The EC hotspot approach in Greece: creating liminal EU territory

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Abstract

This contribution makes a theoretical argument stemming from our study of the European Commission's hotspot approach to the management of migrant populations. It draws on our empirical research findings and links these to emerging critical studies of the new EU border regime. Our field research took place on the island of Lesbos and in the city of Athens over the course of twenty months (09.2015-04.2017) as part of Transcapes, a research grant funded under the ESRC/DFID Mediterranean Migration Research Programme (MMRP). No clear definition exists of what comprises a hotspot: instead, the EC describes this as an integrated "approach" for the enhancement of the capacity of member-states to deal with crises resulting from pressures at the Union's external borders. Effective in its ambiguity, the "hotspot approach" therefore constitutes, as we argue, an integral part of the europeanisation and institutionalisation of border management: a powerfully ambiguous dispositif in the EU's emerging border regime.

We first unpack the notion of the hotspot from a historical perspective - both within the past and the emerging EU border and migration management regime. We then explore the ways in which the hotspot contributes toward the culmination of European integration, paving the way for the flexible governance of mobility and asylum. We situate the hotspot within the historical shift of migration and mobility control from the border to the territory as a whole, and we conclude by arguing that the hotspot plays the role of a territorial incubator for the liminal EU territory: a paradigmatic space for a new form of governance that further disentangles territory from rights.

Keywords

Introduction

Despite the high-profile introduction of the European Commission's (EC) "hotspot approach" (2015) in response to the ongoing Mediterranean migration crisis[1], there is to date no universally acknowledged definition of what actually constitutes such an "approach" - let alone what constitutes a "hotspot" in the first place. In introducing its "hotspot approach", the EC speaks of alleviating 'migratory pressure' by facilitating the operation of key EU agencies on the ground. These include the European Asylum Support Office (EASO), the EU Border Agency (Frontex), the EU Police Cooperation Agency (Europol) and the EU Judicial Cooperation Agency (Eurojust). Yet the EC has failed to provide with a detailed description, raising questions about its underlying features (geographical and compositional) as well as the extend of its potential reach beyond the geographical confines of the border per se.

Between September 2015 and March 2017, we undertook field research on the island of Lesbos and in the city of Athens as part of Transcapes, a research project funded under the ESRC/DFID Mediterranean Migration Research Programme (MMRP). We conducted more than eighty interviews and focus groups with key actors active on the island including local (municipal) and national authorities, representatives of international agencies (EC, EU member state representatives); international NGOs and key members of the local civil society. While in the field we quickly realised that the "hotspot" approach, hailed as the EC's comprehensive crisis management tool, commanded further research: This new tool was to effectively act as a one-stop-shop for all relevant European agencies allowing them to operate and collaborate without hindrance inside large swaths of member-state territory adjacent to the EU's external border. In this paper we move beyond our immediate empirical research to offer a theoretical insight into the potential significance of the hotspot over and above this particular Mediterranean migration crisis.

To this aim, we first unpack the evolution of the hotspot so far. We position it within the past and emerging EU border and migration management regime, we explore how it feeds into other mechanisms, processes and institutions, and the Emergency Relocation Mechanism in particular. We then show how, far from an ad hoc invention, the hotspot mechanism constitutes a milestone in the culmination of the European integration project, what we term European integration 2.0. A crucial step toward a long-standing attempt to europeanise, to further institutionalise and to integrate immigration, asylum and border management. We conclude by drawing attention to the potential role of the hotspot as an incubator for what we call liminal EU territory. Already, great swaths of the Greek territory are joining others - within and beyond the EU periphery - in becoming a sorting space that filters through the 'deserving few' and detains or removes the 'undeserving' and the 'rightless'. Ever-greater segments of the population are in this way entangled into a negative, increasingly right-less relationship with the spaces they inhabit. What started as a highly flexible mechanism for governing diverse migrant

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[1] In using the term Mediterranean migration crisis we mean a political technology by which the construction of a migration event as a crisis in the Med has permitted the articulation of policies that would otherwise not have transpired in such a short space of time. This is not the first time migration is constructed as a crisis (see Jeandesboz & Wilkins 2014) that allows policy makers to treat it as an exceptional condition that seemingly forces them, in this way, to 'order' the 'disorder' at the border.

populations is quickly generalised. Not only does it reinforce existing boundaries and distinctions, it now draws in and materialises new ones. Glimpsing through this opaque mechanism, looking through its veiling under its invocation to the urgent, we see a liminal EU territorial formation in which citizenship moves toward a more precarious model: where authority forcibly disentangles rights from territory.

