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**Silvia Aru**

***I had no idea that Europe had internal borders.***

**Migrants' 'secondary movements' before the EU internal border regime**

**[Accepted version]**

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**Abstract:** This paper looks at the so-called 'secondary movements', namely migrants' unauthorized movements across Member States of the European Union (EU). Over the past few years, secondary movements have become a main concern on the EU political agenda because they seem unstoppable, despite the more rigid migration regime designed at different levels to manage them. Secondary movements are a relatively understudied topic within the vast critical migration debate on border regimes. This paper bridges this gap by looking at unauthorized movements within Europe on two levels. Firstly, it explores them by focusing on the emergence, conceptualisation and embodiment of the term 'secondary movements' within the EU agenda; secondly, it sheds light on this kind of movement from the migrants' perspective. Based on empirical research carried out along the Italian-French border and in Rome from September 2018 to December 2018, this paper aims to highlight the tensions between unauthorized mobilities and the EU asylum system, which forces migrants to stay in (or move to) specific countries without taking into consideration their personal plans. Thanks to a bottom-up perspective, this analysis shows how complex migrants' reasons for movements are and it sheds a necessary light on how EU asylum policies and border control mechanisms influence migrants' journey without stopping them. Reading the border regime of Ventimiglia through the lens of 'secondary movements' allows for a more nuanced account of the systems of power within which this EU internal border regime takes form.

**Keywords:** *Secondary movements, EU asylum-system; Border Regime; Agency; Ventimiglia.*

## **Introduction**

I met Darya<sup>1</sup> during one of the weekly *Sisters groups* organized by activists for women transiting from Italy to France at the 'Eufemia Infopoint' in Ventimiglia. Darya is an Iranian woman in her thirties; Ventimiglia is a small Italian city around seven kilometres from the

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<sup>1</sup> The paper uses pseudonyms to preserve anonymity.

western Italian border. Darya, together with her husband, is in this place by mistake. She repeatedly says that they wanted to go to Spain because they have friends and relatives there who were expecting them. Since 2015, the border at Ventimiglia has become a difficult ‘transit point’ (Ansems de Vries, Garelli and Tazzioli, 2016) for people such as Darya without a valid travel permit since the restoration of France’s checks on migrants’ unauthorized movements from Italy. The conflict between Darya and her plans on the one side and the border regime on the other is huge, not least because, as she repeatedly says, she “had no idea that Europe had internal borders” (Fieldwork notes, 22/09/2018)<sup>2</sup>.

The subject of this paper is this clash between migrants and their actions, and the internal EU migration management. The latter is increasingly rigorous and violent (De Genova, 2013; Davies, Isakjee, Dhesi, 2017) against so-called ‘secondary movements’, a term which is mainly used to refer to unauthorized movements of people “seeking better conditions” (Wagner, Perumadan, Baumgartner, 2019:5) than in the country they are supposed to stay according to EU migration and asylum legislation. This work is based on primary data from empirical research carried out on the Italy-France border of Ventimiglia between September 2018 and December 2018 and in Rome where I interviewed officials involved in migrant transfers within the EU and in voluntary and forced returns to third countries.

Even if secondary movements are one of the main political concerns on the EU migration agenda (Fontanari, 2017), they are quite an understudied topic within the vast critical migration debate on border regimes. This work aims to bridge this gap by analysing unauthorized movements within Europe on two levels. On the one hand, this paper explores them by focusing on the emergence, conceptualisation and embodiment of the term ‘secondary movements’ in the EU agenda; on the other hand, it aims to shed light on these kinds of movement from a migrants’ perspective. The focus on tensions between secondary movements as conceptualized by authorities and as lived and experienced by migrants provides a refreshing and innovative perspective, which adds to the conversation on migrant agency in critical migration studies. In particular, the heterogeneity of reasons that motivate migrants and the paths they take on their

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<sup>2</sup> In their study on migrants’ preferences of EU destinations when crossing the Mediterranean, Crawley and Hagen-Zanker (2019) outline how most people interviewed had only a vague or general understanding of the EU asylum and migration policies. Picozza (2017), focusing on the Dublin Regulation, stresses how for migrants the EU legislation is often “obscure”; in particular – in relation to “secondary movements” - he eloquently states that “[b]esides not having previous experience with the law, the police, courts, and detention, they have gone through a long, unsafe journey to reach Europe; once arrived, it seems inconceivable to be forced to live in a country they have not chosen” (Picozza, 2017:241).

journey inside the EU provides unique insights into the complex dynamics and processes surrounding unauthorized mobilities inside the EU. From Ventimiglia – a place at the core of the EU internal border regime (Amigoni et al., 2021) – secondary movements emerge in all their force as an integral part of the complex “conflict-driven process” between migration governance and migrant actions (Mezzadra, 2010).

