



Degrees of hostility towards migrant solidarity: the case of Ceuta and Melilla

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Melilla está rodeada de una valla que no es simplemente un obstáculo de hierro sino todo un símbolo de la política oficial. Todo lo que sea estar en contra de eso tiene un coste.

Melilla is surrounded by a fence that is not just an iron obstacle but a symbol of the official policy. Being against this has a cost.

(José Palazón, *Diario de Ibiza*, 2017)

1. Introduction

In the context of my doctoral fieldwork, on February 8th, 2020, I participated in the “March for Dignity” in Ceuta, a yearly event held to commemorate, and demand justice for, the death of at least 14 migrants who died in 2014, while trying to cross into the Spanish enclave from Moroccan territory. That year, the event was supported by more than 150¹ civil society organisations (CSOs) and was monitored by police officers along the way, ending at the border on the Tarajal beach, where migrants had tried to cross in 2014 by swimming into the enclave.

When I arrived at the border fence, police officers were standing on the Tarajal breakaway behind the metallic barrier, wearing dark uniforms, sunglasses, and caps. On the other side of the barb-wired fence, there were mainly two groups of people: migrants and members of civil society organisations. As at that point I had been in the enclave for months, I was able to recognise some of the local activists and NGO workers and, at the same time, notice the absence of others. Some rumours I heard days before said that the latter had probably decided not to take part in the event, deeming it too *controversial*.

In Ceuta and Melilla, like in other border areas in Europe, humanitarian work attempts to attenuate the violence of the contemporary migration regime (Walters 2011) and a multiplicity of civil society actors provide a range of “services” to the migrant population. This process of humanitarianization is intertwined with processes of securitization/militarisation, and the humanitarian landscape is crisscrossed by internal tensions and a significant degree of contention. As “humanitarianism is a field which exists in a permanent state of co-option, infiltration but also provocation with the state” (Walter 2011: 149), instances of criminalisation of migrant solidarity have been recorded across many EU border localities.

The shrinking space for civil society actors in support of refugees and migrants across Europe has been explored in different studies (see, for example, della Porta and Steinhilper 2021), that have looked at both the discursive mechanisms underpinning the shift toward public hostility (Cusumano and Bell 2021), and the concrete legislative developments and judicial battles that have punctuated this process across EU external and internal borders (see, for example, Carrera *et al.* 2018; Cusumano and Villa 2021; Fekete 2018).

However, migrant solidarity and its criminalisation in Ceuta and Melilla are an underexplored topic in the literature so far, and this article attempts to address this gap through an ethnographic study based on the analysis of interviews and participant observation, carried out during my doctoral fieldwork in these territories (2019-2020). I explore this issue from the “embodied” perspective of those working on the ground and, in doing so, I attempt at showing to what extent local CSOs, engaged in humanitarian work with the migrant population, face different degrees of hostility, stemming from both state and non-state actors; I also demonstrate how forms of criminalisation and policing – not only linked to anti-smuggling legislation but also to forms of intimidation, harassment and disciplining – are part of the daily operations of some of the local actors, especially those involved in advocacy on human rights violations at the border.

Although these territories have not been the epicentres of the so-called 2015 refugee crisis, they have played a significant symbolic and material role in the process of gradual militarisation and fortification of the EU external borders during the last three decades. Looking at how migrant solidarity face different forms of hostility in these tiny territories that are European outposts on the African continent allows us to enrich our understanding and critique of the contemporary EU border management: in fact, the construction of migration as a security threat and the enactment of the so-called “border spectacle” (De Genova 2013) through the deployment of military and security technologies at the border, have had a profound impact first and foremost on migrants and also on that portion of civil society that works towards supporting migrant lives.

The article is divided in four sections. In the first, I discuss the literature on the criminalisation of civil society organisations in the migration sector and I present the methodological approach I followed in this study. In the second, I illustrate the characteristics of this specific case, by underlining the specific role played by the Spanish enclaves within the larger Moroccan-Spanish border and providing a description of the CSOs landscape in these border localities. The third section explores what hurdles and obstacles local humanitarians encounter in their daily work, both online and offline, in their interactions with the local population. Finally, in the last section, I analyse tensions and frictions between CSOs and local authorities.

2. Humanitarianism and the criminalisation of migrant solidarity

Civil society is composed of a range of different actors, such as small local associations, large international NGOs, social service providers and philanthropic founda-

tions: such an ensemble of different organisations differ from each other in many aspects, such as size, source and extent of funding, core activities, etc. (Anheier, Lang and Toepler 2018). In more abstract terms, the term “civil society” refers to the domain that exists between the state, the economy, and the private sphere, in which people attempt to represent and define their own interests (Simsa 2017).

During the so-called refugee crisis in Europe, civil society actors have played an important role in handling refugee arrivals and reception (Simsa 2017) in several contexts, both inside national territories and in border areas. In the Central Mediterranean Sea, for example, the activity of a range of “civil humanitarian actors” (Esperti 2019) intervening in saving migrants’ life at sea has emerged. On land, the role of formal and informal and grassroot initiatives has been important in meeting migrants’ needs when the state failed to do so, in a range of different places such as Greece (Kalogeraki 2020), Germany, (Toğral Koca 2019), Austria (Simsa 2017), and so on.

