Mobility, control and technology in border areas : discretion and decision-making in the information age

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1. Introduction

This dissertation addresses migration control in the information era from a criminological perspective. Taking an empirical approach, the decision-making process in migration control in intra-Schengen border areas and the role of information therein will be viewed through the lens of crimmigration and decision-making literature. The advent of information technology has changed and is still changing society (May, 2002; Castells, 2011; Feather, 2013; Lyon 2013). The scholarly literature describes the impact of information technology as revolutionary, changing the way our society operates to such an extent that we are living in a so-called information society. The industrial society has transformed into a post-industrial society wherein the production and communication of information holds a vital position. The old world is no more, as we now live in a world where 'the solid institutional routines that have characterized modern society for some two hundred years are being shaken by the earthquake of electronically mediated communication and recomposed into new routines whose outlines are as yet by no means clear' (Poster, 1990, pp. 14, as quoted in May, 2002). Despite rapid changes and predictions of disruptive innovations, organizations are still to a large extent struggling with the implications of the information age and the availability of a wealth of data and digital options (Jansson & Erlingsson, 2014; Cordella & Tempini, 2015).

One field where the changes associated with the information society are clearly visible is mobility control, especially in the EU. Whereas mobility control traditionally relied on walls, gates and migration officers to decide who can and cannot cross a border, it is increasingly becoming a matter of risk analysis and intelligence-led decision-making. Since 1994, the Schengen Agreement has abolished permanent border controls between member states with the economic benefits of free transport of persons, goods and services in mind, but making strict migration control a difficult task. At the same time, the EU is facing considerable challenges regarding migration and the broader flow of individuals crossing borders, referred to as mobilities. The large number of refugees coming from the Middle-East and African countries (Holmes & Castañeda, 2016; Mandic, 2017) and the flow of mobilities for labor, trade or tourism purposes have raised questions regarding the insecurities associated with these movements. Schengen member states therefore face a fundamental dilemma: on the one hand, the absence of permanent border control facilitates economic growth and mobility for citizens, while on the other it severely limits the options for the perceived need for mobility control that their citizens also demand. As Wonders

(2017) has noted, nations have been on a quest for alternatives to the border control of pre-Schengen times.

One of the possible solutions for this dilemma is sought in information and information technology. 'Borderless Europe' increasingly relies on the information contained in and produced by information technology designed for migration control purposes. In this dissertation, information is defined using Ratcliffe's definition of 'information is data given meaning and structure' (2008, pp. 267). Accordingly, information technologies are the tools used not only to collect data but also to give meaning and structure to the data. In the last two decades, a steep increase in the development and implementation of information technologies can be observed on the European continent (Besters & Brom, 2010; Dijstelbloem, Meijer & Brom, 2011; Bigo et al., 2012). Systems such as the Schengen Information System (SIS and SISII), Visa Information System (VIS), a European Dactyloscopy database (EURODAC) containing finger prints of asylum seekers, the European Border Surveillance system (EUROSUR) and many more like it have been implemented, creating an expansive network of information and information technology (Broeders, 2007; Brouwer, 2013). The borders have changed to such an extent that terms like 'digital fortress Europe', 'e-borders' and 'the migration machine' have been used to describe these developments (Besters & Brom, 2010; Dijstelbloem, Meijer & Brom, 2011). Others have described the implementation of border technologies as the diffusion of the border, moving borders away from territorial limits. Instead, information technologies should keep people from getting to the border in the first place, for example by denying visas (Weber, 2007; Tsianos & Karakayali, 2010; Van der Woude & Côté-Boucher, *forthcoming*).

Despite the reliance on information technology to control mobilities, empirical insights regarding border practices are scarce. As Côté-Boucher, Infantino and Salter (2014) argue, border studies have been driven mostly by critical theoretical and legal perspectives, but 'the competing discourses and rationalities of border control, theorized by critical border and security scholars alike, intersect in complex ways with the everyday professional routines and administrative procedures of those involved in the governance of border security at different scales' (Côté-Boucher, Infantino and Salter, 2014, pp 195). Solely relying on theoretical insights and legal developments may not be substantial enough to fully understand the complexity of the border. Côté-Boucher et al. (2014) therefore call for a 'practice turn', enabling an empirical substantiation of the literature on border practices. The present dissertation aims to add to this practice turn by investigating the application of information and information technology in migration control and to shed some light on the role it plays in decision-making in practice. The main question of this dissertation is therefore:

> *How does the increasing reliance on information and information technology shape and limit decision-making in migration control in border areas and what are the consequences thereof?*

This question will be answered by means of an in-depth case study of migration control in Dutch border areas as carried out by the Royal Netherlands Marechaussee (RNLM). The Netherlands is a country relying heavily on transnational mobility, with extensive border areas with Belgium and Germany. One of the ways the RNLM puts migration control into practice is through the Mobile Security Monitor (MSM), which consists of spot checks in border areas (see Chapter 3 for a more thorough description of MSM checks). The development of information technologies in migration control can also be observed in the context of the MSM. As the Netherlands is a Schengen member state, the absence of permanent border control makes the freedom of movement versus security dilemma highly pertinent to the Netherlands, and the RNLM increasingly relies on information and information technology in applying the MSM. An intelligence-led policing program has been implemented and officers use various forms of information technology while carrying out the MSM checks. This case study allows us to see how the application of information and information technology is viewed on a policy level and organizational level, and how it is used in the decision-making process at the street-level in the complex context of mobility control in a Europe supposedly without borders.

The remainder of this chapter will briefly introduce developments in the field of open border migration control and relevant academic literature on decision-making and the application of information in the decision-making process. This summary of the literature will lead to several questions and theoretical observations that will guide the empirical case study as published in a series of articles that form the core of this dissertation.

1.1 Securitization of migration and crimmigration

Migration control has gained salience over time. The events of 9/11 and subsequent terrorist attacks in Europe have had a major impact on the views on migration in the EU, amplifying existing calls for more border security in discourses surrounding migration (Ackleson, 2005a, 2005b, 2012; Donaldson, 2005; Miller, 2005; Brunet-Jailly, 2006; Aradau & Van Munster, 2007; Ewing, 2007; Wilson, 2007; Ceyhan, 2008; Vaughan-Williams, 2008; Wilson & Weber, 2008). This has led to what is aptly called the

'securitization of migration' (Skleparis, 2011; Alkopher & Blanc, 2016), which refers to the 'strategic process of interrelated discourses that result in the social construction of an issue as a threat' (Skleparis, 2011, pp. 93), and in which influential individuals and agencies play a key role. The presentation of migration as a security issue transformed previously unthreatening groups such as asylum seekers and refugees into potentially dangerous populations. Migration and especially irregular migration are associated with crime and have become a security concern. In response to these changing sentiments, migration policies have been tightened (Vollmer, 2011; Finotelli & Sciortino, 2013; Alkopher & Blanc, 2016; Wonders, 2017). The term 'Fortress Europe' has been used to describe the trend of putting up metaphorical 'walls' in the form of more restrictive migration policies and measures to prevent immigrants from coming to the EU (Finotelli & Sciortino, 2013; Lodge, 2014). In developments following the so-called migration crisis of 2015, some of these walls have even become more than metaphorical, as Austria, Hungary and Bulgaria have built physical walls to deter refugees and asylum seekers coming from the Middle East and Africa.

With their extensive analysis of migration policies worldwide, De Haas, Natter and Vezzoli (2016) present a slightly different perspective on the developments in migration control. Nations are not so much in favor of restricting migration in general, but are more careful in who they allow to cross their borders (Salter, 2004; De Haas et al, 2016; Wonders, 2017). The number of immigrants coming into the country is less of a concern and the focus is instead on the question who those immigrants actually are. As nations prefer certain types of immigrants over others, based on skills, wealth or the familial situation, they design and implement policies that help let in the wanted immigrants while keeping unwanted immigrants out. A similar emphasis on wanted versus unwanted immigrants is seen in the crimmigration literature. The term 'crimmigration' was coined by Juliet Stumpf and refers to the idea that migration control and crime control are converging (Stumpf, 2006). While crimmigration started out as an observation primarily from a legal point of view, additional perspectives by different academic disciplines in various contexts have caused the concept to represent a broader social reality (Aliverti, 2012; Sklansky, 2012; Van der Woude, Van der Leun & Nijland, 2014; Van der Woude & Van Berlo, 2015). The expanded concept of crimmigration also includes the increased association between immigrants and crime. An important lesson that can be learned from the crimmigration literature is that, in line with the securitization of migration, immigrants are increasingly treated like criminals because they are viewed as potential criminal threats (Bosworth & Guild, 2008; Provine & Doty, 2011; Barker, 2012; Nethery & Silverman, 2015). Illustrated by Simon's (2001) idea of governing through crime, migration control is presented as a matter of crime control. Such views are also reflected in the rise of populist right-