The paper is outlined as follows: the first section lays out the theoretical underpinnings supporting the work, namely recent debates around the relationship between border regimes and migrant agency; it then goes on to indicate the methods adopted according to this framework. The second section explores the term ‘secondary movements’ within the EU migration framework and subsequently describes the French-Italian internal border management after the France’s restoration of border controls in 2015. As will be highlighted in this section, European and national levels of analysis are intimately connected, because both the EU and French and Italian policies at the border align to define internal barriers to mobility, which affect migrants’ movements. The third section draws on empirical materials; here, the analysis focuses on migrants’ stories collected at the border, highlighting the reasons behind their ‘secondary movements’ inside the Union and the human costs of the internal border regime under study. Fieldwork data show how migrants cope with structural constraints (Fontanari, 2017) by negotiating their actions and reconfiguring them constantly in different ways to go beyond or deal with the migration management enforced at the border. A conclusion follows, summarizing the main arguments of the paper.

The theoretical lens and the methods adopted allow us to outline the actions of the migrants without hiding the political responsibilities of States (Brigden, 2019) and to question the very nature of secondary movements beyond the official picture given by the EU. Furthermore, as will be evident throughout this paper, the case study of Ventimiglia does not only help to *unthink* the notion of ‘secondary movements’, but it is also useful in contesting “the mainstream imaginary of migration as a linear and one-directional movement” (Fontanari, 2017:26).

## **‘Secondary movements’ at the intersection of border control and migrant agency.**

This section briefly presents the theoretical lenses and the methodological approach used for reading ‘secondary movements’ as a source of tension between border governance and migrant agency. In order to understand this source of tension, it is useful to start with academia’s growing interest in *borders* during the last thirty years (De Genova, Mezzadra and Pickles, 2015) which has resulted in the interdisciplinary research field of *Border Studies*.

Within the context of the critical debate on globalization and thanks to pioneering studies on the border between Mexico and the US (Anzaldúa, 1987), the concept of border is understood not as a political demarcation line between states, but as a complex and multiform place in both physical and symbolic terms (Ansems de Vries, Carrera and Guild, 2016; Martin and Prokkola, 2017). In the last thirty years, critical scholars have pushed the conceptual development of the term (Mezzadra, 2013; Brambilla, 2015) by coining the new expression ‘border regime’ (Cvajner, Echeverria and Sciortino, 2018). The addition of ‘*regime*’ underscores the historical and political nature of every border and its exclusionary nature (De Genova, Mezzadra and Pickles, 2015; Tazzioli, 2015). In fact, border regimes provide for differentiated access to rights – first and foremost to mobility rights – subject to the citizenship and/or socio-economic statuses of individuals. Considered in this way, every bordering process inevitably calls into question the reactions of ‘the excluded’. From this perspective, borders are seen, above all, as spaces of struggle and negotiation (Mezzadra, 2013; Brambilla, 2015; Stierl et al, 2021), of ambiguity and tension (Cvajner, Echeverria and Sciortino, 2018) that can be understood only by analysing the perspective of a plurality of actors: states, NGO officers, support movements and, of course, migrants themselves. It is within this theoretical context that interest has grown in the embodied experience of migrants in different situations (Kuusisto-Arponen and Gilmartin, 2015) and in the subjective practices employed to negotiate and challenge the unequal power at the core of border controls. If we place migrants at the centre of the conversation, the main questions in the field become: *How do migrants cope with structural constraints?* (Fontanari, 2017); *What role do they play in navigating and actively shaping border regimes?*<sup>3</sup>. In dealing with these issues, critical

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<sup>3</sup> Different approaches emphasise the importance of looking at the border regime by stressing the relations of power-resistance at its base. Given the aim of this paper and the limit of space, it is not my intention here to deepen the complex and vivid theoretical debate on the ‘structure/agency’ nexus (Squire, 2017) neither the related critical theories on citizenship (Isin and Neilson 2008; Isin 2009).

migration scholars stress how unauthorized cross-border mobility has to be considered a powerful *transgression of* and an open *resistance to* the status quo represented by migration and border management (Stierl et al, 2021:21). Eloquently, in their collective piece on “Minor keywords of political theory [...]”, Stierl et al edited the word ‘struggle’ by pointing out the multifaceted and complex shapes that migrants’ fights against border control can take and the unauthorized crossing is presented as a form of struggle in itself. Even if part of a personal plan, according to these authors, crossing the border enacts “a collective aspiration for movement that aims to defy restrictive and exclusionary regimes of immigration and asylum and to circumvent or subvert harshly punitive regimes of border control” (Stierl et al, 2021:15). In line with these authors, Jones (2012) proposes to consider border crossing as a way through which migrants open up genuine ‘spaces of refusal’ against the current border system (Jones, 2012) also when they do not plan to resist the border regime deliberately. In this sense, agency is intended as the generic capacity to produce effects, beyond intentionality (Latour, 2006; Knappett and Malafouris, 2008). Even if numerous different studies critically address the conceptualization of ‘migrant agency’ (Squire, 2017), the enacted and performative aspects of this concept still remain relatively under-theorised, although with notable exceptions (Innes, 2016; Mainwaring, 2016; Mainwaring and Brigden, 2016). As Nyers (2015) puts it, migration scholars do not adequately take into account migrants’ perspectives in favour of an abstract analysis of ‘agency’ which does not properly grasp the political lives of migrants.

Drawing on border studies, this paper focuses on ‘secondary movements’ in order to foster the debate on the relation between border control and migrant agency, while responding – thanks to fieldwork data – to the wider need to empirically explore migrants’ ‘existence strategies’ (Sossi, 2006; Garelli and Tazzioli, 2013; Giubilaro, 2016). The theoretical and methodological approaches adopted allow this study to delve deeper into the subjective reasons and choices that lie behind what the EU calls secondary movements, observing them in their interconnections within the wider political processes acting at different levels (the EU, the national and the local ones). Furthermore, the bottom-up perspective adopted reveals the complex reasons and paths of secondary movements.

