

Waiting for Europe – Invisibilization and Non-Politics in the Margins of the Aegean Sea

An Inquiry into the Reception Conditions of Asylum Seekers on the Greek Island of Lesbos



'Refugee Life Jacket Graveyard', Northern Lesbos (in the vicinity of Molyvos), September 2018

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1. Introduction

It is the 18th of March 2016 and I am following a hiking trail in the South Island of New Zealand. I had conceived the plan to visit this country seven months earlier when volunteering at a Kibbutz (iconic type of farming community) in Israel. Having just finished my bachelor's degree in philosophy in the Netherlands, no one curbs my curiosity: the most significant boundaries I experience are twenty minutes' passport checks in airports. Meanwhile, at a distance of 20.000 kilometers, an agreement is reached between a block of nations and a regional power situated at the crossroads of Europe and the Middle East. It would stall the movements of millions of vulnerable and uprooted people and would subsequently become known as the EU-Turkey Refugee Deal. Among the main architects behind it were people of the small country on the other side of the globe that I could call 'home'. At the moment, the significance of the event still escapes my attention. Having just made our way through a deciduous forest, my travel company and I (Switzerland, Chili and the Netherlands) arrive on a long stretch of beaches dotted with palm trees with steep cliffs all around us: a marvelous view.

Three years later, thousands of asylum seekers continue to be stranded on the Greek island of Lesbos as a consequence of the agreement. As part of Greece's implementation of the stipulation that those whose asylum applications end up rejected are deported back to Turkey, they are forced to apply for asylum in the country and are prohibited from leaving for mainland Greece. As widely reported by international media, circumstances in the refugee camps on the island are dire.¹ In particular, the largest refugee camp on the island – Moria Camp – suffers from significant overpopulation, with refugees living in unsanitary conditions in which diseases rapidly spread, lacking access to proper medical care, not being able to raise concerns to camp authorities (e.g., police or army) for the lack of interpreters, sleeping in summer tents in winter, living in an environment in which fights regularly break out between ethnic groups, and having to wait for months to get an interview to make progress in their asylum application. Unsurprisingly, this frequently results in the deterioration of mental health. It remains a strange realization that this does not take place in Afghanistan or Syria, but in Europe, the continent that invented human rights.

How did these policies concerning the reception of asylum seekers on Lesbos come about, and how should we conceptualize the exclusion that asylum seekers are subjected to in the context of the 'containment policy' alluded to above? Answering these questions will be the main objective of this thesis in the field of political geography. Specifically, I will contend that the persistence of these practices of exclusion on the island can be explained by the fact that there is no politics involved. By politics I do not mean the 'actions of European governments', but the opportunity of those concerned to contest decisions made by the powerful, which is as such thwarted in the case of Lesbos. Since a manifold of actors present – NGOs, administrative levels of government and the

¹ For example, see Katy Fallon, "The Devastating Scenes of a Freezing Refugee Camp 'Prison' at Breaking Point," *Metro UK*, January 23, 2018, <https://metro.co.uk/2018/01/23/a-refugee-camp-in-europe-at-breaking-point-this-winter-7250728/>; Lena Masri, "Inside Lesbos' Moria Camp, Home to Thousands of Trapped Refugees and migrants," *ABC-News*, February 19, 2018, <https://abcnews.go.com/International/inside-lesbos-moria-camp-home-thousands-trapped-refugees/story?id=53014062>; Sebastian Leape, "Greece has the Means to Help Refugees on Lesbos – But does it Have the Will?" *The Guardian*, September 13, 2018, <https://www.theguardian.com/global-development/2018/sep/13/greece-refugees-lesbos-moria-camp-funding-will>; Helena Smith, "'Welcome to Prison': Winter Hits in one of Greece's Worst Refugee Camps," *The Guardian*, December 22, 2017, <https://www.theguardian.com/world/2017/dec/22/this-isnt-europe-life-greece-worst-refugee-camps>.

European Union – have a hand in what’s going on in the reception of asylum seekers on the Aegean islands, none of them in particular can be held accountable for wrongs suffered. This in turn makes effective contestation of the policies in place that lead to these wrongs an impossibility, whether by organizations or by refugees.

This exposition of my research leads me to the following **research question**:

<<How should the containment policies of refugees on Lesbos in force since the publication of the EU-Turkey Statement be interpreted?>>

In order to investigate this, I will address the following three sub-questions.

-(1) What are the most important practices of exclusion and human rights violations of asylum seekers taking place on Lesbos?

-(2) How is it possible that the practices of human rights violations taking place on Lesbos are able to persist three years after the closing of the EU-Turkey Deal?

-(3) Can the practices of human rights violations of refugees on Lesbos be re-politicized?

Notably, I will discuss my first sub-question in chapter 5, in which I will primarily analyze practices of exclusion and human rights violations of asylum seekers that have not been shed light on in the coverage of the ‘refugee issue’ on Lesbos by the international media, in order to reach a full understanding of the breadth and scope of the practices of exclusion of asylum seekers on the island after the closing of the EU-Turkey Deal. Importantly, these international media have produced an image of the reception conditions on the island that is at best incomplete, by granting ample attention to the dire living conditions of refugees in Moria Camp but not according any attention to severe practices of human rights violations that asylum seekers experience in their asylum procedure.²

Having accordingly attained an understanding of the full breadth and scope of the practices of human rights violations on Lesbos, I will provide an answer to my second sub-question in chapter 6, asking myself how it is possible that the practices of severe human rights violations taking place on Lesbos – both the ones reported by the international media and the practices of legal exclusion discussed in chapter 5 of my thesis – are able to persist three years after the closing of the EU-Turkey Deal in March of 2016. After all, these human rights violations take place in the European Union, which frequently promotes itself as ‘the continent of human rights’. Importantly, in this chapter, I will advance my thesis that the reception conditions of asylum seekers on Lesbos have become depoliticized and can therefore no longer be contested. Chapters 5 and 6 comprise the central *empirical* analysis of my report, as they are based on primary data which I gathered during a period of fieldwork on the island. Finally, in the discussion of the results of my empirical analysis (chapter 7), I will provide a tentative answer to my third sub-question, concerning whether repoliticization of the practices of human rights violations on Lesbos is possible.

In the answers that I will provide to my research questions, I will draw on the works of political geographers, anthropologists and political theorists to interpret the research data that I

² Examples of such articles published by the international media (such as the Guardian, the New York Times) can be found in the previous footnote.

obtained during a three-month period of fieldwork on Lesbos in fall of 2018. As this report focuses on the margins of the European Union and studies practices of exclusion uncontroversially seen as springing forth from the EU-Turkey 'Statement', one could call it a case study in *Critical Border Studies*, an interdisciplinary research field devoted to the problematic of how borders are constructed in the present. Researchers contributing to this field generally assume that – with the advent of globalization, yet in the wake of a generalized climate of insecurity after 9/11 – borders are not simply disappearing but taking on a different form and function than they used to have before.

The fact that the practices of human rights violations that asylum seekers have experienced on Lesbos since the closing of the EU-Turkey Deal in March of 2016 are a poignant example of how exclusion of refugees at present takes place at the External Borders of the European Union, is what makes my research *societally relevant*. By investigating the characteristics and causes of these practices of exclusion and human rights violations taking place at the External Borders of the EU, they may be more effectively addressed.

This research is *scientifically relevant* as it contributes to the academic debate within the field of Border Studies concerning how the External Borders of the European Union function at present, with particular emphasis on the question concerning how these borders engender exclusion and human rights violations of migrants trying to make their way into the European Union. Specifically, although a number of academic articles have been published in the research field which closely probe practices of exclusion of asylum seekers taken to be centrally organized by the European Union (e.g., the operations of Frontex in the Mediterranean Sea), there is a comparative lack of case studies that study non-centralized practices of exclusion, springing forth from the interaction between a range of actors involved in the reception of asylum seekers at these External Borders – e.g., State authorities, EU institutions, humanitarian organizations operating in refugee camps.³ My case study focuses on the latter kind of practices, as I connect my thesis that the human rights violations have become *de-politicized* to the interaction between various actors involved in the reception of asylum seekers on the island. Accordingly, by analyzing practices of exclusion at the External Borders of the EU that cannot be reduced to policies centrally imposed by Brussels, my research aims to nuance the existing debate on the External Borders of the European Union.

In what follows in this introduction, I will shed light on the EU-Turkey Statement and its consequences for the reception of refugees on the Aegean islands, to brief the reader concisely on some of the essentials of the situation under analysis in my report.

EU-Turkey Statement

³ For examples of academic articles that analyze such centrally organized practices of exclusion, see Henk van Houtum, "Human Blacklisting: The Global Apartheid of the EU's 'External Border Regime'," *Environment and Planning D: Society and Space* 28, No. 6 (2010): 957-976; Henk van Houtum and Roos Pijpers, "The European Union as a Gated Community: The Two-faced Border and Immigration Regime," *Antipode* 39, No.2 (2007): 291-309; Nick Vaughan-Williams, "'We Are not Animals': Humanitarian Border Security and Zoopolitical Spaces in EUrope," *Political Geography* 45, No. 1 (2015): 1-10; Simon Reid-Henry, "An Incorporating Geopolitics: Frontex and the Geopolitical Rationalities of the European Border," *Geopolitics* 18, No. 1 (2013): 198-224; Nick Vaughan-Williams, "Borderwork Beyond Inside/Outside? Frontex, the Citizen-Detective and the War on Terror," *Space and Polity* 12, No. 1 (2008): 63-79.

On the eighteenth of March of 2016, European leaders signed an historical agreement with the president of Turkey. Main thrust behind the ‘statement’ or ‘deal’ (the former term is the official nomenclature whereas the latter is the dominant designation used by the media) was the stemming of the influx of refugees making their way from Turkey into the European Union. When numbers of border crossers making landfall on Greece surged in the Summer of 2015, attitudes of European governments ranged from concerned to welcoming (the latter exemplified by Merkel’s (in)famous ‘We can manage this’ assertion in August of 2015), but as official figures in the months that followed only signaled a persistence of this trend, governments of EU member states jointly engaged in negotiations with Turkish president Erdogan in a frantic search for a solution.⁴ In the absence of a coordinated and decisive EU response, states like Hungary, Croatia and Macedonia had begun to erect walls and fences along their borders to block itinerant migrants – most of them on the way to Germany or Sweden – access to their territory.⁵ When the deal was closed, it was touted as a success by leaders of European countries in international and domestic media, in spite of protests by the *United Nations High Commissioner for Refugees* and renowned NGOs or human rights organizations such as *Oxfam* and *Doctors without Borders*.⁶

Some of the objections to the agreement voiced by these organizations were that it would jeopardize the right to seek asylum in Europe and completely disregard humanitarian and protection needs of refugees located on the Aegean islands. These fears were not completely ill-founded, given the opening stipulation of the Statement that “all new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey” and Turkey’s avowal to step up its coast guard presence in the Aegean Sea.⁷ Taken at face value, this commitment amounted to further shifting the burden of the reception of refugees to Turkey, which was at that time already hosting 2,5 million asylum seekers and did not grant refugee status to individuals from any nationality except Syrian by law.

Although initial fears of ‘mass-expulsion’ would turn out to be unwarranted, the Statement did give rise to a situation on the Aegean islands that was highly questionable on moral and humanitarian grounds. In the direct aftermath of the publication of the statement, Greek authorities issued a prohibition of leaving the Aegean islands for all asylum seekers that were to arrive there after the 20th of March. Additionally, due to the provision in the agreement that only migrants who did not apply for asylum or those whose application had been rejected or found inadmissible would be returned, refugees were effectively forced to apply for asylum in Greece and stay on the islands pending a decision on their asylum application. Thus, whereas these islands had initially been places of transit that asylum seekers passed through on their itinerary to Sweden or Germany, they were promptly transformed into some sort of ‘final destination’. Notably, this accorded with the situation

⁴ Jonathan Zaragoza-Cristiani, “Containing the Refugee Crisis: How the EU turned the Balkans and Turkey into an EU Borderland,” *International Spectator* 52, No. 4 (2017): 66; Laura Batalla Adam, “The EU-Turkey Deal one Year on: A Delicate Balancing Act,” *International Spectator* 52, No. 4 (2017): 45; Amnesty International, *No Safe Refuge: Asylum Seekers and Refugees denied Effective Protection in Turkey* (London: Amnesty International, 2016), 4, <https://reliefweb.int/sites/reliefweb.int/files/resources/EUR4438252016ENGLISH.pdf>.

⁵ Alex Afouxenidis et al., “Dealing with a Humanitarian Crisis: Refugees on the Eastern EU-Border of the Island of Lesbos,” *Journal of Applied Security Research* 12, No.1 (2017): 15.

⁶ “Migrant Crisis: EU-Turkey Deal Comes into Effect,” *BBC*, March 20, 2016, <https://www.bbc.com/news/world-europe-35854413>; Amnesty International, *A Blueprint for Despair: Human Rights Impact of the EU - Turkey Refugee Deal* (London: Amnesty International, 2017), 8, <https://www.amnesty.nl/content/uploads/2017/02/EU-Turkey-Deal-Briefing.pdf?x87333>.

⁷ European Council, “EU-Turkey Statement,” March 18, 2016, <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>.

of asylum seekers in all of Greece, as Balkan countries had in the months preceding the agreement gradually closed off their borders for refugees trying to make their way to Northern Europe. That this came as an unfortunate surprise to many can be gleaned from the figures: in 2015, with 857.000 arrivals to the country, the Greek Asylum Service only registered 13.197 asylum applications, whereas 51.091 asylum applications (with vastly less arrivals) were lodged in Greece in 2016.⁸

In the following months, the reception conditions on the islands rapidly deteriorated. As the State of Greece had effectively been ill-prepared for the responsibilities it was thenceforth supposed to shoulder, there was no infrastructure in place on the Aegean islands for the accommodation of thousands of asylum seekers staying for a period without a clear duration. This resulted in a situation with manifold complications: up to today, individuals and families with young children frequently find themselves in vastly overcrowded refugee camps, sleep in flimsy tents – even in winter – which soak with water after periods of intense rain, have to wait in line for hours on end to receive food from Greek authorities that is often underprepared and which young children frequently find inedible, live in unsanitary conditions in which diseases rapidly spread, cannot raise concerns to camp authorities (e.g., police or army) for the lack of interpreters, and have to wait for months to get a medical check or an interview to make progress in their asylum application. These conditions have been amply shed light on by the international media, and I will not delve deeper into them in the context of this introduction. Indeed, the main purpose of this report is not the description of human suffering on the island itself (which is meticulously done and over-visualized by international journalism), but understanding how the particular system of exclusion on Lesbos functions and is kept in place.

In the following chapter, I will describe the methodology of my research and of my fieldwork on Lesbos. In chapter 3, I will present an account of my impressions and experiences of doing fieldwork on the island and of volunteering for an humanitarian organization. In the relatively short chapter 4, I will introduce the central difficulty of doing fieldwork on Lesbos, in order to set the stage for the *empirical analysis* of the reception conditions on the island. In chapters 5 and 6, I will subsequently come to the mainstay of this report: the presentation of my analysis of the ‘refugee containment policies’ on Lesbos.

⁸ Amnesty, *A Blueprint for Despair*, 11.

2. Methodology

For my inquiry into the reception conditions of asylum seekers on Lesbos, I have opted for a qualitative research methodology. Importantly, I used an *inductive approach* for my investigation, meaning that I started my research by collecting and analyzing data and formulated a theorization of the case towards the end of my research process, instead of using the data which I obtained during my fieldwork in order to test the validity of a 'pre-existing theory'. In the first section of this chapter, I will elaborate on the methods which I used for collecting data while conducting fieldwork on the island. Importantly, in this section, I will discuss which persons I interviewed and for what reasons I approached specific individuals in light of the objectives of my research. In the second section of this chapter, I will explain what methods I used for my empirical analysis, i.e. by means of what methods I analyzed my data in order to conclusively answer my research questions listed in the introduction.

2.1 Methodology of Data Collection and Fieldwork

The purpose of this research is to explore the details of a specific case: the practices of exclusion that asylum seekers are subjected to on the island of Lesbos. To this end, I have conducted fieldwork on the island over a period of two and a half months in autumn of 2018 (from the 20th of August until the 5th of November). Of these eleven weeks, I spent six weeks volunteering for NGO-1, a Dutch humanitarian NGO that is active in the refugee camps of both Kara Tepe (1200 people, only families) and Moria, along with its adjacent *Olive Grove* (total population has frequently been more than 8000 over the last two years). I was accordingly able to assist with the operations of an organization inside the two major refugee camps on the island, which are off-limits for those without a humanitarian tag indicating your name and your NGO, and could make observations and notes there concerning the people I got to know and how I experienced the organization I worked with. One could call this *Participant Observation*, although I have some reservations about the term, given that it sounds sterile compared to the overwhelming character of the situation I was involved in, which often managed to severely confuse me. I spent the remaining five weeks on the island arranging and conducting semi-structured interviews with a variety of persons connected professionally – e.g., as representatives of humanitarian organizations or spokespersons of Greek authorities – or personally to the local 'refugee issue'.

Why did I opt for a combination of *Participant Observation* – keeping a research diary to write down my observations and impressions – and *semi-structured interviews* as methods for my research? Being new to the 'research context' of Lesbos yet having the intention of providing an analysis of the character of the social and territorial exclusion taking place on the island, it seemed expedient to me to volunteer for an organization operating inside of the two camps just mentioned in order to obtain an overview of the reception conditions there. Two considerations made me decide in favor of this. 1) The majority of asylum seekers on Lesbos live in these camps, and their role should therefore receive ample consideration in any analysis of the issue. 2) One's chance of being

allowed access into them – let alone for an extended period – without working for an organization is dim at best: both sport a central entrance under constant surveillance, with security personnel who eagerly check up on one's credentials for entering.

As volunteering for such an NGO is a very practical and hands-on experience, it lends itself well to the method of *participant observation*. After all, qualitative researchers generally concur that this method is based on the investigation of the community and practices in which one simultaneously participates.⁹ Importantly, as one does not know how participation to any practice will turn out in advance in light of the distinctive natures of contexts and activities, it is a comparatively open-ended and improvisational approach.¹⁰ In alignment with this, I had few methodological prescriptions to get my bearings from in this part of my research, except for the injunction to attentively participate in the operations of NGO-1 and take notes of the conversations I had with colleagues and camp residents and of the things that caught my attention – sudden occurrences, observations concerning life in Kara Tepe and Moria and regarding the functioning of my organization – while being engaged in the activities on my work-schedule. The compendium of incidents and observations recorded in my research diary could accordingly serve as a basis of anecdotes and stories to draw on when writing my final report, and indeed helped me in developing the main analysis of my thesis and later in illustrating and substantiating the arguments that I will advance in that section.

When it comes to the 21 semi-structured interviews that I conducted with various individuals on the island, these mainly allowed me to explore and come to a deeper understanding of issues that had already attracted my attention during my six weeks of volunteering for NGO-1, but which I had not been able to properly investigate at that time. After all, working days for NGO-1 were long (from 8:30 until 20:00) and did not allow me to stray too far from the duties on my schedule. Importantly, such issues were the legal exclusion experienced by asylum seekers on the island in the context of their asylum procedure (which became the subject of chapter 5) and the general absence of accountability for the reception conditions on Lesvos (chapter 6). I will now address what motivated me in my selection of interviewees, i.e. my reasons for selecting and getting in touch with particular respondents in order to obtain information that was relevant for answering the research questions of my thesis.

Selection of Interviewees

As I wanted to understand what was *behind* the practices of exclusion and human rights violations of asylum seekers on Lesvos, I opted for a broad selection of interviewees. After all, I wanted to find out whether there was a system to the practices of exclusion of asylum seekers staying on the island, and did not seek to develop an interpretation of a particular social group. Most of the individuals whom I interviewed were representatives of humanitarian organizations or of Greek political institutions. As

⁹ Eric Laurier, "Participant Observation," in *Key Methods in Human Geography*, edited by Nicholas Clifford, Shaun French and Gill Valentine (London: SAGE Publications, 2010), 116.

¹⁰ This point is emphasized by both Laurier and Dewalt, Dewalt and Wayland. See Eric Laurier, "Participant Observation," in *Key Methods in Human Geography*, edited by Nicholas Clifford, Shaun French and Gill Valentine (London: SAGE Publications, 2010), 128; and Kathleen Dewalt, Billie Dewalt and Coral Wayland, "Participant Observation," in *Handbook of Methods in Cultural Anthropology*, edited by H. Russell Bernard (Walnut Creek, Altamira Press, 1998), 261-262.

a consequence of my broad selection of interviewees, some of my interviews ended up being more important for my analysis of the reception conditions than others, as these interviewees simply had more to say about topics that I came to accord a central position in my thesis. Because of my inductive approach, my research questions were not fixed at the time when I started my fieldwork, and I accordingly came to attach more weight to the information of certain interviewees than to the information of others in the argument developed in my final report.

Concerning my selection of specific interviewees, I was informed about the existence of specific organizations and individuals that I could contact for an interview through informal conversations with other volunteers on the island – there is a tight community of international volunteers on Lesbos, and you can very easily meet volunteers working for the whole range of NGOs in Mytilini's city center – and by means of a useful PDF-map listing all organizations and institutions involved in the reception of asylum seekers on Lesbos.¹¹ Additionally, information provided by individuals during my interviews with them sometimes also attended me to the existence of specific organizations or individuals that would be relevant for me to get in touch with in light of my research objectives (e.g., Greek journalists living on the island writing about the refugee camps).

Why did I end up with my current list of 20 interviewees (I interviewed one person twice)? Admittedly, the process of selection was somewhat intransparent, as I arrived on Lesbos on the 20th of August of 2018 without a clear notion of how to progress, except for my intention to come to a novel interpretation of the reception conditions of asylum seekers on Lesbos. As I had thought up in the preparatory phase of my fieldwork that it would help to gain a comprehensive overview of the reception conditions on the island, I intended to a) chart the network of relationships between humanitarian organizations and Greek institutions on Lesbos involved in the reception of asylum seekers, and b) attain an understanding of the perception and reception of asylum seekers by Greek residents of the island.¹² Relating to objective b), I interviewed some Greek residents on the island during my first week of fieldwork with the intent to gain insight into the possible influence of the refugee issue on the local tourism industry, and into the perceptions of refugees current among the local population.¹³

Throughout the course of my fieldwork, I came to revise and sharpen my research questions, keeping in mind that I wanted to reach a novel interpretation of the practices of exclusion of asylum seekers on Lesbos. To this end, I resolved that I first of all wanted to correct the incomplete image of the practices of exclusion disseminated by the international media, which have granted ample attention to the dire living conditions of refugees in Moria Camp since the closing of the EU-Turkey Deal in March of 2016, but have left the severe practices of exclusion that asylum seekers on Lesbos experience in the course of their asylum procedure entirely unreported. Accordingly, I came to focus

¹¹ Notably, I retrieved this chart from the 'Volunteers in Lesbos' Facebook group, which informally serves as the digital infrastructure for all volunteers staying on and coming to the island. This map can be retrieved on <https://www.opoiesis.com/wp-content/uploads/2018/07/Lesvos-3W-map-NGOs-and-services-11.07.18.pdf>.

¹² Notably, prior to coming to Lesbos, I did not agree with the assumption that the practices of human rights violations on Lesbos would be the direct result of top-down EU imposed policies. This was an important motivation for investigating the relationships between organizations and institutions involved in the refugee issue on Lesbos, so that I could come to an understanding of what kept these practices of human rights violations in place.

¹³ For example with L., a woman who had recently founded a restaurant in Mytilini employing asylum seekers and whose grandparents had been refugees themselves during the 'population exchange' between Greece and Turkey in 1923.

on these practices of human rights violations of asylum seekers during their *asylum procedure* for the first sub-question of my thesis (listed on page 3). Secondly, I decided that I wanted to understand what is *behind* the practices of exclusion of asylum seekers on Lesbos, i.e., what makes sure that these practices of human rights violations can keep occurring on EU territory, in spite of the fact that the severe flaws of the reception conditions of asylum seekers on Lesbos are widely known (the second sub-question of my thesis).

As for the first sub-question of my thesis, I ended up interviewing representatives of two legal NGOs on Lesbos and an employee of the *European Asylum Support Office*, which plays a crucial role in the asylum procedure of individuals on the Greek islands in the Aegean Sea. As for the second sub-question of my thesis, I gradually developed the hypothesis that the interaction between political actors (e.g., the EU and the Greek State) and the interaction between the Greek State and humanitarian organizations was at the base of the consolidation of the practices of exclusion. In light of this hypothesis, I wanted to hear the perspectives on the reception of asylum seekers on the island from representatives of both prominent humanitarian organizations on Lesbos and from representatives of Greek institutions, in order to gain more information about the roles of both specific humanitarian organizations and of specific Greek institutions in warranting the reception conditions on the island. Hence, I interviewed the Senior Advisor of the Mayor of Lesbos, the Vice-Governor of the Regional Authority of the Northern Aegean Region, and the Director of the Medical Staff of the island's central hospital. Additionally, I interviewed representatives of humanitarian organizations that played an important role in the reception of asylum seekers on the island (Doctors Without Borders, the UNHCR) and coordinators of NGOs that arguably played a more secondary role in the reception of refugees (NGO-7, NGO-10, NGO-11).

Notably, the questions which I asked to my interviewees were in each case tailored to the particular background and, if applicable, the institutional role of the person with whom I conducted an interview. In particular, it seemed obvious to me that asking questions pertaining to the *particular position* of the interviewee and the institution or organization that he or she was working for would be more helpful for my research than asking each of my interviewees a list of standardized questions, in light of my objective to gain a comprehensive overview of the reception conditions of asylum seekers on Lesbos. After all, each of these interviewees was involved in his or her own *unique* way in the reception of asylum seekers on the island, and could accordingly supply me with viewpoints on the reception of asylum seekers (for example, the asylum procedure, the spreading of fake news and the role of the media on Lesbos) that I could only elicit by asking questions specific to their position.

To close off this sub-section, I will show a table (**Table 1**) displaying all of my interviewees, their respective functions and institutional positions, and the dates on which I interviewed them.

Date of Interview	Name of Respondent	Identity/Function
August 23 rd 2018	R1	Vice-President of Lesbos 'Hoteliers' Association'
August 26 th 2018	R2	Owner of a Cafe in Mytilini
August 29 th 2018	R3	Owner of a Restaurant in Mytilini
August 30 th 2018	R4	Coordinator of NGO-10 (NGO in Mytilini)
September 12 th 2018	R5	Employee of the 'Refugee

		Observatory' (University of the Aegean)
September 25 th 2018	R6	Senior Advisor of the Mayor of Lesvos
October 8 th 2018	R7	Cultural Mediator/Interpreter of NGO-6 (international medical NGO)
October 10 th 2018	R8	Coordinator of NGO-7 (runs community center close to Kara Tepe)
October 13 th 2018	R9	Journalist and Asylum Seeker from Afghanistan
October 15 th 2018	R10	Liaison Officer of UNHCR Lesvos
October 15 th 2018	R11	Coordinator of NGO-11 (NGO active in Moria Village)
October 16 th 2018	R12	Coordinator of a legal NGO active on Lesvos
October 23 rd 2018	R13	Director of Medical Staff at Vostaneio Hospital
October 23 rd 2018	R14	Owner of a restaurant in Mytilini
October 24 th 2018	R15	Project Manager Education for NGO-12 (large Greek NGO)
October 25 th 2018	R16	Greek Journalist living in Mytilini
October 25 th 2018	R17	Volunteer of NGO-13
October 26 th 2018	R18	Director of a Legal NGO active on Lesvos
October 31 st 2018	R19	Vice-Governor of the Regional Authority of the Northern Aegean Region
November 1 st 2018	R20	'Vulnerability Expert' for the European Asylum Support Office
November 2 nd 2018	R18	Director of a Legal NGO

Table 1. Interviewees of my fieldwork, their functions, and the respective dates of the interviews

2.2 Methodology of Data Analysis

As I would like to emphasize again, I used an inductive approach for my research. In short, this means that I used the research data collected during my period of fieldwork (i.e., the interviews which I conducted and personal observations) to formulate an interpretation and theorization of a case, instead of using the data which I gathered during fieldwork for testing a pre-existing theory. This case essentially comprises the reception conditions of asylum seekers on Lesbos after the closing of the EU-Turkey Deal in March of 2016. By means of what method did I come to infer my conclusions based on my data?

Upon returning to the Netherlands, I transcribed fifteen out of the twenty-one semi-structured interviews which I conducted and recorded on Lesbos, and coded both my research diary (30.000 words) and these fifteen transcribed interviews.¹⁴ By grouping observations and remarks of my interviewees and observations of my research-diary into categories (i.e., the process of coding), I was able to structure my data.¹⁵ For the coding of my interviews, I used Atlas.ti, which is a computer program widely in use for qualitative data analysis. The codes which I obtained were subsequently grouped into two themes, one of them pertaining to the cooperation between the various actors (e.g., humanitarian organizations, Greek institutions) involved in the refugee issue on Lesbos and to the complications that each of these actors experienced, both in the cooperation with other actors and in fulfilling their own duties pertaining to the reception of asylum seekers. The other theme pertained to the human rights violations experienced by asylum seekers in the context of their personal asylum procedure and to the role played by the *European Asylum Support Office* in these practices. Importantly, the discovery of patterns and recurring elements in the viewpoints and statements of my interviewees during the process of coding helped me in developing the main analysis of this thesis, which I will set out in chapters 5 and 6.

In the codebook, which I included in **Appendix 1** of my report, the reader can find an overview of the codes that were applied to the transcripts of my interviews with the help of Atlas.ti.

For the presentation of my findings, I decided to use a *narrative argumentative approach*. This means that I will accord the stories and avowals provided by my various interlocutors (most notably my interviewees) a central position in the empirical analysis of my findings, and will describe my own experiences of volunteering for a humanitarian NGO (NGO-1) on Lesbos in the following chapter, in order to give the reader a proper impression of the research context that I was involved in. My main motivation for this form of presentation is that I want the reader to be able to grasp the connections between the main theoretical argument advanced in this report (which makes use of highly abstract notions such as ‘depoliticization’) and the actual experiences and emotions of people staying on the island, including my own experiences of volunteering and being confronted with the research context on Lesbos.

2.3 Structure and Contents of this Report

¹⁴ I left out six interviews due to the time consuming nature of the process of transcribing, and because of the fact that these six interviews had turned out to be of lesser importance for the argument concerning the reception conditions on Lesbos that I had set out to develop.

¹⁵ For a general description of the process of coding that explains its role in structuring qualitative data, see Meghan Cope, “Coding Transcripts and Diaries,” in *Key Methods in Geography*, ed. Nicholas Clifford, Shaun French and Gill Valentine (London: Sage Publications, 2010), 440-452.

This report is structured in the following manner. In chapter 3, I will provide an account of my impressions and experiences of volunteering for a humanitarian NGO on Lesbos, in order to give the reader a sense of the refugee issue on the island and of my own confrontation with it. In the relatively short chapter 4, I will introduce the central difficulty of doing fieldwork on Lesbos, in order to set the stage for the *empirical analysis* of the reception conditions on Lesbos, which I will provide in chapters 5 and 6. Importantly, I have titled this chapter ‘Segue into the ‘Analysis Section’’, as it functions as a bridge between the description of my personal experiences during fieldwork provided in chapter 3 and the more abstract analysis of the reception conditions of asylum seekers on Lesbos provided in chapters 5 and 6.

In chapter 5, I will analyze the varieties of legal exclusion that asylum seekers on Lesbos experience in their own asylum procedure, in order to supplement the defective image of the practices of exclusion of asylum seekers on the island spread by the international media. In this chapter, I will accordingly answer the first sub-question of my research (formulated on page 3 of my thesis). In chapter 6, I will investigate *what is behind* the ongoing practices of exclusion and human rights violations of asylum seekers on Lesbos, and argue that these human rights violations are able to take place (in spite of the ample media attention accorded to the squalid reception conditions on the island since March of 2016) because of the widespread denial of accountability by all actors involved, resulting in the fact that these practices of human rights violations are depoliticized and cannot be contested. In that chapter, I will accordingly answer the second sub-question of my thesis.

Finally, in chapter 7, I will discuss the main findings of my empirical analysis, provide an analysis of whether re-politicization of the reception conditions on the island is possible (the third sub-question of my thesis), and address the implications of the results of this report, both for the field of Border Studies and for policy makers concerned with the refugee issue on Lesbos.

3. Impressions and experiences of doing fieldwork on Lesbos

Empire of children

The first thing that draws attention upon arriving in the refugee camp of Kara Tepe, is the overwhelming number of very young children. They scream, they play, they chase each other across the camp's main alleyways and along their families' iso-boxes (pre-fabricated living containers of roughly three by twelve meters), are filled with energy and – most importantly – seem to take their 'home' for granted, as if any questions concerning how they landed up here would be gravely out of place. In comparison to them, their parents come off as rather sedate, with the mothers often staying inside the living container to care for the children and the fathers coming down to the chai- point for a chat – tea is served in two flavors: for Westerners or very sugary – or convening around one of the two large tables for a game of dominos, with a specially constructed roof providing shelter from the afternoon sun. During Summer, you will notice that the place 'opens up' at night, as the cooling temperatures lighten up the mood of everyone and parents come out of their iso-boxes in the setting sun to feel the evening breeze and strike up a conversation.

In contrast to Moria Refugee Camp, Kara Tepe is formally run by the Municipality of Mytilini (the main local authority of the island), with the security personnel and camp management presiding over it, providing security, overseeing basic issues of housing and infrastructure, and regulating the various NGOs in the camp that provide services and support. Significantly, only families are allowed to live in Kara Tepe – which has a housing limit set at 1200 people – and fighting is strictly forbidden. Stavros Mirogiannis, the former army-general turned camp director, once expelled two families as a punishment for having a violent quarrel. They camped in front of the security gates for a full week with the hope to be granted a pardon, but received enduring silence as a result. Mirogiannis was an imposing presence when you saw him going around in Kara Tepe, with his burly figure and bellowing laugh, chatting to asylum seekers and sometimes patting them on the back: he could be cordial without ever losing his authority.

Situated at a five minutes' drive from the island's capital of Mytilini and perched on steep hills overlooking the sea, there is something serene about Kara Tepe's location. Sitting in the cafeteria just outside of the entrance of the camp, you could often see fathers passing the entrance gate with fishing rods in their hands, on their way to the beachfront for a quiet afternoon. If you were to stay a bit longer (and buy another frappé cappuccino), a large blue bus would suddenly appear and, after unceremoniously parking right in front of the security gate, let out flocks of children running to their families after spending four hours in school.¹⁶ This is where I come in. I stand up, greet the man who prepared my coffee, cross the registration booth while showing my humanitarian tag to the Greek-American guard who operates the security barrier, and in the

¹⁶ This school only provided 'non-formal education' (i.e., education not leading up to a degree), as getting access to formal education – i.e., Greek schools – is still very difficult for asylum seekers on the Aegean islands at the time of writing.

meantime, give some high fives to kids that I know. There is plenty of work to do and it is only five o'clock. Preparations for 'Ladies' Night' are in full swing.

During my period of volunteering for NGO-1, I mostly worked in this place, with its rapidly changing population, dynamism and subtleties. My organization was founded during the Summer of 2015 by two Dutch friends who gave up their planned holiday to Ibiza to offer relief to the many asylum seekers making landfall on Lesbos during the period, upon seeing the widely publicized picture of a drowned Kurdish boy (Alan Kurdi) lying dead on a beach in Turkey. As one of the founders is the son of a prominent Dutch media tycoon and a celebrity in the Netherlands himself, the organization has received quite some exposure in the Dutch media over the years. The activities of NGO-1 have seen a significant change in direction. Whereas in 2015, the organization was still helping to make Lesbos's transit-camps winter-proof, the NGO has come to provide a significant part of Kara Tepe's infrastructure in 2018 and also maintains a community of 500 single men in the urban sprawl of Moria Camp, an area informally known as 'The Olive Grove'. Passing the screening of the organization had been surprisingly easy when I applied in May of 2018: within two phone calls, everything had been settled and I could look forward to being a member of the team on Lesbos.

In spite of the air of professionalism implied by recent feature articles on the organization in both Dutch and Anglophone media, NGO-1 is mainly run by volunteers. At the start of my period of volunteering, NGO-1's team was strikingly young, with volunteers in their twenties such as R., the British political science student who had cycled all the way from London to Lesbos; B., the eccentric Australian who had been working as a gardener on Lesbos for two years for various NGOs (not without impressive results) and was always philosophizing about plants; and, not insignificantly, B.B., an American with Greek parents who taught English to refugees in the Southern Olive Grove for NGO-1 and was great to have a laugh with. K., a twenty-one years old American girl from Wyoming, served as the coordinator of NGO 1's international volunteers in Kara Tepe. Additionally, Ka., a Danish girl of about the same age, at that time served as the coordinator of NGO 1's *resident volunteers*: asylum seekers living in Kara Tepe and Moria Camp that the NGO calls on for support in its activities.

