

## **open space**

# **94 | across the borders of Lesvos: the gendering of migrants' detention in the Aegean**

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It is late summer and the first large demonstration organized by the No Border camp against Pagani, the detention centre for undocumented migrants, takes place in Mytilene. Mytilene is the main city of Lesvos, which is the largest of the islands scattered in the Aegean Sea between Greece and Turkey. Pagani is supposed to be a 'reception centre' for undocumented migrants arriving on Lesvos from outside the European Union (EU). It is, in fact, a prison where migrants are detained for days or months in order to be identified by the local authorities before they are set 'free' to move on to the mainland. I joined the protest organized by the No Border network against the detention and deportation of migrants in Europe and internationally. The politics of the No Border groups are rooted in a commitment to unrestricted freedom of movement as a basic right for all people, and the need to mobilize against inhumane and degrading border controls (Kopp and Schneider, 2003, <http://www.makeworlds.org/node/29>). Lesvos is a particular location in which to observe and contrast the operation of the EU border policing as a major 'transit point' for migrants on the edge of the continent.

The march proceeds towards Pagani. It is hot, and the police block the street before we can see the entrance of the prison. Yet, the voices of the migrants behind the bars quickly permeate the police cordon with their longing for freedom. We want to get closer to the prison to show our gesture of solidarity to the migrants locked inside. After few minutes of negotiation we inch forward a few metres. We are able to see each other now. We can see the kids and the women screaming from the gates and we can join them. It is a straight, simple, yet powerful claim: 'azadi'. It means freedom in Farsi.

A group of lawyers, doctors, local and international activists and journalists obtain access to the detention centre. After few hours the delegation will achieve some results: the immediate release of three sick people, and the partial release of women

with small children. The women will be transferred to the new 'open camp' that has been established in the last few days in Mytilene, which offers better conditions and freedom of movement. The demonstrators initially celebrate the news of the women's liberation as a victory, but the enthusiasm withers away as soon as we hear that the women do not want to leave. Since the authorities refused to free also their husbands and fathers, the women prefer not to be separated from the men and decide to remain in Pagani. Where and when would they meet their partners again? And what if that will not happen at all? After all, the women's decision appears reasonable. A sense of frustration remains among the activists, however, who may also be trapped in the deceptive logic of this selective regime of migrant detention.

What does this story tell us about the functioning of Lesvos detention centre within the overall EU policy regime of migration controls? How is the mobility of migrant women, in particular, being *regulated* in this specific location at the South Eastern gate of the EU?

The peculiar 'gender techniques' used to differentiate those who 'deserve' special treatment in detention represent important devices shaping the temporal and spatial patterns of the EU management of migrants' mobility. How are these techniques linked to the humanitarian discourse of a 'gentler detention' that No Border activists are confronted with?

The international activists gathered on Lesvos for the No Border camp chose this particular location not only to organize action and publicity against the extremely poor conditions under which the migrants are detained,<sup>1</sup> but also because the island is one of the 'hot spots' where the tensions and contradictions of the EU migration regime coalesce and find emblematic expression. Lesvos is one of the main gates to the EU for migrants mainly coming from Asia, North and Eastern Africa. Men, women and children often coming from countries such as Afghanistan, Iraq, Pakistan, Palestine, Eritrea, Ethiopia, Congo, are detained in the centre until they receive a 'white paper' by the local authority. This document is administratively a deportation order that allows the migrants to board the ferry and reach Athens, where they may apply for asylum. At the same time the white paper includes an obligation to leave Greece within 30 days. Those who lodge an asylum application in the mainland frequently face obstructive bureaucratic procedures and sometimes harassment by the immigration police in Athens (<http://lesvos09.antira.info/tag/call/>). In the end only a minimal percentage of the asylum applications is accepted. According to Human Rights Watch the asylum approval rate in the first instance for all nationalities in 2006 was only 0.6 per cent and 1.2 per cent in 2007, out of a total of 25,000 claims (HRW, 2008: 5).

