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Painting Refugees as a Weapon

Exceptional Law and Asylum Seeker Rights in the Finnish
Political Discourse Around 'Coercive Engineered Migration'

Author: Auri Leino
Supervisor: Balázs Majtényi

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Abstract

The emergence of what Finnish authorities termed ‘instrumentalized migration’ from the the Russian side of the border in 2023 resulted in a total border closure and the adoption of an exceptional law entitled the Border Security Act. If triggered, the Act enables Finland to temporarily block access to asylum procedures on a limited part of its border. This thesis analyzes the implications of the Border Security Act for asylum seeker rights and Finnish migration policy as a whole. The research material consists of legislative documents encompassing government, opposition, and civil society perspectives during the bill’s adoption and renewal in 2024–2025. Critical discourse analysis is employed as a method along with a theoretical framework based on securitization theory and Agamben’s *State of Exception*. The main contribution to existing research is expanding the limited field of human rights approaches to coercive engineered migration.

The main objective is to examine how different actors portray migrants and their human rights in relation to the Border Security Act, and how these discourses contribute to the legitimization of restrictions to migrants’ fundamental rights in Finnish asylum policy overall. In summary, apart from a few de-securitizing voices, the material reflected a highly securitized perception of coercive engineered migration, wherein discourses about existential threat to national security and the Finnish nation are combined with common tropes of anti-migration rhetoric. Overall, the results demonstrate a tendency for Finnish lawmakers to overlook the human rights of migrants whether intentionally or unintentionally when responding to migration-related ‘crises’, as well as a need for the deeper incorporation of human rights frameworks in the political discourse and practice around coercive engineered migration.

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“One day humanity will play with law just as children play with disused objects, not in order to restore them to their canonical use but to free them from it for good.” –

Giorgio Agamben

Chapter 1: Introduction to the Finnish Case

In 2025, as the Finnish parliament was debating the renewal of the ‘Law on temporary measures to combat instrumentalized migration’, Left Alliance MP Anna Kontula stated: “Typically, when people have had to flee, states – as long as states have existed – have also endeavored to take advantage of this in one way or another.”¹ The phenomenon of states taking advantage of migration for the fulfilment of exterior policy goals, ‘coercive engineered migration’ (CEM), is indeed an age-old byproduct of human mobility. However, it has perhaps risen to a new kind of relevance in recent years due to heightened tensions between Europe and Russia, the latter evidently engaging in the practice together with its client states. Fears over further military escalation are high, traditionally neutral states are joining military alliances, military expenditure is on the rise, and the EU and its member states are keen on developing their resilience against ‘hybrid threats’ from the East. Conversely, coercive engineered migration has come to be termed an integral part of the last-mentioned, and states have adopted a range of exceptional measures in response.

In the Fall of 2024, Finnish authorities reported that their Russian counterparts on the other side of the border were facilitating the arrival of third country nationals into Finland to seek asylum. Indeed, some 1300 asylum seekers arrived in Finland from Russia between August and December, an unusually high number for the Eastern Border. With them arrived a torrent of discourse in politics and media, with everyone from the President of the Republic to the smallest local media outlets taking part in unpacking this new phenomenon of ‘instrumentalized migration’. The asylum seekers were discussed and debated extensively in government cabinets and prime-time talk shows on TV. Concerns were high, with the Polish-Belarusian border crisis fresh in decision-makers minds. Finally, in mid-December, a total border closure suspended all traffic, including applications for international protection on the entire Eastern border to Russia. Subsequently in 2024, a legislative project was begun in order to draft legislation addressing coercive engineered migration from Russia. The result, a temporary exceptional law officially termed the Border Security Act was adopted in July of the same year. In essence, if triggered the Act would allow Finland to temporarily block access to asylum procedures on a limited part of its border. The exceptional law was ultimately a result of high political and public debate wherein constitutionality, legitimacy under international law, and rule of law considerations were weighed at length.

¹ PTK 59/2025, p. 3; “Välineellistäminenhän ei ole mikään uusi ilmiö, vaan tyypillisesti silloin, kun ihmiset ovat joutuneet lähtemään pakoon, valtiot — niin kauan kuin niitä on ollut olemassa — ovat myös pyrkineet käyttämään sitä tavalla tai toisella hyväkseen.” (Anna Kontula).

Three important revelations connect ‘coercive engineered migration’ to the broader intertwining of migration and security policy in Europe. Firstly, while ‘weaponizing’ human mobility is sometimes perceived by states an effective way to achieve certain policy goals, it is in this case less of a specific policy goal and more so a general destabilization of Europe that Russia appears to seek. A generalized sense of insecurity and societal polarization prevails in Europe, and the increasing securitization of migration and migrants is a key source of both. The existing connection between migration and security then makes it easier for actors like Russia to feed upon general insecurity and generate more chaos through the manipulation of existing mobilities from the Global South towards Europe. Coercively engineered migrants are already a threat to European states’ security by virtue of being migrants. Being associated with the ‘hybrid threat’ campaigns of Russia and its client states on the other hand serves to create even more instability.

Secondly, the highly politicized air surrounding migration combined with states’ heightened sensitivity to military threat makes it extremely compelling for states to respond to coercive engineered migration with coercive policies. These have thus far included, among other things, border closures, limitations to the right to submit asylum applications, and pushback measures. To affected European states, the emergence of coercive engineered migration is a state of emergency, an existential threat to national security warranting exceptional measures. However, when stripped of a purely security-centered lens, such measures are apt to raise concerns from the side of human rights actors. For instance, there is the question of what a state actually deals with when it deals with coercive engineered migration. This is, at its core, a question of how human mobility is governed, as people are inevitably arriving to European borders with or without coercive engineering. There is also the more political question of whether migration crises might be exploited by domestic actors whose policy agendas line up with the restrictive migration policy effect of coercive measures to combat CEM.

Thirdly, a purely state- and security-centered approach to CEM has many implications for the rights of migrants themselves, both within the sending and the receiving state. For instance, CEM is usually facilitated by illiberal states with highly centralized leadership, residents of which are often predisposed to human rights violations. For migrants and asylum seekers possibly lacking adequate documentation and safe or legal pathways to exit such countries, vulnerability to abuse is increased. On the other hand, when target states of CEM respond by increasing the militarization of borders, engaging in violent pushbacks, and adopting measures that interfere with fundamental international norms, the risk of human rights violations increases further. That is, state responses to CEM often exhibit a blind spot when it comes to migrants’ human rights. States see the phenomenon as a part of their mutual

game of power, but its implications for the lives and security of people on the move often become obscured or ignored, whether intentionally or unintentionally.

Due to the inherent complexities of CEM as a phenomenon touching upon both migration and state security and its increasing relevance in the European security consciousness, it is essential to investigate its human rights dimensions further. Therein, this thesis aims to uncover the human rights dimensions of coercive engineered migration that far too often get obscured by state power politics and hybrid threat response strategies. This is done by investigating how migrants' and asylum seekers' rights are represented in Finnish political discourse in light of the deeply securitized image of CEM that the Border Security Act embodies. The thesis is structured as follows. The first chapter describes the research problem and research design, introduces the case and materials under analysis, discusses relevant terminology, and provides historical and political context to the case study. The second chapter introduces the theories used and provides a literature review of critical security approaches to migration and selected empirical research into CEM. The analytical framework of theory and methodology will also be presented. The third chapter consists of analysis divided into discursive themes and their interpretation. Finally, conclusions are presented along with a brief overview of the key findings of the analysis.

1.1. Research Design

1.1.1. Research Problem

While the securitization of migration in Europe has been a topic of extensive research, especially in Southern border zones towards the Mediterranean, the Eastern borders of the EU have been the subject of less research attention. This is especially true for the Finno-Russian border region. Furthermore, research into coercive engineered migration from Russia and its client states has so far been scarce and mostly focused on the cases of Poland and the Baltic States, Finland being a more recent instance with few studies conducted on it so far. The case of Finland is particularly interesting as a continuation of the trend of European states adopting highly coercive measures to 'combat instrumentalized migration', simultaneously coinciding with the overall rise in anti-migration sentiments. This raises the question of whether the framing of coercive engineered migration is emerging as a new tool for European liberal democracies to derogate from human rights obligations in the context of migration governance. Especially in states like Finland with strong democratic institutions and high involvement of civil society actors in decision-making, any significant measure taken by the state to limit fundamental rights should be examined carefully and critically.

Existing research into recent instances of CEM in Europe is furthermore dominated by strategic and state-security oriented approaches, albeit reasonably so, as states consistently link the phenomenon to Russian ‘hybrid influence’ as a tool of coercive foreign policy. The aim of this thesis, however, is to contribute to a more multidimensional understanding of coercive engineered migration as a phenomenon that has implications not solely for state security, but also for the human rights and human security of people on the move. This objective is achieved by examining how coercive engineered migration is portrayed in light of human rights in the Finnish context. The object of analysis is the 2024 Border Security Act, an exceptional law that enables Finland to cease the reception of asylum applications in a limited part of the Finnish border for one month at a time. The Act, according to its drafters, is designed to prevent coercive engineered migration and to be triggered in cases where other means to curb the phenomenon are not effective. It is chosen as an object of study due to the significant political and societal debate that surrounded its adoption, as well as the exceptionally high extent to which it enables the state to derogate from its human rights obligations. Therein a key research interest is specifying what about the nature of coercive engineered migration enables the state to adopt such drastic measures, and to what effect.

The material consists of legislative documents representing government, opposition, and civil society perspectives, encompassing the Border Security Act’s adoption in 2024 and its renewal in 2025. The analytical framework is based on securitization theory, Giorgio Agamben’s theory on the state of exception, and methodologically on Norman Fairclough’s three-dimensional model of Critical Discourse Analysis. The specific objective of this thesis, then, is to examine how discourses around the Border Security Act construct the threat of ‘coercive engineered migration’, and how these discourses contribute to the legitimization of restrictions to migrants’ fundamental rights in Finnish asylum policy overall. In order to analyze this particular attention will be paid to how established securitized perceptions of migrants are reflected in the material, as well as the potential exhibited for the Border Security Act to become a permanent mode of migration and security governance.

The expectation is that CEM will be portrayed as a particularly stringent threat to national security and will be framed narrowly through discourses of urgency and emergency, as well as the securitization of Russia and potentially Russians. It is also expected that the broader securitization of migration in Finnish political discourse will become apparent in the material whether implicitly or explicitly, especially in how migrants are discussed. Few discourses relating to the victimhood, humanity, or human rights of asylum seekers are expected to arise from actors other than opposition politicians and human rights actors. In sum, this thesis proceeds from the assumption that the discourse around CEM in Finland will combine elements of national security discourse and existing securitization of migration, successfully

securitizing CEM as an urgent and existential threat. This combination of discourses presumably facilitates wide consensus within decision-makers and enables the state to adopt more restrictive measures vis-à-vis asylum seekers than usually would be possible or preferable. Furthermore, discourses surrounding the renewal of the Border Security Act are expected to indicate a normalization of the adopted measures into potentially a more permanent mode of governance, or in the very least a legitimate precedent to guide future policies.

1.1.2. The Legislative Process and Materials

The Border Security Act will be examined longitudinally both in light of its adoption in 2024 and its renewal in 2025. As mentioned before, the Border Security Act is an exceptional law which, if triggered, would in short allow Finland to temporarily block the submitting of asylum applications on a limited part of the border. Exceptions would be enabled by the discretion of border guards in cases where the person seeking asylum is apparently underage, a member of a vulnerable group, or at risk of circumstances precluding return in compliance with non-refoulement. After an initial temporary period of one year in force, it is currently set to expire at the end of 2026. As of June 2026, government representatives have declared another renewal is in preparation, which would extend the Act's effect further into 2027.² In addition to shedding light on the potential routinization of emergency measures, the aim of a longitudinal analysis is to provide insight into whether any discursive shifts take place in threat construction, justification of exceptional measures, or the presence/absence of human rights discourses.

In specific, the material encompasses the proposal for the Border Security Act, the proposal for its renewal, expert statements from civil society actors, statements from the Constitutional Law Committee, and the Finnish Parliament's plenary discussions undertaken during the adoption and renewal of the bill. The research material is intended to provide as broad of an insight as possible into the legislative drafting and renewal process through different actors involved in decision-making. In short, the chosen material aims to account for the body text of the bill, the interests and objectives that guided its drafting, as well as the mutual interaction between the law and its surrounding context. Firstly, the government proposals contain not only the substantial body of the bill itself but also clarify the intentions of the legislator and the legislator's interpretation of constitutional and fundamental rights concerns. The Constitutional Law Committee, on the other hand, is a permanent organ of the parliament and the primary authority on the constitutionality and human rights compliance of proposed laws. As such it is a high authority in the process of drafting exceptional laws and its statements will represent

² Ministry of the Interior, "Finnish Government Prepares to Extend Validity of Border Security Act."

the cross-partisan parliamentary oversight present in the drafting of the initial proposal. Its statements present a number of concerns related to the government proposals, but ultimately approve of the Act as a whole.

61 experts encompassing both state and civil society actors were heard during the Border Security Act's drafting, and 34 during its renewal. The material includes the expert statements of the following: the Non-discrimination Ombudsman, the national Human Rights Centre, Amnesty International, and the Finnish Refugee Advice Centre. The former two are publicly funded, national institutions acting independently with the purpose of monitoring public authorities in fundamental and human rights-related questions. The latter two are NGOs, Amnesty International representing the Finnish section of a large, global non-governmental actor, and the Refugee Advice Centre being a small, grassroots-level organization offering advice and legal aid to refugees and asylum seekers in Finland. The expectation is that these expert opinions will diverge from the discourses of political actors and as such provide a point of comparison for analyzing the framing of asylum seekers and their rights in the legislative process. Finally, four protocols of parliament plenary discussions will be examined as the audience-facing facet of the legislative process. While the public rarely engages with preparatory legislative text in a meaningful manner, the parliament plenary can be thought of as a space where political actors selectively project their political objectives to the public. The plenary discussions will also aid in mapping the ideological foundations of decision-makers and understanding the differences and similarities between actors of different political affiliations.

In sum, the material includes two government proposals (one bill proposing the border security act and another proposing an amendment to extend its validity), two Constitutional Law Committee statements, eight expert statements from four different actors, and session protocols from four parliament plenaries. Temporally the material is divided in half between 2024 and 2025, with the corresponding documents being examined from both points in time. The material is not all-encompassing, and many aspects of the legislative process will inevitably be obscured. However, the inclusion of different perspectives from the ruling parties, opposition, and third sector actors is expected to provide an adequate enough insight into the dominant narratives and discourses surrounding CEM in Finland and their evolution over time. As especially in 2024 the Border Guard Act was the subject of significant media attention, alternative research designs could accommodate media perspectives, or for instance incorporate more data measuring public opinion on the matter. Furthermore, if the Border Security Act comes to be renewed again, there is room for future research in how discourses and attitudes develop within an even longer time frame.

1.1.3. *The Methodology of Critical Discourse Analysis*

The methodology is based on Norman Fairclough's model of Critical Discourse Analysis (CDA), a well-established method for critical approaches to the migration-security nexus, and particularly applicable in this case for its focus on the power imbalances manifested in language as a social and political practice. Discourse is understood here in wide terms, not uniquely as written text but the overall construction and dissemination of sociocultural meaning through different means of communication. As Balzacq points out, CDA is particularly suitable for securitization studies because it grasps textual and non-textual meanings in relation to the dimension of power that lifts up certain voices and silences others.³ Furthermore, CDA is well suited to be integrated into transdisciplinary and interdisciplinary research due to its general and deductive approach within which different elements of the social reality surrounding discourse are broadly integrated.⁴ The topic of this thesis fits into this ideal transdisciplinary research subject, because it operates in the intersections of security, law, migration, and politics all viewed through both a social research and a human rights approach.

According to Fairclough, discourse is a tool for producing and reproducing asymmetrical power relations.⁵ This is because language is an integral part of any social and political process, and thus also a primary vessel for power and ideology and their dissemination in the sociocultural fabric we inhabit.⁶ Power and ideology are subsequently at the core of this thesis's research design. Firstly, the legislative documents under analysis represent state power, that is the ruling elite's ability to imbue people with rights and take them away based on exceptional legal provisions. There is also a particular power asymmetry at play, as the Finnish state exerts power on migrants, people potentially in vulnerable positions and certainly at risk of facing discrimination in Russia, the border zone, and in Finland alike. In terms of ideology, one key research interest at play is how the ideological foundations of the ruling elite affect the kind of response adopted in the face of CEM. When placed into the context of a historical trend of anti-migration rhetoric and structural racism in Finland, discourses surrounding CEM potentially become a means of reproducing asymmetrical power relations between the Finnish political elite and Finns on one hand, and asylum seekers and people with migrant backgrounds on the other. Political discourse around CEM thus becomes a question of whether there is room for discourses that include and accommodate asylum seekers in times of heightened insecurity that directs quite the opposite towards them in the form of laws like the Border Security Act.

³ Balzacq, *Securitization Theory*, 68–69.

⁴ Fairclough, "Dialectical-Relational Approach", 251.

⁵ Fairclough, *Critical Discourse Analysis*, 17–18.

⁶ Fairclough, *Language and Power*, 2–4, 15.

According to Fairclough, discourses can be seen simultaneously as bodies of text, practices of text production and interpretation, and as sociocultural practice. In accordance with these three dimensions of discourse, Fairclough models discourse analysis as a process of description, interpretation, and explanation. On the first level, the language of the text itself is described through meaning, syntax, semiotics, and so on. The second level is concerned with the relationship between discursive processes and the text, or in essence the immediate context governing how discourses are articulated. Finally, the third level examines the discursive processes' relation to sociocultural processes, or the dialectic interaction between discourse and sociocultural reality.⁷ Importantly, the text under analysis should not be taken as separate from its surrounding context, because sociocultural factors as well as discursive conventions impact the way the text is produced and interpreted. In sum, this model is particularly suitable because the research focus is on rights-restricting exceptional measures, in itself a manifestation of sovereign power and in essence a top-down process based on the power imbalance between the state and migrants. In accordance with the element of sociocultural practice, particular attention in the following sections will also be paid to the sociocultural, political, and historical context of asylum governance in Finland. At its core, language here is seen as a powerful tool of normalization and legitimization, which deeply impacts the material realities of people on the move.

1.1.4. The Contested Terminology of 'Coercive Engineered Migration'

Human mobility that is accompanied by some level of coercion or facilitation by states in pursuit of exterior motives has been labeled throughout history as anything from hybrid threat to hybrid warfare, from instrumentalized migration to artificial migration pressure and weaponized migration, to name a few. Terms used in political discourse vary largely based on societal context and the disposition of the speaker. Academic discussions of the topic are similarly apt to generate controversy over terminology. Kelly Greenhill's seminal work *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*, for instance, frequently employs a metaphor of migrants as a weapon. This approach has subsequently been problematized by many as dehumanizing towards people on the move. Marder, for instance, suggests a reevaluation of the 'weapons of mass migration' and 'weaponized migrants' metaphor as perpetuating a securitized perception of refugees, and obscuring the heterogeneity of people on the move as well as the historical and structural conditions that lead to displacement. Seeing asylum seekers as a dangerous problem also pushes states to see them exclusively through this lens and consequently restricts the policy options taken into consideration.⁸ The term 'instrumentalized

⁷ Fairclough, *Language and Power*, 96–98.

⁸ Marder, "Refugees Are Not Weapons.", 576–88.

migration’ has been subject to similar criticism. Ancite-Jepifánova, for instance, argues that describing the phenomenon as ‘instrumentalization’ or ‘weaponization’ of ‘artificial migratory flows’ obscures the variety of reasons that motivate global mobility by creating an artificial distinction between ‘natural’ or ‘genuine’ movement of asylum seekers and ‘ingenuine’ or ‘illegal’ machinated mobility. Furthermore, such terms dehumanize affected people and obscure their agency as individual and complex actors.⁹

The topic of this thesis is intrinsically tied to the power of language in shaping reality and as such it is important to be conscious of the terms used, especially when discussing people in precarious situations who are often deeply affected by structural discrimination and violence. People are neither weapons nor instruments, but people. Therefore, the term ‘coercive engineered migration’ or ‘CEM’ is used in order to avoid some of the more politicized and dehumanizing meanings associated with ‘instrumentalization’ and ‘weaponization’. However, the term is arguably imperfect and its only purpose is to describe a controversial phenomenon as neutrally as possible. It is chosen primarily for its relatively wide use in academic literature, and for the lack of a more humane academic term. Conversely, Finnish government-representing actors mostly rely on the term ‘instrumentalized migration’, which consequently will be used with reference to those sources where deemed appropriate.

The Border Security Act is targeted towards asylum seekers specifically although its impact has broad implications for migrants and migration to Finland in general. The people supposedly subjected to coercive engineered migration will hereafter be described by the umbrella terms of ‘asylum seekers’, ‘migrants’, or ‘people on the move’. Importantly, the terms ‘asylum seeker’ and ‘migrant’ overlap significantly in the case at hand as it closely tied to norms of international protection but also concerns people on the move as a whole. However, in most instances ‘asylum seeker’ refers specifically to potential subjects of the Border Security Act (people denied access to asylum procedure), whereas ‘migrants’ are the broader group of people forming a part of mobility across the Eastern border or mobility towards Finland more generally. It is important to keep in mind that people, crossing the Eastern border or otherwise, are not a homogenous mass. Obscuring the range of identities, motives, backgrounds, and histories of people on the move is precisely against the what this thesis aims in terms of highlighting their human rights. The employment of the aforementioned umbrella terms is, however, necessary for analytical purposes.

⁹ Ancite-Jepifánova, “Why the Term ‘Instrumentalisation of Migrants’ Should be Reconsidered.”