wing and nationalistic politics in which migration control and crime control are often lumped together (Akkerman, De Lange & Rooduijn, 2016). EU politicians are increasingly calling for more border security or even for the return of full border control by withdrawing from the Schengen Agreement. The lack of control of the border would be a threat to society, often referring to cross-border crime, bogus asylum seekers, abuse of social security and threats to western culture (Lianos, 2016; Barker, 2017). The academic literature views this as part of the othering process, in which immigrants are presented and perceived as 'dangerous others' who are, although present in society, not really seen as part of society (Melossi, 2003; Lianos, 2016). Distinctions would therefore be made between low-risk 'bona fide' or 'worthy' immigrants and high-risk 'crimmigrant' or 'unworthy' immigrants (Aas, 2011; Koulish, 2013).

By making such distinctions, migration authorities would be 'increasingly adopting the practices and priorities of the criminal justice system' (Miller, 2003, pp. 2). Discerning high and low-risk immigrants is reminiscent of one of the central aims of actuarial justice: identifying and incapacitating high risk groups in order to prevent crime (Feeley & Simon, 1992, 1994; Weber, 2007; Van der Leun & Van der Woude, 2011; Aliverti, 2012). This idea would be transposed to migration control by identifying high-risk immigrants in order to deport or deny entry. Such practices can be considered a literal implementation of Lyon's (2003) idea of social sorting. Authorities categorize wanted and unwanted individuals based on their characteristics and effectively turn the border into a filter. While sorting in the context of controlling mobilities is not entirely new, an important development is that the methods and criteria used for sorting are becoming more detailed and sophisticated, shifting from sorting countries to sorting individuals (De Hert & Bellanova, 2011).

In the context of the EU, the perspective of mobilities as potential security risks directly leads to the question *how* nations sort who enters their territory when the possibilities for border control are limited. The Schengen Agreement has abolished permanent border control between its member states, making it legally impossible to check each and every person who wishes to enter. While reinstating permanent border control is an option under the Schengen Convention and the Schengen Border Code, nations can only do so in exceptional circumstances 'to respond to evolving and persistent serious threats to public policy or internal security' (European Commission, 2017, see also: Van Berlo & Van der Woude, 2015). Member states will in the majority of circumstances have to rely on the much more restricted possibilities of border policing allowed for in the Schengen Border Code. Traditional means of controlling mobilities and keeping unwanted immigrants out are therefore limited

and so are the related methods for sorting mobilities on an individual level. Other means of sorting wanted from unwanted immigrants will need to be applied. In the age of the information society, information and information technology have become pieces of this complex puzzle of balancing freedom of movement with security. While the traditional means of controlling mobilities relied on migration officers and border guards at the frontlines of the border to distinguish wanted from unwanted immigrant, this distinction is increasingly made using information and information technology. In the following section we will take a closer look at the role of information technology in sorting mobilities and the rationales behind it.

1.2 The digital border, risk and intelligence-led policing

The political discussions and deliberations leading up to the Schengen Agreement indicate that since the early days of Schengen, information and information technology were thought of as a potential substitute for traditional border control. As Brouwer (2008) argues, the Schengen Information System (SIS) 'is one of the most important databases used for immigration and border control in the EU and it has always been presented as a 'compensatory tool' for the abolition of internal borders between the Schengen States' (pp. 1). The SIS, containing amongst other things information on wanted individuals and stolen goods, was the first of many databases that followed this logic, with many databases and technologies following since. For example, EURODAC contains fingerprints of asylum seekers to prevent 'asylum shopping' in different countries; the EU Visa Information System (VIS) stores information on those who enter the EU on a visa in order to combat overstaying of visas which can turn in irregular migration; Passenger Name Record (PNR) contains travel information provided by air carriers to combat cross-border crime such as terrorism, human trafficking and drug trade. Besides these EU-wide databases, each member state has its own systems and databases to keep track of migration and border mobilities.