On an average working day, I would wake up at half past seven in my house in Mytilini (there is a lively economy for short term accommodations in the island's capital, thanks to the influx of international volunteers to Lesbos since 2015), walk across the city center to the central bus stop on Sappho Square, board one of the buses of the shabby type – donated by a German company for the transportation of asylum seekers – with destination signs in Farsi and Arabic and arrive at Kara Tepe at 8.20. Depending on my schedule, I would likely start by sorting clothes in NGO-1's warehouses in Kara Tepe or by working in its clothing store, where families could make an appointment once in every three months to sort out a set of garments for each member and receive them for free. In the afternoon, I would typically go to Moria Camp (hitching a ride from one of the coordinators in NGO-1's signature red Fiat Pandas) with a colleague to play games – Uno or Jenga – with

unaccompanied minors in 'Section B', a fenced-off section of Moria Camp housing minor-aged boys who arrived on Lesbos without relatives.¹⁹ A coordinator would give us a ride back to Kara Tepe and, after another odd job or two, we would usually return to Mytilini at eight o'clock in the evening.²⁰

Perhaps most interesting of our activities was working at Kara Tepe's shop: essentially a single very long room with t-shirts, trousers and – indispensably – dresses displayed on garment racks, with two giant fans on the counter blowing at maximum capacity (and maximum noise) in Summer. Family appointments lasted one hour as a rule. We had a fixed team of interpreters for the various languages spoken in Kara Tepe – mainly fathers from the camp who spoke Kurdish (Sorani/Kurmanji), Arabic or Farsi – and often worked here with two volunteers per shift: one would assist the family in the main room and the other would look up shoes for family members in the shoe compartment (a separate room off-limits to asylum seekers), as each relative was entitled to one pair of shoes once in every six months. Perhaps surprisingly, it could be very stress-inducing to work here. My diary entry of the 4th of September expresses this succinctly:

'This morning, upon entering the shop in Kara Tepe, I was once again caught in the crossfire of a family visit, which could be an apt description of the frustration that parents sometimes vent on the volunteers supposed to help them during their appointment. Each family is allowed to make an appointment once in every three months to sort out a bag of clothes, proceeding by a list with fixed numbers ('each person can get three pairs of underpants, two pairs of trousers,' etc.). These visits are filled with tension anyway, as most parents do not have money to buy clothes themselves and we usually run short on ample types of garments, but this time we as volunteers could not even count on the slightest understanding: every pair of jeans or T-shirt that A. and I handed to the mother was resolutely rejected by her with a curt shake of the head and accompanying click of the tongue. This could be an interesting theme for an inquiry, the pride of the Iraqi woman.'²¹

As NGO-1 for the most part depended on donations of companies to fill up its supply, we had to be lucky that the containers shipped from Amsterdam (location of the NGO's headquarters) to Lesbos more or less contained clothing of the types and – most importantly – sizes in high demand. As matters stood, we faced huge shortages of all kinds of clothes, especially adult shoes of sizes 37-41, dresses, and t-shirts and jeans with sizes appropriate for Syrian, Iraqi, or Afghan men.²² By consequence, some refugee fathers started to shout at me in Arabic or Farsi when I told them that we had run out of shoes of size 40 or 41. Alternatively, some of the parents laughed upon seeing one of the spare pairs of their size available that one of the volunteers had managed to scoop up in the shoe compartment and held out to them (this was worse). The worst visits, however, were families with six or seven children running around and yelling, being very picky and refusing to leave on time, forcing the next family to wait for twenty minutes and totally distorting our schedule.

¹⁹ Of course, my exact schedule varied per day, but the three activities indicated in this paragraph were at least the ones that we as volunteers engaged in most often.

²⁰ As this indicates, volunteering is not a 9 to 5 job and working hours are long.

²¹ I like the original Dutch of the penultimate sentence better: 'Nu zijn dit sowieso vaak al gespannen momenten, omdat de meeste ouders geen geld hebben om zelf kleren te kopen en we vaak een tekort aan allerlei soorten kledingstukken hebben, maar dit keer vonden wij als vrijwilligers al helemaal geen genade: elke broek of T-shirt die A. en ik de moeder aanreikten werd resoluut door haar afgewezen met een korte hoofdknik en een klik van de tong.'

²² Notably, one factor definitely played a part in the shortages: Dutch companies mostly donate clothing with sizes common in Holland.

Although such visits were not the rule, they occurred frequently. Nevertheless, working at the store was also a lot of fun. Nice interpreters were M., an electrician from Arbil in Iraq who spoke four languages (Kurdish, English, Arabic, and Farsi, sometimes all of them during the same shift) and had a five-years old son with beautiful eyes who was up to all sorts of mischief; H., a former police officer from Baghdad who could draw highly realistic portraits; and A., a seventeen year old Iraqi who somehow thought that wearing a Djellaba (traditional Arabic robe, which was only worn by some old men in the camp) in the shop would make him a more authoritative interpreter. One moment I could be arm-wrestling with a translator, and the other I could go over the identity card of a father from Afghanistan with three children standing right in front of me and see that he was born in my own year of birth, 1994.²³

In the following paragraphs, I will recount two stories to give the reader a better impression of life in Kara Tepe and working for NGO-1.

Miscommunication

Every day, at least one or two families were allowed to depart from Kara Tepe to mainland Greece, so that they could finish the rest of their asylum procedure there. As a rule, NGO-1 lent out one pan to each family living in Kara Tepe, so that they could cook in the large prefabricated kitchens installed by the UN Refugee Agency in 2017. Since some of the departing families took these pots with them without our permission, it was imminent that we would go to the iso-boxes of the departing families to retrieve these pots before the bus taking them to the ferry arrived at five o'clock. However, as the camp management would hardly ever send the list with departing families in time, we usually had to engage in elaborated guess-work to find out what families were leaving. On the 19th of September, my Scottish colleague and I knock on the door of a living container. As I had grown used to people in Kara Tepe having a very poor grasp of English, I asked my question to the woman who opened up purposefully in very simplified English. The unfortunate consequence of this was that she did not understand my question and interpreted it as the statement that she would go to Athens today.²⁴ The flash in her eyes – of excitement – for me told the entire story of this camp.

Bikinis for Muslim women

Diary Entry, Monday 17th of September: 'Over the last few days, we have started to reorganize the four warehouses in Kara Tepe: in view of the rapid approach of Winter, we urgently need to replace the Summer collection of the shop. In the white warehouse – the one filled with the unsorted clothes – there are many bags with clothing that are of no use at all for us, either because these pieces are in ragged state or because they are five sizes too big for Kara Tepe's residents. Accordingly, we are forced to throw these away or donate them to Greek charity organizations. A waste really, you start to wonder why donors don't exclusively send clothes that we are actually in need of. Additionally, we found a collection of 400 bikinis in the blue warehouse today, which raises the question whether the relevant company had even given a single thought to clothing prescriptions pertaining to Arab women, not insignificantly when they are lounging on the beach.'

²³ This actually gave rise to one of my most significant realizations during my period at NGO-1: that I shared both nothing and everything with such a person (the father) standing right in front of me.

²⁴ Of course, this was a big mistake on my part. I still feel guilty for it at the time of writing.

In retrospect, this diary entry reveals a lot about the functioning of NGO-1, and possibly about the functioning of many other NGOs on Lesvos. During my first four weeks at the organization, NGO-1 was going through a 'coordinator-crisis': the previous two coordinators of the organization's team in Kara Tepe had left in July and the NGO had trouble with attracting new ones. Hence, K. and Ka. – two 21 years old international volunteers – had agreed to take over these duties for the time being until they would depart from the island at the start of their university semester. As they were thereby in effect in charge of all volunteers of NGO-1 working at Kara Tepe (including all of the camp residents volunteering as interpreters or in the kitchen), these were significant responsibilities. At times not easy to shoulder for two volunteers of 21 years old: K. and Ka. were often running around the camp with flushed faces, trying to catch up with the latest developments (for example, resident volunteers not turning up, a difficult family in the shop, a father who suddenly passes out in front of the entrance) that inexplicably remained one step ahead of them invariably.

This was only the first part of the 'coordinator-crisis': at the end of my second week at the organization, both K. and Ka. left. As a result, for a period of two weeks, there was an even quirkier interval of transition in which an Irish volunteer (M.) – a woman who had volunteered at Kara Tepe before and who had just arrived for the second time – had reluctantly consented to take over *both* coordinating duties for a week, after insistent requests from the main office of my organization. The other volunteers and I sympathized with her: M.'s mantra was that there were two things that she had urgently wanted to quit after her retirement, stress and smoking.

What left the most vivid and lasting impression concerning the organization's *ad-hoc* mode of operations, however, were my last two weeks at NGO-1.²⁵ As indicated by the diary entry cited above, we had started to restructure the warehouses by that time in view of the need to bring in the 'Winter-collection' to the store. The note also manifests that we did not have a *proper inventory* of our stock, because of which eccentric discoveries – such as finding 400 bikinis or 200 pairs of snow boots stacked up in a repository where we had never looked and that we were previously unaware of – were not uncommon. As the main warehouse that we had to reorganize (at least 100 meters in length) was filled with bags full of unsorted clothes, and many of them were of no use to us (being either too large or in poor state), we were faced with a formidable task. Curiously, the state of the warehouses was also noticed by two friends of the founders: when I arrived at Kara Tepe on the 26th of September and walked up to one of them, I heard two women repeatedly cursing in Dutch about the lack of orderliness they were witnessing. Peering inside, N.F. and her sister were sorting clothes in the Green.²⁶ They had flown to the island for a two-day visit.

Mrs. M. was in charge of the reorganization, but significantly, there was no clear plan on how to carry out the operation. Accordingly, one day she could ask us to move all cardboard boxes with Summer clothes that we had recently compiled to the very back of the white warehouse, whereas the following morning, she would casually state that we should move all of these boxes back to the front (so that they could be moved to a warehouse close to the airport), thereby negating the result of the previous day's work. She could sternly forbid us to hang up sweaters in the shop *before* the 1st of October (in spite of families strongly urging for this), and do so herself 30 minutes later. M. had the tendency to be convinced of her judgments, in spite of the fact that some of us disagreed, and diametrically revise them an hour later.

²⁵ Week 5 and 6.

²⁶ In Holland, she is a well-known TV personality. We would call her 'a Renowned Dutch Person'. Especially N. was loudly cussing.

Additionally, during my last two weeks for NGO-1, an unprecedented number of families from Kara Tepe were allowed to leave for mainland Greece as a result of a media campaign – about the ‘bad reception conditions on Lesbos’ – initiated by MSF (Doctors Without Borders) in early September. This put a heavy strain on the organization, as we had the rule that every departing family with a clothing appointment scheduled in *within two weeks* could get an ‘emergency appointment’ prior to leaving. As a result, the shop filled up with families laying a claim to our time. Perhaps significantly, during this period, some of the volunteers refused to work there.

Was this situation due to the faults of any of the volunteers? Not necessarily. The events described above do illustrate a hallmark of the functioning of NGO-1: the very fine line between order and the absence of control. Stories that I heard from volunteers working for other NGOs – either my housemates or people that I met in Mytilini – during my period on the island confirmed to me that NGO-1 was not alone in this regard. I think that this is for two reasons. For one, international volunteers coming to the island generally stay for a period of two or three weeks. As a result, all of the knowledge and know-how acquired during this period goes missing once these people catch a flight back to their home country. This high rate of turnover, for instance, led to the situation that no one working for NGO-1 had an overview of our supplies. Secondly, relevant circumstances in the refugee camps can rapidly change, as indicated by the large-scale departure of families from Kara Tepe at the end of September. Accordingly, when working for a volunteer-based NGO in such an unpredictable and often rapidly changing environment, the following question seems of the utmost importance: do we control the events, or do the events seize hold of us?

The system behind the pain

To bring my story to a close, I want to return to the people who cannot take the airplane to extricate themselves from the disorderly circumstances that they have become caught up in. What people? Take, for instance, Mr. A. from Iraq, who was volunteering as an electrician for NGO-1 in the Southern Olive Grove.²⁷ His marriage (he had three children) was rapidly falling apart during my period at the organization, until he received a ‘black stamp’ on the identity document issued by the Greek authorities, which meant that the ‘geographic restriction’ for him and his family was lifted.²⁸ Or Mr. T., a volunteer for NGO1 from Burundi who had finished a PhD in Computer Science in Moscow, could speak eight languages, and was now living in the Southern Olive Grove after spending two years in prison in his home country. As I did not grasp how he was able to pull off his continuous and sincere smile given the circumstances, I ended up simply admiring his attitude. Or A., a boy from Iraq who got separated from the rest of his family, as he was not allowed to come along with them to the mainland of Greece on account of having recently turned eighteen.²⁹ Or R., a journalist from Afghanistan who regularly went into Moria Camp to shoot pictures of blind

²⁷ I can still recall the moment that he unexpectedly put on James Brown’s ‘It’s a Man’s World’ on his phone while we were at the beach, during a trip organized in early September by NGO-1 for all of its volunteers. Although that was our first meeting, we were suddenly singing together. There was something pleasantly absurd about it.

²⁸ For an unknown reason, this identity document issued to asylum seekers on the island is generally called ‘an Ausweis’ among both asylum seekers and volunteers.

²⁹ The others (his family members) had received a ‘black stamp’ on their ‘Ausweis’.

people and children playing on their own, and who was rightfully angry that he could not send his children to a normal school.

Too many people, and doing justice to the life stories of each of them is impossible within the space and scope of this thesis. Over the course of my six weeks for *NGO-1*, I got to know some of their fears, uncertainties, and occasional spells of nostalgia, but also optimism, perseverance (for example, a man from Cameroon who was apprehended by the Turkish coastguard *ten* times while crossing from Turkey to Lesbos and managed to succeed on the eleventh attempt) and terrific senses of humor. Significantly, they can be full of life: during my second week on the island, some volunteers from various NGOs had organized a concert for and by refugees in the area of the Southern Olive Grove, at which Afghan, Syrian and Congolese performers were slated to play songs from their own countries on a makeshift stage created for the purpose. When my friends and I arrived, a massive crowd had gathered. Of what followed, I can most vividly recall the performance of a charismatic Afghan guitarist and singer, who somehow managed to get Arabs, Afghans and Congolese people to clap and dance and chant along to his songs.

Throughout this account, I have been comparatively quiet about the circumstances in Moria Camp and its adjacent Olive Grove, which is basically a sloping area with tents haphazardly set up among the barren vegetation, and with minimal facilities. It came into existence in a more or less disorganized fashion, as overcrowding of Moria Camp at the end of 2017 induced individuals and families to move out and set up tents in an area of nature just outside of the camp's premises. As the area was not ideal for pitching tents (dirty and significantly slanting) and there were no facilities pertaining to electricity or running water, Moria's Camp Management allowed *NGO-1* to intervene at the start of 2018 to make a portion of the area more habitable, by building a series of plateaus – so tents could be pitched at even ground – and installing showers, restrooms, wifi and electricity. The tents are also significantly better in this area than in the Northern part, which is still for the most part unregulated and, by consequence, lacks most of the elementary facilities listed above.³⁰ This area – home to 500 single men – is now known as the *Southern Olive Grove*.

Moria Refugee Camp and the Olive Grove are a world apart from Kara Tepe. For one, fights among refugees occur regularly there, especially among ethnic groups. Secondly, all of the single men live in this area, i.e., the people who may be most frustrated and have least to lose. Third, in contrast to Kara Tepe, people have to wait in a queue – there is only one for the entire camp – for three hours to receive breakfast, lunch, *and* dinner.³¹ Fourth, both Moria Camp and the Northern Olive Grove are significantly overcrowded, and sanitary and living conditions are therefore worse than in Kara Tepe. Fifth, Moria Camp is directly administered by the Greek army, and features barbed wire on its walls and security gates. When there are riots on Lesbos (including arbitrary arrests and police brutality), they usually occur within the premises of this camp.

Accordingly, the degree of disorder internal to *NGO-1*'s functioning seems to be mirrored on a much grander – and more hazardous – scale in Moria Camp. To be sure, many international NGOs have stepped in trying to help asylum seekers living within the camp or just outside of it, but circumstances seem set up to be overwhelming and there is an absence of control. Indicative for this is that the 'unofficial' Northern Olive Grove – in spite of the tents being pitched on land that is no *property* of the Greek State – still exists. Additionally, it shows through in absurd situations, which are sometimes on the point of inducing disbelief. M., a man from Iraq whom I

³⁰ Most asylum seekers in the Olive Grove, however, live in the unregulated area.

³¹ So in total 9 hours per day.

met and befriended during my last three weeks on Lesbos, told me that he was volunteering as an interpreter for medical NGO-2 in April of 2018, when during an episode of fighting in Moria Refugee Camp at night a gang of Syrians showed up, faces covered with masks and sporting chains, screaming that they wanted to go for all the Iraqis in the examination room. As they kept battering the door – rapidly closed shut to keep out the invaders – for several hours, he could only laugh.

How to understand this chaos, and could it play a role in the consolidation of practices of exclusion of asylum seekers on Lesbos? After all, reception conditions for refugees are still far from ideal, as the exposition on Moria Camp and the Olive Grove makes clear, even after three years have passed since the closing of the EU-Turkey Refugee Deal. As the weeks that I spent at NGO-1 passed, I began pondering these questions more and more seriously, being encouraged by the numerous conversations that I had with asylum seekers, including some of those that I listed above. I gradually became convinced that there was a close connection between the lack of institutional order and the consolidation of exclusion on Lesbos, and will present my reasons for this in chapter 6 of my thesis. In order to study this link properly, however, I *first* need to correct and complement the ‘dominant account’ promulgated by the international media of the scope and character of the practices of exclusion of asylum seekers on the island, as some of the most salient practices – i.e., the *legal* exclusion that asylum seekers experience on Lesbos, with special regards to their asylum procedure – have remained entirely unreported by leading international newspapers. Additionally, they have up to now likewise been overlooked by scholars studying the refugee issue on the Aegean Islands since the closing of the EU-Turkey Deal.

The composition of the central part of my thesis – comprising the analysis of the refugee issue on the island – will be as follows. In (the relatively short) chapter 4, I will present and explain the central difficulty of conducting research on Lesbos, in order to set the stage for my analysis of the reception conditions of asylum seekers on Lesbos provided in chapters 5 and 6. In chapter 5, I will shed light on the practices of *legal* exclusion of asylum seekers and thereby complement the ‘dominant account’ of practices of exclusion of asylum seekers on the island promulgated by the international media. This chapter will thereby address the first sub-question of my thesis (see page 3). Subsequently, in chapter 6, I will present my account of the relation between the lack of institutional order and the consolidation of practices of exclusion on Lesbos, in which processes of *depoliticization* will occupy a foundational role. This chapter will thereby answer the second sub-question of my thesis.

4. Segue into ‘Analysis Section’: Economy of Rumors

On the sixth of September of 2018, the term ‘economy of rumors’ for the first time makes an appearance in my diary. By then, I have been on the island for two weeks. I will briefly describe the viewpoints of two interviewees in interviews I had during this period, to shed light on the notion that I wrote down in my journal entry. The main topic probed during these conversations was the reception of asylum seekers by locals on the island, and by extension, the impact of the ‘refugee issue’ on local tourism. When I asked my first interlocutor – R1, owner of a hotel in the vicinity of Mytilini and the vice-president of the Hoteliers Association of Lesvos – about the state of local tourism, he asserted that the influx of asylum seekers over the last three years had had a sharply negative influence on the island’s holiday industry.

As he put it: ‘The tourist industry in Lesvos suffered a big setback in 2016. In that year, it witnessed a decrease of 65 percent in revenues. In 2017 the level was back at the level at 2015, and it seems to have steadied out in the years afterwards. From 2015 to 2018 the rest of Greece gained a 20 to 30 percent rise in tourism per year. Within the space of three years, tourism went up in Greece for 60 percent across the board. However, Lesvos missed out on this due to the refugee issue.’ Vatis even added that a lot of hotels did not open over the last years, as for hotel owners the expenses would not have made up for the revenues. When I asked him for official statistics or figures that could render these assertions more substantial, he stated that he could not provide me any.

Contrast this interpretation to the account provided by R2, owner of a café situated in the center of Mytilini and one of the most popular cafés among asylum seekers and international volunteers alike at that. When you cross the alley where the Kafeneio is situated in Summer or Autumn, you can typically hear five or six languages being spoken on the terrace’s tables. (Mytilini is a small place. At this point you would most probably run into someone you know.) According to R2, the ‘refugee issue’ has thoroughly changed the island’s economy, *for the better*. In particular, over the last three years, about twenty additional cafés opened up in Mytilini’s city center, which goes to show that the influx of international (i.e., wealthy) volunteers and NGOs has been a considerable boon to the local hospitality industry. Importantly, the situation has also resulted in some personal changes: R2 stated that it is a very uncommon situation to have mostly Europeans as his clientele, still showing surprise about this transition which occurred in late 2015. A seemingly insignificant detail: ‘For many years, we had the menu only written in Greek, but since the last three years, we have had an English version of the menu.’

Interestingly enough, R2 accused those who maintain that the refugee issue had a negative effect on the local economy and tourism industry of dishonesty. He remarked: ‘Somehow this issue brought a lot of money to Lesvos, but a lot of local residents of Lesvos don’t admit it. People who say differently are lying, because they are against refugees for extra-economic reasons. Tourism went up for 40 percent across Lesvos. There are too many cafés, *hotels are full all the year* [notice the contrast with R1, DB], houses rent out, there is a lot of activity on Airbnb.’ Again, he could give me no official figures that could lend his assertions credence.

What are we to make of two so wildly different stories? These two people seem to live in different worlds, even though both were born and raised on the same island. As R1 states that certain hotels did not open in the holiday period whereas R2 stipulates that hotels

have been fully booked *across all seasons*, they even appear to contradict each other on issues that should be basic facts. Of course, it might be possible to reconcile both claims, but this is hard to do when official statistics are missing.³² For the lack of such official figures, all I was able to infer about the impact of the refugee issue on the local economy (whether positive or harmful) from these two conversations was that judgments among locals sharply differ. Safe to say, this sharp divergence in their accounts – of what should be a factual issue – served to puzzle me. I began to presume that ‘truth’ would be a scarce commodity in this research-context.

The situation described above would come to be indicative for my general experience of doing research on Lesbos. However attentive you are as an observer, on this island very few things are ‘clear’. Notably, this is not something that just affects researchers, but also holds true for Greek residents of the island, international volunteers, the asylum seekers that live in the camps, the management of NGOs, and Greeks in a position of (some) authority themselves. In the face of a desire to get one’s bearings, everyone has to do with chronic shortages of information. The result is an environment in which rumors thrive, abound, amplify, and take on a life of their own. For the absence of correction, imagination in the minds of many successfully poses as reality. Hence, doing research here assumes taking the guise of an economist of the anomalous kind, someone interested in the circulation of ‘truth’: why certain stories gain currency, who produces them and how these accounts come to guide people in their daily lives and activities.

I will offer three examples of topics with significant unclarity to give my claim about the ‘economy of rumors’ weight. For one, it is chronically unclear whether there is presence of *Islamic State* (ISIS) in Moria Refugee Camp. When Deutsche Welle advanced the claim that former IS-combatants were terrorizing parts of the camp in a documentary aired on the first of October of 2018, the ensuing media coverage effectively internationalized a controversy ongoing for several months in the ‘refugee and volunteer community’ of the island itself. Several people on the island affirm the thesis, other people deny it (among them several asylum seekers that I have got to know well during my time on the island), others simply profess not to know, such as a Greek journalist whom I interviewed and who regularly went inside Moria Refugee Camp to report on ‘what was going on’. During my time on the island, I witnessed a particularly angry exchange about the issue in the ‘Volunteers on Lesbos’ Facebook group, spurred on by the founder of an NGO who was clearly in the affirmative camp. Although significantly more was at play than this topic alone, reconciliation seemed a distant prospect: individuals from both sides were mainly hurling accusations at each other.

Second, shortly after my arrival on the 20th of August, four coordinators of NGO-3 were arrested on Lesbos by the Greek police.³³ In an accompanying press release issued by the authorities, charges pressed against them included facilitating the illegal entry of aliens on Greek territory, the formation of and involvement in a criminal organization, money laundering, espionage, and unlicensed radio use. As the coordinators were held in pre-trial custody for more than three

³² For example, hotels in Molivos (a town which is the spearhead of the tourism industry on Lesbos) may have stayed closed during the holiday season due to a decrease in conventional tourists, whereas hotels in Mytilini – the island’s capital, which is close to the refugee camps – may have been filled up all year long due to the influx of international volunteers and arrival of employees of large supranational organizations (such as UNHCR and IOM).

³³ Helena Smith, “Syrian ‘Hero Swimmer’ Arrested amid Trafficking Claims in Lesbos,” *The Irish Times*, September 6, 2018, <https://www.irishtimes.com/news/world/europe/syrian-hero-swimmer-arrested-amid-trafficking-claims-in-lesbos-1.3620689>.

months (they were released last December), the organization rapidly fell apart due to the lack of management and the inability of the NGO to pay its medical employees.³⁴ As the trial has not formally started yet, no-one knows whether any of the aforementioned allegations is well-founded or whether these arrests by the police merely tie in with a recent development: the criminalization of humanitarian NGOs happening across the wider Mediterranean region.³⁵

Third, there are numerous stories about corruption of both specific Greek institutions and private partners that these institutions cooperate with.³⁶ One very persistent story serves as an explanation for the (severe) lack of quality of the food that refugees officially receive from Greek Authorities in Moria Refugee Camp and Kara Tepe: it alleges that the catering company preparing it would embezzle portions of the allocated funds. Another rumor has it that employees of the Greek Asylum Service accept money from asylum seekers in exchange for what is known as a 'Black Stamp': this means that the geographic restriction is lifted for these individuals, who are then transferred to refugee camps in the mainland of Greece to finish their asylum procedure there.

These are just some examples showing the relation between the 'lack of information' and the circulation of stories on Lesbos, and the salience of these accounts in people's understanding of the situation that they have become caught up in. In this regard, these stories seem to hark back to the original understanding of the word 'myth', in the sense that ancient peoples invented such accounts to explain phenomena of nature that appeared out of their control.

I wanted to recount this, to give the reader an indication of what it's like to be doing research on Lesbos. For those who might wonder about my personal reaction to these uncertainties: especially in the first few weeks, I felt frequently overwhelmed, as if I had engaged on an overambitious mission to comprehend a situation that even most Greek residents of the island fail to grasp, let alone influence or control.

5. Analysis: Practices of Legal Exclusion

In which my main interlocutors are:

- R16 (Greek journalist who has been living on Lesbos for more than ten years)
- R12 (American lawyer, coordinator of international NGO-4)
- R18 (American lawyer, director of international NGO-5)
- R20 (Field Support Officer of the *European Asylum Support Office*)
- R9 (Afghan Asylum Seeker, journalist in his home country and father of two children)

It is the 25th of October of 2018 and I am sitting in a café in the harbor of Mytilini with Greek journalist R16. She is visibly tired, and had informed me over e-mail that she is going through a tumultuous period: a Greek news website she worked for has just dismissed her, although it provided a significant part of her income. In the conversation that followed, she would make it clear to me that many news outlets in Greece struggle to make ends meet in the aftermath of the

³⁴ Maybe they were lucky. In Greece, pre-trial detention can be extended up to a maximum of eighteen months.

³⁵ For more information on this development, see Paul Hockenros, "Europe has Criminalized Humanitarianism," *Foreign Policy*, August 1, 2018, <https://foreignpolicy.com/2018/08/01/europe-has-criminalized-humanitarianism/>.

³⁶ Of course, words like 'corruption' should be treated with caution in the social sciences. The term carries Christian undertones as it originated in the phrase 'Corruption of the flesh', which any user of the word in academic analyses should be aware of. See Michael Herzfeld, *The Social Production of Indifference: Exploring the Symbolic Roots of Western Bureaucracy* (Chicago: University of Chicago Press, 1992).

country's Financial Crisis, and only a handful of professionally employed journalists are still active on the island.

The main topic of the interview is the coverage of the 'refugee issue' on Lesbos by local and national media in Greece. At one point, R16 comes to juxtapose the role of local journalists to the role of the international press. After having talked about the difficulties of accurately reporting on the issue with so few local journalists remaining on Lesbos, she states: 'On the other hand, I think that the foreign journalists from foreign media that report on this issue often don't stay for a long time in order to report something which is real. And at some point, after the EU-Turkey Agreement, I think that the foreign media has its agenda. Local media state that refugees and locals of Lesbos both have a common purpose, namely decongestion. But from the point of view of the European media, before the EU-Turkey Agreement, focus lay on the solidarity of Lesbos, and how the refugees arrived, but after this Agreement, the focus lay on the very bad situation in the camp of Moria, about the food and the water, and no reports about how bad things are in the asylum process, and the interviews [conducted with asylum seekers as part of their procedure, DB], which is in a sense the most urgent issue, even lawyers say that it is a violation of human rights what's going on in there.'

In a sense, she speaks for me here, as I have come to adopt this opinion. Indeed, the most flagrant practices of exclusion of asylum seekers remain unreported by international news media. All of these practices have to do with the law, the legal status of asylum seekers and the asylum procedure that they are caught up in. This will be the import of the answer that I will provide to my first sub-question in the present chapter, which I will deliver now. Specifically, in this chapter, I will strive to supplement the account spread by the international media of the human rights violations of asylum seekers on Lesbos – focusing exclusively on the dire circumstances in Moria Camp – with an account of the (much more private) human rights violations of asylum seekers in the context of their personal asylum procedure.

This chapter will be structured in the following manner. First, I will provide a general introduction to the operations of the main EU Agency involved in the asylum procedure of individuals on Lesbos (the *European Asylum Support Office/EASO*). In section 5.1, I will discuss the manifold problems in the functioning of this agency on the island. In section 5.2, I will examine two other main complications in the asylum procedure of individuals on Lesbos that cannot be reduced to the functioning of the local office of EASO alone. Finally, section 5.3 will contain a discussion of the results of this chapter, in which I will briefly contrast the varieties of exclusion of asylum seekers in the context of their asylum procedure to the practices of exclusion focused on by the international media, and use my analysis of the operations of EASO on Lesbos to uncover some shifts in the influence exercised by the EU on the Greek asylum system after the closing of the EU-Turkey Deal.

On the 1st of November of 2018, I confront *European Asylum Support Office* officer R20 with a series of inconvenient questions. We are sitting in a container (the furnishing is decidedly Spartan) in EASO's compound situated in a remote place by the side of the motorway from Mytilini to Kalloni, a former detention center converted one year ago into the Agency's main office on Lesbos. This is where the Agency's case-workers conduct the interviews which are crucial in the application process of individual asylum seekers. Over the course of the last four weeks, I have been hearing very disconcerting messages about the functioning of this organization, and I accordingly felt the need to approach it to give the institution the right to a fair hearing and the opportunity to provide additional clarification. Compared to the Greek NGOs and institutions that I had been trying to get in touch with

during the preceding period (who often did not answer my requests), the Agency's response rate was surprisingly fast: three days ago, I sent them an interview request over email.

The *European Asylum Support Office* is one of the four EU-agencies assigned a special function in the 'hotspot approach' introduced by the European Commission in its 'European Agenda on Migration' of May 2015.³⁷ This approach was explicitly intended as a response to increasing 'migratory pressure' on the EU's external borders and essentially promises assistance to frontline member states in registering, identifying and fingerprinting incoming migrants in key areas to be designated as *hotspots*, which would be provided by EU-institutions Frontex, the European Asylum Support Office, Europol and Eurojust. These would offer support in the areas of respectively coast guard monitoring and registration of asylum seekers, the processing of asylum procedures (e.g., by taking interviews with individual asylum seekers), law enforcement, and the investigation and prosecuting of matters of 'cross-border and organized crime' (e.g., human trafficking and people smuggling).

Although these hotspots were accordingly initially intended as centers of registration and sorting of inbound asylum seekers, their function in Greece shifted radically to 'sites of containment' by the EU-Turkey Statement of March 2016. From then onwards, asylum seekers who arrived on the five Aegean islands designated as hotspots *had to* request asylum in Greece. Whereas EASO had occupied a relatively minor function in the operational support offered in the hotspots during the preceding months (very few asylum requests were filed in Greece), it would now go on to play a highly salient role.

The *European Asylum Support Office* was founded in 2010 with the intent to assist member states in adopting and implementing asylum regulations of the European Union, thereby facilitating European integration on the level of asylum practices and law. For example, as some of its main tasks it provides practical and technical support to asylum authorities of member states and offers training and development for their staff.³⁸ In spite of this official mandate, however, the Agency came to assume a very peculiar function on the Aegean islands in Greece after the publication of the EU-Turkey Refugee Deal. While one would expect that it only facilitates the Greek Asylum Service in processing and conducting the interviews with asylum seekers, the European Asylum Support Office actually conducts a significant part of the interviews itself. Moreover, the recommendations its case workers write based on these are followed in 99 percent of the cases by the *Greek Asylum Service*, which is formally supposed to take the decisions in the asylum procedures of individuals itself.

Up to August of 2018, EASO exclusively conducted interviews with individuals engaged in the *border procedure*, which has been the default procedure for asylum seekers on the Aegean islands since the EU-Turkey Statement. Aside from the geographical restriction, it introduced the determination of 'admissibility': whether an asylum seeker is allowed to apply for asylum in Greece or should be sent back to Turkey to apply for international protection there, under the official motivation that Turkey is a 'Safe Third Country' that grants refugees international protection according to the stipulations of the 1951 United Nations Refugee Convention.³⁹ However, since September of 2018, EASO has started a pilot project on Lesbos, in which its case workers also

³⁷ Danish Refugee Council, *Fundamental Rights and the Hotspot Approach* (Copenhagen: Danish Refugee Council, 2017), 8.

³⁸ Jan Schneider and Anna-Lucia Graff, *EASO Reloaded: Can the New EU Asylum Agency Guarantee a Standardized System of Protection?* (Berlin: The Expert Council of German Foundations on Integration and Migration, 2018), 2. See also EASO's official website: <https://www.easo.europa.eu/about-us/what-we-do>.

³⁹ Whether Turkey can actually be termed a 'Safe Third Country' – even according to EU-regulations themselves – is a contentious issue, and I will come back to this later.

conduct the interviews for ‘vulnerable’ individuals who have been channeled into Greece’s *regular* asylum procedure, which only determines whether someone is ‘eligible’ for international protection and leaves out the ‘admissibility’ determination.⁴⁰ ‘Vulnerability’ is a status introduced in Greek law after March of 2016, and is accorded after a mandatory medical check in Moria Refugee Camp or by the Greek Asylum Service after a recommendation from EASO based on indicators of this status (e.g., trauma, pregnancy, grave illness) that arose in the border procedure.⁴¹ Hence, on Lesbos, all interviews with asylum seekers are actually conducted by EASO now.

What goes on in the small interview booths in EASO’s compound, with a courtyard in which several asylum seekers once gave me a very frightened look? I would come to find out when I conducted most of my recorded conversations in October of 2018. Prior to this period, the functioning of EASO had not been one of my research interests, as fellow volunteers or asylum seekers that I had interacted with when volunteering at NGO-1 had seldomly mentioned the organization. In fact, most of my volunteer co-workers (who often stayed on the island for two or three weeks) seemed to lack knowledge of the asylum procedure in Greece altogether. We were not alone: up to now, I have not seen a single article in the international media about the issue. Turning point for me was my interview on the 16th of October of 2018 with lawyer R12, who had been coordinator of the NGO-4 since mid-2016. When I asked her ‘What do you think of the quality of the interviews by the EASO and GAS?’, she came to characterize the functioning of the EU-institution in very negative terms. This would be echoed later in interviews I conducted with Greek journalist R16 and with director of legal NGO-5 R18, whom I spoke on two separate occasions. Additionally, at least two reports recently issued by legal advocacy organizations and human rights groups also voice severe criticism of the involvement of EASO in the asylum procedure on the Aegean islands.⁴²

As I am not able to trace the development of my insights on the functioning of EASO on Lesbos in a chronologic fashion, I will present them here thematically, thereby intending to outline an alarming development of EU-governance on Lesbos.

5.1 Problems with EASO’s Functioning on Lesbos

Let us go back to the – in hindsight – important question I asked to R12, during my interview with her on the 16th of October of 2018. When I saw her eyes rolling, I immediately added ‘Please tell me in what kind of ways they are falling short.’ (Whether such an interjection was prudent or not is up for discussion.) She replied:

⁴⁰ Someone who has been ruled ‘eligible’ is accorded refugee status or the status of ‘subsidiary protection’. Notably, the determination of ‘eligibility’ is also a part of the *border* procedure, but figures as the second part of it as asylum seekers in this procedure first need to be declared ‘admissible to apply for asylum in the state of Greece’. Those individuals ruled ‘inadmissible’ are held able to receive adequate protection in Turkey and are therefore not formally accepted into the asylum procedure of the state of Greece.

⁴¹ For more information on criteria of ‘vulnerability,’ see Greek law 4375/2016, article 14.

⁴² See European Center for Constitutional and Human Rights, *EASO’s Influence on Inadmissibility Decisions exceeds the Agency’s Competence and Disregards Fundamental Rights*, (Berlin: European Center for Constitutional and Human Rights, 2017); and Hebrew Immigrant Aid Society, *EASO’s Operation on the Greek Hotspots: An Overlooked Consequence of the EU-Turkey Deal*, (New York: Hebrew Immigrant Aid Society, 2018).

'I think the interviews conducted by EASO are particularly problematic. First, because EASO is supposed to provide technical support, their mandate is to provide technical support to countries that have an influx of asylum seekers, and they're doing much more than that. They are not supposed to be involved in the decision making, but if they are the ones conducting the interviews, making the recommendations to the asylum service, of course they are influencing the decision making. And so, in terms of sovereignty of the Greek state, it's a huge problem.