In *Weapons of Mass Migration*, Greenhill discusses the origins, motivations, and effects of coercive engineered migration. She defines CEM as “those cross-border population movements that are deliberately created or manipulated in order to induce political, military and/or economic concessions from a target state or states”.¹⁰ She goes on to argue that weak, undemocratic states are the most likely to engage in coercive engineered migration. CEM, for these actors, is a way to increase credibility and bargaining power in the international arena, providing a means of inflicting high potential cost that target states (usually liberal democracies) are unable to retaliate in the same manner.¹¹ The coercive power is often based on manipulating the opinions and attitudes of the target state’s population in order to weaken its power base, generate unrest, and ultimately pressure them to concede to the coercer’s demands. Greenhill further argues that coercer states are likely to purposefully exploit existing political polarization around migration, as well as so called ‘hypocrisy costs’. This refers to the tendency of liberal democracies to project their liberality and adherence to human rights outwards, generating political costs when a gap between words and actions becomes visible in how the same state treats migrants.¹² At its core, the vulnerability of liberal democracies to CEM is, according to Greenhill, related to their codification of human rights norms in domestic legal systems as well as the political liberalism of the decision-making process which makes responses to CEM susceptible to public opinion and significantly constrains the options available to decision-makers.¹³

It is important to note that the framing of coercive engineered migration can altogether be problematized and contested. As Ancite-Jepifánova argues, framing incoming migrants and asylum seekers as ‘instrumentalized migration’ and subsequently adopting legislation that derogates from human rights has many implications beyond border security. When states are able to employ this narrative, there remains a risk of employing and broadly interpreting restrictive exceptional provisions to the overall advantage of anti-migration policies with a serious impact on human rights. Furthermore, international norms surrounding asylum were not, at their core, designed to be selectively applied in cases where an external actor has some involvement in facilitating mobility. The 1951 Refugee Convention, for instance, bases the definition of refugee on a well-founded fear of persecution, and only excludes individuals who have committed serious international or non-political crimes.¹⁴ The ECHR, on the other

¹⁰ Greenhill, *Weapons of Mass Migration*, 13.

¹¹ Greenhill, *Weapons of Mass Migration*, 23, 29.

¹² Greenhill, *Weapons of Mass Migration*, 38, 51–55.

¹³ Greenhill, *Weapons of Mass Migration*, 60–62.

¹⁴ Convention relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137, p. 15-17.

hand, codifies the right to seek asylum, resulting in certain obligations for states in providing an opportunity to do so.¹⁵ Non-refoulement is a norm of international customary law, the protection of which requires at least some degree of investigation into the risk posed to returnees. These are only a few examples of international refugee law that, in principle, makes no mention of the means of arrival of a person seeking refuge. It is therefore reasonable, as some scholars do, to altogether question states' using the narrative of coercive engineered migration to legitimize measures that strongly contradict international human rights.

1.2. Historical and Policy Context

1.2.1. Asylum-Based Migration in Finland

Finland's transition from a country of emigration into a country of immigration began in the 1980s. By the 2000s, the share of foreign-background population in Finland saw a significant rise largely due to immigration from former Soviet bloc countries, especially Russia and Estonia. The earliest major influxes of humanitarian migration into Finland include the arrival of asylum seekers from Somalia in the early 1990s and those fleeing the conflicts in former Yugoslavia.¹⁶ The largest influxes of protection seekers in recent decades have taken place during the 2015 'European refugee crisis' and Russia's invasion of Ukraine in 2022. Nevertheless, compared to many other EU member states as well as its Nordic neighbors, the share of foreign-born population remains relatively low in Finland. Conversely, in 2025 the share of foreign-born residents in Finland was 10%, while, for instance, in the traditionally more open-to-migration Sweden, the share was 21%.¹⁷

The 2015 'refugee crisis' marked a turning point in both the number of people arriving to Finland as well as the direction of Finnish asylum policy. During this time, around 32 000 applications for international protection were registered.¹⁸ Although anti-migration sentiment had been on the rise in political and public discourse for a time, this trend significantly accelerated around 2015 with a number of legislative initiatives specifically designed to decrease the desirability of Finland as a destination for protection seekers.¹⁹ By 2016, the number of applications for international protection had dropped dramatically to only 5600, and further declined to half of that during the Covid-19 pandemic. In terms of nationalities, between 2015 and 2022 most asylum applicants were nationals of Iraq, Somalia, Syria,

¹⁵ Charter of Fundamental Rights of the European Union, October 26, 2012, OJ C 326, art. 18.

¹⁶ Koikkalainen et al., "Finland Country Report," 4.

¹⁷ Eurostat, "EU Population Diversity by Citizenship and Country of Birth."

¹⁸ Migri, "Statistics on Applications and Decisions."

¹⁹ Koikkalainen et al., "Unpacking Temporary Protection," 434–35.

and Afghanistan.²⁰ However, the following years were to bring about unexpected developments in the European security environment, along with new categories of protected persons.

The Russian military invasion of Ukraine and the ensuing humanitarian crisis and mass displacement of Ukrainians also sent shock waves to the Finnish asylum system. All in all, however, Finland seemed more readily prepared for the influx of Ukrainian temporary protection seekers than to the 2015 ‘refugee crisis’, and no significant legislative changes ensued.²¹ In 2022, 45 300 applications for temporary protection were lodged in Finland, and together with other categories of international protection the year was an all-time-high in terms of incoming protection seekers.²² As of March 2022, Finland hosted 70 800 temporary protection beneficiaries from Ukraine.²³ Due to the summary nature of temporary protection, nearly all applicants have been granted protection status. In comparison, of the total 77 000 asylum applications lodged between 2016 and 2025, the rate of approval has fluctuated between 50-80% in different years.²⁴ Russian and Ukrainian applicants were temporarily represented among the top nationalities for asylum applications between 2022–2023, although being surpassed by Iraqi, Somali, and Afghani applicants once again in recent years.²⁵

1.2.2. The Emergence of ‘Coercive Engineered Migration’

By 2023 the war in Ukraine had showed no sign of ending, embodying a fundamental shift in Finland’s immediate geopolitical landscape. In the autumn of the same year, an unusual increase in asylum applications was observed at Finland’s Eastern border. Totalling nearly 1300 applications, most applicants arriving from Russia were men aged between 20 and 30, although accompanied and unaccompanied minors were also registered. The applicants represented more than 20 nationalities, with the largest groups being Syrian, Somali, and Yemeni.²⁶ Finnish authorities promptly attributed this increase in arrivals to a Russian hybrid influence campaign of ‘instrumentalized migration’. In essence, Russian state operatives were reported to be contributing to the arrival of third country nationals residing in Russia to Finland as asylum seekers. Despite the relatively strong history of cooperation and mutual

²⁰ Migri, “Statistics.”

²¹ Koikkalainen et al., “Finland country report,” 18.

²² Migri, “Statistics.”

²³ Eurostat, “Temporary Protection for Persons Fleeing Ukraine - Monthly Statistics.”

²⁴ Migri, “Statistics”.

²⁵ Migri, “Statistics.”

²⁶ European Migration Network Finland, *Annual Report 2023*, 39–42.

trust between Finnish and Russian border authorities, border crossings were now being allowed without regard for the adequacy of travel documents, and Russian authorities allegedly also participated in facilitating the transportation of asylum-seekers to the border.²⁷

As a response, Finland began closing border crossing points along its Eastern border in mid-November. Asylum applications were subsequently centralized to the border crossing points that remained open. However, as the movement of asylum seekers to open border crossing points did not cease, a temporary closure of all border crossing points between Finland and Russia was instated by the end of the month. Two of the crossings were opened again in mid-December, however promptly closed as asylum applications once again resumed. At this point all traffic between Finland and Russia was subsequently suspended, and applications for international protection were no longer accepted at the closed border crossing points along the Eastern border. Instead, access to asylum procedures was centralized to international borders elsewhere in the country as well as the airport in Helsinki.²⁸

An indefinite continuation to the multiple subsequent border closures was instated in 2024 and reiterated in the currently standing 2025 government decision.²⁹ According to the Ministry of the Interior, the closure of the Eastern border will “remain in force until further notice, but no longer than is necessary”, and that “based on information available to Finnish authorities, the risk that instrumentalized migration will resume and expand as seen previously is likely.”³⁰ Notably, 2023 was not the first instance of coercive engineered migration on the Finland-Russia border. In the context of the 2015 ‘refugee crisis’, a so-called ‘arctic route’ opened, with Russian border officers reportedly allowing third-country nationals to cross Finnish and Norwegian borders without valid Schengen visas.³¹ In Finland these arrivals accounted for around 1700 of the record numbers of protection seekers registered during between 2015 and 2016. Similarly to 2023, the arrivals belonged to a larger pattern of movement originating mainly from Africa and West Asia, with a substantial number of applicants (around a quarter) having already resided in Russia for a longer time.³²

Lower-level diplomatic talks failed to curb the question of the ‘arctic route’, ultimately not resolved until a bilateral discussion between the presidents of Finland and Russia took place. This resulted in a

²⁷ European Migration Network Finland, *Annual Report 2023*, 41–42.

²⁸ European Migration Network Finland Finland, *Annual Report 2023*, 41–42.

²⁹ Finnish Government, “Situation at Finland’s Eastern Border.”

³⁰ Ministry of the Interior, “Situation at the eastern border.”

³¹ Virkkunen et al., “Weaponizing Migration,” 227–28.

³² Virkkunen and Piipponen, “Asylum Seekers and Security,” 530.

six-month restriction of movement between the affected border crossing points to only Finnish, Russian, and Belarusian nationals.³³ Arguably the main factor differentiating the 2015 case from the present day is the current lack of diplomatic interaction between the two countries. The unilateral 2023 border closure also reflects a more severe response likely motivated by heightened insecurity, whereas in 2015 even despite the surrounding ‘refugee crisis’ a total border closure remained out of the question. All in all, the ‘arctic route’ episode illustrates the sensitivity of governing mobility across the Finno-Russian border, as well as the privileged role national security plays therein. Ultimately, it is telling that despite adding up to only around 5% of asylum seekers registered in peak period of the ‘refugee crisis’, the ‘arctic route’ resulted in relatively serious restrictions to fundamental rights.³⁴

Conversely, the case under analysis does not quite fit into Kelly Greenhill’s definition of the ‘classic’ case of CEM discussed in a previous section. Firstly, coercer states are, according to Greenhill, often smaller states in a weak bargaining position. This is hardly the case for Finland and Russia, however. Although Russia is, in the eyes of the West, a pariah state losing its grip on global power, it is clear that Finland is a much smaller state with more to lose in the case of military escalation. Secondly, there is no clear objective or demand at play as observed in many of the cases examined by Greenhill. CEM from Russia is instead often framed as one part of a wider ‘hybrid influence’ campaign aimed at destabilizing Western democracies. As such, CEM as employed by Russia is less so an attempt of an extremely weak actor to better its bargaining position. Instead, it appears to be part of a larger pattern of intimidation and destabilization efforts towards Europe as a whole. On the other hand, precisely the weakening position of Russia in the global hierarchy of power may be a key factor of its engaging in such coercion in the first place.

As Virkkunen et al. argue, CEM by authoritarian regimes like Russia generally speaking does not fall into simple categories of intent and effect. The motives of such regimes are often opaque, and the extent of the involvement of different authorities, organizations, and criminal networks, as well as corruption in decisions is unclear. Some possible motives include steering target state practices in a more favorable direction, triggering policy changes, and placing pressure on democracy and liberal values.³⁵ Generating overall societal instability may also be in the interest of authoritarian actors like Russia, ultimately leading to weaker and more vulnerable regimes more susceptible to different kinds of influence.³⁶ However, because Russia targets liberal democracies, the means are largely the same

³³ Virkkunen et al., “Weaponizing Migration,” 230.

³⁴ Virkkunen and Piipponen, “Asylum Seekers and Security,” 530.

³⁵ Lebrun et al., “Instrumentalized Migration.”

³⁶ Nurmi, “Välineellistetty maahanmuutto,” 29.

as introduced by Greenhill: inducing hypocrisy costs, affecting the overall security climate, and exploiting societal fault lines and polarization.³⁷

It is important to note, that levels of ‘engineering’ vary and for the case under analysis here there is little information publicly available to indicate the true extent of Russian involvement in the facilitation of asylum seekers’ arrival to Finland’s Eastern border. As will be seen in the material, some actors claim that the level of Russian authorities’ involvement is high, extending deep into to the countries of origin of asylum seekers. The most minimalist view indicates that the only certainty is that Russia ceased in 2023 to adequately monitor border crossings and documentation required to enter the EU through Finland. The purpose of this thesis is not to provide in-depth analysis of the motives of foreign actors or the extent to which they contribute to the arrival of migrants in Finland. The purpose is instead to examine human rights questions related to the Finnish state’s exceptional response to the increase in asylum seeker arrivals at the Eastern border, which was portrayed by Finnish authorities as coercive engineered migration forming a part of Russian hybrid influence. Regardless of the true extent of Russian involvement, it is thus necessary to view the issue through the framing of CEM.

1.2.3. Evolution Asylum Policy in Finland

The minimum level of protection for human rights in Finland is dictated by the international conventions Finland is party to, which include the key UN treaties as well as regional instruments, the most important which are the ECHR, the European Social Charter, and the EU’s Charter of Fundamental Rights. Fundamental rights are also codified in The Finnish Constitution along with principles like equality and non-discrimination. Furthermore, section 22 of the Finnish constitution endows a protective duty upon the state and public authorities with regard to fundamental rights and liberties.³⁸ Multiple levels of international refugee law also bind the Finnish state. Firstly, Finland is a party to the Refugee convention and its 1967 protocol.³⁹ EU asylum law dictates the minimum standard of procedure along with human rights norms like right to asylum explicitly outlined in the CFR.⁴⁰ Apart from the nature of non-refoulement as a norm of international customary law, as a party to the ECHR and its 4th protocol Finland is also bound by Article 3, the prohibition of collective expulsion, and the

³⁷ Maxime Lebrun et al., “Instrumentalized Migration.”

³⁸ The Constitution of Finland, ch. 2, § 22.

³⁹ Convention relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 137.

⁴⁰ Charter of Fundamental Rights of the European Union, October 26, 2012, OJ C 326, art. 18.

jurisprudence of the Strasbourg Court.⁴¹ Similarly, the UN Torture convention also codifies the principle of non-refoulement in relation to torture, inhumane and degrading treatment.⁴²

Migration governance in Finland is organized in a cross-administrative manner. Migration policy is led by the government, and legislative initiative mainly comes from the Ministry of the Interior. Under the Interior Ministry's direction is the Finnish immigration service, Migri, which is the primary institution in charge of implementing migration policy. Additionally, the police and border guard monitor entry, departure, and compliance with migration-related laws and aid Migri in receiving asylum applications as well as serving and enforcing asylum decisions.⁴³ The main body of domestic law governing migration in Finland is the Aliens Act. As such the Act is also the main source for legislation on international protection and the national implementation of the Common European Asylum policy. The Aliens Act was first introduced as a comprehensive framework in 1958 and has since gone through multiple revisions brought on by time as well as the fluctuations in different government coalitions' policy goals.⁴⁴

The 2015 'refugee crisis' significantly accelerated an existing trend of more restrictive asylum policy with the center-right Sipilä government's amendments to the Aliens Act. For instance, while protection had previously been afforded on humanitarian grounds to asylum seekers facing conditions like generalized violence in their country of origin, this category of protection was discontinued in the aftermath of the 'refugee crisis'. The amendment was brought on in part to avoid overlap with the EU Qualification Directive's category of subsidiary protection, as well as for the more politicized reason of ensuring that the bases for international protection in Finland did not appear more favorable compared to other EU states and act as a pull-factor for asylum seekers.⁴⁵ Conditions for family reunification were also tightened in efforts to limit Finland's desirability as a destination. Namely, the scope of secure income as a precondition for family reunification was extended to all beneficiaries of subsidiary and temporary protection.⁴⁶ The Sipilä government also made changes to the asylum process. For instance, the police was enshrined with temporary powers to conduct asylum interviews alongside Migri in instances of high numbers of simultaneous applications, and conditions of access to publicly funded

⁴¹ Convention for the Protection of Human Rights and Fundamental Freedoms, Nov. 4, 1950, E.T.S. No. 5, Art. 3; Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, September 16, 1963, E.T.S. No. 46, Art. 4.

⁴² Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, 1465 U.N.T.S. 85, Art. 3.

⁴³ Koikkalainen et al., "Finland Country Report," 13–14.

⁴⁴ Koikkalainen et al., "Finland Country Report," 5.

⁴⁵ Pirjatanniemi et al., *Ulkomaalaislain muutosten yhteisvaikutukset*, 75–76.

⁴⁶ Pirjatanniemi et al., *Ulkomaalaislain muutosten yhteisvaikutukset*, 144–145.

legal aid in the asylum interview were tightened. Lastly, the window of appeal to negative asylum decisions was also shortened.⁴⁷

The center-left government of Sanna Marin, formed in 2019, drew back some of the changes of the previous legislative cycle, and as such the Aliens Act fluctuated back to a more lenient form. Namely, the amendments to legal aid in the asylum interview and the window of appeal for asylum decisions were reversed.⁴⁸ The Marin government also amended the income requirement for family reunification to no longer apply to minors.⁴⁹ Conversely, the application of the Temporary Protection Directive to persons fleeing the war in Ukraine was accompanied by generally positive public attitudes and policies surpassing the minimum standard set by the EU. For instance, the reception of temporary protection seekers was initially facilitated by a municipal housing model, which considerably eased the pressure on reception centers. Those with existing ties to family or employers in specific municipalities were also able to locate themselves accordingly.⁵⁰ Taking health care as another example, temporary protection seekers and beneficiaries in Finland enjoy access to services by and large at the same level as municipal residents. In comparison, asylum seekers have access only to essential and urgent services during their status determination procedure, which is generally also a lengthier process.⁵¹

The more conservative center-right Orpo government which stepped in to power in 2023, has re-steered Finnish asylum policy once again to a more restrictive direction. Notably, international protection status was made temporary and subject to periodical assessment, reducing the validity of refugee residence permits to three years, which is the minimum period permitted under EU law.⁵² Furthermore, exclusion clauses for international protection and grounds for revoking protection status were expanded to encompass acts committed after the granting of protection status.⁵³ Another amendment enables the revoking of protection status on the basis of the individual travelling to their country of origin.⁵⁴ Finally, the so-called ‘lane-change’ possibility of international protection applicants was discontinued, meaning that applicants subject to a negative asylum decision would no longer be able to apply for employment- or study-based residency.⁵⁵ All in all, the Aliens Act is an apt reflection of the

⁴⁷ Pirjatanniemi et al., *Ulkomaalaislain muutosten yhteisvaikutukset*, 87–91, 98.

⁴⁸ European Migration Network Finland, *Annual Report 2021*, 36–37.

⁴⁹ Pirjatanniemi et al., *Ulkomaalaislain muutosten yhteisvaikutukset*, 32.

⁵⁰ European Migration Network Finland, *Annual Report 2022*, 28–33.

⁵¹ Koikkalainen et al., “Unpacking Temporary Protection”, 438.

⁵² European Migration Network Finland, *Annual Report 2024*, 14–15.

⁵³ Laki ulkomaalaislain muuttamisesta, Stat. 666/2024.

⁵⁴ Laki ulkomaalaislain muuttamisesta, Stat. 247/2025.

⁵⁵ Laki kolmansien maiden kansalaisten maahantulon ja oleskelun edellytyksistä tutkimuksen, opiskelun, työharjoittelun ja vapaaehtoistoiminnan perusteella annetun lain 2 §:n muuttamisesta, Stat. 473/2024.

general trends in the political environment regarding migration in Finland, the bulk of which are leaning towards a minimalist approach to the rights of foreign nationals residing in Finland.

1.2.4. The Finnish Response to ‘Coercive Engineered Migration’

The Finnish response to CEM has been marked by security-oriented restrictions to freedom of movement and access to asylum procedure. A legislative project to prepare for ‘hybrid influencing that exploits migration’ was first introduced in 2022 by the Marin government.⁵⁶ In essence, it amended the Aliens Act to anticipate large-scale or ‘instrumentalized’ protection-seeker influx. Simultaneously, the Border Guard Act was amended to enable restricting cross-border traffic and closing border crossing points for a limited time on the grounds of public order, national security, or public health. Furthermore, a key new provision enabled the centralization of asylum applications to one or more border crossing points on similar grounds or in situations of an exceptionally high number of immigrants arriving in a short period of time. The same amendment also included new provisions governing the building of barriers in border zones.⁵⁷ The construction of a border barrier fence on the Eastern border was subsequently begun, intended to cover 200 kilometers of the total 1300 kilometers bordering Russia, mainly along the South-East border zone.⁵⁸ Furthermore, a 2024 amendment targeted the technical capabilities of the Border Guard, widening the scope of use for border surveillance technology and introducing radio wave technologies as tools for border surveillance.⁵⁹

The 2024 Border Security Act represented a shift to increasingly coercive measures in response to the situation at the Eastern border. As such it was subject to extensive public, political, and media discourse and debate surrounding its constitutionality and international legality. Officially termed the ‘Act on Temporary Measures to Combat Instrumentalized Migration’, the Border Security Act introduces a new instrument that can be employed during a large influx of asylum seekers. In essence, it enables the ‘restriction of the reception of applications for international protection in a limited part of Finland’s national border for a maximum of one month at a time’.⁶⁰ Due to its significant bearing on fundamental rights and Finland’s international obligations, it was adopted as an exceptional law pursuant to section 73 of the Finnish constitution. This means it required a constitutional 5/6 majority in two consecutive votes in order to be adopted within one parliamentary term. Despite converging opinions from the legal community and civic society, the legislator and Constitutional Law Committee

⁵⁶ EMN Finland, *Annual Report 2021*, 36–37.

⁵⁷ Laki rajavartiolain muuttamisesta, Stat. 698/2022.

⁵⁸ The Finnish Border Guard, “The Eastern Border Barrier Fence”.

⁵⁹ Laki rajavartiolain muuttamisesta, Stat. 429/2024.

