

Notes

Chapter 1

- ¹ When I cite ‘Europe’, I am referring to the countries that have signed the Schengen and Dublin Agreements, which almost but not completely overlap with the Member States of the European Union (for instance, Switzerland is not part of the European Union but has signed these two agreements).
- ² I decided not to unveil the location of the camp for reasons of anonymisation.
- ³ The Swiss asylum system has undergone a significant restructuring since the revision of the asylum law, which came into effect in 2019 and has as its primary aim the acceleration of asylum procedures (see, for instance, [SEM, 2016](#)). Since then, asylum seekers are accommodated in large collective centres for up to six months, within which time most people receive a decision about their application. This recent revision of the asylum system mirrors a general trend in Europe to accelerate asylum procedures to make the asylum system more efficient (and thus less expensive) as well as to avoid asylum seekers remaining in limbo-like conditions for too long ([Bernhard and Kaufmann, 2018](#)).
- ⁴ The duration of the interviews varied considerably (between one and six hours), and some interviews were conducted on two different days. In most cases, I was able to record the conversations, except for six cases, in which people felt uncomfortable with a recording device and in which I wrote down our conversation as accurately as possible. Language barriers caused some problems as I carried out several interviews in a language that was neither my mother tongue nor that of the interviewee (in English, French or Italian). However, since I have spent time with most of my interlocutors before and after the interviews, I was often able to clarify certain gaps in information or misunderstandings.
- ⁵ I decided not to focus on one ethnicity or nationality as this runs the risk of ‘culturalising’ experiences. Instead, I turned the focus on the effect of illegalisation ([Dahinden, 2016](#)).
- ⁶ Six of these interviewees worked for state asylum authorities (four in Switzerland and two in Italy), one for a security company subcontracted by the state for its services in an asylum camp, two were employees of a supranational organisation working on migration (one in Austria and one in Italy), four were employed by NGOs (three in Italy and one in Austria), one person offered pastoral care in an asylum camp, three worked as legal counsellors (two in Italy and one in Switzerland), and three people conducted research about so-called irregular migration or forced migration (two in Italy and one in Austria).

Chapter 2

- ¹ In Italy, unaccompanied minor asylum seekers do not risk deportation to their country of citizenship ([Demurtas et al, 2018](#)). It was not possible for me to understand what exactly happened in Italy with regard to Walid’s legal case.

- ² The fact that most of my interlocutors resided in or passed through Italy is also related to the circumstance that most interviews were conducted in Switzerland, Italy's northern neighbour country, and therefore an important transit country to other European countries.
- ³ Many thanks to Michael Collyer for pointing out this distinction in a personal conversation.
- ⁴ People often also referred to 'asylum' when describing being registered as rejected asylum seekers who receive so-called emergency aid (see later).
- ⁵ For a more thorough description and analysis of asylum laws and their implementation, I refer readers to other publications (see, for instance, [Bohmer and Shuman, 2018](#); [Gill and Good, 2019](#); [Affolter, 2021](#)).
- ⁶ Cf the 2011 Qualification Directive (recast), the 2013 Asylum Procedures Directive (recast), the 2013 Reception Conditions Directive (recast), and the 2011 Temporary Protection Directive ([EASO, 2016a](#)).
- ⁷ The following list of prioritised criteria determines how responsibility is allocated to Schengen states. An asylum seeker's case will be processed a) in a country where she or he has close family members who have been granted international protection or where a family member has filed an asylum application that is still pending; or b) in a country that has issued a residence permit or visa to the asylum seeker, or whose borders the asylum seeker has illegally crossed (additional rules apply to minor asylum seekers) ([European Commission, 2013a](#)). If none of these criteria apply, the country in which the first asylum application is submitted is responsible for processing it.
- ⁸ In Switzerland, people can be imprisoned for up to 18 months due to their illegalised status ([SFH, 2015](#)).
- ⁹ Most of my interviewees were at increased risk of deportation in Europe due to their nationality, as their country of origin has bilateral agreements with EU Member States to 'take back' their citizens.
- ¹⁰ Unfortunately, I do not have any information about the legal grounds on which humanitarian protection was granted.
- ¹¹ Interestingly, 70 per cent of regularised people were women (see also [Chapter 3](#)).
- ¹² In case neither the asylum procedure nor other regularisation procedures were successful, one of the last resorts to obtain a residence permit would be marrying a European citizen or a person holding a European residence permit. I will return to this option in [Chapter 6](#).

Chapter 3

- ¹ The notion 'vulnerability' has recently been discussed in migration studies, and particularly in studies and policy discourse on forced migration (see, for instance, [O'Higgins, 2012](#); [Atak et al, 2018](#)). What I refer to in this chapter is what [Mackenzie and colleagues \(2014: 7\)](#) have called 'situational vulnerability', which results from context-related aspects, such as the precarious legal status but also ascribed gendered and racialised attributions.
- ² At the time of writing the last lines of this book, this is particularly evident in the public discourse surrounding refugees from Ukraine who have fled to various European countries. These are predominantly women and children, who are consistently portrayed as 'real refugees' (and thus deserving) – in contrast to men from the Middle East, for example ([Dahinden, 2022](#); [Neff 2022](#)). Here we can see in a particularly clear way how much the discourse around deservingness is racialised and gendered.
- ³ I used the same quote in an article published in *Tsantsa* ([Wyss, 2018: 122](#)).
- ⁴ I used the same quote in an article published in *Tsantsa* ([Wyss, 2018: 123](#)).

