

Irregular Migration Journeys:  
Women Asylum Seekers in Athens, Greece

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## Preface

Everyone should have the right to a place where they can feel safe; to be able to go somewhere they know their physical and psychological wellbeing will not be threatened. I pursued a degree relating to international development, first, because I realized how lucky I was to be born in Canada and to receive all the privileges that come with it. As I continued in my studies, my interests focused on those who were living in countries where the State was unwilling or unable to provide the safety, I so strongly believe everyone deserves.

With the current refugee crisis reaching unprecedented heights, I watched as people fled in search of safety, often risking their lives to do so. While some of the most vulnerable populations were in need of assistance, nations began to close their borders and leave asylum seekers entirely without any state protection, caught between being unable to go back to their home country and having no way to move forward. I learned of restrictive policies being implemented while simultaneously seeing images of migrants walking thousands of kilometres or piling into boats to cross the Mediterranean. I could not understand how policies were being put in place that would place these people in situations of continued vulnerability. To me, it was about the fact that policies and laws were being implemented taking into account only the views, fears and prejudices of the native populations of the countries refugees were seeking safety in. While I could understand the need to assert state sovereignty, I could not grasp the disregard for humanity that appeared to be the price for it. There was no voice given to those affected by these policies and that is what has driven me to research and write something that I hope uncovers the real human consequences of restrictive immigration and asylum policies.

## **Irregular Migration Journeys: Women Asylum Seekers in Athens, Greece**

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### **Abstract**

My research aims to understand the lived experiences of the contemporary and ongoing migration journeys of women arriving “irregularly” in Greece. By collecting qualitative data through interviews with asylum seekers who have arrived in Greece I could start to develop an understanding of the obstacles in the process of asylum seeking and the impact of the surrounding policies, from the point of view of those who have experienced them. This research focuses on the lived experiences of arrival, asylum claiming, transiting or settling of women in Athens with a focus on the obstacles they experienced and how they responded. My thesis seeks to assess the effects of the multiple and diverse "raising" of European borders on asylum seekers and the effects this has had on women that have fled their home countries, arrived in Athens and become involved with the Melissa Network for Migrant Women.

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## **Chapter One: Introduction**

“no one leaves home unless home is the mouth of a shark.  
you only run for the border when you see the whole city  
running as well” (*Home Warsan Shire, 2015*)

We are at a point in history with a higher number of displaced people than ever before (UNHCR, 2018). As people flee war, destruction, and genocide, they may extend their search for safety within the borders of other countries. However, as people flee, most states respond by closing their borders and refusing entry. Asylum seekers are risking their lives fleeing danger in hopes that safety can be found after a perilous journey, but that journey might not have the desired resolution. This thesis is inspired by the people who have taken that journey but have had their voices go unheard. As policies and laws are implemented which punish people who have done nothing wrong but fight to survive, this research aims to share their stories. Policies and laws are usually put into place considering the interests of a country’s citizens only. The current refugee situation must be viewed from more than a strictly sovereign state standpoint. The humanity of the people that are suffering under these policies also needs to be considered. This is not only a matter of ethics but also a legal matter of abiding by international law and international conventions that states are signatories of. This research aims to give a voice to those that were and continue to be harmed by these policies, people that understand in their flesh and their minds the implications of these decisions.

### ***Research Design***

During the summer of 2017, I met migrant women who found themselves living in Athens, Greece and were part of the non-profit organization, the Melissa Network for Migrant Women. By volunteering with the Melissa Network, I got to know these women, and some chose to share their stories with me via the medium of semi-structured interviews. Drawing on such

embedded ethnographic and participatory research, I believe I am able to bring the perspectives and agency of the migrant women into the academic and policy discussion surrounding the plea for safety coming from international migrants. In undertaking my study, I posed the following research questions: what is the impact of securitization policies and practices on the lived experience of female asylum seekers in Athens, Greece? My goal was to examine whether and how current migration control measures implemented under a securitization framework, impact human rights of asylum seekers and refugees as outlined in the *Universal Declaration of Human Rights* and the *1951 Convention on the Status of Refugees*. There is a shared understanding among scholars that, since the end of the Cold War, we have witnessed an increased securitization of migration and proliferation of migration control measures that have led to perceived and real violation of fundamental human and refugee rights of people seeking asylum in the European Union in general and Greece in particular (Betts, 2014; Betts and Collier, 2017; Bourbeau, 2014; Hammerstad, 2014; Huysmans, 2000; Ibrahim, 2005; Waever, 2011). I draw inspirations about the understanding of the policy environment on asylum seeking in the European Union from this scholarship. Furthermore, drawing on the experiences with migration journeys as shared by my research participants, I paint a picture of the challenges and obstacles faced during the migration process which are leaving asylum seekers highly vulnerable and in continued states of precarity.

### ***Defining Key Terms***

There are four key terms which must be understood in the migrant and refugee discourse. There is a difference between a migrant, an irregular migrant, an asylum seeker, and a refugee. As defined by the United Nations Education, Scientific and Cultural Centre (UNESCO), a migrant is, “any person who lives temporarily or permanently in a country where he or she was not born and has acquired some significant social ties to this country” (UNESCO, website

glossary “Migrant/Migration”). There is a variety of classifications of migrants, depending on the motive for their migration and their legal status in the country they have chosen to live. These classifications include, “temporary labour migrants, highly skilled and business migrants, family reunification migrants and returned migrants” (UNESCO, “Migrant/Migration”). The key factor for someone to be classified as a migrant is that person must have made the choice to leave their country and enter a new one on their own and they have decided when to leave and where to go (UNESCO, “Migrant/Migration”). However, the International Organization for Migration (IOM) defines a migrant as anyone who has moved across an international border away from their habitual residence, no matter the cause for their movement or whether leaving was voluntary or not (International Organization for Migration, 2011). There is a classification difference between an irregular migrant and a migrant. Irregular migration is defined by the IOM as taking place outside of the norms of the sending, transit, and receiving countries. The IOM further explains that while there is no universally accepted definition for irregular migrant, it typically refers to cases involving the smuggling or trafficking of migrants (International Organization of Migration, 2011).

The definitions for asylum seeker and refugee are closely linked. Under the *1951 Convention Relating to the Status of Refugees*, the United Nations High Commissioner for Refugees (UNHCR) has defined a refugee as someone, who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (UNHCR, 1951, p.14). In

order to receive refugee status, a person must leave their own country, arrive in another, and make a claim for asylum. Through a rigorous legal process, it then must be proven that they meet the criteria outlined in the definition above. A key part of this definition is that the individual must be facing persecution on very specific grounds.

The IOM defines an asylum seeker as, “A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments” (IOM, 2011). The UNHCR defines an asylum seeker or refugee claimant as someone who has made the claim for refugee status and is waiting for their request to be processed (UNHCR, “Asylum Seekers”). Asylum seekers do not receive the same protection as refugees until their claim is reviewed and approved (Hynie, 2018, p.266). The two definitions from the UNHCR and the IOM would be conflating the terms asylum seeker and a refugee claimant with the defining factor being where they find themselves in the legal process of refugee claim. This thesis is analyzing the irregular migration journey of asylum seekers, meaning individuals who left their home countries for fear of their safety while facing persecution, away from threatening circumstances, and searched for sanctuary within the borders of another state.

As defined above, in the international legal framework the term asylum seeker applies to someone who has made a claim for refugee status and is in the legal process of determining their status. The term asylum seeker should also refer to someone whose claim was denied or someone who never formally applied or has yet to apply. Using the term asylum seekers differently than refugee claimants would allow for a broader understanding of who is an asylum seeker. Allowing for the definition of an asylum seeker to include those that have not made a claim for refugee status goes beyond the strict definition as outlined in international conventions

and recognizes that people might be fearing for their life for reasons outside the dangers covered by the definition in the *1951 Convention* and the 1967 Protocol. These international conventions were created in the context of post World War II and as the drivers of displacement have now changed, so too should the definitions (Betts, 2015, p.367). The definitions currently being used in these conventions are based on a Westphalian view of states which implies individuals belong to one state. However, the world has grown increasingly transnational and interconnected meaning that people are part of a global economy and the definitions regarding migration and asylum seeking should reflect this (Betts, 2015, p.370). The definitions in these conventions are rooted in international legal frameworks and state sovereignty-based logic which poorly represent the lived realities and experiences of those seeking asylum. Allowing for a broader definition of an asylum seeker would more accurately represent the transition taking place in which forced migration is largely viewed through the lens of human rights law as well, as opposed to only that of the Geneva Convention (Chetail, 2012, p.19). Betts argues for the inclusion of a new term, survival migrants, which would refer to, “people who are outside their country of origin as a result of their country’s inability to ensure their most fundamental human rights. The group includes the institutional category of refugees, but is much broader. It encompasses those fleeing not only civil and political rights violations but also very serious socioeconomic rights deprivations” (Betts, 2015, p.369). The concept of survival migrants expands beyond asylum seekers who are fleeing in search of safety to include those whose governments can not defend their socioeconomic rights. Asylum seeker should refer to anyone that has left their country and entered another in search of safety. This individual may not have made a claim for refugee status in the country they have arrived in. There are several reasons for someone to delay their application or to not submit one in the first safe country they reach, such

as seeking family reunification with relatives in another country. Asylum seeker can also refer to people that are fleeing to survive but are not facing persecution. For example, they might be fleeing famine or environmental disaster. The definition of asylum seeker as used in international conventions is outdated and does not accurately reflect the current context in which people are searching for asylum within the borders of other countries. Throughout my thesis, when I use the term asylum seeker, I am referring to individuals that have fled their home country and entered another, fearing for their safety even when they have not made a claim for refugee status.

### ***Thesis Structure***

My thesis is organized as follows: The second chapter will provide a critical literature review of the precarity refugees face throughout the different phases of their journey. When using the phrase migration process or migration journey throughout this research, I am referring to the different phases of the women asylum seekers journey that have led them to the Melissa Network in Athens, Greece. These include leaving their home countries (exit), traveling through neighbouring countries, (transit), seeking refugee status, and settling in Athens, (arrival) and possibly onward journeys to other EU countries for reasons of family reunification. Literature relating to the role gender plays and gender-based violence that is faced throughout the migration journey will also be analyzed. The relationship between the precarity refugee women face and the gender-based violence they experience will be explored. This chapter further provides an overview of securitization, its development, and an analysis of its implementation in current migration policies. Chapter three provides an overview of the current migrant situation in Greece, while chapter four outlines the relevant legal framework in place in the European Union and Greece. This is followed by chapter five in which I explain the methodology of my empirical study. Chapter six is an analysis of the data culled from interviews conducted with the migrant

women attending the Melissa Network in Athens, Greece. Chapter seven provides a discussion of these findings and recommendations on how these findings can inform policy to address the issues facing refugees and asylum seekers.

## **Chapter 2: The Refugee Journey: A Critical Literature Review of Risks and Vulnerabilities**

### ***Precariousness***

The refugee journey can not be viewed as a smooth, linear process. Each phase that a refugee goes through poses different difficulties and creates different vulnerabilities and the experience will be different for every person who undergoes it. From the first step of their migration process which is having to flee their home country, to the dangerous journey of passing through neighbouring countries and potentially relying on the assistance of smugglers as they try to reach a safe country, to trying to prove they deserve refugee status. Each of these phases in the asylum seeking and migration journey leaves people vulnerable and in a state of precarity as they can never be confident about what might happen next.

The concept of precarity first entered the discourse of migration studies in the 1960s when brought forward by Pierre Bourdieu who focused on the precariousness of economic migration. At the time, he was analyzing the divide in Algeria between permanent workers and casual workers. The casual workers he referred to as *précarité* (Waite, 2009, p.414., and Paret and Gleeson, 2016, p.278). The perception of precarity within the discourse of migration was most frequently used when focusing on employment and the labor market, linking precarity to economic insecurity (Paret and Gleeson, 2016, p.278). The concept has since grown in importance for labour and citizenship studies but also plays an important role in understanding migration (Schierup and Jørgensen, 2016, p.948). Ettliger defines precarity as being

synonymous with uncertainty and unpredictability (2007 p.320). Barbier argues that the concept should apply to more than economic uncertainty as, “Uncertainty and contingency are at the heart of the human condition” (2002, p.1). Waite has a definition for precarity which combines the theories from both Ettliger and Barbier to state that, “Precarity, thus, conjures life worlds that are infected with uncertainty and instability” (2009, p.416). The concepts of uncertainty and unpredictability can be understood as being present in the journey of asylum seekers as they leave their lives behind and begin a search for safety in a new country, facing various risks throughout.

Through the journey that refugees undergo, precarity is experienced in numerous ways. While employment and economic insecurity are a part of this, it is one aspect of a much larger issue. As Schierup and Jørgensen argue, “Precarity goes beyond work and working conditions to matters of health, housing, education, culture, social rights, and mobility” (2016, p.954). Neilson and Rossiter contend that precarity is an experience and it does not look one single way, it will be different for every person that undergoes these experiences (2008, p.55). Asylum seekers and refugees experience precarity differently from those living in the country they migrate to, as they face different social circumstances. They experience precarity at a legal level- laws in place that deter them during their journey and upon arrival, as well as laws that complicate their application process. They also face social precarity by trying to create a new life for themselves in a society where they will have to meet and overcome social prejudices, as well as other barriers such as not speaking the local language. Asylum seekers and refugees suffer social vulnerabilities in many aspects of the lives they are trying to create for themselves inside a new country.

Judith Butler (2009) explains that certain populations experience higher levels of precarity when they do not have the proper networks of social and economic support, leaving

them exposed to higher levels of violence, poverty, disease, and starvation, all of which can result in sickness, injury, and even death (p.3). She further argues that higher levels of precarity can be “politically induced” for specific populations when the state does not work to protect them (2009, p.3). She states that precarity is social and political arrangements that befall populations viewed as “ungrievable” or who are forced into conditions of “unlivability” (2016, p.201). She specifically mentions the precarity of,

those who undergo forced emigration and live in liminal zones, waiting for borders to open, food to arrive, and the prospect of living with documentation; (...)and who live in a daily way within a collapsed temporal horizon, suffering a sense of a damaged future in the stomach and in the bones, trying to feel but fearing more what might be felt. Under contemporary conditions of forced emigration and neoliberalism, vast populations now live with no sense of a secure future, no sense of continuing political belonging, living a sense of damaged life as part of the daily experience of neoliberalism (2016, p.201).

Butler’s arguments show the ways in which refugees and migrant populations have been left to suffer in a continued state of uncertainty, without a way to move forward in establishing their lives because of policies and practices which leave them vulnerable. They are left without a future because as refugees and asylum seekers, their lives are as Butler states, “ungrievable.”

The journey that refugees take to reach a new country in search of asylum puts them in situations of high vulnerability, to the point that their lives are at risk. Mbembe discusses the concept of “necropolitics” (Mbembe, 2003 and Schierup and Jørgensen, 2016, p.952). As seen through the high death toll in the Mediterranean during the current refugee crisis, the possibility of death is ever present in the journey for asylum. States not formulating policies which will affectively prevent these deaths is necropolitics; not having the proper measures in place to save and protect the lives of people trying to reach their borders is a decision to let them die instead. They are using the power of state sovereignty to determine who they will allow to live and who they will allow to die (Mbembe, 2003, p.11). The people they are allowing to die are migrants

that could be rescued with proper policies and practices in place. Schierup and Jørgensen expand on the idea of necropolitics in the current migrant crisis, “The termination of the Italian Mare Nostrum program and its replacement in early 2015 by the EU Operation Triton with much less funding led only to an increase in the number of deaths at sea. The European Union has indeed desperately endeavoured to buy absolution for its self-inflicted, so-called ‘refugee crisis’ by pushing back asylum seekers to Turkey which itself is ridden by internal political strife, paying little objection to the conditions of refugees struggling to survive in those Turkish refugee camps” (2016, p.953). Refugees have put their lives at risk to cross the Mediterranean and reach the shores of Greece. During this journey, they are unlikely to receive help from a state or government run body which will make sure they are able to reach the shore and not drown at sea. Sea-based enforcement of borders puts migrants at a greater risk and more likely to use smugglers (Dahlman, 2016, p.17). If they do reach land, they will be subject to the EU-Turkey Migration Deal which will allow for them to be deported back to Turkey disregarding whether the conditions they will be subject to in Turkey are acceptable.

