

## COVID-19 AND MIXED MIGRATION IN THE EASTERN MEDITERRANEAN REGION: “CRISIS WITHIN A CRISIS”

*The peculiar and lingering pandemic is having a devastating impact on that part of the vulnerable and marginalized section of the population which is already in grave misery – the forced migrants. Migration is directly proportional to irregular movement, which has been restricted due to COVID-19. Mixed migration is in itself a very complex issue, and it primarily refers to all those who are crossing borders but are not recognized by International law as refugees which further aggravate their plight and vulnerability. Few nations which earlier had open border policies, are now being forced to shut their doors and ramp up vigilance in the wake of the pandemic.*

*The worldwide lockdown, travel restrictions, inability to maintain social distancing, lack of proper access to healthcare facilities, xenophobia, limited knowledge and awareness of the rules and regulations; all these are taking a toll on the overall well-being of the migrants. In 2018 for instance, Turkey experienced a substantial increase of irregular arrivals (those lacking legal documentation) and Afghan nationals constituted the largest group of new irregular arrivals. They typically belong to the most oppressed and exploited section of the population. Migrant workers directly affected by the pandemic suffer from psychological problems like post traumatic stress disorder, depression, anxiety, panic disorders and a sense of impending doom. Countries need to come up with both short term as well as long term policies to extend all possible assistance and protection to both internal and international migrants. Lack of proper access to healthcare in times of such emergency especially for the migrants due to unavailability of proper documents, is no less than denial of basic human rights. This pandemic must act as a wake-up call to governments about the need for social protection measures to ensure that migrants get basic services like food, education, shelter and security.*

KEYWORDS: Irregular migrants, complex flows, COVID-19, geopolitics, EU-Turkey relations

### INTRODUCTION TO THE CONCEPT OF MIXED MIGRATION

Migration is an age-old phenomenon and we are living in a globe where one in seven of the world's population is a migrant. It is a common perspective that those on the move today constitute a grave new crisis of unmanageable numbers, who are infringing upon the sovereignty of states; while many reject this view as lacking compassion, side-stepping international responsibilities and as evidences of prejudice and xenophobia. Migration has become the most divisive and polemic issue, discussed in headlines almost every day. It is part of a global social transformation and is occurring in a changed world with varied conditions, different perspectives on tolerance, anxieties and spread of multiculturalism. Much of the popular concern related to contemporary migration is directed towards “mixed migration” and complex flows. It refers to

cross border movements of people including those fleeing persecution. The movements are irregular, frequently involving transit migration where persons move without requisite documents in a clandestine fashion, crossing borders and arriving at their destination in an unauthorized manner. Irregular movement, normally involving facilitators and smugglers, is at the heart of the phenomenon of mixed migration.

The problem of mixed migration always existed, but the growing interest in this particular phenomenon has gained prominence recently. As Thomas Linde points out, ‘The concept of mixed migration has its origins in the efforts in the 1990’s to draw a clearer line between refugees and asylum seekers who are protected by International Refugee Law, and migrants who are not.’<sup>1</sup> For a better understanding of the terminology, ‘there is a stark institutional separation between the “refugee” and the “migrant” and this line has historically been created with the idea that the refugee has privileged status in international law. One by-product is that it legitimates one group – refugees – and sometimes de-legitimizes the other group – economic migrants. In a globalised world, it is now widely recognized that it’s very difficult in practice to draw a clear distinction between those two categories. In the current context, it therefore makes pragmatic sense to safeguard the category of “refugee”, but gradually ensure other groups of vulnerable migrants also receive access to the protection that they need under international human rights norms.’<sup>2</sup> While migration has long been neglected in the international political arena, it has slowly emerged as a global topic since the turn of the millennium and drastically gained in attention during the migration and refugee crisis of 2015 and 2016 which put migration and displacement on the top of political agendas.<sup>3</sup> There are several push and pull factors for migration which differ from one region to another. Some of the pull factors are better educational opportunities, household/food availability and livelihood, better health services. However lack of employment and business opportunities at home, political instability, climate disasters, civil wars are the push factors that compel people to migrate. Apart from these, there are innumerable other causes along with COVID-19 which have added to the brewing migrant crisis.

