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Managing migration through detention and information-giving practices: the case of the Italian hotspot and relocation system

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Abstract

The article explores the relation between detention and information-giving practices and investigates its contribution to migration control and (re)bordering processes at the southern European border. By focusing on the case of the hotspot system implemented in Sicily, the paper explores two main issues: a) the role played by detention practices and their relation with processes of migrant selection and migrants' rights stratification; b) the link between authorities' detention practices and information-giving practices carried out by intergovernmental organisations such as the UNHCR and the IOM, and the contribution of this relation to processes of migrant differential inclusion. The research methodology is built on ten months of fieldwork carried out in eastern Sicily between 2017 and 2018, on document analysis and on semi-structured interviews conducted with seventeen key informants. The article argues that the intergovernmental organisations information-giving practices about asylum, identification and relocation procedures a) contributed to perpetuating subtle and indirect forms of migration control and b) were linked, more or less directly, to detention practices carried out by authorities, and this relation contributed to reinforcing the stratification of migrants' access to mobility and rights.

Keywords: Migration Management, Irregular Migration, Detention, Information, Hotspots, Central Mediterranean.

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1. Introduction

The paper explores the relationship between detention and information-giving practices, migration control, and processes of migrant differential inclusion within the context of the current EU border regime.

Existing literature describes the contribution of detention practices to the perpetuation and the reinforcement of bordering processes: detention camps and practices have been indicated as key tools that contribute to the (re)making of the selective EU borders and to the stratification of migrants' legal statuses and rights (Alberti 2010; Andrijasevic 2006, 2010; Mezzadra and Neilson 2003; Mountz et al. 2013). In this context, information-giving practices play an important role through the attempt to influence migrants' mobility projects. Scholars focus on information campaigns carried out by heterogeneous actors such as governmental agencies, intergovernmental organisations (IGOs) and non-governmental organisations (NGOs), mainly in sending countries (Browne 2015; Heller 2014; Musarò 2019; Nieuwenhuys and Pécoud 2007; Pécoud 2010; Schans and Optekamp 2016; Van Dessel and Pécoud 2020; Watkins 2017). Information campaigns are often based on humanitarian and protection rhetoric but the reality is more complex. While their effectiveness is not clear (Browne 2015; Schans and Optekamp 2016), it is often assumed information campaigns aim to deter migrants' mobility (Heller 2014; Musarò 2019), to reinforce border externalisation processes (Watkins 2017), and to pursue states goals to control migration by attempting to persuade and influence migrants' behaviour (Nieuwenhuys and Pécoud 2007; Pécoud 2010). Nonetheless, the specific content of the information addressed to migrants, as well as its impact across different contexts (in particular in transit and destination countries) remains under-studied in literature (Van Neste-Gottignies 2018).

Based on ten months of fieldwork, this paper engages with this existing literature and investigates the relation between detention and information-giving practices. By focusing on the case of the Italian hotspot system,¹ the paper further explores a) if and how information-giving practices are related to detention practices, and b) if and how this relationship contributes to perpetuating migration control and the stratification of migrants' legal statuses and rights. It shows why the information-giving practices of intergovernmental and non-governmental organisations, although framed in terms of humanitarian and protection rhetoric, can reinforce migration controls and contribute to the stratification of migrants' access to mobility and rights.

The paper is organised as follows: the first section introduces the conceptualisation of borders as *bordering*, and it discusses the relation between detention practices and processes of migrant differential inclusion. The second section discusses the contribution of critical scholarship about migration management concerning the role played by subtle and indirect practices in migration control. The third section describes the research methodology. The

¹ The Italian hotspot system is a policy tool implemented by Italy since 2015 following the indications of the European Commission and oriented towards the reinforcement of the southern European border. The hotspot can be understood both as a designated area and as a method of work involving different actors overseeing activities of medical screening, pre-identification, information, fingerprinting and filtering of migrants arriving by sea.

fourth section describes the development of the Italian border management system from the beginning of 2000s to the implementation of the hotspot approach – by focusing on the 2015-2018 period. The last section describes the role played by detention and information-giving practices within the Italian hotspot system and analyses a) the relation between these two kinds of practices and b) their contribution to the perpetuation of bordering processes.

2. Theoretical framework

2.1 *The relation between detention and bordering processes*

The paper adopts a conceptualisation of borders as *bordering*, thus as: a) social constructs made up or erased by heterogeneous social actors through their discourses and practices, and b) classification and filtering mechanisms that contribute to selectively deny migrants' mobility. Moving from this perspective, scholars identify a close link between borders, selective controls, the definition of migrants' legal statuses, and the stratification of migrants' access to rights (Alberti 2010; Anderson et al. 2009; Cuttitta 2007; Mezzadra and Neilson 2010; Mezzadra 2015; Van Houtum and Van Naerssen 2002).

