključio je u svom izvještaju iz 2021. godine da podrška Frontexa upravljanju vanjskim granicama "nije bila dovoljno efikasna" i da postoje ozbiljni nedostaci u nadzoru poštovanja ljudskih prava (European Court of Auditors, 2021). Posebno zabrinjavajuće su sistematske operacije vraćanja migranata na moru bez procedure azila, pri čemu je Border Violence Monitoring Network dokumentovao preko 950 incidentata samo na grčko-turskoj granici između 2020-2022. godine. Ove prakse predstavljaju kolektivno protjerivanje koje krši obavezu individualne procjene svakog slučaja, što je eksplicitno zabranjeno članom 4. Protokola 4 Evropske konvencije o ljudskim pravima. Dodatno, dokumentovani su propusti u spašavanju života na moru, slučajevi gdje su brodovi pod nadzorom Frontexa odgodili ili propustili pružanje pomoći brodovima u nevolji, što predstavlja kršenje međunarodnog pomorskog prava i fundamentalne obaveze spašavanja života na moru. Frontex operacije karakteriše visok stepen netransparentnosti koji otežava demokratsku kontrolu i pravnu odgovornost. Operativni izvještaji često su klasifikovani kao "osetljivi" izvještaji o ozbiljnim incidentima (Serious Incident Reports) objavljuju se sa značajnim kašnjenjem i redakcijama, procedure za pritužbe ostaju kompleksne i nepristupačne žrtvama, dok mehanizam Službenika za fundamentalna prava (Fundamental Rights Officer) ima ograničena izvršna ovlaštenja. Ovaj strukturalni problem kulminirao je 2022. godine kada je Evropski parlament odbio da odobri budžet Frontexa, jer to je prvi put u istoriji EU da se to dešava zbog zabrinutosti oko kršenja ljudskih prava i nedostatka odgovornosti. Ovaj incident eksponirao je fundamentalni problem tj. nejasne linije odgovornosti između EU agencije i nacionalnih vlasti tokom zajedničkih operacija omogućavaju da nijedan akter ne snosi punu pravnu odgovornost za dokumentovana kršenja. Strategija EU da "eksternalizuje" kontrolu granica na zemlje porijekla i tranzita dovela je do kontroverznih partnerstava koja potkopavaju kredibilitet evropskog pristupa zaštiti ljudskih prava. Saradnja sa Libijom, zemljom u građanskom ratu bez funkcionalne centralne vlasti gdje se dokumentuju sistematska kršenja osnovnih ljudskih prava, Turskom kao autoritarnim režimom koji koristi izbjeglice kao instrument političkog pritiska, te zemljama poput Sudana i Nigera sa lošim bilansima ljudskih prava koje dobijaju finansije i opremu za zaustavljanje migracionih tokova prije nego što dostignu EU, podiže fundamentalno pitanje posredne odgovornosti. Ova strategija eksternalizacije omogućava EU da ostvari operativne ciljeve kontrole granica dok formalno ostaje udaljena od direktnih kršenja prava, ali postavlja pitanje da li EU može legitimno delegirati svoje međunarodne obaveze zaštite ljudskih prava zemljama koje sistematski krše ta prava, i da li takva delegacija oslobađa EU pravne i moralne odgovornosti za posljedice koje proizilaze iz takve saradnje.

6. PERSPEKTIVE I REFORME

Nakon ostavke izvršnog direktora Leggerija i skandala 2022. godine, pokrenuti su određeni reformski procesi koji uključuju jačanje kancelarije Službenika za osnovna prava, poboljšanje procedure za pritužbe, povećanu obuku osoblja o ljudskim pravima, te češće objavljivanje izvještaja. Međutim, kritičari argumentuju da su ove mjere nedovoljne jer se fokusiraju na kozmetičke promjene umjesto na sistemske reforme, te da ne adresiraju fundamentalni problem podijeljene odgovornosti između Frontexa i država članica koja omogućava izbjegavanje pravnih posljedica za dokumentovana kršenja. Akademska zajednica i civilno društvo predlažu radikalnije reforme koje bi uključivale uspostavljanje jasne pravne odgovornosti Frontexa za kršenja tokom svojih operacija bez mogućnosti zaklona iza "podijeljene odgovornosti", nezavisni nadzor putem eksternog nadzornog tijela sa mandatom za nenajavljene inspekcije i disciplinske mjere, obavezne procjene uticaja na ljudska prava prije svake operacije, te suspenziju saradnje kao automatsko zamrzavanje operacija sa partnerskim zemljama gdje su dokumentovana sistematska kršenja prava. Neki analitičari predlažu fundamentalno drugačije pristupe koji bi uključivali legalne koridore kroz masovno povećanje legalnih puteva migracije kako bi se smanjio pritisak na ilegalne i opasne rute, regionalne centre za procesiranje azila u trećim zemljama gdje bi ljudi mogli aplicirati za azil bez opasnih putovanja, vraćanje na "potragu i spašavanje ", model sa humanitarnim prioritetom spašavanja života sličan italijanskoj operaciji Mare Nostrum iz 2013-2014, te adresiranje osnovnih uzroka kroz fokus na razvojnu pomoć, rješavanje konflikata i klimatske investicije u zemljama porijekla. Ove alternative sugerišu da trajno rješenje migracijskih izazova zahtijeva premještanje fokusa sa restriktivnih mjera kontrole granica ka strukturalnim intervencijama koje adresiraju push faktore i kreiraju legalne alternative opasnim putevima.