Methodologically, this work is based on an intense fieldwork during which I used several methods and looking at different locations in Ventimiglia, from public spaces to the Roja Camp, run by the Red Cross, and other places supporting migrants during their stay in the city (e.g., the

‘Eufemia Infopoint’<sup>4</sup> and the Caritas). In these different contexts, I used *participant observation*, playing a direct part in the support and monitoring activities conducted by activists along the border, and *shadowing*, a mobile research method that consisted of following migrants for a certain period during their daily life. I also interviewed migrants who were staying at the CAS (*Reception centre for asylum seekers*) in the nearby town of Bordighera and inside the Roja Camp, NGO social workers, and officials involved in forced transfers between Member States, and in voluntary and forced returns at offices in Rome (Italian Dublin Unit, EASO, IOM, National Guarantor of the Rights of Detainees). Given the analytical focus on the border and on ‘secondary movements’, the analysis looked at the stories of people who do not possess the right documents to cross the internal EU borders under existing rules. As outlined in the next section, different legal categories of migrants find themselves in this situation. Before moving on to fieldwork data, it is necessary to present the political and geographical context which leads us to describe certain mobilities across the French-Italian border as ‘secondary’ or, in other words, ‘unauthorized’.

### **The EU and national policies at work on the internal EU border of Ventimiglia**

First of all, this section introduces the EU migration and asylum policies from which the notion of ‘secondary movements’ emerges; then, it presents the new border regime which arose in Ventimiglia after the restoration of French border controls against unauthorized movements migrant from Italy. Both levels of analysis (the EU and the national one) concur to define this internal border regime which migrants move into and within.

#### **‘Secondary movements’- ‘primary rules’: EU migration policies**

Since the Treaty of Amsterdam in 1997, the implementation of Common immigration and asylum policies and increasing control of external borders were presented by the EU institutions as a “necessary response” (Costello, 2016:123) to the internal free movement accorded to EU Citizens under the Schengen arrangements. Indeed, the Schengen Agreement of

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<sup>4</sup> Cf. [https://www.facebook.com/pg/progetto20k/about/?ref=page\\_internal](https://www.facebook.com/pg/progetto20k/about/?ref=page_internal)

1985 played a pivotal role in distinguishing between ‘internal’ and ‘external’ borders in relation to migration control and in promoting specific technical procedures and protocols for the practical management of these borders (Walters, 2002). On the one hand, the securitisation of external borders was achieved by increasing a very structured surveillance patrolling network in the Mediterranean (EU Agencies Frontex and Eurosur), and through specific agreements either among EU countries or individual member states and ‘third-countries’ (Cuttitta, 2007; Jeandesboz & Pallister-Wilkins, 2014; De Genova, Mezzadra & Pickles, 2015; Pallister-Wilkins, 2015). On the other hand, inside the EU, the Treaty of Amsterdam brought the previous intergovernmental cooperation on asylum into the EU’s institutional framework and provided the legal basis for the *Common European Asylum System* (CEAS).

The term ‘secondary movements’ has emerged in this political context, used in several documents which regulate asylum and migration governance inside the EU. The management and prevention of unauthorized movements across the Union have become one of the major aims of the CEAS<sup>5</sup> (Wagner, Perumadan, Baumgartner, 2019). Different Directives and Regulations have tried to address secondary movements by fostering the legislations of the Member States to develop specific policy measures in order to *harmonize* the EU migration management<sup>6</sup>. Within this framework, one of the most powerful legislative instruments at the base of the current CEAS is the Dublin Convention, which first came into force on 1 September 1997 with the aim of reducing the internal mobility of asylum seekers within the EU (Wagner, Perumadan, Baumgartner, 2019). The Dublin Convention, as well as the following Dublin Regulation II (No 343/2003) and Dublin Regulation III (No. 604/2013), establish the competences of States in processing migrants’ asylum claims. The Dublin System involves EU Members and other contracting parties such as Norway, Iceland, Switzerland, and Liechtenstein. The responsibility

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<sup>5</sup> The need to accompany the EU Citizens’ internal free movement with the development of external border controls and common immigration and asylum policies is clearly state since the *Treaty on the Functioning of the European Union* (TFEU; in the Article 67), one of the two treaties forming the constitutional basis of the European Union (EU) (Costello, 2016). So, the control of migrant mobility inside the EU preceded the *Common European Asylum System* (CEAS) in 1999. The common system must be seen as a means developed specifically to contrast secondary movements (Wagner, Perumadan, Baumgartner, 2019).