Hotspot genealogy - or, tracing the evolution of the politics of Institutionalisation of EU immigration and border policies

Introduced in the European Agenda on Migration in May 2015, the hotspot was presented as an integrated approach to tackle the unruly movement on Europe's borders and its knock-on effects on the EU. In this sense, the hotspot is - along with the newly established European Border and Coast Guard and the Emergency Relocation scheme - the culmination of the Commission's effort to Europeanise the border. Situated at so-called 'frontline' EU member states, the hotspot is a mechanism, effectively a decree-like order that allows the hosting of all relevant European agencies in order to bolster their cooperation and to centralise control over the external border. Once an area is declared a hotspot, the European Asylum Support Office (EASO), Frontex, Europol and Eurojust come in to assist member-states to swiftly identify, register and fingerprint incoming migrants (European Commission, 2015). What is envisioned by the EC here is that the four agencies will support member-state authorities with registration, identification and removal of apprehended migrants (Frontex), the registration of asylum claims and preparation of relocation claimants (EASO) and the investigation and subsequent prosecution of crimes (Europol and Eurojust). Migration and asylum have been pivotal within the EU institutionalisation and governance process for some time now. Accordingly, the EU has spent years building a Common European Asylum System (CEAS), setting out minimum standards and procedures on issues related to the treatment of asylum seekers and those granted protection (known as the EU Asylum acquis), and has set up support funding mechanisms for the purpose of implementation and harmonisation as well as relevant jurisprudence.

While the key referent for migration governance in Europe remains the state and associated state-centered logics of control, it has become long-evident that both the understanding of these issues and the pursuit of policy objectives are shaped by the EU (Cardwell, 2013). Yet at the same time policy implementation had up to this day remained a national responsibility, with member states expected to put it into effect. A policy crisis in asylum started forming from the early 1990's already, when spontaneous, if small scale, arrivals to Europe began and the individual status determination procedures proved expensive and ineffective since many, even if rejected, would stay on (Collinson, 1993). The introduction of the Dublin Convention in 1997 and its subsequent replacement by Dublin Regulations II (2003) and III (2013), have been interpreted as the first step towards limiting the costs associated with asylum, by discouraging 'asylum shopping' in countries with strong reception systems. At the same time they have been also criticised as effectively privileging northern European countries, allowing them to send asylum seekers to the first 'safe' EU country they reach - thereby further controlling irregular mobility into their territories. This has essentially demarcated the Southern and South-eastern member states and their respective borders as territories of irregular entry and zones of gradual containment of unwanted migrant flows.

As we argue in this paper, the hotspot approach in conjunction with the relocation mechanism operates as another, if even more effective, Dublin Regulation. By forcing individuals entering irregularly into the EU to request asylum at the frontline member

states where they arrive, the hotspot hinders onward movement by means of institutionalising mobility.

Expanding on the institutionalisation process, the introduction in 2004 of a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU, known as Frontex, launched a series of institutional and policy-making initiatives through an EU border management agenda and attached a definite security and military aspect to the integration process. The birth of Frontex went hand in hand with the emergence of a 'global approach to migration', a stated commitment to fight irregular migration and a reinforced management of Europe's Southern Maritime borders and maximisation of Frontex capacities (Carrera, 2007). Up to this date, Frontex relies on other member states for equipment and specialised personnel and receives its funds from the European Commission. From 2007 until 2015 the EU has spent nearly two billion euros in efforts to secure its external borders through enhanced patrols by Frontex border guards and the introduction of SMART technologies, including the EURODAC system, a common database and rules for fingerprinting (Migreurop, 2012).

Meanwhile, enhanced cooperation with third countries on returns saw a proliferation of EU-wide and bilateral readmission agreements that essentially created an expanded, transnational and multidimensional form of migration border governance. In this context, the off-shoring of the processing of asylum applications as well as immigration detention beyond the territorial limits of the European Union commonly referred to as the externalisation of asylum (Andrijasevic, 2010; Boswell, 2003; Triantafyllidou, 2010) and borders (Casas-Cortes et al., 2015), is widely considered among policy makers as an effective way to shut down asylum routes. In this way, attempts to control the mobility of certain populations deemed to be 'irregular', are pushed beyond the territorial limits of EU Member States, pointing at efforts to performatively secure the external dimension of European space (Vaughan-Williams, 2015).