7. ZAKLJUČAK

Analiza uloge Frontexa u kontroli vanjskih granica EU u periodu 2015-2024. godine, otkriva duboku krizu legitimnosti iza fasade operativne efikasnosti. Agencija doprinosi smanjenju nezakonitih prelazaka na pojedinim rutama, ali ova efikasnost kritički zavisi od bilateralnih sporazuma sa trećim zemljama, a ne od operativnih kapaciteta Frontexa. Statistička analiza pokazuje da je prisustvo Frontexa neophodno, ali ne i dovoljno kao faktor kontrole migracija, što dovodi u pitanje opravdanost dramatičnog porasta budžeta sa 5,5 miliona eura 2005. na 922 miliona 2024. godine, s projekcijom od 1,27 milijardi do 2027. Ovaj nesrazmjer sugerise da je Frontex djelimično postao instrument političke teatralizacije, skupi simbol čija stvarna efikasnost zavisi od faktora izvan njegovog uticaja. Zatvaranje jedne rute dovodi do preusmjerenja migracija na alternative rute, što fundamentalno potkopava legitimnost pristupa baziranog na militarizaciji granica. U kontekstu trajnih uzročnika migracija (konflikti, klimatske promjene, ekonomske nejednakosti), pristup "zapečaćivanja granica" postaje besmislena Sizifova kazna koja apsorbira ogromne resurse bez trajnog rješenja. Najkritičnije je sistemsko kršenje ljudskih prava koje je dokumentovano kroz pushback operacije, kolektivnim protjerivanjima i propustima u spašavanju života, jer ova kršenja nisu izolovani incidenti već sistemski karakteristika operativnog modela. Ostavka izvršnog direktora zbog prikrivanja i kršenja ljudskih prava, te prvo odbijanje budžeta EU agencije od strane Evropskog parlamenta u istoriji signaliziraju duboku krizu legitimnosti. Strukturalni nedostatak transparentnosti i jasnih mehanizama odgovornosti omogućava ponavljanje kršenja ljudskih prava. Podijeljena odgovornost između Frontexa i država članica stvara pravnu sivu zonu gdje nijedan akter ne snosi punu odgovornost. Predmetni deficit odgovornosti ne predstavlja tranzitorno operativno odstupanje koje je moguće sanirati inkrementalnim administrativnim zahvatima, jer riječ je o inherentnoj strukturnoj anomaliji u arhitekturi samog sistema. Ovakav sistemski nedostatak ukazuje na pogrešnu teleološku postavku institucija, što nalaže napuštanje parcijalnih reformi u korist sveobuhvatne normativne i supstancijalne rekonstrukcije pravnog okvira u svrhu ponovne uspostave mehanizama kontrole moći. Geopolitička vulnerabilnost proizilazi iz zavisnosti od saradnje sa autoritarnim režimima. Delegiranjem kontrole libijskoj obalnoj straži i finansiranjem režima sa dokumentovanim kršenjima prava, EU eksternalizuje vlastitu moralnu odgovornost, stvarajući sistem gdje su kršenja prava migranata dovoljno daleko da se zanemare u javnom diskursu, ali dovoljno blizu da EU snosi pravnu i moralnu odgovornost. Da li su Frontex operacije doprinijele smanjenju ilegalnih prelazaka? Odgovor je kontekstualno zavisao, ali ultimativno negativan u smislu trajne efikasnosti. Kratkoročno, pojačano prisustvo korelira sa smanjenjem prelazaka na pojedinim rutama, ali efekat je privremen i praćen preusmjerenjem tokova. Najvažniji faktor za smanjenje prelazaka nije operativno prisustvo Frontexa, već bilateralni sporazumi, što znači