⁶⁰ Rajaturvallisuuslaki, Stat. 482/2024, § 3.

concluded that its restrictions to fundamental rights are acceptable because they have an exceptionally weighty justification and furthermore do not impact the system of fundamental rights as a whole.⁶¹

The act is triggered by a joint decision of the government and the president. According to the government proposal, the Border Security Act is to be applied in exceptional situations where a foreign state is exerting influence through migration, the sovereignty or national security of Finland is in serious danger, and the restrictions are essential and the only sufficient means of response. In such a case, the border officials will prevent entry from persons party to the foreign state's influence attempt, and those already in the country will be removed. Applications for international protection nor appeals to the removal or return decisions will not be examined in such cases.⁶² The restriction is only to be deviated from through case-by-case assessment by trained border guards. These exceptions are based on individual circumstances, where demonstrably necessary for protecting the rights of a child, a person with disabilities, or other persons of particularly vulnerable positions, or if the individual can present an evident and real risk of being subjected to death penalty, torture, or other treatment violating human dignity in the state they arrived from. However, these individual assessments may be waived in cases of forcible entry using violence or a large number of persons arriving if 'essential to safeguard the lives and health of people and if the procedure can be deemed justifiable when assessed as a whole'.⁶³

Human rights concerns raised by civil society actors and experts, as well as the legislator in the government proposal, included the Act's impact on non-refoulement, rights of the child, rights to due process and appeal, rights of disabled persons and other vulnerable groups, as well as non-discrimination. Concerns were also raised over whether the opportunity to seek asylum at other parts of the Finnish border can be considered genuine and realistic. Some human rights actors also raised concerns over the Act legalizing push-backs, as well as the routinization of such measures in light of its renewal. After its first year in force, the parliament voted in favor of amending the Act to enable its extension until the end of the year 2026.⁶⁴ Importantly, the act is not currently being enforced, as the entire Eastern Border has remained closed for all traffic since 2024. Importantly, however, should the government choose to open the border for regular traffic, asylum seekers could be summarily denied access

⁶¹ G.P. 53/2024, p. 104; Constitutional Law Committee, PeVL 26/2024, p. 17.

⁶² G.P. 53/2024, p. 1.

⁶³ Laki väliaikaisista toimenpiteistä välineellistetyin maahantulon torjumiseksi, Stat. 482/2024, § 5.

⁶⁴ Laki väliaikaisista toimenpiteistä välineellistetyin maahantulon torjumiseksi annetun lain 7 §:n muuttamisesta, Stat. 368/2025.

to asylum procedure if deemed ‘instrumentalized migrants’.⁶⁵ As of 2026, a legislative project has been set up to carry a new period of validity over to 2027.⁶⁶

⁶⁵ Ministry of the Interior, “Government Proposal for a Border Security act Submitted to Parliament.”

⁶⁶ Ministry of the Interior, “Finnish Government Prepares to Extend Validity of Border Security Act.”

Chapter 2: Theoretical Framework and the Migration-Security Nexus

This chapter introduces the theoretical foundations of analysis and provides an overview of the field of migration and security research. The first section discusses securitization theory, both from the perspective of the Copenhagen school and its successors. The second section expands upon the interaction of law and states of emergency through the works of Agamben and Ackerman. The third section will introduce a number of critical security scholars' approaches to migration, and the fourth provides a brief overview of relevant previous research on coercive engineered migration in Europe. Finally, the fifth section synthesizes the relevant theoretical approaches and the methodology of critical discourse analysis into the analytical framework that will be employed moving forward. Conversely, the literature review is mostly centered around European perspectives. This is not due to an intent to undermine the contributions of Global South scholars' to critical security and migration research, but mainly a matter of brevity and focus to the topic at hand which is by and large rooted in a European context. It is important to note, however, that Western hegemonic perceptions continue to shape academic research in all fields, and particular attention should therefore be paid to dismantling post-colonial hierarchies in knowledge production.

2.1. Securitization Theory

2.1.1. *Agents and Securitizing Moves*

In *Security: A New Framework for Analysis*, Buzan, Wæver, and de Wilde argue that security should not be understood solely through states and their military use of force, but rather as a type of intersubjective politics. Security is politics, because to securitize or accept securitization is always a political choice. It is also intersubjective, because intersubjective perceptions about power and threat shape the shared understanding of security among political subjects. Security is thus socially constructed and socially constituted by actors and audiences, not solely a product of state power in the international arena.⁶⁷ According to Buzan et al., virtually any political issue can become securitized if it is successfully labelled as an existential threat which in turn legitimizes the adoption of emergency measures. Buzan et al. argue that nothing short of an existential threat will satisfy the criteria necessary to employ emergency measures, and therefore any real or imagined existential threat will transform an issue into a matter of security. Conversely, securitization is a self-referential process, as only existential threats become security issues, and only security issues pose existential threats.⁶⁸

⁶⁷ Buzan et al., *Security*, 18, 29–31.

⁶⁸ Buzan et al., *Security*, 24–25.

Buzan et al. trace the process of securitization to a specific moment in time, a securitizing move usually consisting of a speech act made by a securitizing actor to an audience with reference to a referent object. In order to succeed in securitizing an issue, the speech act must follow a pre-determined internal logic (grammar of security), and the speaker must have sufficient authority to conjure a security threat. Referent objects are the entities against whom an existential threat is perceived to exist, usually states or other collectivities of people that can be claimed to have a legitimate need for survival.⁶⁹ Securitizing actors are the agents who declare the existence of a threat and make the claim that exceptional measures are needed. They usually do not coincide entirely with the referent object, but are smaller entities like state political elites, who speak for the survival of larger collectivities like states, nations, or communities. Buzan et al. also discuss the role of the audience whose approval the securitizing actor must seek in order to gain legitimacy for their claim, and functional actors who fit none of the latter categories but nonetheless contribute to the process in one way or another.⁷⁰

While Buzan et al. view securitization as happening at a specific, discursive point in time, as a speech-act coinciding with a securitizing move, post-Copenhagen school scholars like Balzacq have expressed criticism for their lack of emphasis on audience and context as units of analysis.⁷¹ Balzacq argues that external factors matter more than the Copenhagen school gives recognition to, because textual and cultural meanings and facilitating conditions meaningfully contribute to how security ends up being articulated. Furthermore, he suggests closer analysis of the relative power positions of actors as well as the interplay between agency and context. Another key criticism relates to the Copenhagen school's understanding of securitization as a process facilitated mainly through speech acts. Balzacq instead draws attention to the structuring force of non-discursive practices and tools used by securitizing actors.⁷² In a similar vein, Bigo argues that securitization operates on a significantly more mundane level, often below the threshold of exceptional measures, for instance in institutional practices that over time shape the entire field of security policy.⁷³ In essence, Balzacq and Bigo argue that securitization is not necessarily the result of rational design flowing from a predetermined agenda, but should instead be viewed as a complex process in which context, power dynamics, and pragmatic factors play a determining role.⁷⁴

⁶⁹ Buzan et al., *Security*, 33–36

⁷⁰ Buzan et al., *Security*, 40–41.

⁷¹ Balzacq, *Securitization Theory*, 42.

⁷² Balzacq, *Securitization Theory*, 23–28.

⁷³ Bigo “Security and Immigration”, 63–65.

⁷⁴ Balzacq, *Securitization Theory*, 37.

For Buzan et al. units of analysis consist mainly of actors, speech acts, and referent objects. Balzacq expands upon these units, operating on three distinct levels of analysis.⁷⁵ On the first level there are agents. These include securitizing and functional actors, but also their relative power positions as well as their socially and individually constituted identities. Referent objects also belong in this category. On the second level, Balzacq widens the concept of the securitizing move presenting it in terms of the ‘dispositif of practices and tools’ available to the securitizing actor. These include discursive elements which warrant linguistic analysis, but also more pragmatic means contributing to the more gradual and subtle processes of ‘everyday’ securitization such as official or institutional practices. Balzacq also directs attention towards the frames and narratives used by securitizing actors to mobilize audiences, as well as the concrete policies generated by securitization. Finally, on the third level Balzacq discusses the importance of context. In particular, he argues for incorporating analysis of both the proximate context, i.e. setting and occasion, as well as distal context, i.e. sociocultural embeddedness, of securitizing moves.⁷⁶

Other post-Copenhagen scholars tend to reiterate Balzacq and Bigo’s view of context as a key dimension of securitization. Baker-Beall, for instance, perceives the spatial and normative dimensions of securitization as key elements of the process. The spatial dimension, for Baker-Beall refers to delineations of space, for instance physical constructions like borders where security governance materially takes place, as well as the immaterial construction of political subjects against which communities must be secured.⁷⁷ The normative dimension, on the other hand, refers to the determining power of the values and norms that guide policy and security agendas.⁷⁸ Real and imagined boundaries, as well as normative conventions thus play an integral role in how political issues become securitized. Others, like Stępką for instance, construct securitization around different multidimensional ‘nets’ of security. He similarly argues that securitization is not a singular and static prescription of threat by a powerful actor, but rather a process driven by the interaction of multiple security logics, actors with different interests, and varying interpretations that all guide institutional practices and structures.⁷⁹

2.1.2. *Expanding the Sectors of Security*

A core thesis in *Security: A New Framework for Analysis* is the Copenhagen school’s view that the research agenda of the field of security studies should be widened to accommodate new sectors of

⁷⁵ Balzacq, *Securitization Theory*, 63.

⁷⁶ Balzacq, *Securitization Theory*, 63–65.

⁷⁷ Baker-Beall, “Threat of Returning Foreign Fighter”, 440–43.

⁷⁸ Baker-Beall, “Threat of Returning Foreign Fighter”, 446.

⁷⁹ Stępką, *Identifying Security Logics*, 54–55.

security beyond the military use of force. Buzan et al. thus introduce an economic, environmental, societal, and political sector alongside military security. Importantly, they posit that these sectors should not be seen as separate, closed systems, but rather as converging and overlapping lenses to employ when viewing the same set of units.⁸⁰ Of these, the most relevant to discuss here are the military, societal, and political sectors, the intersections of which CEM inhabits. In the military sector, the management of threats is centered around the use of force. Political security, on the other hand, is concerned with the organizational stability of states.⁸¹ Referent objects in both sectors are usually territorial states or other state-like political units and securitizing actors represent their authoritative leaders, such as the government or ruling elite. However, insecurity in the political sector is often invoked in reference to the perceived foundations of the state establishment rather than military threat, for instance in terms of sovereignty or state ideology. This can be in relation to actors within the state, for instance extremist groups threatening the legitimacy of internally emergent ideological foundations, or externally through for instance other states posing a threat to external legitimacy and recognition.⁸²

In the societal sector, insecurity is usually organized around the preservation of identity or the survival of a community. Perceptions of vulnerability to societal threats will to a large extent depend on regionally specific logics of group identity construction such as the homo- or heterogeneity of the collectivity in question, as well as sociocultural factors. Referent objects are constructed around identity-based collectivities defined by individual and communal self-perception and prevalent societal and social categorizations.⁸³ These may in some instances be states, but more frequently appear as smaller-scale groups like tribes, clans, nations, minorities, civilizations, religions, race and the like. However, these often become interchangeable with the state, especially when securitizing actors hold a high position of power in the state hierarchy. Societal threats may be the deliberate results of political choices or alternatively emerge from societal structures with varying degrees of intentionality. Furthermore, responses to societal threats may be community- or state-oriented, in contrast to military or political sectors where the response is more often state-driven.⁸⁴

The nation is a particularly complex, often state-oriented referent object for societal security. In Europe in particular, societal security is mostly referential to nations and nation-like ethnic groups, often exhibiting multiple layers of intra-state, statewide, and supranational identity.⁸⁵ One classic definition of

⁸⁰ Buzan et al., *Security*, 168.

⁸¹ Buzan et al., *Security*, 23–24, 52–61.

⁸² Buzan et al., *Security*, 144–50.

⁸³ Buzan et al., *Security*, 119.

⁸⁴ Buzan et al., *Security*, 121–24.

⁸⁵ Buzan et al., *Security*, 132.

nation can be formulated as a “named human population sharing a historic territory, common myths and historical memories, a mass, public culture, a common economy and common legal rights and duties for all members”.⁸⁶ In *Identity, Migration, and the New Security Agenda in Europe*, Wæver et al. similarly describe the nation as a combination of cultural and political identity, which can take various forms and exist on multiple planes.⁸⁷ It could be said that the nation as a concept unifies many possible, mutually reinforcing sources of collective identity into a fairly cohesive whole, and as such constitutes a particularly strong collectivity to mirror societal threats against. Furthermore, its connection to the state, especially in the case of more homogenous nation states, contributes to the intermingling of different sectors of security as military, societal, and political referent objects become interchangeable with each other.

2.2. The State of Exception – a Void in the Law

For the Copenhagen school, the process of securitization culminates in the employment of emergency measures to govern issues that previously belonged to the normal sphere of politics. As the Border Security Act is quite literally an exceptional law departing from ordinary Finnish law, it is useful to briefly discuss how such emergency measures relate to the political state of exception and how this affects the exertion of power. In *Homo Sacer* and *The State of Exception*, Agamben discusses the origins of the ‘state of exception’ as a philosophical and legal construct and its use in politics throughout history. Articulating the meaning of the concept, according to Agamben, is an exercise in balancing the tensions between law and reality, between the public and private, and between the realm of politics and the realm of nature. While a state of exception is derived from laws or constitutional provisions on emergency measures, according to Agamben it exists outside the normal functions of the legal system and is thus impossible to define purely in relation to the law.⁸⁸ Hence, Agamben describes the state of exception as a void in the law which abolishes the distinction between public and private and severs the connection between law and the acts committed in this void. In other words, despite legal normalcy being abolished, the coercive power of the law or the ‘force of law’ continues to be exerted.⁸⁹

In a state of exception, the state is thus empowered to use measures that are beyond its reach in normal circumstances, acting outside the confines of the law while retaining the legitimacy of the law. As Agamben writes in *Homo Sacer*: “The violence exercised in the state of exception clearly neither preserves nor simply posits law but rather conserves it in suspending it and posits it in excepting itself

⁸⁶ Wæver et al., *New Security Agenda*, 31.

⁸⁷ Wæver et al., *New Security Agenda*, 61.

⁸⁸ Agamben, *State of Exception*, 2.

⁸⁹ Agamben, *State of Exception*, 50–51.

from it.”⁹⁰ This void in the law thus enables the state to exert exceptional powers that both evade and enable the justification for their own existence: transgressions of the law become impossible to distinguish from the execution of the law.⁹¹ Agamben goes on to argue that the state of exception is becoming an increasingly dominant paradigm of government in contemporary politics. He describes modern totalitarianism as “a legal civil war that allows for the physical elimination not only of political adversaries but of entire categories of citizens who for some reason cannot be integrated into the political system.”⁹² This underlines the potential of violence inherent in the state of exception and how it can be used to exert coercive power on selected groups of individuals in more authoritarian contexts.

Ackerman similarly argues in *The Emergency Constitution* that emergency measures in Western legal traditions have long been articulated through the language of existential threat as extraordinary means of governance whose purpose is to ensure the survival of states in life-or-death scenarios. However, he problematizes this logic in the case of issues like terrorism which evade the pure definition of existential threat: while there certainly exists an element of physical danger to the population through sporadic attacks, no real threat to the government or political elite of being overturned or replaced can directly be identified. According to Ackerman, traditional models of emergency law thus grant too much power to governments, especially in the long run as such emergency measures have a tendency to become normalized modes of governance.⁹³ The core of his argument lies in the need for ensuring that emergency measures stay short-term, without allowing the political elite to exploit emergency in drafting long-term restrictions to individual rights.⁹⁴ Ackerman thus proposes an ‘emergency constitution’ that enables prompt responses to threats but is subject to strict parliamentary oversight. He advocates among other things for a review of necessity and need for renewal at the legislative level at short intervals. Furthermore, the continuation of emergency measures should require a supermajority, in which the share of required votes escalates incrementally the longer the sustained period of emergency continues. Ackerman would also place other safeguards in place, such as oversight committees in which opposition parties hold the majority of seats.⁹⁵

On the more philosophical level, according to Agamben the exertion of coercive power during a state of exception is based on the idea of ‘bare life’, life reduced to a kind of state of nature outside the realm of politics. In *Homo Sacer*, Agamben argues that as the marginal realm of bare life begins to gradually

⁹⁰ Agamben, “Homo Sacer,” 55.

⁹¹ Agamben, “Homo Sacer”, 50.

⁹² Agamben, *State of Exception*, 2–3.

⁹³ Ackerman, “Emergency Constitution,” 1038–40.

⁹⁴ Ackerman, “Emergency Constitution,” 1029.

⁹⁵ Ackerman, “Emergency Constitution,” 1047–51.

coincide with the political realm, the state of exception morphs into the rule on which the political system is rested.⁹⁶ This process is initiated by a decision of the sovereign to exclude certain categories of people, ‘homo sacer’, from the realm of political life. These people are then fully subjected to sovereign power and its potential of exerting violence and death.⁹⁷ Agamben argues that the inclusion of bare life in the political realm and the separation of the ‘homo sacer’ are core functions of sovereign power in the contemporary era and furthermore endow the sovereign with powers surpassing the merely political.⁹⁸ As Agamben writes:

*“If it is the sovereign who, insofar as he decides on the state of exception, has the power to decide which life may be killed without the commission of homicide, in the age of biopolitics this power becomes emancipated from the state of exception and transformed into the power to decide the point at which life ceases to be politically relevant.”*⁹⁹

The sovereign’s decision to institute a state of exception thus has the potential of transforming what it means to be human under and even outside of the law. Agamben posits: “In the ‘politicization’ of bare life—the metaphysical task par excellence—the humanity of living man is decided.”¹⁰⁰ In other words, the ‘homo sacer’ is both exposed and threatened by the law, yet in another sense outside of it.¹⁰¹ The ‘homo sacer’ thus encounters a state of inclusionary exclusion, being subject to sanctions of the law and simultaneously being stripped of the characteristics of legal subjectivity that endow one with rights. As Agamben concludes, when a human inside of a nation state is stripped of their legal rights and citizenship, they also lose the protection of inherent and inalienable human rights. Agamben has, for instance, discussed U.S. anti-terror measures as modern examples of this. Detainees in places like Guantanamo Bay are coerced into existence in an extra-legal setting under a state of exception, the prison complex they inhabit being a literal void in the law such as is inhabited by the ‘homo sacer’.¹⁰²

Ackerman likewise approaches his problematization of the state of exception from the perspective of the United States’ war on terror and the threat posed to individual liberties by counter-terrorism measures. From a legal and rights standpoint, dealing with belligerent attacks from another sovereign state is in essence a far simpler matter than the possibility of suspecting, really, anyone and everyone

⁹⁶ Agamben, “Homo Sacer”, 9–11.

⁹⁷ Davitti, “Biopolitical Borders,” 1180.

⁹⁸ Agamben, “Homo Sacer”, 9–11.

⁹⁹ Agamben, “Homo Sacer”, 118

¹⁰⁰ Agamben, “Homo Sacer”, 10.

¹⁰¹ Davitti, “Biopolitical Borders”, 1182.

¹⁰² Agamben, “Homo Sacer”, 105

of cooperating with a terrorist entity.¹⁰³ However, governments feel a deep need to act visibly and decisively in response to terrorist attacks in order to prove to their citizens that crisis measures are made a priority. Thus, Ackerman argues that neither the logic of war nor the logic of criminal law are sufficient to protect fundamental rights when governments address such ‘new’ security threats. Accordingly, Ackerman seeks to develop a constitutional framework that would allow governments to exercise this reassuring function without seriously breaching individual rights in the long term.¹⁰⁴ He argues that emergency powers should be as minimal as possible, not for instance reorganizing fundamental liberties or provisions on the distribution of state power. Different types of emergencies should also be accommodated in the emergency constitution, as different levels of existential threat warrant varying degrees of power to restrict individual liberties.¹⁰⁵ Ackerman also advocates for a system of compensation to provide reparations for people falsely victimized by emergency law, such as innocents detained under counter-terrorism measures, as well as a strict judiciary oversight during and after the suspension of regular legal procedures.¹⁰⁶

In the contemporary era of non-traditional security threats, parallels may indeed be drawn between Agamben’s envisioning of the terrorist suspect as a modern ‘homo sacer’ and Ackerman’s analysis of the dangers of infinitely renewable emergency provisions. What connects the idea of terrorism as a threat to the securitization of CEM is both phenomenon’s close association with migration policy. Agamben himself has argued that contemporary refugees manifest in some sense the condition of bare life and the foundational discrepancy between law and reality within the state of exception. He writes:

*“If refugees -- represent such a disquieting element in the order of the modern nation-state, this is above all because by breaking the continuity between man and citizen, nativity and nationality, they put the originary fiction of modern sovereignty in crisis. Bringing to light the difference between birth and nation, the refugee causes the secret presupposition of the political domain—bare life—to appear for an instant within that domain.”*¹⁰⁷

In Agamben’s view, by questioning the fundamental categories of the nation-state, the refugee as a transnational being brings to light what being both included and excluded, simultaneously an object of power but scarcely a political subject, means in the contemporary era. Migration overall embodies the

¹⁰³ Ackerman, “Emergency Constitution,” 1033.

¹⁰⁴ Ackerman, “Emergency Constitution,” 1037.

¹⁰⁵ Ackerman, “Emergency Constitution,” 1059–61.

¹⁰⁶ Ackerman, “Emergency Constitution,” 1076.

¹⁰⁷ Agamben, “Homo Sacer”, 109–11.

modern issue that does not directly threaten state security or sovereignty but is often framed as a source of crisis that warrants intensive measures. Thus following Ackerman's logic, the wider the margin allowed for state exertion of coercive power in exceptional law, the lower becomes the threshold for serious consequences to individual rights and liberties in the realm of migration policy, a realm that is increasingly being viewed through the prism of security.