Between them, the EU and member-state institutional policies and practices of deterrence in the name of security have resulted in the clandestinisation of migration (Düvel, 2008) and a growing death toll in the Mediterranean Sea in particular: from January to July 21, 2016 alone, 2,977 people had died (IOM, 2016). Dubbed as emergencies and exposing the porosity of the EU's south-eastern border, they have given impetus to a decisive reconceptualisation of the mandate and role of Frontex as EU's gatekeeper, with an emphasis on search and rescue (SAR) as well as Returns, and the institutionalisation of new players, such as the European Border and Coast Guard Agency.

The summer and autumn of 2015 ushered us into a new era, but the groundwork for this had long been in the making. Already in the past, the seeming incapacity of certain member-states to contain or control the transit routes of incoming populations led them to the selective closure of borders. The Dublin regulation became effectively redundant for significant periods of time, and the future of the Common European Asylum System and of the Schengen Agreement as a whole were plunged into doubt. It was in this context, and in this way that the EC's hotspot management approach and its Relocation schemes are being duly incorporated in the EU's crisis toolbox: they become, in other words, part of the EU institutionalisation and integration process.

European Integration 2.0. Towards flexi governing of mobility and asylum

The institutional assemblage present at the border may seem overwhelming at first,

however it is not powerful enough to seal the border.After all, the idea of a fenced continent from the straits of Gibraltar to the straits of Hellespont cannot be but a whisper, a sound clip from a time when emperors alone seemingly decided the fate of all. Tsianos and Karakayali (2010) were among the first to challenge the idea of a 'Fortress Europe' on the grounds of a false perception regarding the non-impenetrability of borders. They advocate that a porous border is an image that reflects more accurately the continuous mobility in and through Europe, albeit not of this intensity. As borders have been historically produced within the context of nation-building processes and war, there has been a strong state centric view of them; a view that creates a sense of impenetrability and an ensuing awe in the face of them. The concept of Fortress Europe is a perfect illustration of this: irrespectively of how many people successfully manage to challenge this deadly EU border regime every year, its image persists both in academia, the public discourse and activist circles. This is not to say that the EU border regime is not a deadly machine of control. However, the constant invocation of the image of a fortress with wall-like borders, of borders that can be completely sealed off, depoliticises issues such as migration; it creates a sort of unchallenged paradigm for border control management and a need for constant technological innovation from the security and military industry; it obscures migrants agency and everyday struggles at the border; it debilitates the possibility of organising and resistance around the border by creating the image of absolute power of the state; finally, it creates the illusion of a very clear-cut distinction between inside and outside: a safe inside of deserving and equal citizens and a dangerous outside of undeserving people.

Hence, along with transnational modes of governance and border and asylum externalisation, attempts to regulate mobility have manifested as a deterritorialised form of sovereignty through the workings of European institutions, what Papadopoulos et al. refer to as 'liminal porocratic institutions' (2008). These liminal spaces play a crucial role in institutionalising mobility by contributing to a 'decelerated circulation', in which migration is not governed through space but through time (Papadopoulos et al., 2008, p. 184). This liminal space can be understood as "a flexible regime of control which attempts to regulate mobility flows by forging contingent borderzones, wherever the routes of migration make the existing regime porous" (Papadopoulos et al., 2008, p. 74). Championing the academic current on the autonomy of migration, Papadopoulos et al understand liminality in a double sense: liminal as adaptable - as these institutions and spaces have to adapt to the EU regime of mobility control - and liminal in the sense that they operate behind closed doors, beyond immediate and democratic control.

Building further on this formulation, we can trace the liminality of the hotspot approach both in its design and in terms of its productive force. Seen in this way the hotspot mechanism is more than the sum of the liminal porocratic institutions that make it and the spaces in which it manifests. The essence of its liminality, spatial and institutional, is to be found in the transformation of the borderzone: in this case, large swaths of the entire Greek territory that turn into a pseudo-protection zone, whereby legal protection becomes a de facto tool for advancing the level of separation between citizens and non-citizens, 'deserving' and 'undeserving'. This is accomplished by forcing migrants to seek international protection upon arrival, wherever the hotspot materialises as the only means of granting them access, albeit temporary and precarious, into EU territory.