The result is what Besters and Brom (2010) describe as the EU being 'stuck in a digital fix.' Migration control has become so digitized that the EU has become highly dependent on information and information technology to control mobilities. Research has shown that policy-makers have a high degree of faith in technology (Haggerty, 2004; Ackleson, 2005b; Wells, 2008; Besters & Brom, 2010), reminiscent of the concept of techno-fix (Nye, 2004; Kearon, 2012). When a complex social issue arises, the key to solving the issue is often sought in new or more technology, initiating 'projects that position technology as a key component in attempts to control, manage or regulate social objects' (Haggerty, 2004, pp. 492). Technologies are presumed to make processes effective, efficient and objective (Wells, 2008). Because of these advantages, technological innovation enjoys a high level of confidence as a means to combat the perceived problems efficiently and effectively (Sanders, Weston & Schott, 2015).

In order to understand the confidence in information technology and the associated benefits, it is important to explain how information and information technologies are supposed to fix the perceived issues. A core concept in the development of border technologies is risk management. Risk can be defined as 'the probability of contingent harm, assessed in terms of frequency of occurrence and severity of loss' (Ericson, 2006, pp. 346). Risk management therefore means converting 'uncertainty into risk through scientific analysis, communication strategies, surveillance technologies, audit protocols, legal contracts and regulatory regimes. The risk objects created by these mechanisms are then used to govern organizational actors and routines, assigning responsibility and achieving accountability through auditable, defensible processes' (Ericson & Leslie, 2008, pp 614). In simpler terms, risk management entails determining the threat level posed by something or someone in order to appropriately respond to that threat. An important facet of the risk perspective is that risk can be calculated, quantified and individualized (Petersen, 2012). As such, risk management strategies are often accompanied by information technologies that assess risk through actuarial and statistical means (Aradau, Lobo-Guerrero & Van Munster, 2008). Considering more data would lead to discovering new risks, more accurate assessments and subsequently better responses to the foreseen risks, organizations using risk assessment strategies have been investing in means to gather more data to improve risk assessments.

Risk management has become a popular approach for governments and organizations in many different contexts (Power, 2004; Manning, 2006; Aradau, Lobo-Guerrero & Van Munster, 2008; Ericson & Leslie, 2008; Black & Baldwin, 2010; Walklate & Mythen, 2011). This is of course not without reason, as major benefits are ascribed to using risk management strategies. Knowing what the potential and major threats to an organization are enables a targeted and effective approach. This in turn allows for the prioritizing of resources, meaning fewer resources are wasted on low risks or situations that are no risk at all. Since risks are determined using actuarial techniques and statistical calculations, risk management strategies are also thought of as objective and neutral (Hutter, 2005; Rothstein et al., 2006; Black & Baldwin, 2010; Krieger, 2013). Effectiveness, efficiency and objectivity are therefore important selling points of risk management strategies.

While risk management strategies are employed by many organizations in diverse contexts, in the world of (border) policing the aim to manage risk has led to what is called intelligence-led policing (ILP). ILP constitutes 'a business model and managerial philosophy where data analysis and crime intelligence are pivotal to an objective decision-making framework that facilitates crime and problem reduction, disruption and prevention through both strategic management and effective enforcement strategies that target prolific and serious offenders' (Ratcliffe, 2008, pp.268). In line with the concept of risk management, one of the major benefits associated with ILP is its focus on crime prevention. As opposed to the traditional reactive policing strategy where actions were taken after a crime was committed, ILP aims to identify risks in order to intervene or prevent those risks from becoming reality (Cope, 2004; Flood & Gaspar, 2009; Ratcliffe, 2010; Vis, 2012). Similar to the broader concept of risk management, the literature on ILP emphasizes its objectivity and rationality, as 'ILP provides police the ability to 'scientifically' predict offender activities and 'objectively' direct police resources to prevent crime and disrupt offender activity' (Sanders, Weston & Schott, 2015, pp. 712).