<sup>6</sup> Different laws and acts have tried to address secondary movements. In particular, the recast *Asylum Procedures Directive* (COM(2009) 554 final) aims to set common asylum standards in the procedures to outbalance the differences between Member States. In the same way, the recast of the *Qualification Directive* sees the further harmonisation of protection standards in the diverse national legal frameworks and decision-making practices mandatory to reduce unauthorized movements inside the EU (COM(2009) 551 final/2). Within the same rationale, the *Reception Conditions Directive* aims at ensuring higher standards and harmonisation of national rules on reception conditions for the same reason (COM(2008) 815 final, p 4).



of a country over migrants is determined by the following criteria: i) In case of family reunifications (if a family member has been recognized as a refugee or has an outstanding asylum application); ii) If the migrant is a minor, s/he has the right to apply for asylum in a country where a family member is legally present or in the last country where s/he find themselves; iii) A visa or residence permit has been issued; iv) The State is the first EU arrival country; v) Visa requirements have been waived for the particular applicant; vi) The asylum application was first lodged.

As Picozza (2017:234) aptly explains, the ‘first-entry country’ criterion is “the most often applied” in the determination of a State’s responsibility towards asylum seekers. In this sense, the same term ‘*secondary movements*’ confirms this sort of geographical rationale because it refers to “the phenomenon of *migrants, including refugees and asylum-seekers*, who for various reasons move from the country in which they first arrived, to seek protection or permanent resettlement elsewhere” (European Parliament, 2017:2). Beyond allocating responsibility over asylum procedures, the also Dublin System determines which Member State refugees have to stay in. By establishing norms that make only one State responsible for asylum applications, the Dublin regulation does not allow migrants to freely move and stay in a different country during and after the asylum procedure (Wagner, Perumadan, Baumgartner, 2019). Asylum seekers and refugees have the right to travel across the EU only with a specific travel permit. This document is not easy to obtain and does not allow them to reside and work in another Member State than the one that granted them the travel document. Conversely, those whose asylum application has been rejected in one Member State, not only cannot move across the EU, but their legal status of rejected asylum seekers is immediately recognized by other Member States’ authorities. In other words, the benefits and rights of refugees and asylum seekers remain confined within the borders of a Member State, while the limitations triggered by a refused asylum would follow people across the EU. For this reason, this paper stretches the label of ‘secondary movements’ to include all unauthorized movements through the EU as Picozza extends “the term Dubliners to all asylum-seekers and refugees who move [unlawfully] within the space of ‘Europe’ or wish to do so in the future” (2017:234).

Through the Dublin Regulation, the EU level defines the permitted spatial range of migrant mobility inside the Union (Queirolo Palmas and Rahola, 2018). The primacy of the ‘first arrival country’ rule reinforces a common system that is significantly based on a national

differentiation. This “internal externalisation” logic of the EU migrants’ controls (Barbero and Donadio, 2019) does not take into account the migrants’ preferences and plans, treating them as objects to be managed instead of “subjects who engage in decision-making [and] resist” (Mainwaring, 2019: 27).

The term ‘secondary movements’ regained a new centrality during the so-called ‘migration crisis’ in 2015/ 2016 (Wagner, Perumadan, Baumgartner, 2019). Despite common legislation and unilateral internal border reinforcements, secondary movements are still one of the “unresolved [...] key problems of the CEAS” (European Commission, 2019:1), even if it is difficult to have a clear picture of their entity (Wagner, Perumadan, Baumgartner, 2019). On 28-29 June 2018, the European Council highlighted again the need to counter secondary movements which have affected the integrity of the CEAS and the Schengen acquis (Wagner, Perumadan, Baumgartner, 2019; Crawley and Hagen-Zanker, 2019). In order to deal with this phenomenon, several Member States and others contracting parties have temporary reintroduced internal border control (Cassidy, Yuval-Davis, Wemyss, 2018), targeting undocumented migrants over time<sup>7</sup>. Secondary movements testify the failed idea of migrants as objects to be managed framed by the CEAS and they show the migrants’ efforts to navigate and somehow subvert the EU migration and asylum system on the ground.

### **The Ventimiglia border.**

Italy offers “challenging insights into the uneven implementation of EU regulations” (Picozza, 2017:236). Indeed, according to the latest report on *The Implementation of the European Agenda on Migration* (European Commission, 2019), Italy is one of the main arrival countries for unauthorized migration and is frequently used a ‘gate’ to the other EU member states (Fasani, 2010). As seen before, the ‘first-entry criterion’ of the Dublin system makes the geographical position of Italy a significant factor in determining its responsibilities on asylum procedures. Not surprisingly, this country is the major recipient of Dublin transfers in the EU,

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<sup>7</sup> Over time, different Member States and others contracting parties have temporary reintroduced internal border controls for different reasons. An updated document on Schengen Borders Code shows the different States that have been involved in these internal border checks and the reasons for this since 2006. The internal borders of Norway, Germany, Austria, France, Denmark and Sweden were closed several times explicitly because of ‘secondary movements’, cf. [https://ec.europa.eu/home-affairs/sites/default/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms\\_notifications\\_-\\_reintroduction\\_of\\_border\\_control.pdf](https://ec.europa.eu/home-affairs/sites/default/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms_notifications_-_reintroduction_of_border_control.pdf).

while France is one of the principal destinations for secondary movements (European Commission, 2019). The French-Italian border is thus of great interest for exploring both the governance of unauthorized movements and migrants' reasons behind the decision to move within the EU.