The hotspot is in this way a prime liminal space producer in the sense that liminal spaces and the practices that they use to institutionalise mobility also facilitate the immobility (Conlon, 2011) of transit populations. It is particularly important to see how the hotspot as the latest dispositif produces these liminal spaces.

Within the various institutionalised logics of managing migration and mobility that

long-characterised the function of European institutions within liminal spaces, the institutional integration of access to asylum and international protection within them is proving to be particularly effective. We believe this to be especially visible at registration and identification centers, spaces which are designated as 'hotspots' but also beyond those: in multiple sites across the Greek territory. In this way, and in addition to the initial digital registration, identification checks and profiling based on nationality and potential strength of asylum claim, registration and decision on asylum applications also happens there. As such, the institutionalisation of mobility is strengthened by the well-established mechanisms humanitarian agency personnel use to govern the 'undesirables' in camps and transit points elsewhere in the world (Agier, 2010) and through EASO personnel deployed to check the authenticity of documents of those applying for asylum. When needed, and as allowed by the flexibility of the hotspot approach to population management, access to asylum and protection, it is used as a means to further decelerate mobility: for example, through the strategy of pre-registration of migrants arriving before the EU-Turkey deal had come to effect. These profiling activities take place within camps and transit reception facilities which have been likened to waiting and processing zones (Agier 2010, 2011). They too constitute liminal spaces of institutionalising mobility through and beyond the islands of the Eastern Aegean.

From the border-line to sorting-space

The hotspot did not, then, appear out of the blue, as some kind of purely logistical response to the outbreak of the Mediterranean migration crisis. It traces its global routes in the intensification of the securitisation discourse in the Global North throughout the post-9/11 era. And it traces its specifically European routes in the advancement of the European integration project under way since the early 1990s. A project that has seen the intense disentanglement and re-entanglement of security, territory and super-national identity.

In the case of the EU, central to the relationship between security and the Union's immigration policies has been the problem of a construction of an EU identity and the political, legal and technological parameters that work to generate the process of EU integration and EU border formation. Ceyhan and Tsoukala (2002) point to the triptych of fear of loss of sovereignty, fear of crime and of weakening border controls upon which the demonisation of migration relies, as a constitutional component in the process of EU integration. Security policy has been introduced to mean a "specific policy of mediating belonging" (Huysmans, 2000) and defining 'desirable' and 'undesirable' subjects (Ceylan & Tsoukala, 2002, Van Houtum et al., 2015). Again for Huysmans, this process needs to be understood within the coordinates of the European political project: one of the EU single market project by-products was the largely unchallenged logic that, if we diminish internal border controls, we must replace the net loss of security by fortifying external borders (Huysmans, 2000). The successful securitisation of the external EU border then lies in inventing and managing an internal security issue. The 1997 Treaty of Amsterdam and the subsequent incorporation of the Schengen Agreement is a manifestation of this logic, while two major enlargement waves and the Eurozone financial and political crisis certainly exacerbated feelings of insecurity. What our research shows is that the political construction of the 2015 migration event as a crisis -owing to a significant increase in the number of arrivals interpreted as a failure in securing borders and managing migrations, also falls within the remit of this exact rationale.

Within and beyond the EU paradigm it is particularly interesting to see how such

re-bordering practices come into direct tension with the forces of globalisation. Due to the expansion and consolidation of economic globalisation and neoliberalism, a large segment of the world's territory has been undergoing an apparent de-bordering process: as border controls are lifted, borderlines appear to be softer and less relevant, and sovereignty appears to be diffusing away from the nation-state, weakening the link between political identities, citizenship, participation and the territorial state (Ohmae, 1995; Soysal, 1994). The ostensibly decreasing importance of the nation-state means that state borders become less relevant under the weight of the need for the free flow of capital, labour, ideas and so on. Drawing on Deleuze and Guatttari (1972), this has been termed de-territorialisation (Dittgen, 2000; Kolossov and O'Loughlin, 1998; Newman, 2006; Ohmae, 1990; Shapiro and Alker, 1996).