As stated by Paret and Gleeson, “Frequently marked by various forms of exclusion, migrant experiences provide a crucial window into the origins and institutionalization of precarity” (2016, p.277). The experiences of migrants show how precarity has become part of larger institutions and is seen throughout laws and policies. This is strongly reflected when viewing the policies in place to address asylum seekers and refugees. They are kept by states in situations of high vulnerability for years without being given the proper support or knowledge of when they will be able to proceed in creating a new life for themselves. While the discourse of precarity and precariousness originally applied to economic precarity, it is clear that this condition can be seen in all facets of their lives including health, housing, education, culture,

social rights, and mobility (Schierup and Jørgensen, 2016, p.954). Some of the vulnerabilities that they must face are, “combining vulnerability to deportation and state violence, exclusion from public services and basic state protections, insecure employment and exploitation at work, insecure livelihood, and everyday discrimination or isolation” (Paret and Gleeson, 2016, p.281).

The interviews conducted as part of this research study with the women attending the activities of the Melissa Network in Athens, made it clear that the concepts of vulnerability and precarity offer great analytical strength to account for and analyze the experiences of the women interviewees. From the shared experiences about the various phases of their migration journey, -- from the reason they left home, the danger they experienced in trying to reach Greece, up to trying to create their new life in Greece,- it becomes clear that a theory of a precarious migration journey is needed to explain their individual and collective experiences. The stories and experiences shared by the research participants provide the voice and first-person perspective to reveal the consequences of state decisions that do not always take into consideration people affected by these policies. This analysis will be further elaborated in chapter six.

### ***Gender and the Refugee Journey***

Due to traditional gender roles, there are different expectations for men and women which results in different social investments. This creates a gender inequality which leaves women more vulnerable as they are disadvantaged by behavioural expectations and considered inferior to men systemically (Robbers, Lazdane, and Sethi, 2016, p.26). Without social investment in a society’s women, the society will experience unequal results in the knowledge, capabilities, and aptitudes of women and men. The current European Union policies addressing asylum seekers and refugees leave individuals in continued states of precarity and vulnerability, but women experience greater levels of vulnerability because of their gender. The type of vulnerability is different for women as their gender leaves them at risk of sexual and gender-

based violence, as well as social exclusion, persecution, and extreme poverty (Women's Commission for Refugee Women and Children, 2010, p.1). This means that gender is going to largely affect the irregular migration journey. The current system in place is based on a model addressing male asylum seekers and leaving women without proper care and protection (Freedman, 2008, p.413.) The *1951 Convention*, which provides rights and protection to refugees, was written based on a model of male rights, typical of the view at the time, and in no way offers protection due to persecution because of sex (Freedman, 2008, p.415). Responses to the refugee crisis, by both states and NGOs, should be sensitive to gender and the way it shapes vulnerability.

The European Institute for Gender Equality defines gender-based violence against women as, "violence that is directed against a woman because she is a woman or that affects women disproportionately" (2015). According to Galtung's framework of violence, violence can be put into three categories: direct, structural, and cultural (Gerard and Pickering, 2013, p.344). Galtung defined direct violence as personal violence including both physical and psychological where there is an actor that commits the act (1969, p. 170,). Structural violence includes, "violence resulting from systemic and structural inequalities that affect people's daily lives, such as racism, sexism and poverty" (Gerard and Pickering, 2013, p.344). Finally, the third characterization is cultural violence. This is crucial to understanding the perpetuation of violence as it is a legitimizing force for direct and structural violence. Criminologists have argued that cultural violence accounts for the number of undocumented migrants that die in border zones (Gerard and Pickering, 2013, p.345). There is a culture in place that allows for both direct and indirect violence to be taken against migrants. This violence is present both directly and structurally throughout the migration journey.

There are structures in place making migration a greater challenge for women. They face social and economic constraints, which affect their migration journey from the beginning, even the ability to leave their home country (Freedman, 2008, p.415). This results in them often not migrating until absolutely necessary. Some of these challenges include such factors as “lack of economic resources, responsibility for children and children’s welfare, restrictions on women travelling alone both within their own country and outside it, and fears of violence during migration” (Freedman, 2016, p.20). A 2016 report by the Commissioner for Human Rights at the Council of Europe included a review of the studies assessing the risks for women and girls on their journey to Greece and onwards in Europe completed by the UNHCR, the United Nations Population Fund (UNFPA), and the Women’s Refugee Commission. These studies found “that women and girls, especially those travelling alone, face particularly high risks of certain forms of violence, including sexual violence by smugglers, criminal groups and individuals in countries along the route” (Commissioner for Human Rights, 2016).

In a 2012 study by Gerard and Pickering based on interviews with Somali refugee women who have travelled through North Africa to reach the southern EU Member State of Malta, the women described the transit of their journey in two ways;

First, they talked of the variability of transit: exposure to violence, conditions of accommodation, incarceration, how long the journey took and how safe it was, were all dependent on numerous factors: primarily, access to financial resources, but also, gender. Second, the women spoke about the danger and violence they had to negotiate at particular transitory junctures throughout the journey (2013, p.344).

This study demonstrates how gender plays a role in the experience of migration. Migrants’ gender may also play a factor in determining available financial resources as it will influence the type of work they do, as well as financial compensation. The women mentioned how at particular junctures during their journey, they felt their gender put them in more danger and at higher risk of violence.

### ***Gender- Based Violence***

The term gender-based violence is used to distinguish common violence from the violence that targets an individual because of their gender (UNHCR, 2003, p.10). Sexual and gender-based violence (SGBV) is defined as “any act as well as threats of acts of physical, sexual and psychological violence that is directed against a person on the basis of her/his gender or sex, and which occurs in the family, the community, or is perpetrated or condoned by the State and/or institutions” (Keygnaert, et al. 2014, p.90). The UNHCR differentiates five types of gender-based violence: sexual, physical, psychological, harmful cultural practices, and socio-economic (p.16-18). Examples of sexual violence includes, “sexual harassment, sexual abuse, attempted or completed rape, sexual exploitation, forced prostitution and the use of sexual violence as a weapon of war or torture and can generate severe sexual, reproductive, physical and mental health consequences and socioeconomic problems in victims regardless of their gender” (Keygnaert and Guieu, 2015, p.45). Refugees, asylum seekers, and undocumented migrants are at risk of sexual and gender-based violence as they are a vulnerable population. In refugee settings, those most at risk are women and girls. Due to gender perspectives and roles during times of peace, women receive less protection and become more susceptible to violence during times of war. This violence varies from forced marriage to sexual abuse, to sexual exploitation and trafficking (Ward and Vann, 2002, p.14)

With the international refugee convention not including persecution due to sex, gender-based violence is not included as a reason to claim asylum. It is up to the national authorities and each specific case to assess if this is a valid enough reason (Freedman, 2008, p.416). This is one way that the *1951 Convention* and treatment of asylum seekers is based on a male perspective. This is in part due to the division between public-private undermining refugee law. For example, what takes place within the family home, such as forced marriage or female genital mutilation,

can be viewed as a private matter and therefore does not fall under the protection of the Convention (Freedman, 2008, p.417).

Rape may not be taken seriously as a reason for a refugee claim, even though it is well documented that sexual violence against women is used extensively in conflict situations (Freedman, 2008, p.418). The knowledge of the violence women face during wartime has become so common that during asylum claims being made in Germany women were refused because, “widespread rape by hostile militia has been dismissed as the common fate of women caught in a war zone and not recognised as persecution” (Ankenbrand, 2002, p.48). As such a high number of asylum seekers experience sexual-assault, they also experience the burden of proof when making their claim and sharing their story. As many women living in war zones have experiences that sound similar, some decision makers doubt the credibility of their stories (Freedman, 2008, p.423).

Women migrating to Europe in search of safety are instead becoming subject to multiple forms of insecurity and violence. Navigating the different phases of the migration journey, including travel, time in refugee camps and reception centres, and settling in a new culture with new societal norms puts women at risk of various forms of sexual and gender-based violence both directly and structurally. Sexual violence against refugees often occurs in combination with physical, emotional, or socio-economic violence (Robbers, Lazdane, and Sethi, 2016, p.26). Human Rights Watch has reported incidents of sexual-based violence in detention in Northern Macedonia (the Former Yugoslav Republic of Macedonia). At detention centres women were encouraged to take part in transactional sex, that is, the women were “promised priority treatment of their cases and faster release if they agreed to sexual relations with the male guards” (Freedman, 2016, p.20). Transactional sex is also requested of women by smugglers to complete

their journey when they do not have sufficient cash to pay for the remainder of their passage (Freedman, 2016, p.21). Amnesty International (2016), interviewed forty women had travelled to Turkey, Greece, and were then living in Northern Europe. All of the women interviewed described feeling unsafe throughout the journey. Many reported, “that in almost all of the countries they passed through they experienced physical abuse and financial exploitation, being groped or pressured to have sex by smugglers, security staff or other refugees” (Amnesty International, January 2016). As laws and policies are implemented that make migrating and seeking asylum in a new country even more difficult, the reliance on smugglers has grown as the journey has become more challenging. This has made women more vulnerable to sexual and gender-based violence at the hands of their smugglers (Freedman, 2016, p23). While women are forced into situations of higher vulnerability, they are not able to turn to police or security forces along their migration route for protection as they might also be perpetrators of this violence (Freedman, 2016, p23). In the 2016 Amnesty International report regarding the risk female migrants face, Tirana Hassan, the Amnesty International Crisis Response Director said,

“Nobody should have to take these dangerous routes in the first place. The best way to avoid abuses and exploitation by smugglers is for European governments to allow safe and legal routes from the outset. For those who have no other choice, it is completely unacceptable that their passage across Europe exposes them to further humiliation, uncertainty, and insecurity.” (p.1).

Policies aimed at deterring migration do not stop people fleeing for their lives from running from danger but simply puts them in a different type of danger on their journey. It also increases their vulnerability as they turn to more extreme measures such as relying on smugglers.

Refugee women are not only subjected to sexual and gender-based violence in areas of conflict and on their journeys but this continues once they arrive in Europe (Robbers, Lazdane, and Sethi, 2016, p.26). While refugee camps and reception centres are recognized as the place for

asylum seekers to go, and where they can be forced to remain, they also leave women highly susceptible to violence (Hyndman, 2004, p.204). The ways in which reception centres and camps are failing to protect the women within them leaves the already vulnerable population of asylum seeking women exposed to further gender-based violence (Freedman, 2016, p.22). Research has shown that vulnerability to sexual-based violence increases when there are inadequate living conditions, overcrowding at reception facilities, and a lack of gender-sensitive practices in the asylum procedures and at reception facilities (Oliveira et al., 2018, p.2). When held in larger reception centres with more people, the risk of sexual violence increases (Robbers, Lazdane, and Sethi, 2016, p.28). Amnesty International (2016) documented that the women felt particularly vulnerable in camps in Greece, Hungary, and Croatia as they were sleeping near hundreds of refugee men. Women are also vulnerable to sexual assault when accessing basic necessities, such as collecting firewood which is needed for cooking or cleaning (Hyndman, 2004, p.198). Women living in camps and detention centres have entered Europe in search of sanctuary but are instead being held in conditions which leave them continually vulnerable and organizations working in these camps are not taking the proper actions to protect them.

Measures need to be taken in order to recognize the sexual and gender-based vulnerability of women throughout the migration journey and within the asylum system, and preventative actions need to be taken. Reception centres and refugee camps can provide basic upgrades to increase safety for women such as, “smaller accommodation centres with lockable rooms and separate sanitary facilities and a gender- balanced staff team, which should be trained in culture and gender sensitivity and violence prevention and response” (Robbers, Lazdane, and Sethi, 2016, p.28). These are small steps that could easily be taken and make a difference in protecting women during the asylum process.

Refugee camps and reception centres are not the only structural systems in place keeping women asylum seekers in highly vulnerable situations. Women may be forced to remain with partners in dangerous situations due to the system in place which privileges the male head of households. In a report by the UNHCR and the Women's Commission for Refugee Women and Children, women share how the system for ration cards forces them to be dependent on the men in their lives, "Refugee women...reported that when documentation and ration cards have been issued, they were most often given to male heads of household. This can make women dependent on men for access to basic goods and services, and the lack of their individual identification increases the potential for exploitation of women" (2001, p. 10). When making their claim for asylum, if married couples must file a joint claim or make their claim together, women may be forced to remain in situations of violence or where they are unsafe if they want to obtain legal documentation to remain in that country (Freedman, 2008, p.421). If the men are issued the documentation and ration cards, women are further vulnerable to exploitation and are less likely to be stable on their own. This reflects cultural violence which continues to disadvantage women with gendered expectations.

As this section shows, throughout all phases of their journey, asylum seekers face gender specific risks, vulnerability, uncertainty, and different types of violence. Women experience higher levels of vulnerability as they become subject to gender-based violence and sexual-based violence. While the migration journey has different stages, reaching Europe does not mean asylum seekers will find a resolution to the obstacles they face on their journey. Refugees are left in continued situations of vulnerability to SGBV and precarity as they are faced by policies that are meant to deter them from entering Europe and portray them as a threat.

### ***Securitization***

While the 1990s saw a shift from inter-state to more intra-state conflict, there was also a change of perception of the victims of these wars (World Bank, 2011, p.53). Asylum seekers fleeing conflict zones and in search of refuge began to be portrayed as a threat in the eyes of the international community (Ibrahim, 2005, p.167). The United Nations Security Council played a large role in this change as they took responsibility in addressing refugees and did so as a matter of international peace and security instead of refugees being addressed as a humanitarian crisis. Starting with Iraq in the early 1990s, the UN Security Council began to link flows of refugees with threats to international peace and security (Ahlborn, 2011, p.1009-1010).

This shift allows for the State to change the object of security threats from the national level to individuals. This creates a human-centred approach which means that individuals, not the State, are the focus of security under operations of the UN Security Council (Betts, 2014, p.64 and Ahlborn, 2011, p.1010). The result is that the idea of security is no longer about the State itself but instead about security at an individual level with asylum seekers and forced migrants being represented as a threat (Betts, 2014, p.65 and Ibrahim, 2005, p.168). The cultural differences between asylum seekers and the population of the states they flee to, are portrayed by the State as being a threat to the (national) way of life. The asylum seekers and refugees are the “other” which means they have different values and are a threat (Ibrahim, 2005, p.165). People fleeing to other states from internal and international conflicts in their own state, were being portrayed as threats to the state sovereignty and territorial integrity of the countries they were seeking access to (Hammerstad, 2014, p.266). The concept of refugees and migrants as a threat was linked to the idea that they would threaten, “the existing way of life” (Ibrahim, 2005, p.166). The practice of viewing refugees as a threat has allowed for the weakening of their protection

standards (Ahlborn, 2011, p.1011). It is through these shifts in perspective in the 1990s that the securitization approach to addressing refugees began on a larger scale.

Securitization is defined as “the process wherein an issue is presented as an existential threat, requiring emergency measures and justifying actions outside the normal bounds of political procedure” (Hammerstad, 2011, p.238). This approach was developed by the Copenhagen school in the 1990s. As determined by the Copenhagen School, the first act of securitization comes through speech; declaring something as a threat establishes the urgency in which it needs to be addressed. If a government wishes to portray migrants and refugees as threat, combining speech acts and a strategy for risk management creates the possibility to impose policies under the guise of keeping their citizens safe from the incoming asylum seekers (Hammerstad, 2014, p.267). This practice would be context specific to each country’s government and the policies it chooses to implement as a response to migrants and refugees.

As argued by Huysmans (2000), the growth of the securitization framework in Europe is largely a result of the political and social dynamics that portray migrants as a threat to public order, cultural identity, and domestic and labour market stability (Huysmans, 2000, p.752). However, as people from the Member States of the European Union are free to migrate between countries, this reflects state policies that truly prioritize cultural homogeneity over market stability (Huysmans, 2000, p.753). Hammerstad further argues that with the end of the Cold War security was no longer only about weapons but grew to include economic, environmental, and identity security concerns, and refugees and migrants were portrayed as the biggest threat to all of these (Hammerstad, 2014, p.266).

As migration becomes constructed as a security problem, according to some writers, security solutions are presented as the most viable resolution (Gerard and Pickering, 2013,

p.339). Refugees are no longer portrayed as a simple political matter, but they have become part of emergency politics meaning that extreme measures can be taken in addressing this problem. These extreme measures can extend as far as removing the rights of those that are portrayed as the potential threat (Hammerstad, 2014, p.268). If a government portrays migrants as a threat, it distances the people from the violence they have experienced and the reasons they are fleeing their own country (Ibrahim. 2005, p.169).

