Seeking Refuge in Europe: Spaces of Transit and the Violence of Migration Management

Leonie Ansems de Vries and Elspeth Guild

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Abstract

In the past few years, spaces of transit have become prominent sites for people seeking refuge in Europe. From railway stations and parks in European cities, to informal settlements around Calais, to the hotspots in Italy and Greece, the movements of people seeking refuge and the techniques that govern them are at the heart of what has been misnamed the 'European refugee crisis'. Drawing on qualitative fieldwork, this article takes spaces of transit as a vantage point for interrogating the relationship between mobility, migration management and violence, focusing on the fracturing of journeys due to barriers to accessing the EU and forced and obstructed mobility within the EU. We develop the notion of 'politics of exhaustion' to highlight the impact and protracted character of these forms of migration management – its accumulated effects over time and across spaces –, yet without reducing people seeking refuge to passive victims. Struggles for mobility are closely related to the existence and continued adaptation of migration management practices. The notion of fracturing can thus be employed not only to make sense of the violent effects of migration management but also the ways in which conventional conceptions of state and citizenship are challenged by the emergence of alternative living spaces, communities and politics.

Key words:

migration management, spaces of transit, mobility, violence, Europe

1. Introduction

In the past few years, spaces of transit have become prominent sites for displaced people seeking refuge in Europe. From railway stations and parks in European cities, to informal settlements around Calais, to hotspots in Italy and Greece, the movements of displaced people and the techniques that govern them en route are at the heart of what has been misnamed the 'European refugee crisis'. For a start, the longest and most dangerous part of people's journeys often take place outside of Europe, whilst EU migration management practices have been externalised to Africa and Asia. Secondly, this is not a crisis of 'spontaneous arrivals' but one that has been produced by specific migration management strategies and practices.

Drawing on qualitative fieldwork undertaken across Europe, in this article we challenge this conception of 'crisis' through the perspective of spaces of transit in order to expose the violence of migration management, which includes barriers to accessing the EU and forced, obstructed and circulatory mobility within the EU. We develop the notion of 'politics of exhaustion' to highlight the

impact and protracted character of this violence – its accumulated effects over time and across space –, yet without reducing people seeking refuge to passive victims.

Spaces of transit are spaces of passage, temporary residence, containment and push-back for people seeking refuge in Europe – both informal (e.g. railway stations, parks and informal camps) and institutionalised (e.g. hotspots, reception centres and detention centres). These spaces vary in character and have changed over time: some are temporary, existing only for a few days or weeks, other spaces persist despite and/or due to migration management practices. For instance, the so-called 'jungle' in Calais became a semi-permanent place of passage and residence – a town with its own infrastructure and facilities – before being destroyed by the French authorities, only to re-emerge in more informal and precarious forms elsewhere.

Taking spaces of transit as a vantage point for interrogating the relationship between mobility, migration management and violence, the article makes a number of moves. Firstly, it offers a methodological move away from analyses of migration that continue to take states, territory and citizenship as a starting point (Ansems de Vries et al 2017). Starting instead with mobility, the notion of spaces of transit is thus distinct from that of transit countries (e.g. De Haas 2007; Düvell, Molodikova and Collyer 2014), which is state-centric.1 Rather, the question is how spaces of transit develop and are sustained, transformed and/or destroyed through the practices of people that pass through, get stuck, seek to help and/or are employed to manage these spaces: practices of mobility, solidarity, management and violence. This methodological move thus enables approaching people seeking refuge as subjects rather than objects, taking seriously both their struggles for mobility and the detrimental effects of migration management. In addition, it offers a challenge to the idea of 'crisis'

Secondly, the notion of spaces of transit shows that, rather than (spontaneous) 'flows' or linear routes from A to B, migration trajectories are fractured and constantly changing due to migration management practices. The management of mobility thus consists of a range of practices of obstructing, containing and circulating movement, which prevent, fracture, complicate and prolong people's journeys to and across Europe.

