



SECURITISATION AND TSOS:

A COMPARATIVE STUDY OF
FRANCE AND GREECE

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PREAMBLE

The post-9/11 era has been widely marked by the securitisation of minorities and migrants. In European politics and policy, migration and migrant integration have become highly salient topics, which transcend the left-right political spectrum. On the ground, Third Sector Organisations (TSOs) have played an important role, providing immediate relief and facilitating long-term integration of minorities and migrants, while also holding governments accountable for potential abuses of these populations' rights. These parallel trends now appear to come together through the increasingly pronounced 'securitisation of TSOs', as the newly introduced sets of regulations by some European governments come to show.

This study examines the securitisation of TSOs, as a phenomenon, by comparing the relevant regulations of Greece and France, as well as the effect of these regulations on the ground. The findings indicate that the work of TSOs has become increasingly challenging within the new policy environment. Research participants in both France and Greece seemed to agree that the securitisation of minorities and migrants in the recent decades slowly led to today's regulatory changes concerning the securitisation of TSOs.

Yet, there were important differences between the two countries. While in France TSOs overcame some of the new regulations' limiting aspects by directly negotiating with the French state, TSOs in Greece framed their very operation within the new legislative reality as a struggle. The factor of funding was a decisive one here, as small-scale TSOs in Greece felt they were placed at a disadvantage by the new legislation, compared to larger and international TSOs, while no such effect was observed in France. In terms of freedom of expression, there was a difference between long-term established and recently formed TSOs in France, with the former reporting their room for expression being hindered as a result of securitisation. The latter was more widely the perception of TSOs in Greece.

Overall, this study contributes to the broader debate on the securitisation of TSOs in Europe, addressing the legislative changes that have recently taken place but also the *de facto* material reality for TSOs, as shaped by such changes.

EXECUTIVE SUMMARY

This study examines how discursive securitisation, and the material legislative concerns that result from it, influence the ability of TSOs to work effectively in the field of migration and integration.

The study analyses recent legislative changes that formally securitise TSOs in Europe. It does so specifically with reference to two state contexts that have recently legislated to further regulate the activities on TSOs in their specific contexts, namely France and Greece. The findings of this study demonstrate that this process has had multiple effects on the work of TSOs and made the landscape in which they work more challenging. In both France and Greece, respondents suggest that the longer durée context of the securitisation of migration and integration is vital in understanding the current context of new legislation.

In France, TSOs have found it possible to sidestep aspects of the new legislation by negotiating more directly with the local French state. This is in variance to Greece, where it was reported as highly challenging to sidestep the new legislation. France and Greece also differed on the effect these new laws have had on funding. In Greece, it has been more challenging to gain access to funds, which has advantaged larger, international TSOs because of their ability to funnel funds from above to the Greek context. In the French context, funding has remained unchanged.

The new laws have also had different effects on the perception of freedom of expression between national contexts. In France, those already engaged in the field felt that their position was unchanged, although those looking to move into the field of migration and integration felt constrained by the new laws. In Greece, however, across the board respondents perceived their room for expression to be less, and thus had felt securitisation had negatively affected their position within the field.

In response to these findings above, this report proposes the following policy recommendations:

- 1.** Governments of EU member-states should make further effort towards achieving balance between ensuring

national security and protecting the rights of migrant populations.

2. Platforms and avenues for dialogue between governments and TSOs should be enhanced in order to address the gaps in supply and demand for migrant services and ensure the quality of service delivery.

3. While the cooperation of state and non-state organisations in migrant service delivery should be maintained, it would be important to also allow for the voices of practitioners and experts to be heard by policy makers.

INTRODUCTION

In February 2001, a ship of nine hundred Kurdish asylum-seekers from Syria reached the Southeastern French coast, stirring large political debates around France as a transit country through which migrants hoped to reach the United Kingdom and Northern Europe. At the dawn of the new millennium, with thousands of migrants stranded in the Sangatte area of Northern France (Guiraudon, 2011), a securitising policy response was being applied on the issue of migration. Six months later, the 9/11 attacks on New York would change the global geo-strategic and security landscape, and bring into focus questions of the integration of migrant and minority communities in Europe (Martiniello, 2006).

These two examples demonstrate a moment when the migration, integration and security nexus became prominent in Europe, some two decades ago (ibid). This importance has been given a recent impetus by the tandem developments of the “European migrant/refugee crisis” (Barlai, et al., 2017) and terror attacks on European soil inspired by the so-called “Islamic State” (Byman, 2016). Specifically within this context, Muslims in both Greece (Antoniou, 2003) and France (Scott, 2007) have been situated in state policy and political discourse alike, because of security and immigration as existential threats. Thus, this “securitisation” (Buzan et al, 1997) intersects both in discursive and political dimensions for migrants in Europe.

More recently, securitisation has been focused on Third Sector Organisations (TSOs), including non-governmental organisations (NGOs) that work with migrants and minorities. This has been the case both in Greece (Lawspot, 2020) and France (Vie-publique, 2021), where new laws were recently passed for the regulation of such organisations, largely owing to security concerns regarding their activities. This could potentially be highly problematic for the broader context of migration and integration because of the importance of TSOs in migrant and minority integration and welfare across a wide

range of domains (Garkisch, et al., 2017). This study interrogates this recent development in these two national contexts, using a comparative perspective. This approach aims to provide comparative insights into the differences and similarities between the two national contexts so as to allow for broader conclusions on the increasingly strained relationship between civil society, especially in the field of migration management, and European states.