When States signed onto the Geneva Refugee Convention in the 1950s, the composition of the world's refugee population was different than it is now. Asylum seekers were largely coming from Europe after World War II, which meant that they were coming from a developed region that most likely shared similar cultures and beliefs to the states they were migrating to. At the end of the Cold War and throughout the beginning of the 1990s, there was an increase in the number of individuals seeking refugee status coming from developing nations. Between 1985 and 1995, countries in the Western World received over five million applications for asylum (Schoenholtz, 2015, p.87). With a larger flow of asylum seekers, states began to look for ways to restrict territorial access, resulting in increased migration and border controls.

Using securitization, political actors are able to create a threat that will elicit a specific response (McDonald, 2011, p.283). Furthermore, security is a social construct; what security means can change with each individual, society, or country. What someone considers to be security is going to be subjective to the life they have, which means what constitutes a security threat is not objectively given (McDonald, 2008, p.564). Government leaders can use speech acts to create hostility towards asylum seekers that the population would normally accept or not even notice. They are then able to take use public hostility in order to justify restriction put on migrants and asylum seekers (Hansen, 2014, p.261). This means that while securitization might

start and be enacted at a political level, it opens the realm of possibility to justifiable actions for securitizing agents.

As argued by Waever, under the securitization model applied to the field of migration, states are capable of focusing their security practices on one existential threat, in this instance it is migrants, allowing for the use of extreme measures that would otherwise not be tolerated (Waever, 2011, p.469). While ostensibly still operating under the *1951 Convention on the Status of Refugees*, the securitization model has resulted in Western States putting new laws and procedures in place that make migration more challenging. Some examples of these restrictions are, “pre-clearance and preinspection programs abroad, new visa requirements on nationals from countries that “produce” refugees, detaining arriving asylum seekers, fast-track asylum procedures aimed at ‘manifestly unfounded’ claims, filing deadlines and denial of claims where the claimant had passed through a safe third-country or where there were internal flight alternatives” (Schoenholtz, 2015, p.87). The effect of securitization on the laws and policies addressing migration in the European Union and Greece will be further discussed in chapter 4.

### **Chapter 3: The Migrant Crisis**

#### ***Asylum seekers in the Eastern Mediterranean Migration Route***

In 2014, the number of displaced people reached 59.5 million, the largest since World War II (Jones, 2016, p.19). As of June 2018, the number of people forcibly displaced had risen to 68.5 million (UNHCR, June 2018). Of this figure, 28.5 million have left their home and sought safety outside their own country’s borders, becoming asylum seekers and refugees (UNHCR, June 2018). There are three routes used for sea migration to the Mediterranean: the Eastern route consists of the Greek Islands; the Central route leads towards Italy and Lampedusa, and the Western route leads to Spain (UNHCR, “Mediterranean Situation”, 2019). In 2015, over one million people crossed the Mediterranean to reach Europe through the Eastern Mediterranean

route. Of this shockingly large number for 2015, almost 4000 more people lost their lives in the journey when they drowned (UNHCR, 2019). Represented in the following chart are the number of migrations using the Eastern Mediterranean route throughout the previous five years as recorded by the UNCHR:

<b>Previous Years</b>	<b>Arrivals</b>	<b>Dead and Missing</b>
2018	141,472	2,277
2017	185,139	3,139
2016	373,652	5,096
2015	1,032,408	3,771
2014	225,455	3,538

(“Mediterranean Situation”, 2019).

As of June 2019, the UNHCR reported 30,120 people crossing the Mediterranean to arrive in Europe and approximately 539 people dead or missing. Of the over 30,000 people to cross the Mediterranean, 15,670 people arrived in Greece (“Mediterranean Situation”, 2019).

In relation to the Syrian refugee crisis, the importance of Greece in global migration flows became apparent in 2015 when 856,723 asylum seekers arrived on the shores of Greece looking to claim asylum in the European Union (UNHCR, 2018). In September of 2015, international attention to this crisis was awakened by the shocking image of Aylan Kurdi, the three-year-old Syrian boy, whose body was found lying face-down on a Turkish shore (Jones, 2016, p.19). This image created a sense of global connectedness regarding the migrant crisis, meaning that even though it may have been happening at a geographical distance to people from a different culture, religion, or language, citizens around the world were shocked and began to care about the response (Butler, 2012, p.138). The image of Aylan Kurdi shocked the world and

may have sparked a discussion about the crisis in the Mediterranean and the refugee response in Europe, with financial contributions to non-profits spiking immediately with the spread of the photo and the story and then again declining shortly after; nevertheless, policies harmful to asylum seekers continued to be implemented (Cole, 2017). Gaining international attention, the world began to call a global refugee crisis but what was truly being experienced by 2014/2015 was a crisis of European refugee policy. The refugee crisis had begun long before the tragic loss of Aylan Kurdi and the many other asylum seekers who lost their lives in the Mediterranean but with mass movements now taking place with Europe as the intended destination (instead of neighbouring countries), asylum seekers became a crisis of politics (Betts and Collier, 2017, p.2).

As of August 12, 2018, 17, 030 asylum seekers had arrived in Greece by sea for the year (UNHCR, August 2018a). This number reflects the decrease in migrants crossing the Mediterranean that has been occurring over the past two years with 2017 having 29,718 sea arrivals to Greek shores while 2016 had 173,550 (UNHCR, August 2018a). With such large numbers of asylum seekers arriving in Greece and the world watching the way the European Union was handling the crisis, a spotlight was put on Greece's response and treatment of this vulnerable population.

### ***Asylum Seekers: Greece as a Receiving Society***

The increase in violence and war in countries such as Afghanistan, Iraq, and Syria has led to a refugee crisis that few if any countries were prepared to handle. Nations bordering these States took in a large number of people but over time asylum seekers moved further (Lamb, 2016, p.67-68). Countries next to or near a fragile state taking in asylum seekers are known as "haven countries". These haven countries are not necessarily the country migrants would choose to migrate to. Haven countries are the closest ones, often sharing a border, to countries which

people are fleeing from (Betts & Collier, 2017, p.30). For example, in the case of the Syrian conflict, “haven countries” were Lebanon, Jordan and Turkey. However, “haven countries” with the largest number of refugees might not be equipped to handle such a large influx of people who have left everything behind and are in dire need of support for basic survival. Facing a shortage in the provision of basic necessities, people may continue on their perilous journey in search of sanctuary, risking everything on their journey.

Over the last twenty years Greece has experienced an unprecedented level of immigration, becoming one of the largest migrant recipient countries in the European Union (Swartz & Karakatsanis, 2013, p.98). The Greek island of Lesbos is situated only 4.1 miles from the Turkish coast, and it became one of the first spots that migrants from the Middle East or sub-Saharan Africa would aim for when departing from Turkey by boat (Hammerstad, 2014, p.269). Before the Arab Spring, countries that had a coastline along the Mediterranean, such as Egypt, Tunisia, and Libya were under the control of dictators, who closely policed their borders. However, during and after the Arab Spring these regimes were toppled. This meant that the Arab Spring not only provided a reason for people to flee, but also a way to do it. While the countries along the coast were trying to rebuild a new system of government, control of the coast was lost, opening it up to smugglers (Betts & Collier, 2017, p.67). With the escalation of the civil war in Syria accompanied by people fleeing for safety, smugglers seized the opportunity to cash in by taking people from Turkey to various Greek islands and touting to refugees access to the European Union (Betts & Collier, 2017, p.81).

Between June and August of 2015, 75,773 people arrived on Lesbos. The islands of Chios and Samos received 20,485 and 19,330 respectively. Considering that the population of Lesbos is approximately 86,400 people, it is clear that for a few months, the number of asylum

seekers reached almost the number of the population of the island (Afouxenidis, Petrou, Kandyliis, Tramountanis & Giannaki, 2017, p. 26).

### ***Camps and Reception Centres***

In May 2016, there were approximately fifty informal and organized host settlements for refugees spread in different areas of Greece (UNHCR, May 2016). While these settlements are officially categorized as reception centres and temporary settlements for asylum seekers to register and wait in while their applications are to be processed, they are referred to as camps by both the people living in them, international organizations such as the UNHCR and the International Rescue Committee, and media outlets including National Public Radio (International Rescue Committee, 2019 and Kelly, 2018). As of June 2018, there are thirty-four official reception facilities in Greece. Twenty seven are located on the mainland and seven are located on islands in the Aegean Sea facing the Turkish coast. Twenty-eight of these are open reception facilities, meaning they are meant for the temporary reception of asylum seekers and they have not been officially established under law 4376/2016, which establishes under Greek legislation the operation of Asylum Services, the Appeals Authority and the General Secretariat for Reception (National Legislative Bodies/ National Authorities, 2016).

The other six are reception and identification centres established under the Ministry of Migration. Operating as a reception and identification centre means they allow for the application of identification procedures to take place at the centre and not at a separate location. One of these reception centres is on the mainland, located at the border of Evros River with Turkey. The other five are located on islands with one each on Lesbos, Chios, Samos, Kos, and Leros. All six of these centres operate in accordance with law 4376/2016 according to which new arrivals are restricted to staying at these centres for a maximum of twenty-five days. However, after the EU-Turkey Migration Deal of March 2016 migrants in the centres on the islands can be hosted

beyond these twenty-five days until their asylum procedures are finalized. The reception centre at Evros is the only one that operates with registration up to twenty-five days (UNHCR, June 2018b, p.2).

The maximum official reception capacity on the five main islands receiving asylum seekers and migrants is 8,375. However as of January 2017, there were 14, 336 migrants living in reception centres on the islands (Human Rights Watch, 2017). Under the current systems used to address the migrant crisis, some people have been forced to remain on the island of first arrival for over 10 months (Human Rights Watch, 2017). This has left refugees in a state of precarity, for a long period, unable to establish a life for themselves and dependent on humanitarian aid for the basic necessities of survival. As of June, 2018, there are 16, 141 people recorded living in reception centres on the mainland and 12, 881 living in centres on the islands. The reception centre with the highest population on the mainland is Scaramagas Port which has just over 2,500 people. The centre with the highest population on the islands is Moria camp on Lesbos with 6,000 people (UNHCR, June2018b, p.2).

The UNHCR provides a site profile for each of the reception centres. When looking at the profile for Moria, the camp with the most people on the island of Lesbos, it is marked as having environmental hazards being prone to flooding and prone to fires. NGOs are relied upon for the provision of meals. There are 160 toilets for 6000 people and there are not enough toilets or showers in a designated area for women. Moria is reported to have an inefficient sewage system. There are only 128 showers, there are no laundry facilities, and there is inadequate hot water. There is access to medical assistance and education, but there are no safe spaces for recreation. There is also tension between different refugee communities (UNHCR,

June 2018, p.43). This is also a camp where people are forced to wait and live in the conditions for an extended period of time, without any knowledge of when or if they will get to leave.

In interviews with National Public Radio (NPR) conducted on the island of Lesbos in February and March of 2018, interviewees described conditions in the overpopulated camp that was designed to hold 2000 people but currently held 6000: bathrooms that are overflowing with human waste, tents made of salvaged wood and tarp, women forced to share tents with unrelated men, women fearful to walk around alone, sleeping on concrete on the ground, and a feeling of being prisoners which has led to hostility and fighting (Kelly, February 2018 and Kakissis, March 2018). With refugees across Greece being unable to proceed to another European country with the closure of the Macedonia border, they are forced to remain in settlements and living quarters offered within Greece. Sites located on the mainland are also not suitable for long-term living. Refugee claimants living in these conditions have made the request for, “a disinfection of the site, where insects and rats are said to be rife; better food and medical services; and a gradual relocation to proper homes rather than tents in disused military barracks and other makeshift quarters” (Kitsantonis, 2017). The UNHCR, Amnesty International and various aid groups have condemned Greece for the conditions in the reception centres. While the living conditions are horrendous for everyone, women experience increased vulnerability as they are subjected to gender-based violence and sexual-based violence.

The EU, UNHCR, aid groups, and the Greek government have been accused of failing to use €90 million worth of EU funding to “winterize” the camps before the first winter storms. On January 13, 2017 the UNHCR issued a call to increase the speed at which people from the islands were being processed and transferred to the mainland (Human Rights Watch, 2017). In February of 2017, the European Union approved €3.9 million in emergency funds to Greece to address the

poor conditions within the refugee camps (Kitsantonis, 2017). This announcement came shortly after three people froze to death in a camp on Lesbos (Kitsantonis, 2017). In April of 2018, the European Commission announced that they would be giving €180 million to Greece for aid projects. This includes an increase in funds for the “Emergency Support to Integration and Accommodation” program which was created to provide cash assistance to refugees and help in getting them out of camps and into proper accommodation (European Commission, 2018). Overall, the European Commission has made available to Greece over €1.5 billion in support in the humanitarian crisis to help manage the large influx of migrants and provide assistance with monitoring the common external borders (European Commission, 2018).

While financial assistance is being made available, the management and responsibility for asylum seekers and refugees falls to Greece. It should be questioned whether the amount of financial support given, and only providing financial support, is enough from other countries within the EU when addressing the migrant crisis. In the next chapter, I will focus on rights as outlined in the *Universal Declaration of Human Rights* and the *1951 Convention on the Status of Refugees*, which are key in understanding the context of the current migrant crisis

## **Chapter 4: The Legal and Political Context of the Migrant Crisis** ***United Nations Conventions, Protocols, and Policies on Refugees***

The *Universal Declaration of Human Rights* (UNDHR) was adopted by the United Nations General Assembly in December of 1948. The creation of this document was motivated by the previous World Wars and it sets out to articulate the fundamental human rights which are to be universally protected (United Nations General Assembly, 1948). It contains 30 Articles, relating to various rights which are to be protected for all individuals. It is to provide a framework for each signatory state to create their own legislation which adheres to the Declaration. Article 14 is key in understanding the rights of refugees and asylum seekers as it

states: “(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution” (United Nations General assembly, 1948). As asylum seekers are fleeing their home countries which are unable to provide them this safety and as they strive to escape persecution, the UDHR outlines that they have the right to look for that safety within the borders of other states.

Article 5 of the UDHR states, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” (United Nations General Assembly, 1948). The conditions that asylum seekers are being forced to live in are inhumane. There have been media reports speculating that the conditions are kept horrendous to be used as a deterrent in keeping further asylum seekers from arriving on the shores of Greece, almost to imply that life in a refugee camp is the punishment for seeking sanctuary (Witte, 2018 and Kakissis, 2018). An NPR report on the conditions of the camp described the Greek islands holding migrants as, “squalid dumping grounds for asylum seekers” (Kakissis, 2018). Being forced to remain on the islands and in the camps, living in such conditions, is a form of cruel and inhuman punishment.

The *1951 Convention Relating to the Status of Refugees* was ratified in 1951 and is signed by 145 countries. It is the key document regulating the work of the UNHCR. According to this document, the signatory states are to work with the UNHCR to ensure that the rights provided to refugees, as outlined in this document, are followed (UNHCR, “The 1951 Refugee Convention”). While the Convention draws the rights of refugees, it does not protect asylum seekers. They must make their claim for refugee status, go through the legal process, and only after a positive result do they receive protection. This means that if a person enters another country in search of safety, they are not automatically afforded these rights. While their application is being processed and they are waiting, asylum seekers are in a grey zone without

protection as they are left stateless. The process of determining refugee status can be drawn to extreme lengths, particularly when there is a large number of applications in a short period of time, leaving asylum seekers continually vulnerable.

The 1951 Convention is based on Article 14 of the *Universal Declaration of Human Rights* as it further defines what the rights of refugees are and what protocols should be in place to address refugee populations (UNHCR, 2011, p.2). It contains a total of 46 Articles meant to codify the rights of refugees at the international level. Signing this convention is not legally binding, meaning there are no repercussions if it is not followed and no legal actions can be taken if a country violates it. It is the responsibility of signatory states to create legislation which provides detail on its exact application. Article 18 of the *Charter of Fundamental Rights of the European Union* makes explicit reference to the duty to comply with the *1951 Geneva Refugee Convention* and the *1967 Protocol Relating to the Status of Refugees* (Arvaniti, 2018, p.19). While under state sovereignty countries have the right to decide who enters and remains within their borders, the *1951 Convention* supersedes this prerogative. All signatories of the Convention have the obligation to grant protection to asylum seekers who fear persecution in their home country (Arvaniti, 2018, p.9). This section will further examine key articles, relating to the current migration crisis in Europe and more specifically, to Greece.