Thirdly, this approach highlights how this managed and fractured mobility can be understood as violence: both direct physical and mental violence and a form of structural violence (Galtung 1969) that impacts over time and across spaces. We develop this idea through the notion of 'politics of exhaustion', which refers to the felt effects of the stretching over time of a combination of fractured mobility, daily violence and fundamental uncertainty. This will be illustrated through a discussion of the increasingly coercive character of migration management strategies in both informal and institutionalised spaces of transit, whereby these spaces are turned into de facto spaces of rejection, detention and push-back. Yet, the notion of exhaustion also takes seriously the (political) subjectivity of people seeking refuge. The idea of fracturing can thus be employed not only to make sense of the violent effects of migration management but also as an aspect of struggles for mobility (cf. Ansems de Vries et al 2017; Huysmans and Pontes Nogueira 2016).

The research for this article was undertaken as part of the research project 'Documenting the Humanitarian Migration Crisis in the Mediterranean'. The project maps migration trajectories, spaces of transit and migration management practices across Europe with the aim of developing a response that moves away from a security framework, instead taking seriously the political and

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[1] As Cherti and Grant point out, what both notions of transit have in common is that it enables states to shy away from developing long term solutions for people seeking refuge as these people are considered to be in transit rather than staying, which makes them more vulnerable to violence (Cherti and Grant 2013).

humanitarian issues at play. We undertook qualitative fieldwork in six transit points in Italy and France (Lampedusa, Sicily, Milan, Marseille, Paris and Calais).

2. Managing Mobility outside Europe

The notion of crisis has been one of the most popular ways of describing the arrival of people seeking refuge in Europe in the past few years. The problem is that 'crisis' is easily identified with 'threat', requiring exceptional measures in a form of 'crisis-led policy making' at odds with democratic principles. Moreover, such exceptional measures are increasingly becoming the norm, thereby normalising the violence of migration management. Insufficient attention has been paid to the humanitarian and political aspects of an issue that has been too readily framed in terms of threat, emergency and insecurity. In other words, if there is a 'crisis' its manifestation is not the security threat posed by the arrival of people, but rather one of people prevented from moving on at the borders of/within the EU (Ansems de Vries, Carrera and Guild 2016; De Genova and Tazzioli 2016; Pallister-Wilkins 2015).

A second manifestation of this crisis-thinking concerns the border. The proliferation of physical, technological and mental borders within and outside the EU has made the movement of people seeking refuge into a 'crisis'. Borders are understood here not as lines to cross but extended and fragmented zones of hold-up, push-back and/or violence (e.g. Balibar 2009); and, bordering practices are a mode of migration management – of preventing, enabling, containing and circulating people's movements. We will discuss a number of forms of managing mobility, arguing that the accumulative effects of such practices over time and across spaces constitute a politics of exhaustion.

The focus of this section is on the externalisation of bordering practices, or the prevention of migration into the EU, which amounts to the blockage of legal routes and the redirection of mobility to irregular channels. One of the main barriers to safe and legal passage to the EU, and often the first border encountered, is the Schengen visa regime. People are prevented from travelling by being denied a visa in an office somewhere in Africa or the Middle East, or prevented from boarding a flight due to carrier sanctions.

Most refugee producing countries in the world are on the EU's Schengen visa black list which means that their nationals must always have a visa to enter the Schengen area. The same is true of the UK national visa rules. In order to obtain a short stay visa, a national of a black list country must make an application, provide extensive personal information about the purpose of the visit, finances, good character and other information and provide fingerprints, which will be held in the Visa Information System (VIS) database for five years and made available to law enforcement.

In addition to this financial obstacle and the burden of providing extensive information, people are also prevented from applying for a visa due to their inability to travel to consulates, especially those at risk of persecution. The Schengen Borders Code sets out complex rules as to which EU consulate should be responsible for determining a visa application. In addition, there are very few countries in the world where all Schengen states have consulates with the capacity to issue visas, which means that in large countries, a consulate capable of issuing a Schengen visa may be thousands of kilometres away. Yet, perhaps the most significant obstacle is that no visa exists for the purpose of travelling to the EU to seek asylum. Anyone who proposes seeking international protection as a reason for their trip to the EU will be refused a visa. Whilst EU Member States can

issue national territorially limited visas on humanitarian grounds, they are not required by EU (or international) law to do so.