## AN OVERVIEW OF THE EFFECTS OF COVID-19 ON MIGRANTS

The novel Corona Virus is carrying on with its ‘chosen’ task of claiming innocent lives all over the world. It has undoubtedly affected the global economy, livelihood, health and education in the worst way possible. ‘One of the major consequences of the pandemic is the economic recession resulting from the lockdown measures governments have put in place to contain the diffusion of the virus.’<sup>4</sup> The lingering pandemic is undoubtedly having a devastating impact on that part of the most vulnerable and marginalized section which is already in grave misery – the migrants. We as normal citizens have national identity, a house to stay and the facilities to follow the norms of isolation and social distancing to save ourselves from the “deadly virus”. Hence it is completely beyond our imagination what the migrants would be going through at the current situation, living in clusters away from their home and dying a slow, miserable death. Nations which earlier had open border policies, are being forced to shut their doors to the migrants and ramp up vigilance in fear of spread of the virus. The worldwide lockdown and other travel

restrictions have aggravated the global migrant crisis. For the daily wage earners, missing even a day's work can lead to skipping meals, cutting down on medical care and other necessary spending. Unskilled and low-paid migrant workers are losing their jobs as repercussions to the lockdown. Moreover inability to maintain social distancing, lack of proper access to healthcare facilities, xenophobia, limited knowledge and awareness of the rules and regulations, all these are taking a toll on the overall well-being of the migrants amidst the pandemic.

#### SITUATION IN THE EASTERN MEDITERRANEAN REGION

We shall discuss the flow of migrants through the Eastern Mediterranean route towards Europe, and how COVID-19 has affected the movement of 'irregular migrants' in the region. Irregular migrants are those who enter or remain in the country without the legal right and consent of the authorities. There is no universally accepted definition of irregular migration. The International Organization for Migration (IOM) however defines it as "movement that takes place outside the regulatory norms of the sending, transit and receiving country."(IOM, 2011) Changes in national laws and policies can turn regular migration into irregular migration, and vice-versa. The status of migrants can change during their journey and stay in the country of transit/destination, which makes it difficult to have a comprehensive picture of irregular migration and the profiles of irregular migrants. Terms such as "irregular", "undocumented" and "unauthorized" are often used interchangeably. When serious global and national challenges hit a country, such as an economic recession or the COVID-19 pandemic, displaced people's welfare is not prioritized like the welfare of the proper citizens of that country.<sup>5</sup>

The Eastern Mediterranean route 'used for many years as an entry path into Europe, saw the continent's biggest migratory wave since Second World War when 885,000 migrants used it to reach the EU in 2015; 17 times the number in 2014, which was itself a record year at the time. Most of the migrants on this route in 2015 originated from Syria, followed by Afghanistan and Somalia. Since then the number of irregular arrivals on this route has plunged following the implementation of the EU-Turkey statement in March 2016.'(FRONTEX). Over 800,000 refugees and migrants came via the Aegean Sea from Turkey into Greece, accounting for 80 per cent of the people arriving irregularly in Europe by sea this year. At the same time, the number of people crossing from North Africa into Italy dropped slightly, from 170,000 in 2014 to around 150,000 in 2015.(UNHCR) 'Greece has become the main entry point for irregular migratory flows into the European Union, while Turkey has become the main country of transit. Due to its geographic position at Europe's South-Eastern border, the Greek-Turkish land and sea border is one of the main entry points of irregular migration into the European Union.' As far as undocumented migration is concerned, both countries serve primary transit routes towards northern Europe. Apart from recent strained relations, 'Turkey and Greece are bound together in a problem which neither of them have the power to solve without greater solidarity and assistance from the European Union and other member States of the Council of Europe. The Syrian conflict and the influx of Syrian refugees, predominantly into Turkey, but also towards Greece, put an even greater strain on both countries.'<sup>7</sup> Entry takes place via irregular means,

especially in the case of Afghans, regardless of whether it is via the sea or the land borders. This implies that irregularity also characterizes their stay and/or onward travel to another country, since there are no alternative ways of legalization. Irregularity thus, is a key feature of the majority of Afghans and is a result of absence of alternative policies (e.g. legalization schemes), a fragmented asylum system and lack of documentations that certify their identity and legalization.<sup>8</sup>