As argued by Ratcliffe (2010), prevention requires proactivity, which requires predictability, which requires patterns. For the ILP model to work, patterns in crime need to be identified in order to initiate action. As a result, police organizations implementing an ILP model are investing heavily in information technologies. More data allows for more patterns to be discovered or to establish more accurate patterns. According to media reports, Hitachi has developed a system that is supposed to be able to predict crime before it happens (QZ, 2015), as has Microsoft (Microsoft, 2016), while the Fresno police has implemented a system that assigns a threat score to individuals (Washington Post, 2016). However, the availability of data is not what defines ILP (Cope, 2004; Ratcliffe, 2008); instead, it is the conversion of data into intelligence that is pivotal to ILP. Data alone does not have the ability to change police operations. Data needs to be interpreted to become information, which in turn needs to be contextualized in order to become knowledge. When this knowledge is then put into an actionable plan, only then can it be considered intelligence: 'intelligence that does not influence the thinking of a decision-maker is not intelligence' (Ratcliffe, 2010, pp. 3).

While ILP was developed in the context of regular policing focusing on crime and criminal organizations, controlling mobilities has increasingly become an intelligence-led process as well. For example, Frontex describes risk analysis as 'the starting point for all Frontex activities, from high level strategic decision-making to planning and implementation of operational activities' (Frontex, 2018). Likewise, at

Schiphol Amsterdam Airport the Royal Netherlands Marechaussee is focusing on 'analyzing data, creating profiles and monitoring the flow of passengers' by investing in information technologies (Kmar Magazine, 2018). In line with the broader benefits associated with risk management strategies, applying an ILP concept to controlling mobilities could offer several major benefits. Using scientific and objective methods, risk analyses could pinpoint the problem areas or high-risk individuals, enabling organizations tasked with controlling mobilities to focus on these specific targets. This would make the process of targeting cross-border mobilities that pose the most risk more efficient. Resources could be applied where actually necessary, instead of being wasted on low-risk areas or individuals.

The EU's 'digital fix' (Besters & Brom, 2010) is therefore based on the idea that information and information technology will enable risk management strategies like ILP which can effectively, efficiently and objectively control cross-border mobilities in the Schengen area by distinguishing between high and low risk travelers. While this certainly seems like a promising approach to addressing the tension between freedom of movement and security, the extent to which these expectations are fulfilled remains unclear. Empirical insights into how risk information and risk technologies are used in practice are scarce, especially in the context of controlling mobilities, and the uptake of ILP programs in the regular policing context has not been an assured success (see Chapter 6 for more on this). This leaves open the question to what extent the theory and assumptions behind risk oriented decision-making can be observed in real-life scenarios in controlling mobilities, as there are reasons to doubt whether the envisioned scenarios play out like they are supposed to. This dissertation will take a critical look at one specific aspect of the use of risk oriented decision-making, information and information technologies in controlling mobilities: that of the decision-maker. As explained before, ILP requires decision-making to transform data into intelligence, making human agency a critical factor. However, much of the theory and policy deliberations on risk management neglect to take human agency in the decision-making process into account. In the next section we will take a closer look at human agency and decision-making to see why it is important to scrutinize the human factor in an intelligence-led organization.

1.3 Information and discretionary decision-making

Decision-making is a classic research topic (Spader, 1984; Lipsky, 2010) which has been studied in many different contexts. A key concept in the literature on decision-making is discretion. As Gelsthorpe and Padfield (2012) argue, discretion can be hard to define but '[a]t its simplest … discretion refers to the freedom, power, authority, decision or leeway of an official, organization or individual to decide, discern or determine to

make a judgement, choice or decision, about alternative courses of action or inaction' (pp.3). While organizations have guidelines and regulations for decision-makers to follow, these often leave room for decision-makers to interpret how policies should be executed, either intentionally or unintentionally. Many authors consider discretionary decision-making inevitable and a necessity (Spader, 1984; Hill & Pupe, 2008; Lipsky, 2010; Ellis, 2011). Allowing decision-makers at least some leeway to use their personal judgement on how to handle a situation would allow for flexibility, efficiency and creativity but also compassion in the decision-making process, which could otherwise be overly rigid with a lot of red tape (Spader, 1984; Evans & Harris, 2004; Gundhus, 2017). An important argument against a high level of discretion is that human are prone to subjectivity (Spader, 1984; Lipsky, 2010; Gelsthorpe & Padfield, 2012; Mutsaers, 2014). In exercising their discretion, decision-makers at least in part rely on personal beliefs and experiences, which are likely to include prejudices and biases. As these biases could negatively impact decisions, opponents of discretion warn that it could lead to unfair, unequal or even discriminatory decisions. Hawkins (2012) adds another layer of complexity to the issue by arguing that at the implementation level, discretionary decisions cannot be influenced only by personal factors. Decisions are not made in a vacuum, but are part of an organizational and broader social context which can further influence the decision-making process. A single discretionary decision is therefore not an isolated event, but is the outcome of a subjective judgement of an individual operating in an organizational context situated in a broader societal framework.