This exclusion was challenged in 2016 by a Syrian family who fled Aleppo with their three minor children and went to Lebanon. They applied for humanitarian visas to go to Belgium at the consulate in Beirut informing the consulate that they were not allowed to remain in Lebanon because of the Lebanese stop on Syrian refugees. The Belgian authorities rejected their applications and the family appealed. The national court sent an urgent reference to the Court of Justice of the European Union seeking clarification whether the Schengen Visa Code required them to issue the family with visas. That the matter actually went to the court is significant in itself: the recognition by the judiciary that death in the Mediterranean is also the result of the failure of states to issue visas to people seeking refuge so that they can travel safely and in dignity is part of an extraordinary struggle to provide people with alternatives to dangerous travel routes.[2] Yet, in its final judgement, the court held that it was a matter for Belgian national law to determine whether a humanitarian visa should be issued to the family; the matter was outside the scope of EU law.[3]

A second strategy of preventing people from entering the EU, which also redirects people towards irregular – and hence more dangerous and costly – routes, are carrier sanctions. These sanctions are normally monetary but can extend to criminal liability on transporters. The most extensive carrier sanction rules in Europe apply to airlines though ferry companies, bus and lorry businesses are also covered. There is an obligation on all airline businesses who bring people from outside the EU to the EU to ensure that those passengers all have the necessary documents for admission to EU territory. Through a system of fines, states and the EU thus seek to shift responsibility for the border regime to airlines, which in turn seek to shift risk through the employment of intermediaries, who perform the checks. Due to this shifting of responsibility, airlines are reluctant to allow people on board who do not hold the appropriate documents, even though they might have a valid claim to asylum upon arrival.

Whilst this constitutes a significant obstacle to safe and legal passage to the EU, neither the EU visa regime nor carrier sanctions constitute successful strategies of preventing mobility insofar as it will prevent some people from moving, yet it pushes many others to obtain counterfeit documents and/or seek alternative, irregular routes into the EU. The obstruction of mobility as a form of migration management is thus related to another form, that of fractured mobility. In other words, the externalisation of bordering practices is directly related to the emergence of irregular – and more dangerous, costly and fractured – journeys as well as to the existence of institutionalised and informal spaces of transit. The latter are not so much a result of the overwhelming number of people on the move but of their inability to cross borders legally. As discussed further below, these first obstacles become part, over time and across spaces, of the politics of exhaustion.

3. Managing Mobility through Division, Detention and Illegalisation

The EU visa regime and carrier sanctions are a first factor leading to fractured migration trajectories, making journeys more complicated, costly, dangerous and prolonged. Those who take irregular routes across the sea often encounter a range of other migration management practices that fracture their journeys whilst travelling through and/or getting stuck in spaces of transit. For instance, they might be identified and detained in a hotspot upon arrival in Europe; they might seek

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[2] C-638/16 *X & X* PPU A-G's Opinion 7 February 2017.
[3] C-638/16 *X & X* judgment 7 March 2017.

shelter in a park, railway station or abandoned building for a few days whilst planning their onward journey, or be held up there for weeks or months; they might pass through an informal camp, or get stuck there due to the closure of the border.

In the past years, migration management practices in these spaces of transit have become increasingly coercive, which has been characterised, for instance, by police violence, the destruction of living spaces and the denial of access to rights. Whilst marked differences exist between institutionalised and informal sites and between temporary and permanent sites, and whilst circumstances vary in similar kinds of spaces of transit, our research suggests that these spaces are increasingly becoming zones of blockage, detention and push-back. Focusing on the hotspots in Italy and Greece as institutionalised spaces of transit, this section discusses the management of mobility through division, detention and illegalisation as another factor that adds up to the politics of exhaustion.

Inaugurated by the EU in the second half of 2015 as a tool for the better management of migration with the support of EU agencies such as Frontex, EASO and Europol, hotspot centres are now in operation on Lampedusa, Sicily and the southern mainland of Italy and on the Greek Islands. Hotspots can be seen as geographical sites and as mechanisms: border zones marked by the containment and fracturing of mobility through mechanisms of identification and sorting – i.e. the swift division between those eligible for protection and those who are not at the point of arrival in the EU. It is a divide between transit and relocation on the one hand, and rejection and deportation on the other, however, the latter is becoming increasingly prominent in the functioning of hotspots.

