








Defining "transit" in the case of Bosnia and Herzegovina

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State of the art

General elections will be held on 2nd October 2022 in Bosnia and Herzegovina. Citizens will be called to decide the presidency, as well as national and cantonal governments. The Bosnian political system derives from the peace agreement that succeeded the 1992-95 war. In Article I of the country's Constitution – which was included in the Annex 4 of the Dayton Agreement reached in November 1995 – the composition of the Bosnian political system is defined: “Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska” (UN General Assembly 1995, 60). The key civilian peace implementation agency is the Office of High Representative (OHR), whose mandate is regulated by the Dayton Agreement at Annex 10, according to which the designated High Representative is responsible for “monitoring the implementation of the peace settlement” (UN General Assembly 1995, 112). The administrative structure coming out of the peace agreement was meant to be temporary, but it lasted until today (Gunnarsson Popović 2019). The upcoming election round is characterized by an escalation of military and political tension between the authorities of Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (hereafter Federation). In late October 2021, EUFOR monitored the tactical exercise conducted by the Interior Ministry of RS: “to respond to migrant smuggling conducted in the western BiH town of Mrkonjic Grad” (N1 Sarajevo, 2021). On April 2022, the UK announces a first round of sanction targeting the Bosnian Serbs high-rank politicians Milorad Dodik and Zeljka Cvijanovic: “UK has today sanctioned Milorad Dodik, Bosnian-Serb member of Bosnia and Herzegovina's state-level Presidency, and Zeljka Cvijanovic, President of the entity of Republika Srpska, for their destabilising activity in Bosnia and Herzegovina” (GOV.UK, 2022).

Internal instability intersects with changes in the informal migration corridor, known as the Western Balkan route, and the process of accession to the European Union undertaken with the submission of the EU membership application in February 2016.

Until 2017 BiH was not part of the Western Balkan route. After the *EU-Turkey Statement and Action Plan* agreed on the 18th March 2016, the stranded migrants increasingly opted to continue their journey passing through Bosnia. “Bosnia and Herzegovina had faced intensified illegal migrations in the last quarter of 2017, as well as throughout the years of 2018, 2019 and 2020” (BiH Migration Profile 2020, 24). The number of “illegal migrants” entered in the country, reported by the Bosnian Service of Foreigners' Affairs (SFA), increased from 23,902 in 2018 to 29,302 in 2019 and then decreased with a total of 16,190 in 2020 (83). Since 2017, the country has been in the position of managing a stable flow of migrants mainly coming from Afghanistan, Pakistan, Bangladesh, Iraq, Morocco, Iran and Syria. Five EU-funded Temporary Reception Centers (TRCs) are currently operational in the country: two in Sarajevo Canton and three in Una-Sana Canton. Starting from 2018, these centers have sprung up along the migrants' itinerary in the Federation. If a migrant applies for asylum without having a private accommodation, he/she will be assigned to a TRC. By law, the first step in applying for asylum is to register the intention to seek asylum, which can be done at any police station by filling out the form shown in Figure 1. It gives the right to have a 14-days “white paper” to move freely around the country. Within 14 days the person must register his/her asylum application in Sarajevo, obtaining the “yellow paper”, a document renewable every three months until the end of the asylum procedure. Nine months after the release of the “yellow paper”, the asylum seeker can legally work in BiH. Reviewing the Commission Staff Working Document, we know that the Bosnian Sector for Asylum of the Ministry of Security has “only four employees working on the registration and assessment of asylum claims” (EC, BiH 2020 Report, 41). In the *Bosnia and Herzegovina 2020 Report*, the European Commission remembers that “the recently-proposed new pact on migration and asylum stresses that in comprehensive partnerships, migration should be built in as a core issue, based on the assessment of the interests of the EU and its partners countries” (EC, BiH 2020 Report, 41).

Research objectives

The aim of the project is to critically engage with the concept of "transit migration" as an "umbrella term embracing various patterns" (Düvell 2008, 7), by placing the experiences of the migrants who are "legally" or "illegally" in a condition of immobility in the country at the center of the ethnographic research.

The study will focus on a segment of a larger corridor, the so-called Western Balkan route, to investigate the condition of migrants' mobility and immobility within the country. It will be proposed to analyze, firstly, migrants' material and relational strategies that define the possibility to cross the Bosnian border and enter the EU and, secondly, the bordering operations deployed by cantonal authorities, aimed at governing the im/mobility within and towards cantonal boundaries. Regarding the latter point, I will investigate the structural differences that characterize the three transit points located in the Federation, which represent the migration corridor that crosses Bosnia and Herzegovina: Tuzla, Sarajevo Canton and Una-Sana Canton. Then, it will be possible to compare different "dynamics of concentration and dispersal" (Tazzioli 2020) which contribute in creating the environment of permanent instability that characterizes the stay in the Balkan country. Therefore, I suggest to engage with the concept of "transit country" not only as a notion employed within the definition of European policies of border externalization, but also as a self-representation that informs policies aimed at the internalization and creation of hard-borders within Bosnia itself.