This perspective on decision-making puts the concept risk, ILP and the application of information technologies in a different light. Risk management on its own does nothing but instead is a *decision-making model* that covers an entire organization (Black & Baldwin, 2010; Ratcliffe, 2010). According to the fundamentals of risk management strategies, decision-makers use information, information technologies and risk assessments to come to the best decision possible. The theory on risk views this as a straightforward process (Cheliotis, 2006; Ballucci, 2008). Information on risks is produced, and decision-makers take the information into account which should lead to objective, effective and efficient risk oriented decisions, including what a risk actually is. This mode of thinking assumes a 'rational actor, the 'Prudential Human', who will make rational and normatively correct choices if only the relevant risk information is given and processed correctly' (Kemshall, 2010, pp. 1250). However, as we can learn from the literature on discretionary decision-making, humans do not always make rational and neutral decisions and decisions can be shaped by subjective interpretations, organizational factors and the societal framework. Therefore, by adding the perspective of discretionary decision-making, the core premises of risk management come under severe criticism.

Now what does the above imply for the use of ILP and information technologies in controlling mobilities at the internal borders of the Schengen area? Border studies have indicated that discretionary decision-making is central to the work of frontline border officials (Gilboy, 1991; Pratt, 2010; Côté-Boucher, 2015). In enforcing migration laws and controlling mobilities in border areas, border officials encounter a large number of individuals each with their own set of circumstances and issues. Border officials have to make a decision – allow or deny entry, defer to secondary inspection etcetera – for every individual. This means that, on a daily basis, many discretionary decisions are made in order to control the flow of mobilities. Research indicates that room for discretionary decision-making is not only considered essential but is also highly valued in law enforcement professions (Gundhus, 2012, 2017). However, the academic literature on crimmigration and the securitization of migration indicates that the use of discretion in migration control is not without issues and has documented cases of biased decision-making (Pratt, 2010; Provine & Doty, 2011; Provine & Sanchez, 2011; Van der Woude, Van der Leun & Nijland, 2014; Jiang & Erez, 2017). Similar to the issue of ethnic profiling in the regular policing context, officers tasked with migration control have been observed disproportionately targeting minority groups or making decisions based on prejudices against certain groups.

The rationale behind the implementation of information technologies is to allow border agencies to kill two birds with one stone by shaping decision-makers' perceptions and their resulting discretionary decisions. This not only results in more effective and efficient decisions but will also prevent or inhibit biased decision-making, as the presumed objective information will neutralize any biases. The insights from the literature on discretionary decision-making show that this could be an ideal world scenario. Many other factors besides information could be shaping decisions and decision-makers could interpret information in a biased manner. This raises the question whether information and information technologies actually shape decisions in frontline mobility control as they are assumed to do. If they do not, then this would have major implications for the implementation of ILP and information technologies and the associated benefits of effective, efficient and objective control of mobilities.

As this is an issue with a heavy empirical foundation, the answer has to be sought in an in-depth empirical study of how information and information technologies are used in border practices and how they shape the decision-making by frontline decision-makers. However, the study should not be limited to border practices alone. To understand (intelligence-led) decision-making in mobility control requires investigating, not just the actions and rationales of the frontline decision-makers, but also the broader context in which they operate. Societal developments shape

political and organizational priorities, creating a framework for frontline decision-makers (Hawkins, 2012). Additionally, the information and information technologies that frontline decision-makers use are not of their own making but are the outcome of an organizational process that further shapes frontline decision-making (Black & Baldwin, 2010). Understanding frontline decision-making therefore extends to understanding the political views, policies and regulations that create the context of the decisions.