A recent European Parliament (2016) study acknowledges the existence of 'obvious fundamental rights challenges in the pressured environment of the hotspots' and asserts the need for a stand-alone legal instrument to regulate the hotspots. Yet, given that the violence of these practices are integral to the mechanism, the hotspot system itself must be questioned, not merely its implementation. This violence is manifest in a number of rights violations, including, firstly, the separation, in all hotspots, of people who are and are not eligible for protection on the basis of nationality rather than individual circumstances. In Sicily, we met people from Nigeria and Mali who narrated how people were physically separated upon arrival at the port, whereby they were moved to the group considered ineligible for claiming asylum. Italian NGOs and activists have denounced this exclusion of people from West African countries from the protection mechanism whilst those from other countries are regarded as potential refugees. Moreover, only those from countries with more than 75% international protection recognition – primarily Eritreans, Syrians and Iraqis – are eligible for the Relocation Programme (Garelli and Tazzioli 2016a; Sciurba 2016).

The denial of effective access to the asylum system operates in a second way, namely through forced and exclusionary registration procedures. In line with the European Commission's 'no registration no rights' motto, Italian and Greek authorities have been pressured by the EU to apply identification procedures to all irregular arrivals. In practice, this includes forced finger printing upon arrival. In addition, displaced people we spoke with on Lampedusa and Sicily reported that they had been given a (Italian Home Office) form containing a multiple-choice question regarding the reason for coming to Italy. The form does not list war or persecution as an explicit option; it would fall under 'other reasons'. Moreover, the form is written in Italian, which most asylum seekers do not understand, hence it is often completed by an official. Those giving the 'wrong' answer, and/or having the 'wrong' nationality, were given a so-called '7-day decree', a deportation order to leave the country within seven days, without having been granted the opportunity to claim asylum. This means, in effect, that people are illegalised having been denied the right to ask for protection (Ibid.).

In addition, not given the means to leave the country, they often end up staying in Italy irregularly, walking around in the streets, or trying to move on irregularly whilst living in uncertainty about their future prospects in Europe.

Another aspect of the violent management of mobility functions as a more direct obstruction to movement, at least temporarily, namely the detention of all irregular arrivals in closed facilities and in conditions of indignity, especially in the hotspots on the Greek Islands. For instance, the hotspot of Moria (Lesvos), initially set up as a centre of first identification, has turned into a centre of detention and deportation, including a regime of differential detention and spatial segregation on the basis of nationality (Tazzioli 2016). Although conditions in Greek hotspots are generally worse than those in Italy, all hotspots have become de facto detention and deportation centres (see: Garrelli and Tazzioli 2016a; Tazzioli 2016a). In addition, since the establishment of the hotspot mechanism, civil society organisations are often denied access to the sites where these procedures take place rendering procedures and people invisible. This makes it difficult to monitor the effects of this mechanism (Sciurba 2016).

Rather than spaces facilitating transit, hotspots have become, for many people seeking refuge, mechanisms of rejection, detention and illegalisation, which fracture their journeys and produce prolonged uncertainty rather than protection. Yet, for those rejected but not deported, illegalisation might also enable mobility – the possibility of moving on to other parts of Europe, albeit irregularly, continuing their fractured journeys.

4. Managing Mobility through Obstruction and Circulation

The situation in informal spaces of transit differs from the hotspots, however, these sites are often manifestations of fractured mobility, too: border zones marked by increasingly coercive migration management practices. This takes the form of, for instance, direct physical violence through heavy-handed police interventions justified on the basis of the illegalisation of people seeking refuge. In addition, we have witnessed the eviction and destruction of living spaces in various places across Europe. To name but a few: the destruction of the 'jungle' in Calais in March and October 2016; the eviction of Lycée Jean-Quarré in Paris, an informal squad which hosted 700-1,000 people when they were forcefully removed in October 2015; the 'cleaning' up of informal camps in the railway station and in parks in Milan in the run up to the 2015 Expo (Ansems de Vries 2016b; Ansems de Vries, Garelli and Tazzioli 2016).