And then, behind that as well is the political agenda that EASO seems to have here. Just one example in terms of the admissibility that we were talking about before [in our interview, DB], so EASO is conducting many of these admissibility interviews to determine if a person should have applied for protection in Turkey, and EASO was consistently making the recommendation that a person should be found inadmissible. Clearly it was the European Union who made this agreement with Turkey, they had their political agenda of closing the borders, sending everyone arriving on the Greek islands back to Turkey, and then, no surprise EASO officers were also trying to push that. EASO people are not trained, in the two years I've been here, the quality of the staff have gotten better, but there are still many problems. I mean, the kind of questions people are asked sometimes are completely offensive, they're revictimizing people, asking inappropriate questions to people who are claiming asylum based on sexual orientation or gender identity. There are clearly guidelines from the UN on how these interviews should be conducted and EASO is, across the board, not following these guidelines. Asking questions about sexual positions, having people repeat several times about trauma they have suffered. So women who have survived sexual violence, asking them many times about it, and really kind of in a revictimizing way. There is one individual who was told to draw the positions she was in when she was tortured. So these are just some examples.'

5.1.a Problems with EASO on Lesbos: the Agency's Overstepping of its own Mandate

From this excerpt, we can draw several themes for further discussion. Let's start with the allegation that R12 immediately voices at the start of her reply: EASO's overstepping of its own mandate. In the EU-Regulation instituting the *European Asylum Support Office* of May 19th 2010, article 6 explicitly states that "The Support Office shall have no powers in relation to the taking of decisions by Member States' asylum authorities on individual applications for international protection."⁴³ This is restated (in a slightly altered form) by Recital 14 of the same law, which stipulates that "The Support Office should have no direct or indirect powers in relation to the taking of decisions by Member States' asylum authorities on individual applications for international protection."⁴⁴

On the one hand, we have a law that explicitly *does not* grant the European Asylum Support Office the authority to influence decisions taken by asylum authorities of Member States. On the other hand, the local office of EASO on Lesbos (and those in the other four hotspots on the Aegean islands) conducts interviews with asylum seekers to assess their *admissibility* and *eligibility* claims and writes recommendations based on these exchanges for the Greek Asylum Service, which are subsequently turned into the latter's authoritative verdict in 99 percent of the cases. What is going on?

⁴³ Regulation (EU) No 439/2010 of the European Parliament and the Council of 19 May 2010 establishing a European Asylum Support Office [2010] OJ L 132/11.

⁴⁴ Regulation (EU) No 439/2010 of the European Parliament and the Council of 19 May 2010 establishing a European Asylum Support Office [2010] OJ L 132/11.

In the same interview with R12 from which I cited above, the lawyer stated that EASO has developed a stock rejoinder to the objection that the Agency is stepping beyond its mandate in conducting the interviews in the Greek hotspots: 'Well, this is what EASO always says, they always defer to the Greek Asylum Service. They say: we make recommendations, the Greek Asylum Service is the one who makes the final decision. For the most part, these decisions are exactly the same as what they recommend.' When I confronted EASO field support officer R20 with the allegation of the Agency's 'overstepping of mandate' two weeks later, she remarked:

'Well, to be honest, we do the interview, then we write the opinion, and then we give everything to the Greek Asylum Service. Then they can go through the interviews, if they have more questions and decide that it was not enough, then they can call back the applicant and do an interview. And in the opinion, nothing is binding, so the Greek Asylum Service can decide completely differently. So, it's more, from my point of view, from the EASO point of view, like giving the tools to the Greek Asylum Service to be able to process this huge amount of requests in a faster way by doing the interviews for them. But then they get the transcript and they can form their own opinion based on that. It's not like telling them what to do. And the GAS also has the freedom to conduct the interviews, if they figure that some elements are missing.'

R12 could have predicted these words.

For me, it is not so much the dispute itself that is telling (although I personally think that the objection holds), but rather the implication of it for the way in which the EU operates in the present when it comes to matters of 'border security'. Apparently, the European Union allows its asylum Agency to exercise rigorous influence in a frontline Member State while operating on the fringes of legality, and to pass off the resulting decisions as springing forth from the judgments of local authorities themselves. 'Fringes' should be taken literally here, as existing regulations are bent to such an extent that it is simply unclear whether the policies resulting from it are legal or not. In this regard, in my interview with her on the 25th of October of 2018, Greek journalist R16 brought up the term 'double colonialism' when she came to address the functioning of the Agency on Lesbos. As she remarked:

'The most impressive thing that the lawyers [with whom R16 had spoken, DB] told me - something nice to analyze - is that there is a triangle between the European Asylum Service EASO, the Greek Asylum Service, and the asylum seeker. So, the person I spoke to said to me that the member of the EASO employs a colonial style for both of them, the Greek civil servant and the refugee. So, he said that their point of view is to show the Greek civil servants how to deny lots of asylum applications, and how to do this, because they don't know, because there are all these myths that Greeks are lazy people and don't want to work. Of course, refugees are from countries that we don't recognize as civilized. But of course, there is Greek law, we are still in Greece, so whatever happens, at the final stage, the Greek civil servant has to take the decision. So it's a really difficult process, how EASO wants to impose its agenda.'

Perhaps we could link EASO's encroachment on matters of Greek state sovereignty to the notion of *crypto-colonialism* used by Michael Herzfeld, an American anthropologist who has conducted research in Greece since the early 1980s. In the introduction to his essay "The Absent Presence: Discourses of Crypto-Colonialism" (2002), Herzfeld characterizes this phenomenon accordingly: 'I

shall call it crypto-colonialism and define it as the curious alchemy whereby certain countries, buffer zones between the colonized lands and those as yet untamed, were compelled to acquire their political independence at the expense of massive economic dependence, this relationship being articulated in the iconic guise of aggressively national culture fashioned to suit foreign models. Such countries were and are living paradoxes: they are nominally independent, but that independence comes at the price of a sometimes humiliating form of effective dependence.⁴⁵ Interestingly, one of the two examples of crypto-colonialism that Herzfeld addresses in the essay is *modern* Greece, a state that achieved autonomy from the Ottoman Empire in the 1830s during the advent of Western- European Imperialism. It shares the curious characteristics of having never been formally colonized by a major European power and having a culture (as opposed to its *classical* one) that has historically been excluded from the anthropological canon.

Viewing EASO's involvement in the asylum procedure on Lesbos through this interpretive lens, the main point of interest is not the question concerning whether EASO's leverage in the asylum decisions is legal or illegal according to EU regulations, but the observation that these EU regulations have become a strategy of exercising control in a frontline Member State while upholding an appearance that is its exact opposite. Notably, Herzfeld's essay focuses on culture and addresses the more direct, material forms of domination in a cursory manner, but I would hold that the term 'crypto-colonialism' aptly captures the tension between Greece's nominal independence in the area of its asylum procedure and the actual influence of EASO on the asylum process on Lesbos.⁴⁶ Applying the term to the case also reflects Herzfeld's functional description of the 'crypto-colony' as a buffer zone between civilization and barbarianism. In comparison to full-fledged colonies (which as places void of civilization were controlled by the 'civilized West'), influence exercised in the crypto-colonies is significantly more ambiguous.

5.1.b Problems with EASO on Lesbos: Human Rights Violations during Personal Interviews

The second aspect of EASO's functioning on the island which I want to explore is more concrete and of direct impact on the refugee: the quality of the personal interviews conducted by EASO case-workers. In the excerpt from the interview with the coordinator of NGO-4 cited above, R12 had asserted: 'EASO people are not trained, in the two years I've been here, the quality of the staff have gotten better, but there are still many problems. I mean, the kind of questions people are asked sometimes are completely offensive, they're revictimizing people, asking inappropriate questions to people who are claiming asylum based on sexual orientation or gender identity. There are clearly guidelines from the UN on how these interviews should be conducted and EASO is, across the board,

⁴⁵ Michael Herzfeld, "The Absent Presence: Discourses of Crypto-Colonialism," *The South Atlantic Quarterly* 101, No.4 (2002): 900-901.

⁴⁶ More precisely, Herzfeld focuses his discussion of 'crypto-colonialism' on 'cultural significance' and civilization: by his account, the culture of *modern* Greece is not recognized as a topic of interest by both Western anthropology and the Western world in general, which still tend to identify 'Greece' with 'Ancient Greece'. By consequence, modern Greeks have to live up to Western characterizations of their ancient forebears or accept further isolation and exclusion. Nevertheless, Herzfeld explicitly intends to connect this cultural form of marginalization to material ones, as demonstrated by the excerpt which I cited above. For more information on modern Greece's client-like dependence on the West, see Michael Herzfeld, "Welcome to Greece (But not to Europe)," *Foreign Policy*, February 25, 2016, <https://foreignpolicy.com/2016/02/25/welcome-to-greece-but-not-to-europe-schengen-racism/>.

not following these guidelines. Asking questions about sexual positions, having people repeat several times about trauma they have suffered. So women who have survived sexual violence, asking them many times about it, and really kind of in a revictimizing way. There is one individual who was told to draw the positions she was in when she was tortured. So these are just some examples.'

That the coordinator of a prominent legal organization on the island says this is disturbing, to say the least. Significantly, R12 is not EASO's only critic when it comes to the conduct of its case-workers. When I broached the subject of misbehavior in an interview with director of legal NGO-5 R18 on the 26th of October of 2018, she stated: 'Sure, this right here [she pointed at a thick report, DB], this yellow folder, this is part of the complaint we have ongoing against EASO for the very issue of misconduct and abuse, from brutality, illegal decisions, illegal conduct in those interviews and the decisions of them. So I have strong opinions on it.' In a second interview with R18 held on the 2nd of November of 2018, she offers me an example of a case-worker who keeps pestering one of her clients – a heavily traumatized Syrian woman – during an admissibility-interview with repetitive questions until this person gets exhausted and gives up. I will cite an excerpt of the interview (we were talking about monthly quotas of EASO case workers):

R18: 'EASO case-workers have quotas that they have to meet each month. Unofficially-officially, of 'admissibility', 'vulnerability' and so on. So, for example, there's another case, there's a transcript here, this is of a Syrian war widow. She establishes that she has two young kids, her husband was killed by Daesh [Islamic State, DB] in Syria. What kind of interview should she have had? On Syria. Not about Turkey though, anything but Turkey. And then, here we go, on to Turkey. That is the only interview that she had. Turkey, Turkey, Turkey.'

'So they only asked her questions about Turkey?'

R18: 'Nothing about vulnerability and then it's done. This woman had not met her quota for the month, for rejections, and this is the easiest way to do a rejection.'

'By not asking any questions about vulnerability at all, so someone can be written off.'

R18: [She hands me the transcript of the relevant interview] 'The questions that you should look at, are the ones on why Turkey is not safe. Because you can see this woman getting frustrated as she is speaking, and just giving up by the end. So, 'any problems in Turkey', 'can you return to Turkey', 'why did you leave', so these are the same questions over and over again. She keeps badgering her, 'why did you leave', 'why isn't it safe, isn't it safe'. Then, finally, the case-worker says 'okay, talk to me about Daesh', and she talks about a pharmacist [in Turkey, DB] who saw them once. It's the worst answer I can think of. The case-worker kept going until she got her so frustrated that that's all she could talk about. Her husband was killed by Daesh. So why is it that she is talking about a pharmacist. This is nonsense, but this is how the interview room works, it's like a web. She has two very young kids, she never sleeps, she never rests, she is heavily traumatized.'

As the husband of the Syrian woman had been killed by ISIS, she was a 'single parent with unaccompanied children', and likely suffered from Post-Traumatic Stress Disorder, she fulfilled

several criteria of ‘vulnerability’ (e and f) enshrined in Greek law 4375 of 2016.⁴⁷ Accordingly, the EASO case worker should have probed these indicators of vulnerability in order to determine whether the woman needed to be channeled into the *regular* asylum procedure, instead of solely asking her questions about Turkey (i.e., questions pertaining to ‘admissibility’). As no ‘indicators of vulnerability’ were accordingly brought to light during the interview, the asylum seeker could subsequently easily be passed off as inadmissible.

Two observations concerning this anecdote provided by R18. First, the leverage of EASO in the matter of ‘vulnerability’ determinations shows itself well here: whatever the verdict of the GAS employees who formally take the decision, they depend on EASO’s case-workers to ask questions about the topic during personal interviews and subsequently issue a recommendation. This thesis concerning the autonomy enjoyed by EASO in the assessment of vulnerability is confirmed by a report issued in March 2018 by the *Hebrew Immigrant Aid Society*, one of the NGOs providing legal support to asylum seekers operating on Lesbos.⁴⁸ According to this report, GAS is even fully dependent on EASO when it comes to this issue. Remarkably, its authors observe that EASO case-workers generally do not inform asylum seekers that the interview also aims at ‘vulnerability’ assessment, in spite of the responsibility generated by this crucial function of identification. HIAS’s lawyers were often told by their clients that they thought that the vulnerability-related questions were solely meant to verify whether they were fit for doing the interview.⁴⁹ The anecdote above reveals that this is not the only way in which EASO officers can flout the duty of assessment: in the case of the Syrian woman, the case worker did not even ask these questions, which resulted in the fact that she and her two children were deported back to Turkey.

Secondly, what draws attention about the anecdote is that R18 characterizes the case-worker as using a ‘mental breaking method’. Throughout the interview with the Syrian woman, the EASO officer kept rephrasing the same question about whether she could receive adequate protection in Turkey, driving the latter to the point of exhaustion. When the asylum seeker had ‘already given up’, the case worker asked her a question about ISIS upon which she gave a severely offhand response. Based on this nonchalant remark, she and her children are still in Turkey. Significantly, both R18 and R12 perceive this as part of a method current among EASO case-workers, revolving around applying severe psychological pressure on asylum seekers to make them submit to stress and catch them off-guard, so that they can be rejected and deported.⁵⁰ The reasons for applying such a method can be quite banal: in the case of the anecdote, R18 simply states that the case worker ‘had to meet her quota for the month’. As R18 remarked in the second interview – she was clearly exhausted at that moment, as she had been up all night trying to communicate with EASO and GAS to get one of her clients back from Algeria, to which he had just been deported based on a flawed ‘eligibility’ decision: ‘I am so sick of all of this, I am so sick of this. One of them is just

⁴⁷ Law 4375/2016, article 14, 43, URL= <https://www.refworld.org/docid/573ad4cb4.html>.

⁴⁸ Hebrew Immigrant Aid Society, *EASO’s Operations in the Greek Hotspots: An Overlooked Consequence of the EU-Turkey Refugee Deal* (New York: HIAS, 2018), 6-7.

⁴⁹ Hebrew Immigrant Aid Society, *EASO’s Operations in the Greek Hotspots: An Overlooked Consequence of the EU-Turkey Refugee Deal* (New York: HIAS, 2018), 7.

⁵⁰ As R18 put it during my first interview with her on the 26th of October: ‘That’s sometimes the whole point of these interviews, which is to break somebody so bad that you bring them to the point that they can’t answer. And that makes it much easier therefore, to say that the answer was vague, it was inconsistent, that it didn’t help, that it was unrelated. And then from there, it is just a quick shot to rejection. And off they go to Turkey.’

abusing your clients [EASO], the other one [GAS] just wants to pretend that you are not there, or delegitimizes you.'

The anecdote discussed above is just a single example of misconduct by an EASO officer and illustrates both the local office's fraught relation to its responsibility of 'vulnerability identification' and the tendency to ask stress-inducing and offensive questions during interviews *as part of a deliberate strategy*. What it illustrates less well, however, is that such questions are also often asked as the result of incompetence or lack of knowledge of the Agency's case-workers on relevant topics. A prime example of this are issues of gender or sexuality. Although ample information on gender categories is provided by EASO's 'tool for the identification of persons with special needs' on the Agency's official website, R18 stated that its case-workers frequently mistake gender issues for being about sex or sexual orientation.⁵¹ This confusion is exemplified by the questions asked to R18's client from Algeria, who had recently been deported and for whose return she had been fighting during the night prior to our second conversation, in his final interview with EASO. Notably, this person had been exploring transsexuality in his home country and had fled for this, as his 'experiment' had drawn the ire of a local Shia militia:

R18: 'In this interview with our client, Mohammed who got deported, we had an advocate in the room, and she pointed out the fact that the interviewer asked about sexual orientation, and the applicant – thank god – came back three times for them, the EASO officer, to define sexual orientation. But he couldn't do it. So, one of the answers that the EASO officer gave was, "It's like if you're gay, do you identify like if you're gay. So if someone says if they are gay do you identify with that." That was his answer.'

'That's not a definition of sexual orientation at all.'

R18: 'That's about 'sex'. That's not about gender. This is the problem, you have a system set up that is sound. Or at least gives lip-service to being sound, and then what you have in reality..'

The case worker's ignorance is also illustrated by the fact that the following question was repeatedly asked to R18's Algerian client during the interview: 'Is this the only thing that you liked about trans then, that you were able to have sex in other positions?'⁵² According to R18, asking inappropriate questions about sexual practices – which should be irrelevant to assessing the merits or admissibility of an interviewee's asylum application – is a widespread tendency among the Agency's case workers. Apparently, a question like 'How do you masturbate in the camp alone?' is unexceptional. Related to this, R18 stated: 'Part of the problem is that they are giving the script for 75 percent of the procedure, and then off they go, like cowboys. And they are not Americans, they can't cowboy well. I'm sorry, but only we can do this.'

Significantly, R18 has come acquiesce to the knowledge deficit of case workers pertaining to SOGI (Sexual Orientation and Gender Identity) issues and now prepares her clients for it, by counseling them on how to explain their situation in terms that EASO officers can understand. Unfortunately, when clients find themselves caught up in such a situation, NGO-5 cannot easily intervene. Delving more deeply into the particular examination of her client from Algeria, R18 remarked: 'There was a lawyer in the room, a Georgetown law professor, and she was not allowed to

⁵¹ This tool can be found on <https://ipsn.easo.europa.eu/easo-tool-identification-persons-special-needs>.

⁵² As evidenced by the transcript of this interview obtained by *Advocates Abroad*.

speak, because the interpreter had threatened to kick her out if she said anything. So, that's the other side of it, that we had no power to interrupt this or stop it, unless we wanted to make an earthquake happen. Because we could have been blacklisted from the camp, and never got into another interview again, based just on the interviewer, or the interpreter getting annoyed.'⁵³

5.1.c EASO's Response to Criticism of Lawyers on its Functioning

In the face of the accusations of misconduct discussed in section 5.1.b, one would be hard-pressed to conjecture that the office of EASO Lesbos is not aware of problems with its case-workers. When I confronted EASO officer R20 with the negative perceptions of the asylum interviews in my conversation with her on the 1st of November of 2018, she stated:

'So, as you might also know, if those lawyers know that, they are communicating to us, and also communicating through twitter, and all those things, so of course we are aware that this is running. And also because we have a system, in which the case workers are not on their own, we also have team leaders, so it means that during an interview, there will be several quality checks by the team leaders. So this of course happens. The way we are working to it is that there are trainings, also trainings for people interviewing vulnerable people, because it is really important to know how to work.

However, you have to keep in mind that we have member states experts who we have here for six weeks, who are supposed to be experts in their home countries, they are used to work in that 'thing', but they are not trained by us here. So in the first few weeks, it might happen that the way they interview here is the same way they used to interview in their home country, which is not according to the EASO way we do it here, so of course that might happen, and we know that it happens. I don't think that it is in most of the cases, but that's also the lawyers' job to notice that. We know that it happens, and we have trainings for the permanent staff, but we have, you have to imagine, a revolving staff, so we have a lot of people coming from different countries, from different backgrounds, and so on, so that might happen.'

First, R20 concedes that the local office of the Agency is aware of problems in its functioning. Afterwards, she subtly tries to downplay them by stating that these issues are actually due to the fact that EASO Lesbos has a revolving staff, and that its case-workers are recruited from a pool of officers working for the asylum services of the EU's member-states. As these case-workers may have grown accustomed to the prevalent methods used in the asylum services of their own country, they will – at least in their initial weeks – tend to diverging styles of questioning and make use of different interview techniques. Staff turnover is rapid here: somewhat later in the interview, R20 remarks that officers who have passed the screening typically stay for a period ranging from six to twelve weeks.

On closer look, R20's characterization of the Agency's staff is very revealing. Although she seems to have intended it to blunt the accusations of my interviewees against the Agency's case-workers (i.e., they would only pertain to officers in the *beginning* of their period), it might well contain the seeds for a more incisive criticism of the Agency's operations on Lesbos. After

⁵³ The discretion that interpreters working for EASO enjoy might be an interesting topic for another investigation.

all, R20 observes that the Agency's case workers are drawn from EU member states in which very different practices of asylum interviewing are current. Since such officers may have been employed at their domestic asylum services for a significantly long period (e.g., more than ten or twenty years), it is unlikely that the habits they obtained there could be discarded by an official training held in Athens that, as R20 asserted in the interview, lasts only three days. Moreover, the officers' general period of employment on the island of only six to twelve weeks seems deliberately short to harmonize someone's methods to the official benchmarks of the organization.

As I felt somewhat disoriented after this interview with R20 and felt the urgent need to discuss her statements (particularly the ones listed in the excerpt above), I decided to call up my father, who has worked as an asylum lawyer in the Netherlands for thirty-one years. Significantly, he pointed out to me that the local office of EASO may crucially fall short on *legal unity* when it comes to the heterogeneous composition of its staff. That is, whereas the principle of equal treatment stipulates that asylum applicants with *like* cases should receive *like* outcomes to their procedure, this standard is violated in practice. Under these circumstances, the Agency seems to provide refugees a fitting welcome in view of the EU's policies of deterrence inaugurated by its gentleman's agreement with Erdogan: not to Europe, but to its asylum lottery.

Nevertheless, I do not want to dismiss R20's words altogether and thereby resolve the inconsistency between the words of the lawyers and those of the Agency out of hand in favor of the formers' claims. Additionally, I do not deny that EU-support in matters of asylum procedures could be helpful in a country which, until June of 2013, did not even have its own asylum service, yet at the moment has to process an inordinate amount of applications for international protection.⁵⁴ However, based on information I obtained after the interview, I have grounds to question the validity of R20's statements on at least two topics. For one, when I asked her whether EASO's Code of Conduct was generally accessible (e.g., available on the Agency's website), she responded with a curt 'no'. She thereby clearly implied that it was an internal document, which asylum seekers cannot invoke to strengthen their case in an appeal or use as a reference for basing a formal complaint on. Things would turn out to be different: when I mentioned this statement of R20 to lawyer R18 during my interview with her the day afterwards, she stated that 'this is what EASO always asserts' and showed me that the PDF with the document popped up in the first ten search results when entering it as a query on google. Significantly, R18 [NGO-5] was exhilarated that I had actually asked for it.

Second, while I was probing R20 about the criticism of the lawyers, she had introduced EASO's 'internal review mechanism' to me as an efficient way of ensuring the *quality* of the interviews. In their first week of operations, R20 had asserted, case-workers are 'shadowed' by someone else. Furthermore, she had stated that the conduct of case workers during interviews (e.g., style of questioning) and the opinions that they write based on them are subjected to evaluation and control.⁵⁵ However, when I interviewed R18 [NGO-5] on the day after (i.e., the

⁵⁴ Heath Cabot, *On the Doorstep of Europe: Asylum and Citizenship in Greece* (Philadelphia: University of Pennsylvania Press, 2014), 33.

⁵⁵ As testified by the following excerpt of the interview: R20: 'Those opinions [written by the case workers, DB] have been reviewed before being submitted. So, the case worker from any country cannot do the same as they are used to, they can if it's the right way - like the EASO way as well - but otherwise, writing an opinion is different than writing a decision in the home office. So everything is different here, and it is being reviewed by our team leaders, and then so many things.' Bogaers: 'So, there is first a process of review of these..' R20: 'Yes, same as for the interview, we have a really strict quality check thing, and all that.'

2nd of November of 2018), the director of NGO-5 expressed the conviction that EASO's 'internal feedback mechanism' existed to lead to more – instead of less – rejections and was not effective against abuse during interviews. Upon reading the transcript of the interview with R18's client from Algeria (which contained the question 'Is this the only thing you like about trans then, that you were able to have sex in other positions?'), I said:

'It intrigues me to read these questions in light of yesterday, because this EASO officer told me that the interviews are usually reviewed afterwards.'

R18: 'Oh, they are. They are reviewed by many people. They go through the team leader, then they go over to GAS, to be approved, and then they go through them, to get to the secretary, who puts them into the file. Many people saw this before my client and before the lawyer, but all of them signed off on it. That's not to their credit, that they read the transcript, it's the opposite. It's being complicit. It's banality, not of evil but of nastiness and cruelty.'

'So, if I interpret her response about the review mechanisms in light of this, I think that this review mechanism might make no sense at all.'

R18: 'No, the review mechanism is in there to ensure that they are meeting their quotas. She talked to you about quotas? ['No']. They have quotas that they have to meet each month. Unofficially-officially, of 'admissibility', 'vulnerability' and so on.'

In the face of these assertions, R20's assurances ring decidedly hollow. Apparently, the Agency's 'internal review mechanism' did not keep R18's Algerian client from being deported back to Africa based on a flawed interview. Additionally, in spite of EASO's internal feedback system, NGO-5 sent a massive complaint to the Agency in October of 2018 that discusses at least a hundred different violations of its Code of Conduct by the Agency's case workers.⁵⁶ If the allegations put forward in this complaint are valid, this leaves one to wonder how the manifold breaches of EASO's Code of Conduct could not have been noticed in the process of review.

Although I have only interviewed one director and one coordinator of legal organizations – NGO-5 and NGO-4 – on the state of the asylum procedure on Lesbos, criticism of EASO seems broadly shared among the seven NGOs providing legal support to refugees on the island. Specifically, the *Hebrew Immigrant Aid Society*, the *Danish Refugee Council*, and the *Greek Council for Refugees* each released a report that discussed the flaws of the Agency's operations on the island after the EU-Turkey Statement to a lesser or greater extent.⁵⁷ Additionally, R18 told me about the following event that took place in June of 2016, involving several Greek asylum lawyers who entered EASO's premises in Moria Camp to protest the Agency's local operations: 'They drew straws, they decided who would be the lawyer to be arrested, because they were going to go into Moria Camp, no matter what. And then, for whatever reason, the local barrister's association decided to back the lawyers, instead of the EASO. I think it's because they felt that the Greek lawyers were starting to look stupid

⁵⁶ R18: " So we sent in a massive complaint, it focused on a hundred different complaints that were in violation of their code of conduct. And then, it went in depth on an interpreter, and a case officer on a particular case."

⁵⁷ See Hebrew Immigrant Aid Society, *EASO's Operations in the Greek Hotspots: An Overlooked Consequence of the EU-Turkey Refugee Deal* (New York: HIAS, 2018); Danish Refugee Council, *Fundamental Rights and the EU-Hotspot Approach* (Copenhagen: Danish Refugee Council, 2017), 23-24; and Greek Council for Refugees, *GCR Mission to Lesbos* (Athens: Greek Council for Refugees, 2016), 17-18.

and couldn't take that. So they told the police to back up the Greek lawyers, no matter what. So when the Greek lawyers started to go in, and EASO started to go after them, they took the head of EASO instead of the Greek lawyer into the back of the police car and held him for six hours in the station, and the next day he [the director of EASO on Lesbos] was fired.'

5.2 The Broader Legal Situation of Refugees on Lesbos

In the course of this chapter, I have focused my assessment of legal exclusion on Lesbos on the operations of EASO. Although the choice to restrict myself in this regard had the advantage of giving the reader an overview of the Agency's functioning on the island, it came with the drawback of not imparting a sense of the broader legal situation of refugees on Lesbos. I will try to amend for this here. In particular, there are two topics that urgently need to be discussed: the severe lack of lawyers on the island which provide legal counseling and representation to asylum seekers and the failure of authorities (whether from the state of Greece or the EU) to correctly inform asylum seekers of the structure of the asylum procedure and its attendant rights and obligations.

I will first broach the topic of the dearth of legal support and representation. When I asked R12 about the structure and activities of her organization *NGO-4* during our interview in mid-October (this was in fact the opening question), she significantly remarked: 'We are mostly a volunteer based organization, so it's lawyers who come here for about three to four months and take on case management of people's cases. So, we are not able to provide legal representation to everyone, we have two Greek lawyers that we work with who then provide representation for those that would benefit, we think in having legal representation, but the bulk of our work is providing advice and helping people prepare their interviews and give them information about the procedure, which is also really useful for people.'

As R12 explained to me that 'representation' meant 'actually attending the personal interviews of asylum seekers to give them advice and support', having only two lawyers provide this service is not a lot in light of the fact that there has been a constant presence of thousands of asylum applicants on the island (the number has regularly exceeded 10.000) over the last three years. Because I knew that *NGO-4* was one of the only seven organizations on the island that provide *free* legal counselling and support to asylum seekers, R12's statement sparked my curiosity as regards the general presence of asylum attorneys on the island. The following excerpt of the interview was even more revealing when it came to this topic (we had just discussed the problems with EASO):

'Can you also tell me a bit about the quality of Greek lawyers on average who are occupied with asylum processes? For example, if your case is rejected, you have to lodge an appeal and need a Greek lawyer to assist you in court.'

R12: 'The problem here is rather a lack of Greek attorneys on the island. Right now, the last time we counted in a legal aid meeting there were twenty Greek attorneys who are full-time working on providing free legal services for asylum seekers. And when you have 12.000 people on the island, of course this is impossible. Another problem is, if your case is rejected, you have the right to appeal, and you actually have the right to a Greek lawyer to represent you on appeal. But this is a right that, right now, is being completely violated, as there are not enough lawyers. So, there was a time when Metadrasi [highly institutionalized Greek NGO, DB] had an informal relationship, they had a lot more

funding, so they were taking on all the appeals. Now they only have two lawyers.⁵⁸ For a time, the state had one lawyer who would then fill the gap when the organizations were not able to take on cases, he would take on any other case, just to fill the box, saying 'this person had a lawyer on appeal'. But then, he quit, I heard also because he was not being paid. But also, you can't in good faith say that you're representing all these people, when you're getting all the cases of everyone who is rejected, how can you provide adequate legal services.'

'Do these twenty lawyers also include the lawyers of your organization, and some other lawyers from other NGOs?'

R12: 'Yes, I'm counting people who provide free legal services. I'm not counting private lawyers because they charge and are also not working full time on this. The lawyers who have the most experience and are the best lawyers are the ones that are working for the NGOs and providing it for free, because they are working on it full-time. Because, if someone's willing to pay, they [the private lawyers mentioned above, DB] will take on a refugee case. The pro-bono lawyers are the lawyers being employed by different organizations and providing free legal services.'

As most asylum seekers cannot afford the fees charged by a private lawyer, a total of twenty Greek pro-bono lawyers providing legal representation seems staggeringly low. Moreover, as these private attorneys only assist asylum seekers on an incidental basis, it seems questionable whether they are sufficiently well-trained in international refugee law to provide adequate support to individuals of this group. In light of the scarcity of asylum lawyers on Lesbos, one wonders why the EU has expedited the administration of the 'refugee crisis' to a country that falls short on the legal infrastructure necessary to give asylum seekers a fair hearing. In this context, it seems telling that the institution formally occupied with asylum applications in Greece - the *Greek Asylum Service* –was only founded in 2013, whereas asylum applications in the period prior were processed by the Greek Police.⁵⁹

What should definitely be brought up in the context of this discussion, is that most lawyers working for the legal NGOs operating on Lesbos are actually non-Greek international volunteers. Interestingly, there is a difference in interpretation among the legal NGOs on whether these non-Greek attorneys are allowed to be present during the personal interviews of EASO with their clients. During my conversation with R12, she had remarked that *only* Greek lawyers – i.e., those who hold a Greek law degree – are permitted to attend these interviews to offer their clients legal advice and support, which indicates that the international advocates of *NGO-4* are not present during their

⁵⁸ In the context of this, it is instructive to know that the European Commission diverted its funding to Greece in relation to the 'asylum crisis' in August of 2017: whereas at first large institutionalized NGOs and Inter-Governmental Organizations (like UNHCR) received the better part of the funding, the Greek government would afterwards come to receive the majority of the allotted funds.

⁵⁹ As anthropologist Heath Cabot noted in her book *On the Doorstep of Europe: Asylum and Citizenship in Greece* (2014), there were ample problems with this 'police administration' of asylum applications, principal among them the fact that most would-be asylum seekers could simply get no access to this procedure, amounting to a more or less permanent subjection to arbitrary arrests and marginality. Heath Cabot, *On the Doorstep of Europe: Asylum and Citizenship in Greece* (Philadelphia: University of Pennsylvania Press), 30-33.

clients' interviews with EASO.⁶⁰ However, when I interviewed attorney R18 two weeks later, she asserted that *NGO 5's* international advocates *were actually allowed* by EASO to attend these personal interviews (as evidenced by the anecdote about the Georgetown professor on page 33). Is there a strict regulation in this context, or only confusion dressed up as fact? In the face of an asylum procedure in which almost all of the main actors (EASO on the one side, and the legal NGOs on the other) do not stem from the country that provides this itself, there seems to be very little legal control.

The other topic that I want to address in section 5.2 is the dearth of information provided to asylum seekers concerning their asylum procedure and its attendant rights and obligations. During an interview that I conducted in early October with R9, an asylum seeker and journalist from Afghanistan, he recounted to me that he was provided virtually no information on how to file an asylum application in the closed-off 'registration section' of Moria Refugee Camp, where individuals and families have to wait for several days upon arrival in order to receive the obligatory registration with Frontex and the Greek authorities.⁶¹ Significantly, when I asked him 'Was there any effort of the police or Frontex to inform you about the asylum procedure in the arrival section?', R9 stated:

'No, that is a joke there. I know, legally they should do it. Someone should come to you and say "okay, if you are a refugee, these are your rights, you start from this step, and then you get this one, and this one." But this doesn't happen.'

'But eventually, you had a conversation with the EASO, I think. So how did you arrange this, if no one told you that you needed to have one?'

R9: 'I heard it from the others. I didn't know that I had to go to 'EASO', or even that this institution existed, or what 'EASO' meant. Some people just asked me 'did you go to EASO?' and I asked them 'What does EASO mean?' They said that there is an office, where they register you in order to arrange an interview [first step in the asylum application, DB]. Then I understood that I had to go there. And I went there, they don't care about your case. They are only there for registration, nothing more. For example, you are here to record my voice, if someone comes up and starts shouting at you, then you say "this is not my business, because my business is only recording the voice, my business is not to tell them to go out." They think that their duty only is to register. As much as you say 'please, I need this kind of help', they don't listen to you. They only say "this is not our duty, you can go out, you can talk with the authorities, we are not in charge.'"

In light of R9's frustration, the chaos that I signaled above does not just hold for the lawyers, but also for the asylum seekers themselves. Significantly, when I probed R18 [NGO-5] and R12 [NGO-4] about their viewpoint on the issue, both affirmed that the authorities fell seriously short in providing information to asylum seekers. R12 even stated that this is why one of the main objectives of *NGO-4* was informing refugees on the various aspects of the asylum procedure: 'That's why I said before that a lot of what we do is just giving people information. They are stuck

⁶⁰ In light of the legal reasoning referenced by R12, it is interesting that most EASO officers – who conduct the asylum interviews and issue recommendations that Greek case workers take over in 99 percent of the cases – also lack such a degree in Greek law.

here on this island, they have no idea what the procedure is about. For a lot of people, just knowing what they have to go through, what their options are is something that's very useful for them.'

Imagine that you are stranded on a European island after having fled Afghanistan for reasons of political persecution, lacking access to legal representation and having only a faint glimpse of what your asylum procedure is about. Chances are that you will be rejected after having had a one-sided interview with a case-worker from the French, German or Dutch asylum service, who left relevant features of your personal circumstances underexposed. This is the situation of many refugees on Lesbos.

5.3 Discussion of Main Findings of this Chapter

In this chapter, I have attempted to shed light on a form of exclusion of asylum seekers on Lesbos that I deem especially far-reaching, not in the least because it proceeds entirely in private and potential abuses cannot easily be addressed. In contrast to the dire living conditions of Moria Camp (such as the significant overpopulation of this camp, its lack of hygiene, and the fact that asylum seekers sleep in flimsy tents in winter), it remains little known, hardly figuring in accounts of the situation on the island provided by the international media, nor being a topic of substantial interest in the community of international volunteers on Lesbos. Yet whenever asylum seekers are rejected and forcibly deported to Turkey or their country of origin, this is invariably due to the outcome of their asylum procedure. In effect, then, I take a proper investigation of this topic to be long overdue, not only by the international media but also by scholars in the field of *Critical Border Studies* studying the external borders of the European Union. After all, as the exclusion of asylum seekers that the EU effectuates there ultimately takes place through law, understanding 'Fortress Europe' requires having at least some grasp of paperwork, institutional practices and procedures, and why the officers of national and supranational asylum services take the decisions that they do.

Accordingly, Critical Border Scholars interested in the relation between borders and the exclusion of asylum seekers would do well to draw upon the writings of anthropologists and sociologists of law, who have actually studied the asylum regimes (i.e., the practices and policies relating to asylum legislation) that such borders are a part of. One such academic is Heath Cabot, an American anthropologist who subjected the practices and policies of asylum in Greece to a thorough analysis in her book *On the Doorstep of Europe: Asylum and Citizenship in Greece* (2014), written on the basis of extensive periods of fieldwork that she conducted in various places before 2013.⁶² Most significantly, Cabot spent several years working for Greece's oldest and largest asylum NGO, whose office in the most left-wing neighborhood in Athens is one of the mainstays of irregular migrants in the country for legal advice and support. As Cabot avoids the analytical reduction of all policies of asylum in an EU border-state to 'fortress Europe', she is able to discern interesting patterns in the ways in which practices of EU-governance relating to asylum interact with – and influence – local practices and discourses of asylum in Greece.