In order to connect to this broader framework of frontline decision-making in controlling mobilities, this research project views decision-making through the lens of crimmigration and the securitization of migration. This body of literature has focused mostly on discourses, policy analysis and legal developments and 'has tended to rely more on theory than on grounded empirical detail' (Barker, 2012, pp 118). Employing the theory-rich literature will allow a comprehension of the decisions made in border practices by placing them in a relevant framework. This dissertation therefore aims to use empirical data on border practices and decision-making within controlling mobilities to add unique perspectives to the literature on both the use of information technologies in decision-making and the literature on the criminalization of migration, and will connect the two bodies of literature.

1.4 Research questions and reading guide

Summarizing the above, the problem central to the dissertation is as follows. Abolishing permanent border control has placed Schengen member states in a difficult position. While open borders carry the promise of economic benefits and freedom of movement, they also pose a perceived security risk. To control mobilities in the Schengen area, member states are increasingly looking to substitute traditional border security measures like walls and border guards with information technology. It is expected that such technologies will allow risk management strategies – more specifically intelligence-led policing – resulting in an effective, efficient and objective decision-making process that can filter out high-risk, unwanted mobilities while letting low-risk, wanted mobilities pass. While the intelligence-led policing model presumes that information will be leading in the decision-making process, the academic literature on discretionary decision-making gives reason to question this presumption. Personal beliefs and experiences but also organizational and societal factors can all have their impact on the decision-making process on the street, organizational and policy levels, raising questions regarding the extent to which ILP and risk technologies can fulfil the expectations.

This study combines insights into perceptions on decision-making using information and information technology from a policy perspective with empirical data on how decision-making using information and information technology works at the street-level, resulting in a comprehensive picture of how information both shapes and limits decision-making in migration control in border areas. Investigating the broader framework of frontline decision-making is not a one-step process and requires a combination of research methods. Decision-making is a complex phenomenon on its own, information as an additional factor in the decision-making process and the context of controlling mobilities both add extra layers of complexity to the issue. Such an intricate subject requires a research design aimed at gathering in-depth data, for which a case study is a suitable approach. The methods that were used and the data that was collected will be explained in Chapter 2.

In order to better understand the use of information and information technology in controlling mobilities, this dissertation will use the Royal Netherlands Marechaussee as a case study. Empirical research was conducted in the period October 2013 – March 2015, with a focus on the Mobile Security Monitor. The MSM is an instrument for migration control in border areas and is conducted on highways in a twenty kilometer zone from the border, in cross-border train services and at intra-Schengen flights at airports. The research project was exclusively aimed at MSM checks on the highways and the results therefore only apply to MSM checks in this context. Chapter 3 will give a thorough explanation of the MSM by discussing its legal framework as well as how it is carried out in practice.

Using the case study of the MSM, this dissertation will pursue a step-by-step process to answer the main research question:

> *How does the increasing reliance on information and information technology shape and limit decision-making in migration control in border areas and what are the consequences thereof?*

The first step is to uncover the rationales behind both migration control policies and the use of information in the performance thereof. As noted in section 1.3, decision-making does not take place in a vacuum but is part of a broader societal framework. Chapter 4 unravels the societal framework of MSM by focusing on the Dutch political and policy discourse on controlling mobilities, to see how politicians and policy-makers' views on controlling mobilities in the Schengen area might change over time and how this might affect migration control in practice.

The focus then switches from the policy-level to the street-level. In Chapter 5, the profiling and selection process of Dutch border patrol officers serves to gain a better understanding of the decision-making process at the street-level and the rationales behind the decision-making process. Knowing why certain individuals are stopped will allow us to further reflect on the goals of controlling mobilities and how policies are translated into action. Various types of empirical data will be used to gain insight into how border officials decide who to stop for migration checks in Dutch border areas, as well as why they decide to stop those individuals.

The next step is to assess how the available information and information technology is used in the decision-making process of RNLM officers during MSM checks. While controlling mobilities increasingly relies on information and information technology, empirical insights into how this occurs in practice are scarce. Therefore, the leading question in Chapter 6 is how officers of the RNLM use information and information technology to control mobilities at the intra-Schengen borders.

One of the assumed advantages of ILP is the increased objectivity of the decision-making process. With that in mind, Chapter 7 takes an in-depth look at the decision-making process of RNLM officers using a smart camera system developed to assist officers in controlling mobilities. By assessing the decision-making process using this technology, further insight is obtained into how information technologies can affect the objectivity of the decisions as well as the accountability of the officers making the decisions.