Literature Review

This report seeks to draw on, and indeed contribute towards, the following literature streams: a) Security studies, b) TSOs and migration, c) Migration/integration in France, d) Migration/integration in Greece

Security:

To understand the ongoing context where security is increasingly a feature of the working context of TSOs, it is important to understand both the broader debates of what constitutes security and how this connects to the kinds of work that migration and integration TSOs undertake. The work of TSOs sits at the nexus of “traditional” and “critical” understandings of security. Security studies emerged at the end of the second world war, and found its ascendancy in the cold war era where the balance of power between the USA and the USSR dominated the global political context (Buzan et al., 2009). Within this, traditional security studies, whether realist or liberal, are concerned with the state as the unit of analysis and thus present a state-centric approach. TSOs exist in a range of intersubjective relationships with states (Buzan et al., 2009). While by their nature as “non-government”, they have varying degrees of autonomy from the state, being in certain ways institutionally distinct from them. However, this is not the only side of the relationship, as states can dictate the terms of TSO operations, as well as provide funding for TSOs which can be used

to greater or lesser extents as leverage over the activities of TSOs. This is thus an important rationale for the comparative nature of this study, to provide insights into the variation of relationships between states and TSOs at the integration, migration and security nexus.

However, the “traditional” core of security studies has been criticised for this state centric orientation (Buzan et al., 2009). Thus, discussions of nationalism, ethnic conflict and migration not only were not discussed in classical security studies, but could also *not* be discussed due to the state-centric focus of traditional security studies (Buzan and Wæver, 1997). This state-centric approach, with its cold war focus on standing armies, “objective” military strength etc. could not account for these threats that emerge from more diffused forces that, while not divorced from the activities of states, owe their importance to a much wider range of forces. Indeed, the Copenhagen school has “established itself-for European scholars at least-as the canon and indispensable reference point for students of security” (Mcsweeney, 1996). The critical turn in security studies juxtaposes the narrow focus of the “traditional” security agenda of military and nuclear obsessions of the Cold War era with the “emerging” areas of economic, identity and trans-national security concerns (Buzan et al., 1997, p.2). These identity and trans-national security concerns are fundamental to the work of TSOs in the migration and integration field.

Important within the critical school of security studies is the discursive dimension – where state elites speak security, laypeople listen (inter alia Buzan et al., 1997; Huysmans, 1998). This creates a relationship between security actor and audience, where security threat constructions can be accepted, contested or both (Balzacq, 2011). Within this, for something to be considered “securitised”, the elites must “speak” to take issues out of “normal” to “emergency” politics, a more extreme form of

politicisation (Buzan et al., 1997, p.23). There also exists a broader stratum of bureaucrats dealing with security and thus with the possibility to contribute to the securitisation process in various ways, a group of “securocrats” (Bigo and McCluskey, 2018). Recent crack downs and bans on TSOs in the migration and integration field in the name of security concerns demonstrates how the activities of TSOs have been securitised, taken from normal to emergency politics.

Further developments in security studies have emphasised the importance of seeking to understand security in a wider range of contexts, ‘opening up’ security studies such as in the Welsh school (Wyn Jones, 1999). This includes the incorporation of sociology, criminology and history alongside the more ‘traditional’ international relations approaches, as advocated by the Paris school (Bigo and McCluskey, 2018). The previous focus on the international activities of states has created a “boundary nationalism”, which has contributed to “hiding the struggles and hierarchies inside these discursive activities” (Bigo and McCluskey, 2018). This particularly affects the work on TSOs, due to their status as non-state actors as well as their propensity to work intensively on the ground in local contexts, both being aspects of their relationship to security that international relations misses.

The work of TSOs in the integration and migration debate also dovetails with specific observations in security studies about the racialisation of security in both global and local contexts. The work of these TSOs with those from, or with heritage from, the Global South comes at a time when the dominant threat narratives at the end of the cold war East/West threat, to the dominance of the North/South axis where the “insecurity” of the South is a threat to the “security” of the North (Bigo et al., 1990). There is also a dynamic with which these TSOs deal, where security is not evenly distributed within societies, but

some groups, namely minorities, experience more intense insecurity within otherwise secure liberal societies. Such is the example of Black populations in the USA and their consistent experiences of police violence (Howell and Richter-Montpetit, 2020). Thus, existing power relations are important in understanding and defining security and insecurity (Bigo and McCluskey, 2018).

Security is increasingly part of everyday life (Basaran et al., 2016), including the various “everyday” activities that TSOs are involved with in the migration and integration field. This has given the “vernacular” turn in security (Jarvis and Lister, 2012; Vaughan-Williams and Stevens, 2016) conceptualises the ways in which security is constructed in everyday terms. This prioritises the voice of those outside of the security establishment in how they experience security and threat construction. Coming without a set conceptions of what security is, or indeed should be, provides vernacular security studies with a theoretical ‘emptiness’ that allows for truly inductive insights into public experiences, understandings and anxieties about security (Jarvis, 2019).

TSOs:

The existing literature shows that third sector organisations (TSOs) have become central to aiding and integrating migrants in host societies, particularly when government agencies struggle or are unwilling to do so (Morgan, 2015; Wilson and Post, 2013).