Article 31 addresses the issue of asylum seekers being unlawfully in the country of refuge. It recognizes that in fleeing for their lives, asylum seekers may enter a country illegally and they should not be punished for doing so. It states:

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country. (1951).

Forcing refugees to continue to live in deplorable, and unsafe conditions on the islands on which they landed, should be interpreted as being held in detention. Their movements are restricted, and they are left in highly vulnerable situations. By arriving on a boat that has crossed the Mediterranean, these refugees are judged by the way they tried to seek safety and are vilified when they must spend extended periods in unsafe reception centers (Hammerstad, 2014, p.269). However, Article 4 recognizes that asylum seekers in fleeing for their lives may have illegally crossed the border into the country where they are seeking sanctuary. While the large number of asylum seekers entering Greece at one time can cause a backlog in the processing of applications, forcing the asylum seekers to continue to live in the horrendous conditions of the reception centres, without the right to leave, should be viewed as holding them in detention. Without the proper resources to process asylum applications in a timely manner, asylum seekers are being held in camps for extended periods of time while they wait for their applications to be processed. This wait means that asylum seekers in the camp are left in situations of continued precarity and vulnerability.

Article 33 is a core principle of the UNHCR. It addresses the issue of returning an asylum seeker to another territory, or “refoulement.” Article 33, the issue of non-refoulement is now considered customary international law (UNHRC, “1951 Refugee Convention). It reads,

1. No Contracting State shall expel or return (“refoul”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country (1951).

This Convention is one of few legal limitations that is applied to a state's sovereignty (Hansen, 2014, p.254). Regarding section 2 of the Article, it is important to note that the person must have been convicted of a particularly serious crime to be considered a danger to the country. While Article 31 makes it clear that unlawfully entering another country to lodge an asylum claim should not be punished, the securitization framework for addressing migrants and refugees is founded on the principles of portraying asylum seekers, refugees, and migrants as a danger.

### ***The UNHCR***

The United Nations High Commissioner for Refugees was established in 1950 to address the refugee crisis occurring in Europe after World War II. It was to be a temporary organization, only meant to exist for three years to assist Europeans that had fled their country during the war and then it was to be disbanded ("History of the UNHCR"). This means that when it was first established, the UNHCR was meant to provide assistance to people who were coming from developed, albeit war-ravaged countries. Since its original establishment, the work of the UNHCR has expanded to geographical locations around the world and operates with global policies (Loescher, 2014, p.215).

The main document governing the work of the UNHCR is the United Nations *1951 Convention Relating to the Status of Refugees*. This document defines who qualifies as a refugee and what their rights are (United Nations General Assembly, 1951). Today, the UNHCR operates in 128 countries. Their main objective is to ensure the 1951 Convention is enforced through working with and supporting governments (UNHCR, "Where We Work"). In Greece, it is the responsibility of the government to process asylum claims, the UNHCR is there to focus on

providing protection to the rights of the individuals making those claims (“About UNHCR in Greece”).

The UNHCR operates with the two main mandates of providing protection to refugees and ensuring access to long term resolution to their displacement (Loescher, 2014, p.216). They use three approaches to address the displacement faced by refugees, “local integration, resettlement, and voluntary repatriation” (UNHCR, “Solutions” and Jacobsen, 1996, p.658). These solutions are not easily achieved and cannot operate in a manner that produces quick results when dealing with a crisis that results in a large flow of refugees at one time.

Voluntary repatriation means that the refugee can return home and this process is viewed by the UNHCR as the most desirable option. It is also complicated and requires commitment from the home country, as well as support from the international community in the post-conflict phase (UNHCR, “Voluntary Repatriation). This solution is contingent on resolving the conflict that caused the displacement (Mabwe, 1995, p.101). In a situation such as the current conflict in Syria, it is still unknown when peace will prevail and if it will be safe for people to return.

There are two other solutions offered by the UNHCR. Local integration is defined as, “a complex and gradual process with legal, economic, social and cultural dimensions. It imposes considerable demands on both the individual applicant and the receiving society. In many cases, acquiring the nationality of the country of asylum is the culmination of this process” (UNHCR, “Local Integration”). Local integration is referring to refugees becoming integrated into the country where they made their claim for asylum. Integration is a complicated process which requires more than simply giving individuals the right to remain legally in the country. As outlined in the above definition, there needs to be assistance with creating a life in a new country including satisfying social and cultural expectations. However, this can place an unfair burden on

countries closest to those which people are fleeing from as they will receive large populations crossing their borders. As represented by the substantial number of asylum seekers that arrived on the Greek shores in 2015, integrating a large inflow of people in a short period of time poses difficulties for the host country. If voluntary repatriation is not possible, the countries where the asylum claim is made may hope that refugees will be able to avail themselves of the third solution, which is resettlement, and that other states will open their doors to accept them.

Resettlement, the third option, is an extremely complicated process involving third countries. The UNHCR describes the process as, “The transfer of refugees from an asylum country to another State that has agreed to admit them and ultimately grant them permanent settlement” (“Resettlement”). It is mandated by the UN General Assembly that resettlement be one of the three durable solutions. It is unique in that it is the only solution which involves relocating refugees from their asylum country to a willing third country (UNHCR, “Resettlement”). However, this solution is also complicated to enforce, as third countries must be willing to accept refugees and assist with the resettlement process. Countries that have signed the 1951 Convention must allow those that enter their border to make an asylum claim which needs to be processed fairly under international law. However, if an asylum seeker has entered another country first and launched an application for refugee status and the UNHCR is then seeking to relocate them, it is the third country’s decision whether to accept them for resettlement. This reflects the principle of sharing responsibility among countries that receive the largest number of refugees and the countries that are approached to take part in resettlement. This solution is not very common. Of the 14.4 million refugees around the world that were of concern to the UNHCR in 2016, less than one per cent were submitted for resettlement (UNHCR, “Resettlement”).

To address the refugee crisis currently happening in Europe, in 2016 the UNHCR launched the *Regional Refugee and Migrant Response Plan* (RMRP). Recognizing that Greece is unable to meet the needs of asylum seekers within her borders and that the hopes of many to continue the move on to another European country are unlikely to be fulfilled in the near future, a plan was needed to address the high number of arrivals in Greece. Involving 60 partners, this document aims to provide a framework that will allow the needs of irregular migrants, asylum seekers, and refugees to be met (2016, p. 11). Focus was placed on, “ensuring consistent border and protection monitoring, especially in light of the increase in clandestine movements; strengthening existing national protection and response mechanisms; and promoting access to fair and efficient status determination procedures, relevant services and assistance” (p.11). The plan was modified in May 2016 to address the new and changing legal policies (p.12). These policies and their effect on the asylum-seeking population, will be further discussed in the following sections.

### ***EU Regulatory Policies***

Prior to the establishment of the Common European Asylum System, many EU Member States had developed national asylum systems to ensure the implementation of *the 1951 Convention Relating to the Status of Refugees* (Tsirogianni, 2018, p.8). However, as the EU has countries that have open borders with each other, it is important that migration and asylum policies are viewed and implemented in the same way across all states. This has led to EU States creating the Common European Asylum System (CEAS) which works in accordance with the 1951 Convention (Tsirogianni, 2018, p.8). Under the Common European Asylum System, asylum is to be granted to those fleeing persecution that are in need of safety in another country, as is the obligation of European countries under international law (European Commission, 2019a). The CEAS is to align states policies regarding procedure directives, reception conditions,

qualifications for asylum, and EURODAC regulations which pertain to law enforcement accessing the EU database of fingerprints of asylum seekers (European Commission, 2019a).

The CEAS established a refugee protection system across all EU states, even those that had previously not participated in supporting refugees. It was established in order to, “reform a fairer, more efficient and more sustainable system for allocating asylum applications among Member States” (Arvaniti, 2018, p.6). The CEAS was created to create an asylum system that would be the same throughout all European Union states. The European Asylum Support Office was created to ensure the asylum procedures would be implemented fairly across the European Union. This office is to implement the asylum framework outlined in the CEAS and work to ensure there is cooperation among the States. By having one framework and one agency addressing refugee protection, the objective is a more efficient system in addressing asylum applications (Arvaniti, 2018, p.7).

The first four measures of the CEAS were adopted in 2003. These measures are; establish the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national, this include the Dublin Regulations; laying down minimum standards for the reception of asylum seekers; the right to family reunification; and concerning the status of third-country nationals who are Long-term Residents. (Plender, 2008, p.302). In 2004, following the Hague Program, the CEAS created an additional two directives which were to be implemented by 2010 (Plender, 2008, p.303). The additional two measures were to address the minimum standards for a third country national to apply for refugee status, and to address the minimum standards on procedures for withdrawing and granting refugee status (Plender, 2008, p. 303). The main problem with the CEAS policies were their lack of specific policy directions, meaning it was unclear to EU states

what their decision-making power was (Arvaniti, 2018, p.8). As the CEAS and Dublin Regulations determine that is the responsibility of the first country of entry for processing asylum seekers, the migrant crisis in Europe exacerbated distributional conflicts among Member States and led to an almost collapse of the Greek asylum system (Lavenex, 2018, p.1197) Greece having to handle a sudden mass influx of asylum seekers means they were also not able to meet the minimum standards for asylum seekers as outlined by the CEAS and asylum seekers are kept in deplorable and inhumane conditions (Kitsantonis, 2017, Kelly, February 2018, Kakissis, March 2018, and Human Rights Watch, 2017).

In 2007, the *Green Paper on the Future Common European Asylum System* noted the weaknesses of the CEAS and identified the actions needed to be taken throughout the EU in the second phase in order to strengthen the CEAS. The response was the European Commissions *Policy Plan on Asylum* presented in June 2008 (European Commission, 2019a). This plan evaluated the previous directives of the CEAS and the effectiveness of their results (European Commission, 2007, p.3). The plan proposed three pillars to strengthen the foundation of the development of the CEAS. They are, “further aligning the EU States' asylum legislation; effective and well-supported practical cooperation; increased solidarity and sense of responsibility among EU States, and between the EU and non-EU countries” (European Commission, 2019a). These objectives are meant to fill the gaps in the current asylum procedures and create a coordination of the asylum procedures throughout EU States (European Commission, 2007, p.3). As States with external borders that are easy to access on common migration routes, such as Greece, are being left to handle the drastic increase in asylum seekers under the current migrant crisis, it needs to be questioned whether the development addressing increased solidarity and responsibility is being equally adopted by all EU States.

In December of 2009, the Lisbon Treaty came into effect. It contained Article 78 of the *Treaty on the Functioning of the European Union* (TFEU). This Treaty provided the legal basis for the development of the second phase of the CEAS. Article 78(1) provides, “the legal basis for an EU common policy on asylum, subsidiary protection and temporary protection which must be in accordance with the 1951 Geneva Convention and other relevant treaties” (Tsirogianni, 2018, p.9). The second phase of the CEAS was effective as of 2013 and the changes were as follows: Asylum Procedures Directive aims to provide fairer and quicker decisions for asylum applications. It also provides greater protection to those with disabilities, unaccompanied minors, and victims of torture. The Reception Conditions Directive is meant to ensure humane reception conditions and that detention is only used as a last resort. As seen through reports of conditions in the reception centers in Greece, by organizations such as NPR, Amnesty International and Human Rights Watch, as well as the stories shared by interviewees, Greece has failed at applying these directives. Asylum seekers are forced to wait for extended periods of time while living in deplorable conditions. The Qualification Directive clarifies who qualifies for protection. The Commission Regulation establishes the criteria for which Member State of the EU is responsible for handling the asylum claim. The EURODAC Regulation allows for law enforcement agents, throughout the EU, to access the database of asylum seekers fingerprints. The second phase also led to the creation of the Temporary Protection Directive and modified the Dublin Convention, both of which will be analyzed further (Tsirogianni, 2018, p.12).

In 2001, the EU drafted the Directive on Temporary Protection, as a response to the displaced people from Kosovo. However, this Directive has not yet been triggered (European Commission, 2019b). The EU defines temporary protection as, “an exceptional measure to provide displaced persons from non-EU countries and unable to return to their country of origin,

with immediate and temporary protection. It applies in particular when there is a risk that the standard asylum system is struggling to cope with demand stemming from a mass influx that risks having a negative impact on the processing of claims” (European Commission, 2019b). The Directive also addresses burden sharing, ensuring that addressing the large number of asylum applications does not fall to one country (European Commission, 2019b). A study of the Directive was commissioned with the findings released in 2016 (European Commission, 2019b). Despite the current migration crisis, the *Temporary Protection Directive* has never been implemented. The conditions of the reception centres in Greece, as well as the extended application processing time violate these two directives and demonstrates that these Directives have not been applied in Greece (or elsewhere) to address these problems.

The European Union integrated their migration policies into their security framework after removing internal border control with the Schengen Agreement (Huysmans, 2000, p.770). With the removal of the internal border control that occurred under the Schengen Agreement, external border control became more critical. To prevent free movement throughout the Schengen countries by anyone who was able to access them, external border control had to be drastically strengthened (Schengen Visa Info, 2017). In the context of migration as a security threat, the EU’s approach to migrants became a policy of closed borders instead one of concern for human rights (Afouxenidis, et. al., 2017, p.17).

It was understood that scrutiny-free movement internally of the Schengen Area would only be a viable option if there was a strong external border of those countries that provided access to the area. However, there were no common immigration standards set for all countries involved, immigration policies varied state to state (Betts and Collier, 2017, p.63). When the Schengen countries recognized that states with borders that are easier to access, such as Italy and

Greece, provided access to the rest of the Schengen countries, in 1997 they ratified the first version of the Dublin Regulation. This Regulation stated that the country the asylum seeker first lands in, is the country that is responsible for handling their case (Official Journal of the European Communities, 1997). This was to prevent asylum seekers for applying for status in multiple countries, as well to prevent European States from putting the responsibility of accepting asylum seekers on to other states (Tsirorgianni, 2018, p.8). The Dublin Regulation is a cornerstone of the CEAS (Arvaniti, 2018, p.10). As the process of asylum seekers making their application in the first country they enter put an unfair burden on states that are closest to a potential large inflow of migrants, and in practice removes any responsibility from interior states, the European Refugee Fund was created to help with the financial strain. However, as the Schengen Agreement had removed internal borders and each state had its own immigration policy, the Dublin Regulation became difficult to enforce. There were many issues experienced under the Dublin Convention regarding countries implementing the policies differently and the laws lacking clarity, causing the European Commission to recognize how ineffective it was in addressing asylum seekers. This led to the amendment of the agreement: a new version called Dublin II Regulation (Refugee Council, 2002).

The next regulation came into effect in 2003 and replaced the previous law (Official Journal of the European Union, 2003). The Dublin II Regulation established the criteria and mechanisms for determining which Member State was responsible for processing an asylum application. The objective of the Regulation was, “to identify as quickly as possible the Member State responsible for examining an asylum application, and to prevent abuse of asylum procedures” (EUR-Lex, 2011). In order to improve application, Dublin II Regulation created DubliNet which was a network which would allow for the secure transmission of electronic data

between the authorities of states. It also created the EURODAC Regulation which established a database for storing asylum seekers' fingerprint data and the sharing of this information between the member states (Morgades-Gil, 2015, p.435).

Updates were proposed again by the European Commission in 2008 and came into effect in 2013, creating the Dublin III Regulation (Official Journal of the European Union, 2013). This version aimed to create consistent procedures and improve the system's efficiency including clarifying the rights of asylum seekers and the obligations of states (Morgades-Gil, 2015, p.435). Following a ruling by the European Court of Human Rights in 2011 in response to the application *M.S.S. v. Belgium & Greece*, transfer of asylum seekers to Greece was halted. The Court found that the detention conditions in Greece were a violation of the applicant's rights (European Database of Asylum Law, 2011). Following four Recommendations from the European Commission regarding specific measures Greece needed to take in order to have a functioning asylum system, the Dublin Regulation came into force for Greece again in March 2017 (European Commission, 2016a).