Despite the significant role civil society actors played in assisting newcomers, legal and extra-legal attacks against NGOs and activists helping migrants and refugees in Europe have multiplied, as well as acts of intimidation. Studies on this phenomenon have started to catch up and expand, especially from 2018 on. For example, a significant amount of work has been done on the criminalisation of sea rescue NGOs in the Central Mediterranean Sea (Cusamano and Bell 2021; Cusumano and Villa 2020; Sciorba 2020; Camilli 2019) which explore, among other things, the processes of discursive delegitimization underpinning the criminal proceedings and policy initiatives against the work of sea rescue NGOs and, at the same time, fuelling a growing climate of intimidation. In fact, sea rescue NGOs have been accused of collaborating with smuggling networks, constituting a “pull-factor” for migrants, and of ferrying them to Europe (Tazzioli 2018). The situation at the French-Italian border has also been looked at (Reggiardo 2019; Tazzioli and Walters 2019) where cases of incrimination and/or arrest of individuals helping people in transit were recorded, and the politicization of migrations has led to the politicization of the work of civil society actors such as the Church, NGOs, and the Red Cross, obliging them to operate daily amid increasing public distrust and hostility (Reggiardo 2019). Other works on the criminalisation of solidarity with migrants and asylum-seekers have studied this phenomenon in other contexts, such as Croatia (Anić 2022), Sweden (Kolankiewicz and Sager 2021), and Australia (Bessant and Watts 2022).

While the political and social developments that have unfolded after the 2015 “refugee crisis” have contributed to further shrinking the space for civil society actors’ support to migrants and asylum-seekers, criminalisation and policing of humanitarian assistance is not an entirely new phenomenon. Cases of criminalisation of solidarity have been numerous since the early 2000s across Europe, with criminal prosecutions or intimidation tactics carried out against established NGOs, individual solidarians, medical staff, and public officers in several European countries (Fakete 2009). Cusumano and Villa (2020), for example, cite the case of the Cap Anamur, a sea rescue NGO whose ship was confiscated by Italian authorities in 2005, while the captain, first officer, and head of mission were charged with aiding and abetting illegal immigration, and later acquitted.

Given the significance of such phenomenon, a range of concepts have been introduced to describe and analyse this shifting constellation of practices and discourses against civil society organisations and their members. Tazzioli (2018), for example, mobilises the concept of “crimes of solidarity”, an expression already employed by activists and human rights organisations. In her work, it is used to point at those crimes that are defined and prosecuted according to the 2002 EU Directive on the facilitation of unauthorised entry, transit, and residence of migrants, that has been used across the EU to criminalise the work of organisations and their members. While her analysis focuses especially on criminal prosecutions and trials, other works, have shown that the activities of CSOs have been the target of other types of measures and actions as well. Carrera *et al.* (2018), for example, introduced a broader framework of analysis, including a wider range of punitive tactics carried out by the EU and its Member States, such as suspicion, harassment, and intimidation, disciplining – *i.e.* using administrative measures and even trials but outside the scope of anti-smuggling legislation – and, finally, formal criminalisation. In fact, these scholars argue that the policing of humanitarianism takes place not only through the use of criminal law and criminal-law type of approaches, but also through other forms of actions that include, for example, on the one hand, surveillance, and indirect pressures, and on the other hand, bureaucratic/ administrative practices, such as calls for registration and more centralised coordination, and/or increased levels of financial accountability and transparency on funding sources. This hostile working environment engenders fear in the actors on the ground and can produce self-disciplining actions (Carrera *et al.* 2018).

In trying to explain the variations within such phenomenon, scholars have also underlined that its impact varies when considering different types of humanitarian actors. For example, Dadusc and Mudu (2022) elaborate a distinction between what they term “the humanitarian-industrial complex” and practices of “autonomous solidarity”; according to their interpretation, the organisations that fall within the latter category are those whose work is more at risk of being criminalised. In the article, I will illustrate that although this seems a valid distinction, in the context of Ceuta and Melilla, because of the closed political opportunity structure (Alcalde and Portos 2018) and the militarised and securitised character of the enclaves, the majority of local actors does not engage in “radical” forms of solidarity; here, the most relevant distinction seems to be that between actors who document human rights violations at the border and those who prefer not to do so.

Finally, analysing the increasing obstacles that CSOs working with migrants and refugees face, della Porta and Steinhilper (2022) describe this as a shrinking or closing space for solidarity. The scholars argue that both in the context of the financial crisis and the 2015 so-called crisis of European migration, the notion of “solidarity” has gained renewed prominence, but its practice has also become increasingly contentious (Della Porta and Steinhilper 2022). In the field of migration, the political and cultural space for civil society organizing has been shrinking all over Europe in countries traditionally considered as established democracy (Della Porta and Steinhilper 2022).