da je stvarna efikasnost delegirana eksternim akterima čije ponašanje EU ne može pouzdano kontrolisati. Stvar je ovde jasna, jer hijerarhija faktora uspjeha otkriva neugodnu istinu i to: (1) bilateralni sporazumi sa trećim zemljama, (2) političke krize u regijama porijekla, (3) ekonomski faktori privlačenja, (4) operativni kapaciteti Frontexa. Agencija snosi odgovornost za ishode koji zavise od varijabli koje ne može kontrolisati. Kako uskladiti efikasnost kontrole granica sa zaštitom ljudskih prava? Trenutno usklađivanje nije postignuto niti sistematski pokušano. Empirijski podaci otkrivaju ustupke gdje pokušaji povećanja kontrole sistematski dovode do kršenja prava. Ovo nije slučajna korelacija već logična posljedica pristupa koji tretira ljudska prava kao operativnu smetnju, a ne kao konstituirajući princip. Frontex može biti dio rješenja, ali samo kroz transformaciju koja ga pomjera od militarističkog modela "tvrđave Evrope", modela koji je pokazao svoju neefikasnost i nelegitimnost prema modelu koji služi istovremeno bezbjednosnim i humanitarnim ciljevima. Alternativa nije između bezbjednosti i ljudskih prava, već između kratkoročne političke performativnosti i dugoročnog strateškog pristupa, koji adresira strukturalne uzroke migracija dok osigurava zaštitu granica kompatibilnu sa međunarodnim pravom i evropskim vrijednostima. Pitanje nije tehničke prirode, već pitanje političke volje da se prizna neuspjeh postojećeg modela i hrabrosti da se zamisli drugačiji pristup.

LITERATURA

1. Doder, N., 2025. „, Službe sigurnosti Bosne i Hercegovine”, *Zaštita i sigurnost*, godina 5., broj 1., www.zisjournal.com.
2. European Anti-Fraud Office (OLAF), 2022. Final report on Frontex investigation, Brussels: European Anti-Fraud Office.
3. European Commission (n.d.) Regulation (EC) No 2007/2004 establishing Frontex. Available at: <https://eur-lex.europa.eu/search.html?scope=EURLEX&text=2007%2F2004&lang=en&type=quick&qid=1776332844243>, (16.10.2025).
4. European Council, 2016. EU-Turkey statement, 2016. Press release 144/16. Brussels: Council of the European Union. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>, (16.10.2025).
5. European Court of Auditors, 2021. Frontex's support to external border management: Not sufficiently effective to date. Special Report No. 08/2021. Luxembourg: ECA.
6. European Parliament and Council, 2016. Regulation (EU) 2016/1624 on the European Border and Coast Guard. Official Journal of the European Union, L 251/1.
7. European Parliament and Council, 2019. Regulation (EU) 2019/1896 on the European Border and Coast Guard. Official Journal of the European Union, L 295/1.
8. Frontex, 2016. Annual risk analysis report 2016. Warsaw: European Border and Coast Guard Agency.
9. Frontex, 2024. Budget 2024. <https://prd.frontex.europa.eu/document/budget-2024/>; Statista (2024). Annual budget of Frontex in the European Union from 2005 to 2024. (18.10.2025).
10. Frontex, 2024. FRAN quarterly - Quarter 4, 2024. Warsaw: Frontex Risk Analysis Network.
11. Frontex, 2024. Irregular arrivals to the EU drop by 38% in 2024. Press release, December. Available at: official Frontex website (18.10.2025).
12. Frontex, 2024. Risk analysis for 2024. Warsaw: Frontex Risk Analysis Unit.
13. Kovačević, Z., Lakić, Z., 2025. „, Informisanje i izvještavanje u policijskim agencijama”, *Zaštita i sigurnost*, godina 5., broj 2., www.zisjournal.com.
14. Léonard, S., 2010. 'EU border security and migration into the European Union: FRONTEX and securitisation through practices', *European Security*, 19(2), str. 231–254.

15. Perkowski, N., Stierl, M. and BurrIDGE, A., 2023. "The evolution of European border governance through crisis: Frontex and the interplay of protracted and acute crisis narratives", *Environment and Planning C: Politics and Space*, 41(5).
16. Sarantaki, A.-M., 2025. "Frontex: Transcending the EU borders", *Journal of Borderlands Studies*, 40(3), str. 691–711.
17. UNHCR, 2017. Operational data portal: Mediterranean situation (2015–2017). Available at: <https://data.unhcr.org/en/situations/europe-sea-arrivals>, (19.10.2025).