In 2017, Michael Garkisch, Jens Heidingsfelder, and Markus Beckmann published a comprehensive study highlighting past academic work on the nexus between TSOs and migration in an effort to enable researchers to fill the remaining gaps (p. 1842). The authors pointed out that contributions based on original empirical data were still required, hence further legitimising this current study’s approach to conducting semi-structured interviews with TSO

workers and volunteers. Furthermore, most studies before 2017 have focused on the United States, the United Kingdom and Canada while the field had generally adopted a national lens by focusing on one sole country (Garkisch et al., 2017). Against this background, the present study focuses on France and Greece, thereby contributing to the existing comparative research. As migration by definition is a phenomenon which goes beyond borders, particularly in an integrated EU and its Schengen zone, comparisons between those national case studies are particularly relevant to the field.

In addition, the above mentioned article has noted that relationships between different TSOs still remain to be explored by future research. The present study also responds to this, by selecting research participants from a wide variety of such organisations, both in Greece and France. These range from larger, international organisations to local and informal grassroots ones. Accordingly, these may be fully or partially state-funded, or they may be entirely privately funded. As it will be further discussed below, there was both competition and cooperation taking place among different TSOs, as well as regional differences across TSOs inside and outside major urban centres.

According to the critical school of security studies, [Z1] migration becomes securitised when elites transform “normal” politics into “emergency” politics via speech (Buzan et al., 1997, p.23). Based on this discursive dimension of securitisation theory, many studies have examined discourses and policies, pointing out the depiction of migrants and refugees as existential threats to the EU^[1]. Interviews with TSO workers and volunteers offer a new window through which to look at the direct impact of the securitisation of migration directly on the field, both for the TSO sector itself and migrants more broadly. Therefore, while many studies have demonstrated the relationship between security and migration dominant discourses and policymaking since the

1970s – where non-whites often fall under the umbrella term of ‘Others’ (Scott, 2007) – the tangible impact on the ground of the securitisation of migration is yet to be fully explored.

France:

With economic and mobilisation processes such as the Schengen Zone Agreement of 1985, migration in France has become two-fold, pertaining both to European Union (EU) standards and national policies. On the regional level, the EU has not widely succeeded in enforcing an integrated immigration policy common to all EU nation-states. Indicatively, the French dominant discourse has described that period as a “migration crisis”, as noted by a 2016 report by the Delors Institute, whereas Anglo-Saxon and Germanophone countries referred to “refugees”. This is to show that perceptions within the European Union differed even in semantics (Koenig, 2016).

Echoing racialised interpretations of European-ness as white and Judeo-Christian, France’s national migration policies are influenced by its *jus soli* and culture-bound assimilationist approach to national identity which goes against multiculturalism (Laborde, 2011). According to French Republicanism, sentiments of ‘French-ness’ must pervade over any other forms of identities through processes of assimilation. In order to indulge this highly demanding and idealistic version of cultural nationalism, the French government has relied on the TSO sector to help migrants ‘integrate’ into French society. When inscribed in such an assimilationist national context, the associations of ‘migration’ and ‘integration’ in state policies and TSOs’ actions are better understood, although it should be noted that what constitutes ‘integration’ is a relatively unclear concept whose meaning fluctuates according to geography and political ideology (Carrera, 2006). Many TSOs also provide administrative and legal help to migrants, particularly regarding asylum rights and

resident permits.

Greece:

Greece has traditionally been considered a country of emigration as opposed to immigration. Prior to the so-called ‘refugee crisis’ of 2015-2017, Greece was also a transit country for migrants, primarily for those reaching Europe via the Eastern and the Central Mediterranean routes. Since 2015, however, and especially after the temporary closure of borders within the Schengen area, Greece quickly turned into a host country for migrants, as many essentially became ‘stuck’. In turn, this led to considerable developments in the way the civil society responded to the issue of migrant and minority integration.

At a time when the demands for migrant services rapidly increased, the Greek state appeared unready to meet the needs of all newcomers. The civil society therefore played a key role in filling this gap, not only through the active participation of formally established TSOs, but also through the spontaneous mobilisation of citizens at the grassroots level (Kalogeraki, 2020). The latter became especially apparent in the case of housing, with nearly 2,500 migrants being hosted at one point in housing squats (Georgiopoulou, 2015). Over time, a larger and more diverse set of actors became involved in the field of migration management, often forming local networks, or ‘street-level communities of practice’ (Glyniadaki, 2021).

Following the ‘crisis’ period, however, the Greek state made considerable efforts to assert control over the informal section of civil society actors, by ‘formalising’ their action. Most notably, the ‘Greek NGO Registry’ was introduced in 2018, through a Joint Ministerial Decision, followed by a series of relevant reforms (Lawspot, 2020). While there had been a widely acknowledged need for centralised oversight and coordination in the provision of migrant services, however, the Greek NGO Registry

has since been highly criticised, both by civil society actors and legal experts. Relevant reports almost univocally suggest that the requirements set by the Greek state have been substantially limiting the scope of action of NGOs providing migrant services (Conference of INGOs of the Council of Europe, 2020; RSA, 2021).

Methodology

This is a qualitative cross-country comparative research project, designed to assess the impact of security policies on the work of TSOs in the migration and integration field. The report adopts a comparative approach between France and Greece. This report employs a comparative and exploratory case study design which allows the exploration of complex phenomena in context to describe in depth particular cases (Yin, 1984). A comparative case study approach generally also allows the development of contrasting insights into social phenomena through comparing variant cases (Yin, 1984). The overall goal of this study was to observe the ongoing dynamics while taking into account the unique idiosyncratic characteristics of the French and Greek contexts (Locke and Thelen, 1995).