Centres for the detention and identification of migrants have sprung up all over Europe and neighbouring countries in the last decade, and are officially designed to facilitate the expulsion and return of 'irregular' migrants to their countries of origin. The EU 'politics of return' reflects the position of the large majority of the member states who deem detention and deportations as indispensable in

**1** The UNHCR, after the recent visit to the centre in Lesvos declared its particular concern for the detention of minors in the centre and denounced the overall conditions of detention unacceptable for those suffering illness related to the cramped and unsanitary conditions (UNHCR, 2009, <http://www.unhcr.org/4a97cb719.html>).

countering undocumented migration and to ensure a credible and effective EU immigration policy (EC, 2008).<sup>2</sup> In fact, the existing data on the number of deportations from the detention centres in different EU countries calls into question the need for detention as a condition to assure an effective removal policy (on the Italian case see Andrijasevic, 2006: 123). In Greece in 2007 only 29.14 per cent of individuals 'arrested to be deported' were actually deported back to their countries.<sup>3</sup> More likely, deportations take place from Greece to transit countries and overall there have been relatively few formal, legal deportations to Turkey under the terms of the Greece–Turkey readmission agreement of 2001 (HRW, 2008: 36).

The fact that these detention centres do not even serve their official function of facilitating the expulsion of 'irregular migrants' is only one of many paradoxical and problematic elements of the EU regime. Significantly, the first official initiative of the No Border network was the European-wide protest against the special summit of the EU ministers of justice and the interior in Tampere in 1999, which set up the EU as an 'area of freedom, security and justice'. The summit signalled the beginning of the process by which member states standardized their asylum and migration policies according to a more restrictive framework. The No Border activists denounced the aims of the summit for increasing the exclusion, control and deportations of migrants. No Border camps soon became one of the network's main projects. The first was held at the German–Polish border in 1998, after which many more proliferated in 'borderzones' worldwide. These camps are set up as spaces in which to exchange experience, to engage in political education and debate, and take direct action against the regime of border controls. Against a vision that understands immigration as merely a contradictory 'outcome' or 'after-effect' of 'the excesses of world-wide capitalism' (Kopp and Schneider, 2003), and which argues for reduction of repressive migration controls on purely humanitarian grounds, the No Border activists condemn the fundamental injustice of immigration and border controls as such. Their position stresses the need to acknowledge the potential of both global migration and new transnational networking for social movements tackling globalization. In this sense the free exchange and circulation of ideas and experiences through new networking technologies have always accompanied the No Border demands for the freedom of movement.<sup>4</sup> However, when protesting against particular detention centres the No Border position has to face the ambivalent migration politics and practices of detention enacted by EU governments.

## **the gendered management of migrants' detention**

The partial 'liberation' offered to the migrant women in Lesvos is not the first case in which the authorities have responded with 'exceptional measures' to

**2** EC (2008) Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals (as published in the official Journal L348 of 24.12.2008).

**3** Namely, 58,602 arrested; 17,077 deported, of whom 14,403 were Albanians (HRW, 2008: 35, note 69).

**4** For the history of the No Border network and the campaign 'no one is illegal' see Kopp and Schneider, 2003, <http://www.makeworlds.org/node/29>.

public protests against the detention of migrants. Not surprisingly, this occurred in response to pressure from both outside and inside of the detention centre.

Gender constructions can serve as means to differently designate groups of migrants as unauthorized or illegal and are indeed employed by states and international agencies to better control migrants' mobility. Recently in the US, public criticism of the brutal separation of mothers from their children, following workplace raids by immigration authorities, has led to the *temporary release* of women from detention. This policy aimed to allow women to care for their children (providing the children themselves were US citizens) until their deportation, without calling into question the overall logic of the migration raids and the eventual deportation orders (Luibhéid and Anderson, 2008: 2). For the women in Lesvos the mechanism of preferential liberation seems to serve a similar purpose: on the one hand it reproduces the assumption that women are the *primary caregivers* by transferring them into 'a more humane centre' where they can better accomplish their role as mothers; on the other, this policy helps the state to legitimize its violent practices of detention and removal, improve its public image and defend itself against humanitarian criticism.