In 2016 the European Commission proposed another recast which could lead to the Dublin IV Regulation as a response to the recent influx of asylum seekers. This proposal was motivated to address the issues of an effective remedy, the principle of non-refoulement, and the economic and social rights of asylum seekers (International Commission of Jurists, 2016). To build on these developments, Dublin IV Regulation proposes to, "increasing obligations and sanctions on asylum seekers in order to prevent them from moving from one EU Member State to another and making the system more efficient by shortening time limits and deadlines" (International Commission of Jurists, 2016). While this regulation aims to create a collective

action system to address asylum seekers, it cannot yet be determined if it will create an improved asylum system compared to the previous three Dublin Regulations.

In April of 2016, as a response to the current refugee crisis, the European Commission proposed further changes to the Common European Asylum System. The objective was to create a system that would remove the burden from certain Member States and create a system that was fairer for all parties involved; EU citizens, host countries, and third-party nationals (Tsirorgianni, 2018, p.13). The priorities for reshaping the CEAS are:

- Establishing a sustainable and fair system for determining the Member State responsible for asylum seekers with the objective to deal better with the arrival of a high number of asylum seekers/refugees through specific points of entry and ensuring a high degree of solidarity and a fair sharing of responsibility between Member States through a fair allocation of asylum seekers.
- Reinforcing the Eurodac system with the objective to support the application of the Dublin Regulation and facilitating the fight against irregular migration.
- Achieving greater convergence in the EU asylum system with the objective to strengthen and harmonise further the Common European Asylum System rules, so as to ensure more equal treatment across the EU and reduce undue pull factors to come to the EU.
- Preventing secondary movements within the EU with the objective to Ensure that the functioning of the Dublin mechanism is not disrupted by abuses and asylum shopping by applicants for and beneficiaries of international protection.
- A new mandate for the EU's asylum Agency, ensuring a more harmonised assessment of the protection needs across Member States. (Tsirorgianni, 2018, p.14).

As part of the April 2016 reshaping of the framework, the EU also announced a proposal for enhancing the legal avenues allowing for third-party nationals to enter the country, decreasing the dependence on smugglers. This would also reduce the pressure of spontaneous arrivals and allow for burden sharing throughout EU countries (Tsirorgianni, 2018, p.32-33). As the population of who makes up asylum seekers changes, and as the pressure on certain countries changes, the asylum procedures must adapt and change with it. It must be recognized that the previous Common European Asylum System is ineffective in meeting the needs of asylum

seekers and Member States of the EU. It must be continually modified, and equally followed by all Member States, to ensure asylum seekers and refugees are not left in continuous states of vulnerability and precarity.

### ***The EU-Turkey Migration Deal***

With the rising number of asylum seekers arriving in Europe, migrants will encounter an asylum system, “built largely to preserve state sovereignty over immigration rather than to fulfil state obligations toward refugees” (Dahlman, 2016, p.17). The EU-Turkey Migration Deal was agreed upon on March 18, 2016, and it was presented as a policy solution to alleviate the stress on Greece by enabling the return of some migrants, and also in deterring further mass migration as asylum seekers discover that they would be unlikely to receive refugee status (Afouxenidis et al, 2017, p.15). It was agreed that all new migrants arriving without authorization on Greek islands would be returned to Turkey; specifically, for every Syrian asylum seeker returned to Turkey another refugee in Turkey would be resettled somewhere in the European Union. Turkey was asked to introduce measures to prevent further arrival of people from Turkey to the EU, and was promised €3 billion in assistance (Purchoc, 2018; the Official Journal of the European Union). This deal sets a dangerous precedent as it sends a message to other countries hosting large populations of asylum seekers, that if providing protection is unpopular among the domestic population, respecting international and human rights obligations become secondary (Collett, 2016).

While people who arrived in Europe to lodge a claim for refugee status were told that they would undergo a formal asylum determination process, there is a critical and significant hole within the institutional set-up. Amnesty International has reported that many migrants have been experiencing a delay on their asylum application because of the EU-Turkey Migration Deal (2017). The deal states that anyone arriving on the Greek islands via Turkey can be returned to

Turkey without a substantive examination of their claims. Article 4 of the deal is to address the re-admission of third-country nationals and stateless persons and it reads as follows:

1. Turkey shall readmit, upon application by a Member State and without further formalities to be undertaken by that Member State other than those provided for in this Agreement, all third-country nationals or stateless persons who do not, or who no longer, fulfil the conditions in force for entry to, presence in, or residence on, the territory of the requesting Member State provided that in accordance with Article 10 it is established that such persons:
  - (a) hold, at the time of submission of the readmission application, a valid visa issued by Turkey entering the territory of a Member State directly from the territory of Turkey; or
  - (b) hold a residence permit issued by Turkey; or
  - (c) illegally and directly entered the territory of the Member States after having stayed on, or transited through, the territory of Turkey.

It is clearly outlined in the beginning that further formalities regarding the arrival of the third country nationals in the European Union do not need to be applied. Section c clarifies that anyone that is going to be sent to Turkey must have migrated from there to the European Union but as most migrants pass through Turkey first, it makes them susceptible to this removal.

This section of the deal is based on the premise that Turkey is a “safe third country”. The idea of the safe third country is a concept that states asylum seekers should make their claim for asylum in the first safe country that they reach. The EU-Turkey deal implies that the first safe country reached would be Turkey (Gkliati, 2017, p.214). Under Article 20 of Greek Law PD 113/2013, the criteria a country must meet to be considered a safe third country are as follows:

- a. the applicant's life and liberty are not threatened for reasons of race, religion, nationality, membership of a particular social group or political opinion,
- b. this country respects the principle of nonrefoulement, in accordance with the Geneva Convention,
- c. the applicant is in no risk of suffering serious harm according to Article 15 of P.D. 96/2008,
- d. the country prohibits the removal of an applicant to a country where he/she risks to be

subject to torture and cruel, inhuman or degrading treatment or punishment, as defined in international law, e. the possibility to apply for refugee status exists and if the applicant is recognized as a refugee, to receive protection in accordance with the Geneva Convention and f. the applicant has a connection with that country, under which it would be reasonable for the applicant to move to it.

Under the “Law on Foreigners and International Protection” which came into effect in Turkey in April 2014, all basic rights should be given to migrants, asylum claimants, and refugees (Ulusoy, 2016). From April 2016-April 2019 under this deal, 1,853 people were returned to Turkey (UNHCR, 2019b). The UNHCR has condemned this as a violation of international law (Reuters, 2016). The largest number of returns, 43% comes from the result of negative decisions on asylum claims. The remainder are made up of withdrawal of asylum claims, not wishing to file a claim, and cases being closed for other reasons (UNHCR, 2019b).

However, the law and the real-life experiences that migrants and asylum seekers have in Turkey are two different things. Research conducted by various non-profits and non-governmental organizations during 2016 has since established that Turkey should not be classified as a safe country for asylum-seekers and refugees (Amnesty International, 2017, p.171). At the beginning of 2016, eleven national NGOs released a statement condemning the illegal treatment asylum seekers in the town of Askale in eastern Turkey had experienced, including, “unlawful practices of the staff working in the centre, such as access to clients being arbitrarily blocked, clients’ asylum applications being denied without proper examination, minors being kept in isolated cells without access to family members, and possible cases of ill treatment and torture” (Ulusoy, 2016). In May 2016, Human Rights Watch released a report relating that Turkish border guards were beating and shooting asylum seekers that were trying to cross the border into their country. Between March and April of 2016, this behaviour resulted in the death of five people and serious injuries to fourteen others (Human Rights Watch, May

2016). Pushing asylum seekers back from the border and preventing them from crossing into a state to make their claim for asylum is a violation of non-refoulement as they are forcing people back into a country where they are not safe, and their lives are at risk (Frelick, 2016). This means that asylum seekers returned to Turkey are not being sent back to a country that is safe, will guarantee their rights are protected or fit the definition of a safe third country as outlined by Greek law PD 113/2013.

Returning asylum seekers to Turkey when they are attempting to make a claim for refugee status in the EU after having arrived in Greece, is a violation of international law and human rights under both the *1951 Convention Relating to the Status of Refugees* and the *European Convention on Human Rights* (Bank, 2014, p.696). Forcing people to return to a country where they are at risk violates the principle of non-refoulement. This is one of the most crucial principles in ensuring the protection of refugees (Goodwin-Gill, 2014, p.39). As mentioned above, Article 31 of the Convention states that no asylum seekers should be punished for unlawfully entering a country in search of sanctuary. It also claims that refugees should not have their movements restricted. This was previously reflected in Greek immigration law. Under Article 24 the border procedure states as follows, “If applicants apply at the border, they have the right to be informed of their rights, including the right to an interpreter and the right to consult a lawyer at their own expense. If no decision is made within **twenty-eight days from the day of their application**, they have the right to enter Greece in order to have their case reviewed” (emphasis added) (Papademetriou, 2016). Not only was this reflected in Greek border procedures, but also the laws in place regarding the detention of asylum seekers and migrants. Article 12 states that,

Pursuant to Decree 113/2013, an applicant in need of international protection or a stateless person must not be kept in detention for the sole reason that the

person applied for international protection and entered the country illegally.[35] A person may be kept in detention until his/her documentation is confirmed or in case the person is deemed to be a danger to the public or to national security.[36] No one **can be detained for more than three months**.[37] (emphasis added). (Papademetriou, 2016).

However, after the EU- Turkey Deal of March 2016, Greek Law 4375/2016 was implemented which effectively provides for asylum seekers to be detained in the hotspots for the entirety of their asylum procedure (National Legislative Bodies, 2016). This means refugees are being forced to remain on the island on which they arrive, some having been kept there over two years while waiting for their asylum claims to be processed. This leaves refugees in a constant state of arrival and highly vulnerable. The conditions in which they are forced to live in the camps could be classified as cruel and unusual punishment, a violation of human rights as outlined in the *Universal Declaration of Human Rights*.

### ***Greek Law and Policy***

It was not until the 1990s that Greece developed her own procedures for addressing refugees and asylum seekers. Before this, the government believed that Greece was not a desired permanent location and asylum seekers arriving in Greece were placed under the protection of the UNHCR and largely relocated (Afouxenidis et al., 2017, p. 11). Greece's legal system on asylum is based on the 1951 Convention and its 1967 Protocol, and on the Common European Asylum System (Papademetriou, 2016). Jonathan Swarts and Neovi Karakatsanis have analyzed the State's reaction to the increased migration that began to occur in the 1990s with the collapse of communism. Under pressure from the European Union (EU) and the UNHCR to address the thousands of people that were coming from Albania daily, Greece became not only a nation of transit for asylum seekers but a country offering protection. As a result of the increase in the number of asylum seekers entering Greece from Albania, the State began the process of implementing additional security measures.

Both the integrity and survival of Greek culture, as well as the safety and security of individual citizens begun to be portrayed as being under threat. In this way, “the spectre of societal security was raised: by linking migrants to both cultural and personal security threats, Greeks effectively constructed migration as a threat requiring an extraordinary response by the state” (Swarts & Karakatsanis, 2013, p.98). With the increasing numbers of migrants constructed as a threat to society and culture, the State was then able to limit their rights. Some of the securitization measures taken by the Greek State in the 1990s were as follows:

Special police units were created to carry out the wholesale arrest and deportation of immigrants in so-called ‘sweep’ operations; the provision of public service to undocumented migrants was made illegal; hospitals, clinics, landlords and others were legally required to inform the local police of the admission, rental, arrival and departure of migrants; and, while never implemented, the government at one point made provision for special immigration units to patrol the emergency wards of public hospitals (Swarts & Karakatsanis, 2013, p.99).

As an EU member state, Greece is under obligation to adopt the EU’s migration and refugee policies. In the early 2000s, the EU increased the pressure on Greece to adopt EU procedures for migrants and asylum seekers as Greece was increasingly used as an entry to the rest of Europe. The result was a shift in policies from the laws implemented in the early 1990s (Afouxenidis et. al, 2017, p.11). In 2005, new immigration laws were adopted and while there have been amendments, this legislation is still in use today (The Organization for Asylum and Migration Policies, p.1). In 2008, the European Parliament and the Council of the European Union passed Directive 2008/115/EC for Member States on the procedures for, “returning illegally staying third-country nationals” (2008, p.1). With the Schengen Agreement in place, gaining status in Greece could mean movement opportunities throughout Europe.

In October 2009 the Ministry for Citizen Protection, the entity responsible for public security, drafted the National Action Plan for Migration Management (Afouxenidid et al., 2017,

p.18). This action plan was to address all categories of migrants and would be implemented over a three year period from 2010-2012 (Ministry of Citizen Protection, 2010). It included initiatives such as: the establishment of a First Reception Service, the creation of an Asylum Service, updating pre-removal centers, which are locations where individuals are held when they are under removal orders, and introducing new policies for vulnerable groups (Ministry of Citizen Protection, 2010).

Due to much criticism both domestically and internationally, including the European Court of Human Rights, the policies to address asylum seekers in Greece were modified again in 2011 and a provision of the 2008 laws formed law 3907 which created the “Asylum Service” and “First Reception Service.” These entities were responsible for managing all people desiring to enter Greece through making a claim for asylum or migration by drafting the national asylum policy (Hellenic Republic, 2011, p.1). The Ministry of Citizen Protection, the entity in charge of migration concerns, chose to focus on undertaking two major actions. The first significant action they took was the reinforcement of the Greek–Turkish land border. At the time of the modification to the plan for addressing asylum seekers in 2011, the land border constituted the main entry point of irregular migrants into Greece. The second action that was undertaken was aimed at identifying and removing all illegally residing irregular immigrants of Greek territory (Angeli, Dimitriadi, & Triandafyllidou., 2014, p. 26 and Ministry of Citizen Protection, 2012). They achieved these ends through building a fence along the Greek-Turkish border and implementing electronic surveillance (Ministry of Citizen Protection, 2012, p.6). The Ministry of Citizen Protection also created a special initiative within the police, known as Operation “Xenios Zeus” which was to increase the arrest of illegal migrants done through street and house searches (Angeli, et al., 2014, p. 29). Despite the operation’s poor results, -of the 85,000 people that were

stopped between August 2012 and February 2013, only 6% resulted in arrests- and criticisms the procedure drew for its violation of human rights, (Human Rights Watch, 2013), the program continued until the end of 2014 (Afouxenidis et al., 2017, p.21).

As of June 2013, asylum applications fall under a procedure which was established by Presidential Decree 113/2013 (Papademetriou, 2016). This Decree states that, “every foreigner or stateless person has the right to submit an application for international protection, provided that he or she meets the criteria of the Geneva Convention and applicable national law or qualifies for subsidiary protection” (Papademetriou, 2016 and National Legislative Bodies, 2013a). The Central Asylum Service oversees applications for asylum as determined by Law 3907/2011 (Papademetriou, 2016). Individuals that apply for refugee status have the right to remain in the country, free from detention except for exceptional circumstances, while their application is being processed. Under Article 16, paragraph 2 of Presidential Decree 113/2013, the application must be examined within six months. Under Article 12 of this decree, a person may not be kept in detention as result of seeking asylum within Greece. Paragraph 2 of Article 12 further stipulates the only reason an asylum seeker can be held in detention is; for the duration of ascertaining that individual’s identity, if they constitute a danger to the public or national security, and if detention is necessary for completing their application in a prompt manner. Article 12, paragraph 6 further stipulates that individuals meeting these criteria may be held in detention while their application is processed but for no longer than three months (National Legislative Bodies, 2013a). The outcome of each asylum application is determined on a case by case basis after a review which is to be objective and unbiased (Papademetriou, 2016).

Presidential Decree 141/2013 outlines the criteria someone must meet in order to qualify for refugee status. It is closely aligned with the definition from the 1951 Convention. It goes

beyond the Convention to include the clarification of what counts as persecution, “The acts of persecution may take a variety of forms, such as physical or mental violence, including sexual violence, and in the case of a minor may also include acts of a gender-specific or child-specific nature” (Papademetriou, 2016 and National Legislative Bodies, 2013b). This definition expands the 1951 Convention to specifically address the issues of minors. However, the only time gender can be included as grounds for claiming persecution is when it applies to a minor.

In February of 2016, the European Commission accepted a Schengen Evaluation Report from the Schengen Evaluation Committee on the situation in Greece. This report identified serious deficiencies in Greece’s management of its external borders (European Commission, 2016b). The Schengen evaluation mechanism was adopted in 2013 with the objective of, “effective, consistent and transparent application of the Schengen rules and regulations by the Schengen Member States” (European Commission, 2019c). The report included recommendations to ensure that Greece meets its obligations under the Schengen Agreement. Some of the recommendations from the evaluation committee included improvements in the registration of asylum applicants, providing access to appropriate accommodation facilities while applicants are waiting to be processed, and improving border surveillance (European Commission, 2016b).