Enforcement and detention practices contribute to reshaping the territorial dimension of borders and of state sovereignty manifestations. On the one hand, detention camps represent a manifestation and an attempt to reaffirm state sovereignty. On the other hand, detention and pre-removal centres and practices are also an example of the *detritorialisation* of the EU space (Andrijasevic 2010; De Genova and Peutz 2010; Mezzadra and Neilson 2003; Mountz et al. 2013). Detention centres become “borders of nations” (Coutin 2010: 207) and, through their dissemination both inside and outside the EU territory, they contribute to blurring the distinction between internal and external borders (Andrijasevic 2006, 2010; Coutin 2010; Mountz et al. 2013).

A body of literature addresses the role of islands as spaces of migrant interception, detention and processing. Islands are not just spaces of exception but also key tools within the current border regime oriented towards the im/mobilisation, selection and filtering of migrants (Bernardie-Tahir and Schmoll 2014; Mountz 2011; Mountz and Hiemstra 2012). According to Garelli and Tazzioli (2020) *containment* practices can involve spatial confinement, but it can go beyond the detention and immobilisation of migrants: containment is primarily characterised as practices oriented at hampering and troubling migrants mobility and presence both inside and outside receiving countries. These scholars focused on the impact of containment practices in terms of disruption and troubling of “migrants' geographies” (Garelli and Tazzioli 2020: 1011).

Borders of seemingly different kinds (e.g. categorisation practices, legal statuses attribution, walls, camps, pre-removal and detention centres) often overlap and reinforce each other. Borders in terms of migrant categorisation and stratification of rights are linked to, and also materialise as, concrete spaces and barriers (Alberti 2010; Cuttitta 2007; Mountz et al. 2013; Tassin 2013; Walters 2009). In this respect, some scholars highlight the link between detention, migrant categorisation processes and the stratification of migrant rights (Alberti

2010; Andrijasevic 2006, 2010; Mountz et al. 2013). In particular, Alberti suggests that transit and detention camps “are fundamental players in the ongoing process of stratification of the rights of migrants in the European space differentiating their access to labor and citizenship” (Alberti 2010: 143). Other researchers (Mountz et al. 2013: 530) underline that “practices of detention reify borders between citizens and non-citizens, producing categories of legality and illegality, alien and non-alien.” From this perspective, processes of differential inclusion of migrants are perpetuated and reinforced through detention structures and practices (Alberti 2010; Andrijasevic 2006, 2010; Bernardie-Tahir and Schmoll 2014; De Genova 2013; Mezzadra and Neilson 2003; Mountz et al. 2013).

2.2 Managing migration through soft-control techniques: the role of information-giving

Several authors interpret the migration management paradigm as a global policy approach that involves a set of non-state actors (e.g. IGOs and NGOs) and that includes a) a range of discourses on what migration is and on how it should be addressed, and b) a set of subtle governance techniques including persuasion and protection (Geiger and Pécoud 2010, 2013). These scholars highlight the ambivalence of this liberal paradigm by suggesting that, while claiming for more openness and protection of migrants, it also perpetuates a restrictive approach to migration and it reproduces subtle forms of migration control. These insights contribute to the debate on migration governance by emphasising that migration control also takes place through soft and non-coercive practices to steer, organise and influence human mobility (Geiger and Pécoud 2010, 2013). Humanitarian and protection rhetoric employed by IGOs (e.g. the UNHCR and the IOM) contribute to justify, legitimise and perpetuate migration control activities and migration management programs (Pécoud 2015; Scheel and Ratfisch 2014; Wolff 2015). From this perspective, the UNHCR contributes to (re)produce selective border controls by providing services to states, by using and diffusing the *mixed flows* rhetoric and by justifying the perpetuation of a clear distinction between refugees and *economic* migrants in order to protect *real* refugees (Scheel and Ratfisch 2014).

Among these subtle governance techniques, the role of information provision to migrants at different stages of their paths remains under-explored in literature (Browne 2015; Van Neste-Gottignies 2018). Some scholars (Browne 2015; Heller 2014; Musarò 2019; Nieuwenhuys and Pécoud 2007; Pécoud 2010; Van Dessel and Pécoud 2020) have analysed information campaigns carried out by IGOs and NGOs both in countries of origin and in countries of transit, and observe that these initiatives contribute to contain and deter *irregular* migration by attempting to persuade migrants to stay home. These information campaigns, aimed at warning migrants about the dangers of *irregular* migration, are carried out by using a range of tools (e.g. billboards, TV advertisements, videos, digital tools) and by cooperating with actors such as local associations, schools and universities to influence the behaviour of would-be migrants. Van Dessel and Pécoud (2020) suggested that informing migrants with the aim to protect them from the dangers of migration often imply discouraging migration; in this respect, there would be little difference whether the message comes from state or non-state actors.