But things are not moving in one direction - far from so. On the one hand, there is this pressure for a globalised borderless world, where capital and goods can flow uninhibited. On the other hand, the rise of the securitisation discourse and the increasing construction of issues as security related threats (Buzan et al., 1998) is pulling towards the exact opposite direction. Within this context of constant struggle between the two discourses and practices, some borders are opening up or becoming softer (de-territorialisation), while others are closing or becoming harder (re-territorialisation). But most importantly, this tension between economic globalisation and security concerns tends to create uneven and tenuous border regimes (Ackleston, 2011) in order to govern mobility. The resulting regimes provide an excess mobility or hyper-mobility for some, while immobilising others, the 'exceptions': migrants, refugees and other identity-based groups (Hannam et al., 2006).

The European Union project may very well be the world's foremost example of such an uneven and tenuous border regime: since the early 1990s, the gradual lifting of internal borders and of other restrictions on the right to move of EEA (European Economic Area) citizens, as dictated by the advancement of the European project, led to an increased sense of lack of control over the external EU border. As a result, and exacerbated by the increasing construction of issues as security related threats (securitisation), public and transit spaces with European territory gradually and potentially became strategic places for border control enforcement (Amoore et al., 2008; Bigo, 2001; Coleman, 2007; Euskirchen et al., 2007). In other words, preying upon the constant fear of terrorism as well as the construction of migration as an invasion, this internal deficit discourse (Bigo, 2001) essentially redeploys control from the external border to the EU territory interior: in police operations such as Greece's Xenios Zeus (Filippidis, 2013) or Sweden's REVA project, migrant-looking individuals are targeted, stopped and searched by the police in public spaces, while employers and universities gradually become liable for checking the immigration status of their employees and students respectively.

EU's strive for further integration through the europeanisation of border control and the institutionalisation of mobility should not necessarily be viewed as antagonistic to the rise of nationalist agendas in individual member-states. Certainly events such as the Brexit and the rise of extreme right wing political parties in continental Europe can be considered as a backlash to EU's political management of the 2008 financial crisis and the sustained austerity in the continent. This has prompted many to proclaim the downfall of the EU. However, as we suggest, it might be too soon to be able to discern whether the EU project is actually withering away or if it is simply in a process of reconfiguration, a process that may very well be going hand in hand with such isolationist processes within member-states. In this context, the hotspot approach, at the same time reifying and removing the migrant threat, feeds into the nationalist anxieties as much as it reinforces an integration of a selected kind, targeting for instance security

and financial aspects of the Union.

In coming together, the EU therefore led the path in the crucial breaking of the link between territory and rights. In bitter irony, a project built on the idea of freedom of movement within the integrated EU space signalled the erosion of rights for all, via those seeking rights by moving toward and through its territory. Through its integration project, the EU has not only denied newcomers entry but has signalled a potential rupture of historic proportions in the way rights and territory have been entangled throughout the Westphalian order: at the essence of the contemporary nation-state lies the premise that it has the power to exclude and the power to include people at its border. Yet the hotspot constitutes the culmination of a process wherein, under the pretext of security of the common European area, and in order to guarantee the freedom of movement of EEA citizens, the border-like evaluation of who is to be included or excluded is redrawn; departing from the border it follows those traversing inward the EU, and it now incorporates entire territorial segments of exemplary post-Westphalian western states: the EU's so-called front line states.

In the current political juncture, there is a historical parallel that cannot be ignored: as the nation-state was formed and consolidated on the basis of multiple layers of exclusions, citizenship became the state's attempt to identify who belongs, a reading technology to make a society legible (Scott, 1998), an instrument of social enclosure (Brubaker, 1999). The refugee, the displaced person and the asylum seeker are products of the nation-states as these strive to administer sovereignty (Sassen, 1999). In this way, the invention of identity documents -and most notably the passport- has been the state's attempt to institutionalise mobility (Torpey, 2000). In the past, identification was based on external identifiable characteristics of race and the right to move was limited to those who possessed wealth. However, with modern citizenship establishing who belongs has necessarily taken the institutional form of a passport (Jones, 2016). In this way, border management becomes the *par excellence* exercise of state sovereignty and the migrant the citizen's other: the ever-walled states (Brown, 2010) despite and against the waning sovereignty of the state. Today, in ways resembling the rise of the modern state, it is the EU super-state that becomes the vector of the further institutionalisation of mobility.