## COVID-19 AND THE EU-TURKEY DEAL OF MARCH 2016

Greece and Turkey are both members of NATO, yet even in the best of times, they are tense neighbors. They share a centuries-long history of bloodshed and strife: today's modern Greek republic was once ruled by the Ottoman Empire.<sup>9</sup> Before discussing the repercussions of COVID-19 on the migrants in the eastern Mediterranean region, let us first understand the EU-Turkey deal of 2016 and what led to the signing of the deal. Since 2010, there have been ongoing serious political challenges and military actions in the nearby territories of Syria and Turkey up to the borders of Iran. 'The Syrian civil war had displaced an estimated 11.7 million Syrians by the end of 2015, making it the largest forced displacement since the end of the Second World War. This global crisis has become a serious political, logistical and humanitarian challenge for Europe. The reactions to the civil war by Syria's neighboring states were gradual border closures and visa restrictions, which led to an increase of Syrian refugees moving to Turkey. In 2012 Greece closed its land-based border with Turkey, due to which irregular migrants changed their routes to enter Greek islands by sea. With approximately 4.1 million refugees, Turkey hosts the largest number of refugees in the world.<sup>10</sup>

Eventually, the EU and Turkey released a joint statement on 18 March 2016 which aimed to establish a cooperative relationship between the EU and Turkey and to compel Turkey to cease irregular migration via Turkey to Europe replacing it with legal channels to Europe. The EU promised to compensate Turkey with around 6 billion euro to enhance the situations of such migrants as must now remain in Turkey. Many of them were from Syria, Afghanistan and sub-Saharan nations. According to the statement, among other things, Turkey agreed to prevent irregular migration from its territory to the EU, and especially to the Greek Aegean Sea islands. Turkey also agreed to intercept irregular migrants in Turkish waters and take them all back, and facilitate the rapid return of those crossing from Turkey into Greece and not in need of international protection (European Commission 2016; European Council 2016). In 2016, the number of arrivals from Turkey to Greece declined rapidly, up to 90 per cent compared with the previous year. However, these migrants needed to find other routes to the EU. In fact, in 2017, the Central Mediterranean route from Libya to Italy became the most frequented. After Italy implemented strong preventative measures against asylum-related migration, the most frequented route in 2018 was the Western Mediterranean route from Morocco to Spain. Then in 2019, the Eastern Mediterranean route from Turkey to Greece became the most frequented one again.<sup>5</sup>

The EU-Turkey Statement is based on the assumption that the influx of refugees into the EU is a security threat. Looking at migration primarily through the security lens is the EU's mistake, because this leads to restrictive policy measures, instead of humanitarian ones. Furthermore, the non-refoulement principle (Art. 33(1) APD) prohibits states to return individuals to a country where they would be at risk of serious human rights' violations.<sup>10</sup> It guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment, and other irreparable harm. It is binding on those countries — including Greece — that are signatories to the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the 1984 Convention Against Torture.<sup>11</sup> But the incidents of violence portray that both countries are simply turning a blind eye to these principles. 'At the core of EU-Turkey relations are readmission agreements, the visa roadmap and accession talks. There are various unresolved issues between Turkey and the EU, such as Turkey's involvement in the Syrian civil war since its outbreak or its unstable economic and political structure more generally. However, geopolitical factors force the EU to find a compromise with Turkey. The 2015 refugee crisis changed Turkey's negotiation power, as it has become a transit point for illegal migrants trying to reach Europe. 'Erdo an's repeated threats to open the borders were made on 28 February 2020, herewith setting the stage for a new refugee crisis as well as violating its obligations under the EU-Turkey Statement. He claimed that Turkey could not absorb another refugee wave and that the EU had not kept its promises under the deal. Greece responded to the influx of refugees at the Turkish-Greek border with violent pushbacks, refused entry to almost 35,000 refugees, suspended new asylum applications for a month and announced that asylum services were to stop receiving claims due to the Covid-19 pandemic.<sup>10</sup>