As Cabot's book is the most authoritative work recently published on the asylum system in Greece, and came out prior to the onset of the current 'refugee crisis' in Greece in the Summer of 2015, comparing my account of asylum on Lesbos to her exposition may allow us to identify some

⁶² Interestingly, this book was released a year before the unprecedented influx of asylum seekers that took the country by surprise in 2015, and therefore exclusively discusses the Greek asylum system prior to the vastly increased interference of the European Union that this 'refugee crisis' – and the EU-Turkey Statement that came in its wake – provoked as a result.

shifts that took place in the Greek asylum system after the publication of the EU-Turkey Deal. I will briefly explore this here and focus the discussion on the most likely contender for change: the interaction between the state of Greece and the EU in the matter of asylum policy. To characterize this interaction, Cabot first analyzes a well-known case lodged by an Afghan national with the *European Court of Human Rights* which was resolved in 2011: *M.S.S. vs. Belgium and Greece*.

In short, the litigation involved an Afghan asylum seeker who had entered Europe by way of Greece and had afterwards transitioned to Belgium to apply for asylum there. However, the Belgian authorities had deported him back to Greece after finding out in an EU-database that his fingerprints were taken upon arrival in that country: this expulsion had its legal basis in the EU's Dublin II regulation (2003), which stipulates that individuals ought to apply for asylum in the country where they first enter EU territory.⁶³ However, on the grounds that MSS effectively had no opportunity to apply for asylum upon return to Greece and had to live in abysmal conditions on the streets of Athens, the ECtHR ruled that the Greek state had severely flouted several articles of the *European Convention on Human Rights*. Moreover, Belgium was indicted for not providing the asylum seeker with a way to contest his expulsion to a country that could constitute a threat to his life and freedom as a refugee, which the Court took to be well-known in light of the existence of countless reports of NGOs and EU institutions criticizing Greece's asylum system at that time. As my father confirmed to me, this verdict turned out to be highly authoritative: in its aftermath, the Dutch state decided to suspend the Dublin II regulation for asylum seekers in the case of Greece.

Surprisingly, Cabot construes this decision of the ECtHR as a paradigm example of practices of EU-governance, which enforce discipline by holding particular countries and their populations responsible for failures of a system *on European scale*: in effect, the Dublin II treaty has shifted the burden of receiving refugees in Europe to a country that might not have the capacities to do so, and Greece is afterwards castigated for not living up to 'its' obligations.⁶⁴ In this regard, the example with the ECtHR can be compared to the bailouts of the Greek government during the country's Sovereign Debt Crisis: in order to save the French and German banks that had excessively and imprudently granted loans to the Greek state and economy, the Troika (composed of the European Commission, European Central Bank and IMF) one-sidedly ended up shifting the financial burden to the populace of Greece.

Cabot expresses this in the following manner: 'The EU relies on techniques of governance that keep unruly member states in line through legal, political, and – especially – moral forms of marginalization. The crisis of asylum in Greece – much like the current financial crisis – is not just a national predicament affecting a state on Europe's geopolitical and economic peripheries;⁶⁵ it is also seen to undermine the EU's moral integrity as an area of "freedom, security, and justice." Such narratives of crisis in turn grant moral legitimacy to Greece's continued political, legal, and financial marginalization within Europe. The power of the ECtHR decision [in the case of *M.S.S. vs Belgium and Greece*, DB] lies perhaps even less in its material effects than in its articulation of a particular configuration of value on a European scale. Not only does the decision reassert the European

⁶³ Heath Cabot, *On the Doorstep of Europe: Asylum and Citizenship in Greece* (Philadelphia: University of Pennsylvania Press, 2014), 23.

⁶⁴ Cabot, *On the Doorstep of Europe*, 24.

⁶⁵ Notably, Cabot's use of the word 'crisis' in this citation may seem confusing, as her book was released a year prior to unprecedented influx of asylum seekers to Greece during the latter half of 2015. However, due to the problems of Greece's regime of political asylum in the first decade of the 21st century, commentators at that time already referred to it as being in a state of 'crisis'. It is to this use that Cabot alludes above.

commitment to safeguarding rights, but it also highlights how Greece deviates from and actively undermines these values.⁶⁶

Why does Cabot accord the term ‘moral’ such a prominent role in the above citation? As the EU singularly assigns the responsibility of processing an asylum request to the asylum seeker’s first member-state of entry, border-states like Italy and Greece are forced to shoulder most of the EU’s *humanitarian* obligations in the field of asylum and international protection. If these periphery-states are deemed to fail at this commitment, they are subsequently accused of harming the moral unity of the EU by the ‘center’-states of the European Union.⁶⁷ Since this framework of EU-governance unequally distributes responsibilities to uphold ‘European values’ over EU member-states and blames the ones most heavily burdened for not fulfilling them, one could call its treatment of countries like Italy and Greece a form of *moral* marginalization and the spatial configuration in which this occurs a ‘moral geography of Europe’.

If we provisionally accept Cabot’s analysis of the influence of the EU on Greece’s system of political asylum prior to the EU-Turkey Statement as accurate, the following discontinuity with the current situation seems strikingly apparent, at least when geographically restricting ourselves to Lesbos. In the years prior to the closing of the EU-Turkey Deal, Greece’s asylum system was shaped through practices of EU-governance that underlined its responsibilities as a sovereign state *and* member of the European Union.⁶⁸ These practices of governance therefore simultaneously emphasized the Greek state’s sovereignty *and connected this* to the accountability that was held to come with it. Through a combination of EU legislation, verdicts of courts, and advocacy of international NGOs, Greece was continuously pointed at these responsibilities. Notably, whereas all of these measures were meant to *induce* the Greek state to adopt the desired policies and therefore appealed to both Greece’s *state sovereignty* and its *accountability*, EASO’s operations on Lesbos seem to have eliminated both of these reference points of practices of EU-governance altogether in the period following the EU-Turkey Statement.

First of all, EASO has taken charge of all pertinent aspects of the asylum procedure, which makes Greece’s *state sovereignty* irrelevant for the EU on the material level: there no longer is an actor standing in between the EU and its desired asylum policies – i.e., the Greek state – that first needs to be brought to comply with certain norms. Second, the notions of *state sovereignty* and *accountability* are also no longer relevant for the EU on the level of discourse: as the Greek state no longer stands in between the EU and its preferred asylum policies, the purpose of the discourse in which these two terms figured has been rendered obsolete. After all, this discourse primarily existed to bring the – potentially dissident and obstructing – Greek state into line with EU objectives. Finally and most importantly, EASO’s interference on the island has given rise to a situation in which it seems highly unclear whether anyone – be it specific persons, a state or an institution – can still be held accountable for the asylum procedures currently effectuated on Lesbos.

The evidence for this last development can be presented in a few sentences. In short, EASO’s current practices on Lesbos seem hard to reconcile with the Agency’s official mandate, which explicitly prohibits it from taking or influencing asylum decisions. Hence, whereas transparency and accountability served an active purpose of EU governance of asylum in Greece in the past (as these could bring the Greek state to adopt certain norms), the EU – via EASO – now enjoys the incentive to

⁶⁶ Cabot, *On the Doorstep of Europe*, 24.

⁶⁷ These center states – like Germany, the Netherlands, and France – may also be called ‘the European North’.

⁶⁸ Notably, ‘shaping’ should not be understood as a one-sidedly top-down affair, as decrees of EU institutions or verdicts issued by transnational courts still needed to be translated to Greek policies.

render the situation as intransparent as possible. This shows through in the EASO's persistent avowal that it is merely *supporting* the Greek Asylum Service in processing the asylum applications, which makes it appear that Greek authorities are ultimately responsible for the asylum interviews conducted by the Agency itself. In line with this policy, if one were to challenge an illegitimate decision taken by one of the Agency's case-workers, EASO would likely maintain that it had merely offered an advice in a particular case to the Greek Asylum Service. Importantly, other EU-institutions also yield to EASO's very contrived interpretation of its founding legislation: based on the same reading of the law that established the Agency, the European Ombudsman refused to seriously investigate the lawfulness of EASO's operations on the Aegean islands after a request to do so had been filed by the *European Center for Constitutional and Human Rights* in April of 2017.⁶⁹

In sum, because of the encroachments of EASO on Greece's state sovereignty, it is unclear to what authority individuals should turn in case they have been wronged. Moreover, the possibility to exercise accountability in a *top-down* manner has also been lost, as there is no authority 'standing over' the EU that can call the Union to account for EASO's operations on Lesbos. As stated above, such top-down accountability was a hallmark of the EU's governance of asylum in Greece prior to the closing of the EU-Turkey Deal, as the EU directly supervised the Greek state and often rapped it on the knuckles for perceived failures and shortcomings.

In the preceding paragraphs, I briefly outlined some key changes in the relationship between the EU and Greece in matters of asylum since the EU-Turkey Deal, as can be gleaned from a comparison between Cabot's account of the Greek asylum system and my interpretation of EASO's current operations on Lesbos. However, a curious feature of this relationship has withstood these recent developments: Greece's marginalization by the European Union in the field of its asylum policy. The manner in which this proceeds has undergone an alteration, however. Whereas the Greek state was first coaxed into adopting policies preferred by the EU through a combination of supervision, discipline and advocacy, it has now simply been sidelined in favor of direct control. Governing at a distance versus taking over by storm.

In the following chapter, I will show that EASO's lack of accountability is emblematic for the 'refugee issue' on Lesbos.⁷⁰ Specifically, the widespread lack of clear relations of accountability have led to a situation in which existing policies of Greek authorities or EU institutions have been rendered incontestable. This feature, which I characterize as 'depoliticization', will be the basis of that chapter's central argument on why there have been no significant improvements in the reception conditions of refugees on the island over the last three years.

⁶⁹ "European Ombudsperson should not Close Inquiry into the Maladministration by EASO in Greek Hotspots," *ECCHR*, September 9, 2018, <https://www.ecchr.eu/nc/en/press-release/european-ombudsperson-should-not-close-inquiry-into-maladministration-by-easo-in-greek-hotspots/>.

⁷⁰ The Agency's operations on the island can therefore be interpreted as a 'Paradigm Example' of the reception conditions of refugees on Lesbos.

6. The Refugee Issue and Depoliticization

In which my main interlocutors are:

- R7 ('Cultural Mediator'/Interpreter for medical NGO-6)
- R13 (Doctor and Main Director of the medical staff at Vostaneio Hospital)
- R8 (Coordinator of NGO-7)
- R16 (Greek journalist who lives and works on Lesvos)
- R6 (Senior Advisor of the Mayor of Mytilini)
- R19 (Vice-Governor of the Northern Aegean)
- R10 (Assistant Liaison Officer of the UNHCR)
- R18 (American lawyer, director of international NGO-5)

In the previous chapter, I primarily analyzed a single actor figuring in the constellation of reception policies of refugees on Lesvos. I accordingly brought to light – and explored the features of – some of the most severe practices of exclusion that refugees experience on the island. This has cleared the grounds for answering my second sub-question (listed on page 3). Concisely put, how is it possible that the practices of severe exclusion on the island – i.e., the *legal* exclusion analyzed in chapter 5 and the exclusionary practices documented by the international media and briefly touched upon in this thesis on pages 5-6 and 20-21 – can persist three years after the closing of the EU-Turkey refugee deal in March of 2016? After all, the EU presents itself as a 'community of values' and views human rights as being emphatically connected to these. This is manifested by the Union's steady commitment to promoting the observance of human rights to non-member states such as China and Russia. In this chapter, I will argue that a central political dynamics is responsible for the consolidation of the practices of exclusion of refugees in violation of their human rights. It goes by the name of *depoliticization*.

6.1 From the EU to NGO-9: A Tragedy in Several Acts

Two days after I stopped working for NGO-1, I interview R7, a man from Afghanistan who arrived in Greece as a refugee and now works as a *cultural mediator* – an interpreter who is also sensitive to 'cultural issues' – at the pediatric clinic of NGO-6 (Doctors Without Borders) next to Moria Camp.⁷¹ Halfway through the conversation, I remark:

'I hear that sometimes, people die in Moria Camp due to circumstances that could have been avoided.'

R7: 'It happens a lot. The last time that we had it, it was a heart attack, from a person who had a history of heart attacks. So this person of course needed to be hospitalized. But okay, the hospital had discharged him. They got the person, an adult, to the police officers, saying 'okay, he has a heart

⁷¹ On Monday, the 8th of October of 2018.

attack' [during a subsequent heart attack in Moria Camp, DB]. The first problem, they don't speak the same language, so they couldn't understand each other. But second, they are police officers, they could see that there was something serious going on. Just call the ambulance, don't deny that. So they reached the Keelpno doctor [the only doctor employed by the Greek state in Moria Camp, DB]. The keelpno doctor said 'drink water, you will be fine.' What the hell, it's a heart attack. The patient couldn't communicate with you. It's an emergency, he needed a hospital, and the doctor just told him to drink water.

And after two hours, the person passed away, while the ambulance was under way. So imagine that they put a dead body in the ambulance. They put a dead body in the hospital, the hospital told them 'he is alive, he is in coma'. While we knew that he had died. But they were telling the family 'he is alive, he is in coma'. Sorry. Before coming to Greece, I was a paramedic working in Iraq and Syria. So I know that no one can be in a coma for a heart attack. A coma is for the brain. If you have brain damage, then yes, you could be in a coma. But for a heart attack, this is impossible. Coma means when your heart is working and your brain is not working. When the person has a history of heart attacks, what nonsense. I heard this story during a demonstration of the Afghan people, in April on Sappho Square, and asked myself 'okay, this person is in coma, with a heart attack, how is that possible'.⁷² And after two days, they informed the family that the person has died.'

'And afterwards, no one was held responsible for any of this?'

R7: 'No one. The refugees put the blame on NGO-9, you know this NGO. Because they are responsible for controlling the gates. So it is NGO-9 who didn't allow them to come inside to the keelpno base [with the main office of the police and the doctor, DB]. So, before that, all the gates were controlled by NGO-9, no medical persons, just volunteers. Okay, I appreciate that they want to help, but they have rules, they have orders, while they have no medical idea, no medical idea. So if you don't have any medical idea, then you could say 'come back later'. I'm sorry, but this person has a heart attack, and I'm not blaming you, because you don't understand, you don't know. That's it. So, they put the blame on NGO-9, and on Keelpno as well. I mean, refugees had rights on that moment. This man could be alive, just with the first assessment care, which is oxygen.'

'He could have received it, if the person from NGO-9 had opened the gates?'

R7: 'Exactly, if he had opened the gates, this man could be alive. Now he has died.' 'And

there were no actions taken against NGO-9 because of this?'

R7: 'It's not their fault. I totally agree, it's not their fault. They put persons on the gate who don't know anything about medical stuff, and refugees in general. 'Stay here, if anyone has an appointment, let them in. If not, you don't.' Even if it was me, I would be following the orders. I am the volunteer, I have these orders, that's it. I am not blaming NGO-9, no.'

⁷² This demonstration was also interesting for another reason. It was the first public protest of refugees on Lesbos to become violently disrupted by a crowd composed of right-wing extremists (some of them stemming from the mainland of Greece) and frustrated locals, which signifies something about the exhaustion that has been building up over the last three years among the local population of Lesbos.

Why is NGO-9, a (strongly) Christian evangelical NGO from the United States, with volunteers from Kentucky or Nebraska who may have never left their country before, let alone their own *state*, allowed to control the gates of Moria Camp? As indicated by R7's testimony above, this role is crucial when it comes to emergency situations and issues of health. Evidently, its volunteers do not have the credentials to fulfil this role in a 'warranted' manner, being able to adequately respond to cases of emergency. How did the situation come about that volunteers perform functions that they are not qualified for? In this chapter, I will argue that there is a curious symmetry at work in all of the processes of delegation concerning the reception conditions of refugees on Lesbos, from the highest and most abstract level (i.e., the EU) up to the lowest and most tangible one (e.g., the NGO-9 volunteer controlling the gate mentioned above): depoliticization. Concisely put, I understand this term as referring to *any strategy or dynamic* in the interaction between actors that renders policies, whether from governments or from organizations, incontestable. In the case of Lesbos, this depoliticization can be traced back to sharply inequitable burden-allocation, an opaque field consisting of many political and humanitarian actors with overlapping or contradictory functions, and the non-existence of clear relations of accountability and control. By consequence, no actor can be held to account for the severe deficiencies of the current reception conditions, which appear as a tragedy in the classical sense – i.e., an impersonal disaster imposed by fate – as a result.

I will proceed in the following manner. First, I will offer a more comprehensive exposition of what I mean by the notion, basing myself on the characterization of 'politics' advanced by political theorist Jacques Rancière in his books *La Méésentente* ("Disagreement," 1995) and *La Haine de La Démocratie* ("Hatred of Democracy," 2004). Then, I will systematically disentangle the web of actors involved in the refugee issue on Lesbos to trace in what manners the current reception conditions are rendered incontestable. To unravel the field of actors and how each of them contributes to the depoliticization of the reception conditions on Lesbos, I will start my discussion at the most general level – i.e., the EU-Turkey Agreement (6.3) – and then proceed 'downwards' to delineate the roles that the Greek Authorities (6.4), and humanitarian actors (the UNHCR, NGOs, and individual volunteers) (6.5) play in the depoliticization of the circumstances of reception on the island.

6.2 Jacques Rancière on Political Action and Depoliticization: Theorizing 'Politics' as Dissent and Contestation

What does a French political theorist have to do with my thesis on Lesbos? In Rancière's book *Hatred of Democracy* (*La Haine de La Démocratie*, 2004), he provides a theory of democratic politics that he considers as an alternative to the, in his opinion, preponderant tendency among French intellectuals to reduce democracy to consumerism and conformism alleged to be rampant in modern society (with the intention to denounce it). Of central importance to Rancière's interpretation of the notion is his conception of 'political equality'. According to Rancière, society is inherently hierarchical, although the unequal distributions of wealth and power within it are grounded on the very equality of the individuals that compose it: by his account, any person is capable of killing another one (and is hence comparable in power) and everybody needs to 'authorize' authority before it is exercised over him or her. Given this characterization, equality can be said to function both as the *ground* of inequality and as a *check* on it.

Rancière goes on to tie up the notion of this *check* with his understanding of ‘democracy’: since putting politically in charge those who are favored by the social order would just mean the extension of differences – wealth, knowledge, etc. – already present in society, politics implies a break with it. Otherwise, ‘politics’ would merely come down to the perpetuation of current differences in wealth and power between social groups. Because this rupture with society cannot be instigated by relying on precisely those entitlements (wealth, knowledge, expertise) that can be said to *structure* society and that are being opposed, politics implies the non-existence of any ultimate title to govern. Hence, there is no principle that grants certain people the right to ‘govern over all of the others’, and having power is intimately connected to chance.⁷³

Importantly, according to Rancière, those favored by the social order will undeniably be unfavorably disposed to changes in the status-quo, as powerful groups within society draw benefit from the hierarchies within society which render them dominant but also engender the exclusion and marginalization of others.⁷⁴ As ‘politics’ for Rancière consists in calling these hierarchies into question (see the previous paragraph), the principal political actors for him accordingly become the marginalized and unseen, i.e. those who have historically been denied rights and play no part in the representation of ‘civil society’ to itself and to others.⁷⁵ After all, only those marginalized actors would actually want to call these hierarchies into question, and are accordingly willing to contest their own subordinate position and thereby break with the dominant order of society.

The sphere of democratic action established by the *break* with society on the side of political actors – e.g., those marginalized by it – is in turn opposed by the spontaneous tendency of governments to shrink this sphere. Rancière terms these opposing logics the one of ‘Politics’ and the one of the ‘Police’, with ‘the Political’ figuring as the site of encounter between them. The modern system of Parliamentary Democracy actually features a combination of both logics, as candidates for political positions are put forward by the elite (those that are also dominant in the *social* order), yet there is universal suffrage and the possibility that the electoral body will behave like a population that draws lots.⁷⁶ Accordingly, ‘electorally mandated governments’ are never a mere manifestation of police logic, but maintain a constitutive relationship to both.

In sum, Rancière’s characterization of democracy foregrounds the distinction between ‘rulers’ and ‘ruled’, and stipulates that the former try to consolidate their power by transforming *public* matters into *private* ones, whereas ‘politics’ consists in the efforts of the latter to contest this or even to instigate the reverse movement, i.e. by attempting to place issues on the ‘political agenda’ that had hitherto been conceived as private. Rancière’s conception of *private* can be taken to entail ‘not being subject to public scrutiny and involving rules and relations of authority whose legitimacy is often taken as self-evident or natural’ (prime examples of this could be households or commercial

⁷³ Jacques Rancière, *Hatred of Democracy*, translated by Scott Concoran (London & New York: Verso, 2007), 44. ‘Chance’ can be understood in the sense that Rancière asserts that politics rests on contingency and disavows positions that portray any relations of authority in society as ‘categorically legitimate’. ‘Entitlement’ can be interpreted as any quality that one can appeal to – such as one’s family background or the possession of wealth, good education or knowledge – to justify one’s own influence in society.

⁷⁴ Jacques Rancière, *Disagreement: Politics and Philosophy*, translated by Julie Rose (Minneapolis: University of Minnesota Press, 1999), 14.

⁷⁵ In doing so, Rancière can be said to reformulate the notion of the ‘public sphere’ altogether, as this sphere of political equality and mutual recognition for him consists in the *break* with the (inherently inegalitarian) social order, which he places center stage in his theory. As mutual recognition implies visibility, Rancière implies that those marginalized by society can thereby make themselves visible.

⁷⁶ Rancière, *Hatred of Democracy*, 54.

companies). Additionally, Rancière's notion of *public* can be said to revolve primarily around the principal equality among individuals – of whom none can, by extension, lay claim to any right to rule the others – and the possibility of marginalized groups to contest relations of authority and the subordination that these engender.⁷⁷ However, to adjust the theory to the intricacies of my case-study, I will broaden the conception of 'private' outlined above to also include situations in which it is categorically unclear what specific authorities are responsible for policies or decisions taken, in the face of manifest differences in power between groups.⁷⁸

Rancière's account of the relation between politics and the social order seems tailored for theorizing the political situation on Lesbos in several ways. For one, it should be evident that it is possible to draw a distinction between 'rulers' (NGOs, UNHCR, EU agencies, Greek authorities) and 'ruled' (asylum seekers) when it comes to the refugee issue on the island.⁷⁹ Secondly, and related to the first point, concrete acts of politics could clearly be identified with this framework in the issue under investigation, as one could designate a political action as 'any effort by refugees – and those concerned with them more broadly – to contest policies or decisions of authorities that affect this group, in an attempt to transform the issue into a matter of *public* concern'.

Thirdly, one can conceptualize *depoliticization* with it, defining it as 'any effort on the side of specific authorities that renders such contestation impossible or makes it considerably more difficult, along with any specific dynamics in the interactions between 'powerful' actors (NGOs, Greek authorities, EU institutions) that amounts to the same result.' Importantly, this definition squares well with a generally accepted preconception of depoliticization, i.e. that it consists in the fact that an issue that has been on the political agenda – in the sense of being a matter of contestation and of public concern – can subsequently be taken to disappear from it. It also singles out cases in which actors (e.g., refugees or those concerned with them) have been pre-empted from contesting decisions or policies from the moment they respectively were taken or took form.

Although Rancière himself does not accord the term 'depoliticization' a central role in the characterization of politics which he provides in his books *Disagreement* (1995) and *Hatred of Democracy* (2004), I think that the notion of depoliticization nonetheless goes to the heart of the characterization of politics and democracy provided in these books. After all, in both works, Rancière asserts that the 'police order' in modern states generally tries to suppress and contract the public sphere (consisting of groups engaged in contesting their marginalized roles), and thereby attempts to

⁷⁷ For more information on Rancière's conception of 'public' and 'private', see Rancière, *Disagreement*, 40-41; and Rancière, *Hatred of Democracy*, 55-57. In his books, Rancière offers several examples of *private* affairs that were made *public* through democratic struggles, such as the workers movements in the 19th century, which managed to transform wage relations (at that time conceived as a strictly *private* affair between an employer and an employee) into a *public* issue, meaning that relations of authority were called into question that were previously taken for granted. For the example of the workers movements, see Rancière, *Disagreement*, 30; and Rancière, *Hatred of Democracy*, 56-57.

⁷⁸ As far as I know, the author himself does not advance an interpretation of these kinds of situations in *Hatred of Democracy*, and his characterization of the social may therefore be well construed as accommodating for it. After all, both situations have an essential feature in common: there are relations of power that remain uncontested. The main difference in emphasis, of course, is that the relations of power highlighted in my investigation of Lesbos are rendered as opaque (non-transparent) as possible.

⁷⁹ Of course, this keeps open the possibility of differences in power among actors pertaining to the 'former' group.

render ‘politics’ an impossibility.⁸⁰ Accordingly, Rancière positions ‘politics’ as being in confrontation with an order that tries to counteract its very possibility, which means that it continuously comes up against the *depoliticizing* tendencies of modern states.

How does depoliticization take place in concrete instances, in light of the definition of the notion which I provided above? Importantly, in both *Hatred of Democracy* and *Disagreement*, Rancière does not provide a systematic discussion of the strategies by means of which those favored by the order of society actually operate to forestall contestation, or discuss whether there can be dynamics in the interaction between actors – not due to the deliberate intent of any of them – that engender the same result.⁸¹ However, one particular manner in which depoliticization can be realized seems obvious to me, departing from Rancière’s understanding of politics as contestation as explained in this section (6.2) and my definition of ‘depoliticization’ provided on page 48. In order to be able to contest policies or political decisions, it needs to be clear who is accountable for them. After all, in situations with an absence of clear relations of accountability, political actions (e.g., demonstrations, strikes) aimed at changing the status quo will not be effective, as it is not clear towards what authorities or institutions such actions should be addressed. Provided, then, that a situation comes into existence in which no definite authority appears to be accountable for a given set of circumstances, these circumstances have been rendered incontestable. In turn, the lack of contestability holding for such a situation is an essential feature of the definition of *depoliticization* which I supplied two paragraphs above.

It is this variant of ‘depoliticization’ – stemming from the absence of clear relations of accountability for a given set of circumstances – that has been realized when it comes to the reception conditions of asylum seekers on Lesbos. In the following sections of this chapter, I will analyze the three principal manners in which this form of depoliticization of the reception conditions of asylum seekers on Lesbos takes place, centering on respectively the EU-Turkey Deal, the interaction between the Greek State and the European Union, and the cooperation between the Greek State and humanitarian organizations on Lesbos.

6.3 Charting the Landscape of Actors: The EU-Turkey Refugee Deal

In what manners, then, did the reception conditions on the island become depoliticized? Notably, the process started with the document at the very onset of the current situation: the EU-Turkey Statement, which was interestingly issued in the form of a *press-release* on the 18th of March 2016. I want to focus on the *form* of this document here, as its ambiguous legal status effectively comprised the first form of depoliticization of the reception conditions of refugees on the Aegean islands. The following two questions draw out the source of confusion concisely. First, should the agreement be

⁸⁰ Rancière, *Hatred of Democracy*, 55; Rancière, *Disagreement: Politics and Philosophy*, 29. See also Samuel Chambers, “Police and Oligarchy,” in *Jacques Rancière: Key Concepts*, edited by Jean-Phillipe Deranty (Durham: Acumen, 2010), 64-65.

⁸¹ The chapter ‘From Archipolitics to Metapolitics’ from *Disagreement* (chapter 4, pages 61 to 93) can be read as a notable exception to this assertion. However, as Rancière in this chapter primarily critically discusses a threefold of strategies that philosophers have historically adopted in order to deny the legitimacy of political conflict within their own reflections on politics and society, I am not sure whether the strategies of ‘depoliticization’ that Rancière diagnoses in this chapter – applying first and foremost to the field of philosophy – can also be applied to wider trends in governance and society.

considered as *an act* of the European Council – i.e., one of the most prominent institutions of the European Union, which accordingly acts *on behalf of* the EU – or instead as an act of the Heads of State of the EU’s separate member states?⁸² Answering this question comes with considerable implications, as it determines whether the Statement can be legally contested in EU courts by individuals and groups, e.g. by those who think that the Statement’s stipulations run counter to the EU’s own *Asylum Procedures Directive* (2013) or to articles of the 1951 UN Convention on Refugees.

Second, as the EU-Turkey Statement was issued in the form of a press release, can it be considered *a treaty* under EU law? If so, there are good grounds to hold that the EU’s official rules for entering into a treaty – as laid out by article 218 of the Treaty on the Functioning of the European Union – were gravely violated. Notably, the subject matters of both questions are intertwined, as criticism that article 218 of the TFEU was infringed by the EU presupposes that the EU-Turkey Statement was a *legal act* of the European Union and not of its separate member states. Consequently, maintaining that the EU-Turkey Statement was an act of the European Council *and* is a treaty would be grounds for holding that article 218 of the TFEU was infringed when contesting the legality of the EU-Turkey Statement in the *Court of Justice of the European Union*, which is the supreme court of the European Union in matters of EU law.

At least, this was the strategy adopted by three asylum seekers on the Aegean Islands who separately lodged applications for annulment of the EU-Turkey Deal at the Court of Justice of the European Union in Spring and Summer of 2016.⁸³ Significantly, each of these actions (i.e., the requests for annulment) was declared *inadmissible* by the General Court of the CJEU in February of 2017. As the main ground for the verdict in these three respective cases, the General Court adduced that the EU-Turkey Statement constituted an act of the Heads of State of the EU’s member states, implying that the CJEU had no jurisdiction to rule on the legality of it. In each of the rulings, the General Court of the CJEU stated the following:

‘It follows from all of the foregoing considerations that, independently of whether it [the EU-Turkey Statement, DB] constitutes, as maintained by the European Council, the Council and the Commission, a political statement or, on the contrary, as the applicant submits, a measure capable of producing binding legal effects, the EU-Turkey statement, as published by means of Press Release No 144/16, cannot be regarded as a measure adopted by the European Council, or, moreover, by any other institution, body, office or agency of the European Union, or as revealing the existence of such a measure that corresponds to the contested measure.’⁸⁴

If the Court of Justice of the European Union – the chief judicial authority of the EU – is not competent to rule on the legality of the EU-Turkey Statement, what other Court is then able to do

⁸² It should be noted here that the European Council formally consists of all of the heads of state of EU member states, and that the Statement was released at the conclusion of a meeting between all of the prime ministers of EU member states and of the republic of Turkey. Interestingly, EU institutions adamantly defend that the EU-Turkey Statement was not agreed upon by the *European Council* (which would render it an act of the EU) but ‘merely’ by the prime ministers composing it. See Julie de Vrieze, “The Legal Nature of the EU-Turkey Statement: Putting NF, NG and NM versus European Council into Perspective,” May 15, 2018, 26-28.

⁸³ Luigi Limone, “Today’s Court (non) Decision on the (non) EU “Deal” with Turkey,” *European Area of Freedom, Security & Justice*, March 1, 2017, <https://free-group.eu/2017/03/01/the-todays-court-non-decision-on-the-non-eu-deal-with-turkey/>.

⁸⁴ Order of the General Court NF v. European Council, T-192/16, ECLI:EU:T:2017:128, paragraph 71; Order of the General Court NG v. European Council, T-193/16, ECLI:EU:T:2017:129, paragraph 72; Order of the General Court, NM v. European Council, T-257/16, ECLI:EU:T:2017:130, paragraph 70.

so? As there are no other EU-courts except for the CJEU, the General Court's three verdicts in the aforementioned cases seem to have eliminated the possibility of judicial review of the EU-Turkey Statement altogether. Notably, this absence of legal control and lack of judicial review seem to contravene one of the most authoritative principles informing the constitutions of Western states: the rule of law. In a qualified sense (according to the understanding of politics which I set forth above), the CJEU's three rulings also put the Refugee Deal outside of the political playing field, as they render contestation of the EU-Turkey Statement by individuals and groups affected by it impossible *through a legal route*.

At the same time, it cannot be denied that the General Court of the CJEU made some highly questionable decisions in its legal reasoning supporting the verdicts in the three cases. In particular, the following facts were either pardoned or glossed over by the presiding judges. For one, the EU-Turkey Statement was published on the website of the *European Council*. Secondly, the press release explicitly bears the title 'EU-Turkey Statement' (making it appear as a document of the *European Union*). Thirdly, the first sentence of the press release states 'Today the members of the *European Council* met with their Turkish counterpart'.⁸⁵ Finally, the term 'EU' keeps appearing throughout the text, implying that it was the main negotiating partner. The judges of the General Court passed all of these wordings (i.e., the points two to four just listed) off as merely 'imprecise formulations' without according them any legal weight.

It is remarkable that most legal scholars studying the EU-Turkey Statement have up to now focused on answering one or both of the two questions outlined above in an attempt to resolve the ambiguities inherent to the Statement, instead of focusing on this ambiguity itself and spelling out its implications for the EU's governance of the 'refugee issue'.⁸⁶ I will briefly do so here (by criticizing one of these articles written by legal scholars) and argue that the ambiguities of the Statement are central to its very functioning. In particular, they allow the EU-Turkey Statement to have both legal effects *and* remain uncontested, along with being in violation of EU legislation and international refugee law.

As law professors Maarten den Heijer and Thomas Spijkerboer signal in their article 'Is the EU-Turkey Refugee and Migrant Deal a Treaty?', the EU-Turkey Statement contains several commitments for both Turkey and the EU not previously agreed upon. This is exemplified by the decision included in the press release that 'all new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey.' What's more, as the Greek parliament passed a law regulating deportations from Greece to Turkey on the first of April of 2016 (namely law 4375/2016) and the first deportations to Turkey were carried out three days later, it is clear that the deal was intended to sort legal effects.⁸⁷ For Den Heijer and Spijkerboer, these two facts combined

⁸⁵ European Council, "EU-Turkey Statement," March 18, 2016, <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>.

⁸⁶ For some examples of such analyses, see Maarten den Heijer and Thomas Spijkerboer, "Is the EU Refugee and Migration Deal a Treaty?" *EU Law Analysis*, April 7, 2016, <http://eulawanalysis.blogspot.com/2016/04/is-eu-turkey-refugee-and-migration-deal.html>; Gloria Fernandez Arribas, "The EU-Turkey Statement, the Treaty-Making Process and Competent Organs. Is the Statement an International Agreement?" *European Papers* 2, No.1 (2017): 303-309; Narin Idriz, "The EU-Turkey Statement or 'The Refugee Deal': The Extra-legal Deal for Extraordinary Times?" in *The Migration Crisis?: Criminalization, Security and Survival*, edited by Dina Siegel and Veronika Nagy (Den Haag: Eleven Publishing, 2018): 61-85.

⁸⁷ see Maarten den Heijer and Thomas Spijkerboer, "Is the EU Refugee and Migration Deal a Treaty?" *EU Law Analysis*, April 7, 2016, <http://eulawanalysis.blogspot.com/2016/04/is-eu-turkey-refugee-and-migration-deal.html>. At the time of writing, Law 4375/2016 is still authoritative when it comes to regulating the reception

render the Statement identical to a treaty, as jurisprudence in international law indicates that both the text of a document and the context surrounding it – e.g. whether the parties involved truly intended to *bind* themselves – should be taken into account when assessing whether a ‘treaty’ has been concluded.⁸⁸ In this sense, even a press release can be considered as an international agreement, provided that it contains novel commitments for the negotiating parties and that the parties intend it to have *legal force*.

While I think that Den Heijer’s and Spijkerboer’s two observations (as summarized in the previous paragraph) about the legal status of the EU-Turkey Statement are accurate, I think that their objective to reach a clear-cut conclusion about its legal nature precludes a proper understanding of the document’s ambiguity. After all, simply neutralizing this ambiguity prevents one from seriously investigating it. Additionally, if it was unequivocally clear that the EU-Turkey Statement was an international agreement concluded between the EU and Turkey, it would not have been possible for the General Court of the CJEU to rule the cases lodged by three asylum seekers stranded in Greece *inadmissible* in February of 2017. Specifically, it seems clear to me that it is due to the ambiguous legal nature of the document (because of ambiguities both in the text of the Statement itself and pertaining to the context in which it was composed) that the court was able to come up with these rulings, in spite of the Statement manifestly producing legal effects.

For one, due to the lack of a clear distinction between ‘The European Council’ and ‘The Heads of State of all EU member states’ (which concern exactly the same people), the General Court of the CJEU was able to rule that the EU-Turkey Statement constituted an act of the latter and not of the former, in spite of the title ‘EU-Turkey Statement’ and the name ‘EU’ frequently occurring throughout the text. The CJEU thereby endorsed the account of the situation presented by the European Council itself, which had declared that it was not connected to the negotiations concerning the Statement in its written communications to the General Court.⁸⁹ Secondly, in their written correspondences to the General Court as part of the CJEU’s investigations, the European Council, the European Commission, *and* the Council of the European Union maintained that the EU-Turkey Statement *was not* a treaty, invoking specific formulations found in the press release to support this assertion. For example, the European Commission stated that the use of the word ‘will’ (instead of ‘shall’ or ‘should’) signaled that the EU-Turkey Statement should not be interpreted as an international agreement.⁹⁰

Both of these observations serve to underline the same point: the unclarities of the legal situation are harnessed by the most prominent EU-institutions to exculpate themselves from charges of legal accountability, while the EU-Turkey Statement itself remains in full legal force. Specifically, this is carried out by both denying that the Statement is a legal document and by denying that the EU (or any of its institutions) is accountable for it. Through this strategy, the Statement is taken out of the playing fields of both politics (understood as contestation) and EU-legislation in general. As this

conditions of asylum seekers in Greece and the Greek asylum procedure in general. A version in English can be retrieved on URL= <https://www.refworld.org/docid/573ad4cb4.html>.