Our research on the hotspot points at a construction much exceeding the mere management of populations at the gates of the EU territory. We now believe this to be a territorial incubator, a testing site for the formation of what we term liminal EU territory. We mean this to be liminal in two ways: first, it is of course liminal in that these parts of territory are still adjacent to the border; they are the threshold separating the outside from the inside. But there is a second signalling of this liminality. Thanks to the invocation of an emergency, the hotspot becomes a space of exception in terms of the decree-like overrunning of national authorities by their European superiors, as we saw in the previous section. A particular form of graduated sovereignty, adaptable, flexible and conditioned upon time as much as space. It would be tempting to talk of the hotspot as a direct product of enclavisation, the EU-dictated formation of a specific territorial enclave within the territories of nation state. But enclavisation denotes a double fortification, a border-inside-the-border and further, it implies de-mobilisation. In the case of the hotspot, on the other hand, time (the limited condition of the emergency) produces space (the exceptional territory) which in turn creates movement: entirely disjointed from any territory-inducing rights, the populations going through the hotspot aspire only to keep moving away. Movement becomes their ultimate goal and in some deep irony, also the ultimate condition of their control. A new form of citizenship is arising within the integrated EU territory, even if 'citizenship' may be an over-statement for what is now a constantly conditional relationship between the authorities and their newly conditioned

subjects. In outlining the complicated relationship between urban space and citizenship, Alsayyad and Roy (2006) have shown how our relationship to urban space as urban citizens is dictated by paradigmatic sites forming new citizenship prototypes in return. It is possible to argue that the hotspot is the paradigmatic space where new forms of super-national citizenship prototypes are tried out in return: spaces where territory and rights are disentangled in the process of the formation of global assemblages (Sassen, 2006) and reconstituted in an ever-temporary, ever-liminal fashion.

Creating liminal EU territory

While we were conducting our research (early summer 2016) the large-scale informal camp at the Greek-Macedonian border was evicted by the police, its residents scattered across thirty transit points across the Greek territory, particularly across the country's North. The camp emerged as part of the Western Balkan route, as activists from the Balkans and from all over Europe gathered to offer assistance to transiting migrants waiting to cross the border. It was violently dismantled by the Greek police on May 24, 2016, in an operation which, completely hidden from the media, took place after the removal of all activists and NGO workers, over a period of several days and involved the (involuntary) movement of thousands of people (estimates put the number of people stranded in Idomeni at 8,400). These were then dispersed among their thirty newly and hastily built refugee camps around the country, especially around Thessaloniki. In this sense, the whole region is becoming a new waiting zone for people wanting to reach the EU, part of the same time and space regime (Andersson, 2014) that creates transnational spaces of control (Shamir, 2005) or transit spaces, fluid and constantly reconfigured (Collyer, 2007).

The varied institutional status and multiple forms of governance ruling these centres point at chaos, albeit an organised one at that: an attempt at creating what we think is a controllably fluid condition, an ever-shifting, ever-moving management of these territories and of course their populations. A form of territorial precarity that naturally destitutes the populations subjected to it from any long-term attachment and any ensuing claim to belonging, to possession of right to stay put, let alone of course any right to permanent residence or citizenship. In this way, the repression and the eviction of the informal camps in Idomeni and elsewhere were not, as advertised, an attempt to clamp down on the informality and precarity that accompanied these. They were a first step in an attempt that has seen identical state-sponsored spaces mushroom across the Greek territory: identical not only in squalor, in terms of their living conditions, but also in terms of their temporary character and the ensuing forced detachment between territory and population: the latter are no longer citizens, dwellers or bearers of any other residence-induced rights. They are the traversing populations, there only in order to soon be elsewhere.

In the advent of the hotspot approach, institutional arrangements put a greater emphasis on registration and identification. Following the beginning of the implementation of the EU-Turkey deal, registration sites have become detention facilities. In a sense, the attention to registration and documentation in this integrated model of protection and control implies that the hotspot model functions first and foremost as a captivity device. Operating agencies extract information and share intelligence behind closed doors. While at capture, the process of sorting begins by way of admission or not into the asylum system, and in extension onto the Dublin system and relocation mechanism, while the. The remaining lot go through fast track inadmissibility