The project will be articulated through two main research questions:

- How the relationship between newcomers and migrants temporarily settled in the country shape the networks where crucial information and strategies on future mobility are shared? During my internship in Bosnia to write my Second Level Master's thesis I was able to observe different temporalities of migrants' mobility, with a highly mobile population of newcomers – willing to arrive as fast as possible in USC to try "the game" – and a population composed by migrants and asylum seekers that are only temporarily settled in the country. As a sub-question – in the case of temporary immobility in the country – how is the decision made whether to apply for asylum in BiH and reside in a TRC or to refuse to claim protection and find alternative housing solutions?
- Which factors contribute in differentiate reception and mobility politics in the three Cantons? As a sub-question, is the government of displaced population in BiH coherent with the dichotomy "mass treatment"/"individualized selection" proposed by Fassin?

Theoretical and methodological framework

From the review of EU regulations and proposals, it is possible to grasp how "external borders" are conceived by European institutions. From the *Schengen border code* (2016) and the amended proposals for *Establishing a common procedure for international protection in the Union* (2020), EU borders are represented as homogenous spaces that can be governed through a standardize set of regulations and operations. Indeed, in the explanatory memorandum, the new path for the asylum system is coupled with an emphasis on a "common framework", "comprehensive approach", and "more harmonized procedures" at external borders.

Starting from 2020, the European internal asylum system has been in a process of reform that have pushed forward new legal categories to define the external dimension of the EU. The European Commission's *New Pact on Migration and Asylum* proposes a revision of the *Common European Asylum System* (CEAS) through three legal concepts: "safe country of origin", "safe third country" and low/high recognition rate (EC, New Pact 2020, 4). In addition, the proposal for a *screening of third country nationals at the external borders* envisions a pre-entry screening conducted at the external border of the Member state for those "apprehended in connection with an unauthorized

crossing of the external border of a Member State by land, sea or air (...)” (EC, Screening 2020, 26). Under a legal perspective, Cortinovis (2018) outlines that “[S]ome authors have spoken of a ‘domino effect’, where the systematic use of safe third country rules creates a spiral of ‘chain refoulement’ that pushes refugees ever closer to the countries they have fled” (9). While, Davies et al. (2017) point out that the EU “managerialism” is evident in both the rhetoric and strategies adopted and “is presented as a technical exercise underpinned by managerial language of co-operation, partnership, best practices and technical know-how” (Davies et al. 2017, 1267). Bigo (2014) traces the managerial “solution” to the “danger of overflows” in what EU texts call ‘border management’ as myriad of ‘bordering-debordering’ (Bigo and Guild 2005) operations: “not only the holding of people in retention at the borders (...), but also the initiation of surveillance after people (...) have entered the EU” (214).

A critic to the monolithic view of the border employed by European institutions can be articulated through the extensive literature that has arisen in the field of critical border studies, beginning with the recognition that “borders are no long at the border” (Bauder 2017, 23; quoting Balibar 1998, 217-18) and, thus, the “ambiguity” associated with this concept, whereby each border has specific features tied to the context in which it operates (Bauder 2017). The external dimension of the governance of migration movement is part of Kasperek’s (2016) analysis on the Dublin system and the European border management. Connecting his work with other scholars (Papadoupoulos, Stephenson and Tsianos 2008; Sciortino 2004), Kasperek writes of ‘liminal institutions’ and ‘liminal spaces’ “in order to capture this on-going transformation of policies of border management from an act of interrupting flows towards a government of porosity and mobility” (Kasperek 2016, 8). Through the literature review on border studies, it is possible to retrace two dynamics connected to the governance of migrant’s mobility: the externalization and internalization of practices connected to border management and control.

From a bottom-up perspective, De Genova (2002, 2013) refers to the experience of border control from the point of view of migrants facing law enforcement and border patrols, confronting – as a consequence – with a new condition of “illegality” and “deportability” which is felt and constantly lived by those individuals subjected to this socio-political process of illegalization: “[T]he entirety of the interior of the space of the state becomes a regulatory zone of immigration enforcement as borders appear to be increasingly ungrounded – both internalized and externalized” (De Genova 2013, 1183).