## STRUGGLING HARD FOR A BETTER LIFE

Before COVID-19, irregular migrants were already suffering from a myriad of difficulties. From being exploited at the hands of the ruthless smugglers to staying in overcrowded detention camps; these migrants easily fall prey to various kinds of diseases and mental illness. Lack of food and nutrition, source of income, proper and safe place to reside and an overall uncertainty about their future; all these factors cause high levels of anxiety among the migrants. Dr. Adam Coutts, a public health specialist at Cambridge University who focuses on the Middle East, said refugees are especially vulnerable to the corona virus or other diseases due to "high geographical mobility, instability, living in overcrowded conditions, lack of sanitation and WASH (waters, sanitation and hygiene) facilities, and lack of access to decent healthcare or vaccination programmes in host communities.<sup>12</sup> The Reception and Identification Centre of Moria (RICM) on the island of Lesbos is globally among the most notorious reception centres for asylum seekers. It is run by the Greek national authorities, and the UNHCR is also significantly involved in the actual management. The RICM has about one toilet per 100 persons, one shower per 120 persons and one medical doctor per 10,000 persons. Rubbish is spread around the area, and there is a shortage of clean water. The population density in the RICM (covering the areas

both inside and outside the walls) is over 10,000 people per square kilometre.<sup>5</sup> ‘In addition, they are confronted with limited access to health care and access to government support. Whilst undocumented migrants and asylum seekers contend with these challenges, a bigger fear remains; the fear of deportation. The fear of deportation makes undocumented migrants and asylum seekers reluctant to share vital information about their health, and even ask for basic medical assistance.’<sup>13</sup> Furthermore, strict lockdown amidst the pandemic has prevented many migrants, including migrant workers from reuniting with their families. They are stranded and left with no other option but to wait till lockdown ends, so that they can continue their journey forward. Not being able to meet or contact family members for months is another mental torture for the migrants.

Turkey hosts millions of undocumented migrants from Syria, Afghanistan, Iraq and other neighboring countries. In 2014, according to the United Nations High Commissioner for Refugees (UNHCR), Turkey became the country hosting the largest number of refugees in the world.<sup>14</sup> It usually offers two separate healthcare tracks for those under temporary protection and the other irregular migrants. While persons under temporary protection are entitled to benefit from free healthcare services at primary care stations and hospitals, irregular migrants aren’t afforded this opportunity. But on 13<sup>th</sup> April, a decision was taken in the form of a Presidential Decree issued as part of the measures against the outbreak, where every individual who approaches a hospital with a suspected case of Covid-19 regardless of their health coverage under the social security system, shall be granted free of charge access to personal protective equipment, diagnostic testing and medical treatment. However there is an ‘ongoing risk of possible notification to law enforcement authorities of irregular migrants and refugees registered in other provinces. Hence the risk of deportation can make migrants and refugees more reluctant to approach public hospitals.’ This is one area where there is an urgent need for measures and proper policies to eliminate any kind of risk threat to irregular migrants. ‘At present, there are a total of 180 Migrant Health Centers (MHC) across 29 provinces in the country. Access to these healthcare centers is one but not the only issue at the time of COVID-19. There are other factors like hygiene and nutrition which are equally important in supporting a strong immune system. Yet, the living conditions of migrants do not always provide the necessary resilience to confront the outbreak. Migrants who are hard-hit by the economic crisis cannot afford to ‘stay at home.’ Struggling to survive in tough times also means people cannot risk losing their jobs. Fearing a confirmed Covid-19 case might lead to a loss of job and “exclusion”, and there might be some refugees and migrants who haven’t reported their health conditions.’<sup>15</sup> This increases the risk of spread of the contagious virus.