By focusing on the implementation of the hotspot system in Sicily, this paper aims to fill the gap in existing literature concerning the relationship between detention and information-giving practices in migration control. The paper explores: a) if and how information-giving practices are related to detention practices and b) if and how the relation between information-giving and coercion contribute to perpetuate migrant differential inclusion and to further stratify migrants' access to legal statuses and rights.

3. Methodology

This research is based on ten months of fieldwork carried out in eastern Sicily, on document-analysis (e.g. IGOs and NGOs reports and website statements, reports of the Italian Parliamentary Commission of Inquiry on the reception system) and on semi-structured interviews conducted with two UNHCR operators, one International Organisation for Migration (IOM) area coordinator, nine operators of NGOs that intervened inside the hotspot system (including Terre des Hommes, Medu, Emergency, the Red Cross), the director of the Pozzallo hotspot, two immigration lawyers and two representatives of local activists groups. In addition, informal conversations with experts from *Association for Juridical Studies on Immigration* (ASGI), which monitors the implementation of the hotspot approach, provided further information about the implementation procedures within the hotspot system, and particularly the provision of legal information to migrants. I was unable to obtain access to hotspot centres, and thus these interviews and document analysis allowed me to explore the multiple power relations and negotiations involved in the Italian hotspot system.

All interviews were carried out in Italian and the majority of them were recorded.² I chose to interview UNHCR and IOM operators as they were officially in charge of providing legal information to migrants within the hotspot areas. UNHCR and IOM teams (each team included one legal-associate or legal-expert and one cultural mediator) intervened in all hotspot areas in Sicily. The choice of the specific interviewees was influenced by access constraints. IOM only authorised interviews with the area coordinator, and the UNHCR allowed two interviews: one with a Catania office representative and one with a legal-associate. The latter intervened in hotspot areas and had previously worked as cultural mediator at disembarkation points. At the moment of the interview the operator held the role of legal-associate.

One limitation of this study is that I did not interview government authorities, who play an important role in detention practices. However, I found that document analysis provided a relevant amount of pertinent data about the hotspot procedures and particularly about the position of authorities within information-giving practices. In this respect, the reports by the Italian Parliament Commission of Inquiry of 2017 on the Italian migration reception system were particularly useful. These documents included statements of prefects, police officers and Frontex representatives. On the other hand, it was also difficult to obtain

² The interview extracts presented in the article (both from recorded and non-recorded interviews) have been translated by me.

interviews with government representatives. For the document analysis, I selected documents produced and published by relevant state and non-state actors from the aftermath of the so-called refugees “crisis” of 2015 until the end of my fieldwork in December 2018.

I employed thematic analysis of the documents and interviews. Thematic analysis can be used to search for meaning repeated in coherent patterns throughout a data-set (Braun and Clarke 2006; Vaismoradi et al. 2016). I followed the six main phases of thematic analysis described by Braun and Clarke (2006: 87). Furthermore, I adopted a cross-sectional indexing approach (Mason 2002) that allowed me to use the same set of codes across the whole data set. Codes and themes did not autonomously emerge from the data: they were the result of my interpretative work (Braun and Clarke 2006). I thus adopted a hybrid approach to thematic analysis (Swain 2018): the identification and application of codes were both theory and data driven.

4. The development of the border management system in Italy: from the beginning of the 2000s to the introduction of the hotspot approach and the relocation program

At the beginning of the 2000s, the procedures to manage migrants who reached Sicily (mainly the Lampedusa island) included: the provision of first aid and the transfer of migrants in reception centres on the mainland; the identification of migrants carried out by the police usually some days later; the differentiation between *forced* migrants in need of protection and *voluntary* ones to be repatriated (Monzini 2008; Pastore and Roman 2014). Over the last two decades this functioning went hand in hand with strategies of containment, deterrence and refoulement, in particular through the externalisation of migration controls towards north-African countries (Cuttitta 2015). Moreover, the Italian border management strategy had been based on the so called *turning a blind-eye* approach characterised by relaxed control and identification procedures (Caponio and Cappiali 2018).

In 2006 the Italian government adopted the Praesidium Project: some IGOs and NGOs (e.g. the UNHCR, the IOM, the Red Cross)³ were involved in a systematic way within the management of migrant arrivals by sea. After the so called “push-backs era” (2008-2010) characterised by restrictive policies and practices of *refoulement* (Pastore and Roman 2014), in 2011 around 62,000 migrants arrived in Italy by sea. Almost 25,000 were Tunisian citizens.⁴ Tunisian migrants who entered Italy before the 5th of April received a six-months permit of stay for humanitarian reasons while the others were returned to Tunisia. Sub-Saharan migrants were mostly channelled within an extraordinary reception plan (Marchetti 2012). In 2013, the launch by the Italian government of the Mare Nostrum operation at sea led to a more systematic use of Sicilian ports and to the improvement of the synergy among the different actors involved in the border management system.