The ‘border spectacle’ can be rearticulated through the relation between the proliferation of spatial strategies of mobility containment and dispersal (Tazzioli 2020) – enacted by a multitude of actors performing everyday micropractices of bordering (Rumford 2009) – and the countermovement of resistance and subversion. Drawing from the autonomy of migration (AoM) literature, borders can be conceptualized as: “social institutions, which are marked by tensions between practices of border reinforcement and border crossing” (Mezzadra and Neilson 2013, 4). For Tazzioli and Scheel (2022) the AoM “has been developed into a heuristic model that permits scholars to investigate contemporary border regimes and migratory processes from migrants’ perspective with a particular focus on their ‘border struggles’” (8). Starting from the concept of ‘border struggles’ the two authors propose to understand the migrant as a person who “in order to move to or to stay in a desired place, has to struggle against bordering practices and processes of boundary-making that are implicated by the national order of things” (Tazzioli and Scheel 2022, 9).

The research project will assume the Tazzioli and Scheel’s understanding of “how some people are shaped as migrant”, while taking into consideration the central notion of *mobility* in a transit country such as Bosnia and Herzegovina, where the external dimension of the European internal security is shaped. Torpey (2000) talks of the state’s monopolization of the legitimate “means of movement” in his book where he retraces the history of passports. While, Tazzioli (2020) connects the politics of mobility with specific biopolitics of migration: “[T]he hierarchies of mobility across the world

produced by the global visa regime are in fact at the core of *the making of migration, that is of the* discursive, legal and administrative mechanisms through which some subjects are racialised and governed as “migrants” (Tazzioli 2020, 155). Mobility and immobility, dispersal and concentration (Beneduce 2010; Tazzioli 2020) are part of the spatial management of foreign populations. Fassin (2011, 2013) points out at the differences in government of displaced populations in the Global south where refugees are confined in camps, opposed to the Global north where asylum seekers are dealt on a case-by-case bases, the scenario depicted is characterized by “mass treatment in the global South and individualized selection in the global north” (2011, 216).

Within this theoretical framework and in order to meet the research objectives, I propose the following methodology. During the three months internship in Bosnia and Herzegovina, I had the possibility to collect qualitative data through semi-structured interviews and informal exchanges with local long-term supporters, (I)NGOs professionals working closely with people on the move and asylum seekers in the Cantons of Tuzla, Sarajevo and Una-Sana. I also administered semi-structured interviews to local supporters, UNHCR and IOM staff members. Unfortunately, due to time constraints, I had only few interactions with migrants and asylum seekers mainly through informal exchanges. Thus, I consider my Second Level Master thesis as a background research, in which: I reviewed the grey literature from Bosnian and European institutions, I could grasp the complexity of the country’s recent history and the tensions that still haunt the peace process today and I was able to map the stakeholders and enter in contact with local supporters. I spent most of my time in Tuzla with local supporters the staff from the local NGO “PUZ” and the French NGO “Emmaus International”, with field trips to Sarajevo and Una-Sana Canton.

For this ethnographic research, I intend to access the field in a more homogenous way, spending more time in each Canton. In order to address the questions related to migrants and asylum seekers, I plan to connect with the organizations I have already encountered during my internship to join them during their day-to-day operations on the field. I established connections with staff members from “Kompas 071” in Sarajevo and “IPSIA” and “Red Cross” in Bihać (Una-Sana Canton). Since the topic is very sensitive in the country, I believe that only through the direct involvement in activities with local organizations and participant observation can be possible to understand people behaviors, thoughts and beliefs. Participation and observation will be conducted with reflexivity in order to describe social networks where information on asylum, squats, TRCs and mobility strategies are shared. This method will give me the possibility to study also the engagement of local supporters in passing information and shaping migrants’ itineraries and journeys. It will also give me the opportunity to gain the trust of migrants in order to conduct in-depth interviews.

In-depth interview will be a fundamental tool for generating empirical knowledge by giving a voice to people. The particular type of conversation, structured and guided by the researcher, will allow to study strategies, networks, beliefs as well as identities and emotions of migrants stranded in BiH. Through the narrative approach and life stories, the analysis will then focus on the adaptational choices that the subjects have put in place and the network in which the migrant is embedded during his/her transit in Bosnia.

Meanwhile, quantitative data on migrants’ presence in BiH will be provided by institutional publications from the Bosnian Ministry of Security Sector for Immigration and the Council of Ministers, as well as the European Commission.

Research design

The research project will be articulated in two macro-phases:

- 1) Literature review: it focuses on reconstructing the current debate on mobility, transit migration and the Western Balkans' accession to European Union;
- 2) Field work: in line with the proposed methodology, it will proceed with the construction of the sample and the negotiation to access the field. A first interview track will be developed, which will undergo changes during the course of data collection.