Interestingly, here not only attacks on CSOs from governmental actors are considered, but also tensions with non-governmental actors (e.g., right-wing political parties and movements): this wider reflection is relevant to the situation in the enclaves of Ceuta and Melilla, where – as I will discuss in the following sections – the work of civil society actors is met with resistance by a significant portion of the local population. In fact, while most of the existing literature focuses on forms of legal and political hostility towards migrant solidarity, this article also sheds light on examples of bottom-up, social hostility, towards the work of CSOs.

2.1 Methodology

The data I discussed in this article were collected during a fieldwork in the Spanish enclaves of Ceuta and Melilla, that were one of sites of a multi-sited ethnography on border violence at the European Union borders I conducted for my doctoral thesis in 2019-2020. In designing the initial methodology, I drew on Casas-Cortes *et al.* (2015) who called for a multi-sited approach to the study of migrations and the contemporary forms of governance of mobility. The data used in this article are the result of sustained fieldwork interactions with, and working as a volunteer for, different types of civil society organisations in the Spanish enclaves.

During the leg of fieldwork at the Spanish Moroccan land border, I lived in Ceuta for four months and I used participant observation through volunteering in three organisations: I volunteered in a small Church-affiliated organisation that provides Spanish language courses and organises cultural activities for the migrants in transit; I also helped with classes geared towards children excluded by the official education system and, finally, I was active in a project that offered courses and day activities to unaccompanied minors in transit. Through my involvement in such organisations, I was able to hold several informal conversations with volunteers, NGO workers, and migrants in transit and participate in migration-related public events. During my stay, I carried out a field visit in Melilla in February 2020 where I shadowed the work of a group of volunteers providing first aid medical care to unaccompanied minors in transit. Finally, I complemented my observations with key-informant interviews with 15 practitioners and activists of the civil society, the majority of whom were based in Ceuta and Melilla, while the rest used to visit the enclaves on a regular basis.

Negotiating access to this field was challenging. In the context of Ceuta, I encountered strong feelings of suspicion towards my work as a researcher. In the literature, gaining access is often constructed as a practical step but, as Cunliffe and Alcadipani (2016) underline, how we get access tells us a lot about the type of organisation we are trying to interact with and its internal power dynamics; for Waldrop and Egden (2018), resistances from the field contain important data. The initial resistance I encountered – especially from specific actors – relate to different factors: firstly, the enclaves are highly securitised and militarised territories where a certain level of repression and monitoring shapes the daily activities of actors in the migration sector, especially those which have developed a more critical discourse towards official mi-

gration and border policies; secondly, organisations tend to display a “protective” attitude towards the migrant population as, as one interviewee put it, “migrants in Ceuta are the ones who pay the price when things go wrong” (Interview with research participant n.2, November 2019, Online). For ethical reasons, I anonymised all the interviews and interactions described in this article.

3. Ceuta and Melilla: migrants and humanitarians at the Moroccan- Spanish border

Ceuta and Melilla are Spanish enclaves on the Moroccan northern coast and the only existing Euro-African terrestrial border². They are at the centre of a long-standing territorial dispute between Spain and Morocco, together with a series of nearby small territories called *Plazas de Soberania* (Ferrer-Gallardo 2008). Since the beginning of the 1990s, and after that Spain entered the European Union (EU) in 1986 and the Schengen Agreement in 1991, Ceuta and Melilla came to play a vital role with regard to migratory movements toward the territory of the EU (Ferrer-Gallardo and Albet-Mas 2016). In fact, after the elimination of internal border checks on EU territory, the two enclaves – that previously were rather marginal even inside Spain – became a point of entry not only to Spanish territory but also to the territory of other EU countries, catalysing the attention of EU institutions (Castan Pinos 2009). Therefore, following the entry of Spain into the Schengen area, the enclaves’ land and sea border underwent a process of re-organisation (Ferrer-Gallardo 2008), which entailed a progressive militarisation and securitisation of their perimeters.

For their strategic position, Ceuta and Melilla have been given considerable attention by academic studies (see, for example, Aris Escarcena 2022; Carling 2007; Ferrer-Gallardo 2008; Ferré Trad 2016; Lara Fuentes 2017; Queirolo 2019), NGO reports (see, for example, APDHA 2014; Servicio jesuita a migrantes 2014) and media outlets: some described them as the portal of Europe (Ferré Trad 2016), or limboscaples (Ferrer-Gallardo and Albet-Mas 2016) “on the top of the line of fracture between Global North and Global South” (Zurlo 2011: 1).