ROLE OF FRONTEX IN CONTROL EXTERNAL BORDERS OF EU

DOI: 10.70329/2744-2403.2026.6.11.13

Original Scientific Paper

Assoc. Ph.D. Zoran Lakic*

Abstract:

This paper analyzes the role of the European Border and Coast Guard Agency (Frontex) in controlling the external borders of the European Union during a period of intense migration pressures (2015-2024). The study employs a multivariate methodology that combines the analysis of official statistical data, an evaluation of the legal framework, and a critical analysis of reports from international organizations. The focus of the analysis is the period following the 2015 migration crisis, when Frontex underwent a fundamental transformation of its mandate and operational capacities. The results show that the agency has achieved partial success in reducing irregular border crossings on certain routes, particularly on the Eastern Mediterranean route following the 2016 EU-Turkey agreement. However, the analysis also reveals significant structural problems, including documented human rights violations, a lack of transparency and accountability, and a reliance on cooperation with authoritarian regimes. The paper concludes that the current model requires fundamental reform to achieve a balance between operational effectiveness and respect for international humanitarian standards.

Keywords: *Frontex, EU external borders, illegal migration, human rights, pushback, EU-Turkey agreement, border security, Mediterranean.*

* Directorate for Coordination of Police Bodies of BiH, e-mail: zoran.lakic77@gmail.com

1. INTRODUCTION

Since 2015, the European Union has been facing the most significant migration crisis in its modern history. During that year, over 1.8 million illegal crossings of the EU's external borders were detected, a record figure in the history of the Frontex agency (Frontex, 2016). This massive influx has led to an intense debate about the effectiveness of existing border control mechanisms and the role of Frontex as a coordinating body. Frontex, established in 2004 as an agency with a coordinating role, has been transformed into a powerful institution with its own operational capabilities and expanded powers. The agency's budget grew from 5.5 million euros in 2005 to 922 million euros in 2024 (Frontex, 2024), reflecting the EU's political will to strengthen control of its external borders. As Sarah Léonard, a professor of international security, observes, "Frontex's activities have significantly contributed to the ongoing securitization of asylum and migration in the EU" (Leonard, 2010). This evolution raises key questions about the relationship between security objectives and the obligation to protect the fundamental rights of migrants and asylum seekers. This research critically evaluates Frontex's actual effectiveness in reducing illegal border crossings by analyzing concrete operational results, identifies the factors that determine the success or failure of operations, and examines how operational activities relate to the human rights protection obligations arising from international and European law.

In order to provide a comprehensive answer to the research questions posed, this study applies a multivariate methodological approach that integrates complementary analytical methods and various data sources. The quantitative analysis involves the systematic processing of official statistics on detected illegal border crossings published by Frontex in its annual risk assessment reports. The analysis specifically focuses on the periods before and after key interventions, including the 2016 EU-Turkey agreement, the closure of the Western Balkan corridor, and enhanced operations on the Central Mediterranean route, with the aim of determining their actual impact on migration flows. This approach allows for the identification of trends and the quantification of the effects of individual measures, while also taking into account the limitations of official statistics. The analysis of the legal framework offers a critical evaluation of the EU legal documents that define Frontex's mandate and powers, particularly Regulation (EU) 2016/1624 and (EU) 2019/1896, and their compatibility with international refugee law and the European Convention on Human Rights. This segment of the research examines not only the agency's formal competencies but also the practical implications of legal norms on operational reality, identifying potential legal gaps or contradictions between security powers and the protection of fundamental rights. Additionally, the analysis of reports from independent institutions provides a critical perspective on Frontex's work, including findings

from the European Court of Auditors (2021), reports from UN agencies such as the UNHCR, and documentation from civil society organizations that monitor human rights. These sources are characterized by a certain degree of independence from official narratives, which allows for a more balanced assessment of operational practices and their consequences. Finally, through case studies, a detailed examination of three key operational zones is conducted: The Eastern Mediterranean with a focus on the implementation and effects of the EU-Turkey agreement, the Central Mediterranean with special attention to coordination with the Libyan Coast Guard and the implications of such cooperation, and the Western Balkan corridor, which illustrates the dynamics of secondary migration within the European space. Each case study provides a contextualized understanding of the complexities Frontex faces in different geopolitical and operational environments. It is important to note that the research limitations include the limited transparency of Frontex operations, difficulties in independently verifying the statistical data published by the agency, and the fact that many operational documents and internal protocols remain classified for security reasons. These limitations affect the possibility of a fully comprehensive evaluation, but they do not diminish the value of a systematic analysis of available sources and a critical examination of official narratives about the agency's effectiveness and respect for human rights. Security information is understood as a statement of facts relating to a security phenomenon. In order for this data to be fully usable, it must be: verified, timely and accurate. The very purpose of security information is evident from how important it is, because it is sometimes used to make fateful decisions for a nation, the consequences of which can be catastrophic if the information, or data, does not meet the conditions from the previous paragraph (Kovačević, Lakić, 2025).