As the result of the EU Schengen Treaty, the Italian area of Ventimiglia witnessed a process of de-bordering during the EU integration, followed by a process of re-bordering in 2015 when the French reintroduced border checks “due to the serious threat to the internal security” (European Commission, 2015:6) after the Paris terrorist attacks. The reintroduction of border control, taken by France to prevent new attacks, was instrumental in creating systematic push backs of illegal migrants arriving from Italy<sup>8</sup>. On several occasions before 2015, Italy had already been accused by France and other Member States of being the “soft underbelly of the Schengen system” (Levy, 2010: 104) due to the lack of controls exercised over secondary movements. The climate of political tension connected to unauthorized movements inside the EU became particularly evident the year the French reinstated the border, when the already mentioned ‘migration crisis’ has begun (Vradis, Papada, Painter, Papoutsis, 2018). More than one million people arrived in the EU by sea in 2015 and more than another 230,000 people arrived in the first six months of 2016. In this context, the word ‘crisis’ does not refer to the number of the arrivals but to the “EU politics of the crisis”, which led to the development of new forms of mobility control policies by the European authorities, both on the external and internal borders (De Genova, Tazzioli, Álvarez-Velasco, 2016). The reintroduction of French border checks, which are still in place to this day, have given rise to a new border regime, which is quite different from the one which was operational before 1995, when the implementation of the Schengen Area finally began<sup>9</sup>. Nowadays, border controls are not directed at everyone; instead, they aim to detect and stop a specific category of people: migrants without the right documents to travel inside the EU. In this new border configuration, free movement still works for Europeans (and authorized people), but it is not permitted for “illegalised” people (Kalir, 2017: 63).

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<sup>8</sup> Since 2015, the temporary reintroduction of internal border control by France has been renovated thirteen times for six months each. Only recently, in two different occasions (from 31/10/2019 to 30/04/2020, and from 01/05/2021 to 31/10/2021) secondary movements are openly listed as the “Reasons/Scope” of the temporary reintroduction of border control: [https://ec.europa.eu/home-affairs/sites/default/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms\\_notifications\\_-\\_reintroduction\\_of\\_border\\_control.pdf](https://ec.europa.eu/home-affairs/sites/default/files/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control/docs/ms_notifications_-_reintroduction_of_border_control.pdf).

<sup>9</sup> Cf. <https://www.schengenvisainfo.com/schengen-agreement/>.

In the framework of the new border regime, the entire territory of Val Roja between Italy and France has been militarized by the activation of constant checkpoints and controls; this includes the use of drones to intercept migrants transiting to France (Giliberti, 2021). Furthermore, systematic racially-based target checks have been taking place at the first French station after the border (Menton-Garavan) on every train arriving from Italy, and several police patrols continuously monitor the migrants arriving on foot through the mountains on the so-called ‘Pass of death’ [*Il Passo della morte*]. In 2015, 1,193 people were denied entry to France, while in 2017 this number grew to 44,433<sup>10</sup>. In the same period, transfers from France to Italy under the Dublin Regulation scheme increased from 51 to 1,573 people (Eurostat, 2021a). The “practical management” (Walters, 2002) of this EU internal border shows how secondary movements have been counteracted by the coexistence of different policies at work on different levels: on the one hand, by the prevailing ‘geographical criterion’ in the Dublin systems and therefore also in the CEAS, and, on the other hand, by a more severe border governance implemented on a national level by France.

French actions against secondary movements have turned Ventimiglia into a sort of ‘marshland’ (Sossi, 2007) for thousands of migrants in transit since 2015 (Bonnin, 2017), that is an area of concentration of people not allowed to move forward. In Ventimiglia, a small town of 24,000 inhabitants (Amigoni et al, 2021), Italian authorities have deal with the increasing number of migrants by adopting new policies of *control* (e.g., eviction of migrant makeshift settlements), *containment* (e.g., the creation of two camps run by the Red Cross) and *decompression* (e.g., the forced weekly transfer of migrants from the city to the *hotspots*, that is the identification centres in Southern Italy) (Aru, 2021). Caught between the new French and Italian mobility management mechanisms, the migrants' journeys through this route have become more complex and difficult than ever. This is in line with what has happened in general to unauthorized mobilities inside the EU (de Vries, Carrera, Guild, 2016), as also testified by the death toll along internal EU borders (Cutitta, Last, 2019). In the last few years, around 20 people have died in Ventimiglia: some have drowned in the harbour, others have been hit by trains, others have been injured while crossing on foot along the dangerous and aptly named *Pass of Death* (Luppi and Quadroni, 2017). On the ground, a conflict clearly emerges between border managements and the migrants’ autonomous movements (Tazzioli, 2017; Ward and Watson,

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<sup>10</sup> [https://www.agi.it/fact-checking/migranti\\_francia\\_respingimenti\\_macron\\_salvini-4328311/news/2018-08-31/](https://www.agi.it/fact-checking/migranti_francia_respingimenti_macron_salvini-4328311/news/2018-08-31/)

2017). These movements directly or indirectly defy the CEAS and are clear evidence of how migrants are an active force within the border regime. Their “erosive power” (Queirolo Palmas and Rahola, 2018) at the internal borders indeed challenges the mobility management measures put in place both at the European and at the French and Italian levels. Despite the violence of the system and the difficulties encountered, the numbers of those who have landed in Italy compared to that of those who have successfully completed their asylum process proves how many people are no longer in Italy (Interview with Laura Bartolini, IOM, 10/12/2018), even taking into account the number of people who are in Italy illegally. Between 2016 and 2017 more than 45,000 migrants transited through Ventimiglia (Vernano, 2019) while at the moment only a few hundred individuals are in town. This cross-bordering data confirms the irreducibility of secondary movements.