Their strategic role should be contextualised by framing it within a much larger border area, that many Spanish speakers call *Frontera Sur* (literally, “Southern Border”), an expression largely used especially in NGOs reports and activists’ circles (APDHA 2019). With this phrase, most refer to the maritime border between Spain and Morocco or, as Andersson (2014: 16) put it, “the Spanish section of the Euro-African border”. One of my research participants stated:

The border could be conceived as a segment which develops from north-east to south-west; it goes from the sea of the Balearic Islands and, passing through the Strait of Gibraltar, reaches the waters in proximity of the Canary Islands. This, in addition to the terrestrial borders, represented by Ceuta e Melilla and the so-called *Plazas de Soberania* (Interview with research participant n.11, December 2019, Online).

² Although Ceuta and Melilla are the only EU terrestrial border on the African continent, there are other territories which are part of the European Union territory and geographically situated in Africa: for example, the Canary Islands but also the islands of Réunion and Mayotte (part of France) and Madera (part of Portugal).

The sea route is the main route taken by migrants on their way to Europe: in 2019, for example, around 80% of the people arriving in Spain did so by crossing either the Atlantic Ocean or the Mediterranean Sea, while only the remaining 20% crossed into Ceuta and Melilla (APDHA 2019). The latter did so either by sea (*e.g.*, swimming or with makeshift boats) or by land, for example, jumping the fences, using forged documents, or hidden inside a car, or in more rare events, with the use of trucks across the border entry points.

Once migrants and refugees cross into the enclaves, they are accommodated either inside the Centres for the temporary holding of migrants (Centros de Estancia Temporal de Inmigrantes - CETIs) or inside the Centres for Unaccompanied Minors. Some migrants – mostly minors from Morocco – decide not to access the official system of reception and live rough in the streets. This group is mainly composed by unaccompanied minors “on the run from protection centres that they perceive as jails” (Queirolo 2019: 63) and attempting to reach the *Península* by sneaking into the boats connecting the enclaves with the mainland. Therefore, even if the media discourse – especially outside Spain – has mostly focused on migrants and refugees coming from sub-Saharan countries, the territories of the enclaves are crossed by different forms of mobilities and temporarily “host” people coming not only from sub-Saharan countries but also countries belonging to the neighboring Maghreb (Morocco, Algeria, Tunisia) and other Arab countries (Palestine, Syria, Yemen) (APDHA 2019).

Once inside the enclaves, migrants and refugees face a situation of limbo (Andersson 2014). The time they will have to wait before being able to cross into the mainland varies according to their nationality and their personal circumstances. At the time of my fieldwork, some people were allowed to leave after three months, others took much longer, sometimes remaining in the enclaves for more than a year. Therefore, once the spatial limits embodied by the borders have been overcome, time becomes for some an additional dimension through which border violence is exercised. In this context of temporal and spatial limbo, the life of migrants and refugees in transit is organized and managed by a range of actors.

In the enclaves of Ceuta and Melilla the humanitarian sector is small but includes a range of different civil society actors, which differ in size, social base, sources of funding, activities, and degree of collaboration with the State in migration and asylum governance. Such as in other EU local border contexts, it is “an interorganisational domain” where “various organisations with different and sometimes conflicting principles co-exist” (De Jong and Ataç 2017: 29). In the enclaves it is possible to find institutional actors such as UN agencies (UNHCR) and the Red Cross, international, national, and local NGOs, Church-run and/or grassroots associations. Furthermore, different actors work in different spaces: some mainly operate inside facilities run by the State such as the Centres for the temporary holding of migrants (CETIs); others in private buildings (often rented); few in specific areas of the city (*e.g.*, the border or the harbour), sometimes closer to where their “beneficiaries” live. In this article, I analyse only the predicament of actors that work on land: therefore, it falls outside the scope of this study the work of *Salvamento Marítimo* that performs search and rescue operation at sea.

Some of the research participants underlined that relations among entities working in this sector are not always harmonious and vary greatly. While some of them constantly cooperate, others do so sporadically, and in some instances, cooperation is non-existent. Differences can sometimes engender tensions, and activists complain of a lack of synergy especially in activities related to advocacy: in particular, a dividing aspect appears to be the fact while a small group of the entities are engaged in advocacy on human rights violations at the border, many others refrain from doing so. One of the research participants recounted that she had been actively discouraged from volunteering in a specific organisation by a previous employer and the situation had escalated when her short-term work contract had not been renewed. However, it is important to underline that, at the time of the data collection, some activists and social workers were working and volunteering in more than one association at a time or had worked for some of the other organisations in the past. This seems to point to the fact that some level of tolerance for the work of other organisations exists, and it is likely that individual worker/activists try to balance their different roles in different organisations in order not to generate conflicts.

Given the small extension of the enclaves, civil society actors working in the migration sector tend to know each other well, although sometimes there is no ideological and strategy alignment among them; on the contrary, relations with Moroccan organisations beyond the borders seems weak. Although some research participants have described having contacts with other activists/organisations in Morocco, and I observed some Moroccan organisations participate in yearly public events on migration, other actors claimed not to know which civil society actors work on the Moroccan side of the border and not to have any contacts with them. Furthermore, almost all interviewees underlined that Morocco has poor standards of human rights and high rates of criminalisation of solidarity with migrants. In their accounts they tended to trace a clear distinction between the situation on the Spanish and the Moroccan side of the border, depicting the latter as far worse in terms of protection of migrants' rights and space for civil society actors.