Language has always been a barrier in this region, and after COVID-19 the problem has only aggravated bringing in newer challenges to the migrants, especially Afghans. Lack of accurate information reportedly causes a lot of confusion which, inadvertently, could lead to more complicated health problems among refugees and migrants because they do not seek medical assistance when needed, also for non-COVID related health issues. This not only brings the risk

of spreading the virus if infected, but also of worsening other medical conditions and more expensive treatment in the future. People do report a willingness to take precautionary measures to protect themselves from catching the virus and transmitting it to others. But there are difficulties applying the measures due to a lack of protective gear (masks, gloves, sanitizers) or inability to pay for it. Because of this, some decide to make the material themselves. An interviewee from an NGO said she was working with UNHCR to create masks for refugees and migrants. Many Afghani migrants seem to gather information about the disease and government measures via mainstream media, such as the TV and internet. However, public information is often exclusively shared in Turkish, which is not understood by most Afghans. On top of that, illiteracy and lack of education make it difficult for Afghans to fully understand and comprehend the information shared.<sup>16</sup>

#### DILEMMA OR A 'PLANNED' POLITICAL AGENDA?

There have been reports by the Human Rights Watch that 'Greek security forces and unidentified armed men at the Greece-Turkey land border have detained, sexually assaulted, robbed, and stripped asylum seekers and migrants, then forced them back to Turkey. "The European Union is hiding behind a shield of Greek security force abuse instead of helping Greece protect asylum seekers and relocate them safely throughout the EU," said Nadia Hardman, a refugee rights researcher and advocate at Human Rights Watch. "The EU should protect people in need rather than support forces who beat, rob, strip, and dump asylum seekers and migrants back across the river."<sup>17</sup> Even this year 'on June 12, the UNHCR called on Greece to investigate pushbacks at sea and land borders with Turkey and the possibility of Greece returning migrants and asylum seekers to Turkey after they had reached Greek territory or territorial waters. On June 16, an investigation by German liberal magazine *Der Spiegel* revealed that the Greek Coast Guard intercepts refugee boats, puts the migrants in life rafts, pulls them toward Turkey, and abandons them in the open sea. The most disturbing point made by *Der Spiegel's* investigation, though, is not that Greek authorities are in clear breach of their international obligations regarding human rights, but that they are putting the lives of migrants at risk using equipment meant for lifesaving.<sup>11</sup>

"Integration policies" have also hardened, in a cruel effort to show potential asylum seekers that their life in Greece would be made impossible, even if their claims were recognised.<sup>11</sup> A very important question needs to be asked here - are these lone incidents taking place at the borders, or are they a part of a wider political agenda of the Greek and Turkish authorities? Is this an indication of xenophobia which is fuelling such attitude towards the vulnerable migrants? Amid the ongoing Greek-Turkish dispute around economic sovereignty on the Aegean Sea over the past few months, with attention turned to handling the COVID-19 pandemic, the ideological dehumanisation of refugees and migrants is escalating. For during the crisis, they are painted as "illegal" interlopers unworthy of assistance and protection. In this picture, they appear as a burden for the Greek economy, even if the cost of

assistance to refugees is essentially covered by external donors and sources. But, more darkly, they are also portrayed as a threat to national security and the national existence of Greece itself.<sup>11</sup>

As far as the spread of COVID-19 in the region is concerned, Greece with the help of its restrictive policy measures has been able to flatten the corona virus curve. However, days before the government in Athens moves to ease some of these controls, concerns mount over a sudden spike in cases in some of the scores of refugee camps scattered across the country. The Netherlands is sending urgent medical supplies to Greece to help shield tens of thousands of migrants and refugees following a series of COVID-19 outbreaks in Greek refugee camps. The government in Athens is boosting controls there, but it is also tightening lockdown rules for migrants, stripping violators of asylum rights and slapping them with heavy fines. With the country hosting more than 100,000 refugees in 93 camps across the country, though, the government is scrambling to contain the camp infections, fearing the camps may turn into dangerous flashpoints. This has led Migration and Asylum Minister Notis Mitarachi to say that he'll think twice about easing lockdown controls at these facilities before the end of next month. Although this decision is being seen critically by human rights advocates, it remains unclear how authorities will press ahead with forced returns as countries like Turkey have closed their borders to contain the spread of coronavirus.<sup>18</sup> This piece of information somehow points towards the existence of a dilemma which authorities of host countries are in at the time of COVID-19. They are stuck between the decision that whether they should save their nation and people from contracting the virus, or save the vulnerable migrants from being stranded on the island. But the facts raise an important question; is this a real dilemma, or their 'far-right mentality' is crystal clear?