³ Save the Children was included in the project in 2008.

⁴ www.repubblica.it/solidarieta/immigrazione/2011/12/30/news/immigrati_il_2011_anno_record_di_arrivi_aumentano_le_richieste_d_asilo_pi_102_-27412805/

In recent years Italy used the *turning a blind-eye* approach as a negotiation leverage in order to push the EU to provide further support in managing migration by sea and this strategy became an object of divergence between the Italian government and the EU, especially since 2013 (Caponio and Cappiali 2018; Garelli and Tazzioli 2018). In 2014 around 170,000 migrants arrived in Italy by sea, a peak never reached before: the Triton operation at sea (coordinated by Frontex) replaced Mare Nostrum and so called extraordinary reception centres were spread on the Italian territory (Colucci 2018; Garelli and Tazzioli 2018).

In 2015 the European Commission adopted the European Agenda on Migration to address the so called “refugee crisis”: among the short-term measures there was the “hotspot approach” to be implemented in Italy and in Greece. The hotspot system was intended as a new approach for the management of migration and it was presented as a tool that could improve identification and fingerprinting procedures: front-line states could now benefit from the support provided by EU agencies and from funds allocated to face the emergency (European Commission 2015). Frontex, the Easo⁵ and the Europol have been entrusted with the task of intervening, in coordination with Italian authorities, in order to:

(...) swiftly identify, register and fingerprint incoming migrants (...) Those claiming asylum will be immediately channelled into an asylum procedure where EASO support teams will help to process asylum cases as quickly as possible. For those not in need of protection, Frontex will help Member States by coordinating the return of irregular migrants (European Commission 2015: 6).

Although the hotspot centres officially activated in Sicily between 2015 and 2018 were those of Lampedusa, Pozzallo, Trapani and Messina,⁶ hotspot procedures were also implemented in sites which were not officially defined as hotspots – e.g. the ports of Catania and Augusta. In the hotspot areas, after having received first aid, migrants were interviewed by the Italian police and, besides ID information, migrants were asked the reason of their journey and this information was reported on an information-sheet (*foglio-notizie*). Migrants were mainly filtered on the basis of their statements: those classified as asylum seekers or in need of protection were channelled towards reception procedures, while the others received a rejection order and were channelled towards removal procedures. While the distinction between *refugees in need of protection versus economic migrants* continued to underpin migrant filtering procedures in line with the previous system, the introduction of the hotspot approach implied: a) an increased militarisation of migration management in Sicily and the stable presence of Frontex, b) the hardening of controls, of fingerprinting and of migrant filtering, c) the anticipation of migrant filtering together with the issuing of rejection orders to migrants directly upon arrival in the hotspot areas. Between the end of 2015 and the end of 2018, two main phases of the hotspot approach in Sicily can be identified: a) a first phase – until the end of 2016 – characterised by the increased filtering and *irregularisation* of migrants of several nationalities resorting to arbitrary practices and by the violation of

⁵ European Asylum Support Office.

⁶ Among official Italian hotspot centres there was also the one of Taranto in the Apulia region.

migrant rights; b) a second phase, in particular from the second half of 2017, characterised by the reduction of mass arbitrary rejections and by the channelling of the majority of migrants towards reception and asylum procedures.

The hotspot approach and the *relocation* program can be considered as complementary tools promoted by the EU Commission for a better management of migration *crisis*. Through the relocation⁷ the European Union introduced a temporary mechanism of redistribution of asylum seekers among EU states, in partial derogation to the European Regulation 604/2013 – the Dublin III⁸. This relocation program will be described in depth in section 5.3.

5. The relation between detention, information-giving and migrant differential inclusion in the Italian hotspot system

5.1 Migrant detention within the hotspot system

Detention practices carried out in the Italian hotspot system contributed to reinforce processes of migrant exclusion and of stratification of migrants' access to mobility and rights on the basis of protection and nationality criteria.

The introduction of the hotspot approach did not imply the construction of new centres for the management of migrant arrivals: there was an overlapping and a certain confusion with pre-existing centres (e.g. CPSAs)⁹ that were then used as hotspot sites. The ambiguity of the hotspot system legal framework and the overlapping between hotspot centres and CPSAs was in continuity with the previous border management system. As some scholars suggested (Andrijasevic 2006; Colucci 2018; Savino 2016) first reception centres in Italy have always had an ambiguous legal status and functioned simultaneously as spaces of reception and detention of migrants, in a more or less informal way. However, the lack of a clear legal framework regulating the hotspot approach in Italy (Oxfam 2016) contributed to a rise in authorities' coercive and arbitrary practices, particularly during the first phase of implementation of the hotspot approach. Concerning the link between hotspot procedures and the ambiguous legal framework of CPSAs, Savino (2016) suggested that:

“In the absence of legislative provisions, border authorities *de facto* detain all recently arrived migrants in CPSAs until hotspot procedures are accomplished, without issuing any individual detention order and, consequently, without any judicial oversight, in patent violation of the most basic *habeas corpus* guarantees” (Savino, 2016: 988).