In general, activists and social workers in the enclaves are either from Ceuta and Melilla or other parts of Spain: while some have settled in the enclaves long ago, others – mostly in their twenties – have moved to the enclaves more recently and have either joined pre-existing organisations or established their own, either as an extension of an existing one or as a totally autonomous entity. This latter group is rather interesting as their permanence inside the enclave is less stable, but they perform a great amount of work with the migrant population. Sometimes, before moving to Ceuta and Melilla, they volunteered in other parts of the EU external borders, such as the Balkans or Greece or in other countries like Morocco. A common feature among this group lies with the motivation of “doing something in the backyard of their home” (Interview with research participant n.12, February 2020, Melilla).

Relations with civil society actors from the *Península* seems to play an important role in providing support to organisations based in Ceuta and Melilla. Some research participants recounted episodes when activists from the rest of Spain helped them

by providing advice, or support in organising events. One of them said:

People in Ceuta usually attack us while people outside support us. Many people in the rest of Spain give a lot of attention to what is happening at the southern border. (Interview with research participant n.1, November 2019, Ceuta).

This testimony points to the fact that civil society actors based in the rest of Spain are an important point of reference for actors based in the enclaves, operating in a political and social context where migration is considered a particularly sensitive issue. Having the possibility to communicate and organise together breaks the isolation of organisations in Ceuta and Melilla, which face complex issues daily. This network of support plays an important role in re-connecting this borderland organisations with a much larger and vibrant civil society sector: in this way, best practices, information, and more practical forms of support (e.g., legal advice) flow in both directions and such exchanges are essential in strengthening the connection between this “first line of reception” and the rest of the country.

Finally, while relations with the civil society sector in the rest of Spain tend to be strong, these borderlands remain rather isolated and marginal within the European Union. While hundreds of European volunteers – many of them young – have reached different border localities to offer help and support during the so-called 2015 refugee crisis, during my 2019-2020 fieldwork I observed that most of the activists operating in these territories tend to be Spanish, while “international” volunteers are few and stay for limited periods of time. A situation very different from that of small Greek islands such as Lesbos, or other border localities along the Balkan route. This lack of “internationalisation” of the civil society sector in the enclaves could be explained by different factors: for example, the type of work that is needed in the enclaves whereby organisations act as a “bridge” between migrants and the public administration and therefore it is essential an excellent knowledge of Spanish and, to some extent, Spanish bureaucracy. Moreover, although the local civil society sector is well connected with civil society actors in the rest of the *Península*, these territories remain marginal and scarcely known.

4. Working in a hostile environment: online and offline attacks

In one of the first fieldwork interview, I met an activist and social worker in a café close to the harbour in Ceuta. As it was November, it was slightly cold, but he insisted on sitting in the outdoor seating area to chat more freely, even if the café interior was empty. While taking our seat in the outdoor, street-looking table, he explained that he felt more comfortable speaking about his work where nobody was listening. During the interview, while I was taking notes as I was not allowed to record, I felt that the interviewee was tense and very aware of his surroundings. Although other people I interviewed did not display the same degree of concern and vigilance, many agreed that working with refugees and migrants in the enclave expose them to significant pressure, especially from the local population, mostly because of widespread anti-migrant attitudes.

Many of the civil society actors interviewed in Ceuta and Melilla recounted having been the target of hostile acts by a portion of the local population. In the descriptions of the research participants, attacks happened both online – for example on social media such as Facebook, or in the comment sections of local media outlets – and offline, in the public spaces where organisations carry out their activities and/or interact with migrants.

In the virtual sphere, attacks and discursive forms of intimidation were directed either against a prominent individual within a specific organisation, or the work of an organisation *tout court*. The research participant whose interview I mentioned at the beginning of this section, for example, recounted an episode whereby a prominent local media outlet published an anonymous article that contained accusations aimed at discrediting, and damaging the overall public image of his organisation. In another interview, a research participant who worked for an NGO recounted to be aware of the existence of WhatsApp groups where pictures of social workers bidding farewell to the migrants who were transferred by the authorities to the *Península* were circulating; those pictures were taken without the consent of the social workers, probably with the intent of annoying and harassing them. Other colleagues who were also locals described how difficult it was to speak of their work with most of the people in their social circles. Such “virtual” incidents do not constitute a form of obstacle to the work of these local organisations, but they contribute to shape a certain “hostile” environment in which social workers, activists and volunteers operate.