With the drastic increase of migrants arriving in 2014 and 2015, the Ministry of Citizen Protection drafted a new document, “Hellenic Police Strategy for the Integrated Management of External Borders and Illegal Immigration for the Period 2014–2020.” This document is classified, and public access is not possible (Afouxenidis et al., 2017, p.22).

In August of 2016, the Greek Parliament adopted a legislative provision for the creation of special classes for school-age children to ensure that refugee children and those stating a claim

for asylum would be able to begin or continue to receive an education. Amnesty International reports that in October 2016, around 580 school-age refugees, asylum-seekers and migrants began classes in the capital Athens and in Thessaloniki (2017, p.173). It is reported that many children that live within refugee camps do not attend school outside of the camp as their parents are waiting for them to be relocated to resettle elsewhere. This means that the education refugee children receive comes from older children in the camp, or non-governmental organizations (NGOs) and non-profits that volunteer their time (Yowell, 2017). This long process of waiting for resettlement inhibits the formal education that refugee children receive

In September of 2017, Human Rights Watch reported that hundreds of children, stuck on Greek islands, are not able to access a school. This is despite the fact that under Article 9 of Presidential Decree 220/2007, “the minor children of applicants and children seeking international protection have access to the education system” (National Legislative Bodies, 2007). While Greece has extended a program to provide classes to asylum-seeking children that must remain on the island, they will not be able to attend these classes without proof of address required for enrollment. Children living in the reception centres cannot obtain this proof of address and therefore cannot enroll in classes (Human Rights Watch, September 2017). Human Rights Watch further reported that the UNHCR had records of 530 school- aged children living on Lesbos in 2016-2017 but only 40 were enrolled in school programs. On the island of Chios, there were 261 school-aged asylum seekers registered in 2016-2017 and none were enrolled in school (September 2017).

The lack of access to education, and the lack of acceptance from society, feeds the cycle of precarity as refugees are left in a situation of instability. Without an education and livelihood opportunities, or feeling welcome in their community, they will be forced to depend on

assistance from the government and remain dependent on others for survival, instead of building a life for themselves and integrating into the country that has become their home.

With such a high number of asylum seekers arriving in Greece and the economic struggles the country is facing, the question of the cost of asylum seekers is crucial in analyzing the situation, as well as the treatment and conditions experienced by those relying on the government to ensure their rights are protected. Even though the European Refugee Fund was created in 2010 and international attention was drawn to the crisis in the Mediterranean in 2015, the financial consequences of the crisis have largely fallen on Greece. At the beginning of 2016, the Bank of Greece estimated that the cost of migrants for the year would be more than \$677 million (USD). This would be equivalent to approximately 0.3% of Greece's GDP (Stamouli, 2016).

In 2013, the UNHCR budget for Greece was only \$63 million (USD), which grew to \$68 million (USD) in 2014. When the refugee crisis in Europe spiked in 2015, the budget of the UNHCR for Greece increased reaching \$111 million (USD) for that year. In 2016, the UNHCR budget for Greece was \$287,400,686 (USD) and in 2017 it was \$245,866,265 (USD). For 2018, the estimated budget is \$239,307,212 (USD) (UNHCR, "Northern, Western, Central and Southern Europe"). In 2015, the UNHCR refugee budget had approximately 80% of its funding coming from countries in Europe and the United States (Lamb, 2016, p.75). This shows that these countries are more likely to support refugees by giving financially than allowing for large numbers of asylum claimants to resettle within their borders. As countries began to raise their borders and close the opportunity for migration beyond Greece, the social and economic responsibility of providing for the asylum seekers fell to Greece

### ***The Role of NGOS***

While the Greek government struggles to handle the influx of asylum applications, its NGOS and non-profits that are providing critical services to asylum seekers. In November 2015, 81 NGOs were offering assistance on the island of Lesbos alone (Skleparis & Amakolas, 2016, p.176). As the crisis evolved, so did the roles of the volunteers and organizations. In Lesbos, at the start of the crisis the volunteers' initial role was primarily saving the refugees, children in particular, when they were disembarking on the island. After restrictions were put on the coast of Lesbos by Frontex in relation to the direct disembarkment of refugees, their role changed. Volunteers began to focus on issues of health and daily protection (Chtouris & Miller, 2017, p.64). Starting as early as late 2014, organizations such as the Migrant Offshore Aid Station, Médecins Sans Frontières and Sea-Watch acquired their own vessels to conduct sea rescues in response to the 2014 EU Operation Triton which became more about border control as opposed to humanitarian rescue (Cusumano, 2016). In January 2016, as the relief efforts became more coordinated, the humanitarian response became largely led by organizations as opposed to volunteers. At the end of January, the Ministry banned all unregistered volunteer activities on the island (Skleparis & Amakolas, 2016, p.178). This was followed by the Greek Parliament enacting Law 4368/16 which established army run refugee camps and only allowing access to major national and international NGOs (Skleparis & Amakolas, 2016, p.179).

In 2013, the Greek state released its *National Strategy for the Integration of Third Country Nationals*. This strategy detailed measures which would be taken to address issues such as health, anti-discrimination, education and housing. However, the most emphasis went into training and skills development for both Third Country Nationals and also public employees dealing with migrant issues (European Commission, 2016c). As demonstrated by the interviewees when discussing the Melissa Network, NGOS and non-profits are critical to

survival, not only in the sense of rescue and safety, but in assisting with settlement and integration. The women interviewed stated without the Melissa Network, they would not have had proper legal assistance for their refugee status claims. Without the Melissa Network and one other non-profit they frequented, they would not have had access to English or Greek classes. Services for refugees beyond registration centres and the asylum application process had been outsourced to NGO such as the Melissa Network.

In 2018 the Greek Ministry of Migration Policy released their National Integration Strategy which aimed to reach 10,000 refugees in one year with a strategy for integration (European Commission, 2018). While this report was created in 2018, implementation has been slow. As part of operationalizing this strategy, working with the Ministry of Labour, Social Insurance and Social Solidarity, it was announced in March 2019 this plan will introduce integration activities for 5,000 newly recognized refugees and a separate vocational training programme for 3,000 refugees (UNHCR, 2019).

## **Chapter 5: Methodology**

### ***Objective***

In the empirical part of my research, I aimed to collect qualitative data which would allow for the understanding of the lived experiences of the contemporary and ongoing migration journeys of women arriving “irregularly” in Greece, from the point of view of the women themselves. In particular, by focusing on the lived experiences of arrival, asylum claiming, transiting or settling of women in Athens I aimed to assess the ways that women asylum seekers, leaving their countries of origin in Africa, Asia and the Middle East, landing in Greece and finding their way to Athens to become involved in the Melissa Network, are left vulnerable and in situations of precarity. My research focused on the migration journeys of such asylum seekers, their experiences with migration policies during this journey and their responses. By collecting

qualitative data through semi-structured interviews with asylum seekers who have arrived in Greece I was able to develop an understanding of the obstacles in the process of asylum seeking and the impact of the policies and practices that are in place to address asylum seekers, from those who have experienced them.

### ***Research Site and Study Population***

The collection of data took place in partnership with the Melissa Network for Migrant Women in Athens, Greece which is a network of migrant women promoting empowerment, communication, and active citizenship. It was founded in 2014 with direct involvement of active migrant women leaders and continues to be a network of migrant women coming from diverse origins. At any single time, the Melissa Network is serving approximately 120-150 migrant women and aims to strengthen the bonds among migrant women, to build bridges of communication with the host society, and to promote empowerment and active citizenship. They serve women of every age and from all migrant backgrounds. Instead of a model based on aid, they focus on integration. The three main strands of their action are networking, capacity building, and advocacy. They offer classes in English and Greek, assist with preparation for status interviews, have volunteer organizations that run a variety of programming including classes for new mothers and nutrition lessons, as well as offering psychological support. Their day-centre is located at Victoria Square where migrants and refugees congregate daily. This location also gets the women out of the Reception and Identification centres and into the city, further creating a connection with the community. It is an organization that is largely run by migrant women, for migrant women. It recognizes the importance and strength in friendships and support systems among women.

I spent six weeks volunteering at the Melissa Network and throughout this time got to know the women I would interview. After obtaining permission from the Research Ethics Board of Saint Mary's University, I conducted 11 interviews. These interviews were with adult women between the ages of 22-40. They came from different countries in the Middle East and East Asia. They spoke various languages including Arabic, Farsi, Chinese, Urdu, and English. Some of the women needed or chose to have a translator present while those who had developed strong English skills did not. They had a variety of educational backgrounds, from having completed five years of school to a medical professional. They were in various stages of the migration process; some had completed their interviews and were successful in gaining status as a refugee, some had completed their interview and were waiting for their results, while others were waiting to be interviewed. Of the 11 women, one was employed, and the rest were unemployed. All the women that I interviewed have been assigned pseudonyms.

### ***Data Collection Techniques***

The methods that I used for my study were mixed: an in-depth literature review provided the background for researching through participant observation and in-depth semi-structured interviews of the experiences of women asylum seekers in Athens. Through my partnership with the Melissa Network in Athens, Greece I spent my time volunteering with their organization which provided me the chance to get to know and observe the lives of migrant women. This also allowed for the women to get to know me and become comfortable in sharing their experiences. With these interviews, I aimed to collect information regarding their migrant experience. I recognized that my research would be aimed at working with and understanding the experience of a vulnerable population.

With my previous experience of working with refugees having played a large role in shaping my thesis, I needed to be aware of any bias that would be present in my research and collection of data. As stated by Laws, a researcher's bias is always present, even in the choice of their topic and they must be aware of it and acknowledge it (Laws et. al., 2003, p.188). I was interested in refugees and refugee rights, and this guided my choice of topic which is my inherently present bias. However, when collecting my data, I aimed to identify my biases and address them in ways including having volunteer interviewees as opposed to choosing participants that could result in a selection of interviewees that would support my hypothesis. I also created neutral questions that avoided leading to specific answers. I worked to collect data in a balanced way (Mayoux, 2006, p.123).

During the assessment of my data, I began my analysis with a bias regarding the laws implemented to address refugees and analyzed the data using the perspective that the experiences of asylum seekers would be shaped by policies implemented under a securitization framework. I realized after, that the existence of policies implemented due to securitization was not proven by my data; women shared their experiences and how they were vulnerable and left in situations of precarity, but these experiences could not be directly linked to securitization. I re-analyzed my data without the influence of securitization on how I viewed the experiences of the women interviewees.

It was of critical importance that I recognized my bias in my level of compassion for asylum seekers and addressed it as my arguments are based on interviews and the experiences of subjects/participants. This means in order to collect data relevant to my research questions, who I interviewed could not be random. While I had to ensure that I was speaking to refugees who entered Greece in search of asylum and began visiting and using the services of the Melissa

Network, I had to also ensure I was not choosing women that I had to come to know and knew their experiences would support my hypothesis. I mitigated bias in selecting interviewees by asking for volunteers to be interviewed instead of approaching individuals I selected and asking them to participate. With interviewees volunteering to take part, I could ensure that I was not only selecting people who have had experiences which supported my thesis. By conducting semi-structured interviews, I allowed for open ended questions in which interviewees could share their stories as they believe best represented their experiences. I was also cautious that any bias on the part of my partner organization was not present in who was interviewed for my study.

The first technique I used to gather data was observation. By visiting Melissa everyday, I saw and heard how migration was shaping the daily life of these women. This observation also allowed me to get to know the people I wished to interview in a more personal way. I was able to connect to the individuals in a way that allowed for them to feel comfortable in speaking with me and to be able to be feel confident in sharing their stories.

To gather my data from the women's experiences, I conducted semi-structured interviews. This allowed for me to ask direct questions that I needed answers to, but also allowed for an interviewee to speak freely regarding their experience. As I was working with such a vulnerable population, it was critical to consider the sensitivity of topics while collecting my data. These women had experienced trauma in various stages of their migration journey, and they needed to be approached with understanding and caution. During the process of applying for status, they would have had to retell their story many times. There may have been other instances where they shared experiences about their journey. By partnering with the Melissa Network, we hoped to avoid the fatigue of having to tell their story multiples times to different people. The

information that was collected has been shared with Melissa to use as they see fit, in hopes of protecting the women, as well as for their own use and development.

The data that I collected through observation and interviews conducted in Athens, Greece answered my research question of, “what is the lived experience of female asylum seekers living in Athens, Greece?” The women who shared their stories describe the various ways in which they feel vulnerable and how their lives are left in precarity. Through an analysis of these women’s experiences and a review of the policies addressing migrants, a possible link could be made between the ways women asylum seekers are vulnerable, such as a reliance on smugglers, and left in precarious situations, including extended stays in reception centres, and the practices being used to address the high number of asylum seekers. As the objective for my thesis is to conduct empirical research, which can lead to an analysis of the effect of current policies, I hope to be able to contribute to policy development that better protects the vulnerable populations, such as refugees and asylum seekers. Further, the information and findings call for a change in the system that is in place to address asylum seekers as it leaves them in a constant state of precarity. It is my hope that this information can play a role in shaping the discussion of how to address asylum seekers in the future.

### ***Ethics and Informed Consent***

In a conversation between my supervisor and the Executive Director of the Melissa Network for Migrant Women, it became clear that the Melissa Network would be an equal partner in my research. It was crucial to the Executive Director that the research be conducted collaboratively, and their research team was given full access to the resulting data in order to be able to provide useful interventions in their advocacy and service role for the migrant women clients of the network. Searching for a formula that would allow such cooperation, it was recommended by the SMU Research Ethics Board that the Executive Director be added as an

external investigator in the research project. As the objective of my research was to be collaborative with the women at Melissa, the sharing of data with them played a critical role in the completion of my research.

Upon the submission of my REB application, I went through a full board review due to concern regarding my legal responsibilities to report any sensitive information I may become aware of during my interviews. Through consultation with a lawyer in Greece, I was informed that according to Greek law I was under no obligation to report abusive behaviour unless I was a physical witness and that if I did, I would run the risk of possibly being accused of defamation. Furthermore, as the data would be shared with the Melissa Network, they would be in a position to make measured and appropriate interventions that would address the problems without further victimizing vulnerable individuals. There was also concern as to how I would ensure full confidentiality and that the identities of my participants were protected. To address this, it was decided that I would take no audio recordings of my interviews and would receive verbal consent, ensuring signatures and real names were not recorded anywhere within my data.

After receiving approval from the Ethics Board, I conducted eleven semi-structured interviews. After the collection of this data, I analyzed the responses to find commonalities among the answers provided. By searching for key words and phrases, I was able to establish common experiences that the women had during their migration journeys. These commonalities were; the issue of precarity and the unknown in every phase of their journey, as well as their vulnerability and how their gender played a role in the obstacles they faced.

## **Chapter 6: Research Findings**

For my empirical research, I was able to interview eleven women that had sought asylum in Greece. They had all arrived some time in 2016. They ranged in age from 22-40 years old. The women were from Middle Eastern and East Asian countries. The time that had elapsed between

the time the women had left their home countries to the time they participated in these interviews at the Melissa Network, ranged between two years to ten months. They spoke a variety of languages including Farsi, Arabic, Urdu, Mandarin, and some English. In the presentation of the data, if there is use of the third-person, for example “her family”, this is a record of what was spoken by the interpreter. If a quote is in the first-person, the interviewee was fluent enough in English that they opted not to use an interpreter. Six of the women are married and four of the married women have children. Eight of the women are Muslim and three are Christian. Two of the women had come to Greece alone, one having left her husband and child behind. The rest of the women travelled with various members of their family. Everyone that left their home country with family members and had migrated together, were living together in Athens, Greece. There was one exception: Donya who migrated to Greece with her husband and children. Two days before the interview, her daughter left for Germany to live with Donya’s sister.

Every woman willing to share her story had a different journey. They overcame different obstacles and showed strength in the face of adversity. In analyzing the stories these brave women shared, I tried to find the commonalities that are strewn throughout their irregular migration journeys and address some of the causal links for their hardships. While every phase of their migration journey was full of unknowns and situations in which they were highly vulnerable, the courage these women show is the one trait that is always present.