⁸⁸ The authors base their assertion that the *context* of a document is salient for assessing whether the document constitutes a treaty on a reading of several authoritative verdicts of the *International Court of Justice*.

⁸⁹ See Order of the General Court NF v. European Council, T-192/16, ECLI:EU:T:2017:128, paragraphs 27-28.

⁹⁰ See Order of the General Court NF v. European Council, T-192/16, ECLI:EU:T:2017:128, paragraph 29.

stratagem has realized that no institution or authority can be held to account for the Deal, the EU-Turkey Statement has effectively been rendered an agreement without author.⁹¹

6.4 Charting the Landscape of Actors: The Greek Authorities

As the most authoritative institutions of the European Union have rendered the EU-Turkey Statement impervious to criticism by successfully portraying it as falling outside of the scope of EU legislation and depicting themselves as uninvolved in it, they have aptly managed to present the current arrangement with Turkey and Greece that it gave rise to as a *fait accompli*. Given the fact that accountability for the current situation on the Aegean islands is seriously obstructed on the EU-level, is contestation of the current policies of reception on Lesvos still possible on the lower ones? For this, I would now like to analyze the role that the Greek Authorities play in the management of these reception conditions.

During my conversation on the 23rd of October of 2018 with R13, doctor and Main Director of the medical staff at Vostaneio Hospital (the only hospital on Lesvos), I broached the topic of the slowness of the Greek government in responding to calls for urgently needed improvements in matters pertaining to the reception conditions of refugees. His response was highly indicative of the reaction of my Greek respondents when confronted with this subject, which I addressed in one form or another to most of my Greek interviewees during this period. R13 had just told me that the hospital had access to the services of only four interpreters, who exclusively worked during the morning shifts and were not available during the afternoon or evening. For an average of 10.000 refugees stranded on Lesvos, this is not a favorable score. Significantly, these interpreters were not employed through the Greek Ministry of Health (which is in charge of staff recruitment at Greek hospitals), but were paid for by a Greek humanitarian NGO.

‘Can you tell me a bit more about the support that you receive from the national government [we were discussing the challenge posed to Vostaneio hospital by the significant presence of asylum seekers on the island, DB]?’

R13: ‘Well, the way they can help is, is by providing more personnel.’

‘Do you think that the government is too slow, when it comes to following up on the hospital's requests pertaining to this?’

R13: ‘Well, they are slow, because there is a lack of funds in Greece, due to the crisis, so we cannot get as many people as we want.’

⁹¹ At least not within the framework of EU courts and EU law after the CJEU ruled the three cases *inadmissible* in February of 2017, and it is highly unclear how affected individuals could demand repeal of the EU-Turkey Statement via another route. Importantly, with the metaphor of an ‘agreement without author’, I primarily intend to stress the fact that leading institutions of the European Union have rendered the EU-Turkey Statement incontestable by portraying themselves as ‘*being uninvolved in it*’, and therefore as being unaccountable for the Deal (in this sense, the Statement has been rendered an agreement ‘without author’). Of course, I do not deny that the EU-Turkey Deal is – in contexts not pertaining to the legal review of the CJEU – sometimes selectively claimed and appropriated as a political success by leading politicians of individual EU member states.

'It is understandable that you bring the debt crisis up in this context, but is this a valid reason when you take into consideration the EU funding – which has been quite considerable – allocated to Greece when it comes to the refugee issue?'

R13 (agitated): 'I've heard about the EU funding, but I don't have a say in that, I don't really know why, any details, or..'

'I mean, these funds are there, so you would expect them to be put to use.'

R13: 'Probably.'

With the closing of the EU-Turkey Deal, the Greek Government was promptly tasked to shoulder the burden of providing the reception of thousands of asylum seekers on the Aegean Islands forced to apply for asylum there, on danger of being deported to Turkey. Perhaps one can say that these responsibilities overwhelmed the state, resulting in a lot of inactivity and a lot of silence. This silence was described by many of my Greek interviewees, who worked for organizations like the UNHCR or institutions such as the Municipality of Lesbos, the Regional Authority of the Northern Aegean, and the local hospital. A striking common factor in their accounts was the lack of responsiveness of the Greek State that they (or at least: the organizations and institutions that they represented) cooperated with and their own lack of understanding of the reasons or motives behind this. Consequently, in their portrayals, the Greek State attained the appearance of something akin to a *black box*, marked out by intransparency and capricious behavior (especially inactivity) in its handling of the refugee issue. This raises the following question concerning the possibility of politics in the reception conditions on Lesbos: if there is no transparency at all about whether the outcomes of the policies of the Greek State should be attributed to conscious intent or to extraneous shortcomings like simply lacking funds, can 'its' decisions still be contested? After all, it is not clear who is responsible for the results.

To lend weight to these considerations, I will now discuss the most important findings from those interviews in which my interlocutors described the performance of the Greek State and its relation to their own respective institutions or organizations, and trace out some parallels and convergences between these accounts. I will divide this discussion into two parts. In the first part, I will analyze the interaction between the State of Greece and the European Union relating to the 'refugee issue' on the Aegean Islands, and argue that it plays a significant role in engendering depoliticization of the reception conditions. In the second part, I will probe the relation between the Greek State and other Greek administrative institutions on Lesbos, by focusing on how the latter view the Greek State and its management of the reception conditions, and on how each of them responds to the deficiencies that they perceive in it. I will draw heavily on my interviews in both of these parts. In order to keep the argument of this chapter structured and readable, I will relegate the discussion of the interaction between the Greek State and the UNHCR and international NGOs (i.e., humanitarian organizations) to section 6.5.

6.4.a The Interaction Between the EU and the State of Greece

The following excerpt of my interview with R7 [NGO-6] of Doctors Without Borders reveals something about the manner in which the Greek State legitimizes its own management of Moria Refugee Camp. At the conclusion of a loaded interview (in which he, inter alia, brought up the

psychological repercussions of being confronted with children who had engaged in a suicide attempt while working in MSF's pediatric clinic next to Moria Camp; notably, I had already broached the topic of the denial of responsibility), R7 stated: 'And I don't know who to blame, the Greek government, the European Union, who? There is no clear answer here. Not to me, or to anyone, everybody, it's not a clear answer. You don't know, to blame whom. Nobody knows, because there is no declaration.'

'You mean no declaration of responsibility?'

R7: 'Nothing. Nobody wants to take the responsibility. Everyone denies it. 'It's not us, it's not us, it's not us'.'

'From the highest level down until the lowest level.'

R7: 'Imagine, from the Moria Camp Manager, up to Angela Merkel, nobody wants to take the responsibility. You saw the documentary on BBC about Moria Camp [co-produced by NGO-6 as part of its effort to raise awareness about Lesvos and aired in late August of 2018, DB]? The spokesperson of the Greek authorities in the camp said 'this is not Greece's fault, we don't have money. It's the European Union who closed the border.'⁹² What the heck. We know that you have received a lot of money, but then one of your authorities is telling that you don't have money. Guys, what happened. Greece is telling that it does not have money, the European Union is telling that it has delivered a lot of money. There is a gap. The thing that really quite upsets me, is that it became something usual to the people in the world. It's just numbers. For that, it became just numbers.'

I accord this observation about the MSF-documentary a central position in my characterization of the policies of the Greek State in Moria Camp and of its policies concerning the reception conditions on Lesvos in general. It aptly captures the confusion of tongues prevalent in the portrayals offered by both the Greek State and the European Union of their cooperation in the field of the 'refugee issue'. After all, the two accounts that these actors present are manifestly incompatible. To see that the European Union offers a very different account of the same situation than this Greek government representative in Moria Camp, it suffices to take a glance at the latest status report of the European Commission on EU-support to the Greek State relating to the 'refugee issue', which was released under the title 'EU-Turkey Statement: Three Years On' in March of 2019.

This factsheet of the European Commission reports: 'While the overall responsibility for managing migration flows in Greece rests with the Greek administration, the Commission and EU Member States continue to provide significant support to the Greek authorities in the implementation of the EU-Turkey Statement, to improve migration management and reception conditions in Greece. EU actions focus in particular on helping to alleviate the situation on the Greek islands. Over €2.07 billion in EU funding has been allocated to Greece to support migration management since the start of 2015, including €816.4 million in emergency assistance and over €643.6 million for projects under the EU Emergency Support Instrument.'⁹³

⁹² This short documentary can be retrieved on URL= <https://www.youtube.com/watch?v=8v-OHi3iGQI>. The statement of the government representative that R7 refers to here is uttered at 5:50.

⁹³ European Commission, *EU-Turkey Statement: Three Years On*, March 18, 2019, URL= <https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda->

How should we interpret the apparent disparity in the accounts provided by Greek government officials and European Union institutions on the competence of the Greek State to adequately manage the refugee issue on the Aegean Islands, with special emphasis on the question concerning whether it has access to sufficient funds? I will offer an outline of a reconstruction. Looking back on my interviews, the trope that was most frequently invoked by my interviewees – among them representatives of various organizations and Greek authorities – was the one concerning the impact of the Greek State's 'Sovereign Debt crisis', with some of my interlocutors implying that EU-imposed state reforms had gravely reduced the capability of the country's public sector. R8, one of the coordinators of NGO7 – which runs a community center in the vicinity of Kara Tepe visited by 800 asylum seekers per day on average – whom I interviewed on the 10th of October of 2018, made this point clear to me most eloquently and forcefully, tying it up to his own experiences in the public sector of Lesbos.

R8: 'I have spent tens, hundreds of hours in the police department. Because I personally take care of cases of asylum seekers as I am Greek, and I know how to deal with the public sector, both the police and the hospital. So I deal with the public sector, a lot of hours. I must tell that I can completely understand their fears. I have seen how some of the employees are treating these people.'

In the discussion that followed (he went on to give some examples of discrimination by such employees), R8 remarked: 'But even if these people are kind of overwhelmed of what's going on here, and you know that the Greek hospitals and the Greek public sector wasn't enough for the Greeks prior to the refugee crisis, but now the same number of employees have to treat thousands of refugees, with zero capacity.'

'And they don't receive any money from the government?'

R8: 'Even if they do, it's not enough. The hospital needed money for its facilities years before the Greek crisis. Even before the Greek crisis, we weren't proud of the public sector. And now we have added the crisis and we have added 10.000 more people. So, you do understand, that these employees, they used to work hard, and now, they are literally running in the shift all day. So it would be ignorant to ignore their perspective, and why they are angry. And imagine that in these conditions, the government is also cutting their pensions, it is cutting their incomes. So, ten years ago, before the financial crisis, they had completely different lives. So I do understand why they are angry in general, not why they have this target, because they shouldn't, but the anger by itself is completely justified. [...] We basically have a system that is not working. Greek people have to cut the system, because they cannot play by its rules. The system is that the Greek ministries say, 'we are going to do these things, just wait. With these facilities, with these capacities, just deal with it, do

migration/20190318_eu-turkey-three-years-on_en.pdf. When it comes to the text of the document itself, we should note that it entirely passes over the sub-standard reception conditions of refugees still current on the Aegean Islands: this could have raised questions concerning what is actually happening with the allocated and disbursed funds. At any rate, it is unfortunate that the government representative of Moria Camp did not have access to this factsheet at the time of the recording of the documentary.

whatever you can [i.e., ministries making 'empty promises' for improvements to overburdened institutions in the public sector, DB].’ And that’s how it is.’

‘I also heard that in the hospital, there are only four translators.’

R8: ‘Yes, and I don’t even know who hired them and who’s paying them, for real. They don’t have the budget. Before the refugees and before the financial crisis, the hospital on Lesbos also didn’t have the budget. It was a hell of a place. I’m telling you, go back and read articles about the Greek medical care in 2004, when we had the Olympic games and everyone was proud of how many things we built and stuff. If you wanted to go for a medical examination in a public hospital, it would take you in Athens for example two or three months to be examined. So we are talking about this static point far before the crisis.’

This testimony of R8 touches upon several issues. For one, he addresses the fact that the public sector in Greece was already structurally weak prior to the financial crisis. Secondly, by his account, the far-reaching reforms imposed on Greece’s public sector during the country’s government-debt crisis further decreased its capacity. Thirdly, the Greek Government does not succeed at improving conditions for the public institutions on Lesbos which are understaffed and underequipped to deal with the refugee issue (i.e., the 10.000 asylum seekers residing on the island), whereas these institutions already had trouble serving the Greek population on Lesbos in the first place. As such, these institutions are frequently waiting for the government to realize improvements, although the promises of the latter may well turn out to be void. In this context, it is instructive that the current director of Vostaneio hospital on Lesbos has been refusing to speak to Greek journalists for years, as journalist R16 confirmed to me in my interview with her on the 25th of October of 2018.⁹⁴

In light of this, the quixotic character of the EU’s current policies of funding to Greece seems apparent. During the Greek State’s Sovereign Debt Crisis, the European Union imposed far-reaching austerity measures on the country as conditional for its loans, leading to structural cut-backs of its public sector and the sharply reduced capacity of this sector to serve Greek citizens.⁹⁵ With the ‘refugee crisis’ (2015-present), however, the EU suddenly requires and supposes this very same public sector on the Aegean Islands to accommodate for the arrival of thousands of asylum seekers, conveniently assuming that any problems that attend this can be alleviated by allocating funds. An interesting observation in this regard is provided by journalist R16. While we were discussing about why it took the Greek Ministry of Health so long to find additional staff for the local hospital, she remarked: ‘It created a program named ‘Filos’ to attract more doctors, but the doctors didn’t come, because the salary it offered was too low, and now it is trying to raise their salary, like 400 euros per month, so more doctors can come to the hospital, but we don’t know how this will turn out.’

⁹⁴ In this regard, I was surprised that the Main Director of the hospital’s medical staff was willing to schedule in an interview with me (as a foreign researcher). I do have to say that it took me significant effort to get this interview scheduled.

⁹⁵ To be more precise, these austerity measures were imposed by the ‘Troika’, consisting of the European Commission, the European Central Bank, and the International Monetary Fund. See also Heath Cabot, “‘Contagious’ Solidarity: Reconfiguring Care and Citizenship in Greece’s Social Clinics,” *Social Anthropology* 24, No. 2 (2016): 153.

In a sense, then, there might be some truth to the claims of both the European Commission and the Greek Government: the Greek State *has* and *does not have* the capacity and funds to cope with the ‘refugee issue’ on the Aegean Islands in general and on Lesbos specifically. With this observation, I can state that conclusively answering the question concerning whether Greece has the means to warrant adequate reception conditions falls outside of the scope of this investigation. After all, I simply do not know enough about Greece’s political culture and the impact of the austerity measures on the country’s social infrastructure to come up with any definitive and apodictic verdicts here. What is more, I surmise that the matter is even very difficult to settle for ‘experts’, as it seems unclear how one should determine the threshold at which the utmost capacity of the social infrastructure of a society is reached.

This leads up to the point that I actually want to make based on the foregoing considerations about the Greek State and its relation to the EU, which is that the unclarity concerning this situation – as outlined in the previous paragraphs – has led to a rather disquieting form of governance, in which both actors can deny responsibility for the manifold shortcomings of the reception conditions. To be more specific, this takes place through the heavy exploitation of this central ambiguity by both actors, as the unclarity of the situation enables both the EU and the State of Greece to uphold their own interpretation of it, blaming the other (whether implicitly or not) and exonerating itself from any charges of accountability pertaining to the current humanitarian catastrophe. In a sense, both actors have succeeded, as neither of them is held responsible for the current situation.

Bearing in mind the characterization of ‘politics’ of French philosopher Jacques Rancière as set out in section 6.2, the interaction between the EU and the Greek State in matters of the reception of asylum seekers on Lesbos can be identified as being a form of *depoliticization*. After all, groups (e.g., refugees or those that rally for their cause) that want to protest the human rights violations of asylum seekers on Lesbos are faced with the fact that both the EU and the State of Greece point fingers at each other and deny personal accountability for the reception conditions on the island. Accordingly, given the fact that clear relations of accountability for the reception conditions of asylum seekers on Lesbos are missing, it remains unclear towards which of these authorities (either the EU or the Greek State) such groups should direct political action if they want to improve the situation. This means that the possibility of contestation of the reception conditions on Lesbos – and by extension, according to Rancière, the possibility of politics concerning them – is actively thwarted. In the following paragraphs, I will attempt to make clear what keeps this mechanism of depoliticization in place.

Perhaps paradoxically, both the State of Greece and the EU are served by *not questioning* each other’s interpretation and accordingly contesting the status quo, as significantly improving the reception conditions on the Aegean islands may lift the deterrent effects that the camps on the islands currently exercise on asylum seekers in Turkey. In turn, this would likely lead to both further strain on Greece’s resources and infrastructure *and* mounting pressure on the European Council to introduce new measures to distribute the burden of receiving asylum seekers in the EU more evenly over its member states, for example by instituting a new refugee resettlement program to lift the burden off frontline Schengen states. To bring out the unlikelihood of the latter: the European Parliament has been in a deadlock for several years on proposed reforms of the EU asylum

system, primarily pertaining to unwillingness of many EU countries (such as Poland and Hungary) to accept new refugee redistribution quotas.⁹⁶

Accordingly, we seem to be faced with the following situation: the State of Greece will – whether unintentionally or not – be taken advantage of if it were to institute significant improvements in the refugee camps on the Aegean Islands, as the EU will not come to its aid with genuinely helpful measures. On the other hand, the EU is by itself unlikely to make any significant amends to the current system (which has amounted to a marginalization of both Greece and the refugee), as its leading institutions are currently in a political deadlock over the migration issue.

On Lesbos, this political fatigue shows through most conspicuously in the slipshod manner in which Greek government ministries – the consortium of the army, the national police, and the Ministry of Migration Policy – manage Moria Refugee Camp. Indeed, although the majority of asylum seekers cannot speak English, ‘Moria no good’ is a sentence that most of them know. Interestingly, the Main Director of Moria Camp (Giannis Balbakakis) declared in an interview published on the 15th of April of 2019 that ‘anyone who thinks that they can do the job better than us is more than welcome to come and try.’⁹⁷ Crucially, this statement should not be perceived as an isolated incident, as similar avowals of self-legitimation by the Camp Director (in the context of a personal interview) were already reported in a blog post by migration scholars Barak Kalir and Katerina Rozakou centering around key impressions of their fieldwork on Lesbos in Summer of 2016.⁹⁸

The point is not that the Camp Director is categorically wrong in his assertions that the camp management does not receive sufficient funds from the Greek Government (although he may exaggerate), but that the Greek government may be incentivized to think that keeping the camp in an underdeveloped state is a better option than all of the alternatives. After all, there is the steady problem of cooperation between the Greek State and the EU in matters of the refugee issue, as I signaled in the paragraphs above. Moreover, and this also has to be said, the junior partner in the current Greek coalition government was the *Independent Greeks* until January of 2019, which is generally perceived as a populist and right-wing nationalist party.⁹⁹ Although they hold only 10 seats in Greek parliament against the 145 of their former left-wing coalition partner *Syriza* and their leverage was accordingly comparatively small, their leader served as the Minister of Defense until January of 2019, thereby formally presiding over the Greek Army. Hence, when it comes to the problems in the functioning of Moria Camp, there may be an ideological motive (i.e., right-wing

⁹⁶ See “Reform of the Common European Asylum System (CEAS) is in a Mess,” *Stateswatch News*, October 11, 2018, <http://www.statewatch.org/news/2018/oct/eu-council-ceas-in-a-mess.htm>; and Jan Schneider and Anna-Lucia Graff, *EASO Reloaded: Can the New EU Asylum Agency Guarantee a Standardized System of Protection?* (Berlin: The Expert Council of German Foundations on Integration and Migration, 2018), 1-2, https://www.svr-migration.de/en/publications/eu_asylum_agency/; For an interesting newspaper article that corroborates this thesis of severe discord among EU member states in a different manner, see Jennifer Rankin, “EU Declares Migration Crisis over as it Hits Out at ‘Fake News,’” *The Guardian*, March 6, 2019, <https://www.theguardian.com/world/2019/mar/06/eu-declares-migration-crisis-over-hits-out-fake-news-eu-european-commission>.

⁹⁷ Claire Paccalin, “‘Anyone who thinks they can do better than us is welcome to try,’ says director of Moria Camp on Lesbos,” *InfoMigrants*, April 15, 2019, <https://www.infomigrants.net/en/post/16018/anyone-who-thinks-they-can-do-better-than-us-is-welcome-to-try-says-director-of-moria-camp-on-lesbos>.

⁹⁸ Barak Kalir and Katerina Rozakou, “‘Giving Form to Chaos’: The Futility of EU Border Management at Moria Hotspot in Lesbos,” *Society and Space*, November 16, 2016, <http://societyandspace.org/2016/11/16/giving-form-to-chaos-the-futility-of-eu-border-management-at-moria-hotspot-in-lesvos/>.

⁹⁹ The *Independent Greeks* left the *Syriza*-led coalition over an agreement relating to the ‘Macedonia Naming Dispute’.

nationalism) involved next to the strategic one outlined above. Together, these two motives compound the deficiencies of the public sector and their inhibition of the Greek State's management of the refugee issue, which I also outlined in the preceding discussion.

In what manners these three characteristics of the situation tie in to each other and which one of them exactly predominates is not material to my central thesis of depoliticization. Of main importance is rather the central unclarity involved in the situation, which enables both the EU and the Greek State to deny accountability for the current deficiencies of the reception conditions on the Aegean Islands, combined with the fact that both the Greek State and the EU are very much incentivized to do so. I opted to insert a short discussion of Moria Refugee Camp in the previous two paragraphs, as it is the largest refugee camp on Lesbos and of central importance in understanding why practices of exclusion on the island have proven highly persistent (i.e., the second sub-question of my thesis).¹⁰⁰ Additionally, shortly probing the relation between the Greek State and the poor reception conditions in this camp serves well to render my abstract considerations on the role and motivations of the Greek State in the 'refugee issue' more concrete.

6.4.b Mapping Dissent: Interaction between the Greek State and other Administrative Institutions on Lesbos (the Municipality of Mytilini and the Regional Authority of the Northern Aegean)

How do other administrative institutions with authority on Lesbos view the fact that progress in the improvement of the reception conditions on the island comes at a grindingly slow pace, and the role of the Greek State when it comes to the issue? First of all, we should note that this question is a bit deceptive. Although improvement of the reception conditions is definitively one of the aims that these administrative institutions profess to have, another one is equally apparent: decongestion of the island. Nevertheless, these institutions have been experiencing ample frustration from the Summer of 2015 onwards due to the slowness of the Greek State in realizing the first of these two objectives. Accordingly, R6, senior advisor of the mayor of Lesbos (the island features only one municipality), told me during my interview with him on the 25th of September of 2018:

'From the very onset of the refugee issue in the Summer of 2015, we [the municipality of Lesbos, DB] understood that it was going to last long and not for a few days. Hence, we needed to improvise, we needed to provide a response and give time to the European Commission and the central government to come after just a few months to provide a response. The thing that we didn't expect was that the response of the European Commission and the European Union could take so long, given that a small municipality was able to overcome all of the bureaucratic difficulties, and these difficulties have been the excuse of the central government for not being able to provide an immediate response after September of 2015.'

'Can you tell me a bit about these 'bureaucratic difficulties' that are used as an excuse?'

R6: 'Just to give you an example, according to EU law, European funding is channeled to the central government or the European Regions, not to the Municipality. Even though the Municipality

¹⁰⁰ After all, a considerable part of the practices of exclusion on the island take place in – and are tied to – this site. See also pages 5-6 and 20-21 of my thesis.

of Lesbos was doing things, repairing things, responding to a crisis, we weren't able, and we are not able, to receive funding from the European Commission. It has to be channeled through the central government, and this also takes time, because there is a need to assess the needs first, receive funding, and then distribute it accordingly, as the minister of migration and minister of finance see fit. So, you can imagine that this takes time, and they were always one step behind what was going on. If you are dealing with a crisis, speed is everything.' [...]

'We as the Municipality thought that, since the situation from late 2015 onwards constituted an emergency, there shouldn't have been red tape issues, regarding funding, regarding the response, regarding creating infrastructures in Moria Camp, for example, the sewage system upgrade, the project starts within a few days, while the sewage system has been for three years in the current state since 2015. I mean, there should have been a fast-track procedure for every project related to the refugee crisis.'

'So to what factor would you actually attribute these delays on the side of the government? There must be a certain reluctance on the side of the national authorities, as the Municipality must have clearly stated that there is an urgent need to fix some of the issues related to infrastructure.'

R6: 'Probably yes, but this is a question you have to ask the minister or someone from the central administration.'

From this excerpt of the interview, we can draw some key insights. For one, R6 emphasizes that the Greek Government chalks up delays in improving the reception conditions to the problem of bureaucracy. He thereby implies that this is also the manner in which the Greek Government justifies its own lack of activity in its communications to the Municipality. Second, the excerpt clearly demonstrates R6's ongoing frustration with the unresponsiveness of the Greek State in its handling of the refugee issue, as made especially apparent by his example of the delays involved in the planning of an actually working sewage system for Moria Camp: whereas the Camp has fulfilled its current function as a Reception and Identification Center since October of 2015, it took the Greek government three years to start the construction of this sewage system. To contextualize this assertion: at the time of my fieldwork on Lesbos, Moria Camp still had an open sewer, with raw sewage flowing right across the official entrance of Moria Camp to pour into a local stream. Thirdly, similar to R13 (the doctor at Vostaneio Hospital), R6 fails to grasp the reasons or complications actually underlying the delays, suggesting that even the highest authorities on the island do not have a full grasp of the issue.

Importantly, this frustration with the Greek government is more broadly shared among the municipalities of those Aegean islands that house significant numbers of asylum seekers. According to R6, it even induced the mayors of these five Aegean Islands to jointly establish a lobby organization of municipalities to advocate for changes in EU-policies pertaining to the 'refugee issue' in Brussels. Important motivations for this were the fact that the municipalities could not directly receive funding from the European Commission according to EU law, the need to decongest the islands due to the overpopulation of the refugee camps, and the slowness of the asylum procedures because of the functioning of EASO. Interestingly, the frustration of the mayors with the stagnation of the situation and the lack of needed improvements in the reception conditions accordingly led to a 'reterritorialization' of some sorts, as the collective succeeded in establishing a direct channel of

communications between the municipalities and Brussels.¹⁰¹ Accordingly, R6 stated: 'We were heard by the European Commission, it was the first time that the European Commission had a direct line of communication with any municipality, because as I said before, according to EU law, there is a Regional European Policy, and not one regarding municipalities.'

However, R6 could not equally confidently point out to me any concrete proofs of the success of these advocacy efforts in influencing EU policy. Addressing the results of the lobbying efforts, he stated: 'We arrived at a direct line of communication with EU commissioner of migration Avramopoulos, it was very helpful, because we expressed our concerns directly and *we would like to believe* that this had an immediate effect on the conversations that the European Commission and the Greek Administration had internally, because they knew exactly what is going on in Lesvos first hand. And yes, in terms of advocacy, whenever we said that there is an urgent need to decongest, that things are more critical than we think, it kind of shortened the distance between Lesvos and Brussels, and this created a more immediate response on behalf of the European Commission. But yet, of course, you can imagine that *there is a Greek Administration in the middle somewhere*, and as you can see, things take time.'

Based on this excerpt, we can make two observations. First of all, just like in the extract of the interview with R6 cited on page 60, R6 attests his lack of comprehension of *what is actually driving* the Greek State in its management of the refugee issue on the Aegean Islands. Secondly, and springing forth from the first point, R6 does not know whether the lobbying efforts of the collective of mayors of the Aegean Islands sorted any concrete effects. This suggests that the effort of the mayors to contest the reception conditions on the islands has been smothered in intransparency, instead of prompting authorities (e.g., the Greek State, the EU) to substantially improve these conditions and assume accountability for their manifold shortcomings. Importantly, if we are to assume the validity of my analyses presented in sections 6.3 and 6.4.a, this means that it is at least unclear whether the lobbying efforts of the mayors have led to a successful repoliticization of the reception conditions on the islands.

Saliently, R6 seemed to be highly aware of the lack of tangible improvements (even after the efforts of the mayors) in the reception conditions, as he stated at the end of the interview: 'As I told you before, it seems that the Greek national government and the Commission are one step behind the crisis. It is not a crisis anymore, we know exactly the facts, how we should respond, not 'we', but the Greek Administration. This is why we are really frustrated, because we believe that, since we know the facts, we should be able to provide a response.'

Another local actor with significant leverage in the politics of Lesvos is the *Regional Authority of the Northern Aegean*. In Greece, this tier of administration exceeds municipalities in geographic scope and the Regional Authority of the Northern Aegean accordingly exercises legislative authority in specified areas of administration on Lesvos, Samos, Chios, and several other islands in the Aegean Sea. As the lobby efforts of the mayors of the Aegean Islands did not seem to have resulted in any concrete improvements to the reception conditions, I wondered whether the Regional Authority of the Northern Aegean was more successful in its efforts to influence the policies of the Greek State. After all, the Regional Authority had released a report strongly criticizing the sanitary and health conditions in Moria Camp during my time on Lesvos (i.e., in early September of 2018), along with the

¹⁰¹ After all, by setting up a direct line of communications to Brussels in their effort to effectuate changes in the EU's migration policies bearing on the Aegean Islands, the mayors have at least partially reconfigured the relations between the 'center' of the EU and a region in its periphery.

ultimatum that it would close Moria Camp if the Greek government would not imminently improve these conditions to a satisfactory level within a period of 30 days.

Concerning the stance of the Regional Government as regards the refugee issue, R19, vice-governor of the Northern Aegean, explained to me in an interview on the 31st of October of 2018: 'Since the refugee issue is a Humanitarian Issue, the North Aegean Region tries to cooperate with the national government, up to a certain limit at which it is able to do that. In person, but also officially with the documents, the North Aegean Authority demands observance of the legal provisions concerning the camps on the three islands of the North Aegean Region: in Moria Camp, the capacity of the camp is for three thousand people, in Samos for 850 people, and in Chios for 1200, and they demand this to be respected. The minister of Migration Policy assured that this will happen - about the capacity - the North Aegean Region is waiting for that to happen. They also want to relocate some of the refugees to the mainland, but this is happening at a very slow pace. However, at this moment on the three islands of the North Aegean Region, there are 18.200 refugees. Recently the services of environment and health services of the North Aegean conducted some inspections [leading to the publication of the report mentioned above, DB], mainly in Moria Camp and in the camp on Samos. After these inspections, we noticed an activity on behalf of the central government, but this activity is not satisfactory.'

Accordingly, R19 defines the interaction of the Regional Authority with the Greek national government in the refugee issue with the word 'cooperation', interestingly adducing the reason that it would concern a 'Humanitarian issue' for this. This framing of the issue in terms of cooperation and *Humanitarianism* suggests that the Regional Authority does not see it as a high priority to *contest* the current policies of the Greek government.¹⁰² Moreover, as the Vice Governor's portrayal of the interaction between the Greek Government and the Regional Authority as a 'collaborative humanitarian effort' glosses over that it at least partly stems from the *political intent* of the Greek government that the reception conditions on the island are not improved, R19's framing of the issue raises the suspicion that he tries to pardon the Regional Authority for not – or not sufficiently – contesting the Greek Government's management of these reception conditions. This interpretation was corroborated by the testimonies of some of my conversational partners during my fieldwork on Lesbos, who stated that the Governor of the Northern Aegean had only released the report in order to secure her next term in the upcoming elections of May of 2019. It is also supported by the fact that the Vice Governor could not present me any other examples of contestatory efforts of the Regional Authority over the last three years apart from the release of the report when I pressed him about the issue.

Regardless of the comparative lack of political engagement of the Regional Authority of the Northern Aegean in the refugee issue on the Aegean Islands, the release of the report in early September of 2018 was an interesting event. The Governor of the Northern Aegean even issued a deadline to the Government for repairing the deficiencies in the infrastructure of Moria Camp, as she would otherwise be 'legally obliged to close it'. Did the report and the Governor's accompanying threat induce the Greek Government to change its policies? Relating to this issue, I asked R19:

¹⁰² After all, 'humanitarianism' is generally perceived as consisting in disinterested efforts to help a given group of *victims* in imminent need. As R19 uses this term, he suggests that the Greek Government and the Regional Authority are simply together doing everything they can to help these 'victims' (i.e., the refugees). For this description of humanitarianism, I base myself on Didier Fassin, *Humanitarian Reason: A Moral History of the Present*, translated by Rachel Gomme (Berkeley and Los Angeles: University of California Press, 2012), x-xii.

‘How did the central government react to this report? I know that they sped up the transition of asylum seekers from the islands to the mainland.’

R19: ‘The decision of the governor was sent to the court, and the court sent it to the police, which has the responsibility to impose the decision.’

‘This seems interesting, as the report was released at the start of september, and the deadline issued was 30 days. These 30 days are already over, I think. So has the police done anything with this?’

R19 (raising his voice): ‘The refugee issue is a humanitarian Issue, first of all. The decision of the governor about Moria was sent to the Ministry of Migration and he made a procedure, he sent an official document to the decentralized administration that states that the Governor does not have the legal mandate to issue such a decision [i.e., to close the camp, DB]. So the decentralized authority has to issue a decision if this is right or wrong, and at the same time, our health services will elaborate another report: they went to Moria Camp for a second time, to see whether things have changed, so now, the Region is waiting for the report of the decentralized administration, and the report of the Health Service. So this is the current situation.’

What is most interesting about this excerpt is that the clash between the Regional Authority and the Central Government has resulted in a stalemate about the Governor’s legal mandate, in which both of the parties dispute the other’s claims concerning whether the Regional Governor is legally allowed to close Moria Camp on account of the threat that it poses to its residents’ health. As Moria Camp is at the time of writing still in operation, it seems improbable that the Regional Authority’s report has sorted any change. Importantly, R19 seemed to have the same expectations during our interview on the 25th of October of 2018, as is indicated by his answer to my following question: ‘Did the Minister of Migration Policy state that he was going to make improvements in his communications to the Regional Authority following the publication of the report, and did he list some concrete measures?’

R19: ‘In the communications, there are no statements concerning improvements, but the government said that it will arrange a new structure of the sanitary system, something that should have been done a long time ago. Confidentially, I think that nothing will be done regarding this issue. And it is very hard to be done, since there are many people in Moria Camp, there are 7500 people. The camp's capacities is the top for 3000, that number is the maximum.’

In this sub-section (6.4.b.), I have investigated the interaction of two administrative institutions to the Greek Central Government in the ‘refugee issue’, and concluded that a) these have not done enough to challenge the central government’s decisions (the Regional Authority), and b) that the efforts of contestation that these institutions did engage in did not produce many concrete results (the Regional Authority *and* the Municipality of Lesbos). Perhaps the most significant undercurrent in my experiences with these two institutions is their mounting frustration in the face of an unresponsive Central Government that does not provide any clarity about the motivations for its inactivity. Hence, the image of the ‘black box’, which I provided in the introduction to section 6.4 to capture my respondents’ perception of the role of the Greek State in the refugee issue. This only underscores my thesis (set out in section 6.4.a) that there is a complete intransparency pertaining to the conduct of the Greek State and its relations to the European Union: even the most authoritative

political institutions on Lesbos do not understand the Greek State's rationale and motivations concerning its policies of the reception of refugees on the islands.

The lack of comprehension of the Greek State's rationale and motivations on the part of both the Municipality of Mytilini and the Regional Authority suggests that both institutions have not been able to *repoliticize* the practices of human rights violations of asylum seekers on Lesbos. As I made clear in my discussion of the political thought of Jacques Rancière in section 6.2 of this chapter, there need to be clear relations of accountability in order for groups to be able to contest policies and engage in politics. As I argued in section 6.4.a, such clear relations of accountability are missing when it comes to the interaction between the Greek State and the European Union in matters of providing reception to asylum seekers on Lesbos, since the central ambiguity involved in the cooperation between both actors allows each of them to deny accountability and blame the other for the human rights violations on Lesbos (pages 57-58). This ambiguity concerned the unclarity about the *capacity* of both the Greek State and of the public sector in Greece.¹⁰³

As I signaled in this sub-section (6.4.b) that both the Municipality of Mytilini and the Regional Authority of the Northern Aegean are confronted with a lack of understanding of the Greek State's malperformance in providing the reception of asylum seekers on Lesbos, these institutions have not been able to achieve clarity on the obtaining relations of accountability for the human rights violations of asylum seekers on the island. After all, it is this unclarity about the malperformance of the Greek State that leads to the unclarity about whether the EU or the Greek State is accountable for the current reception conditions of refugees on Lesbos. Drawing on my discussion of the political thought of Rancière in section 6.2, the inability of the Municipality of Mytilini and the Regional Authority to achieve clarity on the obtaining relations of accountability suggests that these institutions have not been able to *repoliticize* the situation in their efforts to compel the Greek State to improve the situation for asylum seekers on the island. Crucially, the status quo for refugees on Lesbos is thereby left unchallenged, keeping the current dire living conditions of asylum seekers in place.