Similar to the way in which the state and international legislation created the figure of the 'victim of trafficking' as a *female* victim of sex trafficking (Andrijasevic, 2008a), this example of 'detention management' that favours the release of 'women and children' over men, can be understood as a contradictory expression of the uneasiness of the state to reconcile its liberal and democratic face with the intrinsic injustice of immigration controls (Luibhéid and Anderson, 2008). The figure of the powerless migrant woman, depicted as the more vulnerable subject *deserving* the exceptional treatment of (still temporary) release, epitomizes the way in which sexuality and gender are integral to the differentiating devices through which illegality is *produced* (Luibhéid and Anderson, 2008: 2). In this regard, there is agreement in both academic and policy debates that the tightening of border controls ends up reducing the possibilities for people to migrate legally into the EU, whereas illegality becomes the usual way to describe current patterns of international migration and to stigmatize migrants (Andrijasevic, 2006: 123).

The case of 'gentler detention' expressed in the selection of women indeed complicates the picture of a simple restrictive pattern in migration controls in Europe and beyond, pointing to a situation in which the logic of detention and border policing sometimes allow for 'spaces of circulation' and mobility for migrants, rather than putting them in a definite condition of immobility. With this regard the use of these particular 'gender techniques' through which these exceptions are constituted can be better understood within the broader framework of Greek policy and the EU regime of migration management.

The recent transformations of EU migration policies have been subject to critical analysis by many scholars in the last decade, allowing for a re-thinking of the role of 'transit centres' such as Lesvos as part of a regime of 'selective' or 'differentiated inclusion', and focusing on their *temporal* dimension (Mezzadra, 2006; Neilson and Mitropoulos, 2006; Rigo, 2007; Papadopoulos *et al.*, 2008). These arguments are useful to understand the functioning of Pagani in the framework of the EU regulation called Dublin II.

## Greece and Dublin II: the (il)logic of circularity as a means of illegalization

The purpose of migrants' fingerprinting and registration in Lesvos into the EURODAC, (the EU-wide data base containing the details of undocumented migrants) is aimed at ensuring that, as soon as the migrants claim asylum in any other country of the EU, the authorities can quickly identify the first country of entry and send them back to that country. This practice is proscribed by the EU regulation called Dublin II, according to which the Member State responsible for examining asylum claims will generally be the one in which an asylum seeker first sets foot (13 Council Regulation (EC) No. 343/2003 of 18 February, 2003, cit. in HRW, 2008: 20). Despite evidence in both Greece and Turkey of summary expulsions, degrading conditions of detention, police and coast guard brutality against detainees, lack of access to asylum (HRW, 2008), most of the EU countries return migrants to Greece as the first country of immigration.<sup>5</sup>

Therefore under the Dublin II agreement the migrants, once fingerprinted in Greece, lose hope of being able to seek asylum in their preferred destinations (usually Sweden, the UK and Germany). International NGOs working in the field of refugees rights emphasize the aspects of 'immobilization' generated by the regime of Dublin II: they are prevented from moving on, while at the same time they cannot move back as they often risk war and persecution in their countries of origin (HRW, 2008).

In contrast to the depiction, by human rights organizations, of migrants 'stuck in a revolving door', the voices encountered during the experience of the No Border camp in Lesvos tell a story where patterns of circularity, periods of mobility and immobility, spaces of negotiations and escape, indeed complicate and blur the contours of the EU borders. As effectively illustrated by Papadopoulos *et al.* (2008) the practices of migrants' detention in the islands of the Aegean constitute a regime that functions through *time* rather than immobilization. These 'transit points' on the edge of Europe become 'centres for the control of the speed' of migratory movements, playing a crucial role in the *regulation and de-regulation* of the labour that migrants embody. As exemplified by the function

<sup>5</sup> The shrinking options for migrants to have their asylum claim accepted may be the reason why, despite the extremely low approval rate, the number of asylum seekers in Greece increased from 2006 to 2007 (a 105 per cent increase as opposed to an 11 per cent in other EU member states HRW, 2008: 12).