The need for complete identification and fingerprinting in these spaces increased the confusion between reception and detention. Further, the increase in coercive practices in

⁷ This relocation program officially ended in September 2017.

⁸ European Commission (2015); see also <https://www.unhcr.it/risorse/carta-di-roma/fact-checking/la-relocation-unoccasione-persaleuropa>

⁹ First aid and reception centres.

hotspot areas was closely linked to the need to take fingerprints and to sort migrants swiftly after their arrival. Migrants were *de facto* detained until the completion of identification procedures for a period of time that could vary in each hotspot area.¹⁰ The priority given to identification and control is explained before the Parliamentary Commission by the coordinating officer of Frontex:

There are two goals to the ‘hotspot approach’: to proceed to the identification and the registration of all migrants (...) whereby none should have the possibility to leave the so-called hotspot without having been correctly identified and registered (Italian Chamber of Deputies, 2016b: 3).

In this respect, the following extract of an interview with a UNHCR spokesperson describes how things changed with the introduction of the hotspot approach:

(...) before the hotspot approach, borders were more permeable and also registration procedures were carried out in a slightly different way (...) The thing is that, with the hotspot, people have to pass through hotspots and have to be photo-identified, while before this step was profoundly permeable (UNHCR spokesperson, Catania, April 2018).

The following extract from a European Council on Refugees and Exiles (ECRE) report suggests that coercive measures were closely linked to the need to identify migrants and to obtain fingerprints:

“The target through the hotspots approach has been to reach 100% fingerprinting in both countries, particularly in Italy, which in the past two years received substantial pressure and criticism from the Commission for not implementing its obligations. This target seems to have been almost met in both countries through the provision of additional equipment, but worryingly, in the case of Italy, through the use of coercive measures, physical force and extended detention to obtain fingerprints, in violation of international and European law” (ECRE et al. 2016:11).

In a 2016 report, the UNHCR denounced prolonged detention practices in the Lampedusa hotspot and denied access to asylum procedures in Sicily more in general:

“Groups of Eritrean, Sudanese and Somali nationals, unwilling to undergo identification procedures, have been held in the reception centre for several weeks. (...) In Sicily, incidents of denied access to asylum procedures as well as cases of persons of different nationalities, including from refugee producing countries, issued with a rejection order continue to be reported” (UNHCR 2016:6).

In a 2017 report, the Danish Refugee Council (DRC) stated that:

“Detention and the blurring of reception and detention in the hotspots has been a key source of concern since the commencement of their operation. In the Italian hotspots in 2015-16, there were widespread

¹⁰ Interviews with: Red Cross coordinator, Ragusa, June 2018; Terre des Hommes operator, Pozzallo, June 2018; activist, Messina, April 2018; Informal conversations with Asgi experts, Catania, September 2018; see also Savino (2016) and Asgi et al. (2018).

reports of the arbitrary detention for identification purposes of new arrivals, in order to pressure them into providing their fingerprints” (DRC 2017: 18).

With the so called “security decree” adopted in October 2018 the Italian government partially provided a legal framework for the temporary detention of migrants and asylum seekers in hotspots for identification purposes (Asgi 2018).¹¹

5.2 *The differentiated treatment of north-African migrants: the case of Tunisian citizens*

North-African migrants, and particularly Tunisians, received a differentiated treatment within the hotspot system: they were more likely than others to be considered as *economic* migrants and to be repatriated, on the basis of bilateral agreements with countries of origin. Particularly, Tunisian migrants were more likely than others to be held in hotspots for two main reasons: a) for security issues, as their presence was often considered by authorities as a problem of public order, and b) the confinement inside the hotspot was a first step in order to then give them a rejection order and then transfer them towards pre-removal centres or to directly channel them towards forced repatriation procedures. As described by an ECRE report:

“People are often classified just solely on the basis of their nationality. Migrants coming from countries informally considered as safe e.g. Tunisia are classified as economic migrants, prevented from accessing the asylum procedure (...) and handed removal decisions” (ECRE et al. 2018: 28).

A 2018 report of the *Consiglio Italiano per i Rifugiati* (Cir) underlined that:

“(…) police officers still tend to consider some persons as ‘economic migrants’ on the basis of nationality or using the ‘foglio notizie’. In such cases, UNHCR interventions to correct the registration in the form may not be sufficient. This police practice was observed primarily in relation to Tunisians and Moroccans.” (Cir et al. 2018: 6).