In what follows, the analysis focuses on empirical data collected in Ventimiglia with the aim of giving centrality to the migrant experience, in order to offer a different perspective on ‘secondary movements’ which can shed a new light on their complexity.

### **‘Secondary movements’: spaces of resistance and refusals at Ventimiglia’s internal border**

Speaking about migrants stuck in Italy because of the internal border regime, Tazzioli recalls a frequent purpose people mention: “We want to go to Europe and not to stay here”. (Tazzioli, 2016)<sup>11</sup>. According to most of the testimonies I collected from people I interviewed in Ventimiglia, “Europe” represents the place where it is possible to work and feel good; a place where human needs can be satisfied in practice and a new life can begin. Using the words of Devang, an asylum seeker from Pakistan:

“[I]n Europe life conditions are so good, you do a good job. [...] In Europe you have a lot of facilities like education. If you are a good hard worker, you have a good education and in Europe, you live in a good situation in good company. Free education, free medicine. Lots of regulations are good in Europe” (Interview with Devang, from India, 01/10/2018).

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<sup>11</sup> Cf. <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2016/10/greece%E2%80%99s-camps>

However, following Tazzioli's reasoning (2016), “[W]here is Europe? Is this Europe?”. The notion of Europe as a place rich in opportunities often clashes with the actual economic situation of certain Member States, first and foremost Italy<sup>12</sup>. This issue is a leitmotiv among people with different legal statuses, even refugees who receive only minimal support by the Italian State (Fildnote, 01/12/2018). The economic divergences between the EU Member States establish a geography of the best and worst EU countries to live in and, consequently, to move to. Secondary movements are often related to this huge issue, even if the CEAS mostly stresses differences in terms of asylum accommodations. Sometimes, people learn after their arrival about the differences in the quality of life in different European countries, on the basis either of personal experiences or information supplied by friends and relatives. In particular, during the informal chats along ‘the border line’ as well as through the more structured interviews, migrants who spent months or even years in Italy highlight two main reasons for leaving the country: 1) the slow and arbitrary nature of Italian bureaucracy and the inefficiency of the reception system; 2) the lack of opportunities for working and settling in this country. These elements are often interconnected and lie at the root of the decision to leave Italy and of repeated attempts and efforts to do so, as J, a socio-legal worker, explains in relation to Eritreans:

“I’ve met a lot of Eritreans. Some of them have been ‘Dublined’ to Italy more than once, from two or more different countries. They don’t want to apply for asylum here in Italy; most Eritreans have family networks elsewhere, but even those who don’t know that they need to get their status [as refugees] recognized, try to get it confirmed where there are more opportunities and a stronger social structure” (Interview with J., Socio-legal worker at We-World, 01/12/2018).

The state of the Italian reception system, with its often inadequate facilities (Report InCAStrati, 2016), the “lack of certainty about procedures” (Interview with a social worker at IOM, 10/12/2018) and arbitrary application of the law (Interview with J., socio-legal worker at We-World, 01/12/2018) creates such a climate of mistrust and frustration that even those who had no preference for a particular EU country often leave Italy in search of improved levels of support elsewhere (Interview with Jimale, from Mali, 20/11/2018). Finally, the difficult

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<sup>12</sup> First arrival countries (such Italy, Spain and Greece) often have an employment rate below the EU average (Eurostat 2021b).

economic and social situation makes it hard for people to find work and this makes the country a highly unappealing choice even for those who are granted some form of protection (Interview with J., socio-legal worker at We-World, 01/12/2018). Asylum seekers, migrants without documents and even refugees can easily be found in Ventimiglia, trying to cross the border illegally (Fieldnotes, 19/11/2018).

As Darya's opening vignette reveals, the specific EU country one wishes to reach can be clear before the migrant's departure from their home country; this place is often identified not (only) for its economic situation but mainly for the networks of families and friends existing within it. In these cases, from a migrant's perspective, the internal EU border regime is considered an additional hurdle to be bypassed in order to continue their planned journey. However, when migrants find the internal border blocking their passage, sometimes they do not know where the border is exactly, as is well explained by the words of a Caritas Volunteer:

"We have seen so many migrants arriving here in Ventimiglia not even knowing where they are. We show them on the map: 'you are here'" (Interview with M., Caritas Volunteer, 01/12/2018).