procedures for the purpose of assessing whether they could be returned to Turkey or not. While inadmissible cases can be challenged before the appeals committees, access to legal aid is inhibited. More than that, it is restricted by force. Allegations against EASO staff working at the hotspot on Lesbos employing private security guards to fend off legal practitioners came only a few weeks prior to the disturbing development with regards to the recent amendment of the appeals committee and their replacement with new ones consisting of two magistrates and a member indicated by the UNHCR, allegedly portraying a higher degree of impartiality and independence. The enhancement of the judicial character of the committees undermines the Greek constitution and it is highly questionable for its suitability to provide a balanced decision since, according to the Greek judicial culture, it is rare that a decision made by a Magistrate is questioned by another Magistrate. Furthermore, Magistrates in the new Appeals Committee serve a three year term and can only be replaced by order of the Ministry of Interior. All together, recent amendment to legislation with regard to the organisation and operation of the Asylum Service, Appeals Authority and Reception and Identification Service, point to a violation of the democratic principle of the separation of powers - since the separation of judiciary and executive power is compromised.

 More than that, it is a clear indication of how the model of integrated management extends well beyond the islands where hotspots are located and penetrates through to the constitutional pillars of the state apparatus. The condition of invisibility in which the sorting of migrant bodies occurs is an essential element for the success of the operation.

 The Greek-Macedonian border closure has had a transformative effect. Ever since, for most of those 'trapped' in Greece and arrived prior to March 18 and thus fall out the scope of the EU-Turkey deal, entrance into the country's asylum system has become the only gateway into receiving protection in Europe. To this point, a large scale operation was launched in early June to pre-register all those residing within 'reception facilities' around the country. Funded by the EC, its implementation is led by the Greek Asylum Service and relies on joint teams drawing personnel and expertise from the UNHCR, EASO and International Organisation for Migration (IOM). The target is to incorporate into this scheme all those who arrived in Greece between January and March 20. Its purpose is to register the intention for an asylum application of individuals in order (1) to eventually register an official request for international protection in Greece; (2) to be eligible for transfer under Dublin III; and (3) to be eligible for relocation, after registering an official asylum claim. According to independent legal practitioners monitoring pre-registration reception facilities in mainland Greece, the pre-registration process is operationalised with the use of ambiguous tools, such as information leaflets which misguide migrants into thinking they have made an asylum application. Once pre-registered, the date to register an actual asylum claim may be yet many months ahead. During this time, their legal status in the country remains uncertain, with the promise of a yet to be fulfilled 'right' to request international protection. The pre-registration process offers hope but no guarantees, it is liminal by definition, it lies on a threshold of a promised but false protection (pseudo-protection) and further criminalisation, as the latter becomes imminent should they decide to 'escape' the Greek territory. While this is evidently a desperate attempt to enforce the Dublin Regulation and rescue what little faith still remains in the Relocation Processes, pre-registration is one more indication of the EU's extensive capacity to manage mobility through means of institutionalisation and the formation of ambiguous categories.

Conclusion

Throughout this paper we have presented an overview of the hotspot mechanism. In terms of a historical genealogy, we suggest that the arrival of the hotspot may be read as one moment along the timeline of Europe's institutionalisation process, in which the EU undergoes a process of becoming through expanding its government structures. Viewed under this light, a hotspot, both as a management approach and as a new spatial contract agreed between Brussels and its member-states, is a bold step, albeit experimental, towards a governing model that values flexibility and efficiency and bypasses traditional forms of institutional accountability. What gives life and form to the EU hotspot, we have argued here, is the way in which it is intertwined with pre-existing mechanisms of bordering and control. For this exact reason it is necessary to conceive the hotspot as more of an antisoma to the vulnerable body of the European border regime instead, through the multiple forms in which the approach may take shape and form beyond the border itself, it can engineer a host of different assemblages between actors and institutions that allow for the government of populations. This is evident in the way in which it connects and reinforces other nodes of governance and control. By virtue of declaring an area of an EU member-state into a hotspot, as in the case of Greece, a host of different possibilities have materialised, ranging from the formation of territorial enclaves which restrict rights and mobility to the strengthening of registration and identification of populations facilitated by an assemblage of state, EU and humanitarian actors. In this way, the hotspot approach is already radically transforming certain key government operations and functions playing out in the Greek territory as a whole. We have shown what the implementation of the hotspot approach potentially means for the position of certain territories within the emergent EU 'super-state'. And further: we opened up the question of what this might mean for the swift untangling and re-entangling between territory, citizenship and rights.

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