In the “physical” public space, attacks and other forms of intimidation can take different shapes. For example, two research participants – each leading an NGO based, respectively, in Ceuta and Melilla, recounted that their presence was met with hostility by the residents of their neighbourhood. The one in Ceuta recounted that at some point neighbours had collected signatures to expel the organisation from the area, and the electric cables of the NGO office were cut by unknown people, to stop them from providing free WI-FI to young migrants living rough in the streets. On the other hand, the research participant in Melilla described how the landlord had unexpectedly and suddenly decided to terminate their contract and to what extent they struggled to find an alternative space for their office. Other “incidents” recalled by other participants concerned, for example, activities carried out with migrants in the public sphere: a social worker recounted an episode when a group of volunteers was sharing a cake with some unaccompanied minors in a public park. Neighbours started giving them hostile looks, taking pictures of volunteers and migrants, and gesturing as if they were going to call the police; when confronted by the volunteers, they claimed that the presence of the youngsters was making them angry and that they were afraid of them. Overall, these forms of intimidation and harassment by locals against migrant-supporting organisations contribute to add another layer of complexity to their work in the enclaves.

Some participants have stated that local people tend to have a hostile attitude towards CSOs because they *fear* migrants and their presence in the cities. It was recounted that even law-enforcement officers can be under pressure by the local pop-

ulation for the same reason and perform raids in areas such the harbours to appease the nerves of local residents. An NGO worker who is based outside of the enclaves but travels there on a regular basis for research purposes stated:

Migrant people who live in Ceuta are the target of clear rejection by the local population who has real fear – although not based on objective data – of them and is particularly scared by the prospect of an invasion from Morocco. (Interview with research participant n.2, November 2019, Online).

In fact, some participants underlined that the “group” of migrants who engenders the most fear among the local population comprises mostly Moroccan minors who remain outside the formal reception system. Although these young people often live rough in the areas close to the harbour, a social worker explained that many of them alternate periods in which they sleep in the Centre for Minors, with others in which they fall outside of the official reception system. Undoubtedly, they are one of the most vulnerable migrant groups in the enclaves, both because they are unaccompanied minors, and for their extremely precarious living conditions. Participants also underlined that male sub-Saharan migrants are feared by locals as well, but they mostly are invisible downtown and are either confined in the peripheral space of the CETI, or reach only the external part of the city, for joining the activities of local organisations or buying essentials in the shops.

Overall, the data collected point to the fact that civil society organisations in the migration sector can be the target of different types of hostile acts both online and offline; such hostility is underpinned by a widespread perception of migrants – especially unaccompanied minors and sub-Saharan migrants – as “dangerous” and “fear-inducing”. For Alcalde and Portos (2018), activists in the enclaves face strong opposition from a good portion of the local society and even when migrants lost their lives during border crossing attempts in the past, the local population has failed to show solidarity. The tensions with the local population represent only one aspect of the “hostile environment” wherein these actors operate daily; in the next section, I will turn to examine their relationships with local political institutions.

5. The relations with local authorities: softer and harder forms of criminalisation

While civil society organisations face forms of intimidation and hostility by a good portion of the local population, *prima facie* their work seem largely tolerated by local authorities. This seems certainly true for those CSOs that work in state-run facilities (e.g., CETIs - the Centres for the temporary holding of migrants) and, more generally, within the official reception system, or what Dadusc and Mudu (2022) term the “humanitarian-industrial complex”. On the other hand, those organisations that are engaged in more “informal” activities, for example, in the public sphere, may encounter more problems, although some reported that their work is tolerated and even encouraged by authorities, as they have gradually become known to public officials, and their work responds to a need that is not fulfilled by other actors. As one social worker based in Ceuta put it:

Regarding our relationship with the authorities, we can say that they tolerate us. They do not openly conflict with us because they have other issues to deal with. At the beginning, when they saw us with the boys [unaccompanied minors], they would ask if we needed help: the interaction with law enforcement depends on the individual officer [...]. In some cases, they can be very racist, while in others, they are not. Generally, they let us work because they know who we are; by now, they are familiar with us. (Interview with research participant n.1, November 2019, Ceuta).

Despite this, the accounts of other organisations and some observations seem to point to another direction. One of the activists I interviewed in Melilla, for example, explained that his job consists of providing help to migrants living in the streets from a socio-sanitary point of view; as a nurse, he performs a first screening and assessment of the situation and together with other volunteers he brings people in need to the local hospital. In our conversation he clearly described how committed he was to stick exclusively with those activities, because he was aware that if he were to go further, for example by being vocal about specific problems or doing advocacy work, the “space” left open by the authorities for his *autonomous* socio-sanitary interventions, would soon be closed. He explained:

They let me work because I don't create problems, here as in Ceuta, I could be reporting problems every day. If I see something particularly serious, I'll pass it to another organisation. (Interview with research participant n.14, February 2020, Melilla).

This type of self-censorship seems to point to the fact that civil society actors are aware of what the boundaries of their work are, and on which conditions humanitarian interventions are tolerated by local authorities. Although no direct criminalisation is reported by this participant, humanitarians' activities are taking place in a highly tense, politicised field, and in choosing their actions, and inactions, they need to consider that a certain degree of monitoring and pressure by authorities is present.