Actually, such movements are '*secondary*' only in the eyes of the EU policies; from the migrants' perspective, mobility towards their primary destination of choice is simply disrupted by the internal border regime. This same reasoning also applies when people are aware of EU policies and the French-Italian border regime but they try to find a way to circumvent it anyway because it clashes with their plans. In such cases, people who wish to cross the internal border, actively try not to be fingerprinted in Italy in order to avoid future transfers implemented under the Dublin scheme. Even if exhausted and debilitated by the difficult journey made to reach the EU, some people do not ask hospitals or other institutions for help out of fear of being identified and linked to Italy (if this is the first arrival country) or transferred to another first-arrival EU countries. This is the case of a family arriving from the Balkan route who I met in Ventimiglia during their attempts to cross the French-Italian border:

"An Iraqi family of six arrives at the info point: three adults and three children. The adults are worn out, exhausted; the children are bursting with energy. They have only been in Italy for a few days, their journey has taken them (over about three years) along the following route: Iraq-Turkey-Greece-Macedonia-Serbia-Bosnia-Croatia-Slovenia-Italy. They want to go to Germany and, for this reason, for fear of checks in Italy, they are

absolutely unwilling (despite their exhaustion) to go to the Roja Camp. [...] The feet of their grandma, who is overweight with gentle eyes and a face marked with sorrow, are in a terrible state. She probably trod on some thorns along the way and her feet are swollen and infected. [...] In Ventimiglia they sleep on the streets, among the trees, on the banks of the river Roja” (Fieldnotes, 04/10/2018).

The fieldwork also reveals how Ventimiglia is not just a place of secondary movements from Italy towards the west and the north but also a hub of under-researched mobilities from the north to the south. Indeed, Italy is also a place of arrival of unauthorized movements for those who found themselves in an unauthorized situation in other EU Member States. Pakistanis and Afghans in particular come here because they have been told by fellow countrymen that it is easier to get documents in Italy (Interview with I., head of the Roja Camp, 22/11/2018), and/or that they are less likely to be repatriated if they are refused (Interview with J., socio-legal worker at We-World, 01/12/2018). Three interviewees put forward this point:

“I contacted my friends [...]. They told me to go to Italy and apply for refugee status there. It’s a good country, they give you proper documents after some months... in one month, two three years you will complete your procedure, you should apply there, in Ventimiglia” (Interview with Reis, from Pakistan, Roja Camp 01/10/2018).

“I gave my fingerprints in Germany first. They could send me back to my country at any time, also as I sleep. [...] In other countries, the law is more flexible. In Germany you have to know the language... It’s easier in certain places” (Interview with Ali, from Pakistan, 07/11/2018).

“I came back to Italy to get documents, because in Germany they told me “you have to go back there”. I thought they were going to send me back to my own country, and my friends said “run away!”, so I ran away and came back to Italy” (Interview with Ahmad, from Afghanistan, 21/11/2018).

This is not ‘wrong information’ given by friends and relatives or an optimistic suggestion. Actually, in the EU, empirical evidence clearly shows divergent recognition rates depending on the migrants’ nationalities across different EU Member States (Costello, 2016). These differences influence migrant mobility inside the EU and impact on the rates of expulsion orders<sup>13</sup>. These kinds of movements from Western and Northern to Southern Europe are directly

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<sup>13</sup> Eurostat data clearly shows the differences in the output of the national asylum procedures at the EU level. For instance, the distribution of final decisions on asylum applications by outcome reveals how the rejection rate in Italy is equal to 59.3% well below the European average of 70.3%; Germany is at 64.5%, and France at 75.5%, higher



motivated by the discrepancy between national asylum systems, but are also clear evidence of migrant agency in actively navigating these differences through their mobility.

However, movements from the South to Western and Northern Europe remain the most apparent. In this case, French border controls and the forced transfers of so-called *Dubliners* can help reach the desired outcome of forcing people to stay in Italy. In a struggle between migrants' autonomous mobility and the EU internal border regime, those who come off worst are often the most vulnerable migrants who – either due to physical problems or as a result of problems caused by the EU asylum system itself – are the easiest to control. The person responsible for the Dublin Unit in Italy has no doubt about it:

“For the past couple of years, the only people who are transferred here [to Italy] have been the vulnerable ones, who can't escape [...]. The fit ones [...] they run away immediately, because obviously you can't detain a person just so they can be subject to procedures. And so, *the problem of secondary movements* is precisely this, that you can confine them in one State, but then they change and *the human desire to be somewhere else is difficult to confine*” (Interview with Simona Spinelli, Dublin Unit, Rome, 19/12/2018).

After several pushbacks by the French police or after being transfer back under the Dublin scheme, some migrants decided to complete the asylum procedure in Italy, as recounted by Jimale and Assan:

“I want to register in Italy and ask for asylum. I tried to go to France and I failed, so I changed my mind...” (Interview with Jimale, from Mali, 20/11/2018).

“People come here to Italy not by choice but because they don't have any opportunities. [...] A person in Australia told me to go to Germany, Germany is a good country. So, I thought ‘Ok...I'll go to Germany!’. After being there three years, I have to move [to Italy] again and start again from scratch. So, I'm here for applying for asylum because I can't apply for asylum in any other country” (Interview with Assan, from Pakistan, 07/11/2018).

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than the average value (Eurostat, 2020). Significant differences between the asylum systems of Member States can be noticed also when observing the returns of ‘illegal’ migrants. In 2018, Italy enforced 5,615 returns of third country nationals (equal to the 20.7% of the orders to leave issued) a much smaller number than the 29,055 returns implemented by Germany (equal to the 54.9%) and the 15,445 returns executed by France (equal to the 14.6%) in the same year (Eurostat, 2018; according to the author's calculations).