To take the example of the 'jungle', the area around Calais has a long history of the emergence, existence and destruction of informal settlements, which is directly related to people's inability to cross the Channel to the UK. The latest settlement emerged in the spring of 2015 and slowly developed into a thriving town with its own infrastructure and facilities, although against the background of a range of increasingly violent bordering techniques, leading to its phased destruction. Having first 'cleared' a 100-meter strip in January 2016, the French authorities bulldozed a much larger part of the settlement in March 2016, including people's homes and community, educational and religious buildings, followed by the destruction of the entire 'jungle' in October 2016. Whilst the French authorities did order the construction an alternative 'official' camp to accommodate people after the March 2016 eviction, this 'container camp' offered too few spaces, little privacy and controversial identification procedures. It was therefore seen as part of the authorities' deterrence strategy rather than a humanitarian response.

Whilst, in some ways, migration management in the Calais border zone has been marked by the prevention of mobility – of crossing the border to the UK – we will focus on two other aspects, namely strategies of fractured circulation and of exhaustion. In order to develop these points, it is useful to consider the temporality of different bordering practices by juxtaposing the protracted and fractured character of border zones with the swift decisions taken at the official border. In brief, for people unable to obtain a Schengen visa, journeys to and across Europe can take months or years and might include being held up or detained in, or circulated around, border zones for lengthy periods of time. For those in possession of a visa, whilst the visa application process itself might be complicated and lengthy, the subsequent encounter with the border might be a lot swifter.

According to the EU's external border agency, Frontex (2014), a border guard has 12 seconds to decide whether to admit or refuse admission to a third country national. These 12-second decisions have significant implications: Frontex states that border guards in the EU refused admission to 118,495 people in 2015. This was consistent with the previous year according to the most recent Frontex annual risk analysis (Frontex 2016). The same document indicates that around 222 million passengers fly into the EU each year. The most common reason for refusal was a lack of appropriate documentation justifying the purpose and conditions of his or her stay. Thus, a 12-second decision, in combination with the fact that seeking asylum is not recognised as a valid reason for travel, might not only push people towards irregular and unsafe journeys to the EU, it might also radically change the temporality of their journeys and their encounters with the border regime.

For those unable to take a regular route, it might take from months to years to travel to and across Europe. During our fieldwork, people described trajectories that involved being pushed back from one country to another, being detained for shorter or longer periods, or being circulated around – for instance, from Calais to the South of France and back again to Calais – what Martina Tazzioli has referred to as 'containment through mobility' (Tazzioli 2017). Others we spoke to in Calais had crossed Europe more than once, with deportations and periods of detention fracturing their journeys. Some spoke of repeated deportations to eastern or southern Europe, where their fingerprints had been taken upon entry to the EU – thus requiring them to claim asylum there – but where violence and unsustainable living conditions compelled them to return to Calais. Others were deported to their country of origin and, feeling unsafe there, embarked on a second journey to Europe. This fractured mobility is a key aspect of the politics of exhaustion. More precisely, the alteration of forced and obstructed mobility, e.g. through detention, leads to physical and mental exhaustion (Ansems de Vries and Welander 2016a; Ansems de Vries and Welander 2016b).

In brief, rather than a movement from insecurity to safety, migration trajectories are often characterised by recurring or continued displacement. The stretching over time and across spaces of this fractured and circulatory management of mobility is experienced as exhausting. These notions of fractured mobility and politics of exhaustion emerged through our conversations with people displaced across Europe. We started our research with the idea that the non-linear and protracted character of migration trajectories is produced through bordering practices. Yet, it was only by listening to people's stories and noticing the regular use of expressions such as 'feeling so tired' and having been 'completely exhausted', that fracturing and exhaustion – as both a politics and a felt experience – became meaningful concepts in the context of spaces of transit. For instance, in Calais, people told us they felt 'completely exhausted' due to repeated evictions, detention, push-backs and deportations, as well as untreated health problems, below-standard living conditions, the continuous threat and reality of violence, and the uncertainty of their daily lives and their future prospects in Europe (Ansems de Vries and Welander 2016a; Ansems de Vries and Welander 2016b).

A similar sense of exhaustion was expressed by others on fractured journeys, often waiting in uncertainty for long periods of time. Whether in reception/detention centres in Italy or in informal settlements in Northern France, the stretching over time of uncertainty seriously affected people's mental well-being, and can be understood as a form of violence. This was often expressed in terms of 'going mad' or the idea that 'people go crazy' here.