According to interviews and informal conversations, in Pozzallo and Messina migrants could usually exit from the hotspot centre only after the completion of identification and fingerprinting procedures; once identified, migrants could exit and come back to the hotspot by using a badge or a paper-sheet indicating that they were accommodated there. However, north-African migrants and in particular Tunisian ones often received a different treatment. This differentiated treatment and the use of detention as a tool to select and exclude Tunisian migrants was described by some key informants that operated in Pozzallo:

(...) there are the well-known bilateral agreements with some countries such as Morocco or Tunisia and authorities send them [migrants] back (...) now in fact, they arrive autonomously, they are all Tunisians, and they stay at the hotspot until they are sent back (Red Cross coordinator, Ragusa, June 2018).

¹¹ However, in 2018 and 2019 ECRE reports stated that migrants continued to be *de facto* held without any judicial oversight in hotspot centres – e.g. in Lampedusa and Messina (ECRE et al. 2018: 28, 2019: 128).

During an interview conducted in December 2017, a Terre des Hommes operator told me that around mid-September 2017, with the increase of Tunisian migrants arrivals, the hotspot *returned* to be a closed space. According to other interviewees that operated inside the Pozzallo hotspot, when there were Tunisian citizens inside the centre, these migrants could not exit from it. Moreover, during informal conversations Asgi experts reported that, concerning both the Pozzallo and the Trapani hotspot, Tunisian migrants were usually held inside the centres even after the completion of identification procedures. In addition, Tunisian migrants that arrived in Lampedusa were often confined on the island until they were transferred to Palermo and repatriated to Tunisia by air-plane.¹²

5.3 Providing information inside the hotspot system

In hotspot areas, UNHCR teams (usually composed of a legal operator and a cultural mediator) provided legal information to migrants. The UNHCR provided information in partnership with the IOM: UNHCR operators informed migrants about asylum procedures while IOM operators provided information mainly about irregular entry and stay. As summarised by a UNHCR legal associate:

We remind migrants of their right to ask for protection, to express the wish to claim for international protection (UNHCR legal-associate, Catania, May 2018).

Before police identification and fingerprinting procedures, UNHCR operators provided migrants with written information on asylum through the distribution of leaflets; oral information about asylum was given only after the completion of police identification procedures. Besides providing information about the possibility to ask for international protection, UNHCR operators also informed migrants about authorities identification procedures:

(...) we start with a brief description of what will happen, and it happens basically in real time, by informing people about the procedures that will be carried out by the authorities (UNHCR legal-associate, Catania, May 2018).

As reported by an IOM coordinator, information about authorities identification and fingerprinting procedures were provided by IOM operators, who explained to migrants that, in agreement with official procedures, they were required to provide identification data and fingerprints to authorities. The information about identification and fingerprinting procedures provided by the UNHCR and by the IOM contributed, in a more or less direct way, to legitimising migration control objectives (Nieuwenhuys and Pécoud, 2007; Pécoud 2010)

¹² The agreement between Italy and Tunisia established that every week a maximum of around 70/80 Tunisian citizens could be repatriated by charter flights (Asgi et al., 2018; https://www.agi.it/estero/roma_tunisi_rimpatri_migranti-5805309/news/2019-07-10/).

such as identification and fingerprinting. If on the one hand the information about asylum provided by the UNHCR could increase the chances of inclusion for migrants in need of international protection, on the other hand this kind of information was still based on the selective rationale *asylum seekers versus economic migrants* that characterises the EU and member states bordering policies and practices (Akoka 2016; Bassi 2018).

Between 2015 and 2017 the UNHCR provided information to migrants about the relocation program within the hotspot system in Sicily. This activity played an ambivalent role. On the one hand through these practices UNHCR operators tried to protect migrants by raising their awareness about a safe and legal alternative towards other EU countries. On the other hand these activities were more or less directly linked to authorities' detention practices and contributed to a) building the capacity of authorities to manage migration, b) legitimising the management of migration through soft control techniques and c) perpetuating forms of migrant differential inclusion based on protection and nationality grounds.

The relocation program was complementary to the hotspot approach and, in Italy, the UNHCR was entrusted with the task of providing specific information about relocation procedures to migrants fitting the relocation criteria. According to these criteria, migrants were considered *in clear need of international protection* if they belonged to nationalities for which the asylum recognition rate was equal or superior to 75 percent.¹³ Migrants fitting this category could be transferred (according to distribution quotas based on several criteria) to other EU countries that had to examine their asylum claim. Migrants' adherence to this program was voluntary and asylum seekers could not choose their country of destination. The procedures of pre-identification, photo-identification and formalisation of the asylum claim had to be carried out in the country of first arrival.¹⁴

This relocation program can be seen as a tool that contributed to influence migrants' mobility and to further stratify migrants' legal statuses as well as their access to rights. Through this program an additional sub-category of subjects within the *asylum seeker* category was created (i.e. asylum seekers *in clear need of protection*) with the aim of ensuring safe and legal transfers within the EU territory. Moreover, the relocation was based on a logic of limitation of mobility since this program implied the transfer of asylum seekers towards EU countries chosen by authorities at the national and European level. While this relocation program did not accomplish the initial EU goals,¹⁵ it is useful to consider the role played by UNHCR information-giving practices in possibly perpetuating the stratification of migrants' access to the territory and to rights.