Greece and France were chosen due to their variant histories in terms of migration and integration. Greece was chosen because it is considered a new host country, given its history as a producing country and migration and not a receiving country (Dimitriadi, 2022). Additionally, the 2015 migrant 'crisis' highlighted Greece's new role as both a key transit point for migrants entering Europe, but also as Europe's increasingly securitised external border in the Eastern Mediterranean (Karyotis, 2012). Moreover, Greece's NGO Registry introduction has also been a point of scrutiny, with critics making direct links to the securitisation of TSOs as a direct effect of the securitisation of migration (Karas, 2021).

France was selected as a traditional migration destination country, with a long and varied history of migration (Noiriel, 2010/2). Within this process, NGOs have played a key role in integrating migrants (Leveau & Withol de Wenden, 2001) and also redefining the French policy context at the local level (Downing, 2015). France has also recently sought to change its policy context through the separatisme law (Vie-publique, 2021). This specifically identifies TSOs as actors that require state oversight, and can now be closed down by the French central state if they are deemed to violate republican principles (ibid).

In terms of data collection, TSOs were selected based on their activities within the field of migration and integration. A total of 25 interviews were conducted (14 for the French case and 11 for the Greek case) between September 2021 and March 2022. This study has attempted to capture some of the diversity in the field of migration management by selecting a range of TSOs that operate at different scales (small, medium and large). Specifically, 4 small TSOs (3 for France, 1 for Greece) were defined as those that work in one, single, local urban context; 14 medium-size TSOs (8 for France, 6 for Greece) were defined as those that work in different regions across the national context; and, 7 large-size TSOs (3 for France, 4 for Greece) were defined as operating in the international and cross national spheres.

It is important to note here that the study's findings were not intended to be a comprehensive account of all aspects of TSOs work. Rather, it was only a small portion of the world studied, representing some aspects of the realities of, and challenges to, TSO work in the field (Denzin and Lincoln, 2011).

The interview data were analysed thematically (Braun & Clarke, 2006). Emerging ideas and concepts grounded in the accounts of the participants were manually coded. The coded data was then reviewed to explore emerging patterns and meanings in

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relation to the research study's aim, namely how the securitisation of immigration and integration has affected the work of TSOs in this field.

Setting the Timeline: 2015, a Controversial Date?

The year of 2015 is often depicted as the peak of the European migration crisis, but many interviewees either disagreed that this date represented a shift in the securitisation of migration in France or wished to attenuate the strength of this potential shift by inscribing it within a longer-term tendency of associating security and migration which began in the early 2000s.

The specialty of the French context is the unprecedented violence of terrorism in the years of 2015 and 2016, with major terrorist attacks having occurred in Paris and Nice. Some participants referred to these attacks as an explanation – which they disagreed with – for what they perceived to be an intensification of the securitisation of migration in France from 2015 onwards. Other participants overall described 2015 as a clear shift, epitomised notably by the closing of French borders within the Schengen zone as a direct response to terrorist attacks, which helped framing discourses of terrorists as foreign threats. An interviewee working in the Paris office of a national TSO explained:

'The shift in 2015 may be epitomised by the strengthening of controls at the borders. It is true that we are located quite far away [in Paris] from the borders hence we don't really notice. But following 2015, there was the closing of borders, under the excuse of controlling terrorist violence, and then COVID-19.' (FR11)

Participants did point out that 2015 was inscribed within long-term dynamics, visible in political and media discourses and even translated into laws, which have tended to place migrants as a potential threat. As an interviewee working for a national-level NGO put it:

'The stigmatisation of foreigners is not new, it started before 2015. It is anterior to this date. But, indeed,

there has been an increase of stigmatisation and criminalisation of migration and people in migration.' (FR8)

Participants also highlighted 2012 as a real disruption, characterised by Nicolas Sarkozy's election as president. His former years from 2002 onwards as the minister of Interior, under the Chirac administration, were also described as the formal beginning of the (unjust) association between security and migration which led to concrete legal and administrative changes. One interviewee working at the regional office of a national TSO argued that the most important shift had actually occurred in 2002 with Sarkozy: *'The real start of degradation, it's 2002. I would say that the shift in public policies, it is 2002'* (FR10).

In the global context, the year of 2015 was also marked by the dissemination of a photograph of Alan Kurdi, a Syrian child who had died while trying to reach Europe by sea. Interviewees explained that waves of donation followed the death of Alan and more people grew more committed to helping refugees. As a Calais-based NGO put it:

'There was a clear shift in 2015 of course, because the number [of migrants] increased. But back then, there was a whole period of time where people were relatively favourable to migrants. It was right after the death of Alan Kurdi, and it brought us volunteers and donors, something extraordinary' (FR7)

A shift, although not strong enough to overturn the overall tendency to assimilate migrants and security threats, had briefly occurred in the opposite direction.

A Slow Shift in Discourse and Action from the Right to All Major Political Parties

Although Sarkozy and Chirac were right-wing politicians, the majority of participants either

discussed the overall political environment without focusing on party ideological differences, or emphasised that the securitisation of migration had become so generalised that all parties participated in it. The presidency of socialist François Hollande from 2012 to 2017 has not alleviated those assimilations, particularly as his former minister of Interior Manuel Valls introduced a circular in 2012 which was cited by five participants and decried for its lack of legal framework and negative impact on migrants. One interviewee commented on the circular:

'The Valls circular did solve a number of situations, it must be said, but under judicial conditions which were extremely degraded and precarious. It was a step backward, the Valls circular.' (FR11)

When Emmanuel Macron, whose relatively new party had depicted itself as both socialist and neoliberal, was elected in 2017, he intensified a French tradition in immigration policies which consist in showing both "firmness" and "humanity" (Pascual, 2022). Interestingly in French, being "ferme", drawing from the noun "fermeté", means "firmness" or "determination". The verb "fermer" is translated into "to close" in English and used for example when referring to the closing of borders. Those words share the same Latin etymology and show that, in the French language, being determined may also mean being enclosed. Participants of this study emphasised this national tendency of being both firm and welcoming, while pointing out the antinomy of these two approaches.