### ***Sexual and Gender Based Violence***

Nine of the eleven women interviewed specifically stated they used a smuggler to help them get to Greece. Their experiences with smugglers varied ranging from assault at the hands of their smuggler, to being forced into a boat when they did not feel safe, to the smuggler providing them somewhere to live until they were able to travel from Turkey to Greece. Fahtimah, a

Christian woman in her 30s who fled alone described being held by her smuggler in Turkey in his home where he assaulted her. She described crying and repetitively asking him, “why am I not going to Greece?” It was when she escaped from him that she was able to pay another person to take a boat to Lesbos. Fahtimah’s story not only illustrates the control smugglers exert over a vulnerable population such as asylum seekers who rely on them for assistance, it also reveals the gender-based violence women face throughout various phases of their journey. This shows not only the way in which gender plays a role in shaping the migration journey, but also the ways in which women are more vulnerable as they are subject to gender-based violence.

Lyna, an unmarried Muslim woman in her 20s, described the problems her family experienced with their smuggler, “The smuggler took money to take them from [her home country] to Greece but left them in Turkey. They were walking through the mountains and because her grandfather wasn’t walking very well, they left them in the mountains. One Syrian boy argued with the smuggler to come back and get them, but he wouldn’t. They had no phone or water. They tried to get their money back, but the smuggler wouldn’t give it. They learned he did the same thing to many people. These people took them to another smuggler, and he brought them to Greece.” As irregular migrants are forced to leave almost everything they have behind, they are vulnerable to the rapaciousness of their smugglers and as policies are being implemented which makes migration into the EU riskier, there is increased reliance on smugglers (Zhyznomirska, 2019, p.203).

Being forced to live in dangerous and degrading conditions, women in reception facilities in Greece are also susceptible to gender-based and sexual-based violence. Women are left highly vulnerable, in situations where they are not safe and are dependent on male family members to provide protection from assault. Amal, a married Muslim woman who is in her 40s, described not

being able to use the bathroom alone and never being able to go there at night. She stated that the bathroom was very far away and anytime a woman wanted to go, they could only go if they had a husband or a brother with them. She described that one time she tried to go alone, and a man began to follow her. She told me, “In that moment I felt strong, so I started running.”

Seven women mentioned wanting to go back to school. For some, this is finishing an education they were pursuing when they had to leave their country. For other, this would be a brand-new opportunity that they did not have in their home country. Amal said she wants to go to school because she could not before, as a girl she was not allowed to stay in school. Amal’s story is one of structural violence that many women asylum seekers share. As the definition of refugee does not include persecution due to sex, the structural violence the women faced in their homes countries can not be used as qualifying factors in their application for refugee status. By seeking sanctuary in a new country, they are able to access opportunities which were previously denied to them because of their gender. This is an opportunity for both the women and their children.

Donya, a woman in her 20s who is married, described how the relationship between mothers and their children is viewed differently in Greece based on the process of registering her children when they arrived, “They wrote her name with her children but wrote her husband’s name alone. This was funny because in [her home country] the children are for father’s but here they wrote her children’s names for her. For example, in [her home country] if people divorce, the father gets the children and mothers can only see them secretly. When the child is 18, they can choose.” This shows the structural violence against women in the country Donya fled, as they are not able to raise or even visit their children. By coming to Greece women are given more agency and are viewed as having a crucial role in the family and in the lives of their children. When describing why she chose to leave, Fahtimah said, “In [her home country],

women's rights go away." While women must face sexual and gender-based violence throughout their migration journey, they also experience altered gender dynamics in Greece. This provides them new opportunities outside of their initial motivation for fleeing their home countries. This altered gender dynamic can be seen through the experiences of various women migrant groups, not only those interviewed attending the Melissa Network for Migrant Women. It is also not only seen in the experiences of women migrating to a new country but also their location within that country, such as leaving a rural community to settle somewhere urban (Nare and Akhtar, 2014, p.187). The cultural gender dynamics of where asylum seekers settle is also going to influence their experience.

During their interviews eight women mentioned the importance of the Melissa Network to them. The Melissa Network not only provides crucial assistance with things such as psychosocial support and language classes, it also gives the women a sense of belonging. They have a place to visit everyday and have created a family within the centre. Visiting Mellissa gives them a sense of purpose which is crucial for helping to establish their life somewhere new. For these women, Melissa is where they spend their day and without the organization, they would not have anywhere else to go. Amal, a 40-year-old, married, Muslim woman from Iraq with five years of education said, "She passes her days at Melissa. Without Melissa, she would be bored to death." All eleven women interviewed are enrolled in Greek classes at Melissa. Nine of the women that are not already fluent in English are also taking English classes at Melissa.

### ***Precarity as a Product of Migration Policies***

These women shared the ways in which their lives and the lives of their family seem to be left in a constant state of waiting and uncertainty for their future. This is in part due to the women's, and other asylum seekers, inability to move forward to other countries in Europe

because of the Dublin Regulation. The result of this is an overwhelming number of asylum applications being lodged in Greece, as this is the first safe country they entered, pressuring Greece's limited reception infrastructure.

All eleven women interviewed, declared that the reasons for fleeing their home countries were violence and conflict; they often did not know where they were heading next, but they feared for their safety and knew they must leave. While during the interview many stated the country they would like to go to is Germany, when describing why they left, the country they were going to next was never mentioned. They named the fear and discussed the experiences in their home countries that propelled them to leave. This is illustrated by Lyna, a woman in her 20s. She described the bombs they heard and the gangs that attacked homes at night with her sister being a victim. She said their family decided to leave after her father and her brother were killed. Lisa, a woman in her 30s who is from East Asia, described being arrested in 2015 because of her religion. She stated they also arrested her son and the police beat both her and her son because of her religion. She explained that even as a child she wanted to leave because she knew other countries allowed for more freedom for her religion. While these two women come from different countries, their motive for fleeing is survival. They felt victimized and made the hard decision to leave the country, the community, and the home they knew to try and survive.

The women described how difficult leaving the country was. Three women had family living in Germany who were able to help them financially, but support was limited with some of the women interviewed describing the people in their life, friends and family, not wanting them to leave due to the dangers they would encounter.

Many women describe the fear they had on their migration journey and the fear that lives on from that, of the sea and of what they went through. Of the eleven women interviewed, nine

said that their journey involved walking extreme distances, sometimes with small children in their family. Donya, a married woman in her 20s, described her experience when fleeing, “They had a house in [her home country] which they sold to use the money to go to Turkey. The police caught and deported them from Turkey back to [her home country] twice. It was on the third time they made it to Greece. Every time they walked for twenty hours from [home country] to Turkey. They were five people; her, her husband and their kids. Their youngest child was only 4 months old. It was winter and it was cold and raining, it was very difficult. They stayed in Istanbul for ten-fifteen days. They left Turkey by boat and arrived at Lesbos. There were sixty people in one boat with no guidance. The only guide in the boat was another refugee. The smuggler told them it would be 20 minutes to Lesbos but it took 4 hours. She is now afraid of the sea.” Donya’s journey reflects the precarity of her entire family’s journey; they sold their home to search sanctuary in another country and twice were sent back to their home country which they were trying to flee. They had given up everything they had to try and reach safety without knowing if they would be allowed to finish their journey. They were also vulnerable to both the power of the police in Turkey that deported them, as well as their smuggler who forced them into an unsafe migration crossing where their lives were at risk.

Nine of the eleven women interviewed came to Greece by boat. Their description of these boat journeys included many risks such as boat leaks, overcrowding, police and coast guards trying to stop them, and sinking boats. Maria who is in her 20s, described her experiencing crossing from Turkey to Greece: their boat was broken, they came close to dying. They lost many things at sea. Their boat wasn’t rescued. There were seventy-one people in a small, broken boat for four hours. “It was so terrible. We could see the people who died in the sea. Our boat was full of water, we were trying to empty it with small glasses. It was so

difficult.” While these women know the journey can be dangerous, they know that staying in their home country is even more dangerous.

There are two cases of asylum seeking women who used different means of transport. Lisa is one of them. She boarded a plane from [her home country] and came straight to Athens. She used her real passport and did not pay a smuggler. She could not bring her family, including her young son with her and has had no contact with him since. Lisa left her family behind for their safety and her own, without knowing when or if she would ever be able to see them again. “She chose to leave by plane because she knew it was the fastest way to leave. She was scared they were going to arrest her when she tried to get on a plane, but she knew that if she stayed, they would arrest her and she would spend her life in prison so she risked leaving.” Sosan, a woman in her 20s, came to Greece by road from Turkey, paying a smuggler to bring her and her mother in a car. Even though Sosan did not take a dangerous boat journey across the Mediterranean, she and her family still needed to rely on a smuggler in order to make the journey, leaving them vulnerable to the smuggler.

The women that arrived by boat described the reception they received when landing. Help varied from being given blankets and food to directing them to the camp. None of the women that arrived by boat were left without assistance once they reached shore. All nine of these women were directed to a refugee camp or taken to a refugee camp by the people that met them when they arrived. Lyna described her experience, “When they first arrived in Lesvos, they were given blankets and heat bags by organizations because they were so cold. Volunteers then took them to the camp. At the camp they asked where they were from and why they came.”

For the two women that did not come by boat, they were left with less help and direction after arriving in Athens. They received assistance through friends that had made the same trip

and not through volunteers and they were not immediately directed to a refugee camp. Lisa said, “The first thing she tried to find when arriving in Greece was a church. The sisters at the church helped her and told her to apply for her status.” Sosan got help through a friend she had met on her migration journey, “First lived with a friend she had met in Turkey who was in Athens. This friend showed her where to go and organizations to talk to.” Women that have had to suddenly flee from their home countries in order to protect their own lives, arrive in a new country and there is no way for them to know how to receive assistance or begin the process of starting to make a new life for themselves. They found assistance through the community they surrounded themselves in., friends and religious organizations. Without this community, they would have been left with no assistance and completely vulnerable to deportation if they did not know they had to file a claim for refugee status. There was no support offered to them as they did not have contact with the volunteer organizations that the asylum seekers arriving by boat did. It was volunteer organizations that provided support at specific entry points, largely based on the islands, and there was limited too no government support available. This continues to leave asylum seekers vulnerable as they are in a country where they do not speak the language or know their legal rights and there are no official government procedures in place to help beyond being able to apply for refugee status.

While they were relieved to get to Greece, all the women describe their life after arrival using the words either bad or difficult, though it is for a variety of reasons. They are not always in safe situations after arriving; being in the camp where they feel unsafe or living in places where they are exposed to violence and people fighting. Those that were in a refugee camp describe the conditions of the camp as a cause of stress. They describe feeling unsafe, men and women having to live together, not having access to proper bathrooms or anywhere to shower,

being conscious of the sexual violence in the camp and unable to go anywhere alone, and a lack of food. Jigar, a 22-year-old woman, from Afghanistan that had completed 1 year of university before fleeing said, “In Elliniko camp everything was bad because it was so hot, over populated, the food was bad, we couldn’t eat it and it [the camp] was very dirty.” Entering another country in search of asylum is legal but the conditions the conditions the asylum seekers are forced to remain in while making their claims are inhumane. These conditions in the camp are leaving the women vulnerable as they describe how they are unsafe. They are at risk of gender-based violence during their time in the reception centres. They also do not know how long they are going to be there for which is one more situation of precarity in their lives.

Many of the women described one of their fears as the unknown of what comes next in their life. They are afraid they will get deported or what will happen in their future. They are left in a constant state of precariousness as they are uncertain of what will happen next. Raha, married woman in her 20s said her fears are, “About their future, what they will do. They didn’t know anything about Greece or have any information. The first days were so difficult to communicate, they were so scared to even talk to anyone.” Donya, a married woman in her 20s said her biggest fear is the closed borders, “She feels like she is in jail and cannot move.”

Eight women explained that when they came to Greece, they did not know they would have to register as a refugee. They were told by others that if they wanted to stay, they needed to register. The women were not aware of what is necessary to gain status in another country. When describing how they left their country and why it was necessary for them to do so to survive, it can be understood that all the set procedures for what to do upon arrival might not be known. Many of the women described being too scared to talk to anyone, also the had a fear of being deported if they talked to any official representatives. They continue to be vulnerable as they are

placed in a system they know nothing about, that they do not feel they can trust and that does not have the capacity or resources to offer support in the form of educating the high number of asylum seekers arriving at one time on the legal process.

Similar to how every person has different goals for their life, these women all have different hopes and dreams. Seven of them want to return to school and receive an education. Four women mentioned that they would like to move to a different country, three of the women want to continue on to Germany and one wants to move to Finland. For two of these women, not wanting to settle in Greece is also delaying their education. Lyna said, “In God’s Will she wants to be a computer engineer. She is waiting to start her classes until she gets to Finland. In [her home country], her brother used to open and fix computers and put them back together. She was with him and wants to continue this. She used to help him when he had many things to do. He would tell her what to do to the computer and she would do it. She is trying to learn English and waiting to go to Finland before she starts school. They can’t work here so they want to move on to somewhere they could find a job.” Lyna demonstrates having a plan for what she wants in her life, even describing having the real-life skills and experience to help her achieve it. However, as she waits for the results of her asylum claim and is in a system with a such a high number of asylum claims being processed that it can take over a year for the results, she is stuck in a situation of uncertainty and waiting as she is delayed from pursuing her dreams and is left without knowing what the next options are for her education or career.

There is also no guarantee for when their asylum claims might come through. Of the women interviewed, five of the women had done their in-person interviews and were waiting for results. Two women had successfully completed their interviews and received positive results. At the time of my data collection, four women had their interviews scheduled and to be done later.

The frustration and the constant unknown of the asylum procedure is reflected by Raha, a married woman in her 20s said she had done her interview three months ago and was waiting for the results. Prior to this, they had cancelled her interview six times. Her husband had interviewed a year ago but they wouldn't release his results until they also gave hers. Lisa said it was very hard to complete her interview because she could not get any documents from the government in her home country.

Many women had their own specific hopes, things they want for their life. Raha said, "I don't want many big things. I want safety that now I have. I want a usual, normal life like other people have. I want to get rid of the idea of me as a refugee. It bothers me that people always call us refugees." This label of a refugee continues to leave them vulnerable as there is growth in the anti-immigration movement and xenophobic attacks. As Greece faces an economic crisis, it became easier to blame migrants for social problems such as rising crime rates and unemployment. With tensions high throughout the country, anti-immigrant discourse and xenophobia have become present in the mainstream with 8 percent of the national vote in the election of June 2012 going to the far-right party (Triandafyllidou & Kouki, 2013, p.711).

Raha described how she feels being labeled a refugee, "I want people to know that refugees are normal people. Sometimes people look at us like they don't like us. I'm so thankful to Greece and other countries that helped refugees. Greek people are so kind. When I go to a shop I try to talk in Greek and they are so kind. But someone that has a hijab, people see they are refugees and look at them like they are not good. This bothers me because I am a refugee and if I had a hijab they would look at me like this." Wearing a hijab is a woman's religious choice but in Muslim minority countries such as Greece, it might be viewed as a politicised article of clothing and another way Muslim practicing asylum seekers or refugee women stand-out from the rest of

society. The feeling Raha describes can be understood when contextualized with reports of treatment of refugees in other data source such as Al Jazeera. At the beginning of January 2018, Al Jazeera reported of thirty attacks on migrant's homes in two Piraeus neighbourhoods over a span of two weeks. The attacks took place in large immigrant neighborhoods and included spray painting of anti-Muslim slogans on several homes. Al Jazeera spoke to the president of the Pakistani Community in Greece organisation, Javed Aslam, who commented on the attacks, explaining that the perpetrators yelled xenophobic comments while breaking windows in several homes (Strickland, 2018). Aslam further explained that he believed these attacks were carried out by the alt-right group, Golden Dawn. This group has a history of perpetrating violent acts toward Pakistani immigrants in Greece, with members linked to the group fatally stabbing a Pakistani man in 2013 when he was on his way to work (Strickland, 2018).

Three of the women mentioned their children or families in their hopes and wanting things for them. Maria, a woman in her 20s explained, "When she thinks about her future and her future children, she doesn't want them to be in a difficult situation like she was." By fleeing to Europe, these women are leaving situations of structural and direct violence, embarking on a journey where they are highly vulnerable, in the hopes that their children will never be forced to have these same experiences. However, as these women share their fears of not knowing what comes next for their status, where they will live, or how they will build a new life for themselves, their children are left in continued situations of uncertainty.