Chapter 4

- ¹ I do not know why the competency for his case changed to Germany. Supposedly, German authorities had fallen behind with the processing of asylum cases due to the chaotic circumstances in 2015 and 2016 with the arrival of almost one million asylum seekers. The Dublin Regulation sets a time limit for deportations. If a state fails to remove a person within six months (or 18 months if the person absconds), the responsibility for the asylum case is transferred to the state where the person is staying. I assume this is what happened in Jamal's case.
- ² This chapter contains different fragments that were previously used in an article published in the *Journal of Immigrant and Refugee Studies* (Wyss, 2019).
- ³ In the context of the European Union, the term 'mobility' has recently been used mainly in connection with the movement of EU citizens within the EU and was thus contrasted to cross-border migration by non-EU citizens (Moret, 2018: 11). This is a legal and political distinction between migration and mobility, and I will not draw upon it in this chapter (see also Faist, 2013 on the juxtaposition of labour migration versus mobility).
- ⁴ For reasons of anonymisation, I deliberately chose not to disclose the canton of the asylum facility where I did a major part of my fieldwork. I speak here about one cantonal practice of migration control, which took place in Zurich and not in the canton in which I conducted fieldwork in the asylum camp. I made sure that the citations quoted here do not stem from interlocutors whose journeys figure prominently in the book so as not to reveal too much information on where they were registered during their stay in Switzerland.
- ⁵ Surely, it is worth underlining that the Dublin Regulation does not completely fail with regard to its intentions. It enables states to establish competencies concerning the processing of asylum applications and consequently to dismiss a substantive examination of their asylum application and eventually remove them from state territory.
- ⁶ I prioritise data from 2014 because this was the year I started my fieldwork. This covers a period during which my interlocutors were already in the Schengen area.
- ⁷ 'Refugees in orbit' refers to protection seekers for whose claim no state accepts responsibility, resulting in 'delaying access to protection' (Fratzke, 2015: 4).
- ⁸ See also Chapter 6 on making time through prolongation of a temporary legal status.
- ⁹ The same quote has been used in our book *Migrants Before the Law* (Eule et al, 2019: 152f).

Chapter 5

- ¹ A special flight denotes a flight specifically scheduled for migrants expected to resist deportation and during which severe coercive measures are applied (among others, the deportees may be tied to a chair; SEM, 2021).
- ² We used the same quote in our book *Migrants Before the Law* (Eule et al, 2019: 60).
- ³ Since the 2019 revision of the Asylum Act in Switzerland, asylum seekers now receive free counselling and legal representation during the asylum procedure, which presumably facilitates receiving information on their legal proceedings.
- ⁴ If, according to the Dublin Regulation, another country is responsible for processing an asylum application, state authorities can reject the respective claim on the grounds of being 'inadmissible'.
- ⁵ Camp residents received free tickets only for the officially affiliated legal counselling office.
- ⁶ Interestingly, a common problem was the blocking of Facebook accounts. It took me a while to understand that this, indeed, had to do with the high mobility of people. If a Facebook account is accessed from different localities in a short amount of time, the user

is asked to confirm her or his account by answering some personal questions or linking the correct name to pictures of his or her friends on Facebook. Many people struggled – due to lack of language or technical skills – to solve this issue and, consequently, lost their contacts and had to set up new accounts.

- ⁷ Parts of these quotes have been used in our book *Migrants Before the Law* (Eule et al, 2019: 128).
- ⁸ In Switzerland, illegalised migrants wishing to marry have to overcome many obstacles. Marriage in the country of origin could in some cases ease the marriage procedure, after which the couple could apply for family reunion in Switzerland.
- ⁹ However, decisions are of course not only based on rumours but also on individual experiences and written information. Farhan, for instance, said that he bases his decisions on what he hears on TV or reads on the Internet: “I always listen to the news, [I use the] Internet. I learn from many [sources]. CNN, Aljazeera, different channels.”
- ¹⁰ See <https://rumoursaboutgermany.info/> (accessed 11. 4. 2019)

Chapter 6

- ¹ See also vignette in Chapter 5 (pp 106f) on the circumstances of Adama’s arrest.
- ² He was referring to money camp residents received for taking part in occupational activities, which amounted to a maximum of 30 Swiss Francs per day. 30 Swiss Francs is roughly equivalent to an average hourly wage in Switzerland (watson, 2016).
- ³ See for instance Scieurba (2016) who describes how migrants in the Italian hotspots system are separated upon arrival according to their nationalities.
- ⁴ The two interlocutors refer here to two regularisation programmes in Italy (Sciarra and Chiaromonte, 2014: 123).
- ⁵ See also Chapter 5 in our book *Migrants Before the Law* (Eule et al, 2019) where we elaborate on how ‘making time’ is a tactic applied by different state, non-state and migrant actors.
- ⁶ I used parts of this quote already in an article on ‘Illegalisation, Masculinity and Intimacy’ (Wyss, 2018).