Overall, according to participants who had recently joined their organisation and didn't feel equipped enough to address this particular trend, discourses responsible for the securitisation of migration have now been perpetuated by all political parties independent of their ideologies.

'The discourse has been slowly shifting. In the beginning, it was a political discourse contained

within certain political parties or politicians but, for some years now – and before 2015, although it's been getting worse since 2015 – there has been a banalisation of this discourse at all levels by all politicians, independent from their political affiliation.' (FR8)

In a similar manner, when asked whether the political affiliation of parties in power influenced the securitisation of migration and TSOs, another interviewee responded:

'Changes could have been expected, but no... Between the ministers during the Sarkozy era, and then Manuel Valls, now Macron... no. And same for the prefects.' (FR12)

Some TSO representatives did refer to slight differences in migration policies based on governments. Indeed, on the regional and local level, there are key nuances – notably in funding – which do separate left-wing and right-wing parties in terms of securitisation of migration. As pointed out by a local organisation in Calais, active way before 2015, public funding of their activities – and by extension, the living conditions of migrants in Calais and Grande-Synthe – has fluctuated with local and regional elections. Similarly, another participant, belonging to a national activist organisation with regional and local offices throughout France and based in the Southeastern region^[2], explained that their office was among the most under-funded because they didn't receive financial help from local and regional authorities. In Marseille, when the town hall fell out of the hands of the Socialist Party, they allegedly emptied the city's vaults and made a one-time donation to that organisation.

In short, while the securitising discourse travels across political parties, local and regional left-leaning leaders are more likely to support TSOs' work with assisting and aiding migrants and refugees.

From Discourses to Laws: An Overview of Securitising Policies on Migration

Recent reforms of the *Code de l'entrée et du séjour des étrangers et du droit d'asile* (CESADA; Code on entry and residence of foreigners and the right to asylum) were mentioned by some participants, through which transpired the legal concretisation of the assimilation between migration and insecurity. In a similar vein, some TSO representatives denounced the intensification of the use of the "disruption of public order" accusations to justify the denial of resident permits and even asylum:

'It is in the motives for denial of residence permits, even now it is used to question asylum. Those disruptions of public orders have become a mess.' (FR4)

An interesting development epitomising the securitisation of migration in France, detailed by participants, is the takeover of migration issues by the ministry of Interior, which publicly links the success of its migration policies to reduced migration flows. As noted by a TSO volunteer who specialises in human rights, migrants are automatically assimilated to insecurity; even migrants who come for work or health matters are dealt with by the ministry of Interior and the prefecture.

Echoing the 89 Initiative report of 2021 (Glyniadaki et al., 2021) on the housing of newcomers during the Covid-19 pandemic, the precarious conditions in which asylum seekers are welcome in France was largely condemned by this study's participants as well, who perceived these housing problems as a direct consequence of the securitisation of migration. This phenomenon may be attached to a broader issue of the ongoing disrespect of migrant rights in France, an accusation formulated by several interviewees. Indeed, migration policies are not directly at fault, but rather the failure to

apply these policies is. This certainly echoes the French departments' obligation to provide housing to underaged asylum seekers, which is largely not respected according to the interviewees. Overall, the legal system was largely described as repressive by participants, who denounced the increasing limitations of migrant rights.

From Laws to... The Securitisation of TSOs as a New Phenomenon?

The participating TSOs have either intensified or recalibrated their activities to better address the securitisation of migration by French authorities. The only foundation interviewed, which gathers private donations and redistributes them to non-profit organisations, opened a new programme focusing on migrants in 2015. Although the foundation had previously refused to fund emergency projects, the worsening situation in Calais has recently forced them to exceptionally do so. Two more TSOs were originally created with a rather short-term horizon, but both explained that they accepted the fact that they were not going to be able to stop anytime soon.

For participants, the never-ending and intensified need for TSOs' work in the field of migration and social inclusion in France is seen as a direct correlation of the securitisation of migration, and the increase in migration flows which reflected the state's inability and unwillingness to welcome all migrants who come to France. As it appears, whereas such dynamics have been inscribed in longer-term tendencies to associate migrants with insecurity, a relatively new phenomenon has become another consequence of securitising migrants: the securitisation of TSOs which work with migrants and refugees.

Legally, the most flagrant and long-standing securitising actions against TSOs fall under the term "délit de solidarité" [offence of solidarity], which was brought up by participants. One of them explained:

'Within the impact of securitising policies, there is a entire theme on the penalisation of solidarity, meaning penalising NGO actions whose only goal is to assist and aid migrants [...] this is what we call offence of solidarity and it has inscribed in official texts for a while but it has been reenacted and used again more intensely in specific periods. We have experienced this again since 2015 in particular.' (FR14)

This term has been commonly used to denounce the overall repression and legal proceedings of TSO workers who assist migrants. In Calais, as mentioned by interviewees, this has consisted, for example, in forbidding the distribution of food to migrants in specific streets. Members of the interviewed Calais-based organisation were previously fined by the police for this reason. Other participants explained that workers and volunteers of their own organisations or other TSOs they know of had been verbally abused, fined, or arrested.