However, the decision to pursue the asylum process in Italy does not always indicate a clear shift in the overall plan to reach a specific EU country. Some stay in Italy in order to complete the documentation process, but see this as a necessary stage in order to stay in the EU and move to their preferred country later on, after obtaining Italian citizenship and the consequent right to move freely inside the EU (Interview with Hussain, from Pakistan, 07/11/2018).

A close look at secondary movements reveals their complexity in terms of reasons and directions, in accordance with different migrant necessities and tactics. In particular, migrant stories uncover the existence of different kinds of movements, targeted in a unified manner as ‘secondary’ by the EU migration policies, both in terms of motivations and directions. Following previous theoretical suggestions, we can state that migrant movements open ‘spaces of refusal’ every time they try to cross the border without knowing exactly what is imposed by the border regimes. Furthermore, they shape ‘spaces of resistance’ when migrant actions contest the EU system and the French-Italian border management. As has been pointed out, even the resistance strategies vary, interacting in more or less open conflict with the border regime. In this regard, the different ways in which regulations are applied at the territorial level (EU and/or national) lie behind different movement strategies, such as the movement from Western and Northern Europe to the South. Crossing the border without the proper documentation and refusing to enter the Camp for fear of being identified are other ways of circumventing the Dublin Regulation as far as possible. Migrants can also cope with structural constraints by also changing their plans in order to secure their permanence in the EU in some way. Despite the violence of the system and the difficulties encountered, migrant movements open up spaces of struggle and negotiation which constantly challenge the confining power of the state and the EU system which seeks to control their mobility and to spatialize it through containment, dislocation and forced returns.

## **Conclusions**

Based on fieldwork research carried out at the French-Italian border of Ventimiglia, this paper aimed to highlight the tensions between autonomous movements inside the EU and the internal border regime, which forces migrants to stay in (or move to) specific countries,

undermining their autonomy. By adopting a critical migration studies perspective (Kasperek, Hess, 2010), this paper focuses on what EU defines as ‘secondary movements’ to grasp the power relations between political forces and migrants’ mobilities at the border. In particular, this paper responded to the urgency in critical migration studies to explore migrant agency in a more concrete way while navigating border regimes (Nyers, 2015).

First of all, this work presented the concept of ‘secondary movement’ in relation to EU migration governance, underling how it establishes a strict room for allowed movements both of asylum seekers and migrants who are outside the asylum procedure within the EU. This framework goes hand in hand with the concrete enforcement of new border checks at EU internal borders on behalf of some Member States, included France. For this reason, the EU and the national levels of governance were taken into account together because together they shape the border regime in Europe and, of course, in Ventimiglia. Starting from the analysis of the EU system, the paper moved on to explore the implementation of the French-Italian border management in the region of Ventimiglia. The management and containment of ‘secondary movements’ within the EU are currently core political concerns in the Union. Since 2015, the transfers of migrants between different Member States under the Dublin Regulation have been growing. Due to the worsening of the EU border regimes, since 2015 migrants’ journeys *to* and *through* the EU have become more complex and highly fragmented (Ansems de Vries, Carrera and Guild, 2016), but they have not ceased.

Migrants and an exclusionary migration management have constantly reshaped their related actions. For this reason, after analysing how the EU defines the permitted spatial range of migrant mobility, this paper moved to explore the migrants’ reasons for moving across the EU. The ‘bottom-up’ perspective adopted allowed this work to question the very nature of secondary movements as portrayed by the EU migration governance. Migrant stories collected during the fieldwork showed the range of people who gravitate to the French-Italian border and their main actions in dealing with the border regime. From migrants’ perspective, indeed, unauthorized movements appeared highly differentiated. Some of them emerge as ‘primary’; namely, planned mobilities which (unexpectedly or not) have to deal with the French-Italian internal border which blocks their route. Other unauthorized movements occur after a more or less long period in Italy as a way to find a better place to start a new life. In other cases, they are a powerful means to

navigate the asylum and migration systems of the different Member States in order to escape the forced return to origin countries.

Even if motivated by different purposes, the migrants' autonomous movements were presented as one of the most powerful and visible signs of migrant agency required to deal with the EU border regime in different ways. For the vast majority of migrants, Ventimiglia is a 'place of passage' where they have to deal with the systematic and violent nature of the French border controls on the one hand and, on the other, the constant management activity carried out by the Italian authorities. The definition of this border town as a 'place of passage' does not refer solely to the physical passage of the border, but also to the time a person needs to redefine their migratory journey when they are unable to get through the French blockade, or when they don't know exactly where to go or what to do.

By choosing the migrants' perspective, this paper implemented the critical migration debate in different ways. Firstly, it included the under-studied topic of 'secondary movements' – namely unauthorized movements inside the EU – as a productive focus through which to interrogate the conflictual relationship between border governance and the migrants' autonomous movements. Secondly, it provided essential empirical data on migrant mobility and the different reasons for mobility within the current EU internal border regime. Thirdly, it highlighted the role played by migrants in challenging, adapting to and/or using the migration system, while at the same time pointing out the responsibilities of EU migration policies with their high human costs (e.g., casualties, new vulnerabilities). In a political context where migrants are systematically treated as "objects to be governed" (Mainwaring, 2019:27), a small but significant step is to subvert the objectifying logic of the policies, giving centrality to migrant agency while denouncing the violence of the EU migration regime.

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