2.3. A Critical Approach to Migration and Security

2.3.1. The Emergence of Critical Approaches

Generally speaking, migration can be examined within security studies through strategic, human security, and critical approaches, the latter of which is the primary focus of the following section. Critical scholars view migration not only in reference to material or humanitarian threat, but similarly to Buzan et al. rather as a constantly evolving, multidimensional issue permeating multiple sectors of security. Key factors contributing to the emergence of critical approaches arguably lie in the global shifts witnessed both in the field of security and in global migration over recent decades. Scholars like Faist, for instance, argue that the post-Cold War and post-9/11 eras have on one hand brought about an increased focus on elusive non-state threats in security thinking, and on the other hand profoundly changed the nature of human mobility.¹⁰⁸ This has fundamentally changed the migration-security nexus. Along with the acceleration of globalization, certain security threats like terrorism and drug trafficking are also increasingly becoming transnational issues.¹⁰⁹ Migration, as a result, has become a reference point for different transnational threats, acting as a placeholder for a range of different policy objectives.¹¹⁰

According to critical scholars, it follows that the intersection of migration and security ought to be viewed as dynamic, complex, and in close connection to other political issues and interests. Huysmans and Squire, for instance, posit that the critical approach emerged in response to a need for multidimensionality and structuralism in migration and security research. In their view, the strategic approach does not sufficiently engage with questions of social exclusion, structural violence, or inequality, and fails to portray the complexities of migration beyond the state-centric concepts of power and national security. The human security approach, on the other hand, contributes to an inherent linkage between migration and 'threat', which ultimately leaves analysis lacking in terms of the political, social, and

¹⁰⁸ Thomas Faist, "Migration-Security Nexus," 105.

¹⁰⁹ Huysmans and Squire, "Migration and Security," 172–73.

¹¹⁰ Faist, "Migration-Security Nexus," 105.

relational processes at play in securitization.¹¹¹ Although overlap with strategic or human security approaches is possible, critical approaches mainly diverge in how they account for the political dimension of the migration-security nexus. Similarly to Faist, instead of grounding analysis directly in the traditional concept of security, securitization is viewed in context and as part of the wider political processes around migration, in other words as ‘a constitutive mediator between migration and politics’. This in essence means that security should be analyzed as one among many facets of migration governance together with matters like citizenship, violence, or political agency.¹¹²

2.3.2. *How Migration Becomes Securitized*

According to Wæver et al., migration may present numerous concerns for host states ranging from social security and economic viability to racial cohesion and sovereignty. It generally does not pose a direct military threat, except in the case of irredentist or terrorist activities from migrant populations, imported conflict, or attempts to reduce migration through pre-emptive military intervention in countries of origin. Instead, threats are more likely related to the capacity of the state and host community to receive and integrate migrants, and in turn the capacity of migrants to assimilate, which can affect societal stability. Especially when migrants seek to maintain their identity instead of assimilating into the host community, societal threat is amplified and the threshold for securitization is met relatively fast.¹¹³ Conversely, a high level of securitization of migration often results in the employment of state-oriented countermeasures to the social challenges posed by migration.¹¹⁴ As such, the control of migration can be viewed as a dimension of the positive linkage between societal security and state security. In other words, the securitization of migration is often a self-reinforcing process wherein migration as a societal threat becomes more engrained in the national security agenda, and security in turn begins to increasingly define the state’s approach to migration policy.¹¹⁵

Huysmans makes a similar argument, suggesting that immigration and asylum have become a lens through which general fears about crime as well as social, institutional, and economic instability are articulated in contemporary Europe. These concerns furthermore often become intermingled with concepts like sovereignty and autonomy.¹¹⁶ Migration can therefore be described as a meta-issue associated with insecurity, danger, unease, and fear that can be attached to different groups of people and

¹¹¹ Huysmans and Squire, “Migration and Security,” 172–73.

¹¹² Huysmans and Squire, “Migration and Security,” 174–75.

¹¹³ Wæver et al., *New Security Agenda*, 45, 162.

¹¹⁴ Buzan et al., *Security*, 121.

¹¹⁵ Wæver et al., *New Security Agenda*, 57.

¹¹⁶ Huysmans, *Politics of Insecurity*, 45.

social dynamics depending on the surrounding political context.¹¹⁷ According to Huysmans, a vocabulary of violence and death is an integral part of this process in that it facilitates the exclusion and alienation of migrants from the political unit, and centers distrust and fear in inter-community relations.¹¹⁸ A variety of practical instruments may be adopted by states to administer and maintain exclusion and distance (border control, third-country readmission agreements), or internal distance between the identifiable political community and intra-state threats (control over residency permit, asylum, and naturalization procedures, detention or expulsion of migrants). States can also opt to attempt to eliminate the threat posed by migrants through more benign efforts like assimilation, or in more drastic cases through administering expulsion, violence, or death.¹¹⁹

Huysmans seeks to not simply analyze the threat construction around migration, but rather the multi-dimensional process of constructing existential, cultural, and economic threats across the political landscape, and the ways in which they interact with migration discourses. Indeed, he argues that migration is often employed as a vehicle of fear and insecurity regardless of whether it is the primary referent object of the construed threat or not.¹²⁰ Ultimately, securitized language acts as a driving force for a hegemonic security perception of migration resulting in state-oriented measures with high coercive power in relation to migrants. Similarly, Bello describes the securitization of migration as a ‘spiral’ accelerated by the emergence of more and more securitizing discourses, policies, and practices. The securitization of migration in essence fulfils its own assumption by constructing migration as a threat and then effectively governing it as such, regardless of whether this threat perception converges with reality or not.¹²¹ Overall, the ‘self-reinforcing’ nature of migration as a security issue is a common thread in critical approaches to migration and security. Furthermore, they often interact with post-Copenhagen approaches to securitization theory in terms of context-dependency and presenting the securitization of migration as a gradual process of normalizing security logics in migration governance over a longer period of time.

2.3.3. *The Role of Identity Politics and Race*

As discussed previously, societal threats like migration are often mirrored against community identity. Faist, for instance, argues that while events like 9/11 have reinforced the link between migration and material security, it is no less important what threats such events bring about to the *cultural fabric of*

¹¹⁷ Huysmans, *Politics of insecurity*, 82–83.

¹¹⁸ Huysmans, *Politics of Insecurity*, 57–59.

¹¹⁹ Huysmans, *Politics of Insecurity*, 54–57.

¹²⁰ Huysmans, *Politics of Insecurity*, 80–81.

¹²¹ Bello, “The Spiralling of Securitisation,” 1328–35.

society.¹²² A fitting example of this according to Faist would be works like Huntington's *Clash of Civilizations*, which evokes violent and war-like imagery around the slippery and obscure idea of 'culture'. Faist argues as follows: "The term securitization refers to a perception of an existent threat to the ability of a nationally bound society to maintain and reproduce itself". He further directs attention to the connection between international migration and the long tradition of constructing an "other" as a placeholder for any threat posed to "our" material conditions like work and housing as well as less physical ideals of identity, values, sovereignty, and cultural unity.¹²³ In essence, Faist argues, dominant social discourses construe and reconstrue foreign cultures as threats to the cultural fabric of society, which greatly reinforces securitized thinking around migration.

While regional security theory is largely outside of the scope of this thesis, some elements of it might be relevant to mention, especially in the context of the evolving environment of the European security complex. Namely, Wæver et al. already in 1998 discuss the threat emanating from the 'Middle East' as a major source of concern for the European security agenda. They argue that while the MENA region is unlikely to pose a substantial geopolitical threat, the potential of large numbers of outbound migrants "generates fears that are easy to mobilize using the language of security". These interregional dynamics are helpful to keep in mind when discussing the securitization of migration in Europe. Indeed, it is no novel idea that perceived ethnic and cultural differences may have a significant impact in both why and how migration becomes securitized. Furthermore, Wæver et al. point out as Said did before them, that the Islamic world is a kind of mirror for Europe to reflect its collective identity from. This upholding of cultural and ideological differences between 'us' and 'them' further contributes to the securitized discourses that surround migrants from majority-Islamic countries.¹²⁴

Scholars like Reynolds go even further in centering community identity as a driving force for the securitization of migration, referring to whiteness in particular as an organizing concept. According to Reynolds, migration politics in Europe are rooted in the framings of replacement theory, white nationalism, colonial tropes, and institutional racism. As such, the governance of migration is synonymous with the protection of 'white' European values and ways of life, and the security of European national identities. For instance, Reynolds describes structures of mobility governance such as passports as contributing to a racialized hierarchical reality which creates and upholds both physical and imaginary racial borders.¹²⁵ The emergency governance of migration, on the other hand, is legitimized through

¹²² Faist, "Migration Security-Nexus", 109.

¹²³ Faist, "Migration Security-Nexus", 104–5.

¹²⁴ Wæver et al., *New Security Agenda*, 133–34.

¹²⁵ Reynolds, "Emergency and Migration," 1771, 1786–88.

international law which, according to Reynolds, itself originates from legal instruments originally designed for controlling colonial populations. These remnants of colonial-era emergency paradigms hence continue to promote subordination, otherness, and racial exclusion in contemporary migration governance.¹²⁶

In essence, Reynolds claims that the transplantation of emergency doctrine from colonial law to contemporary international law is the key dynamic at play in the securitization of borders. Securitized and crisis framings of migration are thus fundamentally a question of white supremacy. Therein, migration is perceived as an existential threat to the regional establishment of Europe, which at its core is a white establishment structured around an imagined racial border drawn between white Europeans and non-white non-Europeans.¹²⁷ Conversely, Bello employs a similar, albeit more actor-centered model of racial exclusion as the driving force for migration securitization. She argues that migration has emerged in Europe as a narrative constructed around “a specific cognition of ethnicity and nation” possessed and employed by certain prejudiced political actors. Thus for Bello, the securitization of migration emerges from prejudice rooted in an exclusionary concept of ethnicity and nation rather than security in and of itself.¹²⁸

On the other hand, as Huysmans argues in *Politics of Insecurity*, security framings of migration need not necessarily adhere to such a dramatic framework of white nationalism or a clash of civilizations. Security rhetoric may, to a less severe degree, be invoked simply through the concerns over social and political integration that are posed by multiculturalism in European societies. In contrast to Reynolds and Bello, Huysmans appears to allow for a wider margin of threat construction, and overall views identity not as a founding feature of migration governance, but as one facet of the migration-security nexus, the significance of which varies case by case. Notably, he criticizes the generalized notion of “Euro-racism” as portrayed by scholars like Reynolds and Bello as a uniform basis for exclusionary migration rhetoric and practice in the EU.¹²⁹ For Huysmans, while the securitization of migration may stem from existential insecurity related to the unity and identity of political communities, fear and trust rather than simply racial exclusion are the starting point of the process. That is, fear and trust as constructed not only around cultural, let alone racial perceptions, but also around moral values, relationships of economic exchange, and other political dimensions of community identity.¹³⁰

¹²⁶ Reynolds, “Emergency and Migration”, 1769, 1778–80.

¹²⁷ Reynolds, “Emergency and Migration”, 1791.

¹²⁸ Bello, “Spiralling of Securitisation”, 1328–1333.

¹²⁹ Huysmans, *Politics of Insecurity*, 73–75.

¹³⁰ Huysmans, *Politics of Insecurity*, 47–52.

Authors like Paterson and Karyotis have altogether questioned the analytical value of explaining negative migration attitudes through identity politics. Working specifically in the British context, they argue that such framings obscure the heterogeneity of national identities, as well as the possibility of such heterogeneity fostering dynamic community-building efforts in place of conflict. In essence, Paterson and Karyotis argue that instead of emerging from a homogenous national identity, the process of securitization of migration originates from top-down attempts to suppress in-group heterogeneity in favor of a supremacist national identity. Therein the focus of analysis should not be on how identity is threatened by migration, but rather on whose version of the competing possible community identities becomes legitimate. As such, Paterson and Karyotis direct attention to the exclusivity and inclusivity of discourses among the heterogeneous pool of societal actors that constitutes migration governance.¹³¹ Overall, it appears reasonable to conclude that identity politics and racialized structures play a political and structuring role in the migration-security nexus. However, it appears equally reasonable to recognize the context-dependent nature of these factors, which influences the extent of interdependence between security, migration, and institutional structures of racism and exclusion.

2.3.4. De-Securitization

The last facet of critical migration and security scholarship left to examine here is de-securitization. Namely, some critical scholars strive to respond to research that overtly emphasizes the role of the security apparatus in migration governance by providing insight into how more inclusive trends in migration governance or attitudes surrounding migration might emerge. Bello, for instance, discusses the role of inclusive actors in her actor-centered model of migration securitization. In her view, while some actors influence migration governance through presenting prejudicial and securitizing narratives, there exist also alternative actors who hold less prejudiced cognitions and employ them in de-securitizing migration.¹³² Furthermore, she posits that the spiral-like process of securitization may be hindered by intervention from public non-state actors with more collectively oriented interests and less prejudicial cognitions, in essence stating that securitization is neither inevitable nor irreversible.¹³³

Paterson and Karyotis also note that viewing the securitization of migration through competing identities rather than a single national community opens the possibility of an inclusive competing identity to prevail. In other words, they argue similarly to Bello that actors with a more inclusive vision of the collective social identity can resist securitized discourses. Ultimately, inclusive actors might succeed

¹³¹ Paterson and Karyotis, “We are Tolerant People,” 105.

¹³² Bello, “Spiralling of Securitisation”, 1328.

¹³³ Bello, “Spiralling of Securitisation”, 1340.

in delegitimizing securitizing discourses if they succeed in mainstreaming their version of a migrant-inclusive community identity.¹³⁴ Finally, Scheel has argued for de-securitization as a missing supplement to prevailing conceptual models of securitization.¹³⁵ He argues that de-securitization is essential for more comprehensive knowledge production around securitization and asserts a need for alternative narratives to the prevailing security paradigm.¹³⁶ Scheel's article is an apt example of what many critical scholars aim to do when introducing frameworks of de-securitization: to develop a legitimate model with the potential to change the prevailing threat-centered notions that to a large extent govern our perception of the migration-security nexus.

2.4. The European Field of 'Coercive Engineered Migration' Research

The attention is now turned to the issue of coercive engineered migration in Europe. Firstly, a large part of recent European CEM research is dedicated to policy recommendations and other more strategically oriented research objectives. Lebrun et al., for instance, approach the issue of an EU-wide response to CEM, discussing policy strategy, possible risks, and potential solutions within the framework of the New Pact on Migration and Asylum.¹³⁷ Bekić similarly examines the cases of the Greece-Turkey and Poland-Belarus CEM crises in order to draw conclusions of how the EU and its member states can better respond to CEM and improve overall hybrid threat preparedness.¹³⁸ Aras, on the other hand, takes a foreign policy approach to the case of Turkey employing CEM as a coercive diplomatic tool in its EU-relations. In particular, she argues that the leverage Turkey was able to exert over the EU through Syrian mass migration points to weaknesses in EU foreign policy and a need for reevaluating the EU's externalizing approach to migration.¹³⁹ The aforementioned are examples that embody the increasing relevance of CEM in both EU and state-level security consciousness. However, they also reflect the pervasiveness of a strategic approach to CEM research, which portrays the phenomenon primarily through the weaknesses and vulnerabilities it reveals in its subjects.

Recent cases of CEM at the EU external border have been subjected to some research attention when it comes to emergency governance. Adamczyk, for instance, details the process of the Polish government's adoption of a state of emergency at the Poland-Belarus border and the ensuing legislative changes that accelerated the state's restrictive approach to irregular migration. In brief, she argues that the instruments adopted in response to the border crisis have become a permanent fixture in the Polish

¹³⁴ Paterson and Karyotis, "We are Tolerant People," 119–21.

¹³⁵ Scheel, "Reconfiguring Desecuritization," 1042.

¹³⁶ Scheel, "Reconfiguring Desecuritization," 1047–48.

¹³⁷ Lebrun et al., "Instrumentalized migration."

¹³⁸ Bekić, "Coercive Engineered Migrations," 141–69.

¹³⁹ Gökalp Aras, "Coercive Engineered Syrian Mass Migration," 188–95.

legal system.¹⁴⁰ Krepa et al. similarly conclude that sustained states of emergency could evolve into a new normalcy in Polish and Lithuanian migration governance. They posit that while after Covid-19 emergency measures targeting mobility were eventually lifted after vaccines became available, the border crises involving Belarus have seemingly resulted in a permanent state of emergency as well as an increase in pushback measures and border militarization. They go on to argue that this state of emergency has permitted political actors to retain more power, as well as to increase overall militarization and surveillance in their states.¹⁴¹ Jaroszewicz is another scholar researching the routinization of emergency governance of migration in Eastern and Central Europe. In specific, she argues that routinized emergency governance is a reflection of more than individual crisis responses, but rather is shaped by long-standing geopolitical realities, post-imperial and post-socialist legacies, and everyday practices of governance.¹⁴²

Some scholars have approached the topic from an international or EU law perspective, with few scholars however focusing on the human rights of migrants themselves. Kuźelewska and Piekutowska, for instance, analyzed the perpetrator's side of CEM, concluding that the Belarus has violated international law in numerous ways by employing CEM at the Latvian, Lithuanian, and Polish borders.¹⁴³ Pirjola, on the other hand, evaluates the target states' obligations by examining whether CEM could be grounds for 'democratically defined' exceptions to the right to asylum.¹⁴⁴ Tchórzewski, on the other hand, aims to evaluate the status of irregular migrants from a human rights standpoint, however with focus not exclusively on cases of CEM but on migration-related 'crises' in general.¹⁴⁵ A more straightforward human rights perspective is represented by Balicki, who directs attention towards the duality of a state's protection of its borders and observance of human rights, as well as the role of NGOs.¹⁴⁶ Ancite-Jepifánova represents perhaps the most critical end of the CEM and human rights spectrum of research, arguing that legislative measures in Latvia, Lithuania, and Poland have a severe and far-reaching impact on the human rights of migrants and legitimize pushbacks as a routine practice. She furthermore problematizes the concept of 'instrumentalized migration' itself, arguing that it is a paradigm not reflecting realities in the field.¹⁴⁷

¹⁴⁰ Adamczyk, "State of Emergency in Poland," 98.

¹⁴¹ Krepa et al., "The Chain of Emergencies," 177, 189–90.

¹⁴² Jaroszewicz, "Sovereignty, Normalisation and the Unknown," 29–32.

¹⁴³ Kuźelewska and Piekutowska, "Belarus' Violation of International Obligations," 39–40.

¹⁴⁴ Pirjola, "Hostile Instrumentalized Migration," 1–5.

¹⁴⁵ Tchórzewski, "Legal Status of Irregular Migrants," 339–43.

¹⁴⁶ Balicki, "Migration Crisis," 75–87.

¹⁴⁷ Ancite-Jepifánova, "'Hybrid Attack' Paradigm," 17–19.

Apart from Ancite-Jepifánova's problematization of CEM as a security concept, still fewer scholars focus on the phenomenon's discursive dimensions. Graban is one of few examples, tracing Poland's intensely securitized response to CEM back to the pre-existing securitized discourses around asylum seekers that have prevailed in Polish political discourse since the 2015 'refugee crisis'. In essence, he argues for the importance of historical and contextual elements but also of the triggering power of an external actor like Belarus in the adoption of highly coercive policy responses to CEM.¹⁴⁸ Others approach the issue from a comparative standpoint. Tomczak-Boczko et al., for instance, focus on Polish political discourse surrounding CEM in contrast to discourses on Ukrainian temporary protection beneficiaries.¹⁴⁹ They conclude that the two cases illustrate how certain criteria of deservingness such as legitimacy, gratefulness, and alignment with host state national identity play an integral role in determining why some categories of protection-seekers become securitized while others do not.¹⁵⁰

CEM between Russia and Finland remains an extremely scarcely researched topic. In the past, Virkkunen and others have conducted some research into the 'Arctic Route' case during the 2015 'refugee crisis'.¹⁵¹ In another project Virkkunen et al. also examine the case in comparison to the Polish-Belarusian case, arguing that characteristics of illiberal policymaking can be observed in both Russia and Belarus's conduct as well as the policy responses of Finland, Poland, and the EU as a whole.¹⁵² Cielemecka and Laine have studied the efficacy and strategic value of border fortifications as a response to CEM in Poland and Finland.¹⁵³ Laine has also examined the broader strategic shift in Finland's security response towards Russia from the perspective of 'border anxieties' and crisis resilience.¹⁵⁴ The aforementioned works once again embody the strategically oriented and traditional security thinking that prevail around CEM. Nurmi, however, appears to be the first scholar to analyze the discursive elements of CEM in the Finnish context. Through an analysis of parliamentary discussions she argues that the securitization of CEM in Finland contributes to the exclusion of migrants from Finnish society and that more inclusive security frameworks would in fact increase both security and human rights when responding to CEM.¹⁵⁵ Despite these examples, the Border Security Act and especially the repeated renewal of exceptional measures have not been properly addressed in research so far.

¹⁴⁸ Graban, "Instrumentalisation of Fear," 253–54.

¹⁴⁹ Tomczak-Boczko et al., "Who is a 'True Refugee'?", 799–800.

¹⁵⁰ Tomczak-Boczko et al., "Who is a 'True Refugee'?", 814–16.

¹⁵¹ Virkkunen and Piipponen, "Asylum Seekers and Security," 530.

¹⁵² Virkkunen et al., "Weaponizing Migration," 227–28.

¹⁵³ Cielemecka and Laine, "Fencing Off Europe," 1–5.

¹⁵⁴ Laine, "Border Anxiety and Resilience," 197–211.

¹⁵⁵ Nurmi, "Välineellistetty maahanmuutto", 29.