Dominant discourses by Macron's government, in addition to the two recent laws on "global security" and against "separatism" drafted by the current minister of Interior Gerald Darmanin and the potential shutdown or definite shutdown of migration and integration-related French TSOs, are clear signs of a further shift towards the linkage between insecurity with migration. In January 2022, in the midst of this study's data collection stage, TSOs had received the so-called *Charte de la laïcité* [secularism charter], a document drafted by the French government which ought to be signed as a proof of allegiance to republican values. The relatively late reception of the document in the data collection phase has prevented participants from commenting on whether they were comfortable with the charter, had they wished to do so.

The State, TSOs and Civil Society: Divisions or Solidarity?

Strategies put in place as a response to the ongoing securitisation of migration in France involved strengthening ties with other TSOs specialised in the field. This was notably visible with the aforementioned reaction to the law against separatism.

Many interviewees did not find it problematic to have to sign the secularism charter, explaining that it simply meant that TSOs should respect French values and laws. Other TSO representatives highlighted that they were not politically active and yet others explained that they were still independent and able to criticise the very same institutions which fund them. Such variations in reactions epitomise different approaches of TSOs regarding activism and open criticisms towards institutions.

Accordingly, an interviewee representing an important TSO focused on legal and administrative advising explained:

'In the end, non-profit organisations are replacing the State, which should be leading these missions. Since the State relies so much on these organisations, it is only fair that it funds them' (FR14)

Other participants highlighted that the need for TSOs specialised in migration in the first place reflected a partial failure of the French State to properly host and integrate migrants into French society. Therefore, in their opinion, receiving funds from the state and being allowed to criticise its policies at the same time is absolutely legitimate, particularly when such actions stem from the state's migration policies in the first place.

French civil society, according to some interviewees, has been at least partially reluctant to become more socially and politically engaged in the field due to

the securitisation of TSOs. However, activists and volunteers who were already sensitive to migration and willing to help and assist migrants in France have continued doing so. Similarly, those who were against migration have not changed their mind. A fringe in between both groups, which may have been indifferent to migrants prior to 2015, has become more empathetic to refugees, according to three participants. This was notably visible through a sharp increase in private donations in 2015 and 2016 for these two participants' organisations.

Conclusion

To sum up, the securitisation of migration in France is a long-standing and intensifying phenomenon fuelled by all political parties which have been in power, particularly since the time of Sarkozy. It targets migrants and refugees through laws, reforms, hence turning the discursive dimension of securitisation into concrete repressive actions in what resembles more a 'reception crisis' than a 'migration crisis'. In recent years, the securitisation of migration has also been targeting the field of TSOs working with migrants, through the *délit de solidarité* targeting workers and volunteers, the actual shutdown or threats to shutdown NGOs, and laws enforcing the government's interpretation of French values onto TSOs.

GREECE

The situation for migrants in Greece

The link of migrants and refugees with security concerns and terrorism was widely acknowledged by this study's interviewees. As participants highlighted, racism and xenophobia had been present in Greece for many years before the outbreak of the so-called 'refugee crisis' that emerged in Europe in 2015 (Grigoriadis & Dilek, 2018):

"If you remember, the then Prime Minister Samaras had said before the elections that we should recapture our squares. He said that in 2015, but he had it as a dogma long before. Golden Dawn was selling this in 2012 -2013" (GR6)

The significant rise of the flow of migrants in 2015, which was largely connected with the Syrian crisis, but which also chronologically followed the Libyan crisis and the terrorist attacks in Europe in 2015-2016, caused considerable security concerns amongst the public. Despite the high number of refugees and the terrorist attacks, Greece witnessed a huge rise of solidarity both between people and organisations as a response to the so-called crisis and the racism that existed (Turam, 2021). According to an interviewee, *"It was a humanitarian response which saw I think also new levels, forms of solidarity (GR9)"*.

Interviewees insisted that the situation worsened with the change of government in 2019 and the rise of a right-wing party in power as *"...from '19 onwards Greece began to become tougher in accepting refugees...(GR7)"*. According to participants, the new government enhanced the negative discourse both around migrants and TSOs further provoking racism, fear, and xenophobia. It presented migrants and refugees as people that should be detained and controlled to preserve both the safety of the community and their own (see also Kalaitzi and Fallon, 2021). This created many problems for TSOs working in the field, some of whom feared

for their safety:

"In Lesbos, in previous years, colleagues were hunted, beaten, organisation cars and service centres were burnt... human lives were endangered" (GR3)

At the same time, participants claimed that the 2019 government instrumentalised migration and used it for its political agenda. The peak was seen to be in March 2020 and the incident with Turkey at Evros borders:

"...we believe that Erdogan is using them to challenge the borders in Thrace. And this motto was embraced by the whole government. That is: refugees have been instrumentalised by the bad neighbours who are using them for the country's defence to collapse" (GR4)

The instrumentalisation of migrants for political reasons and the link with security concerns are not considered new phenomena in Greece (Lazaridis & Skleparis, 2016) but they may fit each government's agenda differently:

"I mean fortress Europe has always been there and mixing security and migration has always been there. But the one government uses it more to fit their agenda or not is what can be questioned" (GR9)

Legislative changes

The increase of security concerns brought policy changes that affected the work of TSOs in the field. The current government has been following a stricter policy framework concerning asylum and citizenship, with considerably increased bureaucratic procedures, thereby making migrants' goal for legal residence more challenging. On this note, several recent legal actions effectively hinder the work of TSOs, such as the declaration of Turkey as a safe third country:

"People or lawyers before [...] were serving by assisting

people accessing asylum. [Now] you push everyone one step back. Because you are actually fighting to prove that that the person is admissible to apply for asylum" (GR9)

This creates more legal work for all TSOs but there is not always enough funding or time to provide the assistance needed, participants suggested.