According to the following interview extracts, the UNHCR information-giving practices were characterised by attempts to convince migrants of certain nationalities (e.g.

¹³ On the basis of the data provided by Eurostat regarding the previous three months.

<https://www.unhcr.it/risorse/carta-di-roma/fact-checking/relocation-programma-la-redistribuzione-richiedenti-asilo-stenta-decollare>; https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/2_eu_solidarity_a_refugee_relocation_system_en.pdf.

¹⁴ European Commission (2015); see also <http://www.libertaciviliimmigrazione.dlci.interno.gov.it/it/relocation>; <https://easo.europa.eu/operational-support/hotspot-relocation/relocation/questions-and-answers-relocation>.

¹⁵ <https://www.unhcr.org/news/press/2017/9/59ca64354/unhcr-calls-eu-relocation-scheme-continue.html>.

Syrian and Eritrean migrants, whom were considered almost automatically *in clear need of international protection*) to adhere to relocation. The relevance the interviewees gave to operators' efforts "to convince" migrants or "to change their minds" about their initial mobility plan indicates the tension between informing migrants (with the aim of providing legal alternatives and to protect them) and contributing to influence their mobility. The role played by oral information provided to migrants in order to explain relocation procedures is described in the following interview extracts:

(...) when people have a migratory project, they already have a path prearranged by families who help them and they want to go to Sweden, it is not easy to stop them, it is not easy to provide them with a legal alternative, a path that would not put them in danger. At the beginning it was not easy. Then, also with the effects produced by first departures [through *relocation*], there was the usual word of mouth between different communities and (...) there was a lot of great work done also with colleagues, I mean, long chats, long days spent in order to let these people understand (...) (UNHCR legal-associate, Catania, May 2018).

(...) people had to be photo-identified. Explaining to people that they would have been legally transferred directly from Italy to other countries, it was a change for some nationalities that did not want to hear about it; so we can talk about a success from this point of view (...) there were cases in which people radically changed their minds after initial doubts (...) the work on the ground and the presence in disembarkation areas, it helped us to reach the goals (...) we informed people about this project [*relocation*], which was aimed at providing a legal pathway to access other European countries for people who had a precise migratory project (...) and obtaining results helped us (UNHCR legal-associate, Catania, May 2018).

(...) despite the difficulties faced in providing information and convincing people because (...) for several years Eritreans who arrived would tell each other '*you must not submit photo-identification because otherwise you are not able to leave*', it is really hard to explain to them '*things have changed and you have the right to a legal path to access the territory*'. There might be someone that trusts you and accept your proposal but there are others who say '*look at those who accepted, they remained stuck here because the procedure is very long*'. But it is also true that those who had access to relocation were able to go through a safe transfer, so relocation was a positive tool because it allowed for greater protection of refugees, which is our specific aim, it granted safe channels inside the European Union (UNHCR spokesperson, Catania, April 2018).

The role played by the UNHCR in providing information about fingerprinting and relocation was also described by the Prefect of Agrigento before the Parliamentary Commission. The Prefect described the example of groups of Eritrean migrants in Lampedusa that refused fingerprinting:

The difference, at this point, can only be made by information. Information is provided (...) mainly by the two international organisations, UNHCR and IOM, and as I told before, they start this kind of activity from the moment people arrive at the centre. (...) during all the period of permanence (...) humanitarian organisations continue during the following days (...) to provide this kind of information. Precisely because of the difficulty (...) of making them [migrants] understand the need for the photo-identification and fingerprints and to overcome their doubts we continue during days to provide this kind of information (...) (Italian Chamber of Deputies 2016a: 10)

(...) little by little (...) each of them, in small groups, provided fingerprints and, then, we proceeded to complete the relocation procedure (Italian Chamber of Deputies 2016a: 5).

The following examples of practices carried out by migrants that disagreed with the relocation procedure are consistent with an interpretation of relocation as a migration management tool that contributed to influence migrants' mobility and to perpetuate forms of differential inclusion of migrants. In January 2016 around 200 Eritrean migrants refused to be fingerprinted in Lampedusa and protested against the relocation mechanism. A blog-post by Mediterranean Hope¹⁶ reported the words of a migrant that summarised migrants' claims:

Our aim is to join our relatives that already live in Europe. Unfortunately, the relocation mechanism does not take into account our will. They want to decide about our future as if we were objects.