6.5 Charting the Landscape of Actors: The Greek Government and the Field of Humanitarianism

Now that I have discussed both the depoliticizing effects of the relationship between the Greek Government and the European Union and the failure of local administrative institutions to contest the policies springing forth from this, I want to discuss a final form of depoliticization, which I take to be especially far-reaching. Specifically, this form springs forth from the cooperation between the Greek Government (i.e., Greek Government Ministries) and the manifold humanitarian organizations – both the UNHCR and international NGOs – active on Lesbos. My main theoretical point of reference in this analysis will be the characterization of the relationship between humanitarianism and control provided by French anthropologist Michel Agier in his work *Managing the Undesirables* (2007).

The order in which I will proceed in section 6.5 will be as follows. First, I will give a concise summary of the account of humanitarianism that Agier provides in the aforementioned book, in

¹⁰³ And, related to this unclarity about the capacity of the Greek State and public sector, whether the financial support offered by the EU to the Greek State for the reception of asylum seekers actually allows the Greek State to provide *adequate* reception conditions to asylum seekers on its territory.

order to delineate in what senses I will adopt and modify it for my own analysis of the form of depoliticization engendered by humanitarianism on Lesbos. Then, I will provide an analysis of the precise form of cooperation between the Greek Authorities and the Humanitarian organizations on Lesbos and spell out in what senses it engenders depoliticization of the reception conditions. As my main research data for this analysis, I will use testimonies of my interviewees, impressions of informal conversations with various interlocutors, and private observations which I gathered during my period of volunteering on the island.

6.5.a 'Humanitarianism's Disquieting Ambiguity': Michel Agier's Understanding of the Relationship between Humanitarianism and Control in his Work 'Managing the Undesirables'

In his book *Managing the Undesirables* (2007), anthropologist Michel Agier sets out to offer an exposition of the role of refugee camps in the world today, drawing on experiences that he obtained during fieldwork conducted in dozens of refugee camps in Africa for a period of seven years. Of prime importance to his argument is his stipulation of an ambiguity deemed central to Humanitarianism, which he understands both as the activities of humanitarian organizations in 'places of need' and as the prevailing discourse intended to legitimate these actions. In the introduction to the book, Agier states: 'If the history of [refugee] camps rests globally on a control of displacements and on sidelining certain populations, if it rests accordingly on a *police* thinking of confinement and putting at a distance, humanitarian organizations have specialized themselves nowadays in 'managing' the daily life of those spaces and of these populations held separately. Humanitarian intervention rubs shoulders with this management of the police. There is no care without control.'¹⁰⁴ According to Agier, there is a *functional* solidarity between 'the humanitarian world' and what he calls the 'police and military ordering of the world as a whole', an ambiguity that he renders apparent in the form of a metaphor: by his account, there is a troubled understanding between 'the hand that cares' and 'the hand that strikes'.¹⁰⁵

Importantly, Agier asserts that he does not mean *institutional* or *intentional* by 'functional': humanitarian Non-Governmental Organizations (NGOs) do not literally receive commands to confine and sideline populations on the move as well-defined parts of an institutional structure (with bureaucrats of 'higher organizations' prompting them to thwart the movement of displaced groups when this is deemed necessary), but their actions unwittingly end up according with a certain political framework that in general renders the uprooted from the 'global south' immobile and localized in determinate spaces and specifically keeps them from reaching the 'global north'.¹⁰⁶ Whenever there is a war in an African country, for example, humanitarian aid by international organizations is usually delivered in local – often large-scale – refugee camps set up by the UNHCR and local authorities in neighboring countries or even in a different region of the country itself, in the context of the tendency of Western politicians to demand or advocate a local solution for political displacements, i.e. the accommodation of displaced persons 'in the region'. Accordingly, people are enclosed in camps in which they are fully dependent on International organizations for their livelihoods (sometimes a single employee of a humanitarian organization exercises control over the food provision of 20.000 people) and have to stay there for an indeterminate period of time, without

¹⁰⁴ Translation provided by me. The excerpt can be found in its original form in Michel Agier, *Gérer les Indésirables* (Paris: Flammarion, 2008), 14.

¹⁰⁵ Michel Agier, *Gérer les Indésirables*, 15.

¹⁰⁶ Agier, *Gérer les Indésirables*, 14-15.

a clear prospect for the future and – due to the remote location of most of these camps – relegated to the margins of perceptibility.

According to Agier, this ‘control’ element of humanitarianism is not only exercised on the regional or global level but also up to the minutest detail in the refugee camps themselves. He even goes so far as to assert that the only rights that those living in camps effectively have are the ones that the organizations and individuals that hold power over their lives have accorded them, due to a general lack of judicial oversight and control.¹⁰⁷ Of course, the power that humanitarian organizations accordingly retain leaves itself open for abuse. As Agier remarks in the context of qualifying a (by itself) positive reflection on the work of organizations under such conditions: ‘However, in this or that camp, or sector of the camp, other individuals or organizations can announce rules that are only proper to them and thereby exercise *dominations of exception*. The daily life of camps is often marked by this form of socialization, an internal violence that comes to amplify the violence from war or social violence at the origin of forced displacements.’¹⁰⁸

The existence of this incentive to exploitation was rendered evident, for example, by the publication of a report by *Save the Children* in 2002 that cast light on child abuse by humanitarian aid workers in refugee camps in Liberia, Guinea, and Sierra Leone. Agier recounts that in one of the camps he visited during his periods of fieldwork (the Maheba Camp in Zambia), a single employee of an NGO who happened to be a refugee himself was responsible for the management of the entire ‘center of transit’ of the camp, i.e. the place where all the ‘new’ refugees – tired, hungry, and often ill – have to wait for personal screening for a period ranging from several weeks up to months after arriving from the border. In his words, such spaces represent a critical link in the ‘humanitarian chain’ where its supposed efficacy is of the utmost importance.¹⁰⁹ Agier, however, states that he observed this employee pushing, scolding and shouting at people at will, treating some as liars and others as thieves for no proper reason, and could even distribute, regroup or separate refugees by pointing a finger or flicking a thumb, remaining unimpeded by obtrusive oversight on his activities.

In this light, it is not strange that Agier remarks: ‘The abuse of power, possibly sexual, if it takes place at this given moment, is inscribed in a profound social misery, doubled by a political exception; a masculine and generational domination that is an integral part of a situation of “power over life”: the UNHCR delegates to the NGO, which in turn delegates to the single person “on the ground”, who applies his law.. and accordingly sets at work one of the forms of a vast regime of exception.’¹¹⁰ In the same camp as the one under discussion above, several volunteers of international NGOs filed complaints at the UNHCR-office concerning embezzlement of food rations and funds by specific employees of the official Camp Administration. This prompts Agier to state: ‘If refugee camps are, on paper, in the official documents, regulated by international law, humanitarian law and other human rights, infringements of these rights make up a part of daily life.’¹¹¹

What I take from Agier’s account is, in short, his stipulation of the close relation between humanitarianism and control, as made especially apparent by the systematic cooperation between humanitarian actors – such as small NGOs and the UNHCR – and Greek and EU authorities in the case of Lesbos. However, I take this nexus as a theoretical point of departure to diagnose something that I hold to be more far-reaching, namely its contribution to a full depoliticization of the refugee issue as

¹⁰⁷ Agier, *Gérer les Indésirables*, 126.

¹⁰⁸ Translation provided by me. For the original version of the excerpt, see Agier, *Gérer les Indésirables*, 126.

¹⁰⁹ Agier, *Gérer les Indésirables*, 127.

¹¹⁰ Agier, *Gérer les Indésirables*, 128.

¹¹¹ Agier, *Gérer les Indésirables*, 129.

it plays out on the island. Specifically, I will contend that the cooperation between humanitarian organizations and the Greek State involves a third form of depoliticization relating to the reception conditions of asylum seekers on Lesbos (following the forms analyzed in sections 6.3 and 6.4.a). I will center my analysis of this third form of depoliticization around Moria Camp, as the vast majority of asylum seekers on Lesbos live in and around this refugee camp and a significant part of the activities of humanitarian organizations takes place there. For my characterization of ‘depoliticization’, I will again take my bearings from my discussion of the political thought of French philosopher Jacques Rancière in section 6.2, in which I asserted that clear relations of accountability are vital in order for groups to be able to contest policies and engage in politics.

As I will argue, the form of depoliticization pertaining to the cooperation between the Greek State and humanitarian organizations cannot be separated from the fact that humanitarian organizations operating in and around Moria Camp have come to fix the shortcomings in its infrastructure and to ‘fill’ the gaps in this infrastructure left by the Greek State, which is formally in control of the camp and supervises the operations of humanitarian organizations operating within and around it. Accordingly, *accountability* is scattered over a manifold of organizations, which may not be up to the tasks that they have taken on or which have been assigned to them, while the main actors formally in control of the camp – such as the Greek Ministry of Defense and Ministry of Migration Policy – are in large part relieved of it. Since clear relations of accountability are in turn vital for contesting policies or political decisions, this entails that the reception conditions of Moria Camp are in a salient manner *depoliticized*. In a situation in which no-one is responsible, nothing can be contested.

Crucially, I take this lack of politics and accountability concerning the reception conditions of Moria Camp to accord with anthropologist Michel Agier’s foregrounding of the function of ‘control’ that refugee camps exercise in the modern world, as the cooperation between humanitarian organizations and the Greek State in Moria consolidates the status quo in the camp through depoliticization of the reception conditions. Importantly, due to the lack of contestation, the immobility of refugees living in the camp and their position of invisibility and marginality is reinforced. In this sense, humanitarian organizations active in and around Moria Camp can be said to be coopted into the framework (‘Dispositif’) that Michel Agier describes as the ‘police ordering of the world’, aimed at keeping those from the global south immobile and at bay. Outsourcing, denial of responsibility and depoliticization can be held to be proclivities of it.

6.5.b The Depoliticizing Tendencies of Humanitarianism: Analyzing the Cooperation between the Greek Government and Humanitarian Organizations on Lesbos

The first thing that you notice upon walking through the heavily fortified security gates of Moria Camp, is the curious mixture of restlessness and anxiety that has come to make up the atmosphere of the place. Among the people lying on cardboard plates next to their scant belongings (apparently, these were not able to obtain a tent) in the area just behind the main entrance, the children playing in the streets, the perennially long queue of asylum seekers in front of the gate leading to the area housing the main doctor of the camp and the police, adults approaching each other for a quick joke, a muffled conversation or the bartering of goods, the numerous volunteers walking or rushing about in their orange vests, the foul odor that uncannily crops up in certain places, and the impromptu

barbershops housed in small wooden cabins that offer a haircut for four euros, you cannot help but feel that there is a frantic energy to the place that is somehow not able to vent.

Moria Refugee Camp will be the main focus of the analysis that I will provide in this section (6.5.b), as the better part of the activities of humanitarian organizations on Lesbos are concentrated in and around this area. Accordingly, it is of paramount importance in my attempt to probe the cooperation between humanitarian organizations and the Greek Government on the island and trace out its depoliticizing effects. Specifically, I will argue that the form of depoliticization engendered by this cooperation is due to the *scattering* of accountability that this collaboration involves. As such, this is the third and final form of depoliticization that I diagnose, following the two kinds brought to light in respectively sections 6.3 and 6.4.a.

I will start with the testimony of Mr. X, a thirty-years old Belgian plumber who had been working as a volunteer for several years on Lesbos when I met him in October of 2018 (by volunteering for such an extended period, he was very much an exception to the rule). At that point in time, he was working for NGO-8, a German NGO on Lesbos that applied itself to maintaining and improving Moria Camp's sewage system and sanitary facilities. Accordingly, volunteers of this organization dedicated themselves to building new water points, repairing taps, pipes and roofs, and fixing electricity boxes. Notably, I lived together with several of their volunteers in an apartment during this period. When they arrived home during the early evening, their appearances were typically a clear indication that they held some of the most physically exhausting – and staining – jobs of the volunteer community on the island.

When I met Mr. X on the twelfth of October of 2018 (my housemates and I were going for some drinks in Mytilini), we got into a particularly interesting conversation about his personal experiences with Greek government employees working in Moria Camp. Strikingly, he told me about his frustration with the work ethics of the plumbers and electricians in the camp officially employed by the Greek State. According to Mr. X, they were spending the better part of the day in the closed-off area of the Reception and Identification Service (i.e., the 'Camp Management' section), not focusing on anything in particular but merely idling away by playing on their mobile phones. By his account, some of them even primarily occupied themselves during working hours with crafting pieces of wooden furniture to take home to their families. Significantly, when one of Mr. X's colleagues once approached them with the question whether she was allowed to record their 'activities' with her mobile phone, they consented to this without a second thought. While she was recording, these employees eagerly showed her the chairs and tables that they were crafting. Mr. X wondered what would happen if his colleague would show her video of four minutes to journalists.

The point of this anecdote is not that it would grant a final and conclusive proof for the widespread (and false) stereotype – current especially among Northern Europeans – that 'Greeks are lazy', but that it shows something about the dynamics between the Greek Government and humanitarian organizations present in Moria Refugee Camp.¹¹² After all, this anecdote itself is provided by someone who is doing everything he can to improve Moria Camp's sanitation and living conditions out of charity, observing those officially recompensed for applying themselves to this task time and time again squandering their working hours on nothing in particular. In the background,

¹¹² For a rebuttal of this cliché, see the account that R8 provides of the hospital personnel on Lesbos on page 56 of my thesis. For an interesting (if belligerent) criticism of the same stereotype and its functioning in the marginalization of Greece by Northern Europe (e.g., during the country's Sovereign Debt Crisis) voiced by an anthropologist, see Michael Herzfeld, "The Hypocrisy of European Moralism: Greece and the Politics of Cultural Aggression – Part 1," *Anthropology Today* 32, No.1 (2016): 10-12.

there is the problem of Moria Camp's serious deficiencies in housing and sanitation and the way in which these continue to affect the health (both physical and mental) of thousands of asylum seekers. Significantly, Mr. X. became somewhat wistful while recounting these anecdotes, as if he was reminded of the fact that he wanted to help but did not know what to do.

I would now like to propose an interpretation of this 'powerlessness' that Mr. X conveyed to me on this evening of the 12th of October of 2018, linking it to a paradoxical phenomenon which may be central to the interaction between the Greek government and humanitarian NGOs on the Aegean Islands in the refugee issue. Whereas the Greek State is eager to pose as 'helpless' and 'overrun', the support provided to it by foreign humanitarian NGOs (e.g., financial resources and work-force/volunteers) at the same time allows it to considerably slacken its own activities, as the bustling of humanitarian activity starts acting like a smokescreen to hide the state's own inaction from view. What is most salient, then, about the account provided by Mr. X is that these Greek Government employees were not *disciplined* by their superiors for repeatedly abstaining from work.

Related to these considerations, there seems to be something decidedly uncomfortable about the support offered by humanitarian NGOs in Moria Camp. After all, the high degree of humanitarian activity in this site actually reinforces the Greek State's discourse about its own 'powerlessness' (i.e., the state can point at the industriousness of humanitarian activity in support of this portrayal) and accordingly ends up facilitating the state's current policies of inactivity. This dynamic is deliberately unsettling: whereas humanitarian organizations active in Moria Camp intend to improve the lives of 'refugees in need', they may instead facilitate the prolongation of the status quo due to their forced cooperation with the governmental authorities.¹¹³ Taking our cues from Michel Agier, the humanitarian provision of 'care' in Moria Camp hence seems to be directly complicit with the government logic of 'control'.¹¹⁴

This interaction between the Greek State and humanitarian organizations on Lesbos brings me to introduce the third form of depoliticization: the non-existence of clear relations of accountability in Moria Camp due to the Greek State's outsourcing of its responsibilities to a host of humanitarian organizations. Significantly, this has created a highly chaotic situation, in which there is very little clarity about the precisely obtaining relations of delegation and control. In this regard, I would like to cite the answer that the vice-governor of the Northern Aegean (R19) provided to the following question which I asked during my interview with him on the 25th of October of 2018.

'I have noticed over the last ten weeks that there seem to be no clear relations of responsibility when it comes to Moria Camp. Often it is unclear whether an NGO, the UNHCR, or a National Ministry is responsible for a given function. An asylum seeker who had lived in Moria recently told me that he was concerned about his personal security during the first week of his stay, but when he wanted to raise the issue, the police and the UNHCR both accused each other of being responsible for this. Do you agree that there seem to be no clear relations of responsibility, and if so, is this a problem for the Regional Authorities in efforts to advocate or lobby for improvements in the reception conditions in Moria Camp?'

¹¹³ After all, humanitarian organizations need to comply to a framework set out by the Greek State in order to be allowed to operate inside Moria Camp.

¹¹⁴ Understanding 'control' in this discussion both as the Greek State's possible motive of deterrence in keeping the reception conditions of Moria Camp at their current sub-standard level, and as the preservation of these current reception conditions (i.e., the status quo).

R19: 'Regarding the NGOs that you referred to: from the beginning, the Regional Authority suggested the need to supervise the operation of the NGOs and of their functioning, but this does not happen actually. There is no actual control of what they are doing and of what their responsibilities in general are. There are cases in which there have been illegal actions of some of them, like NGO-3 [i.e., the medical NGO also mentioned on page 23 of this report, DB]. So the Regional Authority does not know the extent of the responsibilities of the NGOs and how they can be controlled.'

Setting aside R19's questionable framing of the NGO-3 as having engaged in criminal activities, his answer supports my thesis that the current form of cooperation between the Greek Government and humanitarian actors in Moria Camp has led to a highly intransparent situation with little oversight or control.¹¹⁵ Significantly, several minutes onwards in our conversation, he made clear to me that there would be no NGOs within Moria Camp if Moria had fallen under the responsibility of the North Aegean Region. The gist of R19's assertions may be clear: although each of the NGOs operating in Moria Camp may have the best intentions, the situation that they have come to produce *as an ensemble* is sub-optimal for the upholding of human rights. Of course, the role of the Greek State cannot be discounted in this issue, as it has allowed for the emergence of the current situation by transferring its duties to humanitarian organizations and refraining to impose sufficient oversight over their activities.

At the same time, the Greek Government tries to take maximum advantage of the help offered by these NGOs. M., one of the coordinators of NGO-1, once told me that the Greek Army sometimes bluntly orders NGOs to deliver 1500 sleeping bags to it when it judges this to be necessary in light of the new arrivals. Not without relevance, he added to this observation that the Greek Government receives ample funds from the European Commission, whereas most NGOs are not on the receiving end of this financial support.

In the remainder of this sub-section (6.5.b), I will work out my thesis of the form of depoliticization pertaining to the interaction between the Greek State and humanitarian organizations by discussing the functioning and operations of a set of humanitarian actors active in and around Moria Camp: the UNHCR, NGO-9, NGO-1, NGO-6, NGO-8, and several other organizations (primarily offering medical or legal support).¹¹⁶ I will structure this discussion around three elements that I deem central to the cooperation between the Greek Government and humanitarian organizations: the transfer of duties and obligations from the Greek Government to humanitarian organizations operating in and around Moria Camp; the complicity of humanitarian organizations in a system that is decisively shaped and conditioned by the Greek Government's policies and political motivations; and the intransparent distribution of obligations, which yields the elimination of 'accountability' and thereby makes contestation of the circumstances of reception in Moria impossible. Concisely put, the third element engenders the form of depoliticization at stake in this sub-section (6.5.b). However, grasp of the two other elements of the cooperation between the Greek State and the humanitarian organizations is necessary in order to understand the context in which this form of depoliticization takes place.

¹¹⁵ R19's allegation against NGO-3 is by no means proven, although a trial against the coordinators of this organization for alleged crimes is at the time of writing still ongoing.

¹¹⁶ As I already stated on page 70, this form of depoliticization follows the two kinds brought to light in respectively sections 6.3 and 6.4.a.

I will discuss the three elements of the cooperation (i.e., how they are evidenced by the functioning of the humanitarian organizations) in a consecutive order, adducing examples drawn from personal observations or interviews to illustrate each of these features of the interaction between the Greek Government and humanitarian organizations, and make clear how they precisely tie into each other to form a coherent whole, yielding depoliticization of the reception conditions of Moria Camp as a result.

Element 1: The Transfer of Duties and Obligations to Humanitarian Organizations

The Greek State's transfer of its own duties and obligations to Humanitarian Organizations is arguably the most readily noticeable feature of the cooperation between the Greek State and these organizations in Moria Camp. After all, these duties and obligations of the Greek State towards asylum seekers are clearly enshrined in law 4375 passed by the Greek parliament in April of 2016, which legally codified the changes to the Greek Asylum System following the publication of the EU-Turkey Deal.¹¹⁷ Significantly, no mention is made at all in this law of reliance on humanitarian NGOs for the fulfilment of these obligations. In fact, the law says nothing about the potential role of humanitarian NGOs at all, implying that the responsibility of upholding these commitments towards asylum seekers is singularly carried by the central government.

In practice, the situation is the reverse. As most asylum seekers would affirm, Moria Camp is kept running because of the efforts of these humanitarian organizations. Indicative of this pervasiveness of humanitarian activity are the avowals of R10, liaison officer of UNHCR Lesbos, who told me the following about the activities of the UNHCR in Moria Camp during an interview with him on the 15th of October of 2018.

R10: 'Until the Summer of 2017, UNHCR was involved in almost every aspect of refugee response on Lesbos. We were doing things that are not normally among the things that UNHCR does in other places and other countries. So we were doing infrastructure upgrades, shelter, food provision at some points. We are still doing food provision in Kara Tepe, for example. But in Moria Camp in particular, for a considerable time now, we have stopped some of these activities. For example, we were installing WASH facilities [i.e., 'Water, Sanitation, and Hygiene', DB] there, and have installed most of the living containers in the camp. We did groundworks, levelling, retaining walls, everything in there. But this was because the Greek government was not ready and needed support, and they couldn't respond to all those things, so they reached out to UNHCR and we came in and helped in those areas of need as last-resort providers. Now this was until the summer of 2017, because what happened then, is that there was a transition in the funding scheme and the European Commission, instead of funding international organizations and NGOs for refugee response, started funding the Greek government directly, so that it would assume full responsibility for refugee response, and that is what they did.'

Evidently, R10's words *only* concern the activities of the UNHCR in Moria Camp, and not those of the ample other humanitarian organizations. Nevertheless, they make clear that the UNHCR occupies a position of prime importance in Moria Camp, both as a cooperation partner of the Greek Authorities and in the management of the camp's daily affairs. After all, until the Summer of 2017,

¹¹⁷ For examples of these codified obligations, see page 41 of the English translation of this law, provided by the UNHCR, URL= <https://www.refworld.org/docid/573ad4cb4.html>.

the UNHCR received the better part of the EU funding allocated to the ‘refugee issue’ in Greece. Significantly, this already shows that authority in the camp is divided and pooled and cannot be thought of as ‘singular’ (i.e., being retained by only the Greek Government). Interesting in this context is that R10 – at the end of the citation above – implies that the Greek Government was actually able to *assume full responsibility* for the ‘refugee response’ after the shift in the allocation of EU-funding during the Summer of 2017. As should be clear by now based on the central argument of this chapter, I think that the opposite is the case, as responsibility keeps being scattered. In this regard, it is telling that the UNHCR did not at all cease its presence in Moria Camp after the change in allocation of these EU-funds: although this event prompted the UNHCR to considerably scale back its operations in Moria, R10 still gave me an impressive list of the organization’s current activities at the location.

Another humanitarian actor active in Moria Camp that has come to take over many obligations from the Greek Government is *NGO-9*. This is a Christian evangelical organization from the United States that virtually became the most prominent organization in Moria from late March of 2016 onwards, as many other humanitarian organizations left the camp at that time in protest against the EU-Turkey Deal.¹¹⁸ As *NGO-9* refrained from departing, it thereby simply ended up becoming one of the Greek State’s most important partners of cooperation. The difference in professionalism between *NGO-9* and an organization like the *UNHCR* is revealing. Whereas employees of the *UNHCR* generally need to have expert qualifications (e.g., working experience, an appropriate university degree), *NGO-9* mostly makes use of volunteers, of whom a large number is 18 or 19 years old. Nevertheless, the influence that *NGO-9* has on the daily affairs and organization of the camp is arguably more far-reaching than the influence of the *UNHCR*. For example, the organization controls the scant living space available in Moria and assigns all newly arrived families and individuals to tents or living containers, and *NGO-9* volunteers are responsible for controlling the gates to the protected sections with the offices of the Greek doctors and of the police. Accordingly, we end up with the strange situation that an organization consisting mostly of amateurs comes to wield significant power over life, as young Americans fresh out of high school (who may have never left their own state before) are entrusted with significant responsibilities.¹¹⁹

Although *NGO-9* and the *UNHCR* are the most prominent organizations operating in and around Moria Camp, there is a host of others as well. For example, as recounted on page 20 of this thesis, *NGO-1* maintains a community of 500 single men living in tents in the urban sprawl of Moria Camp, which is informally known as the ‘Southern Olive Grove’; as stated prior in this sub-section, *NGO-8* applies itself to improving the camp’s sanitary infrastructure; *NGO-6* runs a medical clinic for women and children on a strip of land adjacent to the camp; finally, there are five or six medical NGOs operating in Moria that perform medical checks for individual asylum

¹¹⁸ For information on this ‘walk out’ of NGOs, see Amanda Taub, “Europe’s Refugee Plan is so Inhumane, Doctors Without Borders is Refusing to Work with It,” *Vox*, March 23, 2016, <https://www.vox.com/2016/3/23/11291612/eu-greece-refugee-inhumane>; and “Oxfam Suspends Aid Operations in Moria Camp in Protest to the Suspension of Migrants’ Rights by the EU and Turkey,” *Oxfam Novib*, March 24, 2016, <https://www.oxfam.org/en/pressroom/pressreleases/2016-03-24/oxfam-suspends-aid-operations-moria-camp-protest-suspension>.

¹¹⁹ Importantly, this sometimes yields deadly results, such as with the Afghan man suffering from a heart attack who was refused entry to the section with the doctor’s office by the *NGO-9* volunteers in April of 2018 (see pages 44-45 of this thesis).

seekers upon appointment.¹²⁰ Significantly, these medical NGOs virtually comprise the entire medical infrastructure of the camp, as the Greek State only employs one doctor and one psychologist to serve its entire population (which has frequently exceeded 8.000 people).

As all of these organizations come to the aid of the Greek Government, responsibilities stipulated by Greek law to belong to the Greek State (e.g., providing proper housing and medical support to asylum seekers) end up being transferred on a large scale from the Greek Government to these humanitarian organizations. Crucially, this may actually result in *a lack of incentive* of the Greek Government to assume responsibility for the reception conditions of the camp, as made clear by the story provided by Mr. X and discussed and analyzed on pages 70-71 of this thesis.

Element 2: Humanitarian Organizations Becoming Complicit in the Greek Government's Policies

This second element can also be perceived as a second 'step': as soon as humanitarian organizations move into Moria Camp to take over tasks and duties from the Greek Government, they are bound to play by the Greek Government's rules. Significantly, there is a starkly unequal power differential at work here, as the Greek State retains the authority to terminate the activities of any given organization by revoking its permission to work in the camp. Accordingly, cooperation immediately seems to lapse into 'cooptation': humanitarian organizations are only allowed to operate in Moria if the Greek Government judges their conduct to contribute to its own policies. Perhaps the most revealing proof of this dynamic of 'cooptation' is the *Memorandum of Understanding*, a document that needs to be signed by all individuals that come to volunteer for organizations active in Moria Camp. Among the contents of this document is the prohibition to disclose any information concerning what goes on inside of the camp to third parties. As I observed during my period of research on Lesbos, this made several people actually apprehensive in conversations (for instance, the volunteers of NGO-8 who were my housemates), wondering whether they could speak out on any of the experiences they had had during their daytime job.

In light of the starkly asymmetrical power relation between the Greek Government and the organizations, it will not appear surprising that the cooperation between humanitarian organizations and the Greek Government involves a dimension of discipline and fear. Some interesting observations in this regard were provided to me by R7 of medical NGO-6 during my interview with him on the 8th of October of 2018. While we were discussing why most NGOs on Lesbos seem reluctant to involve themselves in politics, he stated:

'The matter is, these NGOs are really helpful to asylum seekers, but it's quite normal that they don't want to involve themselves in politics, because the Greek government can shut them down, like they did to NGO-3 [flicks thumb twice] [i.e., a Greek NGO that operated a medical clinic inside of Moria Camp until September of 2018, DB]. Just subject an NGO to an investigation, and that's it. Put down the activities of an NGO. But this is the thing that they can't do for the moment with MSF, because first of all, it's not a new NGO, but an international one.'

Significantly, near the end of our conversation, R7 remarked:

¹²⁰ Such as the Boat Refugee Foundation, Kitrinos Healthcare, Healthpoint Foundation, Light Without Borders,

and Emergency Response Center International.

‘After what the Greek Government did to NGO-3, most of the medical NGOs in Moria are really scared to be inside of the camp, because they could be criminalized. This is the thing that the authorities are more or less unable to do with us, because we are not a small NGO. MSF is an international NGO.’

Concerning the motives of the Greek State for criminalizing NGO-3, R7 was equally clear. While we were discussing why it was difficult for organizations in general to obtain permission to operate inside Moria Camp, he voiced the conjecture that these organizations could come to expose the fact that the Greek Government leaves the EU funds that it is receiving unused. Crucially, R7 tied this to the Greek Government’s treatment of NGO-3, as he held that the criminalization of this NGO was related to its critical stance within Moria Camp.

Disregarding the question concerning whether each of R7’s assertions is entirely correct, what is most interesting about his account of the criminalization of NGO-3 is the implication that having a critical attitude as an NGO can directly lead to repercussions from the Greek Government. By his account, the criminalization of NGO-3 has even come to generate a degree of fear among the medical organizations operating in the camp.¹²¹ In line with this, these organizations feel the need to watch their steps, thinking that their moves may be tracked and reported on. Hence, even if R7’s assertion that the *shut-down* of NGO-3 is due to its criticism of the Greek Government is incorrect, this is not material to the effect of the action: organizations operating in Moria Camp now take extra care to double-check their every move. In that sense, the emotions that R7’s assertions convey may be more significant than their possible falsehood or truth, as they communicate something about the sense of apprehension of working for a medical NGO in and around Moria Camp.¹²²

In what manners, then, does the complicity of humanitarian organizations engendered by the current system of discipline in Moria Camp take form? In answering this question, I will especially focus on NGO-9 and the *UNHCR*, as these organizations are most conspicuously bound to the commands of the Greek State in their daily activities.

First of all, let us recall what is in the background of this complicity: the manifest failures of the reception conditions of Moria Camp. Accordingly, in developing an account of this ‘complicity’, these failures will have to play a prominent role. After all, as Moria Camp is kept running by humanitarian organizations (see ‘Element 1’), these organizations have come to maintain – and even represent – a system that is manifestly resulting in the systematic violation of human rights. Interestingly, lawyer R18 of legal NGO-5 told me during my interview with her on the 26th of October of 2018: ‘In all of these hotspots [i.e., the large camps on the Aegean Islands, DB], there have been constant deaths, and even in the camps that are not run by the Ministry of Migration Policy, there have been countless deaths from negligence, I mean from horrible, horrible conditions. I mean, there were three deaths, back to back, two years ago [i.e., in the winter of 2016-2017, DB], when three men died within the course of four days of hypothermia, and the kind of nonsense that went on, trying to show that they had in fact frozen to death - because there was negative talk of more gruesome options - rather than inhaling gas fumes, as was originally said, is pretty ridiculous.’

Significantly, I asked: ‘And this was carried out by Greek lawyers in the defense of the Greek State?’

¹²¹ I take this assertion to be plausible, as R7 has first-hand experience with these organizations and knows the people working for them personally.

¹²² That is, a sense of apprehension engendered by a coercive Greek State and a lack of knowledge concerning

the latter's motives.

R18: 'No, no, no, no, no, this is what was carried out by the UNHCR.'

There is more to be said about the attitudes of NGO-9 and the *UNHCR* towards such deaths occurring in Moria Camp. Specifically, the following excerpt from my subsequent interview with R18 on the 2nd of November is also pertinent. I remarked:

'Sometimes it seems to be that so few volunteers and humanitarian aid workers want to think about what they are doing.'

R18: 'Or about what they're not doing. I mean, those men that froze to death in Moria Camp, people had to walk past them for months before they got to that point of hypothermia. UNHCR saw them freezing to death, NGO-9 saw them freezing to death, but this is the issue with being a good Samaritan, because if you are a good Samaritan, if you want to start a rescue, you are going to have to finish it. Because people are going to see the car crash, and then they are going to see your ambulance next to it, and are going to assume things are okay and keep going. When UNHCR is there, it's like an ambulance. Everyone assumes it's okay. In Burma, this works. Not here. So they are great in some places, but they are not altogether that great here. They are great for press releases once in a while, after the fact, but not here. And NGO-9 drives me up the wall, because they are filling up the cracks, where criticism could be going into that camp.'

From these excerpts of the two interviews, we can draw some important insights. First of all, R18 draws attention to the fact that the employees of the UNHCR and volunteers of NGO-9 have repeatedly been witnesses to persons in life-or-death situations of serious harm. Apparently, such situations regularly yield death as a result, implying that such asylum seekers are frequently ignored by humanitarian organizations in the face of the obviousness of their plight and suffering. Crucially, this raises the question concerning who is actually responsible for these deaths: the Greek Government or these humanitarian organizations? After all, both UNHCR and NGO-9 have taken on obligations in Moria Camp pertaining to the housing and reception of asylum seekers (see 'Element 1').¹²³ We should note here that none of these asylum seekers were directly killed by anyone. However, I take it as an incontrovertible fact that such deaths due to illness and environmental conditions can be labeled instances of 'passive murder', as they could have clearly been averted with a proper system of reception in place.

Secondly, R18 signals and calls attention to the 'ambulance function' of humanitarianism. As she maintains, humanitarianism may end up serving to appease incipient doubts and give outsiders the impression that things are 'going fine' within the enclosed space of the camp. *After all, people could reason*, since professional organizations are present in the camp and doing the best they can to improve the situation of the residents, there is no reason to worry. This indicates a special responsibility of humanitarian organizations: when they are present at a 'site of disaster', they are effectively obliged to come up with a durable solution, as outsiders will in general no longer feel compelled to intervene.

In the end, the combination of the complicity of humanitarian organizations in the policies of the Greek Government and their 'ambulance function' (i.e., both observations provided by R18)

¹²³ The omission of a simple action, accordingly, may suffice to establish complicity: for example, as NGO-9 is the sole organization in Moria Camp that manages the distribution of non-food items such as tents and linen, it could have conceivably offered extra blankets to the asylum seekers that died from hypothermia.

conceivably forestalls genuine improvements to the reception conditions of Moria Camp. In light of this, it will not appear surprising that there is considerable disaffection with some of these organizations – particularly the UNHCR and NGO-9 – among various groups on Lesbos. Accordingly, R18 told me on the 26th of October of 2018:

‘Well, the only two mobs that I have seen during the time that I have been here occurred in two separate years, and both times they were composed of a mix of locals, refugees, foreign NGO workers, Antifa, all marching against the UNHCR, and against the UNHCR alone. So they went to their office with the undisclosed location [i.e., the main office of UNHCR Lesbos in Mytilini, DB], spray painting that ‘UNHCR is responsible for war crimes’ on its front-door and they were screaming at them, they would even murder them. And I remember that during the first mob, a UNHCR official had stuck his head out of the window, the windows were quite high up, but it was quite bad, because everyone had these rocks that they started to throw at him. So obviously, they [the UNHCR officers, DB] won’t do that a second time. They actually could not remove the ‘UNHCR is responsible for war crimes thing’, because every time they tried to, the Antifascists would come back and re-spray paint the door.’

This anecdote shows that my argument concerning the complicity of humanitarian organizations is not just an abstract consideration: asylum seekers themselves do not make a fine discrimination between the Greek Government and the UNHCR in allocating blame for the reception conditions. Related to this observation, M. (a long-time coordinator of NGO-1) told me that the UNHCR’s local office in Moria Camp had been set fire to three times by asylum seekers since March of 2016. In the remainder of this discussion (i.e., of ‘Element 2’), I will analyze one additional excerpt from an interview in order to lend more credence to my contention of the complicity of humanitarian organizations with the policies of the Greek Government in Moria Camp.

The excerpt sheds light on the functioning of NGO-9. Significantly, when I asked lawyer R18 during my interview with her on the 2nd of November of 2018 if she could summarize the problems with the operations of this NGO, she stated:

‘Power. That’s the first thing that comes to mind. Religion is power. Because religion is always fighting with power. Religion is not power itself, but it wants power, power wants religion because religion has tradition. Because religion has history, it has legitimacy. And power has power, which is useful for religion and necessary for it to continue. So the two are always seeking the other out, which is why it’s so important to be separating them, in truth. And here, *you have a situation in which you have 16-year-olds, wearing napkins on their head, skirts so long that they can’t walk around in them, or do anything useful, and they are kicking people’s tents in, or saying: ‘No, you can’t stay there.’* Or ‘can you come in and house these fourteen Yemenis for me, bro’. Like, P. again, sitting here, was showing me these messages from NGO-9, they have created WhatsApp groups with these people [i.e., residents of Moria Camp who consented to help NGO-9 in carrying out this NGO’s own obligations and duties, DB], with the refugees, asking them over and over, and they ask so often that they just made a WhatsApp group.’