Another such policy decision was the cancellation of AMKA (Greek Social Security Number) for migrants which immediately resulted in migrants not being able to access basic human needs such as vaccination or a medical examination.

"...for a long time, these children are in limbo because, for example, for covid purposes there came out much later the provision to issue PAMKA (temporary social number replacing AMKA) to be able to be served regarding vaccines and health care. The first thing that happened was to cut the AMKA from 2019 onwards" (GR5)

Furthermore, a new policy was the creation of a Greek registry for all TSOs that work with migrants and refugees, a platform where all must subscribe to be able to operate in Greece. However, in practice this process is not as straightforward as in principle. According to interviewees, *"this is a time-consuming and expensive procedure and not all NGOs have the time or the money to proceed" (GR10)*. Certain interviewees even questioned the validity and transparency of such a registry:

"...prestigious organisations have not been registered precisely because they speak in public, with various excuses. On the other hand, at the same time organisations come in through the window that have never dealt with the subject before, are not known, we do not know how they sprouted and have already taken money" (GR1)

Another problem this registry has created is that it

requires a clear criminal record for people that work in TSOs related to migrants and asylum seekers. This automatically eliminates all refugees and asylum seekers from the possibility of getting hired by an TSO as *"most of them are charged with administrative detention...because they entered Greece illegally" (GR10)*.

Additionally, the government's decision to follow a stricter border and migrant control quoting security concerns and protection policies has led to the creation of false perceptions (ECRE, 2021). For example, there appear to be fewer people seeking protection in Europe, as the numbers of asylum applications are lower. Yet, this is largely a result of stricter border controls as well as more restrictive national and EU policies.

"It is not a Greek issue, it is a European direction, and this can be seen in the reduced flows, not because there are no flows or there are no people who want to reach but are not allowed to reach" (GR1)

Likewise, the creation of closed detention centres is seen by participants as *"feeding into this narrative and of course erecting walls, putting floodlights and turnicids on the refugee camp just criminalises or at least presents a picture of people that need to be detained and controlled" (GR9)*.

Another example of this narrative is the criminalisation of the *"search and rescue missions, which constitute a criminal offence" (GR8)*. Interviewees often pointed out that this phenomenon is not related to Greece per se but happens all around Europe. It is worth mentioning that in recent years many states, such as Italy, have criminalised search and rescue (SAR) missions deployed by NGOs or other private entities in the Mediterranean Sea (FRA, 2021). Legal proceedings against vessels and their crew resulted in the freezing of such missions (Lloyd-Damjanovic, 2020).

Continuous Challenges

Even though the country has witnessed a shift in migration management from the TSOs to the state in the recent years, the new state-centric approach has a series of thorny issues. First, there continues to be an absence of integration-oriented or long-term migration policies, which some interviewees saw as a deliberate decision *"to make life difficult for them to get up and leave and make things so difficult that they cannot even come"* (GR6).

Moreover, the government operates under the assumption that Greece is still a transit and not a destination country, even though this has effectively changed (Spyropoulou & Christopoulos, 2016). Participants maintain that there is a persistent *"the lack of know-how and the lack of experience"* (GR7) when it comes to migration and integration policies.

All the above have led to a far from perfect handling of the situation by the government, which follows a *"project-based rather than a state-based approach"* (GR3), creating small short-term programmes, and not adequately utilising all state services available:

"...what we call intergovernmental, interinstitutional is missing. It is missing because not all actors are involved. The Ministry of Labour is doing something, the Ministry of Immigration is doing something else... so we do not give the impression that we have a coherent policy" (GR3)

This has created many problems for TSOs working in the field as their power is restricted by the fact that the state has undertaken most of the programmes but is not in a position to provide all the services needed. Interviewees largely agreed that the assemblage of programmes under the state is a positive move per se, but the inability of the state to deliver brings TSOs into the game with a merely supportive role.

Shift in funding

While there has been an unquestionable shift in the funding of TSOs in recent years, the explanations for this change vary. National TSOs tend to believe that the rise of security concerns has signalled a change in funding as *"...a government that has this as its main policy directs the financial resources towards border security, the strengthening of the fence in Evros, the new technologies used for control, the new centres on the islands"* (GR1).

On the other hand, international TSOs do not link the reduction of funds with security concerns. Some link it instead with a change in EU policies and agenda:

"DG ECHO used to have funding up to 2018, and the agenda was dictated by humanitarian principles. The minute it moved to DG HOME, that in itself was a change of funding shift. So, I think that is where you can look at. An agenda which has been turned to home affairs versus humanitarian concerns..." (GR9)

Other TSO representatives simply framed the reduction of funding as a *"boomerang effect"* (GR9) of Greece's closed border policy, meaning less people equals less funding.