The final question focuses on changes in the application of information and information technology. Considering how views on migration and the demands for border security have changed in recent years, the demands for information and information technology may change as well. Chapter 8 again examines the role of smart camera systems, this time focusing on changes made to how the system is applied and how those changes might affect MSM checks.

Answering these questions step-by-step leads to an overall answer to the main research question. As each sub-question requires a separate methodological approach and theoretical frame, and as this dissertation consists of published articles, each sub-question is discussed in a separate chapter. Chapter 9 addresses the main research question by putting the research results in a broader perspective. The structure of the dissertation is presented in Table 1.1.

Table 1.1. Structure of the thesis

Chapter	Main theme	Methods & data	Data collection period	Published as
2	Methods and Data	-	-	-
3	The Mobile Security Monitor	-	-	-
4	Exercising Discretion in Border Areas: On the changing social surround and decision field of internal border control in the Netherlands	Discourse analysis	February 2014 – March 2014	Dekkers, T.J.M., Van der Woude, M.A.H., Van der Leun, J.P. (2016). Exercising discretion in border areas: on the changing social surround and decision field of internal border control in the Netherlands, in *Int. J. Migration and Border Studies,* Vol. 2, No. 4.
5	Selection in Border Areas: Profiling Immigrants or Crimmigrants?	Observations Focus groups Secondary Quantitative data	November 2013 – January 2015 October 2014 – December 2014 October 2015	Dekkers, T.J.M. *(in print)*. Selection in Border Areas: Profiling Immigrants or Crimmigrants?, in *Howard Journal of Crime and Justice,* Issue, x, Vol x.
6	Acceptance Denied: Intelligence-led Immigration Checks in Dutch Border Areas	Observations Focus groups Interviews	November 2013 – January 2015 October 2014 – December 2014 August 2015 – October 2015	Dekkers T.J.M. & Woude M.A.H. van der (2016), Acceptance Denied: Intelligence-led Immigration Checks in Dutch Border Areas, in *European Journal of Policing Studies,* vol 4 (2).
7	Objectivity and Accountability in Migration Control using Risk Assessment Tools	Observations Focus groups Interviews	November 2013 – January 2015 October 2014 – December 2014 August 2015 – October 2015	Dekkers, T., van der Woude, M., & Koulish, R. (2018). Objectivity and accountability in migration control using risk assessment tools, in *European Journal of Criminology,* doi: 1477370818771831.
8	Technology-driven crimmigration: Function creep and mission creep in Dutch migration control	Observations Focus groups Interviews Policy documentation	November 2013 – January 2015 October 2014 – December 2014 August 2015 – October 2015 & February 2017 – May 2017 February 2014 – March 2014 & March 2017	Dekkers, T.J.M (submitted). Technology Driven Crimmigration: Function Creep and Mission Creep in Dutch Migration Control.
9	Conclusion and discussion			-

1.5 About the Study

Mobility is a topic high on the national and international social agenda as freedom of movement is generally perceived as a great benefit, but it contrasts with concerns about which individuals are actually part of the movements. Public opinion polls show that EU citizens view migration as the second highest concern for the EU, with only unemployment as a more pressing issue (European Commission, 2016). In the Netherlands, immigration is even considered to be the most important social issue by citizens (COB, 2016). Not surprisingly, these concerns are also reflected in both the national and international public and political discourses on migration (Semyonov, Raijman & Gorodzeisky, 2008; Brouwer, Van der Woude & Van der Leun, 2017). In the year 2015, mobility control saw a surge in relevance due to the influx of asylum seekers and refugees from the Middle-East and Africa. The so-called migration crisis of Europe has led to an ongoing debate on how to manage the large flow of immigrants coming from the Middle East and Northern Africa. As the initial observational fieldwork spanned the period of October 2013 to March 2015, followed by two rounds of interviews until June 2017, readers should be aware that the data was collected during a period in which migration and border control were heavily debated.

The initial data collection between October 2013 and March 2015 and the first round of interviews were also part of a larger research project in which the MSM played a central role. This part of the data collection was therefore performed in collaboration with two other researchers (see Chapter 2 for more on the data collection).

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