#### USING THE VIRUS FOR POLITICAL GAIN

The atrocities inflicted upon the migrants have become common in Greece and in the neighbouring islands. Instead of putting the migrant issue on the table, the authority is more concerned regarding its own political gimmicks and selfish agendas. 'They are part and parcel of a wider strategy that capitalizes on the rampant xenophobic political climate in Greece. This atmosphere has culminated in violent attacks on refugees at the Greek islands and at the Greek-Turkish border at Evros this March. The erection, in early July, of a floating barrier—essentially an artificial border, almost 2,700 meters long and more than a meter high — northeast of the island of Lesbos falls within the same logic of deterrence. Little regard is shown for human suffering, or even for life itself.<sup>11</sup>

Greek forces are on heightened alert as reports have surfaced that Turkey is preparing to push through a fresh wave of migrants to Europe. Officials in Athens say they fear that refugees infected with the corona virus may be among the new wave of asylum seekers. There is a possibility that Turkey was considering such a plan, hoping to exert fresh pressure on Europe to extract added financial aid for hosting around 4 million Syrian refugees and sparing the continent



a fresh migration crisis.<sup>19</sup> The significance of the spread of COVID-19 ‘became evident to the highest political elites of Turkey by mid-March. President Erdoğan should have met face-to-face on 17 March with German Chancellor Merkel, French President Macron and the British Prime Minister Johnson to discuss the future of the EU-Turkey statement, needed to be renewed rather soon. However, they met only virtually because of the pandemic. The attention of the European leaders had shifted from the EU borderlands to the pandemic that did not go unnoticed by the Turkish president though Turkey had then less than 100 identified COVID-19 cases. While the expanding COVID-19 posed a major challenge to Turkey, it also presented an opportunity to utilise asylum-related migrants in an attempt to threaten the EU and lessen the internal political pressures.<sup>5</sup> Relations between Athens and Ankara have been strained since Turkish president Recep Tayyip Erdoğan announced earlier this year that he would no longer block migrants and refugees from seeking entry to Europe. However he revoked the decision, moving tens of thousands of migrants who had amassed along the Greek-Turkish land border to secluded camps to decrease the spread of the coronavirus in his country. It has publicly vowed to open its border anew to migrants once it manages to contain the COVID-19 outbreak.<sup>19</sup>

#### ANGER AMONG LOCALS: HOW FAR IS IT JUSTIFIED?

We cannot end the discussion by not evaluating the other side of the picture. The existing anger of the locals towards undocumented migrants is nothing peculiar or unexpected. This includes the case of both Turkish and Greek citizens. Initially the Turkish were very much welcoming towards the Syrians and other migrants, but ‘as years went by and prospects of their return diminished, this welcoming attitude disappeared. Growing economic hardship in Turkey and rising unemployment have made matters worse. A survey conducted late in 2017 found that more than 71% of respondents believed that Syrians were taking jobs away from people in Turkey, while another survey found that almost 65% thought the Turkish economy risked deteriorating because of the burden of looking after the refugees. In 2019, 83.2% of those surveyed called for the return of all refugees and disagreed with the government’s policy of hosting them. These results suggest that refugees and migrants risk being stigmatized or even the targets of violence, especially if COVID-19 pandemic worsens and the economy falls further.<sup>14</sup>