As such, this thesis aims to contribute to prior research in three ways. Firstly, it contributes to a further understanding of asylum-based migration and its securitization between Finland and Russia as a border zone infrequently referenced in prior research. Despite being the topic of few research projects so far, understanding CEM at the Finno-Russian border goes hand in hand with parallel cases in Poland and the Baltic states. Together these cases embody the increasing relevance of CEM not only in individual states' security and migration agendas but also in Europe as a whole. Secondly, the already scarce existing research into recent cases of CEM in Europe often reflects a strategic or military security approach, while human rights -forward perspectives are few and far between. The aim is thus to contribute to understanding the impact of the phenomenon on the rights of people on the move, not only on the security landscape of affected states. Finally, due to the recent and constantly evolving nature of CEM and the wider security environment in Europe, adequate research has not so far been conducted within a longer time frame accounting for the renewal of temporary measures to combat CEM, at least in the Finnish context. A key objective is thus to examine how CEM could potentially produce longer-term routinization of exceptional measures, a process that current research indicates is already taking place in states like Poland.

2.5. Building the Analytical Framework

Because the subject of research is closely tied to state hierarchies and the securitizing power of the decision-making elite, the analytical framework builds in the first place upon the Copenhagen school iteration of securitization theory. The post-Copenhagen school's emphasis on the importance of contextual factors and repeated practices, on the other hand, guides understanding of the Border Security Act's attachment to intersubjective power relations and broader migration and foreign policy interests in Finnish politics. As follows, this thesis will employ an analytical framework grounded in the most relevant elements of Buzan et al. and Balzacq's theories. Agamben's works, on the other hand, will be employed primarily in understanding the coercive power that an exceptional law allows the state to exert and the ensuing potential for normalizing a state of exception in migration governance. Overall, it is crucial to note the distinct context of Finnish migration politics and the surrounding geopolitical context which inevitably influences the articulation of threat in relation to CEM. Thus, the material will be analyzed as a constellation of securitizing acts contributing to a mutually reinforcing process of overall securitization of migration in Finnish politics.

In other words, it is presumed that the existing securitization of Russia and migration influences threat construction in relation to CEM, while the securitization of CEM itself reproduces and perpetuates a power imbalance between state elites and migrants. The process is intersubjective as mutual interaction

and identity production between agents influences their perceptions. Finally, threat construction is viewed as a process rather than a singular point in time because, as argued by Graban, policy responses to CEM do not exist in a vacuum but a continuum of migration and security practice. In terms of sectors, CEM can be expected to emerge primarily within military, political, and societal threat construction due to its interconnection with hybrid threats, sovereignty, territorial integrity, and migration. Finland as a state will likely emerge as a primary referent object for military and political threat, while more migration-forward threat construction will most likely anchor itself in the concept of nation and national identity. All in all, due to the aforementioned factors and the complex nature of CEM as a political issue, sectors and referent objects are expected to overlap and interact to construct CEM as a multidimensional existential threat.

Table 1.

Dimension	<i>Material</i>	<i>Positional</i>	<i>Ideational</i>	<i>Prescriptive</i>
Level				
<i>I. Context</i>	Physical spatial context	Distal context	Imaginary spatial context	Normative context
<i>II. Subjects and objects</i>	Actors and referent objects	Power relations	Identities	Issue and threat
<i>III. Securitization moves</i>	Dispositif of practices and tools	Issue linkage	Framing and narratives	Sociocultural and political practice

Table 1. presents a constellation of units reorganizing Balzacq's three levels of analysis (context, agents, and securitizing moves). The units have been ordered around four dimensions: the material, ideational, positional, and prescriptive. Not all units of analysis are equally relevant for all discourses, and indeed the table is intended to provide only a rough approximation of the framework for the following analysis. Within the material column, context is to be understood as the physical conditions securitization takes place in. Subjects and objects encompass the securitizing and functional actors, the audience, and the referent object. The 'dispositif' of tools and practices, to borrow Agamben's definition, consists of "literally anything that has in some way the capacity to capture, orient, determine, intercept, model, control, or secure the gestures, behaviors, opinions, or discourses of living beings".¹⁵⁶

¹⁵⁶ Agamben et al., *What Is an Apparatus?*, 14.

Thus, while the analytical focus is largely on discourse, other features of the state and security apparatus that enable securitization and exceptional measures may also be conducive to understanding the process.

In the positionality column, distal context refers to the actors' ideological and socio-cultural positioning. Power relations represent the relative power positions of actors, and issue linkage refers to the securitized issues' positioning among other political issues. In the ideational column, context refers to the delineations drawn between categories, identities, subjects, and objects, or the 'immaterial spatial boundaries' at play. Identity, on the other hand, refers to how the actors perceive themselves and each other. Framing and narrative refer to the diffusion of identities and the strategies used to convince audiences. Finally, the prescriptive column consists of norms such as values, legal duties and rights that guide actors, the kind of threat ascribed to the issue, and the resulting changes in policy, social attitudes, and practices. The purpose of organizing the units of analysis in this manner is threefold: to provide as comprehensive of a picture as possible of the context securitization emerges from, of the process itself, and of the potential impact it may have on the sociocultural and political reality surrounding it. Moving up Balzacq's levels of analysis exercises this purpose, guiding analysis from the context that discourses emerge from to the agents and issues operating in said context, and finally to how and to what effect securitization is achieved.

The concept of state of exception becomes especially relevant at the second level. This is because the dispositif of practices and tools includes exceptional laws and the legal framework that enables their adoption in the first place. Framing and narratives, on the other hand, constitute the discourses required to justify and sustain them. The routinization of emergency governance becomes apparent in the prescriptive dimension of securitization, as exceptional measures generate not only coercive power evading and enabling the law, but also have the ability to change perceptions of what is legitimate and transform the legal subjectivity of certain groups of people. Furthermore, the four dimensions of analysis temporally represent the process of securitization: the material conditions and relative positionality of actors are the starting point from which ideas are disseminated, with ideas and narratives guiding a process that ultimately results in the prescription of security threat to an issue and to changes in policy, norms, societal attitudes and the political sphere at large. In sum, the objective of the analysis is to examine what type of threats are ascribed to CEM by Finnish decision-makers, and on the other hand how the policies drafted in response to such threats fit within a wider context of state exertion of power in migration governance. This is achieved by approaching the issue as a complex, multilateral and multidimensional process.

Chapter 3: Analysis of Threat Construction

The material was analyzed with the previously introduced framework in mind through a process of coding, grouping, and reorganizing discourses around the patterns that emerged. As expected, discourses around CEM revolved to a large extent around traditional security thinking, with threat often constructed through national security and sovereignty. However, societal threat construction also played an important role specifically through societal stability and the Finnish nation as referent objects. A number of different threats were ascribed to asylum seekers themselves, including e.g. criminal activity, Russian infiltration, dangerously large groups of people, and violent potential. Opposition politicians and human rights actors on the other hand frequently constructed their argument around international law, the vulnerability of asylum seekers, and concerns over the Border Security Act's impact on rule of law. The government proposals and the committee and expert opinions employed relatively neutral language but nevertheless reflected the divisiveness and complexities of the issue. As expected, the parliamentary discussions turned out to contain the most vivid and pointed language, embodying a stark and fundamental difference in viewpoints between the proponents and opponents of the government proposals, reflecting the polarization of political discourse around migration as well as a mutual antagonism between opposition and government parties.

The emergent discursive patterns are itemized in the following analysis chapter. The first section discusses discourses relating to a state-centered approach to security with a specific focus on the portrayal of Russia as a military threat. The second section examines how human rights and international law are portrayed by different actors, and how the dilemma of balancing Finland's national security and human rights obligations is perceived. The third section focuses on societal threat construction and discourses around asylum seekers, particularly in how they are securitized (or de-securitized) against the concept of the 'Finnish nation' as a referent object. The first three sections operate primarily on the first two levels of Fairclough's model of CDA, focusing on description and interpretation of the material at hand. The final sections are more concerned with the broader context of power and ideology through the third dimension of CDA, explanation. The fourth section focuses on intersubjectivity, power relations, and political interests of the agents. Finally, the fifth section discusses some of the potential implications of the Border Security Act for the surrounding sociocultural reality and social practices. Any passages directly quoted from the material are translated from Finnish by the author of this thesis. Footnotes indicate the number of the original document, the page number, the original quote, and in the case of parliamentary speeches, the name of the MP in parentheses.

3.1. Russia and the Fear of Military Threat

*“This law, this is not immigration policy, this is security, security, and security.”*¹⁵⁷

– MP Minna Reijonen, Finns party.

According to the 2024 government proposal, the Border Security Act is to be triggered only in case of a serious threat to Finland’s national security or sovereignty. National security, according to the G.P. encompasses threats to democratic order, the basic functions of society, the life and health of a large number of people, international peace and security, serious unrest in states relevant to Finland’s security interests, and the serious endangerment of border security. Threats to sovereignty, on the other hand, include serious danger to the functioning of state organs or basic public services, serious disturbance to foreign relations or the peaceful coexistence of peoples, and threats to military interests. The protection of national security and sovereignty indeed arise in the material constantly as a primary justification for the Border Security Act’s adoption. The national security and sovereignty discourse is constructed around a perception quite unanimously shared by actors across the board of Russia’s longstanding and volatile military-political animosity towards Finland as well as regional instability and insecurity in Europe. Conversely, the bill’s proponents in parliament tend on many occasions to outwardly project the idea that CEM is purely a question of security policy that has no bearing on the government’s migration policy objectives.

This military and political threat construction is fundamentally rooted in the physical spatial context of Finland (and by consequence the EU’s) 1300 kilometers of external border with Russia as well as recent shifts in the global and regional security environments. Russia’s invasion of Ukraine in particular is portrayed as having brought on the end of a long period of relative stability, resulting in an increase in Russia’s unpredictability, increased threat of military escalation, and a need for Finland to align more closely with the West. The protection of Finland’s security interests is consequently portrayed as a larger issue concerning the EU, NATO, and even the ‘Western world order’ as whole. In 2025 the bill’s drafters and proponents echo the idea that the shift in security environment and threat of escalation on the border have become long-term or even permanent. Human rights actors and MPs opposing the bill likewise acknowledge changes in Finland’s security environment, however simultaneously emphasizing the importance of Finland’s international obligations. They also tend to reflect a

¹⁵⁷ PTK 76/2024, p. 47; “Tämä laki, tämä ei ole maahanmuuttopolitiikkaa, tämä on turvallisuutta, turvallisuutta ja turvallisuutta.” (Minna Reijonen).

more positive approach to security, asserting that human rights, rule of law, and democracy are the very foundations of security and crisis resilience.

Russia as an antagonist to international peace and security is a particularly appealing narrative to Finns due to the history of conflict, power imbalance, and political tension between the two states. MPs, for instance, tend to approach Russia quite universally from a standpoint of fear and insecurity, often also by beginning their speeches in parliament with a condemnation of Russia, its attack on Ukraine, and its violations of international law. Both the MPs and the government proposals frequently depict Russia as unpredictable, ruthless, aggressive, cruel, power-hungry, and dismissive of international law. Phrases used by MPs include ‘an enemy state waging a cowardly war of aggression’, ‘dictatorship’, ‘rogue state’, ‘authoritarian tyrannical state’ and ‘terrorist state’. Vladimir Putin also appears to personally embody Russia as a threat, being frequently described along the lines of a “children’s-hospital-bombing war criminal”. Conversely, this animosity is also portrayed on the system level by depicting Russia as a wider-scale threat to ‘the West’, ‘the unity of the West’, or ‘Western values’. These discourses, when employed in defense of the bill, effectively provoke well-established fears over Russia, contributing to an existential threat narrative around CEM.

The overlap of military and political security is also reflected in the portrayal of CEM as a ‘hybrid threat’. Despite not posing a direct military threat, the government proposal and its proponents often refer to military attributes in emphasizing the perceived severity of the situation. For instance, the government proposal describes hybrid influence as an integral part of military thinking, military operations and use of force. The GP goes on to argue that one possible motive for Russia is preparing the operational environment for more serious coercion including military use of force. Furthermore, the government proposal and its proponents often allude to the more direct possibility of Russia using CEM to infiltrate Finland with its intelligence operatives and soldiers or former soldiers. This narrative also exemplifies the tendency of government actors to rely on secret information available mainly to high-ranking political, military, and intelligence actors. Such discourses are highly effective in tapping into the audience’s pre-existing fears of military threat, as well as in legitimizing existential threat claims through authority without needing to substantiate them directly.

Human rights actors, for their part, also tap into the shared sense of threat from Russia in opposing the bill’s adoption and renewal. For instance, Russia’s universally recognized aggressiveness and unpredictability, as well as its track record of human rights violations are portrayed as evidence for the state not ensuring adequate protection for asylum seekers. This is portrayed as creating an insurmountable obstacle to the bill’s compatibility with non-refoulement. The Finnish Refugee Advice Centre also

describes Russia as not exclusively a country of transit but also a country of origin for many with refugee status in Finland fleeing conditions like political persecution and anti-LGBTQ+ discrimination. This narrative arguably aims to highlight a contradiction in political actors' demonizing of Russia over its lack of regard for rule of law and human rights and simultaneous claim that migrants' rights can and must be overridden in favor of Finnish national security and sovereignty.

MPs are particularly apt at portraying national security and sovereignty as first order-priorities. Statements like "The borders of Finland are decided on by Finland, the crossing of Finland's borders is decided on by Finland, and restrictions to crossings of Finland's borders are decided on by Finland."¹⁵⁸ and "Hopefully we all agree that Finland's independence is the most precious and dear thing to us all."¹⁵⁹ place emphasis on the existential threat CEM poses for Finland's self-determination and independence. One MP reprehends the opposition for "placing international conventions that are predisposed to different interpretations before the security of Finland and Finnish people"¹⁶⁰. This reflects the idea that human rights concerns can ultimately be overruled by appealing to national security. Conversely, national security and sovereignty are portrayed across party lines as shared values and as a core of the MPs' mandate. Therein references are often made to the common ground generated by mutual concern for Finland's security, and on the other hand to a shared disappointment for the division Russia has purportedly succeeded in sowing within Finnish society and democracy by employing CEM. Opposition members, for instance, continuously reprehend Russia and affirm their commitment to national security. This appears to be a means of legitimizing opposition the bill under the high parliamentary and societal pressure generated by the extremely securitized discourses around CEM.

On interesting strategy adopted by the opposition MPs consists of accusing the bill's proponents of advancing Russia's goals by succumbing to its level of immorality and disregard for international law. Thus despite shared security concerns, legitimacy for arguments is at times sought by discrediting the other side's claimed stake to national security. According to an MP from the Left alliance "It is also in Russia's interest that democratic states should relinquish multilateralism, relinquish these conventions

¹⁵⁸ PTK 59/2025, p. 22; "Suomen rajoista päättää Suomi, Suomen rajojen ylittämisestä päättää Suomi, ja Suomen rajanylitysten rajoittamisesta päättää Suomi." (Joakim Vigelius).

¹⁵⁹ PTK 59/2025, p. 6; "Toivon mukaan olemme samaa mieltä siitä, että Suomen itsenäisyys on meille kaikista arvokkain ja kallein asia." (Hannu Hoskonen).

¹⁶⁰ PTK 58/2025, p. 31; "Siten on täysin käsittämätöntä, että vihreät, vasemmistoliitto, osa demareista edelleen asettavat erilaisille tulkinnoille alttiit kansainväliset sopimukset Suomen ja suomalaisten turvallisuuden etusijalle." (Sanna Antikainen).

and human rights that were adopted together, those systems that democratic states are known for.”¹⁶¹
Another stated:

*“If I were the leader of a hostile state, then probably I would hope that Finland drafts such a law, where it itself begins to compromise rule of law and human rights. That is, this seems to go according to exactly that kind of playbook, where the aim is precisely for us ourselves to eat away at the foundational values of our society —.”*¹⁶²

In short, such discourses perhaps aim to appeal to the universal condemnation of Russia’s authoritarianism and cruelty in order to place the bill’s proponents’ under moral scrutiny.

Conversely, in 2025 the bill’s proponents also began to increasingly deploy discourses insinuating that the opposition was acting in favor of or even directly advocating for Russia’s interest. A Finns MP stated: “At times -- I do not know, whether some of the members of parliament here have been elected to actually secure the security of Finnish citizens, or of some other actor.”¹⁶³ Another MP of the same party stated:

*“— for example, if opposing the acquisition of fighter planes, if opposing defense spending, if opposing the closing of the border and opposing for example also the adoption of this law concerning the border, then in fact Russia is the benefiting party and those parties, who are in favor of such politics, either unwillingly or knowingly aid Russia.”*¹⁶⁴

Both sides of the parliamentary debate thus appear to deploy anti-Russian sentiment in favor of their stance and furthermore aim to discredit their opponent by insinuating they are intentionally or unintentionally playing into the enemy’s hands.

¹⁶¹ PTK 59/2025, p. 7; “Myöskin se on Venäjän edun mukaista, että demokraattiset valtiot luopuvat monenkeskisyydestä, luopuvat tämmöisistä yhdessä sovituista sopimuksista ja ihmisoikeuksista, niistä järjestelmistä, joista demokraattiset valtiot tunnetaan.” (Minja Koskela).

¹⁶² PTK 76/2024, p. 14; “Jos minä olisin vihamielisen valtion johtaja, niin varmaankin toivoisin, että Suomi tekee tällaisen lain, jossa se itse lähtee tinkimään oikeusvaltiosta ja ihmisoikeuksista. Eli tämä vaikuttaa menevän juuri sellaisen pelikirjan mukaan, jossa nimenomaisesti tavoitellaan sitä, että me itse rapautamme yhteiskuntamme perustavia arvoja --.” (Mai Kivelä).

¹⁶³ PTK 59/2025, p. 4; “Välillä, kun tätä keskustelua kuuntelee ja etenkin vasemmiston edustaja Kontulan puheenvuoroa, niin en tiedä, onko tänne valittu osa kansanedustajista turvaamaan nimenomaan Suomen kansalaisten turvallisuus vai jonkun toisen tahon.” (Sara Seppänen).

¹⁶⁴ PTK 59/2025, p. 11; “Kun taas esimerkiksi silloin, jos vastustaa hävittäjähankintoja, jos vastustaa puolustushankintoja, jos vastustaa rajan sulkemista ja vastustaa myös esimerkiksi tämän rajaa koskevan lain läpimenoa, niin ihan tosiasiallisesti silloin Venäjä on hyötyvä osapuoli ja ne puolueet, jotka kannattavat tällaista politiikkaa tahtomattaan tai tietoisesti hyödyttävät sillä Venäjää”. (Joakim Vigelius).

Overall, CEM is primarily constructed as a military and political threat through the nationally shared fear of Russia. In this process, the assumed coercive and violent potential of the phenomenon becomes particularly important. However, Russia's threat potential alone does not appear sufficient for justifying unprecedentedly restrictive exceptional legislation. Therein the bill's proponents also aim to convey a sense of emergency through discourses of urgency, uncertainty, and compulsion. Imagery of migrant numbers escalating in a matter of days or hours, Russia's unpredictable potential for military escalation, and cautionary examples of border violence in Poland serve to portray the situation as exceptional and highly volatile. Reference is also frequently made to the bill's temporary and geographically limited nature as a legitimizing factor. Furthermore, while opposition MPs and even the Constitutional Law Committee advocate for alternative courses of action and claim that these were not sufficiently examined in preparatory works of the bill, proponents of the bill claim that good or realistic alternatives do not exist. Restrictions to fundamental rights are thus portrayed as necessary due to the serious and compelling nature of the prevailing security environment and the lack of effective alternative policy options.

3.2. The Obscured Human Rights Perspective

*"Finland has no obligation to sacrifice the security of the entire nation, even its existence, at the altar of outdated international conventions."*¹⁶⁵

– MP Tere Sammallahhti, National Coalition Party.

Along with the shared concern for Finland's national security, a large part of the material is dedicated to debating if and how international obligations and fundamental rights can be reconciled in adopting the bill. The government proposal and its proponents allude to the importance of national security, the temporally and geographically limited nature of the human rights effect of the bill, as well as its necessity for protecting the rights and security of people in Finland. The Constitutional Law Committee similarly affirms that necessary measures must be taken, and thus there is no legal hindrance to the bill's adoption as a limited constitutional exception. Conversely, on a semantic level a staunch effort is made by the government actors to conceal the extent of the bill's human rights impact. While the G.P. acknowledges and extensively covers possible human rights impacts in relation to e.g. non-refoulement, protection from torture, rights of the child, access to asylum procedure, and the protection

¹⁶⁵ PTK 76/2024, p. 88; "On myös hyvä sanoa ääneen, ettei Suomella ole velvollisuutta uhrata koko kansakunnan turvallisuutta, jopa olemassaoloaan, ajastaan jälkeen jääneiden kansainvälisten sopimusten alttarilla". (Tere Sammallahhti).

of vulnerable groups, choices of wording appear to aim at obscuring or at least softening any contradictions to these norms. The proposal's relationship to human rights, international and EU law is described above all as 'tensional', 'problematic', 'somewhat problematic', or 'not without problems'. In contrast, even the Constitutional Law Committee reproaches the use of this type of language in its approving statements and itself describes human rights questions as 'conflict', 'contradiction', or 'incompatibility'.

Inasmuch as fundamental and human rights cannot completely be obscured or ignored in the legislative process, government actors frequently employ a narrative of the Eastern border's situation being completely exceptional and unprecedented in the eyes of human rights instruments. Because, according to the bill's proponents, CEM was not accounted for at the time when international conventions were drafted, Finland should not be obliged to conform to them in the situation at hand. Furthermore, it is claimed that since no precedent in the form of rulings or advisory opinions has been issued by monitoring bodies, the interpretation of relevant norms might, (and according to some most probably will) evolve in Finland's favor in the coming years. Conversely, in 2025 the seeming lack of international attention or penal mechanisms triggered by the bill's adoption is seen by proponents as a positive sign. In particular, they express their satisfaction over the fact that despite the opposition's warnings, Finland's reputation abroad has seemingly not suffered. The purported lack of international attention is also presented as a sign indicating the legality and legitimacy of the Act in the eyes of the international community.