of detention in Lesbos, it is exactly through the system of the 'white paper' that the regime of Dublin II ends up fostering a *pattern of circularity* in the trajectories that migrants undertake back and forth between the South and the North of Europe, and sometimes back to their countries. In Lesbos the conditions are set up for the migrants to *become* illegal, that is, as soon as they do not return 'voluntarily' to their country within the established period of 30 days. They will try to negotiate the limbo of their precarious status, through the narrow space of the brief concession of one month of 'legality' and the long journey that separates them from the capital and other stations of their unpredictable journey. This is a movement that reproduces and expands across time and space, with migrants' status becoming a continuous condition of detainment and 'deportability' (De Genova, 2002). This condition of high uncertainty is recognized as a factor making migrants particularly exploitable in the labour markets of the EU.

Comparable to other critical points of transit and 'borderzones' such as Lampedusa in the Mediterranean, detention centres like Lesbos therefore do not simply pose humanitarian concerns, but are fundamental players in the ongoing process of stratification of the rights of migrants in the European space, differentiating their access to labour and citizenship (Andrijasevic, 2006).

In the specific instance encountered in Pagani, the 'production' and distribution of the status of illegality for migrants is achieved through a 'management of detention' that, by selecting a particular (gendered) group of detainees, allows the regime to claim to be concerned with the ethics of its practice in a moment of major crisis. At the same time, by 'freeing' the selected group of migrants on the basis of their greater vulnerability, this regime also constructs women as victimized rather than political subjects, exactly when they are expressing a straightforward political demand, reclaiming their freedom of movement.

## **excessive voices and encounters**

Yet, the migrant women in Pagani refused the offer of freedom when it came with conditions, namely separation from their partners. Their gesture also resists the way in which migration controls can intimately enter the definition of affects and ties in migrants' communities and families. Following the argument that state immigration controls are expanding to include the 'channelling of affects' (Luibhéid and Anderson, 2008), these women, by deciding to stay in Pagani, in fact opposed the state's intrusion in detecting their personal ties and deciding upon them, by reclaiming with a different voice, the unity of their families or simply their preference to remain with their companions. Therefore moments of 'excess' (Andrijasevic, 2008b; Papadopoulos *et al.*, 2008) emerge against this

regime of 'gendered detention management', even in the most dramatic moments experienced by the migrants in their tortuous journey across Europe.

Although the women's refusal to be transferred to the more 'humane camp' is a sharp voice against this regime of selection, the activists in Lesvos seem to be trapped between the blurred boundaries of a political and a humanitarian intervention. They seem to oscillate between the concrete possibility to free some of the detainees and provide them with greater mobility and a better environment, and the recognition of the shortcomings of a politics of 'gentler detention' reserved for a certain group of detainees. However, aware of the contradictions of the 'humanitarian approach' to detention, the protesters eventually asserted their condemnation of any form of detention for undocumented migrants. Many also recognize that short-term interventions, aimed at improving the conditions of detention in situations of emergency, can make concrete difference to people's life. For instance the open reception facility set up by the authority under the pressure from the camp and the issuing of papers for twenty-two migrants without them being detained (an important precedent with regard to the practices of detention in Greece), are considered positive developments and concrete translations of the general demand for 'freedom of movement', 'acts of practical solidarity' to the migrants. Furthermore, the official denunciation by United Nations High Commissioner for Refugees (UNHCR) of the outrageous conditions of Pagani and its appeal to close the detention centre may have positively contributed to foster international attention (<http://lesvos09.antira.info/2009/08/no-detention/#more-734>). Those short-term achievements seemed to have stimulated the recent actions taken by migrants in Lesvos and their ongoing struggles for their freedom of movement:

28 September 2009....Hunger strikes and protest in Pagani lead to the re-opening of the PIPKA centre....Revolt at Pagani. We just heard that people imprisoned in Pagani have taken direct action. The three cells at the ground level are open, imprisoned migrants have flocked to the yard of the prison, shouting 'Azadi, Azadi' (freedom). Also, women detained on the first floor are leaving their cells. Inside the cells, mattresses have been burnt, and the bars from some cell windows have been removed. More and more people from Mytilene are coming to Pagani...(<http://lesvos09.antira.info/>).