2. LEGAL FRAMEWORK AND EVOLUTION OF THE MANDATE

Frontex was established by Regulation (EC) No 2007/2004 in response to the 2004 EU enlargement and the need to coordinate the control of the extended external borders. During this early period, the agency had a limited mandate consisting of coordinating operational cooperation between Member States, providing technical support and training to border services, and analyzing risk and collecting data on migration trends. A key characteristic of this period was that Frontex did not possess its own operational capabilities or executive powers, but rather operated on a model of voluntary contributions from Member States, where national authorities temporarily provided personnel and equipment for joint operations. The 2015 migration crisis exposed the fundamental limitations of the existing model and triggered a process of significant institutional transformation. In response, the European Parliament and the Council adopted Regulation (EU)

2016/1624, which transformed Frontex into the European Border and Coast Guard Agency with a significantly expanded mandate. The reform introduced the obligation to establish a standing reserve of at least 1,500 border guards by 2020, the possibility for Frontex intervenes in Member States in crisis situations even without the consent of the Member State concerned in exceptional circumstances, and has an expanded role in organizing and coordinating deportation and voluntary return operations. Furthermore, this reform represents a qualitative leap towards the supranationalization of border control, transferring part of the competence from the national to the EU level and laying the foundations for the agency's further evolution, "with Frontex being considered a catalyst for the Europeanization of border control" (Perkowski, Stierl, & Burrige, 2023). Regulation (EU) 2019/1896 further strengthened Frontex, providing for the creation of a Standing Corps of 10,000 operatives by 2027. Key innovations include the agency's right to procure ships, aircraft, helicopters, and other equipment, "the ability for members of the Standing Corps to have executive powers on the territory of Member States, an expanded role in bilateral cooperation with non-EU countries through which Frontex expands and distributes the culture of EU border control beyond the EU's borders" (Sarantaki, 2025), and the establishment of the position of a Fundamental Rights Officer responsible for monitoring respect for human rights. This evolution of its mandate has made Frontex the first EU agency with a uniformed, armed personnel and executive powers, which raises new legal and political challenges regarding accountability, democratic oversight, and the compliance of operational practices with the obligations to protect fundamental rights. The Border Police of Bosnia and Herzegovina is the first multiethnic police agency established at the state level. Today, the Border Police of Bosnia and Herzegovina plays a key role in maintaining the security of the state border, preventing illegal migration, cross-border crime and human trafficking, and participates in international operations and cooperation programs with similar institutions in the region and beyond, including Frontex officers (Doder, 2025).

3. STATISTICS AND TRENDS

According to official Frontex data, the number of detected illegal crossings of the EU's external borders shows significant fluctuations over the period under observation. From a peak of 1,822,337 crossings in 2015, there was a dramatic 72% decrease to 511,047 crossings in 2016, with a further drop to a low of 124,000 in 2017. 478 crossings in 2020 due to the COVID-19 pandemic (Frontex Risk Analysis, 2024). However, the trend reversed in the post-pandemic period, with a rebound to 380. 000 crossings in 2023, the highest level since 2016, before falling to approximately 239,000 crossings in 2024, representing a 38% decrease

from the previous year (Frontex, FRAN Quarterly - Quarter 4, 2024) These data reveal several key patterns: a dramatic decline between 2016 and 2019, which culminated in the lowest pre-pandemic level, and a rebound in growth since 2021. year, which indicates the structural nature of migration pressures, and pronounced volatility that reflects the impact of external geopolitical and economic factors on migration flows.

The Eastern Mediterranean route (Turkey-Greece) was dominant during the 2015 crisis with 885,000 crossings, but after the EU-Turkey agreement of March 2016 a dramatic drop to around 35,000 crossings per year was recorded in 2017-2018 (Frontex, Risk Analysis for 2016-2023). However, the figures show a trend of resurgence, with over 40,000 crossings in 2023, indicating the temporary nature of the agreement's effects. The Central Mediterranean route (Libya/Tunisia-Italy) became the primary alternative after the partial closure of the Eastern Mediterranean route, reaching a peak of 181,000 crossings in 2016. Following bilateral agreements with Libya, the numbers temporarily fell to 23,000 in 2019, only to rise dramatically again to over 150,000 per year during 2022-2023, illustrating the limited sustainability of external control mechanisms. The Western Balkan corridor was the main route during 2015 with 140,000 crossings. After a coordinated closure in the spring of 2016, there was a temporary decrease, but the route was reactivated from 2021 with over 145,000 crossings in 2022. The Western Mediterranean route (Morocco-Spain) also became a significant alternative with 65,000 crossings in 2018. This pattern confirms the phenomenon known in the literature as the “balloon effect,” i.e., when one route is closed or becomes more difficult to cross, migration flows are redirected to alternative routes instead of stopping completely, which raises the question of the “sincerity” of border control measures.