In more informal conversations, other activists in Ceuta have been more explicit about this point, for example, complaining about the lack of political opportunities in the enclaves, describing the militarised character of these territories and even mentioning that, as local activists, they feel monitored, especially the few who are engaged in advocacy activities. Although it was impossible to verify these statements, the perception of being monitored in their communications with other activists reflect a certain degree of uneasiness and suspicion that – at least some of them – feel towards local authorities.

During public events organised by civil society organisations – such as the yearly March for Dignity or other gatherings on migrants' rights – I observed the great extent to which the presence of the law-enforcement officials was visible and numerically significant, especially when considering the nature and size of such events. In my fieldnotes on my participation to the March for Dignity I wrote:

The March started around 3 o'clock. It was very long. During the whole duration of the March, the police escorted the protesters, carefully monitoring that everything proceeded without problems. (Fieldwork notes, February 2020, Ceuta).

On that occasion, the massive presence of law-enforcement forces during the duration of the event stood in contrast to the festive and overall relaxed atmosphere of the march, which has mainly a commemorative character. However, this apparent contradiction must be contextualised taking into consideration the daily reality of the two enclaves, that during the last thirty years have undergone a progressive militarisation and securitisation, becoming an external EU border. As a result of this, the organisation of the social space in the enclaves is quite different from the rest of the Spanish *Península* and this is evident in the number of military vehicles that circulate across these tiny territories, the significant presence of law enforcement officials, and the visible and routinary presence of people dressed in military uniforms in the public space. Therefore, this dimension of militarisation and securitisation needs to be considered when looking at the work of civil society actors in the field of migration, as it contributes to shape the social and political environment wherein these actors move during their everyday activities.

Alcalde and Portos (2018: 171) state that, in both of the enclaves, the political opportunity structure for CSOs in the migration sector is very closed, and increasing levels of violence and repression by the police and far-right groups are recorded, a situation that in Europe is comparable only to the one in Calais. Most of the data collected during my fieldwork point to the presence of *softer* forms of “punitive tactics” (Carrera *et al.* 2018) such as intimidation, indirect pressures, and monitoring, against CSOs; however, other forms of policing against actors who carry out humanitarian activities have been recorded as well.

For example, a Barcelona-based activist who visited the enclaves on three research missions explained:

When my colleagues did their work, they had problems on the Spanish side (of the border) in Melilla [...] they were fined for taking a photo where it was not allowed and in the end they were fined under the *Ley de Seguridad Ciudadana*³ which also regulates pushbacks, and on the Moroccan side [...] they were followed by the police. (Interview with research participant n.10, March 2020, Online).

The testimony of this participant points to the fact that the area close to the border fences is inaccessible. The same seems true for Ceuta where during my fieldwork two activists brought me close to it by car, and during such trip I could perceive their uneasiness in getting so close to the border line. In the specific case she refers to, her colleagues were sanctioned with a fine for taking pictures and documenting the reality of this border infrastructure in Melilla. Although this does not equate to a form of *hard* criminalisation, it still amounts to an attempt at disciplining (Carrera *et al.* 2018) CSO actors, where an administrative measure is adopted as a form of punishment and deterrent.

Moreover, a review of documents shows that there have been at least two high-profile cases where *harder* forms of pressure against local humanitarians were deployed, that involved fines but also charges and trials. The most relevant to this paper

³The *Ley de Seguridad Ciudadana*, also known as the “Gag Law,” is a controversial Spanish law that was passed in 2015 and has been criticized for its restrictions on freedom of expression and the right to protest.

is that of José Palazón, founder of a Melilla-based association for migrants and children rights (PRO.DE.IN.) and the award-winning author of an iconic 2014 photo depicting a group of migrants atop the fortified Spanish fence overlooking a perfectly groomed golf course (The Guardian 2014). For his work with unaccompanied minors, and especially for being vocal about human rights violations, Palazón has faced not only verbal attacks by local politicians and forms of harassment by local authorities, but also administrative measures such as fines, and has been the target of lawsuits (Diario de Ibiza 2017). In 2015, for example, an unaccompanied minor in Melilla, died while attempting to sneak inside a boat heading toward the *Península* and his friends decided to bid him farewell in a spontaneous event where members of Palazón's organisation participated as well. One month later, the organisation received a fine for serious alteration of the public order (El Faro de Melilla 2016). Two years later, other two unaccompanied minors died in Melilla (Público 2018); in the first case, Palazón accused the administration of the Centre for Minors, claiming that the child died after he was hit and treated harshly in the Centre itself; in both cases, the activist identified the families of the deceased minors. For his work and the accuses he raised, he was harshly attacked and threatened by the Councillor of Social Welfare of the People's Party (PP): the politician also sued the activist accusing him of slander and of making false criminal accusations (Público 2018). Finally, in a 2022 verdict, a Provincial Court in Malaga condemned Palazón to the payment of legal costs and the compensation of 3,000 euros to the former Councillor (Jiménez 2022).