‘What kind of questions?’

R18: 'Can you go house these people for me. That's not my job, my job is just to survive the trauma I went through. Your job is to find them housing.'

'So they are continuously asking the refugees themselves to provide for these services?'

R18: 'To actually do the work. Oh yeah.'

'Whereas they are supposed to provide these duties themselves.'

R18: 'The whole thing with the tent last winter was a total disaster.'

'Because NGO-9 lacked tents?'

R18: 'They had the tents, that's the worst part. *It's just that they weren't allowed to give them out.* That little girl who died last winter, the one who froze to death, who had cancer. They had blankets in Moria that they could have given that little girl, but they chose not to. She's dead the next morning, and they still don't change anything.'

What this excerpt shows to great detail is the web of power relations that NGO-9 is caught up in, spanning from the Greek Government to the humanitarian organizations and from the humanitarian organizations to the residents of Moria Camp themselves. After all, by being in charge of the housing of all of the asylum seekers consigned to live in Moria, the NGO is in control of a significant part of the infrastructure of the camp. Yet, on the other hand, the organization is bound to the orders of the government ministries in all aspects of its functioning within Moria Camp, as indicated by the Greek Army's prohibition against giving out tents to asylum seekers in the winter of 2017-2018 (brought up by R18 in the excerpt above). Underlying this power structure is a constant threat: if NGO-9 would disobey the orders of the Greek Authorities in an effort to raise awareness of and contest perceived injustices, the organization might fall out of favor with the Greek Government and lose its influence in the camp.

Additionally, to make matters even more complicated, NGO-9 partially outsources some of the most important services that it has consented to provide to residents of Moria Camp: apparently, NGO-9 volunteers have made it into a habit to request individual asylum seekers to help them with duties like housing people and taking down tents, transforming such refugees into 'informal volunteers' and coopting them into the structure and functioning of their organization.¹²⁴ Notably, whereas most humanitarian NGOs on Lesvos rely on the support of refugees in one way or another in their daily functioning (primarily as interpreters/translators), what stands out in the case of NGO-9 is that it relies on refugees for sensitive duties such as allocating people housing or denying families a specific living place in the camp.

From the preceding discussion, we could infer that there is an element of complicity in the fact that NGO-9 *carries out the orders of the Greek State while remaining disinclined to oppose the latter's policies*, as such opposition would jeopardize the organization's current dominant standing in the

¹²⁴ Importantly, R18's avowal that NGO-9 heavily depends on the support of residents of Moria Camp in the fulfilment of its tasks was corroborated by the statements of others that I spoke to on Lesvos.

camp.¹²⁵ Crucially, the organization has thereby come to represent the failures of the reception conditions in Moria Camp: by maintaining such close ties to the Greek State and by making sure that the camp stays running, NGO-9 is implicated just as much as the Greek Authorities in the human rights violations that take place in Moria on a daily basis. What is more, by inserting itself in a context with people in a highly precarious condition, the prescriptions and rules of the organization (e.g., the prohibition of giving out blankets, resulting in the denial of giving a blanket to a freezing girl) can and do amplify the wrongs taking place there.

Element 3: The Intransparent Distribution of Responsibilities and the Loss of Accountability

Let us return to the excerpt of my conversation with R7 of medical NGO-6 with which I introduced this chapter (pages 44-45), in which R7 told me about the Afghan father who died upon getting a heart attack in Moria Camp. Who to blame in this situation: the Greek Police, the doctor employed by the Greek State, the volunteers of NGO-9 who controlled the gate and who refused to let the man through? For me, the difficulty that one experiences in trying to allocate blame for the death of this anonymous person goes to the heart of the problem of the cooperation between the Greek Authorities and the humanitarian organizations in Moria Camp, in the sense that this cooperation has resulted in the fact that no single authority can be held accountable for the reception conditions.

The absence of accountability shows itself in several ways. For one, there is no authority that is categorically supposed to safeguard the rights of the residents of Moria Camp. After all, if we include among these rights ‘the right to receive safe reception conditions’, and if we understand *safe* as being ‘protected from the environment (e.g., weather conditions)’, ‘protected from violence’, and ‘living under conditions of proper hygiene’, the cooperation ensures that the legal framework that could warrant these rights does not exist. To illustrate this claim: NGO-9, the Greek Government, and UNHCR are involved in providing housing and maintaining the housing conditions in Moria Camp, with NGO-9 distributing tents and allocating space to families in living containers, the Greek Government determining decongestion (i.e., it decides how many people may leave for mainland Greece), and UNHCR having provided many of the housing units in place. Accordingly, these three actors are somehow *together* responsible for ensuring that the right of refugees to be protected from the weather is respected.¹²⁶ Hence, when an asylum seeker dies from hypothermia after having

¹²⁵ Additionally, the organization may worsen the lives of refugees through other means. For example, it remains unclear whether the organization’s occasional refusal to give out non-food items such as blankets (such as with the little girl brought up by R18) is always due to commands of the Greek Authorities. Furthermore, the organization’s considerable power over residents of Moria Camp has possibly given rise to abuses of it. In particular, there have been allegations that NGO-9 volunteers would try to convert residents of Moria Camp to evangelical Christianity by distributing bibles and promising benefits and preferential treatment to asylum seekers who change their religion over those who abstain from conversion. I will not lend further attention to these allegations, as their potential truth or falsehood is not material to the main point of this chapter concerning depoliticization. See also Patrick Kingsley, “Aid Workers Accused of Trying to Convert Muslim Refugees at Greek Camp,” *The Guardian*, August 2, 2016, URL= <https://www.theguardian.com/world/2016/aug/02/aid-workers-accused-of-trying-to-convert-muslim-refugees-greek-camp-detention-centre-lesvos-christianity>; “AYS Special on EuroRelief II: Testimonies, New Evidence, and a Call for Accountability,” *Are You Syrious*, March 4, 2018, <https://medium.com/are-you-syrious/ays-special-on-eurorelief-ii-testimonies-new-evidence-and-a-call-for-accountability-2866c3275e04>.

¹²⁶ When it comes to the other two ‘rights’ brought up in this paragraph – i.e., the right to be protected from violence and the right to live under conditions of proper hygiene – responsibilities pertaining to them are also shared by several actors. To wit, the UNHCR (via its ‘protection case management’ teams) and the Greek State (via the army and the police) are supposed to provide security from violence. Additionally, NGO-1 (in the

spent many cold nights in a Summer tent, it is not clear which of these authorities should be held accountable.

This consideration points at the following: the existence of rights presupposes a ‘rights-giver’, i.e., a state that is supposed to uphold the rights of its residents. However, the current level of humanitarian activity makes the development of such a state in Moria Camp impossible. The Greek State can, after all, always point at the humanitarian activity in order to exonerate itself from charges of culpability. In that sense, the protections and rights of asylum seekers enshrined in Greek law 4375 from April of 2016 (which technically provides the legal framework regulating Moria Camp) are kept out of play by the ongoing humanitarian activity in Moria. Of course, it needs to be said that humanitarian organizations are not singularly responsible for this: from the very onset of the ‘refugee issue’ on Lesbos, the Greek Government has enabled and facilitated the emergence of the current situation. Accordingly, R10 (a liaison officer of UNHCR Lesbos) told me in an interview on the 15th of October of 2018 that the UNHCR – upon request by the Greek Government – was operating far beyond its mandate in Moria Camp until the Summer of 2017.

So far, we have signaled that the absence of accountability in Moria Camp leads to the absence of rights. After all, there is no specific authority in the camp responsible to safeguard them.¹²⁷ Does the absence of accountability also lead to depoliticization of the reception conditions? Bringing to mind the characterization of ‘depoliticization’ which I provided in section 6.2 of this chapter, I think that this question should be answered in the affirmative. After all, since responsibility for the reception conditions in Moria is shared by a plethora of actors, it is highly unclear how these reception conditions could be *contested*. In the end, due to the cooperation, each of the actors involved could deny personal accountability and exculpate themselves by blaming the others. Hence, even in the hypothetical instance that refugees, frustrated locals, and volunteers of grassroots organizations would together stage massive protests on Lesbos against the reception conditions in Moria, it is unclear who they should hold accountable. Importantly, this conclusion is further reinforced by the fact that the Greek Government can and also does point at the European Union, the aftermath of its sovereign debt crisis, and its categorically weak public sector in order to exculpate itself from blame, as signaled in sub-section 6.4.a.

The implication of this is that the current situation in Moria Camp comes to resemble a *natural disaster*, with many of the camp’s residents ending up battered and injured but executioners – i.e., actors that could be held accountable – seeming to be missing.¹²⁸ Paradoxically, then, the bustling of humanitarian activity in and around Moria Camp seems to have contributed to the consolidation of the current situation, in which human rights violations remain uncontested and can occur with impunity. Importantly, I do not deny that people on Lesbos (be they activists, local Greeks, or asylum seekers) are not able to stage a protest: there have been a number of protests on Lesbos

Southern Olive Grove), NGO-9, the Greek State, and NGO- 8 (through improving/repairing sanitation and plumbing) are supposed to provide conditions of proper hygiene. In the context of this, it is revealing that a refugee whom I interviewed on the 13th of October of 2018 (R9 from Afghanistan) told me that he was concerned about his safety during the first week of his stay in Moria Camp, but when he brought up his fears to both the local office of the Greek police and the UNHCR, the police and the UNHCR accused each other of bearing the responsibility for this.

¹²⁷ Safe to say, there is an air of paradox to the current situation, as humanitarian organizations – which regularly invoke the value of *human dignity* to legitimize their actions – end up being complicit in Moria Camp in sustaining a situation signified by the widespread absence of it.

¹²⁸ In the end, then, just like with a natural disaster (such as an earthquake or a hurricane), no one can be held accountable for the harm inflicted on the residents of Moria Camp.

against the reception conditions on the island and against those in Moria Camp in particular after the closing of the EU-Turkey Deal.¹²⁹ All I am saying is that, given the types of depoliticization signaled in 6.4.a en 6.5.b, such protests seem to lack effectivity.

6.6 Concluding Remarks

In this chapter, I have offered an analysis of the political context surrounding the reception conditions of asylum seekers on Lesbos. In particular, I have developed an explanation for why the widespread practices of human rights violations of asylum seekers on Lesbos (and concomitantly practices of severe exclusion) are able to persist, even three years after the closing of the EU-Turkey refugee deal in March of 2016, making my case by means of ample references to the empirical data which I obtained during my 2,5 months of fieldwork on the island. As I have argued, these practices of human rights violations are bolstered and shored up by processes of *depoliticization*, which have succeeded in making contestation of both the current arrangement between the EU and Greece (i.e., the EU-Turkey Deal) and the reception conditions on Lesbos impossible. In both cases (i.e., the EU-Turkey Deal and the reception conditions on Lesbos), these processes have succeeded in making it appear that no definite authority can be held accountable for it. Accordingly, we are able to see a pattern in the manners in which the current practices of exclusion of asylum seekers taking place on the Aegean Islands since the closing of the EU-Turkey Deal are pardoned and legitimized, both by Greek administrators and by EU politicians.

¹²⁹ For example, in November of 2017, a group of Afghan asylum seekers spent several weeks on Sappho Square in Mytilini (also sleeping there) in protest of the reception conditions in Moria Camp; and in April of 2018, another group of asylum seekers spent a week on the same square demanding access to basic human rights, adequate treatment in the camp and an end to their detention, after an Afghan man had died due to questionable circumstances in Moria Camp. For information on these protests, see "Ongoing Criminalization of Refugee Protests, Upcoming Trials Against Migrants on Lesbos," *Legal Center Lesbos*, February 19, 2019, <http://legalcentrelesvos.org/2019/02/19/ongoing-criminalization-of-refugee-protests-upcoming-trials-against-migrants-on-lesvos/>; and "AYS Daily Digest 24/04/18: Fascists Attack Refugees on Lesbos," *Are You Syrious*,

April 24, 2018, <https://medium.com/are-you-syrious/ays-daily-digest-23-04-18-fascists-attack-refugees-on-lesvos-1e65534a5726>.

7. Final Chapter: Discussion of Results and Theoretical and Practical Implications of Research

This chapter contains a discussion of the results of my analysis and an exposition on the theoretical and practical implications of my research. In the discussion of my results, I will broach a number of topics that help to understand the results of my inquiry, by contextualizing and further interpreting the conclusions arrived at in chapters 5 and 6. In the exposition of the theoretical and practical implications of my research, I will explore what consequences the findings of my case-study have for general academic debates in the fields of Border Studies and Migration Studies, and what recommendations for policy makers we can draw from them.

7.1 Discussion of Main Findings: Contextualizing the Depoliticization

In the previous chapter, I have diagnosed a series of processes which I labeled ‘depoliticization’. In particular, these can be invoked to explain that, in spite of the ample criticism that has been levelled over the last three years at the reception conditions of refugees on the Aegean Islands, there have been no major improvements in them and these reception conditions keep violating basic norms. However, one may object that this explanation only partially explains the lack of improvements in the reception conditions: it shows why there has been no successful contestation of the reception conditions from ‘bottom-up’, but does not speak out on whether policy makers (e.g., EU- or Greek politicians) could change their minds *of their own accord* in order to finally assume accountability for the reception of refugees on the Aegean Islands. In particular, an EU-imposed solution could be the introduction of novel ‘refugee distribution quotas’ distributing asylum seekers currently staying in Greece over all EU member-states, so that responsibility for the reception of refugees would be *shared instead of denied on the EU-level*.

However, there are serious reasons to doubt that such a solution is politically attainable in the current situation, given the prominent political divisions over refugees and migration running through and across member states of the European Union. To wit, these divisions concern both the political struggle between groups that are in favor of receiving asylum seekers and those that rally against their arrival *within* particular EU member-states, and the discord between EU member states concerning the question which countries should bear the burden of receiving asylum seekers making their way to the European Union.¹³⁰ Importantly, the discord among EU countries concerning the division of responsibilities already forcefully emerged in the latter half of 2015, when EU member-states such as Hungary and Croatia began to erect walls on their own borders in order to divert the masses of refugees crossing their territory to neighboring countries, and accordingly be absolved of the personal responsibility of receiving asylum seekers. These were drastic measures, as they

¹³⁰ Notably, French philosopher Etienne Balibar provides an interesting and incisive analysis of the political division within the European Union concerning the refugee issue in his essay ‘Europe and Refugees: The Expansion’ (September 2015), demonstrating with particular clarity my point that the significant political discord about refugees within the EU is not only located *among* EU member states but also *runs straight through* each of them. See Etienne Balibar, “Europe et Réfugiés: l’Elargissement,” *Mediapart*, September 15, 2015, <https://blogs.mediapart.fr/etienne-balibar/blog/150915/europe-et-refugies-l-elargissement-par-etienne-balibar>.

manifestly contravened the ideal behind the Schengen Treaty, which has served as one of the pillars of the EU since 1995 and warrants the free movement of persons and goods *within the European Union*.

In light of this, the depoliticization of the reception conditions on Lesbos appears as a consequence of this attitude, as none of the parties involved (i.e., both the State of Greece and other EU countries) is genuinely willing to take responsibility for the asylum seekers that have made their way to Greece, and for those that in the present still manage to arrive on Greek territory. In that sense, I think that we should perceive the depoliticization of the reception conditions on Lesbos not as a conscious strategy planned and set out in Brussels, but as a consequence of the fragmentation within the EU and lack of solidarity between its member states *over the migration issue*. To illustrate this lack of solidarity: after EU programs to relocate asylum seekers staying in Greece to other EU member states were initiated in 2015, several EU member states (particularly in Eastern Europe) refused to comply with the measures promulgated in Brussels and did not accept any asylum seekers, in spite of the fact that they were obliged to do so under EU law.¹³¹

Accordingly, we should supplement the conclusions reached in chapter 6: what lies at the basis of the prolongation of the human rights violations on Lesbos is both depoliticization *and* the lack of political will of policy makers – both of the Greek Government and of other Member States of the EU – to change the situation and accept responsibility. Interestingly, given the widespread lack of solidarity among EU member states when it comes to the reception of asylum seekers, the only substantial political decisions that EU countries seem able to reach in unison about the issue are those that outsource the responsibility for the reception of refugees altogether, i.e., to third countries that are no members of the European Union.

Having provided an exposition on the link between depoliticization and the widespread lack of solidarity between EU member states over the refugee issue in this section (7.1), I am now able to answer the third sub-question of my thesis (listed on page 3): can the practices of exclusion and practices of human rights violations of asylum seekers on Lesbos be *repoliticized*?

7.2 Discussion of Main Findings: Can the Reception Conditions on Lesbos be Repoliticized by Citizens of the European Union?

In this section, I will explore a possible solution to the problem of depoliticization (i.e., the widespread denial of responsibility by all actors involved) diagnosed in chapter 6, which will center around the *politicizing of solidarity* by political actors both within and part of the European Union. What do I mean by a ‘politicization of solidarity’, and why would it be an adequate solution to the problem diagnosed in chapter 6? As observed in section 7.1, the inequitable arrangement with

¹³¹ This was confirmed to me by lawyer R18, who told me during my interview with her on the 2nd of November of 2018: ‘Relocation ended a year and a half ago. But it ended, and that was a disaster of the EU, because it was supposed to take, I think, a 100.000 people, and in the end, it only took 3 percent, 10 percent of the number it was supposed to take.’ When I asked ‘So European countries didn’t actually want to comply?’, she stated: ‘This is why you see all these sanctions being put down on Hungary, Bulgaria or whatever, because they refuse to take refugees and fulfil their quota.’ According to a recent report by the European Court of Auditors, in spite of the official aim to relocate 160.000 asylum seekers from Italy and Greece, only 34.705 asylum seekers ended up actually being distributed to other EU countries. European Court of Auditors, *Information on a Forthcoming Audit* (Luxembourg: European Court of Auditors, 2019), 6-7.

Greece in the period following the closing of the EU-Turkey Deal – i.e., the fact that the Greek State has to provide for the reception of all asylum seekers making their way to the Aegean Islands – is kept in place because of a substantive lack of solidarity among EU member states when it comes to the reception of asylum seekers. Hence, the EU's refugee redistribution program of 2015 failed (which was supposed to relocate tens of thousands of asylum seekers staying in Greece to other EU countries), due to the lack of willingness of EU member states to actually live up to their obligations.¹³²

Of course, this lack of solidarity among EU member states in matters of the reception of asylum seekers should be perceived in light of its political context. In his essay 'Europe and Refugees: The Enlargement' (2015), French philosopher Etienne Balibar observes the incipient development of a transnational front in the European Union that actively rejects refugees and migrants, adducing grounds for this rejection that oscillate between utilitarianism ('We don't have place'), an identitarian ideology ('An influx of Muslims will undermine a Christian or secular Europe'), and an ideology of security ('there are jihadists among the refugees').¹³³ In particular, it seems obvious that political parties that advocate such sentiments currently exercise a significant degree of influence in many EU member states, pushing centrist politicians to the right in issues of refugees and migration in order to appeal to groups of voters that gravitate towards these parties. Hence, such politicians adopt 'not in my backyard' policies, trying to shift the 'burden' of receiving asylum seekers to other EU member states or to countries outside of the European Union.

Notably, that centrist politicians seem to be pushed to the right in matters of refugees and migration can be clarified with several examples. For one, among those politicians who lent decisive support to the EU-Turkey Deal in the stage leading up to its closing – i.e., when the terms of the Deal were still being negotiated – were two politicians of the historically largest left-wing party (the Labor Party) in my country of the Netherlands.¹³⁴ Additionally, during deliberations in the Dutch parliament about the issue of EU asylum policy in June of 2018, almost all parties (except for the Dutch Green

¹³² More generally, the lack of solidarity of other EU member states with Greece also shows through in the fact that the fundamental stipulation of the EU's Dublin Regulations has remained *unrevised* since the treaty entered into force in 1997, which established that asylum seekers should apply for asylum in the first EU member state that they enter. Although this rule has put a heavy strain on the asylum systems of both Greece and Italy, negotiations to fundamentally revise the legislation have stalled. For information on the difficulties of the negotiations process, see Jan Schneider and Anna-Lucia Graff, *EASO Reloaded: Can the New EU Asylum Agency Guarantee a Standardized System of Protection?* (Berlin: The Expert Council of German Foundations on Integration and Migration, 2018), 1-2.

¹³³ 'En réalité, ce qui est en voie de constitution en Europe, c'est un front transnational du refus des réfugiés, dont les groupes ouvertement racistes et violents ne sont que la pointe extrême, et dont l'argumentaire oscille entre l'utilitarisme (« nous n'avons pas la place ») et l'idéologie identitaire (un afflux de musulmans menace de dénaturer l'Europe chrétienne, ou laïque, suivant les pays) et sécuritaire (ils cachent parmi eux des jihadistes).' Etienne Balibar, "Europe et Réfugiés: l'Elargissement," *Mediapart*, September 15, 2015, <https://blogs.mediapart.fr/etienne-balibar/blog/150915/europe-et-refugies-l-elargissement-par-etienne-balibar>.

¹³⁴ Namely Frans Timmermans and Diederik Samsom, politicians of the PvdA. See Marloes de Koning and Stephane Alphonso, "Het 'Plan Samsom' Was Eigenlijk van Hem," *NRC Handelsblad*, February 13, 2016, <https://www.nrc.nl/nieuws/2016/02/13/alles-is-beter-dan-hoe-europa-het-nu-aanpakt-1587871-a1400391>; and Coen van de Ven, "Een Verhaal? We Hebben Frans!" *De Groene Amsterdammer*, February 13, 2019, <https://www.groene.nl/artikel/een-verhaal-we-hebben-frans>.

party) voiced their support for prospective agreements with African leaders modelled after the EU-Turkey Deal.¹³⁵

In light of the development and influence of anti-refugee sentiments and political parties in member states of the EU, the solution to the central problem of my thesis seems apparent: if Etienne Balibar is right that a transnational front against refugees and migrants is being constituted in the European Union, there will have to be an equally vocal front ‘for solidarity’, both with refugees and among EU member states internally when it comes to the reception of asylum seekers. After all, taking into account that politicians in EU member states are induced to deny responsibility for the reception of asylum seekers due to the influence of anti-refugee sentiments and parties, I do not think that these policy makers will change their minds without significant public pressure from citizens in the opposite direction. It should be noted that this is a collective task, holding for all citizens of the European Union. Specifically, only by means of popular mobilization in EU countries for the cause of refugees will policy makers of EU member states be forced to show what side they are on, being induced to take responsibility for the reception of asylum seekers in danger of losing popular support. For example, by exerting pressure on politicians of EU member states, such a popular front may bring about the adoption of a new EU-wide refugee redistribution program that relieves the burden of receiving refugees from both Greece and Lesvos.

How does this possibility of *re-politicization* of the human rights violations on Lesvos precisely relate to my argument of chapter 6 that the reception conditions of refugees on Lesvos have been *depoliticized*? After all, one would expect that depoliticization of an issue makes contestation of it impossible. Importantly, for any given political issue, whenever there is a political framework in place that clearly fixes what authority is responsible for it, groups can engage in contestation of the status quo by calling this authority to account for what they perceive as ‘wrongs’. If it becomes systematically unclear what authority or political institution is responsible for a given issue, the situation becomes *depoliticized*, as contestation is rendered much more difficult. Hence, in case that an issue has become depoliticized and there is an absence of a definite political framework that fixes responsibility for it, such as with the reception of asylum seekers on Lesvos, groups that want to change the status quo should *first induce* specific authorities to take responsibility for it. This, then, is what a popular front of citizens of EU member-states that voices support for the cause of refugees that have made their way to the European Union could achieve.

In this section (7.2), I have explored the possibility of repoliticization of the reception conditions on Lesvos by EU citizens. However, can the reception conditions of asylum seekers on Lesvos also be repoliticized by actors on Lesvos itself? I will address this question in the following section (7.3), granting particular attention to the humanitarian organizations operating on the island.

7.3 Discussion of Main Findings: Can the Reception Conditions on Lesvos be Repoliticized by Actors on Lesvos?

¹³⁵ These deliberations took place in the run-up to an EU asylum summit. See Floor Boon and Mark Lievisse Adriaanse, “Meerderheid Tweede Kamer Steunt het Idee van ‘Fort Europa met een Ophaalbrug’,” *NRC Handelsblad*, June 27, 2018, <https://www.nrc.nl/nieuws/2018/06/27/tweede-kamer-is-nu-niet-meer-tegen-een-fort-europa-a1608092>.

When it comes to the cooperation between government institutions and humanitarian organizations involved in the refugee issue on the island, a striking feature seems to be the fact that these humanitarian organizations – especially those operating in Moria Camp – display *a deficiency in internal co-operation*, which renders them unable to form a common front against the policies of the Greek Government in Moria Camp. In this section, I will briefly indicate in what senses this deficiency in co-operation among humanitarian organizations shows itself, and argue that humanitarian organizations should form a *common front* if they want to repoliticize the reception conditions of asylum seekers on Lesbos.

Relating to my first objective: during my period of fieldwork on Lesbos, I received several indications of the deficit of internal cooperation among humanitarian organizations on the island. For one, during interviews that I conducted in October of 2018 with respectively one director and one coordinator of two NGOs that provide legal support to refugees, my interviewees provided diametrically opposed answers to my question whether non-Greek lawyers were allowed to attend the personal interviews that EASO conducts with asylum seekers (see also page 38 of my thesis). The discordance in their answers signaled to me that there was a serious difference in interpretation among NGOs that provide legal support to asylum seekers about which rights were held by refugees during their asylum procedure, which seemed to indicate a lack in the communication and cooperation between legal organizations operating on Lesbos.

Interestingly, this personal observation during my fieldwork is not an isolated incident: the lack of cooperation between legal organizations involved in the Greek asylum procedure in the period following the closing of the EU-Turkey Deal was already signaled by the report ‘With Greece: Recommendations for Refugee Protection’, issued by the *European Council on Refugees and Exiles* and the *AIRE Centre* (Advice on Individual Rights in Europe) in July of 2016, based on a period of fieldwork in various places in Greece including Lesbos. Specifically, the authors of the report signal: ‘Whereas the international, multi-actor approach to the plight of refugees in Greece has triggered risks of greater uncertainty by creating several layers of information provision, access to legal assistance for refugees has been turned into a conundrum. [...] The degree of competition on who may best provide such services [i.e., legal services, DB] has created serious problems for legal assistance and hinders effective access to protection for those who need it the most.’¹³⁶

Secondly, during my period of fieldwork, I witnessed a number of signs of competition and discord among NGOs.¹³⁷ Importantly, in the background of this competition figures the fact that humanitarian organizations with ‘privileged positions’ – i.e., those who have most power over the lives of asylum seekers, such as NGO-9 in Moria Camp – are disinclined to join up with other NGOs, for example refusing to join protests against Greek authorities (see also page 80 of this thesis). Hence, an organization like NGO-9 in many regards has closer ties to the Greek Government than to other humanitarian organizations. Moreover, these ‘larger’ organizations sometimes show a lack of solidarity with the smaller ones, as they have vested interests to uphold. For example, an anonymous interlocutor (founder of an NGO) who had become the target of a slander campaign by

¹³⁶ Minos Mouzourakis and Markella Papadoulis, *With Greece: Recommendations for Refugee Protection*, (Brussels: ECRE and Aire Centre, 2016), 26.

¹³⁷ An example of this discord was a savage conversation on the ‘Volunteers on Lesbos’ Facebook group in September of 2018 that I briefly mentioned on page 23 of this thesis, in which volunteers of several humanitarian organizations were hurling particularly corrosive accusations at each other. However, there have been more incidents, such as volunteers of one NGO (*The Hope Project*) destroying the property of another NGO (*Refugee 4 Refugees*) out of discontent with the manner in which the latter NGO had opened a shipping container containing goods for both organizations.

the far-right on YouTube in 2018 told me that the UNHCR in the aftermath of this campaign refused to publicly support her and to call out against the instigators of the slander, in spite of her requests for the help of this organization, which was likely out of a fear of damage to its own reputation.

Crucially, I think that the lack of unity and cooperation between humanitarian organizations may yield the key to how humanitarian organizations can repoliticize the reception conditions on Lesvos. Specifically, if humanitarian organizations on the island recognize their overarching interest of the common good of asylum seekers, they should find a manner of cooperation in which they are connected to the consortium of humanitarian actors *first* and to the Greek Government *second*. Accordingly, they could hold the Greek State accountable *together* without each of them being separately and differentially coopted into the Greek State's framework. After all, because of the fact that the Greek State separately coopts humanitarian organizations into its framework in Moria Camp, these organizations become complicit to the human rights violations without each of them having enough bargaining power to compel the Greek State to improve its policies and accordingly hold it accountable. Importantly, the imbalance of power between NGOs and the Greek State is a decisive factor in the current situation of in-accountability in Moria Camp, as it allows the Greek State to make use of the help of these NGOs without itself having to comply to any rules.¹³⁸ The paradigm for what I have in mind would be a labor union, but then for humanitarian organizations.

How would such a Union operate? As it would have significantly more bargaining power than each of the individual humanitarian organizations on Lesvos, it could negotiate with the Greek State about the terms and conditions of the cooperation between the Greek government and humanitarian organizations and set its own requirements for it. Most importantly, these negotiations would set a *framework of rules* for the cooperation between political and humanitarian actors in Moria Camp, binding each party operating in the camp to a clear set of obligations. Hence, because the Greek State would have to meet a set of obligations in the cooperation that would follow these negotiations, it could be held accountable for its policies of reception in Moria Camp.

Importantly, since I set forth in my discussion of the political thought of Jacques Rancière in section 6.2 of the previous chapter that clear relations of accountability are necessary in order for actors to be able to engage in contestation and politics, the agreement following the negotiation between the Union of humanitarian organizations and the Greek State would allow for a *repoliticization* of the reception conditions in the camp. Specifically, in the hypothetical case that the Greek State would fall short of upholding one or several of its obligations as stipulated by the agreement, humanitarian organizations could take political action (either legally or through other means, such as by means of a strike) to induce it to comply to the stipulations. As such a mechanism that allows humanitarian organizations to *collectively* call the Greek State to account is now missing, this could significantly improve the living conditions of refugees in Moria Camp.

Additionally, the Union could take a forceful stand whenever one of its member organizations would be threatened by the Greek Authorities with expulsion or closure, making sure that volunteers and employees of humanitarian organizations could address potential injustices in the management of the refugee camps on Lesvos without fear of repercussions. The stakes of this are the following: in the present situation, if a small NGO operating in Moria Camp would voice criticism of the Greek State, the Greek Authorities could simply opt to expel it from the camp.

¹³⁸ This observation ties in with my discussion of the 'complicity' of humanitarian organizations operating in Moria Camp in sub-section 6.5.b of the previous chapter of my thesis (i.e., pages 74-79).

7.4 Discussion of Main Findings: Does the Greek State Embezzle and Misappropriate EU Funds?

As discussed in sub-section 6.4.a of the previous chapter, the Greek Government may have several strong motives to forestall adequate reception conditions on Lesbos. Does this also lead to the widespread embezzlement and misappropriation of the EU-funds earmarked to the Greek State for the reception of asylum seekers? I will briefly discuss this issue here, as it could throw additional light on how the cooperation between the EU and the Greek State (discussed in 6.4.a) has precisely led to the current deficient state of the reception conditions, with the Greek State seriously faltering in its management of the refugee camps on the Aegean Islands in spite of having access to a plenitude of funds. Safe to say, the topic of the possible embezzlement of funds by the Greek State has given rise to ample rumors since the closing of the EU-Turkey Deal, and as conclusions can be strongly incriminating, I think that it should be treated with caution. Moreover, as explained in the previous chapter, other factors likely play a part in the underperformance of the Greek State as well, such as the country's categorically weak public sector and the further reduction of its capacity in the aftermath of the country's sovereign debt crisis.

To be frank, throughout my period of fieldwork on the island, it remained categorically unclear to me whether any of the rumors pertaining to the issue were based on fact, with most of my interviewees professing not to know any details about it. As I wanted to reach more clarity about the issue, I ended up consulting two official institutions of the European Union occupied with the examination and auditing of the spending of EU funds: the European Court of Auditors (ECA) and the European Anti-Fraud Office (OLAF). Of these institutions, the European Court of Auditors examines the legality and regularity of EU spending (e.g., whether actual spending of EU funds is in line with regulations of the European Union), whereas the European Anti-Fraud Office specifically focuses on examining whether fraud has been committed by the recipients of EU-funds. During an email exchange which I had with a representative of the European Court of Auditors, I was informed that the institution is currently working on a report assessing whether EU-supported projects in Greece relating to the migration issue have reached their intended results. As the European Union is also funding the Greek State for the maintenance of the camps on the Aegean Islands, it is likely that the squalid conditions in Moria Camp and other camps on these islands will be addressed and analyzed in the forthcoming report. As the representative of the European Court of Auditors told me, this report will be released in November of 2019.

Most interesting, however, in the context of the allegations of embezzlement is the fact that the European Anti-Fraud Office is currently working on a report focusing on possible fraud by the recipients of EU funds pertaining to the refugee issue in Greece.¹³⁹ In light of the ongoing investigations of both the ECA and OLAF, it seems likely that more clarity will be reached about the issue of potential fraud in the near future.

¹³⁹ "EU Anti-Fraud Agency Probes Claims Migrant Funds Were Misused, Report Says," *Ekathimerini*, September 25, 2018, <http://www.ekathimerini.com/232956/article/ekathimerini/news/eu-anti-fraud-agency-probes-claims-migrant-funds-were-misused-report-says>; and "OLAF Investigates Irregularities in EU Aid for Refugees in Greece," *The Brussels Times*, October 8, 2018, <https://www.brusselstimes.com/all-news/eu-affairs/51155/olaf-investigates-irregularities-in-eu-aid-for-refugees-in-greece/>.

7.5 Theoretical and Practical Implications of Research

As my thesis is a case study and the research of my thesis has centered on developing an interpretation of a particular context, one may wonder what the findings of my thesis contribute to general academic debates. In particular, the importance of the findings of my research lies in the fact that they urge us to reconsider the nature of the EU's asylum policies in a twofold manner. First of all, my findings demonstrate the existence of a central dynamic in the interaction between 'EU-actors' (e.g., EU member-states, prominent institutions of the European Union) that results in the fact that human rights are systematically put out of play in the reception of asylum seekers on EU territory. This leads to an increased understanding of how exclusion of asylum seekers at the external borders of the European Union can function and be held in place. Secondly, my findings point at a central limitation to the notion of an 'EU External Border Regime', suggesting that there should be a debate among Border Scholars about the scope and demarcation of the term. I will first discuss these two implications of my research for academic theory and afterwards address its practical implications, by listing some recommendations that I have for policy makers and public institutions based on the findings of my case study.

Theoretical Implications of Research

Over the last twenty years, Border Scholars interested in the European Union's relation to migration have written a number of articles about practices of exclusion of migrants and asylum seekers which they take to be centrally organized by the European Union, such as the EU's restrictive visa policies or the operations of Frontex in the Mediterranean Sea.¹⁴⁰ However, my research has effectively unveiled practices of exclusion of asylum seekers that are of a fundamentally different character. In the case of the reception conditions on Lesbos, human rights violations are able to occur because of a rigorous absence of central coordination and control: both the EU and the State of Greece point fingers at each other in order to exculpate themselves from blame for the squalid reception conditions on the island. Importantly, this shows that *internal EU-fragmentation* plays a crucial role in engendering these human rights abuses and the concomitant social and legal exclusion of refugees on Lesbos. This observation prompts two considerations pertinent for the field of Critical Border Studies, which I will explain now.

For one, practices of exclusion of asylum seekers from the EU or within EU territory may often be considerably different than the practices hitherto focused on by Border Scholars. Saliently, with the practices of exclusion analyzed in my thesis, there is no central actor to speak of, as there is a multitude of actors involved and all of them deny accountability. Moreover, such practices of exclusion are even sustained and brought into being by the systematic denial of accountability on the

¹⁴⁰ For examples of such papers, see Henk van Houtum, "Human Blacklisting: The Global Apartheid of the EU's 'External Border Regime'," *Environment and Planning D: Society and Space* 28, No. 6 (2010): 957-976; Henk van Houtum and Roos Pijpers, "The European Union as a Gated Community: The Two-faced Border and Immigration Regime," *Antipode* 39, No.2 (2007): 291-309; Nick Vaughan-Williams, "'We Are not Animals': Humanitarian Border Security and Zoopolitical Spaces in EUrope," *Political Geography* 45, No. 1 (2015): 1-10; Simon Reid-Henry, "An Incorporating Geopolitics: Frontex and the Geopolitical Rationalities of the European Border," *Geopolitics* 18, No. 1 (2013): 198-224; Nick Vaughan-Williams, "Borderwork Beyond Inside/Outside? Frontex, the Citizen-Detective and the War on Terror," *Space and Polity* 12, No. 1 (2008): 63-79.

side of all actors involved. In this sense, my research adds to the existing literature on the EU's relation to migration by showing that there are practices of exclusion of asylum seekers at the 'External Borders' of the EU that exist due to a rigorous lack of centralized organization of asylum policy, contrasting to practices of exclusion of asylum seekers – such as the operations of Frontex – perceived as being centrally organized in Brussels. In turn, demonstration of the existence of practices of exclusion due to *internal EU fragmentation* enables a more nuanced view of how the 'External Borders' of the EU are constituted, by showing that exclusion of asylum seekers taking place at the EU's External Borders stems from both highly centralized practices of exclusion (e.g., the operations of Frontex in the Mediterranean Sea) and practices of exclusion due to discord and disharmony among member states of the EU.