The opposition and human rights actors, on the other hand, hold a diametrically opposed stance to the question of human rights. They appeal to moral arguments, the absolute nature of certain human rights norms, as well as the bill's supposed detrimental impact to rule of law and the international rule-based order. Authority-based arguments are also invoked through international actors and the numerous Finnish legal experts who cited insurmountable legal obstacles to the bill's adoption in 2024. On the semantic level, human rights actors and the opposition expectedly use stronger language to convey human rights impact, describing the bill as 'contrary to', 'violating', 'deeply or clearly conflicting' and 'flagrantly violating' fundamental and human rights. These actors also actively criticize the government proposal's softening word choices. Claims that CEM is an unprecedented phenomenon are likewise explicitly countered. Opposition MPs in particular frequently claim that similar cases have been addressed by international bodies, and that the 1951 refugee convention and international human rights regime were constructed in a time of even more geopolitical upheaval precisely for the purpose of mitigating individual suffering caused by mass displacement. The ECtHR cases against Poland, Latvia

and Lithuania are also cited as evidence that monitoring bodies are paying attention to the phenomenon.

Human rights actors and opposition MPs also frequently rely on the argument that the bill contributes to an incremental erosion of the international human rights regime as well as rule of law and democracy in Finland. The Finnish Refugee Advice Centre, for instance, states:

“Accepting the proposal would mean the eroding of democracy and rule of law as a foundation of the state, which would open up the possibility for different political movements to advocate for laws that question the constitution and human rights conventions by appealing to the rhetoric of national security and secret intelligence only available to a few.”¹⁶⁶

The bill is thus portrayed as creating a dangerous precedent for more pervasive restrictions of human rights in the future. One MP cites Hungary and Poland as cautionary tales of the gradual dissolution of rule of law, while others appeal to fears over human rights restrictions extending to ever wider groups in society after being first accepted for migrants. The erosion of human rights and rule of law is furthermore frequently portrayed as a threat to national security in itself. Arguments relying on Finland’s vulnerability to military threat are also constructed by portraying the multilateral international system as a safety net for small countries like Finland. The opposition thus aims to co-opt the shared understanding of the importance of national security in defense of its position by generating an inherent link between international law and security.

Perhaps unsurprisingly, proponents of the bill come to a completely different conclusion. They frequently reaffirm the importance of rule of law and human rights, however portraying national security and sovereignty as their precondition, not the other way around. Interestingly, the bill’s proponents appear to employ human rights-forward discourses selectively where it benefits their argument. In particular, the bill is portrayed as having a positive effect on the rights of people affected by the border closure. Whereas the protection of asylum seeker rights appears incompatible with national security in the case at hand, rights of Finnish people are portrayed as a necessary priority. One MP of the Social Democratic party states

¹⁶⁶ Finnish Refugee Advice Centre, Expert Statement, 2024, p. 2; “Esityksen hyväksyminen tarkoittaisi demokraattisen oikeusvaltion perustan rapauttamista, mikä avaisi mahdollisuudet eri poliittisille liikkeille perustuslain ja ihmisoikeussopimusten näkökulmasta kyseenalaisten lakien ajamiselle vetoamalla kansallisen turvallisuuden retoriikkaan sekä vain harvojen saatavilla olevaan salaiseen tiedustelutietoon.”

“For hundreds of years people by the border have fallen in love, lived, and had their home. Now we have had the border closed for seven months, or actually two years, and we have a huge number of children who have not seen their parents, we have a huge number of grandchildren who have not seen their grandparents, on both sides of the border. And this kind of situation, as there is now, is never the fault of children.”¹⁶⁷

Finnish people’s rights to free movement, property, work, and family life are thus prioritized and their importance invoked through emotionally appealing language. Conversely, the impact of the border closure on these rights is not described by government actors as ‘tensional’ or ‘problematic’, but more so as unreasonable, inhumane, and even as a source of immense individual suffering.

The position of the individual border guard is another contradictory source of rights-forward discourse. While the complicated responsibility of individual border guards in implementing the Border Security Act is acknowledged across the board, the bill’s consequences for border guards’ rights and their liability for official acts are subject to some debate. Many note that border guards might find themselves compelled to implement provisions contrary to human rights law, and as such prioritize a concern over their legal protection. Human rights actors, on the other hand, question altogether the power endowed upon individual border guards, claiming that the bill leaves excessive room for interpretation carrying a high risk of mistakes, arbitrary decisions, human rights abuses and even violence. In this regard the security and right to life of migrants are prioritized over concerns of border guard liability. The bill’s proponents, on the other hand draw explicit attention to the security of border guards. Conversely, they also appeal to migrants’ personal security, claiming that the bill’s supposed preventative effect to CEM may have a positive effect on the fundamental rights of people subject to it. These examples embody the selective appreciation the bill’s drafters apparently express towards human rights. In essence, concern is high for Finnish people inhabiting the borderland and Finnish border guards, whereas security for migrants is primarily invoked in relation to the unsubstantiated claim that preventing arrivals to Finland also prevents abuse on the other side of the border.

In sum, different actors’ approaches to international law and human rights are full of contrast and contradiction. Proponents appear to argue for the mutual exclusivity of national security and asylum seeker rights. The rights and security of Finnish people, inhabitants of the borderland and border guards

¹⁶⁷ PTK 76/2024, p.88; “Satoja vuosia rajan tuntumassa on rakastuttu, eletty ja asuttu. Nyt meillä on raja ollut kiinni seitsemän kuukautta, tai oikeastaan kaksi vuotta, ja meillä on valtava määrä lapsia, jotka eivät ole nähneet vanhempiaan, meillä on valtava määrä lapsenlapsia, jotka eivät ole nähneet isovanhempiaan, molemmin puolin rajaa. Ja ikinä tällainen tilanne, joka nyt vallitsee, ei ole lasten vika.” (Niina Malm).

are on the other hand lifted to the level of national security and sovereignty as first order values. The opposition has a more open and rights-forward approach, claiming that human rights and national security can, and in fact must, coexist. The core narrative employed by opposition actors is rooted in the piece-by-piece crumbling of rule of law and international human rights the bill's adoption will supposedly result in. The two sides ultimately contradict each other, resulting in a kind of dilemma of causality. For the bill's proponents, certain human rights must be temporarily set aside for the protection of the higher values of national security and sovereignty, because otherwise human rights cannot be protected in the future. For the opposition, human rights must be protected at any cost, for otherwise national security will lose its meaning in the long term as the very system of human rights and rule of law it protects is eroded. However, upon closer inspection of the material it appears that the issue of CEM is by and large a more complex issue beyond the dialectics of national security and human rights. Indeed, its politics appear to be inextricably linked to Finland's sociocultural context and the structural power dynamics that drive societal attitudes and policy approaches to migration.

3.3. Migration and the Finnish Nation

“This is the distinguishing factor: do you open the door, when the imperiled knocks?”¹⁶⁸

– MP Anna Kontula, *Left Alliance*.

While the military and political threat of CEM from Russia is primarily invoked in relation to Finland as a state, a key referent object thus far left undiscussed is Finland as a nation. Societal threat construction surfaces most frequently in the parliamentary discussions, as MPs across party lines appear to use nationalist discourses in support of their viewpoints. There is also an observable tendency to intermingle threat invoked to the nation with state-centered ideas of national security and sovereignty. This is exemplified especially well in the concept of self-determination and independence, around which much of Finland's history of conflict and tension with Russia is organized. Historical and cultural heritage of the ‘Finnish nation’ is thus inextricably tied to a need to defend the Finnish state's sovereignty and security. While Russia remains a common source of threat in this nation-centered societal threat construction, it is in these instances that people on the move also frequently come to be portrayed as an existential threat. On the semantic level, the nation as a referent object is invoked by the bill's proponents through patriotic and emotionally appealing language, whereas people on the move are

¹⁶⁸ PTK 59/2025, p. 2; Tämä on se erottava tekijä: avaatko oven, kun hädänalainen koputtaa?” (Anna Kontula).

often securitized through fearful and dehumanizing discourses. The opposition and human rights actors, on the other hand, employ decisively fewer nationalist tropes, and aim to expressly humanize people on the move by emphasizing their vulnerability and victimhood.

3.3.1. *Protecting the Fatherland*

The cultural and historical significance of defending Finnish independence is expertly recognized and co-opted by many MPs in support of the bill along with references to Finnish heritage and national pride. These discourses are often invoked through historical and societal narratives like successful postwar economic development, Finnish perseverance in the face of historic insecurity, and the high willingness of Finns to serve in the military. One MP states: “Finland has remained among independent nations after remarkably laborious times, but this independence, that we have, must be cherished, it must be respected, and it must be loved every moment, and from this day on too, it must be achieved every day.”¹⁶⁹ Another states the bill is for “our Finland, our children, our people’s safety, because we never know about tomorrow”.¹⁷⁰ Another MP posits “As a security official, voluntary draftee of military service, mother of four children, and a decision-maker, I cannot see and feel anything apart from duty towards the fatherland and its citizens...”¹⁷¹. The latter statement exemplifies especially well the militarist attitudes shared by many Finns in relation to Russia. Overall, such narratives frequently emphasize the in-group of ‘the Finns’ and often convey patriotic imagery through the employment of nationalist terminology like ‘fatherland’.

The invoking of memory related to the national traumas of war and internal displacement serve to further highlight the affective and social dimensions of the threat posed by CEM. One MP states:

“Our grandparents gave their youth in battle for Finland’s independence and preserved it. The sacrifices they made should be in clear memory for all. The next generations, as does my own, for their part carry the memory of these sacrifices in their

¹⁶⁹ PTK 59 2025, p. 26; “Suomi on säilynyt itsenäisten kansakuntien joukossa erittäin raskaiden vaiheiden jälkeen, mutta sitä itsenäisyyttä, mikä meillä on, pitää vaalia, sitä pitää kunnioittaa ja sitä pitää rakastaa joka hetki, ja se on tästäkin eteenpäin joka ainoa päivä hankittava. Toivon, että tätä periaatetta kaikki kunnioittavat.” (Hannu Hoskonen).

¹⁷⁰ PTK 76 2024, p. 90; “Tämä on meidän Suomen, meidän lasten, meidän ihmisten turvaksi, koska huomisesta emme koskaan tiedä. (Arja Juvonen).

¹⁷¹ PTK 76/2024, p. 46; “Turvallisuuden viranomaisena, vapaaehtoisen varusmiespalveluksen suorittaneena, neljän lapsen äitinä ja päättäjänä en voi nähdä ja kokea muuta kuin velvollisuutta isänmaata ja sen kansalaisia kohtaan.” (Mira Nieminen).

*heart. With work, strife, and Finnish perseverance the achieved victory and rebuilding are the kind of survival story that should weigh strongly in decision-making concerning our security”.*¹⁷²

Another invoked a childhood memory: “Grandma looked at me for a little while, silent, and said, that I am afraid that the Russian will come over the border. That fear is somehow in our genes. Many among us is in some way a descendant of war evacuees, --. Somehow it lives here in our genes.”¹⁷³ In conjunction with claims to the military threat potential of CEM such discourses are perhaps intended to stir up deeply engrained intergenerational fear ultimately contributing to an emotionally guided and highly securitized perception of CEM.

The employment of nationalist discourse overall serves to appeal to a sense of belonging and shared interest to protect the foundations of Finnish national identity. The Finns party leans on such rhetoric with particular intensity by generating an exclusionary image of the Finnish nation. With reference to the interest of people within Finland, members of the party state that Finland and the interest of Finnish people is of primary importance, that Finnish people’s fundamental rights come first, and that the bill rightfully places Finnish people’s security at the forefront. Other parties also frequently discuss the rights and security of people inhabiting Finland in terms of “Finnish people”, “Finns”, or “[Finnish] citizens”. These choices of wording perpetuate an image of Finland as a state inhabited exclusively by Finns, excluding other categories of people like national minorities and immigrant groups. Furthermore, such statements reflect the idea that CEM is not only a threat to national security but also to a perceived nationality-based societal cohesion in need of protection. Interestingly, while frequently framed as solely an issue of security, such statements portray CEM similarly to how anti-migration discourses overall portray ‘unwanted’ inbound migration: as a threat to the exclusionary foundations of the Finnish nation.

3.3.2. The Securitization of Migrants

The nation-centered approach to security is also particularly visible in how people on the move are portrayed by securitizing actors. Migration has for a time been highly securitized in Finnish political

¹⁷² PTK 76/2024, p. 69; “Isovanhempamme antoivat nuoruutensa taisteluun Suomen itsenäisyyden puolesta säilyttäen sen. Heidän tekemiensä uhrausten pitäisi olla jokaisella selkeästi muistissa. Jälkipolvet, myös oma ikäluokkani, kantavat osaltaan tehtyjen uhrausten muistoa sisimmässään. Työllä, uurastuksella ja suomalaisella sisulla saavutettu voitto ja jälleenrakentaminen ovat sellainen selviytymistarina, jonka pitäisi painaa vaakakupissa vahvasti turvallisuuttamme koskevassa päätöksenteossa.” (Milla Lahdenperä).

¹⁷³ PTK 76/2024, p. 74; “Mummo katsoi vähän aikaa hiljaa minua ja sanoi, että minua pelottaa, että venäläinen tulee rajan yli. Se pelko on jotenkin meidän perimässä. Tosi moni meistäkin on jollain tavalla evakkojen jälkeläisiä, ainakin itse olen toiselta puolelta sukua: on Viipurista lähdetty karkuun. Jotenkin se elää tässä meidän perimässä. Mutta ehkä se on tärkeää muistaa tänäkin päivänä ja pitää homma meidän omassa hallussa.” (Ville Merinen).

discourse, and common tropes of anti-migration rhetoric appear now to be seamlessly applied to people on the Eastern border. Starting from the semantic level, the government proposals frequently use the word *maahantulija* (country-enterer) over e.g. the legal term for asylum seeker. Similarly, the G.P.'s and some MPs also make reference to 'instrumentalized migrants invading the country'. In contrast to more neutral terminology these wordings have the potential to convey a sense of uncontrollable movement and forcefulness. The term *maahantulija* also has notable phonetic similarity with the term *maahantunkeutuja* (country-invader). Conversely, the two are frequently employed interchangeably in a derogatory manner in extreme right-wing migration discourse. The context of the word's use in a government proposal also serves to legitimize its meaning; instead of people asking for asylum, the bill is portrayed as a response to people simply entering the country with no discernible motivation, perhaps illegally or by force. In contrast, human rights actors and opposition politicians more frequently use terms like 'persons seeking refuge', 'humans', or 'asylum seekers', emphasizing the legal status, humanity, and need for safety of people on the move.

Securitization is also driven by depicting CEM through the large scale of potential arrivals. The most conservative estimates of how many people could arrive facilitated by Russia range between some hundreds and thousands. Some MPs, however, refer to tens or even hundreds of thousands, and in more than one instance to the potential of a million people or more arriving at the border. Large numbers of people are also conveyed in more unclear terms, often contributing to the dehumanization of migrants. Phrases used by MPs include 'battalions of', 'very large groups of people', 'a huge amount of people dumped here', 'mass of people', 'stream of people' and 'avalanche of migrants'. One MP states that "When enough people are pushed here, at some point we would be in the situation, that these masses of people must just be left to freely churn about in our country."¹⁷⁴ Another MP refers to "hundreds, thousands, tens of thousands, transported from far and near and swarmed here into the country".¹⁷⁵ The government proposals in turn use more subdued language and estimate numbers between hundreds and thousands, however in some instances also using phrases like 'the invasion of larger groups of arrivers', 'considerable pressure of attempting arrivers', 'stream of asylum seekers', and 'massive waves of refugees'. Such allusions to an indeterminable mass of people void of individuality and allegories to natural disaster are commonly used rhetoric devices in anti-migration discourse

¹⁷⁴ PTK 76/2024, p. 17; "Kun ihmisiä työnnetään tänne riittävästi, niin jossain vaiheessa olisimme tilanteessa, että näiden ihmismassojen täytyisi vain antaa velloa vapaana maassamme. Se olisi kansalliselle turvallisuudelle katastrofi." (Timo Vornanen).

¹⁷⁵ PTK 76/2024, p. 29; "Minä hämmästelen täällä tämän lakiesityksen vastustajia, kun ajattelen, että entäs jos sinne rajalle tulee satoja, tuhansia, kymmeniätuhansia kuljetettuna kauempaa ja lähempää ja vyörytetään tänne maahan sisälle." (Sari Tanus).

overall. Here, their purpose is perhaps to connect the threat posed by CEM to the well-established wider perception of migration as a security threat.

The government proposals similarly make reference to people potentially ‘using their large numbers or violence’ to enter the country, as well as escalating tensions at the border leading to violence against people or property. This invokes an image of a mob-like threat arising from a faceless mass people, combining the proclaimed threat of escalation and unsustainable numbers of arrivals. Such discourses naturally do not emphasize asylum seekers’ humanity or need for help, instead tapping into a well-established fear of crime and social instability increasing as a result of migration. In the most extreme end of the spectrum, some MPs use terms like ‘the refugee weapon’, or ‘hybrid influence weapons machinated by the Russian dictator Putin’ to describe migrants. Like the depiction of an immeasurably large mass, such discourses depicting people as weapons altogether obscure the humanity and individuality of people on the move, to say nothing of their security or human rights.

Human rights actors and opposition MPs, on the other hand, take the opposite view and portray the number of people arriving to Finland as relatively small. It is, for instance, pointed out that estimates of arrivals are largely made based on classified information, with some sources indicating that there is no reason to suspect tens of thousands, let alone a million people could rapidly appear at the Finnish border. Many also posit that in 2015 and 2022 the Finnish asylum system was perfectly able to receive and withstand a considerably higher number of asylum seekers and Ukrainian temporary protection applicants. In this regard, Amnesty and one MP in the plenary debate also refer to structural racism as a key factor facilitating the extreme securitization of people arriving through the Eastern border, their differential treatment, and the government “determining the severity of the security threat by the background and skin color of people in peril”.¹⁷⁶ The employment of dehumanizing language towards migrants is similarly condemned.

Major differences also emerge in how different actors portray asylum seekers’ agency and victimhood or lack thereof. Human rights actors and opposition MPs often depict asylum seekers as passive actors, possibly belonging to vulnerable groups, victimized by organized crime networks and Russian authorities, and in many instances as being at risk of abuse or human trafficking. Asylum seeker humanity is therefore emphasized by appealing to their precarious position, individual need for help and safety, and possible experiences of distress and trauma. The lack of legal channels to the EU is also cited as a testament to the vulnerability and desperation of people on the move. The bill’s proponents, on the

¹⁷⁶ PTK 77/2024, p. 3; “Kansallista turvallisuutta näyttääkin uhkaavan suomalaisen yhteiskunnan yhä syvenevä rasismi, joka määrittelee turvallisuusuhan vakavuuden hätää kärsivien taustan ja ihonvärin mukaan.” (Laura Meriluoto).

other hand, also refer to asylum seeker victimhood, however mainly in portraying them as being deceived or coerced into partaking in Russia's 'hybrid influence campaign'. The Constitutional Law Committee, on the other hand, discusses migrants as legal objects with undiscernible motives, referring to "natural persons indirectly used and steered as vessels, some of whom may -- be knowledgeable of the nature of the arrangement."¹⁷⁷ Overall, actors regardless of affiliation rarely portray people on the move as having clear motivations or strong individual agency, but more commonly as vulnerable victims of conflict and displacement, or alternatively as passive, perhaps somewhat naïve victims of CEM.

The securitizing actors thus on occasion simultaneously portray people as victims of circumstance and as a security threat to the extent that concerns over national or societal security must prevail over their distress. Perhaps this duality can be seen in part as a result of the exclusionary concept of the Finnish nation, whose security the rights of foreigners may not in any circumstance override. Government actors more predisposed to securitize migrants make fewer references to asylum seeker victimhood, depicting them instead as a general threat to internal security and as actively malicious or criminal. One MP states "I do not remember an instance in history ever, that in any country, the fact that thousands of young people move as if without aim in a foreign country without knowing the language, knowing the country, would have resulted in anything good for these people themselves or the people living in that country of arrival. It is a security risk for both of them".¹⁷⁸ Other MPs depict migrants from the Eastern border as anything from people trained in Africa to work for Russian interest to "Putinist men sent here to do sabotage, hybrid influence, and cut electric lines."¹⁷⁹ In more general terms, people on the move are described among other things as terrorists, Russian intelligence operatives, extremists, war criminals, and members of criminal organizations.

Another common discourse used by MPs supporting the bill is the questioning, dismissing, or outright denying people's true need for asylum upon arrival from Russia. For instance, many draw a clear line between 'true asylum seekers' and ingenuine 'instrumentalized migrants', claiming that the bill only affects the latter. MPs refer to 'so-called asylum seekers', state that CEM is not 'spontaneous migration' or 'about the need for asylum per se', and that the people "brought to our borders by Russia are

¹⁷⁷ Constitutional Law Committee, PeVL 14/2025, p. 3-4; "Laissa tarkoitettu toiminta on Venäjän valtion toimintaa, jossa välillisen tekemisen tapaan käytetään ohjailtuina välikappaleina luonnollisia henkilöitä, joista osa voi valiokunnan saaman selvityksen perusteella olla tietoisia järjestelyn luonteesta."

¹⁷⁸ PTK 76/2024, p. 37; "Jos katsotaan historiaa hieman taaksepäin, pidemmällekin, en muista historiasta koskaan sellaista tapahtumaa, että missään maassa siitä, että tuhannet nuoret ihmiset liikkuvat ikään kuin päämäärättömästi vieraassa kulttuurissa tuntematta kieltä, tuntematta maata, olisi koskaan seurannut yhtään mitään hyvää näille ihmisille itselleen tai siinä kohdemaassa asuville ihmisille. Se on heille molemmille turvallisuusriski." (Pauli Kiuru).