Commenting on the hostile environment faced by activists in Melilla, Palazón said in a published interview:

They curse you; they confiscate your camera, they report you...they try to make your life impossible, but when this happens continuously, you end up getting used. Before, when I received a complaint, or the Prosecution called me at trial to witness, I would feel scared to death. Now when I receive a fine or a summons to court because I took a picture or something similar, I say to myself, well, one more. (Excerpt from Diario de Ibiza, 2017).

The case of Palazón points to the fact that being vocal about human rights issues, and openly challenging the local political elite, can expose CSOs and activists to forms of policing that include suspicion, harassment, intimidation and disciplining. Although these forms of pressures do not amount to criminalisation *strictu sensu* whereby anti-smuggling legislation is weaponised against humanitarians, they still have an impact on the local population's perception of the organisation. For Alcalde and Portos (2018: 174), for example, PRO.DE.IN. is the main organisation in Melilla migration sector and its awareness raising work is recognised both nationally and internationally; at the same time, many local people are afraid of collaborating with them.

Another important example of policing of solidarity with migrants at the Southern border is the one concerning the Spanish activist Helena Maleno, a journalist and researcher who was based in Tanger and is the founder of the NGO Caminando Fronteras (Jones 2018). Her work in support of sub-Saharan communities in transit in Morocco is known internationally and she has received awards for it both in Spain

and abroad. Apart from documenting deaths and disappearances at the border, she is also involved in helping people in distress at sea by using social networks to alert maritime rescue services. For her work helping boats in distress, she was firstly the target of a failed investigation in Spain and then was brought to court in Morocco for abetting illegal migration, being finally acquitted in April 2019 (Jones 2019). In addition to the judicial case, the activist was also the target of online hate, threats, included threats of rape and death threats (Público 2017); in 2021, she was expelled from Morocco. Her case reflects how softer forms of criminalisation have been accompanied by criminal justice measures based on anti-smuggling legislation, with a disruptive impact on the activists' life.

Combining data from the fieldwork with a review of documents allows us to explore how civil society actors working with migrants in this segment of the Spanish Moroccan border can face forms of pressure and repression, such as fines and even trials. Although this seems to mostly apply to "high-profile activists" who are particularly vocal in reporting human rights violations at the border, the data collected shows that softer forms of indirect pressure, intimidation, and monitoring concern a larger group of civil society organisations in solidarity with migrants. In the tense and hostile environment of the Spanish enclaves – tiny territories crisscrossed by multiple political and social tensions – local actors engaged in humanitarian activities have to carefully pick their battles and stick to the "agenda" of their organisation: in many cases, this can result in self-censorship and daily negotiations, in order to continue to assist the migrant populations in transit through the enclaves.

6. Conclusions

The Spanish Moroccan border, as other external EU borders, has faced a process of gradual militarisation and securitisation. This has had a significant impact on the migrant population transiting through the enclaves of Ceuta and Melilla, as well as on the civil society organisations working in the migration sector. While scholars have explored migrants and refugees' living conditions in these territories, this study provides an ethnographic account of the challenges CSOs face in providing help and raising awareness, that is a topic so far underexplored in the literature.

In this article, I showed how the CSOs' relation with the local population is also fraught with tensions as a good portion of it holds anti-migrant sentiments and *fear* the presence of migrants, especially unaccompanied minors living rough in the streets. Testimonies from research participants describe several incidents taking place both in the virtual and the physical space where residents attempted to harass and/or intimidate civil society actors.

In addition to this, I showed that some of the local humanitarians face forms of policing that include indirect pressure and intimidation by local authorities. Some cases of disciplining through administrative measures and charges with offences not related to smuggling have also been recorded. In general, these CSOs that mostly perceive to be monitored and, sometimes, harassed by authorities tend to be those

more engaged in advocacy activities, while other civil society actors see their work as tolerated and generally well-received.

Overall, this article explored how local CSOs working in the migration sector face different degrees of hostility both by governmental and non-governmental actors. While acts of hostility by locals are carried out towards the work of humanitarians in general, forms of policing by local authorities take place towards those CSOs more involved in activities of advocacy on human rights violations at the border. The presence of these tensions and frictions makes the work of local humanitarians more complex, and many engage in careful daily negotiations to be able to continue their work in these territories. Finally, the limited political opportunities for migrant solidarity in the enclaves (Portos and Alcalde 2018) has also to do with the militarised and securitised character of these secluded border territories, that contributes to shape and constrain the activities of these actors.

Although the exceptionality of these territories partly seems to explain the constraints and hurdles that CSOs face, the criminalisation of migrant solidarity and the rise of anti-migrant sentiments are phenomena taking place across many EU external and internal borders. The securitisation of migration and the deployment of military and security technology to contain migratory movements, have both impacted migrant's lives and shaped how humanitarian actors work in border areas.

The presence of widespread social hostility towards the work of CSOs in the enclaves is of significant concern, as research across EU borders demonstrate that suspicion and mistrust often precede criminal prosecution. Hence, future studies on this locality could assess whether the predicament of migrant solidarity will develop a negative trajectory, particularly in the event of a significant increase in the number of irregular arrivals.

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