The first year will be dedicated to a reasoned bibliographic review and at the same time to prepare the field work. It will be crucial to reconnect to supporters and (I)NGOs personnel to be up-to-date with the situation on the field and to arrange a schedule for the field work of the second year. In order to be part of the daily activities of the (I)NGOs, at three specific sites of the research, I must apply for the "Volunteer Visa". Given the importance for data collection of my involvement in (I)NGOs field activities and the slow of bureaucracy, it will be crucial to define the working schedule and collect the required documentation during the first year.

The second year will be dedicated to the collection of the data on the field and during the third year the material will be analyzed and structured for the purposes of the research, with most of the year dedicated to write the doctoral thesis.

Expected results

From the research will emerge why the migration phenomenon does not involve the whole country but only the Federation and within it specifically only three cantons, showing the peculiarities of each of these three spaces regarding the configurations of bordering operations and border struggles. Detailed analysis of cantonal bordering operations can shed light on the hardening of the soft border regime between the two Entities established with the 1995 peace agreement.

Furthermore, I expect to restore the multiplicity of the phenomenon in the country and analyze the causes beneath the decision over to apply for the "white" or "yellow" paper or not apply for any type of document. Related to the latter, I intend to highlight the differences in terms of future mobility opportunities between the choice of applying for asylum, without an accommodation, and then residing in a TRC or deciding to live in a squat.

Finally, I expect to understand, within the network analysis, the place occupied by the figure of the "facilitator", a migrant whose presence in Bosnia is protracted by several failed attempts to cross the border and who becomes a crucial source of information for those who are ready to try the "game".

Annex

Bosna i Hercegovina
Ministarstvo sigurnosti
Služba za poslove sa strancima

Босна и Херцеговина
Министарство безбједности
Служба за послове са странцима

UPITNIK / QUESTIONNAIRE
پرسشنامه / الاستبيان

<ul style="list-style-type: none"> IME / NAME نام / الاسم 	
<ul style="list-style-type: none"> PREZIME / SURNAME نام خانوادگی / اللقب 	
<ul style="list-style-type: none"> IME OCA / FATHERS NAME اسم الأب نام پدر 	
<ul style="list-style-type: none"> TRANSKRIPCJA IMENA I PREZIMENA / TRANSCRIPTION OF NAME AND SURNAME كيفية إملاء الاسم و اللقب رونومسی نام و نام خانوادگی 	
<ul style="list-style-type: none"> DATUM ROĐENJA / DATE OF BIRTH تاریخ تولد / تاریخ الميلاد 	
<ul style="list-style-type: none"> MJESTO-GRAD ROĐENJA / BIRTH PLACE محل تولد / مكان الميلاد 	
<ul style="list-style-type: none"> DRŽAVA ROĐENJA / BIRTH COUNTRY بلد الميلاد کشور محل تولد 	
<ul style="list-style-type: none"> PODRUČJE DRŽAVE-REGION / COUNTRY REGION المنطقة استان محل تولد 	
<ul style="list-style-type: none"> MJESTO PREBIVALIŠTA I ADRESA U ZEMLJI PORIJEKLA / PLACE OF LIVING, ADDRESS IN HOME COUNTRY محل الإقامة و العنوان في بلد الأصل محل سکونت و آدرس در کشور مبدأ 	
<ul style="list-style-type: none"> TELEFON, MOBILNI TELEFON, E-MAIL ADRESA/PHONE NUMBER, MOBILE PHONE, E-MAIL ADDRESS رقم الهاتف، رقم المحمول، البريد الإلكتروني شماره تلفن، شماره تلفن همراه، ایمیل 	
<ul style="list-style-type: none"> ZANIMANJE I ZVANJE / JOB AND TITLE شغل و حرفه / الوظيفة و المهنة 	
<ul style="list-style-type: none"> BRAČNI STATUS / MARRIAGE STATUS الحالة الاجتماعية وضعیة تاهل 	
<ul style="list-style-type: none"> JEZICI / LANGUAGES لغات / اللغات 	
<ul style="list-style-type: none"> ZEMLJA IZ KOJE SAM UŠAO SRBIJA / CRNA GORA / HRVATSKA COUNTRY FROM WHICH I ENTERED کشور ورودی من به / الدولة التي تقدمت منها 	
<ul style="list-style-type: none"> ZEMLJA KRAJNJE DESTINACIJE PUTOVANJA / LAST COUNTRY DESTINATION TRAVEL الدولة النهائية الموجه إليها السفر کشور سفر مقصد نهایی 	
<ul style="list-style-type: none"> SIGNATURE / امضا 	<ul style="list-style-type: none"> OTISAK KAŽIPRSTA / INDEX FINGER بصمة السبابة اثر انگشت نشانه

Figure 1: Picture taken by me in Tuzla (Bosnia and Herzegovina, October 2021).

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