Although it may remain difficult to detect the different effects of long-term and short-term interventions, the move beyond humanitarian and emergency action may lie in the spaces of relationality and encounters between migrants and European activists during the days of the camp. The question remains how the temporary space of a No Border camp can support and energize the everyday forms of resistance of women and men in their struggles of migration and foster social transformations.

## Conclusions

The dynamics developed during the No Border camp held in Lesbos last summer highlight the controversial implications of endorsing humanitarian discourses and practices around migrants' detention, which often employ the 'technologies of gender' (de Lauretis, 1987) to control migrants' mobility and divide them into different categories. These gender representations accommodate a regime that needs exceptional acts of concession and benevolence in order to sustain its logics of 'differentiated inclusion'. Indeed, we have seen how these techniques are part of a larger framework, whereas the apparently irrational circularity of Dublin II can be seen as a dispositive of the EU migration regime purposely designed to *defer, decelerate and deviate* the movement of migrants across Europe (Papadopoulos *et al.*, 2008).

A further objective of the regime of 'gentler detention' conceded to the women with children on humanitarian grounds, was to neutralize and de-politicize the protest of migrants in Pagani. By turning the migrant women detained in the centre into 'illegal migrants' yet in exceptional time allowing them a special treatment as 'care givers', this regime attempted to silence the voices of women as political subjects. Similarly the emphasis on inhumane conditions of detention can obscure the injustice of the very decision of detention on the basis of border crossing, and takes for granted the 'effectiveness' of these detention centres.

Although it emerged how gendered systems of selection and 'detention management' work to reproduce women's vulnerability, not even the activists in the camp managed entirely to avoid viewing migrants as mere victims without their political agency. More generally the margin between political engagement *with* the migrants, solidarity actions and the provision of a service or charity is always nuanced, as witnessed in the No Border camps organized internationally over the last decade (Neilson and Mitropoulos, 2006: 11). At the same time one should avoid the temptation to lock the migrant into the romanticized and heroic figure of the intrinsically revolutionary agent. The way that we think of migrants as political subjects rather depends on how we conceive 'the political' and, based on that, what is deemed political action.

As emphasized by Andrijasevic (2008b), the recognition of the movements of migration that traverse and contribute to shape the *discontinuity* of the sovereign borders in the EU calls into question the very way in which we conceptualize politics and define who is indeed a *political agent*. The wider tendency to see the acts of dissent of the detainees as non-political is achieved exactly by criminalizing and erasing the bodies of the migrants and putting them outside the (liberal) 'public space' of politics (Neilson and Mitropoulos, 2006: 4). This suggestion may help to understand the uneasiness and contradictions that emerged among the activists in their relationship with migrants as 'political



subjects'. Activists as well as academics should take seriously the ways in which migrants and their movement across borders are internal to and agents of the profound changes that the sovereign power, citizenship and political agency itself are undergoing (Andrijasevic, 2008b: 12).

In Lesvos it was possible to appreciate the energy liberated in the space of the No Border camp as a very mundane *space of encounter* between migrants and non-migrants. At the same time one should honestly acknowledge the materiality of the different social positionalities<sup>6</sup> within the hierarchy of mobilities created by the EU migration regime. The migrant women in the open centre were not necessarily interested in the 'political activity' of the campists. However, the communication developed between them and the European women in that context can be interpreted as a mutual exchange between the activists (and researchers) curious to understand the trajectories of migrants, and the migrant women who approached the activists as a source of knowledge to learn about life, possibilities of work and education in Europe. Still, many migrant women remained resistant to narrating their own stories, their past migratory paths ... This should pose the question of why for 'us' it is so important to *know* about 'them'? We may start from the acknowledgement of our different 'locations' to trace new maps of relationality, complicity and common struggles.

**6** These reflections emerged in conversation with Erene Kaptani, an activist and practitioner working with migrant minors detained in Lesvos. The conversation occurred at a private meeting in London, Kings Cross on 20 September 2009 following the No Border camp.

## author biography

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