The politics of exhaustion can thus be understood as a form of structural violence that impacts and intensifies over time as people continue to be pushed across and held up in a range of institutionalised and informal spaces of transit, and which also includes forms of direct, daily violence. Yet, this is not to say that people seeking refuge are simply the victims of strategies of forced and obstructed mobility. Their continued efforts to move to/across Europe to find a space of safety and build a life, despite the myriad obstacles encountered en route, is testament to their active political subjectivity.[4] One man we met in Northern France offered a pithy observation that seemed to help him retain hope of reaching the UK as well as a sense of active agency: having crossed so many borders, now there is 'only one more border to cross.'

Struggles for mobility – both to move on and to stay put in certain places – are closely related to the existence and continued adaptation of migration management practices on behalf of the EU and national governments. The emergence and re-emergence of informal spaces of transit across Europe shows that, despite strategies of exhaustion, people continue to try and build lives and communities and to protest against their illegalisation and the violence of migration management. This also has implications for the notion of fracturing: it can be deployed not only to describe the complex and protracted character of people's journeys due to migration management practices but also the ways in which conventional conceptions of state and citizenship are challenged by the emergence of alternative living spaces, communities and politics (Ansems de Vries et al 2017).

5. Conclusion

The framing of the arrival of people seeking refuge in Europe in security and policing terms is not only problematic in the sense that it presents (violent) migration management and bordering practices as the solution rather than part of the problem. In addition, it carries the danger of rendering rights violations invisible and it negates the role of these practices in the co-production of insecurity. Moreover, these practices underlie the highly differential ability of people seeking refuge to move to and across Europe, depending on their nationality, visa and financial status and their ability to facilitate irregular mobility, putting some of the most vulnerable at a clear disadvantage rather than protecting them.

For those travelling irregularly, spaces of transit are both key sites for the facilitation of movement and, increasingly, border zones that render them subject to a range of coercive practices of migration management, including practices of division, detention, deportation, push-back, containment and forced (circulatory) mobility. Both institutionalised and informal spaces of transit have become sites where people's mobility is regulated in a way that breaches their rights, renders them illegal and subject to violent and protracted interventions that would be considered illegal in 'normal' circumstances.

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[4] In the past years a body of literature has emerged arguing that people seeking refuge are active political subjects rather than mere passive victims. This literature includes key concepts such as agency (Bulley 2014; McNevin 2013; Nyers 2003,2006; Rygiel2011), acts of citizenship (Aradau, Huysmans and Squire 2010; Isin and Nielsen 2008), autonomy of migration (Mezzadra 2011; Mezzadra and Neilson 2003; Papadopoulus *et al* 2008; Scheel 2013) and governance-resistance (Ansems de Vries 2016a: Ansems de Vries *et al* 2017).

The production and reproduction of the 'crisis' – as a political effort in the pursuit of migration management – is therefore closely associated with the detrimental humanitarian circumstances that have emerged in both institutional and informal spaces of transit. The politics of exhaustion, as the violent impact of the stretching over time and across spaces of these practices of managing mobility is a clear manifestation of this humanitarian crisis. Hence, a sustainable 'solution' must start with a reconsideration of the EU border regime itself. This would mean a careful unpacking of the role of existing migration management practices in (re)producing the 'crisis', including the visa regime, carrier sanctions, the hotspot mechanism, access to the asylum system, the securitisation of border controls, practices of forced mobility and attacks on informal living spaces.

In addition, any sustainable political and humanitarian response must take seriously people's agency. Despite the criminalisation of and violence against people seeking refuge, and the extensive efforts to obstruct and manage mobility, people continue to move to and across Europe and to pass through and reside in spaces of transit. An understanding of their connections and networks of friends and families, their backgrounds, skills and experiences, and their ideas and desires for building their future lives is crucial for developing humane and effective policies of welcoming, resettlement and relocation.

At a more conceptual level, this means that the notion of fracturing in the context of migration can be deployed not only to the describe the complex and protracted mobility of people seeking refuge in Europe as a result of migration management but also the ways in which conventional conceptions of migration based around ideas of state and citizenship are challenged by the emergence and existence of informal spaces of transit, which include the development of alternative living spaces, communities and politics. These spaces are simultaneously a product of and subject to the violence of migration management and become sites where these practices are resisted, both through continued struggles to move on and through place-making, or the effort to turn these spaces into communities of solidarity.

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