On 7 May 2016, several migrants of different nationalities, including Eritreans, that had been held in the hotspot of Lampedusa for months released a statement with the help of a local activist group that ended as follows:

(...) Giving fingerprints in these conditions does not leave us the freedom of our future choices, as for example joining our families or communities that are in other countries (*Askavusa* press release, 7 May 2016).¹⁷

Moreover, I had the chance to conduct an interview with an operator that had worked, until the end of 2016, in a hub for relocation candidates in Rome. He told me that in some occasions relocation candidates carried out protests and hunger strikes when they understood that they could not choose their country of destination. Furthermore, as described by the Frontex coordinator before the Parliamentary Commission, control authorities resorted to Skype calls with migrants who had already been relocated to convince those migrants that were reluctant to give their fingerprints and to accept relocation. These persuasion practices were consistent with one of the main goals of the hotspot that was to prevent migrants from leaving before the completion of identification and registration procedures (Italian Chamber of Deputies, 2016b). The example of the Skype calls suggests that control actors resorted to subtle and indirect strategies of persuasion in order to convince migrants to accept the relocation. Authorities tried to use a form of *migrant-migrant persuasion* that could better work as it could allow to overcome the problem of migrants' mistrust towards authorities information. Moreover, this example suggests that control and humanitarian actors shared the same goal in relation to the relocation program and could play a similar role in trying to persuading migrants to adhere to relocation. UNHCR information-giving practices were aimed at protecting migrants by providing them an alternative to the dangers linked to so-

¹⁶ <https://www.mediterraneanhope.com/2016/01/03/la-protesta-degli-eritrei-a-lampedusa/>; *Mediterranean Hope* is a project of the Federation of Evangelical Churches in Italy

¹⁷ <http://www.osservatorioppressione.info/lampedusa-no-alla-militarizzazione-e-al-centro-di-detenzione-per-migranti/>

called “onwards movements”. However, the fact that during interviews UNHCR operators used terms such as “stop”, “convince” or “change their minds” highlights that migrants often had other autonomous mobility projects. Migrants protests and public statements described above also provide evidences for this argument. Migrants considered *in clear need of protection* that refused fingerprints and relocation could be held inside hotspots. In this context, by interacting in a more or less direct way with authorities’ detention practices, information-giving practices carried out by the UNHCR could contribute to a) persuading these migrants to submit to fingerprinting and to accept relocation and b) building the authorities’ capacity to manage migration and to perpetuating bordering processes through the stratification of migrants’ legal-statuses and rights.

6. Conclusion

The paper described the role played by detention and information-giving practices in the management of migrants at the southern Italian border. It described how non-state actors – i.e. the UNHCR and the IOM – contributed to reinforcing EU and Italian bordering policies and practices by providing support to authorities in the implementation of the hotspot approach and of the relocation program by implementing soft control techniques.

By focusing on the case of the Italian hotspot system during the 2015-2018 period, the paper provides further evidence supporting the arguments of scholars who suggest that detention practices contribute to bordering processes, and particularly to reinforce migrants’ exclusion and migrants’ rights stratification (Alberti 2010; Andrijasevic 2006, 2010; De Genova 2013; Mountz et al. 2013). In addition, the article stresses that detention practices within the hotspot system were functional to simultaneously a) collect information concerning migrants (i.e. ID and personal data, fingerprints) for control and surveillance goals, and b) implement information-giving practices addressed to migrants.

The paper described how detention and information-giving practices reinforced each other and contributed to perpetuate migration control. Migrants were held inside hotspots at least until the completion of identification procedures. By providing information about asylum, identification and fingerprinting within the Italian hotspot system, the UNHCR and the IOM contributed to legitimise control procedures and to perpetuate the selective rationale that underpins states bordering policies and practices. By focusing on the case of UNHCR information-giving practices in relation to the relocation program, the paper described how persuasion and detention practices were more or less directly linked and contributed to reinforcing processes of bordering and of differential inclusion of migrants. The paper adds empirical evidence to the arguments of others (Geiger and Pécoud 2010; Heller 2014; Musarò 2019; Nieuwenhuys and Pécoud 2007; Van Dessel and Pécoud 2020) concerning the role played by information in state and non-state actors’ attempts to persuade migrants and to influence their mobility. In addition, the article argues that bordering processes based on the classification of migrants and on the stratification of their rights on the grounds of protection and nationality criteria were perpetuated by both detention and information-giving practices. Hotspots are not just spaces characterised by arbitrary policing and coercion practices: they

could be also considered spaces in which soft governance techniques carried out by both state and non-state actors contributed to pursue surveillance goals and the stratification of migrant rights.

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