Six women mentioned the challenge of the border being closed. They had plans to continue on to other countries which now is not possible. This adds one more thing they do not have certainty about to their lives. Jigar said, "Her family thought the borders would be open. When they were closed, they felt hopeless. She cried to her mom and begged her to stay in

Greece. They only stayed because they couldn't go back to [her home country], it would be worse there. Her one sister left and went back to [her home country] because things were so bad in the camp." These women do not want to register for refugee status because they know this means they cannot apply for status in another country and they do not want to continue to live in the conditions in Greece. These conditions and the situations in the camps are a violation of their human rights. When Jigar states that things would be "worse" in [her home country], she is describing that even though the conditions refugees are left in are deplorable, asylum seekers and refugees are individuals that have had to flee for their lives and have entered another country for their safety. Due to the fact that asylum seekers are not able to move to other countries in Europe, it is leading to overcrowding in refugee camps and contributing to the stresses previously described.

A challenge that is mentioned by four women is the language barrier they are facing. Having to stay in Greece means having to learn a new language and makes settling more challenging. Layla, a married woman in her 20s said they had bought tickets and tried to go through the Macedonia border and being turned away was their biggest challenge, having to learn the language if they are going to stay here is the second. Donya, described wanting to learn the language of whatever country they settle in so that she is able to help her children with their schoolwork. All eleven women interviewed are enrolled in Greek classes at Melissa. Nine of the women that are not already fluent in English are also taking English classes at Melissa. The women were attending classes at Melissa, a non-profit organization that is run by women in the community. Outside of this organization, the women would not have had access to classes to learn the language of the country they are living in. If there are not official, government processes in place to help asylum seekers and refugees learn the language, they are forced to live

in a country where they will struggle to communicate and continually be forced to feel like outsiders. This is a reality for asylum seekers in all European or North American countries that do not offer support in integration and settling in their new communities. Language classes are an example of a resource that is lacking which could assist with settlement and help make them feel more comfortable about staying in Greece. If people do not speak the language, cannot communicate, and are not given the option to learn, it is one more way they are going to feel unwelcome.

Five women mentioned that their main obstacle is finding a job. Finding a job is also connected to the language barrier. Without being able to speak the language, they cannot get a job. Not having a job makes it harder for survival and harder for those that would like to move on to another country. Layla says, “Her biggest obstacle is trying to find a job because if she does not have a job, she cannot earn money. It is difficult because her children will ask her to buy something for them and she can’t. When she gets a positive asylum claim, after six months she stops getting financial support. It’s difficult because she doesn’t know what to do. She must know the languages to get a job and even then, in Greece it is hard to find work.”

Five women mention their challenge is the lack of support or not having anyone to help them. Jigar further described their experience staying in Greece, “There is no emotional support. Her mother is very sad. She stayed by force because her children wanted her to stay.” Jigar’s mother stayed for her family, even though living in Greece made her very sad. They convinced her to stay because they new they could not live safely in their home country and her children begged her to stay with them. Donya, a married woman from Iran described having a sick husband and three children with no support, she said she is, “very afraid for the future.”

While every woman that wants to go back to school had different career ambitions or goals, learning Greek and English are what they are focusing on so that they can continue their education later. Jigar said, she is “Looking into attending the American college in Athens but need to improve her English. She wants to finish her studies and find a job. She wants to be a famous writer. She needs to learn English to finish her studies.” Without formal offering of English and Greek classes to asylum seekers or refugees, many will never be able to finish their education. This inhibits their ability to integrate into society, attend school or find a career which in turn perpetuates the narrative that asylum seekers are a burden on the welfare system and will need continued government support and funding.

When asked if they had anything else they would like to add or expand on about their experience, nine women chose to talk beyond the questions asked. Five women mentioned their home countries; wishing people understood what it is like there and why they left. Lyna said, “People are suffering in the Arab world so they should open the borders. In the news they don’t tell the truth of what is happening to them”. Three women mentioned their hope for migrants to be successful. Miriam, a married woman in her 20s, had a very powerful last message when she said, “All of the people that came here knew they could die but they came here because they want to be safe and live somewhere good for them. They had to come.” Miriam shared the story of her life endangering journey that she took because her experiences staying in her home country would also endanger her life. These women described the situations of precarity and vulnerability they experienced as part of their migration journeys because these were things they had to face to be able to seek asylum in another country.

## **Chapter 7: Conclusion**

### ***Summary of Thesis***

This thesis shared the irregular migration journey experiences of asylum-seeking women living in Athens, Greece to argue that migration policies and practices have left them vulnerable and in continued states of precarity. I chose to research the experiences of women migrants as gender plays a role in shaping the distinct challenges women face in their migration journey including gender-based and sexual-based violence.

The first chapter of this thesis introduced the topic, defined key terms, relevant to migrants, refugees and their rights and set out the thesis structure. The second chapter analyzed the concepts of precarity, and gender and sexual based violence, situating them within the discourse of migration and refugee studies. Asylum seekers and refugees are population at risk and the conditions under which they travel, cross borders and try to access rights guaranteed under international conventions may leave them vulnerable. The third chapter discusses the current migrant “crisis”, in the Mediterranean and in Greece specifically. The fourth chapter looks at the legal aspects such as international protocols, as well as laws and policies in the EU and Greece, paying particular attention to the EU-Turkey Migration Deal and how the implementation of this deal has violated international agreements. The fifth chapter discusses my methodology for the empirical research I completed in Athens. Chapter six is a qualitative data analysis of the semi-structured interviews I had with migrant women living in Athens, Greece and attending the Melissa Network for Migrant Women. By analyzing their stories, I argue that migration policies have left them in situations of high vulnerability. All of the interviewed women live in uncertainty and situations of precarity which prevent them from moving forward and establishing a life for them and their families. Chapter seven concludes the thesis and

provides recommendations to address some of the more glaring weaknesses in the reception and treatment of asylum seekers attempting to cross into the European Union.

The question driving this research is, “what are the lived experiences of female asylum seekers in Athens, Greece?” Using an in-depth literature review, I developed an understanding of the policy environment on asylum seeking in the European Union. Through interviews with asylum seeking women that had arrived in Athens, Greece I paint a picture of the challenges and obstacles faced during the migration process which are leaving asylum seekers highly vulnerable and in continued states of precarity.

My findings are that asylum seekers and refugees face hardships through every phase of their journey: from travel through neighbouring countries, reaching Greece, then transition from camps on the islands to the mainland and applying for refugee status. These hardships are influenced by the policies and practices in place to address asylum seekers and migrants. This can be reflected in the treatment received within refugee reception centres and settlements, as well as the length of time for the application process. These are factors in women’s migration journey which leaves them vulnerable and in continued states of precarity.

### ***Recommendations***

The data collected from this research show the ways in asylum seekers and refugees are left highly vulnerable and in continued states of precarity. The discourse addressing this population needs to change from one of fear and security, to assistance and aid. The international system which is in place to protect refugees is no longer sufficient as the population of asylum seekers has drastically changed since it was first adopted. Based on the experiences of the women interviewed at the Melissa Network, in combination with existing literature regarding asylum seekers and refugee experiences, I will discuss improvements that need to be made to help protect the human lives placed at risk by the current migration framework.

### **(I) Safe Passages**

It must be recognized first that when state cannot guarantee the life and security of its citizens, people are going to flee. According to international law as enshrined in the *Universal Declaration of Human Rights* and the *1951 Convention Relating to the Status of Refugees*, they have the legal right to search for sanctuary by crossing the borders of another country. As related by all women interviewed, they fled from their home countries because they were forced to. However, there have increasingly been policies implemented to try and deter asylum seekers from reaching other countries, crossing the border and make their claim for asylum. These policies do not stop flight but simply make it more dangerous. It is not possible to stop people from migrating, but it is possible to make migration less dangerous. Increased border security decreases human security.

Asylum seekers and refugees are different from economic migrants. They are leaving their home countries not by choice but by force. During the interviews with the women at Melissa, all interviewees described leaving their home country due to fear for their safety. Asylum seekers do not want to leave but must if they are going to survive. Women at the Melissa Network shared horrifying experiences during their journey, including being forced into over crowded boats, being stranded at sea for hours and seeing people drown. It needs to be recognized that it is a human right to search for safety elsewhere and policies which make it likely that people doing so will risk losing their lives on the journey to a new country do not respect this. Creating safe and legal routes for asylum seekers to enter Europe does not necessarily mean there will be an influx of migrants. As the statistics reflect, people do not want to leave their home country and are expected to flee to neighbouring countries which are more likely to share the same religion or culture. A report published by Amnesty International in October of 2016 states that out of all the countries in the world, ten countries have taken in over

50 percent of the world's refugee population. At that time, there were twenty-one million refugees worldwide and twelve million were located within only ten different countries (p.4). The report further explains that the reasoning behind this is because they are the neighbouring countries to conflicts (p.6). According to the UNHCR, the countries with the highest number of refugees within their borders are Turkey, Uganda, Pakistan, Lebanon, and the Islamic Republic of Iran (UNHCR, 2018a). People like to be close to their home and culture that they feel connected to. Societal norms, culture and religion will influence where people choose to settle. Creating safe passages does not mean open borders, people would still need to qualify for refugee status in order to live and work in a new country. Creating safe passages for asylum seekers allows for countries to respect their commitments under international treaties and protects asylum seekers from putting their lives further at risk when fleeing from danger.

## ***(II) Participatory Development in Reception Facilities***

The refugee camp system designed by the United Nations High Commissioner for Refugees is no longer the most relevant solution. The camps are planned and organized for short term and temporary stays including managing a crisis and distributing goods for a short period of time (Hynie, 2018, p.266). The Greek reception facilities are unfit for living and subject refugees to cruel punishment as they are left in freezing conditions, without proper food, human waste is not disposed of properly and there is overcrowding (Kelly, February 2018 and Kakissis, March 2018). With some facilities being forced to hold three times as many people as they are designed for, issues of overcrowding can also be attributed to the extended period of time people are being forced to remain in the camps before being able to relocate elsewhere. Increased resources are critical to ensure the rights of asylum seekers and refugees are protected. These resources could even come in the form of personnel from surrounding countries to help process applications. With such an influx of refugee applicants in such a short time, overcrowding and extended wait

periods have contributed to inhumane conditions. While living in the reception centres, asylum seekers lose their agency and have no voice in making decisions effecting their lives.

Participatory development should be a part of the system, allowing for asylum seekers to voice their concerns and have their issues addressed. Allowing for asylum seekers to participate in the decision-making process would allow the reception facilities to address the issues the people living in them deem the most important, instead of what the UNHCR or host country think the people need. While participatory development would not address issues that arise from lack of resources, it would allow for asylum seekers and refugees to have a voice in where they would like the resources to be focused. The main objective of all types of participatory development is, “To empower local and subordinate people, enabling them to express and enhance their knowledge and take action” (Chambers, 2008, p.85). Having participatory development in reception facilities in Greece would help empower the people living there by providing feelings of acceptance to the asylum seekers by the host society as some factors of agency are returned to their lives. A key concept in participatory development is the idea of empowerment. Encouraging participation would allow for asylum seekers to feel they have regained some power over their lives.

### ***(III) Integration Through Proper Support***

Helping integrate refugees into society is what is best both socially and economically for the receiving society. If refugees do not receive the proper assistance, such as schooling and housing, they will not be able to work or participate in the economy (Hynie, 2018, p.268 and Hayes and Endale, 2018). If there are few support services for refugees and they do not feel welcome, this may also hinder their ability or willingness to learn the new language. This, in turn, can have a long-term effect on their ability to find employment (Hynie, 2018, p.268). It also

hinders their ability to create social bonds in their new communities, outside of other migrants and refugees that speak their native language. Women at the Melissa Network were all learning Greek and English, but this was being facilitated at a non-profit organization that the women had to find and register for and can accommodate only so many women. Without this organization, learning the language might not even be a possibility. There needs to be more focus and attention given to helping refugees integrate into the country, instead of processing their applications and leaving them to figure out a new culture, language, and society for themselves. As local integration is one of the official solutions of the UNHCR, more resources and attention should be devoted to ensuring it is a realistic possibility.

#### ***(IV) State Sovereignty Versus Human Rights***

A state's right to control who enters their country is an aspect of sovereignty and the laws promulgating state's sovereignty must be weighed against the state's responsibility to protect. Sovereignty legally gives a country's government the right to decide who enters the country, when, which non-citizens should be allowed to stay, and who is compelled to leave (Goodwin - Gill, 2014, p.36). While the section relating to non-refoulement is the only principle in the *1951 Convention Relating to the Status of Refugees* which questions state sovereignty, sound and humane judgement must be used when those in search of refuge enter a country (Hansen, 2014, p.254). If the world were to operate solely around sovereignty, there would be inhumane consequences. This means that the current migrant crisis is challenging the accepted state system with the high inflow in refugees and the way individual nations are choosing to respond. By choosing state sovereignty over the rights of asylum seekers, countries are ignoring international human rights laws and leave asylum seekers in states of high vulnerability and precarity.

While the Convention is the most important document for addressing refugee issue, this document was created in the 1950s when the refugee situation was entirely different. It was created to help people in Europe after World War II and was ratified by States that were expecting to receive European refugees. The world is now facing the largest migrant crisis in history and the Convention does not ensure a right to asylum but guarantees the right to ask for it (Hansen, 2014, p.257). This leads to the question of how much is enough? When considering state sovereignty Gibney argues that while countries may be morally obligated to accept refugees, if the cost is too high there can also be justification for their exclusion (Gibney, 2014, p.52). This is like Goodwin-Gill's stance that no country should be obligated to accept a number of refugees that will be a larger cost than benefit that could be received from doing so (Goodwin-Gill, 2014, p.41). Under the current migrant crisis, countries have begun to close their borders refusing to accept more refugees (Hansen, 2014, p.258). In making the decision regarding "how many is enough?", states need to question what is more important; the financial cost or the cost of lives that will be lost. The policies they choose to implement demonstrate which is more important to them and how they will be remembered in history.

### ***Conclusion***

The stories that the women shared with me express journeys full of hardship, danger, and sacrifice. The challenges they had to overcome in search of safety are exacerbated by policies implement by the EU and Greece. An example of these policies is the forced extended stays in refugee reception centres which are unsanitary and unsafe. Policies which force asylum seekers to remain on the islands also keeps them in refugee camps. As Greece has had hundreds of thousands of people arrive on its shores, many other EU countries have refused to accept some of these people into their country. This not only causes overcrowding in camps but extended times for asylum applications to be processed. The fear of being refused or having to stay in a country

under such poor reception conditions makes refugees hesitate to apply for status. Asylum seekers and refugees have risked everything and have been left vulnerable by a system that portrays them as a threat instead of people in need of help. While these are women that survived the journey and are currently living in Athens, their safety and security is not guaranteed. They are left not knowing what comes next in their life, some do not even know if they will be allowed to stay in Greece. They cannot build a life for themselves or their families as they are left waiting in continued states of uncertainty. They are also vulnerable as many continue to live in refugee camps. With a societal discourse that portrays asylum seekers and refugees as a threat to culture and to society, they are portrayed as outsiders. Not only are they facing policies and a legal system that leaves them at a disadvantage, these policies create and reinforce a societal mindset that asylum seekers and refugees can be viewed as a danger and security issue, making it easier for the policies to be socially accepted.

The irregular migration journeys that asylum seekers and refugees take is not a simple one. They leave everything behind when fleeing their home countries; this includes their possessions, their jobs, and sometimes even their families. This is not an easy choice to make but it is one they must make to survive. However, there are laws and policies in place which leave asylum seekers in continued states of precarity and highly vulnerable, particularly women. When speaking to asylum seekers and hearing their stories, it is immediately understandable as to why they fled their country and crossed the border into somewhere new. The women interviewed even discussed this, wishing that people could understand what it is like in their home countries.

In order for things to change, the perception of asylum seekers and refugees must change. They need to be given a voice in the conversation that shapes their experiences. Their stories need to be shared so that people can understand that they are not a threat or a danger, they are

people who want to build a life like anyone else, but their home country was not a safe place for them to do this. Even when arriving in Europe, many continue to live in fear as they have left circumstances and been through experiences which they will carry with them forever. The policies in place are created from a strictly sovereign point of view; a fear of outsiders and what that could mean to a country's culture and way of life, as well as unwillingness to share resources with "others" and those in need. It is time that asylum seekers and refugees are viewed as people, the conditions and circumstances they are subjected to are reevaluated, and humanity is re-attached to the people who are risking everything in search of help.

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