Multivariate analysis suggests that several factors have a significant impact on the number of illegal crossings. Bilateral agreements with third countries, particularly the 2016 EU-Turkey agreement and cooperation with the Libyan Coast Guard, have proven to be the most powerful instruments for reducing numbers on specific routes, although their sustainability and legal basis remain the subject of critical debate. The political situation in countries of origin and the escalation of conflicts in Syria, Afghanistan, and the Sahel region directly reflect an increase in migration pressures and represent a structural factor that goes beyond Frontex's operational capabilities. Economic conditions, including the recession in the EU and the effects of the COVID-19 pandemic, have temporarily reduced the so-called. “pull factors.” Finally, Frontex's operational presence, in the form of enhanced patrols and technological surveillance, has a moderate deterrent effect, but statistical analysis indicates that this factor is not decisively effective on its own without the support of external bilateral arrangements and favorable geopolitical circumstances.

4. CASE STUDIES

The EU-Turkey agreement of March 18, 2016, is a controversial but key instrument of European migration policy (European Council, 2016). The agreement provides for the return of all “irregular migrants” from the Greek islands to Turkey, a 1:1 principle whereby the EU accepts one Syrian refugee directly from Turkey for every Syrian returned, and €6 billion in financial assistance from the EU to improve refugee conditions in Turkey, along with the promise of visa liberalization for Turkish citizens and an acceleration of accession negotiations, i.e., promises that were never fully implemented. The agreement had a dramatic effect on reducing crossings from 885,386 in 2015. to 35,000 in 2017, with a significant reduction in the number of deaths on this route from over 1,100 in the year before the agreement to 81 in the year after (UNHCR, 2015-2017). However, these statistics mask serious humanitarian problems. Overcrowded centers have emerged on Lesbos, Chios, and Samos where migrants wait for asylum claim assessments in poor conditions, while a large number of applications have been declared “inadmissible” based on Turkey being designated a “safe third country” without an individual case assessment. Additionally, the systematic return of migrant boats without the procedure of a so-called “pushback” operation has been documented, which violates the principle of non-refoulement, while Turkey has occasionally used “opening the borders” as a tool of geopolitical pressure on the EU, especially during March 2020, which raises the question of the sustainability of external control mechanisms that rely on bilateral cooperation without firm legal guarantees. After the partial closure of the Eastern Mediterranean route, the Central Mediterranean route became the main alternative, which prompted the EU and Frontex to develop a controversial strategy of cooperation with the Libyan coast guard. This strategy includes funding, training, and equipment for the Libyan Coast Guard, coordination through satellite surveillance and air patrols, and the exchange of information on the locations of migrant boats. Forensic Oceanography, a research project that uses satellite imagery and maritime traffic data, has documented how Frontex coordinates “pushback” operations where the Libyan coast guard intercepts boats and returns people to Libya, where torture, rape, and forced labor have been documented in detention centers. The UN has described the conditions in Libyan detention centers as places where “crimes against humanity” are being committed, which raises serious legal questions about the EU's and Frontex's complicity in human rights violations committed by their partners. In April 2022, Frontex Executive Director Fabrice Leggeri resigned after the European Anti-Fraud Office (OLAF) published a report on his involvement in covering up human rights violations and obstructing investigations (European Anti-Fraud Office, 2022). The OLAF investigation revealed systematic concealment of incidents of pushback operations, disobedience to the European Parliament and refusal to provide documents, harassment of employees who tried to report violations, and

inadequate implementation of human rights protection mechanisms. This scandal exposed the structural problem of the so-called “accountability deficit” within Frontex and the unclear lines of responsibility between the EU agency and national authorities during joint operations, which raises fundamental questions about democratic control and legal accountability in the context of supranationalized border control where executive powers are shared between different levels of authority without clear mechanisms for oversight and sanctioning of violations.