Shrinking space for freedom of expression

Many of the policy changes mentioned above have led to a reduction of the public space for TSOs to express their positions and advocate for migrant and refugee rights. Most notably, the introduction of the Greek registry for TSOs and the dependence on state funding that this entails have caused a sense of concern and insecurity amongst - especially smaller - TSOs. This seems to be especially so when it comes to advocacy and public speaking: *"...we, as an organization, cannot speak openly like Amnesty International or Human Rights Watch because there may be some implications for our work"* (GR10). There

are also testimonies of cases when the government interfered by attempting to intimidate TSO personnel:

"We appealed against a decision of an administrative centre that did not allow a refugee, one of our beneficiaries, to leave Samos from the centre because he had no papers, had a second rejection, etc...The court decided in favour of us. I must tell you that the First Reception Service and the Secretary-General are very angry. The General Secretary called our lawyer and our advocate in Lesvos. In another country, you know very well that this would be unacceptable" (GR3)

TSO reaction

TSOs have followed various tactics to respond to the above challenges. To start with, most TSOs have been in search of other donors to support their programmes (GR1). Many of them attempted "to fill gaps that are created searching for other, lesser funding... to support a core funding or a core programme..." (GR2). It is worth mentioning also that national TSOs are more likely hunt opportunities for extra funding while international TSOs "channel extra funding when needed as they are part of a global organisation" (GR9). At the same time, all TSOs are "changing their scope to include more categories of people to be eligible for more funding projects" (GR3). The national TSOs are also forced to "reduce personnel due to funding cuts" (GR2). Some smaller TSOs count on community-based approaches using "outreach and networking to expand their work" (GR2).

Notably, international TSOs that do not face the same pressure as national TSOs regarding funding, focus mainly on advocacy and speak out policies, using their funding:

"We are quite lucky because we are part of a global organisation, so the cash requests impact us less" (GR9)

It is important that TSOs which do not depend on EU or state funding take a harsher stance on topics related to violation of human rights and pushbacks:

"It is a key part of our independence to be able to say some things that we see... Just if we look at it with the logic of being funded by the European Union for example and going out to say that the policy applied by the European Union does not work -you can't do that" (GR8)

Furthermore, TSOs concentrate on filling the gaps the Greek government has generated by creating a parallel system that covers the needs and services which are not provided by the state:

"I believe that all this should be provided by the state. Since there are shortages, there will obviously be agencies that will meet this need" (GR2)

To summarise, the phenomenon of the securitisation of migration in Greece appears to have intensified over the recent years, especially after the change of government in 2019. While the phenomenon had undoubtedly been present prior to 2019, relevant legislative changes since, both at a national and EU level, have made it even more conspicuous. The creation of closed migrant camps and the increase of strict border controls and security activities at the borders are signs of this. Moreover, the EU policy framework in relation to funding TSOs has come to complement the aforementioned activities, further reinforcing the idea of "fortress Europe". Accordingly, the securitisation of migration has affected the work of TSOs in the field of migration management. Not only are they often met with suspicion, but many TSOs have a difficult time guaranteeing state funding, which directly limits their capacity for action on the ground.

Conclusion

This study set out to analyse recent legislative

changes that formally securitise TSOs in Europe. It set out to do this specifically with reference to two state contexts that have recently legislated to further regulate the activities on TSOs in their specific contexts - namely France and Greece. Our findings have demonstrated that this process has had multiple effects on the work of TSOs and made the landscape in which they work more challenging. In both France and Greece, respondents argued that to understand these processes it is vital to consider that the longer durée context of the securitisation of migration and integration is vital in understanding the current context of new legislation. In France, specifically, however, TSOs have found it possible to sidestep aspects of the new legislation by negotiating more directly with the local French state. This is in variance to Greece, where it was reported as much harder to sidestep the new legislation. France and Greece also differed on the effect these new laws have had on funding. In Greece, it has been more challenging to gain access to funds, which has advantaged larger, international TSOs because of their ability to funnel funds from above to the Greek context. In the French context, funding has remained unchanged. The new laws have also had different effects on the perception of freedom of expression between national contexts. In France, those already engaged in the field felt that their position was unchanged, although those looking to move into the field of migration and integration felt constrained by the new laws. In Greece, however, across the board respondents perceived their room for expression to be less, and thus had felt securitisation had negatively affected their position within the field. In conclusion, this study opens up a broader discussion about the negative effects both broader discursive securitisation, and the material legislative concerns that result from it, hinder the ability of TSOs to work effectively in the field of migration and integration.

POLICY RECOMMENDATIONS

- 1.** Governments of EU member-states should make further effort towards achieving balance between ensuring national security and protecting the rights of migrant populations.
- 2.** Platforms and avenues for dialogue between governments and TSOs should be enhanced in order to address the gaps in supply and demand for migrant services and ensure the quality of service delivery.
- 3.** While the cooperation of state and non-state organisations in migrant service delivery should be maintained, it would be important to also allow for the voices of practitioners and experts to be heard by policy makers.

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^[1] See for example: Baker-Beall, 2019; Kicingger, 2004; Lazaridis and Wadia, 2015; Tsardanidis and Guerra, 2000.

^[2] Right-wing and far-right parties in the Southeast of France are particularly popular.

[Z1]The Copenhagen School would not be viewed as a critical approach to security. Maybe you could say so by 1990s standards but definitely not anymore. For instance, despite the focus on securitisation and delving below the state level which answers to the structural IR theories of the Cold War much of the work which resulted from the Copenhagen School and its originators like Buzan and Weaver to some extent maintained the state as the main unit of analysis. Therefore, despite being the foundation for the critical turn in security studies the original Copenhagen school conceptualisation is not critical enough either because it maintains a dualist epistemology which post-structuralist like Cambell(1996) or because it lacks a critical agenda as post-colonial, feminist or Gramscian approaches do. An exemplar critique of the first wave of securitisation theory is made by Bourbeau(2012) <https://doi.org/10.1177%2F0305829814541504> and you can also have an overview of the field in this textbook <https://doi.org/10.4324/9780429274794>. Therefore, I would not refrain from calling this critical security studies and rather maintain the Copenhagen School.

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