¹⁷⁹ PTK 59/2025, p. 8; "-- he voivat lähettää 10 000 tai 5 000 täysin putinistia miestä tänne tekemään tihutöitä ja hybridi-vaikuttamista ja katkomaan meidän sähkölinjoja ja muita." (Juho Eerola).

not asylum seekers in the true sense of the word, but forced migrants with whose aid Russia is attempting to destabilize Finland.”¹⁸⁰ The association of ‘instrumentalized migrants’ with extremism, violence, crime, and Russian infiltration is a commonly used narrative by MPs in delegitimizing asylum claims, as is the assertion that the bill does not concern immigration policy objectives. The government proposals reflect a similar viewpoint, stating: “It is not necessary to depart from the assumption, that every person invading the country by use of violence or strength of crowd, whose intentions, based on the circumstances or intelligence gathered beforehand, are hostile, should be treated as an asylum seeker.”¹⁸¹

Opposition MPs actively counter the discourses of illegitimate asylum claims, asserting instead that a person can be both ‘instrumentalized’ and in need of asylum. They also frequently appeal to the fact that some two hundred of those arriving through the border in 2023 were granted asylum in Finland. Human rights actors articulate this even more vehemently. The lack of legal channels into the EU, as well as the arriving peoples’ belonging in nationalities that have high rates of approval for asylum claims are presented as proof of a genuine need for asylum for at least a share of the applicants. The correlation between an individual’s mode of arrival and the truthfulness of their asylum claim is actively questioned, as is the ability of border guards to distinguish such categories of ‘false’ and ‘true’ asylum seekers within the confines of the bill’s intended implementation. These discourses also refer back to the portrayal of people on the move as victims of circumstances, having to rely on precarious means of transport and being opportunistically used by Russian state operatives in their vulnerable state. Interestingly, similar views can be discerned from among the bill’s proponents in parliament, nevertheless portraying CEM as meriting the denial of access to asylum process.

Different actors also take a different approach to the question of root causes of migration. Amnesty, the Finnish Refugee Advice Center, and one opposition MP, for instance, point out that preventing ‘instrumentalized migration’ is most effectively done by promoting equality, facilitating safe migration routes to the EU, accommodating more asylum seekers and refugees, as well as investing in development aid and preventing conflict and environmental degradation in countries of origin. The bill’s preventative effect is thus called into question both in terms of its necessity and its true impact as a tool for border or migration management. On the other hand, despite claims that the bill has no bearing on immigration policy, its proponents on multiple instances interestingly portray it as a way to stem the

¹⁸⁰ PTK 76/2024, p. 88; “Venäjän rajallemme tuomat ihmiset ole turvapaikanhakijoita sanan varsinaisessa merkityksessä vaan pakkosiirtolaisia, joiden avulla Venäjä yrittää epävakauttaa Suomen.” (Tere Sammallahhti).

¹⁸¹ G.P. 53/2024, p. 72; “Ei ole välttämätöntä lähteä olettamasta, että jokaista maahan väkivaltaisesti tai joukkovoimaa hyödyntäen tunkeutuvaa henkilöä tai henkilöä, jonka aiheet ovat vihamielisiä olosuhteista päätellen tai etukäteisten tiedustelutietojen perusteella, olisi kohdeltava turvapaikanhakijana.”

flow of people from countries of origin. Some hope to ‘send a message’ to countries of origin, conveying that the EU border is not open to Finland, that Finland is not a possible country of transit to other EU member states, and that access to asylum procedures and legal residency will not be guaranteed. These discourses ultimately direct the audience to believe that the Border Security Act not only prevents CEM, but also migration as a whole.

Different approaches to the bill are perhaps most aptly visualized by comparing the names used by different actors to refer to it. Nearly without fail, the bill’s proponents use the official shortened title “Border Security Act”, or in some cases refer to the bill as the ‘border law’ or the ‘exceptional law’. This evokes the importance of stronger border protection and militaristic state security in addressing the threat posed by Russia and CEM. The opposition, on the other hand, has co-opted the term ‘push-back law’, which was also the title widely used in media outlets around the time of the bill’s adoption. Conversely, the use of this colloquial name even became a source of some frustration and outward dissatisfaction for the bill’s proponents. All in all, the term ‘push-back law’ potentially conveys what the official name does not: a link to human rights and the wider context of restrictive migration policy. To this end, it becomes relevant to ask whether the Border Security act is an extension of government-led migration control or, as its proponents claim, clear-cut security policy exerting only a limited and necessary impact on the rights of migrants. To attempt to answer this question, the attention must be turned to state power, and the surrounding political context and sociocultural structures.

3.4. Intersubjective Power and Migration Policy

“The goal of instrumentalized migration has been to affect Finland’s decision-making, national security and choices, to break societal cohesion, and to aim to achieve such advantages to Russia, to which Finland would not have autonomously been prepared to concede.”¹⁸²

– Government proposal 18/2025

3.4.1. Political Power Dynamics

The bill’s strong framing around national security results in the breaking of partisan and majority/opposition lines. Due to the constitutional majority of at least 5/6 needed for the bill’s adoption as an exceptional law, it is in the ruling parties’ particular interest to appeal to the commonly shared concern over current geopolitical developments and Finland’s national security. Government actors thus appeal

¹⁸² G.P. 18/2025, p. 8; “Välineellistetyin maahantulon tavoitteena on ollut vaikuttaa Suomen päätöksentekoon, kansalliseen turvallisuuteen ja valintoihin, rikkoa yhteiskunnan koheesiota ja pyrkiä saavuttamaan sellaisia Venäjälle koituvia hyötyjä, joihin Suomi ei omavalintaisesti olisi ollut valmis.”

to emotions by invoking fear and nationalist sentiment, as well as a sense of duty for their fellow MPs to protect the interest of Finns. Interestingly, while the decision to close the Eastern border was approved in the parliament practically unanimously, the Border Security Act was subject to more controversy. To the bill's drafter's advantage, the needed majority was narrowly achieved both in adopting and extending the bill, largely due to the wide support garnered within the opposition among Social Democrats and the Centre Party. Parties unanimously opposing the bill from the opposition were the Greens and Left Alliance. A number of Social Democrats also broke the party line in opposing the bill, along with one representative of the Swedish People's Party (which is currently in government). Conversely, some members of the Greens and Left Alliance appeared at times to quite openly antagonize other members of the opposition for supporting the bill and purportedly siding with the government's malignant policy objectives that run counter to rule of law and human rights.

While the bill represents a break from opposition-majority lines, the discussion around it nevertheless brings to light the increasing polarization of Finnish politics as a whole. Societal polarization is not only represented in the diametrically opposed stances and even worldviews represented by each side of parliamentary discussion, but also in how debate evolves over time. In 2024, many MPs express their thanks to each other for constructive and democratic debate around the bill in plenary and in the preparatory stages. In 2025, however, there are instead decisively more accusations of the opposing side committing some type of treason by appeasing Russian interest. There also appear to be more instances of disruptive heckling, especially from government parties' representatives during Left and Green MP's speeches. Furthermore, already in 2024 opposition members allude to the vitriolic nature of societal discourse surrounding the bill, claiming that experts and politicians opposing the bill have been subjected to disproportionate and undemocratic criticism from government actors. One instance of this brought forward is the speaker of the Finns party parliamentary group publicly wishing for a Greens party MP's military rank to be revoked due to his opposition to the bill. In sum, such examples are perhaps telling of a deepening antagonism between parties.

3.4.2. Anti-Migration Policy Objectives

The Finnish sphere of right-wing politics has, like many in Europe, come to a head in the 21st century. This is in large part due to populist movements like the Finns party and their rise from marginal voices in politics to well-established members of right-wing government coalitions. The Finns Party also represents the most vocally anti-migration force in mainstream Finnish politics, with many of its members being affiliated with extreme right-wing and nationalist groups. A number of political scandals have also played out in the media due to Finns party members' active deployment of openly xenophobic

and racist discourses both in and out of office. Anti-migration and far-right nationalist sentiments have thus gained mainstream political momentum and have established themselves in one end of the currently polarized state of Finnish society and politics. While not all Finns Party politicians deploy openly racist language, many members do so particularly often with reference to migrants. In the instance of the Border Security Act, stereotyping and dehumanizing language is applied to CEM, a matter already securitized by its affiliation to Russia. Perhaps this combination of anti-migration rhetoric and national security framing makes it far easier to justify unprecedented restrictions to asylum seeker rights. Certainly, tighter migration policy is one of the Finns party's primary policy goals, and the bill's adoption necessarily advances them, whether intentionally or incidentally, by providing the state with more means to restrict people's arrival into Finland.

In contrast to earlier instances of large numbers of arriving asylum seekers, the bill's effect to fundamental rights is completely unprecedented. Though the number of asylum seekers during the 'refugee crisis' and the influx of Ukrainian temporary protection seekers far surpass the numbers recorded on the Eastern border in 2023 (as well as some of the estimates of potential numbers), the government did not in those instances drive through exceptional laws to completely close borders nor establish means to summarily deny access to asylum procedure in either instance. This was not done even when the 'Arctic route' episode brought CEM to the Finno-Russian border for the first time. What differentiates these instances appears to be the highly securitized framing of CEM in light of current military and political concerns over Russia. To the bill's opponents, however, the Border Security Act perhaps appears as a pinnacle of a long trend of increasingly restrictive migration policy in Finland. Furthermore, according to human rights actors the Border Security Act directs Finland towards legislation that imbues the government with absolute power to restrict migrants' fundamental rights. All things considered, it would be a misrepresentation of the material to claim that the bill holds no correlation to the greater context of Finnish migration and asylum policy.

Imagery of human smuggling, conflict in states like Iraq and Syria, shipwrecks on the Mediterranean and the like generated sympathy towards 'refugee crisis' -era asylum seekers. Regardless, they too were discussed in the public sphere frequently through the language of welfare migration, racist stereotypes, terrorism, and crime. In 2022, hierarchies of empathy across Europe were brought to light with the arrival of Ukrainian temporary protection beneficiaries. Perhaps in part due to Finland's history, a particularly high level of sympathy was awakened towards Ukrainians. In the case at hand, however, it appears quite easy for political actors to suspend empathy, dismiss claims to asylum as ingenuine, and depict people on the move as foreign operatives or even as inhuman weapons, when they are so closely associated in discourse with a pariah state like Russia whose every action holds the potential

of escalation. Existential threat is thus easy to conjure; it already exists for the actor supposedly facilitating CEM to Finland. One needs only to attach anyone crossing the Eastern border to the cluster of terrifying forces in Russia that threaten the life of the Finnish nation. Then, it is perhaps more legitimate to state that there are no alternatives, and anything short of supporting the Border Security Act is outright unpatriotic. As a Finn's party MP stated: "No, the Finnish people has an unconditional right to life, and I believe, that the parliament will vote in favor of the existence of our nation."¹⁸³

3.5. Applying the Border Security Act

*"In approving this law we are not voting – and I am not myself voting – against human rights but for human rights, for the security and fundamental rights of people living in Finland as well to prevent the inhumane instrumentalization of these deceived arrivers, of using them as a weapon."*¹⁸⁴

– MP Päivi Räsänen, Christian Democrats.

At its core, while the Border Security Act may or may not ever be triggered in practice, discourses around it effectively portray a deep and unrepairable shift in the security environment, a state of emergency caused by people arriving at a border necessitating a rapid and severe response as the only means to protect Finland and Finnish people. What this security-centered portrayal of the issue obscures, however, is the position of the individual at the border. In all the contradictions surrounding the Border Security Act it becomes apparent that the role of migrants is perhaps the most contradictory. Simultaneously, they are potential violent criminals or Russian operatives pursuing harm to Finnish society, victims of 'instrumentalized migration' deceived by Russian authorities, liars attempting to deceive the Finnish state with a fraudulent asylum application, and a dangerously large, nameless and faceless mass. They are simultaneously active and passive, terrifyingly individual in their devious pursuits and completely void of individuality as members of a dangerous sub-human collective force. While they wish to request asylum, under the Border Security Act they lose their claim to asylum status, obscured under the label of 'instrumentalized migrant' which encompasses all these contradicting identities assigned by a government exerting its exceptional powers.

If asylum seekers and migrants as a whole have to forsake some of their own identity and political agency in order to gain access to a country, not to speak of becoming a member of its society or nation,

¹⁸³ PTK 76/2024, p. 48; "Ei, Suomen kansalla on ehdoton oikeus elämään, ja minä uskon, että eduskunta äänestää kansallisen olemassaolomme puolesta." (Teemu Keskisarja).

¹⁸⁴ PTK 77/2024, p.31; "Tätä lakia hyväksyttäessä ei äänestetä — enkä itse äänestä — ihmisoikeuksia vastaan vaan ihmisoikeuksien puolesta, niin Suomessa asuvien turvallisuuden ja perusoikeuksien puolesta kuin myös näiden harhautettujen maahantulijoiden epäinhimillisen välineellistämisen, aseena käyttämisen torjumiseksi." (Päivi Räsänen).

the ‘instrumentalized migrant’ is summarily denied the right to even try and access any kind of status. The ‘instrumentalized migrant’ simultaneously embodies the potential of any possible threat to national security, yet under the law of exception his existence can be ignored. Entry into the state is denied, but whatever happens in the state of transit or origin, a state evidently dismissive of his rights and individuality, is beyond the concern of the Finnish political elite. While higher norms of human rights have been enshrined in the Finnish constitution to protect even foreign citizens’ rights, the law of exception can and will override such norms in favor of the higher value of national security. The ‘instrumentalized migrant’ is thus stripped of his humanity and political agency, reduced only to the potential threat he poses and the true or imagined mass of people he is part of, stuck in the limbo of the border zone and in the void in the law that the state of exception opens up.

While the Border Security Act may never be triggered in practice, it has clear implications far surpassing its purported preventative effect to CEM. After all, a law is not a hypothetical instrument, but the sole source of legitimate use of power for liberal democracies like Finland. Once something like the Border Security Act is codified into law, all it takes is for circumstances to change sufficiently for it to be triggered in practice despite all the discourse surrounding it appealing to preventative intent, high threshold of application, and exceptionality. Indeed, without exceptional legislation, some of the human rights violations observed at the Polish border during the state’s own crisis with CEM would not have been deemed legitimate by the law and its drafters. The state of exception, as Agamben wrote, moves many measures away from the realm of the impossible into the realm of possible, probable, and legitimate. That is not to say that there is no place in liberal democracies like Finland for states of exception. It is, however, to say that adopting states of exception is high-stakes game. In a liberal democracy like Finland where government representatives increasingly lean in to populist rhetoric, flirt with actors with extremist tendencies, and constantly find themselves amidst one crisis or another, any legal act that increases the realm of government power by restricting one group’s rights should be examined critically.

To return to the original government proposal for the ‘Law on temporary measures to combat instrumentalized migration’, the following is stated about the proposed bill’s ‘tension’ with human rights. If triggered, the Border Security Act would entail among other things derogating from absolute non-refoulement and potentially the prohibition of collective expulsion, providing no means of appeal for denied entry to asylum procedure, and a risk that asylum seekers cannot be protected from torture and death penalty. It will partially ensure protection of vulnerable groups, however with the risk that e.g.

children close to eighteen years of age, people with non-outwardly visible disabilities, and other vulnerabilities such as victimhood to human trafficking may not be recognized.¹⁸⁵ Human rights actors furthermore questioned the level of genuine access to asylum procedures on other parts of the border and the ability of individual border guards to properly assess risks related to non-refoulement and the protection of vulnerable groups. Amnesty, for instance, also questions the lack of transparency required for triggering the Act as hindering human rights actors' monitoring abilities, and perceives the threshold for triggering the law overall as excessively low. Concerns are also raised over the true temporariness of the law. Indeed, as mentioned before a new extension to the Act's validity is in the works. While the law might never be triggered, for now it remains a possibility. And with that possibility, remains the risk of a serious impact to migrants' human rights as self-proclaimed by the Act's drafters and warned of by experts and civil society.

¹⁸⁵ G.P. 53/2024, p. 41-45.

Chapter 4: Conclusions

This thesis has analyzed Finnish political discourses around the 2024 Border Security Act and its 2025 renewal, focusing on the securitization of coercive engineered migration and migration overall. Particular attention was paid to how the exceptional law is justified in relation to human rights, how migrants and asylum seekers are portrayed, and whether the material can indicate anything in the way of emergency governance becoming a routine practice. A plethora of securitizing and de-securitizing discourses were uncovered in the material, revolving around military, political, and societal security threats. The exceptional limitation to human rights posed by the Border Security Act is primarily justified by its drafters and proponents through discourses of national security and protection of sovereignty. A key role is furthermore played by fears generated through portraying Russia as a cruel adversary, portraying migrants as a dangerous, uncontrollable, and large mass of people, as well as some less prevalent discourses including appeals to the rights of Finnish people affected by the current border closure. Securitizing actors by and large acknowledge the Act's human rights impact yet appearing to obscure it through softening language and appeals to necessity. The Border Security Act is above all described as the only effective alternative available to respond to an unprecedented threat.

In summary, it can be said that there exists a correlation between the prevalence of securitized discourse around migrants and the intense threat of CEM as perceived by states. The analysis has aimed to demonstrate that an intermingling of different sources of threat (traditional military, hybrid military, societal, political, system-level) contributes to an intensely securitized image of CEM, which in turn enables states to adopt intensely restrictive measures in response. The key takeaway is that human rights considerations are often deliberately obscured, forgotten, or overruled in the process by national security concerns. This is true for academia around CEM, but most importantly for states making decisions that affect both the lives of their own citizens, and of people hoping to cross a border in search of safety, better standards of living, new opportunities, or for any number of reasons. Certainly, there is more work to be done in the field of CEM research, especially from a human rights standpoint, and this thesis can provide only limited insight into a short time frame within a small state's policy and historical context.

Coercive engineered migration remains a relatively unexplored topic especially in the Finnish context. The aim of this thesis has thus been to provide a human rights-centered perspective to a limited field dominated by traditional security thinking. As such it makes up a small part of a potential future paradigm of human rights-oriented CEM research. As mentioned earlier, future research could, for instance, better accommodate the role of media discourse in threat construction around CEM. In terms

of the case at hand, the future will provide opportunities for more longitudinal studies as trends and true impacts of the adopted law and the border closure become visible. Comparative studies between different states' approaches to CEM could also be made, as well as more human rights instrument - forward research on, for instance, potential penal mechanisms and human rights court rulings as they become available. Another possible avenue for further research is examining the difference of approach in comparison to the 2015 'refugee crisis' or the arrival of Ukrainian temporary protection beneficiaries. In specific, there is certainly more research to be done into how certain groups of protection seekers become securitized while others do not, and why the state capacity to receive them is considered inadequate in one case and not in another. Certainly there is also space for research questioning the legitimacy of the 'coercive engineered migration' framing altogether. In light of human rights the concept indeed appears to be taken by states as strong justification for derogating from international obligations, whereas international conventions themselves have not recognized the phenomenon as such.

The main limitation of this study arguably lies in the fact that the Border Security Act has not been triggered in practice so far, and so its true effects are subject to speculation at best. There is currently no reliable data even on its purported effect of deterrence. In terms of measuring the Act's impact, incorporating data from e.g. interviews or surveys could have been useful in determining how, for instance, migrants themselves, border guards, or people living in the borderland perceive the situation on Finland's Eastern border. This would contribute to better understanding the perceptions of different groups with regard to the border closure, as well as the societal impact of the Border Security Act. If available, more data on the asylum seekers who arrived before the border closure could furthermore shed light on e.g. the contested authenticity of their claims for protection. More attention ought also to be paid to how more migrant-inclusive legislative frameworks may be adopted in response to coercive engineered migration. After all, regardless of the true extent of the threat it poses or its contested nature, the phenomenon remains a source of generalized insecurity, and therefore intensely pressures the state to exercise its reassuring function. Conversely, the results of the analysis indicate that states themselves considerably contribute to the extent of threat perceived around CEM through political discourse.

Returning to the material, it is clear that migrants are portrayed by different actors in vastly different ways. Border Security Act drafters and proponents employ securitizing discourses appealing to crime, societal stability, Russian infiltration, violence, and large scale of arrivals, among other things. Asylum seekers are also frequently described by these actors as either naïve or ingenuine, being easily manipulated by Russian authorities or consciously aiming to deceive the Finnish asylum system with false asylum claims. Opposition MPs and human rights actors, on the other hand, emphasize asylum seeker

vulnerability and personal insecurity, and posit that there is no legitimate distinction between ‘genuine’ asylum seekers and ‘ingenuine’ coercively engineered migrants. While many proponents of the Border Security Act claim that the bill is neither a means nor an end in relation to the current government’s migration policy goals, discourses from the same actors reflect rhetorics frequently employed by anti-immigration actors in Finland. As such there appears to be a strong correlation between the existing securitization of migration in Finland and the language used to legitimize the potential limitations posed by the Border Security Act on migration into Finland. Threat is not, in essence, exclusively constructed by traditional understandings of security, but also the consistent portrayal of migrants as an inherent threat to security. Many opposition actors, on the other hand, direct attention to dehumanizing language about migrants and structural racism becoming apparent in government actors’ discourses. This indicates that similar lines of division define the discourse around CEM, as can be observed more generally in Finnish migration discourse.

In terms of the routinization of emergency governance, it appears that the bill in the very least has few guardrails in place that would prevent multiple consecutive renewals of its temporary validity. Initially set to be in force for a year, it was subsequently renewed for a 1,5-year period and has once again become subject to current discussion around renewal. The longer window adopted for the first renewal indicates little will of adhering to a one-year time frame, and another renewal being in the works signifies that the original time frame is slowly extending to encompass a period of at least three years. There is, of course, no way of knowing for certain whether any subsequent proposals to extend the Act’s validity will meet the required constitutional majority in parliament. However, the significantly shorter time dedicated to debating the issue in 2025 indicates that the Act is becoming at least somewhat normalized and future renewals might generate even less controversy and attention, especially in the public eye. It is similarly pure speculation what will happen if the Act is in fact triggered. At the very least, the body text of the law indicates no real limit to the number of subsequent times that the bill may be triggered. All that is required is a joint decision of the government and the president for one month at a time weighed against a certain threshold of criteria, importantly without any oversight of the parliament in the form of e.g. majority decision or veto power.