5. CHALLENGES AND CRITICISMS

The European Court of Auditors concluded in its 2021 report that Frontex's support for managing external borders “was not sufficiently effective” and that there are serious shortcomings in the monitoring of human rights compliance (European Court of Auditors, 2021). Particularly concerning are the systematic operations of returning migrants at sea without an asylum procedure, with the Border Violence Monitoring Network documenting over 950 incidents on the Greek-Turkish border alone between 2020-2022. These practices constitute collective expulsion, which violates the obligation of an individual assessment of each case, an act explicitly prohibited by Article 4 of Protocol 4 of the European Convention on Human Rights. Additionally, there have been documented failures in saving lives at sea, cases where Frontex-monitored vessels delayed or failed to provide assistance to boats in distress, which constitutes a violation of international maritime law and the fundamental obligation to save lives at sea. Frontex operations are characterized by a high degree of opacity that hinders democratic oversight and legal accountability. Operational reports are often classified as “sensitive” serious incident reports (Serious Incident Reports) are published with significant delays and redactions, complaint procedures remain complex and inaccessible to victims, while the Fundamental Rights Officer mechanism has limited executive powers. This structural problem culminated in 2022 when the European Parliament refused to approve Frontex's budget, as this was the first time in EU history that this had happened due to concerns about human rights violations and a lack of accountability. This incident exposed a fundamental problem: unclear lines of responsibility between the EU agency and national authorities during joint operations allow no single actor to bear full legal responsibility for documented violations. The EU's strategy of “externalizing” border control to countries of origin and transit has led to controversial partnerships that undermine the credibility of the European approach to human rights protection. Cooperation with Libya, a country in civil war without a functional central government where systematic violations of fundamental human rights are documented, Turkey as an authoritarian regime that uses refugees as a political pressure tool, and countries like Sudan and Niger with poor human rights

records that receive funding and equipment to stop migration flows before they reach the EU, raises the fundamental question of complicity. This externalization strategy allows the EU to achieve its operational border control objectives while formally remaining distant from direct rights violations, but raises the question of whether the EU can legitimately delegate its international human rights protection obligations to countries that systematically violate those rights, and whether such a delegation absolves the EU of legal and moral responsibility for the consequences arising from such cooperation.

6. PERSPECTIVES AND REFORMS

Following the resignation of Executive Director Leggeri and the 2022 scandal, certain reform processes were initiated, including strengthening the Office of the Fundamental Rights Officer, improving the complaints procedure, increased staff training on human rights, and more frequent publication of reports. However, critics argue that these measures are insufficient because they focus on cosmetic changes rather than systemic reforms, and that they do not address the fundamental problem of the shared responsibility between Frontex and member states, which allows for the avoidance of legal consequences for documented violations. Academics and civil society propose more radical reforms that would include establishing clear legal liability for Frontex for violations during its operations, without the possibility of hiding behind “shared responsibility,” independent oversight through an external supervisory body with a mandate for unannounced inspections and disciplinary measures, mandatory human rights impact assessments before every operation, and the suspension of cooperation as an automatic freeze on operations with partner countries where systematic human rights violations are documented. Some analysts propose fundamentally different approaches that would include legal corridors through a massive increase in legal migration pathways to reduce pressure on illegal and dangerous routes, regional asylum processing centers in third countries where people could apply for asylum without dangerous journeys, a return to “search and rescue first” a humanitarian life-saving model similar to Italy's 2013-2014 Mare Nostrum operation, and addressing root causes through a focus on development aid, conflict resolution, and climate investments in countries of origin. These alternatives suggest that a lasting solution to migration challenges requires shifting the focus from restrictive border control measures to structural interventions that address push factors and create legal alternatives to dangerous routes.

7. CONCLUSION

The analysis of Frontex's role in controlling the EU's external borders from 2015 to 2024 reveals a deep crisis of legitimacy behind a facade of operational efficiency. The agency contributes to reducing illegal crossings on certain routes, but this effectiveness critically depends on bilateral agreements with third countries, not on Frontex's operational capacity. Statistical analysis shows that Frontex's presence is necessary but not sufficient as a factor in controlling migration, which calls into question the justification for the dramatic increase in its budget from 5.5 million euros in 2005 to 922 million in 2024, with a projection of 1.27 billion by 2027. This disproportion suggests that Frontex has partially become an instrument of political theatricality, an expensive symbol whose actual effectiveness depends on factors beyond its influence. Closing one route leads to the diversion of migration to alternative routes, which fundamentally undermines the legitimacy of the border militarization approach. In the context of the root causes of migration (conflicts, climate change, economic inequalities), the “sealing the borders” approach becomes a meaningless Sisyphean punishment that absorbs vast resources without a lasting solution. Most critically, it is a systemic human rights violation that has been documented through pushback operations, collective deportations and failures in saving lives, because these violations are not isolated incidents but a systemic characteristic of the operational model. The resignation of the executive director over the cover-up of violations and the first-ever rejection of an EU agency's budget by the European Parliament signal a deep crisis of legitimacy. A structural lack of transparency and clear accountability mechanisms allows human rights violations to recur. The shared responsibility between Frontex and member states creates a legal gray zone where no single actor bears full responsibility. This deficit of accountability is not a transient operational deviation that can be remedied with incremental administrative measures, it is an inherent structural anomaly in the very architecture of the system. This systemic flaw points to a flawed teleological design of the institutions, which necessitates abandoning piecemeal reforms in favor of a comprehensive normative and substantive reconstruction of the legal framework to re-establish mechanisms of power control. Geopolitical vulnerability stems from dependence on cooperation with authoritarian regimes. By delegating control to the Libyan Coast Guard and financing a regime with documented human rights violations, the EU externalizes its own moral responsibility, creating a system where the violation of migrants' rights is sufficient far from being ignored in public discourse, but close enough for the EU to bear legal and moral responsibility. Have Frontex operations contributed to reducing illegal crossings? The answer is context-dependent, but ultimately negative in terms of lasting effectiveness. In the short term, an increased presence correlates with a reduction in crossings on certain routes, but the effect is temporary and accompanied by the diversion of flows. The most important factor