This brings me to the second consideration, pertaining to the assumption that there would exist an 'External Border Regime of the EU', which some Border Scholars assert in analyzing the practices of exclusion of asylum seekers taking place at the external borders of the European Union.¹⁴¹ I will first briefly elucidate what this term is frequently taken to entail. To be sure, although the papers mentioned in footnote 141 heavily utilize the term, none of them contain a precise definition of the notion. However, there are good grounds to think that the authors under discussion use it to denote a strongly centralized system, in which practices of exclusion taking place at the EU's External Borders are planned and organized in Brussels. For one, in each of these papers, the term is used in a heavily rhetorical fashion, with the authors implicitly or explicitly condemning Brussels as the main actor behind the practices of exclusion taking place at the External Borders of the European Union.

Secondly, the term 'regime' is generally taken to denote either a system (and a strongly coherent one at that) or an authoritarian government, which means that the notion of an 'External Border Regime' invariably stresses the degree of centralized planning of and unity to practices of human rights violations taking place at these external borders.¹⁴² Thirdly, all of the examples that the authors mentioned in footnote 141 use to illustrate the functioning of this 'External Border Regime' are practices which are centrally organized by the EU, such as the EU's visa system or the functioning of Frontex in the Mediterranean Sea.

In light of this use of the term 'External Border Regime' by Border Scholars to denote strongly centralized policies, the results of my research on Lesvos indicate that there should be a debate among Border Scholars about the scope and demarcation of the notion. After all, I have demonstrated the existence of practices of exclusion at the borders of the European Union that are fundamentally due to political fragmentation within the EU instead of being due to policies centrally organized in Brussels. Accordingly, it seems evident that the term 'External Border Regime' cannot be construed as accounting for practices of exclusion of asylum seekers at the External Borders of the EU across the board. Furthermore, using the notion of an 'External Border Regime' to analyze the character of the kinds of exclusion under analysis in my thesis (e.g., the ones on Lesvos) would actually obscure their character, as these practices are fundamentally due to internal EU

¹⁴¹ For examples, see Peter Shields, "The Human Cost of the European Union's External Border Regime," *Peace Review* 27, No. 1 (2015): 82-90; Henk van Houtum, "Human Blacklisting: The Global Apartheid of the EU's 'External Border Regime'," *Environment and Planning D: Society and Space* 28, No. 6 (2010): 957-976; Henk van Houtum and Roos Pijpers, "The European Union as a Gated Community: The Two-faced Border and Immigration Regime," *Antipode* 39, No.2 (2007): 291-309; and Nicholas De Genova, "The 'Migrant Crisis' as Racial Crisis: Do Black Lives Matter in Europe?," *Ethnic and Racial Studies* 41, No. 10 (2018): 1765-1782.

¹⁴² See 'Definition of 'Regime',' Collins Dictionary, URL=<https://www.collinsdictionary.com/dictionary/english/regime>.

fragmentation instead of stemming from policies centrally organized by the European Union. Importantly, I am not denying the value of the notion, but think that there should be a proper debate about its meaning, given that it is one of the central concepts used by Border Scholars to interpret the functioning of the External Borders of the EU in the present.

Practical Implications of Research

As I have already provided several recommendations to disparate groups in sections 7.2 and 7.3 of this chapter (to wit, EU-citizens and humanitarian organizations on Lesbos, concerning repoliticization of the reception conditions on the island), I will restrict myself in this discussion of ‘the practical implications of my case study’ to providing some recommendations to policy makers that can be formulated based on the findings of my report.

An important recommendation stems from my analysis of the operations of EASO on Lesbos which I provided in chapter 5. In section 5.3, I observed that the European Ombudsman – upon a complaint filed with the institution by the *European Center for Constitutional and Human Rights* (ECCHR) in March of 2017 – had decided not to take any steps to address the ongoing violations of fundamental rights by EASO on the Aegean Islands.¹⁴³ In effect, in light of the systematic misconduct of EASO’s case workers on Lesbos during personal interviews with asylum seekers which I have analyzed in chapter 5 of my thesis, this inquiry of the European Ombudsman should be reopened. Crucially, the reopening of this investigation would be a way to hold EASO accountable for the present shortcomings in its operations on the Aegean Islands, and the concomitant human rights violations suffered by refugees in the context of their personal asylum procedure. After all, it is the present unwillingness of EU institutions (among these the European Ombudsman) to properly investigate EASO’s operations on the Aegean Islands that makes sure that EASO’s operations on the Aegean Islands after the closing of the EU-Turkey Deal have suffered from a serious deficit in accountability.

Secondly, both the Greek Ombudsman and the European Ombudsman should start a general investigation into the reception conditions of refugees on Lesbos, with special attention to the circumstances of reception in Moria Camp (e.g., food, water, shelter, security, health care, and the sewage system). After all, because the Greek Ombudsman and the European Ombudsman enjoy a high profile and leverage in respectively matters of the Greek State and in matters of EU institutions, their conclusions could compel Greek authorities and EU Institutions (e.g., the European Commission) to take responsibility for the practices of human rights violations taking place on the island. Importantly, this needs to be a *collaborative* investigation between both Ombudsmen, as the European Ombudsman can by itself only launch investigations into EU institutions and the Greek Ombudsman can by itself only investigate matters pertaining to the functioning of Greek Authorities. After all, the *cooperation* between the EU and the Greek State occupies a central position when it comes to the reception of asylum seekers on Lesbos (see section 6.4.a of my thesis).

¹⁴³ “Decision in case 735/2017/MDC on the European Asylum Support Office’s’ (EASO) involvement in the decision-making process concerning admissibility of applications for international protection submitted in the Greek Hotspots, in particular shortcomings in admissibility interviews,” *European Ombudsman*, July 5, 2018, <https://www.ombudsman.europa.eu/en/decision/en/98711>.

In order for this investigation of the Ombudsmen to be successful, it should address the problem of the deficit of accountability for the reception conditions and introduce a series of concrete proposals for improving the current living conditions of refugees. For example, the report could assert that the Greek State should introduce a clear structure of accountability in Moria Camp. In turn, this could be realized by either banning humanitarian organizations altogether (thereby making the Greek State solely accountable for the camp's infrastructure and the provision of services) or by imposing a clear framework of requirements and terms to the cooperation between humanitarian organizations and the Greek State in Moria Camp that each of the parties should adhere to.

In the context of this recommendation, it is of note that the Greek Ombudsman released a report in April of 2017 about the challenges faced by the Greek State in its management of the asylum and migration situation since 2015 on the islands and in the mainland, in which the Ombudsman presented incisive criticism of the state's handling of the reception of asylum seekers in Greece.¹⁴⁴ Crucially, this report contained ample suggestions for improvements addressed to the Greek State. Unfortunately, I was not able to find out whether any of these advices offered to the Greek State has been followed up since the publication of the report in April of 2017.

7.6 Limitations of my Investigation and Suggestions for Further Research

In this section, I will briefly discuss the limitations of my own investigation and offer some suggestions for further research. The limitations of my own investigation were threefold. For one, I visited the island of Lesbos for a period of only 2,5 months (from the 20th of August until the 5th of November of 2018). Accordingly, as the data which I gathered during my fieldwork stem from a relatively short period of time, I was not able to personally spot and discern changes that have occurred in the reception conditions of asylum seekers on the island since March of 2016. However, as most of my interviewees were either locals of Lesbos or had lived in the island for a period of at least two or three years, I think that I was nonetheless able to establish patterns in my research data that exceed this relatively narrow time limit of my fieldwork.

Secondly, in the context of my research into the reception conditions of refugees on the Aegean Islands, I decided to exclusively focus my fieldwork on the island of Lesbos. This came with the drawback that I did not visit Leros, Kos, Samos or Chios, four other Greek islands close to Turkey that also harbor significant numbers of asylum seekers in refugee camps. As the research data which I gathered were accordingly exclusively drawn from the island of Lesbos, it is not apparent whether the conclusions of my empirical analysis can be extrapolated to the reception conditions of refugees on these other islands. However, this choice came with the advantage that I was able to explore one research context relatively thoroughly, whereas visiting two or three islands within the same period of 2,5 months might have made my observations, the data gathered, and the conclusions drawn from them more superficial.

Thirdly, my research was hampered by the fact that I did not speak Greek. This limited my selection of interviewees. To wit, it did not hamper me in approaching humanitarian organizations on

¹⁴⁴ "Migration Flows and Refugee Protection: Administrative Challenges and Human Rights Issues," *Greek Ombudsman*, April 2017, https://www.synigoros.gr/resources/docs/greek_ombudsman_migrants_refugees_2017_en.pdf.

Lesvos in order to arrange an interview, as most volunteers or coordinators of humanitarian organizations come from North America and Western Europe and speak perfect English. It also did not hamper me in approaching Greek Authorities, as there was usually at least one employee that I could speak to. However, it did hamper me in approaching various groups of locals on Lesvos that are not internationally minded nor have received a university education. For example, on Saturday during the first week of my fieldwork on Lesvos, I went to a Greek Orthodox church in Mytilini to see whether I could arrange an interview with someone from the clergy to talk about possible efforts of charity towards asylum seekers from churches on the island. However, upon conclusion of the service, I found out that none of the people that attended mass could reply to my questions in English. The language barrier that I experienced was even noticeable at the local university: when I visited the university campus of the University of the Aegean on Lesvos one day in early October during an event organized by left-wing groups, I noticed that a number of students was hesitant to speak English.

In retrospect, I think that the limitation engendered by the language barrier was primarily restricted to the fact that I could not speak to specific groups in local society (such as the churches). However, in light of the fact that I still managed to conduct 21 interviews with various figures on the island, it did not significantly hamper my collection of research data. Moreover, I ended up focusing my empirical analysis on the functioning of EASO (chapter 5), and on the relations among and interaction between humanitarian organizations and Greek institutions (chapter 6). As I remarked in the previous paragraph, the language barrier was not (or at least much less of) a limiting factor in finding interviewees that were representatives of such organizations and institutions. The same held true for EASO of course, which is an EU Agency with English as the working language.

In the following paragraphs, I will give some suggestions for further research relating to the topic of the reception and exclusion of refugees on Lesvos, partially stemming from the limitations to my own investigation which I indicated above.

Suggestions for Further Research

For one, it may be interesting to visit the other four Aegean Islands (Leros, Kos, Samos, Chios) with significant numbers of refugees for fieldwork, in order to check whether the results of my empirical analysis of Lesvos also hold up for the reception of asylum seekers on these islands. This may well be the case, as a) EASO also operates on the four islands just mentioned, conducting most interviews with asylum seekers there, and b) the problems with the Greek public sector or with the interaction between humanitarian organizations and the Greek Government in refugee camps analyzed in chapter 6 may well be highly similar on Leros, Kos, Samos, or Chios. After all, when my interviewees addressed the topic of the problems with the Greek public sector, they never asserted that these problems were peculiar to Lesvos alone. Additionally, particularly on Samos and Chios, there are large refugee camps with dire living conditions, for which the same problems in the cooperation between the Greek Government and humanitarian organizations may hold as on Lesvos (as analyzed in section 6.5 of my thesis).¹⁴⁵

¹⁴⁵ To wit, VIAL refugee camp on Chios, and Vathi refugee camp on Samos. For an indication of the living conditions in these camps, see Valerie Gauriat and Apostolos Staikos, "Migrants and Greeks in Samos Share Anger and Despair," *Euronews*, May 14, 2019, <https://www.euronews.com/2019/05/10/refugees-on-samos-live-in-a-huge-camp-of-lost-souls>; and Jannis Papadimitriou, "Chios: No Future on a Prosperous Island,"

Secondly, it may be interesting to investigate whether the interaction between volunteers and asylum seekers can yield chances for emancipation of refugees. Specifically, I noticed during my period of fieldwork on Lesbos that young refugees that volunteer for humanitarian organizations (for example, as interpreters English-Arabic or English-Farsi) are sometimes able to build up a large network of friends all over North America and Europe, consisting of international volunteers that visit Lesbos for a period of two or more weeks to assist a humanitarian organization. Accordingly, when such asylum seekers are accorded a refugee status in Greece and obtain a document which allows them to travel for three months within the EU, they often come to look up the friends (for example, from the Netherlands or Germany) that they made during their stay on Lesbos. Interestingly, during my time on the island, a number of refugees who volunteered for *NGO-1* told me that they wanted to move to the Netherlands if they would obtain a Greek passport, because of the Dutch volunteers that they had made friends with. In light of this, the interaction between volunteers and refugees may contribute to making refugees *visible*.

7.7 Final Reflections on Research and Fieldwork

Imagine M., an asylum seeker of thirty years old from the West of Iraq who has come to Lesbos by himself. Five years ago, he was still working as an engineer for an oil company in Ramadi in Western Iraq. In 2015, the city was invaded and captured by ISIS. At that time, no one in the city had heard of the group, with the members – their faces covered with balaclavas – appearing to its residents as a nameless army and leaving death and confusion in their wake. Since ISIS was defeated and driven away from this area in 2016 by a joint offensive of American, French and British air forces, Shia militias have taken hold of the territory and have begun to cause a significant displacement of its Sunni residents, with Shia families moving in to the villages that have been left behind by the Sunni families formerly populating it.

M. could still remember vividly when the American forces arrived in Iraq in 2003, when he was 14 years old. While bombs of American air-planes were falling on military installations close to his neighborhood, the house of his family rocked so heavily that he and his parents were repeatedly tossed from the one side to the other side of the living room. Several days later, American ground forces made their way into the city. When two American marines knocked on the door of his family's house, M. managed to win their sympathy, which prompted one of them to give M. his army bible, complete with hard casing, so that he could learn English. The boy was primarily curious about the 'new phenomenon'.

I met M. in front of a closed office of an NGO in Mytilini in October of 2018. While we were having a coffee several days later, he told me that he had spent a period of five months in Moria Camp from January to May of 2018, upon which he was transferred to one of the UNHCR sponsored apartments for asylum seekers in Mytilini. On his first day in Moria Camp, his mobile phone was stolen. Very early on during his stay, he had vowed to abstain from taking any drugs or alcohol while living in the camp. As most of the fellow residents of the tent that he was assigned to were spending the better part of the day smoking weed, he wanted to spend as little time in Moria Camp as possible. As M. told me, every day, he stood up at sunrise to walk to the *One Happy*

Family Community Centre (a 50 minutes' walk) for refugees close to Kara Tepe, only to return to Moria Camp in the setting sun. Although he was now living in vastly improved conditions in his apartment in Mytilini, M. sometimes went back to Moria Camp to stand in its central 'food line' for lunch or dinner (a wait of three hours, with fights frequently breaking out between ethnic groups), as being reminded of what he had survived by his own account helped him to keep up his spirit.

I found it interesting that M. was so open about his life towards me, as he told me that he interacted with as few refugees as possible in order to retain his mental balance. In the few conversations that we had, he appeared somewhat like a Spartan soldier to me, living according to a tight schedule and showing to have an iron discipline in order to keep going given the circumstances that he was in. For him, the only way to avoid succumbing to the chaos and hopelessness inherent to being an asylum seeker on Lesbos was trying to have as little to do as possible with the situation. There was a certain asceticism involved.

It is to people like M. that this thesis is dedicated. Specifically, I think that his deviant attitude (I met no one else like him during my time on the island) towards the circumstances that he found himself involved in may have been the only proper response when faced with a system bent on making you hopeless and humiliating you. In trying to extricate yourself from it, you can only become an outsider. In my thesis, I tried to understand this system on Lesbos. The route towards the final result was a difficult one. For one, my fieldwork of 2,5 months was taxing, in light of being confronted with the circumstances of refugees and hopelessness of some of them, the long working days for *NGO-1*, frequent bouts of stress because I was not sure whether I was making genuine progress in my research, and the occasional loneliness (particularly in the weeks after I had left *NGO-1*) and sense of being in a country in which I did not speak the language. Of course, being on Lesbos was also often very interesting and interacting with international volunteers and refugees could be great fun (see also chapter 3 of my thesis).

The real challenge, however, was the period after I had returned to the Netherlands. Spending day after day for several months in the university library with little in the way of structure or guidance proved to be a real burden for me. Accordingly, I hope that this thesis will be read by more people than my supervisor, the second reader, my father, and some of my friends, as my personal involvement in it might have been predominantly an emotional affair as opposed to being a 'rational' or intellectual one. Of course, people like M. make my own experiences pale in comparison.

7.8 Concluding Remarks

In this thesis, I have developed an interpretation of the practices of human rights violations of asylum seekers on Lesbos, which have been taking place on the island since the closing of the EU-Turkey Deal on the 18th of March of 2016.

Specifically, in chapter 5, I have demonstrated and analyzed practices of human rights violations on Lesbos occurring in the context of personal asylum interviews conducted with asylum seekers by the *European Asylum Support Office*, in order to *supplement* the characterization of practices of human rights violations of asylum seekers on Lesbos spread by the international media since March of 2016, a portrayal that is fundamentally incomplete. After all, these international media have accorded ample attention to the dire living conditions in Moria Camp since the closing of

the EU-Turkey Deal, but have not granted any attention to the manners in which asylum seekers on Lesbos are treated during their asylum interviews. Subsequently, in chapter 6, I have developed an explanation for why the practices of human rights violations of asylum seekers on Lesbos are able to persist, even three years after the closing of the EU-Turkey refugee deal. Specifically, I argued that these practices of human rights violations are bolstered and shored up by processes of *depoliticization*, which have succeeded in making contestation of both the current arrangement between the EU and Greece (i.e., the EU-Turkey Deal) and the reception conditions on Lesbos impossible.

Finally, in chapter 7, I have provided an outline of two possible strategies of *repoliticization* of the reception conditions of asylum seekers on the island, centering around respectively citizens of the European Union and the manifold humanitarian organizations operating on Lesbos. I hope that the results of this thesis may help to give citizens of the European Union and politicians of its member states a pause for thought, as they are a testament to the current failures of EU asylum policy in the present, even demonstrating that the absence of coordinated and effective EU policy concerning the reception of asylum seekers on Lesbos (for example, see sections 6.4 and 7.1) are making the human rights violations of refugees on the island possible.

Bibliography

Agier, Michel. *Gérer les Indésirables*. Paris: Flammarion, 2008.

Afouxenidis, Alex, et al. "Dealing with a Humanitarian Crisis: Refugees on the Eastern EU-Border of the Island of Lesbos." *Journal of Applied Security Research* 12, No.1 (2017): 7-39.

Amnesty International. *No Safe Refuge: Asylum Seekers and Refugees denied Effective Protection in Turkey*.

Amnesty International. *A Blueprint for Despair: Human Rights Impact of the EU - Turkey Refugee Deal*.

Are You Syrious. "AYS Special on EuroRelief II: Testimonies, New Evidence, and a Call for Accountability." March 4, 2018. <https://medium.com/are-you-syrious/ays-special-on-eurorelief-ii-testimonies-new-evidence-and-a-call-for-accountability-2866c3275e04>.

Are You Syrious. "AYS Daily Digest 24/04/18: Fascists Attack Refugees on Lesbos." April 24, 2018. <https://medium.com/are-you-syrious/ays-daily-digest-23-04-18-fascists-attack-refugees-on-lesvos-1e65534a5726>.

Balibar, Etienne. "Europe et Réfugiés: l'Elargissement." *Mediapart*, September 15, 2015. <https://blogs.mediapart.fr/etienne-balibar/blog/150915/europe-et-refugies-l-elargissement-par-etienne-balibar>.

Batalla Adam, Laura. "The EU-Turkey Deal one Year on: A Delicate Balancing Act." *International Spectator* 52, No. 4 (2017): 44-58.

BBC. "Migrant Crisis: EU-Turkey Deal Comes into Effect." March 20, 2016. <https://www.bbc.com/news/world-europe-35854413>

Boon, Floor; and Mark Lievisse Adriaanse. "Meerderheid Tweede Kamer Steunt het Idee van 'Fort Europa met een Ophaalbrug'." *NRC Handelsblad*, June 27, 2018. <https://www.nrc.nl/nieuws/2018/06/27/tweede-kamer-is-nu-niet-meer-tegen-een-fort-europa-a1608092>.

Cabot, Heath. "'Contagious' Solidarity: Reconfiguring Care and Citizenship in Greece's Social Clinics." *Social Anthropology* 24, No. 2 (2016): 152-166.

Cabot, Heath. *On the Doorstep of Europe: Asylum and Citizenship in Greece*. Philadelphia: University of Pennsylvania Press, 2014.

Chambers, Samuel. "Police and Oligarchy." In *Jacques Rancière: Key Concepts*, edited by Jean-Phillipe Deranty, 57-68. Durham: Acumen, 2010.

Cope, Meghan. "Coding Transcripts and Diaries." In *Key Methods in Geography*, ed. Nicholas Clifford, Shaun French and Gill Valentine, 440-452. London: Sage Publications, 2010.

Danish Refugee Council. *Fundamental Rights and the Hotspot Approach*. Copenhagen: Danish Refugee Council, 2017.

De Genova, Nicholas. "The 'Migrant Crisis' as Racial Crisis: Do Black Lives Matter in Europe?" *Ethnic and Racial Studies* 41, No. 10 (2018): 1765-1782.

De Koning, Marloes; and Stephane Alphonso. "Het 'Plan Samsom' Was Eigenlijk van Hem." *NRC Handelsblad*, February 13, 2016. <https://www.nrc.nl/nieuws/2016/02/13/alles-is-beter-dan-hoe-europa-het-nu-aanpakt-1587871-a1400391>.

Den Heijer, Maarten; and Thomas Spijkerboer. "Is the EU Refugee and Migration Deal a Treaty?" *EU Law Analysis*, April 7, 2016. <http://eulawanalysis.blogspot.com/2016/04/is-eu-turkey-refugee-and-migration-deal.html>.

De Vrieze, Julie. "The Legal Nature of the EU-Turkey Statement: Putting NF, NG and NM versus European Council into Perspective," May 15, 2018. (master thesis at faculty of Law of Ghent University)

Dewalt, Kathleen; Billie Dewalt, and Coral Wayland. "Participant Observation." In *Handbook of Methods in Cultural Anthropology*, edited by H. Russell Bernard, 259-300. Walnut Creek: Altamira Press, 1998.

Ekathimerini. "EU Anti-Fraud Agency Probes Claims Migrant Funds Were Misused, Report Says." September 25, 2018. <http://www.ekathimerini.com/232956/article/ekathimerini/news/eu-anti-fraud-agency-probes-claims-migrant-funds-were-misused-report-says>.

European Center for Constitutional and Human Rights. "European Ombudsperson should not Close Inquiry into the Maladministration by EASO in Greek Hotspots." September 9, 2018. <https://www.ecchr.eu/nc/en/press-release/european-ombudsperson-should-not-close-inquiry-into-maladministration-by-easo-in-greek-hotspots/>.

European Commission. *EU-Turkey Statement: Three Years On*. March 18, 2019. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190318_eu-turkey-three-years-on_en.pdf.

European Council. "EU-Turkey Statement." March 18, 2016. <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>.

European Court of Auditors. *Information on a Forthcoming Audit*. Luxembourg: European Court of Auditors, 2019.

European Ombudsman. "Decision in case 735/2017/MDC on the European Asylum Support Office's (EASO) involvement in the decision-making process concerning admissibility of applications for international protection submitted in the Greek Hotspots, in particular shortcomings in admissibility interviews." July 5, 2018. <https://www.ombudsman.europa.eu/en/decision/en/98711>.

European Center for Constitutional and Human Rights. *EASO's Influence on Inadmissibility Decisions exceeds the Agency's Competence and Disregards Fundamental Rights*. Berlin: European Center for Constitutional and Human Rights, 2017.

Fallon, Katy. "The Devastating Scenes of a Freezing Refugee Camp 'Prison' at Breaking Point." *Metro UK*, January 23, 2018. <https://metro.co.uk/2018/01/23/a-refugee-camp-in-europe-at-breaking-point-this-winter-7250728/>.

Fassin, Didier. *Humanitarian Reason: A Moral History of the Present*, translated by Rachel Gomme. Berkeley and Los Angeles: University of California Press, 2012.

Fernandez Arribas, Gloria. "The EU-Turkey Statement, the Treaty-Making Process and Competent Organs. Is the Statement an International Agreement?" *European Papers* 2, No.1 (2017): 303-309.

Gauriat, Valerie; and Apostolos Staikos. "Migrants and Greeks in Samos Share Anger and Despair." *Euronews*, May 14, 2019. <https://www.euronews.com/2019/05/10/refugees-on-samos-live-in-a-huge-camp-of-lost-souls>.

Greek Council for Refugees. *GCR Mission to Lesbos*. Athens: Greek Council for Refugees, 2016.

Greek Ombudsman. "Migration Flows and Refugee Protection: Administrative Challenges and Human Rights Issues." April 2017.

https://www.synigoros.gr/resources/docs/greek_ombudsman_migrants_refugees_2017_en.pdf.

Hebrew Immigrant Aid Society. *EASO's Operation on the Greek Hotspots: An Overlooked Consequence of the EU-Turkey Deal*. New York: Hebrew Immigrant Aid Society, 2018.

Herzfeld, Michael. "The Absent Presence: Discourses of Crypto-Colonialism." *The South Atlantic Quarterly* 101, No.4 (2002): 899-926.

Herzfeld, Michael. "The Hypocrisy of European Moralism: Greece and the Politics of Cultural Aggression – Part 1." *Anthropology Today* 32, No.1 (2016): 10-13.

Herzfeld, Michael. *The Social Production of Indifference: Exploring the Symbolic Roots of Western Bureaucracy*. Chicago: University of Chicago Press, 1992.

Herzfeld, Michael. "Welcome to Greece (But not to Europe)." *Foreign Policy*, February 25, 2016. <https://foreignpolicy.com/2016/02/25/welcome-to-greece-but-not-to-europe-schengen-racism/>.

Hockenos, Paul. "Europe has Criminalized Humanitarianism." *Foreign Policy*, August 1, 2018. <https://foreignpolicy.com/2018/08/01/europe-has-criminalized-humanitarianism/>.

Idriz, Narin. "The EU-Turkey Statement or 'The Refugee Deal': The Extra-legal Deal for Extraordinary Times?" In *The Migration Crisis?: Criminalization, Security and Survival*, edited by Dina Siegel and Veronika Nagy, 61-85. Den Haag: Eleven Publishing, 2018.

Kalir, Barak; and Katerina Rozakou. "'Giving Form to Chaos': The Futility of EU Border Management at Moria Hotspot in Lesbos." *Society and Space*, November 16, 2016. <http://societyandspace.org/2016/11/16/giving-form-to-chaos-the-futility-of-eu-border-management-at-moria-hotspot-in-lesvos/>.

Kingsley, Patrick. "Aid Workers Accused of Trying to Convert Muslim Refugees at Greek Camp." *The Guardian*, August 2, 2016. <https://www.theguardian.com/world/2016/aug/02/aid-workers-accused-of-trying-to-convert-muslim-refugees-greek-camp-detention-centre-lesvos-christianity>.

Laurrier, Eric. "Participant Observation." In *Key Methods in Human Geography*, edited by Nicholas Clifford, Shaun French and Gill Valentine, 116-130. London: SAGE Publications, 2010.

Leape, Sebastian. "Greece has the Means to Help Refugees on Lesbos – But does it Have the Will?" *The Guardian*, September 13, 2018. <https://www.theguardian.com/global-development/2018/sep/13/greece-refugees-lesbos-moria-camp-funding-will>.

Legal Centre Lesbos. "Ongoing Criminalization of Refugee Protests, Upcoming Trials Against Migrants on Lesbos." February 19, 2019. <http://legalcentrelesvos.org/2019/02/19/ongoing-criminalization-of-refugee-protests-upcoming-trials-against-migrants-on-lesvos/>.

Limone, Luigi. "Today's Court (non) Decision on the (non) EU "Deal" with Turkey." *European Area of Freedom, Security & Justice*, March 1, 2017. <https://free-group.eu/2017/03/01/the-todays-court-non-decision-on-the-non-eu-deal-with-turkey/>.

Masri, Lena. "Inside Lesbos' Moria Camp, Home to Thousands of Trapped Refugees and migrants." *ABC-News*, February 19, 2018. <https://abcnews.go.com/International/inside-lesbos-moria-camp-home-thousands-trapped-refugees/story?id=53014062>.

Mouzourakis, Minos; and Markella Papadouli. *With Greece: Recommendations for Refugee Protection*. Brussels: ECRE and Aire Centre, 2016.

Order of the General Court NF v. European Council, T-192/16, ECLI:EU:T:2017:128.

Order of the General Court NG v. European Council, T-193/16, ECLI:EU:T:2017:129.

Order of the General Court, NM v. European Council, T-257/16, ECLI:EU:T:2017:130.

Oostveen, Margriet. "Johnny de Mol en Adil Izemrane herdefiniëren Vluchtelingen hulp op Lesbos." *Volkskrant*, October 19, 2018. <https://www.volkskrant.nl/cultuur-media/johnny-de-mol-en-adil-izemrane-herdefinieren-vluchtelingen-hulp-op-lesbos~bed8460c/>.

Oxfam Novib. "Oxfam Suspends Aid Operations in Moria Camp in Protest to the Suspension of Migrants' Rights by the EU and Turkey." *Oxfam Novib*, March 24, 2016. <https://www.oxfam.org/en/pressroom/pressreleases/2016-03-24/oxfam-suspends-aid-operations-moria-camp-protest-suspension>.

Paccalin, Claire. "'Anyone who thinks they can do better than us is welcome to try,' says director of Moria Camp on Lesbos." *Infomigrants*, April 15, 2019. <https://www.infomigrants.net/en/post/16018/anyone-who-thinks-they-can-do-better-than-us-is-welcome-to-try-says-director-of-moria-camp-on-lesbos>.

Papadimitriou, Jannis. "Chios: No Future on a Prosperous Island." *Infomigrants*, December 11, 2018. <https://www.infomigrants.net/en/post/13839/chios-no-future-on-a-prosperous-greek-island>.

Rancière, Jacques. *Hatred of Democracy*, translated by Scott Concoran. London & New York: Verso, 2007.

Rancière, Jacques. *Disagreement: Politics and Philosophy*, translated by Julie Rose. Minneapolis: University of Minnesota Press, 1999.

Rankin, Jennifer. "EU Declares Migration Crisis over as it Hits Out at 'Fake News'." *The Guardian*, March 6, 2019. <https://www.theguardian.com/world/2019/mar/06/eu-declares-migration-crisis-over-hits-out-fake-news-european-commission>.

Regulation (EU) No 439/2010 of the European Parliament and the Council of 19 May 2010 establishing a European Asylum Support Office [2010] OJ L 132/11.

Reid-Henry, Simon. "An Incorporating Geopolitics: Frontex and the Geopolitical Rationalities of the European Border." *Geopolitics* 18, No. 1 (2013): 198-224.

Schneider, Jan; and Anna-Lucia Graff. *EASO Reloaded: Can the New EU Asylum Agency Guarantee a Standardized System of Protection?* Berlin: The Expert Council of German Foundations on Integration and Migration, 2018.

Shields, Peter. "The Human Cost of the European Union's External Border Regime." *Peace Review* 27, No. 1 (2015): 82-90.

Smith, Helena. "'Welcome to Prison': Winter Hits in one of Greece's Worst Refugee Camps." *The Guardian*, December 22, 2017. <https://www.theguardian.com/world/2017/dec/22/this-isnt-europe-life-greece-worst-refugee-camps>.

Smith, Helena. "'Lesvos Deserves Better': Pioneering Aid Project Unites Locals and Immigrants." *The Guardian*, November 18, 2018. <https://www.theguardian.com/global-development/2018/nov/18/lesbos-deserves-better-pioneering-aid-project-unites-locals-and-migrants>.

Smith, Helena. "Syrian 'Hero Swimmer' Arrested amid Trafficking Claims in Lesbos." *The Irish Times*, September 6, 2018. <https://www.irishtimes.com/news/world/europe/syrian-hero-swimmer-arrested-amid-trafficking-claims-in-lesbos-1.3620689>.

Stateswatch. "Reform of the Common European Asylum System (CEAS) is in a Mess." October 11, 2018. <http://www.statewatch.org/news/2018/oct/eu-council-ceas-in-a-mess.htm>.

Taub, Amanda. "Europe's Refugee Plan is so Inhumane, Doctors Without Borders is Refusing to Work with It." *Vox*, March 23, 2016. <https://www.vox.com/2016/3/23/11291612/eu-greece-refugee-inhumane>.

The Brussels Times. "OLAF Investigates Irregularities in EU Aid for Refugees in Greece." October 8, 2018. <https://www.brusselstimes.com/all-news/eu-affairs/51155/olaf-investigates-irregularities-in-eu-aid-for-refugees-in-greece/>.

Van de Ven, Coen. "Een Verhaal? We Hebben Frans!" *De Groene Amsterdammer*, February 13, 2019. <https://www.groene.nl/artikel/een-verhaal-we-hebben-frans>.

Van Houtum, Henk. "Human Blacklisting: The Global Apartheid of the EU's 'External Border Regime'." *Environment and Planning D: Society and Space* 28, No. 6 (2010): 957-976.

Van Houtum, Henk; and Roos Pijpers. "The European Union as a Gated Community: The Two-faced Border and Immigration Regime." *Antipode* 39, No.2 (2007): 291-309

Vaughan-Williams, Nick. "'We Are not Animals': Humanitarian Border Security and Zoopolitical Spaces in Europe." *Political Geography* 45, No. 1 (2015): 1-10.

Vaughan-Williams, Nick. "Borderwork Beyond Inside/Outside? Frontex, the Citizen-Detective and the War on Terror." *Space and Polity* 12, No. 1 (2008): 63-79.

Zaragoza-Cristiani, Jonathan. "Containing the Refugee Crisis: How the EU turned the Balkans and Turkey into an EU Borderland." *International Spectator* 52, No. 4 (2017): 59-75.

Appendix 1. Codebook

Theme: Exclusion in the Asylum Procedure (chapter 5 of my thesis)

Problems with EASO
Problems with EASO: the Agency's overstepping of its own mandate.
Problems with EASO: human rights violations in interviews by case workers.
Human rights violations of EASO's case workers
Human rights violations: Lack of knowledge of case workers pertaining to information relevant for eligibility.
Human rights violations: unfair rejections of asylum seekers due to 'rejection quota'.
Human rights violations: verbal abuse of asylum seekers during interviews.
Human rights violations: not probing 'vulnerability' indicators, leading to refolement.
Problems with EASO's system
Problems with EASO's system: Deficiencies of Agency's 'review mechanism'
Problems with EASO's system: Inadequate reactions to complaints filed by advocates.
Problems with EASO's system: refugee rejection quota for case workers
Problems with EASO's system: lack of legal unity within organization.
Problems with EASO's system: lack of top-down accountability.
Problems with EASO's system: training for case workers is insufficient.
The Broader Legal Situation of refugees on Lesbos
The Broader Legal Situation: Lack of legal support to asylum seekers.
The Broader Legal Situation: Inadequate provision of information to asylum seekers.

Theme: depoliticization of reception conditions (chapter 6 of my thesis)

Attitude of institution or organization towards the current situation on Lesvos
Attitude towards situation: critical of Greek State.
Attitude towards situation: official capacity of refugee camps should be respected.
Attitude towards situation: Greek Government should speed up transfers to mainland.
Involvement of institution or organization in refugee issue on Lesvos
Involvement in refugee issue: cooperates with Greek State
Involvement in refugee issue: provides infrastructure for asylum seekers on Lesvos
Involvement in refugee issue: takes action to compel the Greek government to improve conditions.
Diagnosis provided by institution or organization of problems with the reception of refugees on Lesvos
Diagnosis of problems: overpopulation of refugee camps
Diagnosis of problems: Problems with management of the issue by the Greek State
Diagnosis of problems: Infrastructures on Lesvos overburdened since start of the refugee crisis.
Diagnosis of problems: weak public sector in Greece.
Diagnosis of problems: relations of accountability in Moria Camp.
Problems with Greek State as perceived by institution or interviewee (if interviewee is not speaking as a representative of an institution)
Problems with Greek State: slowness with instituting improvements.
Problems with Greek State: bureaucracy.
Problems with Greek State: unreliability in communication (e.g., promises systematically unrealized).
Problems with Greek State: intransparency in communications.
Problems with Greek State: lack of proper communication with institution.
Problems with Greek State: still no sufficient improvements to reception conditions, even after political actions.
Problems with Greek State: cooperation with NGOs in

Moria Camp.
Problems with Greek State: lack of funds.
Reaction of institution or organization to problems with current situation
Reaction to current situation: Legal Action (e.g., lawsuit, ordering closure of camp)
Reaction to current situation: media campaign.
Reaction to current situation: staging demonstrations.
Reaction to current situation: lobby efforts.
Assessment of cooperation between Greek State and humanitarian organizations in Moria Camp.
Cooperation between Greek State and Humanitarian organizations: Greek State dominant over NGOs.
Cooperation between Greek State and humanitarian organizations: Fear of NGOs for actions of the Greek State.
Cooperation between Greek State and humanitarian organizations: abuse of power by NGOs.
Cooperation between Greek State and humanitarian organizations: lack of accountability.