The routinization of exceptional governance of migration appears to be one of the core concerns for opposition and human rights actors. The prevalence of discourses describing the new security environment as permanent and long-term raise further questions over whether the Act was ever intended to be a temporary, one-year exceptional law. Conversely, due to the requirements of constitutional exceptional laws in Finland, the bill’s adoption would probably not have been possible without a temporal

limitation. In the current security environment and in light of the extent of securitization of CEM observed in the material it remains to be seen whether life without the Border Security Act becomes unthinkable in the long term. Certainly, it is clear that after the initial shock in political and media discourse, the issue of the Border Security Act is becoming more and more normal, so to speak. In a similar vein, the bill's standing as a legal precedent for legitimizing the restriction and derogation of fundamental rights and absolute norms like non-refoulement in the name of national security and sovereignty cannot be denied. The significance of this fact should also not be understated as new and unexpected 'crises' are bound to arrive at Finland's borders in the future.

In sum, the discourses under analysis portray CEM above all as vehemently securitized in a manner that evades societal and partisan lines. Existential threat is derived above all from existing fears around the coercing actor (Russia) and migrants or asylum seekers overall. Both are already securitized issues in Finnish politics, and their threat level is perhaps only growing in the current state of affairs as societal polarization and global military insecurity is on the rise. Discourses are thus made to an audience already highly sensitive to the sub-issues that CEM consists of potentially leading to a higher degree of acceptance of measures that ordinarily would be out of the question. Such measures enable states to exercise restrictions to migrants' rights under the guise of emergency and national security, but most significantly provide a legal precedent to repeat similar measures in the future, lowering the threshold for opening the law to its full coercive power. What this means for migration governance as a whole is a self-reinforcing cycle of securitization. The successful framing of CEM as an existential threat reinforces a perception of migrants less as subjects of human rights and more as a threat to the security of Finland. As this perception seeps deeper into Finnish political consciousness, the potential for more and more restrictive measures opens up in the future, ultimately reproducing and perpetuating a fundamental power imbalance between migrants and the state elite. It could even be said, that the 'threat of CEM' becomes more threatening by virtue of the Finnish political elite deciding to construct it as such.

Finally, the attention must be turned to people on the move. Whether the Border Security Act is ever applied in practice or not, whether future laws are drafted based on the precedence it opens up, whether it becomes a permanent fixture of migration governance or not, is all a matter of speculation and time, as is its final impact on the rights and security of people on the move. What can be said today is, that the discourse around the Border Security Act reveals a great deal about Finnish society and its approach to migrants. Discourses supporting the Border Security Act not only correlate with in-government policy priorities of stronger border control and limited immigration, but also effectively employ language that excludes, alienates, and dehumanizes migrants. When the paradigm of coercive engineered

migration is made available for state elites, it opens the possibility for fundamental rights to be restricted by relatively thin justification. After all, as it stands, all it takes for a summary rejection of access to asylum procedure is for the government to perceive enough threat to national security, and a doubt that the asylum seekers in question are associated with ‘instrumentalized migration’, the criteria of which is decided on by the government. This doubt, evidently, can be based not only on facts on the ground but also on speculation, secret intelligence information, and ultimately the discretion of individual border guards. What is ultimately needed is a shift in the sociocultural fabric towards more inclusive, humane, and rights-oriented perspectives to not only CEM but migration as a whole, in day-to-day governance and states of exception alike.

If language is a primary vessel for the dissemination of power, the consequences of the Border Security Act for migrants and their rights emerge in large part from the discourses decision-makers choose to employ. In referring to ‘our’ national security as the security of Finnish people, the speaker fades the heterogeneity of contemporary Finland and the countless migrant communities that have lived there for decades. In referring to ‘ingenuine’ asylum seekers who are likely to be criminals or Russian operatives, the speaker calls into question fundamental and absolute principles related to the institution of international protection. In referring to ‘masses of people freely churning about’ and the ‘refugee weapon’ the speaker obscures the fact that each individual on the border is exactly that, an individual equally entitled to human rights. A grammar of violence and fear is apt to foster exclusion in the most liberal of democracies. As this exclusion slips into the legitimate realm of migration governance, the state ultimately endows itself with the power to decide which life is worthy of political relevance and humanity itself. While Finland codifies the protection of fundamental rights in its constitution, high efforts are made in the country today to obscure and forget the rights of people on the move. What ultimately may happen as a result, is the legitimization of a paradigm of emergency, fear, and vitriol not only for the governance of ‘coercive engineered migration’, however it may be defined, but for the governance of migration as a whole.

Bibliography

Primary Sources

Amnesty International, Suomen Osasto ry. *Asiantuntijalausunto*. [Amnesty International, Finnish Section, Expert Statement]. 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2053%2F2024%20vp>.

Amnesty International Suomen Osasto ry. *Asiantuntijalausunto*. [Amnesty International, Finnish Section, Expert Statement] 2025. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2018%2F2025%20vp>.

Perustuslakivaliokunta. *Valiokunnan lausunto* [Constitutional Law Committee, Committee Statement]. PeVL No. 26/2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/documents/edktunnus/EDK-2024-AK-30083>.

Perustuslakivaliokunta. *Valiokunnan lausunto* [Constitutional Law Committee, Committee Statement]. PeVL No. 14/2025. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2018%2F2025%20vp>.

“Hallituksen esitys eduskunnalle laiksi väliaikaisista toimenpiteistä välineellistetyn maahantulon torjumiseksi.” [Government Proposal for the Parliament for a Law on Temporary Measures to Combat Instrumentalized Migration]. Government Proposal No. 53/2024. <https://www.finlex.fi/en/government-proposals/2024/53>.

“Hallituksen esitys eduskunnalle laiksi väliaikaisista toimenpiteistä välineellistetyn maahantulon torjumiseksi annetun lain 7 §:n muuttamisesta.” [Government Proposal for the Parliament for an Amendment to § 7 of the Law on Temporary Measures to Combat Instrumentalized Migration]. Government Proposal No. 18/2025. <https://www.finlex.fi/en/government-proposals/2025/18>.

Ihmisoikeuskeskus. *Asiantuntijalausunto*. [Human Rights Centre, Expert Statement]. 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/documents/edktunnus/EDK-2024-AK-30083>.

Ihmisoikeuskeskus. *Lausunto*. [Human Rights Centre, Statement]. 2025. <https://intermin.fi/hankkeet/hankesivu?tunnus=SM001:00/2025>.

- Pakolaisneuvonta ry. *Asiantuntijalausunto*. [The Finnish Refugee Advice Centre, Expert Statement]. 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2053%2F2024%20vp>.
- Pakolaisneuvonta ry. *Asiantuntijalausunto*. [The Finnish Refugee Advice Centre, Expert Statement]. 2025. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2018%2F2025%20vp>.
- Eduskunta. *Pöytäkirjan asiakohta*. [Parliament, Plenary Session Protocol]. PTK No. 76/2024. July 9, 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2053%2F2024%20vp>.
- Eduskunta. *Pöytäkirjan asiakohta*. [Parliament, Plenary Session Protocol]. PTK No. 77/2024. July 12, 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2053%2F2024%20vp>.
- Eduskunta. *Pöytäkirjan asiakohta*. [Parliament, Plenary Session Protocol]. PTK No. 58/2025. May 28, 2025. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2018%2F2025%20vp>.
- Eduskunta. *Pöytäkirjan asiakohta*. [Parliament, Plenary Session Protocol]. PTK No. 59/2025. June 4, 2025. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2018%2F2025%20vp>.
- Yhdenvertaisuusvaltuutetun toimisto. *Asiantuntijalausunto*. [Office of the Non-Discrimination Ombudsman, Expert Statement]. 2024. <https://www.eduskunta.fi/en/matters-and-voting/matters/HE%2053%2F2024%20vp>.
- Yhdenvertaisuusvaltuutetun toimisto. *Lausunto*. [Office of the Non-Discrimination Ombudsman, Statement]. 2025. <https://intermin.fi/hankkeet/hankesivu?tunnus=SM001:00/2025>.

Secondary Sources

- Ackerman, Bruce. “The Emergency Constitution.” *The Yale Law Journal* 113, no. 5 (2004): 1029–91. <https://doi.org/10.2307/4135710>.
- Adamczyk, Anita. “The State of Emergency in Poland as the Key to Curbing Unregulated Migration.” *Białostockie Studia Prawnicze* 28, no. 1 (2023): 87–101. <https://doi.org/10.15290/bsp.2023.28.01.05>.
- Agamben, Giorgio. “Homo Sacer: Sovereign Power and Bare Life.” In *The Omnibus Homo Sacer*. Stanford University Press, 2017.

- Agamben, Giorgio. *The State of Exception*. University of Chicago Press, 2005.
- Agamben, Giorgio, David Kishik, and Stefan Pedatella. *What Is an Apparatus? And Other Essays*. Stanford University Press, 2009.
- Ancite-Jepifánova, Aleksandra. “Beyond the ‘Hybrid Attack’ Paradigm: EU-Belarus Border Crisis and the Erosion of Asylum-Seeker Rights in Latvia, Lithuania and Poland.” *Avant (Toruń)* 15, no. 2 (2024): 1–26. <https://doi.org/10.26913/ava2202405>.
- Ancite-Jepifánova, Aleksandra. “Why the Term ‘Instrumentalisation of Migrants’ Should Be Reconsidered.” *Refugee Law Initiative*, November 10, 2023. <https://rli.blogs.sas.ac.uk/2023/10/11/why-the-term-instrumentalisation-of-migrants-should-be-reconsidered/>.
- Baker-Beall, Christopher. “The Threat of the ‘Returning Foreign Fighter’: The Securitization of EU Migration and Border Control Policy.” *Security Dialogue* 50, no. 5 (2019): 437–53. <https://doi.org/10.1177/0967010619857048>.
- Balicki, Janusz. “Migration Crisis on the Polish-Belarusian Border (2021–2022) From a Humanitarian and Human Rights Perspective.” *Studia Europejskie* 26, no. 2 (2022): 75–87. <https://doi.org/10.33067/SE.2.2022.5>.
- Balzacq, Thierry. *Securitization Theory: How Security Problems Emerge and Dissolve*. Routledge, 2010.
- Bekić, Janko. “Coercive Engineered Migrations as a Tool of Hybrid Warfare: A Binary Comparison of Two Cases on the External EU Border.” *Politicka Misao* 59, no. 2 (2022): 141–69. <https://doi.org/10.20901/pm.59.2.06>.
- Bello, Valeria. “The Spiralling of the Securitisation of Migration in the EU: From the Management of a ‘Crisis’ to a Governance of Human Mobility?” *Journal of Ethnic and Migration Studies* 48, no. 6 (2022): 1327–44. <https://doi.org/10.1080/1369183X.2020.1851464>.
- Bigo, Didier. “Security and Immigration: Toward a Critique of the Governmentality of Unease.” *Alternatives: Global, Local, Political* 27, no. 1 (2002): 63–92. <https://doi.org/10.1177/03043754020270S105>.
- Buzan, Barry, Ole Wæver, and Jaap de Wilde. *Security: A New Framework for Analysis*. Lynne Rienner, 1998.

- Cielemecka, Olga, and Jussi P. Laine. "Fencing Off Europe: Border Fortifications as Symptomatic Responses to Hybrid Insecurities in Poland and Finland." *Journal of Borderlands Studies*, 2026, 1–20. <https://doi.org/10.1080/08865655.2026.2637501>.
- Council of the EU. "Protection of Displaced Ukrainians: Council Adopts Recommendation About Transition out of Temporary Protection." Press Releases, September 16, 2025. <https://www.consilium.europa.eu/en/press/press-releases/2025/09/16/protection-of-displaced-ukrainians-council-adopts-recommendation-about-transition-out-of-temporary-protection/>.
- Davitti, Daria. "Biopolitical Borders and the State of Exception in the European Migration 'Crisis.'" *European Journal of International Law* 29, no. 4 (2018): 1173–96. <https://doi.org/10.1093/ejil/chy065>.
- European Migration Network Finland. *Annual Report on Migration and Asylum - Finland 2021*. European Commission, 2022. https://home-affairs.ec.europa.eu/system/files/2022-09/arm2021_finland_english.pdf.
- European Migration Network Finland. *Annual Report on Migration and Asylum - Finland 2022*. European Commission, 2023. <https://urn.fi/URN:ISBN:978-952-7427-37-8>.
- European Migration Network Finland. *Annual Report on Migration and Asylum - Finland 2023*. European Commission, 2024. <https://urn.fi/URN:ISBN:978-952-7427-48-4>.
- European Migration Network Finland. *Annual Report on Migration and Asylum - Finland 2024*. European Commission, 2025. <https://urn.fi/URN:ISBN:978-952-7427-37-8>.
- Eurostat. "EU Population Diversity by Citizenship and Country of Birth." Statistics Explained, February 2, 2026. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=EU_population_diversity_by_citizenship_and_country_of_birth.
- Eurostat. "Temporary Protection for Persons Fleeing Ukraine - Monthly Statistics." Statistics Explained, March 6, 2026. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Temporary_protection_for_persons_fleeing_Ukraine_-_monthly_statistics.
- Fairclough, Norman. "A Dialectical-Relational Approach to Critical Discourse Analysis in Social Research." In *Critical Discourse Analysis*. Routledge, 2010.
- Fairclough, Norman. *Critical Discourse Analysis: The Critical Study of Language*. Longman, 1995.
- Fairclough, Norman. *Language and Power*. Longman, 1989.

- Faist, Thomas. "The Migration-Security Nexus: International Migration and Security Before and After 9/11." In *Migration, Citizenship, Ethnos*, edited by Gökçe Yurdakul and Y. Michal Bode-mann. Palgrave Macmillan US, 2006.
- Finnish Government. "Situation at Finland's Eastern Border." Current Issues, 2026. <https://valtioneuvosto.fi/en/situation-at-finlands-eastern-border>.
- Gökalp Aras, Nefise Ela. "Coercive Engineered Syrian Mass Migration in the EU-Turkey Relations: A Case Analysis for Future Reference." *International Migration* 57, no. 2 (2019): 186–99. <https://doi.org/10.1111/imig.12566>.
- Grabau, Artem. "Instrumentalisation of Fear and Securitisation of 'Eastern Borders Route': The Case of Poland-Belarus 'Border Crisis'." *European Security* 33, no. 2 (2024): 236–60. <https://doi.org/10.1080/09662839.2023.2287499>.
- Greenhill, Kelly. *Weapons of Mass Migration: Forced Displacement, Coercion, and Foreign Policy*. Cornell University Press, 2010.
- Huysmans, Jef. *The Politics of Insecurity: Fear, Migration and Asylum in the EU*. Routledge, 2006.
- Huysmans, Jef, and Vicki Squire. "Migration and Security." In *The Routledge Handbook of Security Studies*, edited by Myriam Dunn Cavelty and Victor Mauer. Routledge, 2010.
- Jaroszewicz, Marta. "Sovereignty, Normalisation and the Unknown: Emergency Governance and Mobility in Central and Eastern Europe in Times of Geopolitical Upheaval." *Studia Mi-gracyjne – Przegląd Polonijny* 51, no. 3 (2025): 29–54. <https://doi.org/10.4467/25444972SMPP.25.018.22529>.
- Koikkalainen, Saara, Md Azmeary Ferdoush, and Joni Virkkunen. *Finland Country Report: Governance and Policy Changes During Times of High Influxes of Protection Seekers, 2015-June 2023*. Working Paper 115. Norwegian Institute for Urban and Regional Research, 2023.
- Koikkalainen, Saara, Oksana Shmulyar Gréen, Joni Virkkunen, Md Azmeary Ferdoush, and Odyne-t Sviltana. "Unpacking the Temporary Protection of Displaced People from Ukraine Within the Tightening Migration Governance in Sweden and Finland." *Journal of Ethnic and Migration Studies* 52, no. 2 (2026): 427–46. <https://doi.org/10.1080/1369183X.2025.2565913>.
- Krępa, Mateusz, Dovile Jakniunaite, Marta Pachocka, and Ksenia Naranovich. "The Chain of Emer-gencies: Routinisation of the Migration Emergency Governance in Lithuania and Poland in

2020-2023.” *Studia Europejskie* (Warsaw) 28, no. 4 (2024): 171–97.
<https://doi.org/10.33067/SE.4.2024>.

Kuźelewska, Elżbieta, and Agnieszka Piekutowska. “Belarus’ Violation of International Obligations in Connection with Artificial Migration Pressure on the Belarus–European Union Border.” *Białostockie Studia Prawnicze* 28, no. 1 (2023): 39–55.
<https://doi.org/10.15290/bsp.2023.28.01.03>.

Laine, Jussi P. “Border Anxiety and Resilience: Finland’s Strategic Shift in a New Geopolitical Era.” *Journal of Contemporary Central and Eastern Europe* 34, no. 1 (2026): 197–211.
<https://doi.org/10.1080/25739638.2025.2599342>.

Lavikainen, Jyri. “Russia’s Hybrid Operation at the Finnish Border: Using Migrants as a Tool of Influence.” Comments, Finnish Institute of International Affairs, November 2023.
<https://fiia.fi/en/publication/russias-hybrid-operation-at-the-finnish-border>.

Lebrun, Maxime, Tanja Ellingsen, Hanne Dumur-Laanila, et al. “Instrumentalized Migration: Avoiding the Trap.” *Open Research Europe* 4 (2024): 251. <https://doi.org/10.12688/open-research.18635.2>.

Marder, Lev. “Refugees Are Not Weapons: The ‘Weapons of Mass Migration’ Metaphor and Its Implications.” *International Studies Review* 20, no. 4 (2018): 576–88.
<https://doi.org/10.1093/isr/vix055>.

Migri. “Statistics on Applications and Decisions.” Statistics, June 15, 2026. <https://tilastot.migri.fi>.

Ministry of the Interior. “Finnish Government Prepares to Extend Validity of Border Security Act.” Press Releases, May 28, 2026. https://valtioneuvosto.fi/-/1410869/hallitus-valmisteleerajaturvallisuuslain-voimassaololle-jatkoa?languageId=en_US.

Ministry of the Interior. “Government Proposal for a Border Security Act Submitted to Parliament.” Press Releases, May 21, 2024. https://valtioneuvosto.fi/-/1410869/hallituksen-esitys-rajaturvallisuuslaiksi-eduskunnalle?languageId=en_US.

Ministry of the Interior. “Situation at the Eastern Border.” Current Issues. Accessed May 27, 2026. <https://intermin.fi/en/current-issues/situation-at-the-eastern-border>.

Nurmi, Henna. “Välineellistetty maahanmuutto ja muuttoliikkeen turvallistaminen eduskuntakeskustelussa.” *Kosmopolis* 55, no. 4 (2025): 25–42. <https://doi.org/10.70483/kp.176616>.

- Paterson, Ian, and Georgios Karyotis. “‘We Are, by Nature, a Tolerant People’: Securitisation and Counter-Securitisation in UK Migration Politics.” *International Relations* 36, no. 1 (2022): 104–26. <https://doi.org/10.1177/0047117820967049>.
- Pirjatanniemi, Elina, Inka Lilja, Maija Helminen, Kristiina Vainio, Outi Lepola, and Anne Alvesalo-Kuusi. *Ulkomaalaislain ja sen soveltamiskäytännön muutosten yhteisvaikutukset kansainvälistä suojelua hakeneiden ja saaneiden asemaan*. Prime Minister’s Office, 2021. <https://urn.fi/URN:ISBN:978-952-383-009-7>.
- Pirjola, Jari. “Hostile Instrumentalized Migration and the Right to Seek Asylum Reflecting the European Legal Framework.” *European Journal of Migration and Law* 27, no. 1 (2025): 1–19. <https://doi.org/10.1163/15718166-12340192>.
- Reynolds, John. “Emergency and Migration, Race and the Nation.” *UCLA Law Review* 67, no. 6 (2021): 1768–98. <https://www.uclalawreview.org/emergency-and-migration-race-and-the-nation/>.
- Scheel, Stephan. “Reconfiguring Desecuritization: Contesting Expert Knowledge in the Securitization of Migration.” *Geopolitics* 27, no. 4 (2022): 1042–68. <https://doi.org/10.1080/14650045.2020.1774749>.
- Stepka, Maciej. *Identifying Security Logics in the EU Policy Discourse: The “Migration Crisis” and the EU*. Springer, 2022.
- Tchórzewski, Mateusz. “Legal Status of Irregular Migrants in Chosen Central European States with Special Consideration for Migration Crises.” *Central European Journal of Comparative Law* 5, no. 1 (2024): 339–59. <https://doi.org/10.47078/2024.1.339-359>.
- The Finnish Border Guard. “The Eastern Border Barrier Fence.” News. Accessed May 25, 2026. <https://raja.fi/en/the-eastern-border-barrier-fence>.
- Tomczak-Boczko, Justyna, Klaudia Gołębiowska, and Maciej Górny. “Who Is a ‘True Refugee’? Polish Political Discourse in 2021-2022.” *Discourse Studies* 25, no. 6 (2023): 799–822. <https://doi.org/10.1177/14614456231118>.
- Virkkunen, Joni, and Minna Piipponen. “Asylum Seekers and Security at the Northern Finnish-Russian Border: Analysing ‘Arctic Route Episode’ of 2015-2016.” *RUDN Journal of Economics* 25, no. 4 (2017): 518–33. <https://doi.org/10.22363/2313-2329-2017-25-4-518-533>.

- Virkkunen, Joni, Kristiina Silvan, and Minna Piipponen. “Weaponizing Migration in Illiberal Autocracies: The 2015–2016 Russian Arctic Route and the Belarus–EU Border Crisis since 2021.” In *Global Migration and Illiberalism in Russia, Eurasia, and Eastern Europe*, edited by Anna-Liisa Heusala, Kaarina Aitamurto, and Sherzod Eraliev. Helsinki University Press, 2024.
- Wæver, Ole, Barry Buzan, Morten Kelstrup, and Pierre Lemaitre. *Identity, Migration and the New Security Agenda in Europe*. Pinter, 1993.