in reducing crossings is not Frontex's operational presence but rather bilateral agreements, which means that the actual effectiveness is delegated to external actors whose behavior the EU cannot reliably control. The matter is clear here, as the hierarchy of success factors reveals an uncomfortable truth: (1) bilateral agreements with third countries, (2) political crises in the regions of origin, (3) economic factors. deterrence, (4) Frontex's operational capacities. The Agency is responsible for outcomes that depend on variables it cannot control. How can border control effectiveness be reconciled with the protection of human rights? Currently, this alignment has neither been achieved nor systematically attempted. Empirical data reveal trade-offs where attempts to increase control systematically lead to rights violations. This is not a random correlation but a logical consequence of an approach that treats human rights as an operational nuisance rather than as a constitutive principle. Frontex can be part of the solution, but only through a transformation that moves it away from the militaristic “Fortress Europe” model—a model that has proven ineffective and illegitimate—toward one that serves both security and humanitarian goals simultaneously. The alternative is not between security and human rights, but between short-term political performativity and a long-term strategic approach that addresses the structural causes of migration while ensuring border protection compatible with international law and European values. The issue is not a technical one, but a question of political will to acknowledge the failure of the existing model and the courage to imagine a different approach.

LITERATURE

1. Doder, N., 2025. "Security Services of Bosnia and Herzegovina", Protection and Security, year 5, issue 1, www.zisjournal.com.
2. European Anti-Fraud Office (OLAF), 2022. Final report on Frontex investigation, Brussels: European Anti-Fraud Office.
3. European Commission (n.d.) Regulation (EC) No 2007/2004 establishing Frontex. Available at: <https://eur-lex.europa.eu/search.html?scope=EURLEX&text=2007%2F2004&lang=en&type=quick&qid=1776332844243>, (16.10.2025).
4. European Council, 2016. EU-Turkey statement, 2016. Press release 144/16. Brussels: Council of the European Union. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>, (16.10.2025).
5. European Court of Auditors, 2021. Frontex's support to external border management: Not sufficiently effective to date. Special Report No. 08/2021. Luxembourg: ECA.
6. European Parliament and Council, 2016. Regulation (EU) 2016/1624 on the European Border and Coast Guard. Official Journal of the European Union, L 251/1.
7. European Parliament and Council, 2019. Regulation (EU) 2019/1896 on the European Border and Coast Guard. Official Journal of the European Union, L 295/1.
8. Frontex, 2016. Annual risk analysis report 2016. Warsaw: European Border and Coast Guard Agency.
9. Frontex, 2024. Budget 2024. <https://prd.frontex.europa.eu/document/budget-2024/>; Statista (2024). Annual budget of Frontex in the European Union from 2005 to 2024. (18.10.2025).
10. Frontex, 2024. FRAN quarterly - Quarter 4, 2024. Warsaw: Frontex Risk Analysis Network.
11. Frontex, 2024. Irregular arrivals to the EU drop by 38% in 2024. Press release, December. Available at: official Frontex website (18.10.2025).
12. Frontex, 2024. Risk analysis for 2024. Warsaw: Frontex Risk Analysis Unit.
13. Kovačević, Z., Lakić, Z., 2025. "Information and reporting in police agencies", Protection and Security, year 5, issue 2, www.zisjournal.com.
14. Léonard, S., 2010. 'EU border security and migration into the European Union: FRONTEX and securitisation through practices', European Security, 19(2), str. 231–254.
15. Perkowski, N., Stierl, M. and Burrridge, A., 2023. "The evolution of European border governance through crisis: Frontex and the interplay of

- protracted and acute crisis narratives”, *Environment and Planning C: Politics and Space*, 41(5).
16. Sarantaki, A.-M., 2025. “Frontex: Transcending the EU borders”, *Journal of Borderlands Studies*, 40(3), str. 691–711.
 17. UNHCR, 2017. Operational data portal: Mediterranean situation (2015–2017). Available at: <https://data.unhcr.org/en/situations/europe-sea-arrivals>, (19.10.2025).