1 Introduction

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This book is occasioned by the convergence of two political occurrences.

The first is the unprecedented rise in global migration. According to the International Organization for Migration's (IOM) *2020 World Migration Report*, 272 million people, or roughly 3.5% of the world's population, are migrants.¹ The IOM – as well as other commentators – notes that migration has taken a particularly serious turn in recent years, in part as a result of armed conflict (for example, in Syria, Yemen, the Central African Republic, the Democratic Republic of the Congo and South Sudan), economic and/or political instability, and, increasingly, climate change.² This multi-year global evolution and its ill-fated transformation into various forms of identity politics has led to the transformation of migration from its traditional status as a humanitarian challenge to its new incarnation as a *security* problem.³ Moreover, the particularity of this new security challenge is that it does not prioritise the more-or-less plainly visible security crisis in which migrants find themselves, but rather the cultural and, in part, societal security of the recipient states. This has strengthened the politically unavoidable hypothesis that solving the problem of migration is workable only through addressal of the issue of securing state borders.

The second occurrence is less concrete and less visible, but nonetheless impacts the first in important ways. It involves the growing expectation of immediacy in politics, the demand for quicker political decision-making and implementation, especially in the face of a perceived danger. Together with the rise of the notion of risk at the end of the last century, and the actuarial impulse brought about by the growing global influence of New Public Management (an organisational strategy according to which public affairs should be governed in accordance with private business models) and the rise of anticipatory politics, such as the precautionary principle developed in the field of environmental studies, it has become a political necessity to foresee and pre-calibrate political processes and the impacts they will have upon individuals and societies.

This double challenge forms the political, social and technological motivation for the development of evaluation techniques and other tools that are used to govern the development and application of new initiatives, including – in this context – border technologies, in order to assess their possible impact on societal values such as human rights, including – again, particularly in this context – the rights to privacy and personal data protection.

This book takes a particular interest in new border technologies for two reasons. First, such technologies are deployed in environments characterised by a complex interaction between societal values and technological constraints. In other words, border technologies, having the ambition of allowing for ‘seamless’ or ‘contactless’ passage through state borders, are increasingly utilised at borders with the aim of improving the flow of travellers and facilitating border checks. Experience has shown, however, that their use often conflicts with societal values. Second, on the macro-political level, such border technologies are often a focus of highly contentious debates about identity, sovereignty, security, national and European values, resilience, risk, and the fragility of life itself.

As a result, there is a growing need to accommodate two requirements: the deployment of new border technologies and the respect for relevant societal values.

As a tool by which to help clarify issues within this complex debate, this book proposes a concept of impact assessment. Alongside the myriad evaluation techniques also available, this tool will aid the anticipation of and critical reflection on the possible future consequences of envisaged border management initiatives, and contribute to more sound decisions being made about their use.

To that end, this book offers a number of novel aspects. Aiming at comprehensiveness and provision of the most robust advice for decision making, it adapts the method of impact assessment to the on-the-ground realities and needs of border technologies by integrating at least four societal concerns triggered by these technologies, namely: privacy, personal data protection, ethics and social acceptance. It offers the option of adding further concerns and adjusting them to local contexts. It furthermore allows for the integration of this four-part impact assessment with other evaluation techniques, for example regulatory impact assessment (RIA).⁴

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The book is organised into eight Chapters and four Annexes. Chapter 2 proposes an overall introduction to the concept of impact assessment. As the appraisal of consequences of initiatives for individuals and society requires a certain degree of suppleness for the reading and interpreting of social values, Chapters 3-7 describe the components of the benchmark used for integrated impact assessment. In this context, these components are the notions of privacy, personal data protection, ethics and social acceptance. Chapter 8 then presents a tailored method for integrated impact assessment of border control technologies, supplemented by methodological indications aimed at supporting assessors and other border management actors.

These Chapters are followed by four Annexes containing supplementary information and aids for users of the book. These include, in Annex 1, a tailored template for a report from the process of integrated impact assessment of border control technologies. Annexes 2-4 provide more specific, detail-oriented information intended to help impact assessors in carrying out assessment processes. These include analytic inventories of stakeholder involvement techniques (Annex 2), a list of concrete assessment methods (Annex 3) and, finally, an inventory of relevant border management legislation applicable in the European Union and the Schengen Area (Annex 4). The Chapters and Annexes are preceded by a glossary of key terms used throughout the book. In parallel, the book includes copious references to academic and professional sources, the majority of which are available in open access format.

In summary, this book constitutes a textbook on the use of integrated impact assessment. It is addressed to anyone involved in the ‘supply chain’ of border management and, in particular, to assessors and those in charge of decision-making pertaining to new border technologies. It focuses on the European Union and the Schengen Area, notwithstanding a possibility for adaptation and use elsewhere in the world.

The book reflects the law and practice as they stood on 31 March 2021.

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Endnotes

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2. Elżbieta Kuźewska, Amy Weatherburn, and Dariusz Kloza, “Introduction: Asking Big Questions: Migrants Ante Portas and What to Do with Them?,” in *Irregular Migration as a Challenge for Democracy*, ed. Elżbieta Kuźewska, Amy Weatherburn, and Dariusz Kloza (Cambridge: Intersentia, 2018), xiii–xlvii, http://intersentia.com/en/pdf/viewer/item/id/9781780686226_0/.
3. J. Peter Burgess and Serge Gutwirth, eds., *A Threat Against Europe?: Security, Migration and Integration* (Brussels: VUBPress, 2011).
4. Anne Meuwese, *Impact Assessment in EU Lawmaking* (Alphen aan den Rijn: Kluwer Law International, 2008).
5. Cf. <https://www.gprc.be/en/content/what-gprc>.
6. Grant Agreement No. 787123. Cf. <http://www.persona-project.eu>.