The situation in Greece is no different. A group of residents of the Greek island of Lesbos tried to prevent migrants from arriving in the country, as reported by the local media. Furious residents yelling "go back to Turkey" tried to prevent a boat carrying migrants from disembarking on the island. Back in 2015, while much of Europe was convulsed with anger and fear as more than a million asylum seekers poured in from distant wars, Greeks helped rescue refugees at sea, or greeted them with empathy as they traversed the country en route to northern Europe. The citizens of Lesbos were even nominated for a Nobel Peace Prize. But five years down the line, the situation and attitude are not the same anymore. “When the Syrians started coming five years ago, we gave clothes, we cooked for them, we bounced their babies,” said a woman who lives in Moria village, bordering the notorious camp at Lesbos, where more than

15,000 migrants are hosted in facilities designed for 3,000. She added, “We can’t take it anymore. We want our lives back.” Not only migrants, but organizations supporting and helping them are also being attacked by the locals. They ‘beat up a German photojournalist and a correspondent, and assaulted the local head of the United Nations refugee agency.’ Some of the more violent groups seemed to have been mobilized by known far-right extremists, but it was evident that the movement against migrants enjoyed broader social support in the borderlands.<sup>9</sup> The gravity of resentment is such that even medical officers and doctors are not being spared. This year in March, a group of doctors who flew to Lesbos to volunteer at the island’s infamous Moria migrant camp have described how they were forced to flee after being set upon by a mob wielding nail-headed cudgels. The attack was the latest in a series of violent incidents targeting international aid workers, amid an increasingly hostile climate which has prompted several NGOs to withdraw from the Mediterranean island.<sup>20</sup> Such indignation is completely justified, but the manner of violent protests and resilience by the locals is not. There are more feasible solutions to the migrant crisis which can be adopted without violating the human rights of unprotected migrants.

The response of the concerned authorities cannot be overlooked nor should they be overstated. Responsibility-sharing of states becomes very important in this regard. It is evident that ‘vulnerable people are neglected in times of serious economic, social and political challenges and distress, such as the COVID-19 pandemic, and they are utilized by the authorities for other purposes.’ The research paper on “Biogeopolitics of COVID-19: Asylum-Related Migrants at the European Union Borderlands” brilliantly sums up the real scenario of how systematically COVID-19 is being used for political gains. ‘The biopolitical governance and (mis)management of asylum-related migrants on both sides of the EU southeastern border were connected to the aims and practices of key state stakeholders to develop and accomplish their preferred geopolitical goals in the region. In the biogeopolitics of COVID-19, such a top-down approach included dichotomised policies and practices to keep these migrants alive or let them die (also from the pandemic), and using them to threaten geopolitically rival states and organisations. The state might keep these unwanted people alive but does not want these residues of the state to mix up with the citizens.’ The paper further argues how the migrants also show bottom-up agency by organising themselves in the context of the COVID-19 threat, promoting new political identity by gaining international attention for their case and creating solidarity among themselves – even if they were not fully able to protect themselves from the potential threat of the virus itself. During the initial acute crisis, the different stakeholders joined together to fight against this threatening virus but after they returned back to their positions.<sup>5</sup>

## CONCLUDING REMARKS

As far as illegal immigrants are concerned, then Milliat has correctly pointed out that “it is the policies that cause illegal immigration, since illegal immigrants are those who do not possess the necessary permits or no longer meet the conditions imposed upon them by national legislation.”<sup>23</sup> We do not have lack of a formal legal structure, or newer and better policies to manage mixed

migration. What lacks is mutual cooperation and adherence to such policies. Also, following rules and conventions strictly could sometimes lead to circumventing human rights concerns. State sovereignty should definitely be a priority but not at the cost of putting lives at risk. Laws and policies with regard to refugees and migrants have their own shortcomings and are more concerned with protecting the interests of the state rather than that of the vulnerable migrants. For instance, Simon Berhman in his work, “Refugee law as a Means of Control” says that ‘International refugee law has evolved as a means of control over the refugee. The first principles on which it has been built place the rights of the state above those of the refugee. Insofar as there is such a thing as a ‘right of asylum’, it is a right vested in the state rather than the refugee.’ He makes a valid point by arguing that for most people forcibly displaced around the world, refugee law is at best an irrelevance and at worst a barrier to protection.<sup>21</sup>

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