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SPRHR

BORDER SURVEILLANCE REPORT



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VOLUNTEERS OF THE SOLIDARITY PROGRAM FOR
REFUGEE HELP AND BY THOSE WHO SHARED THEIR
STORIES WITH US*

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FOREWORD

by ANNA DAMON

APRIL 2026

ABOUT:

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The terms “refugee”, “asylum seeker”, and “migrant” all convey a shared and unspoken common sense that migration is an upward movement. The paradigm of a South-to-North trajectory is, however, relatively new, and it occults the long history of Northerners moving South. A historical perspective seems necessary in order to date this paradigm shift in our representation of “refugees” and address the long-term causes of 21st century globalization.

Since the 15th century, and during the early-modern era, Portuguese, Spanish, Dutch, French and British missionaries, merchants and soldiers have travelled from Europe to South America, Africa and Asia, risking their lives at sea in hopes of an alternative future and a promise of rapid success. Over time, individual ventures helped build wealth for growing colonial empires. Although these first mercantile migrations were voluntary, they sparked the beginning of new era of mass deportation of African men and women to the Americas. The era of the transatlantic slave trade, spanning from the 16th to the 19th century,

was the most intense form of forced migration in history.

During the 19th century, after the legal abolition of slavery and the slave trade, other forms of forced migration emerged. On the one hand, African and Asian soldiers were enlisted to fight European wars. On the other hand, African and Asian convicts were deported to serve their sentence a long way from home. These various types of forced migration are often erased from European narratives. National histories tend to decorrelate capitalism from slavery, military victories from colonial enrolment, and penal deportation from law enforcement. Lastly, during the 20th century, European colonial empires such as France started to organize colonial immigration. After World War I, immigration was encouraged and supervised by the state. Hundreds of thousands of laborers were recruited in the colonies and housed in France. Police surveillance and sanitary monitoring of these workers was organized in the 1920s: the *Service de contrôle et d'assistance en France aux*

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indigènes des colonies was created in 1923 for African and Asian workers. After World War II, colonial immigration was amplified with the creation of the *Bureau pour le développement des migrations intéressant les départements d'outre-mer* in 1963, organizing a new workforce from Martinique, Guadeloupe and La Réunion.

It is only after World War II that the paradigm of “freedom of movement” was created, and established as a principle of international relations, in the Universal Declaration of Human Rights in 1948 (article 13). What was previously State-led labor migration, from the colonies towards mainland France, was rebranded as “freedom” to migrate. And whilst Algerian and Vietnamese laborers had the status of French subjects when these migratory politics were implemented in the 1920s, they became “immigrants” after the independence of Vietnam in 1945 and of Algeria in 1962.

Our contemporary understanding of “immigration” in France is largely the product of this new post-1945 paradigm of “freedom of movement” and global circulation across borders. This paradigm erases the origins of what we call “immigration” and occults the colonial contexts in which it was structured. It overshadows both the politics of migration management and the long-term consequences of

economic extraction in previously colonized societies.

Today, the police surveillance at the Franco-Italian border in Menton, the growing anti-immigration discourse in politics and mass media, and the absence of historical transmission of France’s colonial past, all contribute to the denial of a comprehensive explanation rooting today’s migratory dynamics in past European colonial practices.

INTRODUCTION

Solidarity Program for Refugee Help: Overview

The Solidarity Program for Refugee Help (SPRH) is a student-led organisation founded in 2020. It is organised by the students of Sciences Po Paris at the Menton Campus. As a non-profit, non-governmental organisation, SPRH organises meal distributions at refugee camps in Ventimiglia, as well as hands out small snacks and drinks for people on the move at the Franco-Italian border. Our organisation focuses on four areas: border surveillance, cooking and food distribution, awareness and research. With its 90 volunteers, SPRH sends volunteers to the border every weekend to observe the situation at the border, organises educational events such as conferences and workshops for students, and writes articles, reports and research papers about migration around the world, but mostly focusing on the situation at the Franco-Italian border.

Project Overview

This project compiles testimonies that SPRH volunteers have gathered during their shifts at the Franco-Italian border during conversations with people on the move there. It combines rigorous academic research done by Sciences Po Paris students with real-life experiences and personal stories of people whose lives have been altered by their migration journey. The testimonies used in this research report have been collected during the 2025-2026 school year, from October 2025 to May 2026.

Over 50 students have volunteered at the border during this period. SPRH works under a strict principle of respect - no one is ever forced to share their experiences - only the stories that have been openly shared with SPRH volunteers by people on the move have been recorded and used for this report. No material that could be used against the people involved has ever been recorded, under principles of respecting privacy and security.



INTRODUCTION

Report Methodology

The 2025-2026 SPRH Report is a result of the work and dedication of the student organisation as a whole. Student researchers used data collected by SPRH volunteers near the Pont Saint-Louis border crossing between Italy and France from September 2025 to April 2026. Student volunteers signed up for 3-hour shifts that ran every Saturday and Sunday from 8 a.m. until 7:30 p.m., and recorded their observations in writing after each shift. The data captures quantitative variables such as the number of women, men, and accompanied minors encountered, as well as their countries of origin. Qualitative data was recorded in an unstructured manner through conversations between volunteers and people on the move. The testimonies reveal individual experiences of the people encountered, often related to topics such as bureaucracy and documentation, language difficulties, health, and, more generally, their lived experience along the way. The notes taken and shared by the volunteers have been fully anonymised to protect the privacy of the people involved.

Student researchers structured their work around the themes that the testimonies touch upon, including the demographic and linguistic data collected, as well as experiences related to bureaucracy, health, employment, and minors' rights. Researchers refer to Italian, French, and European legislation where appropriate to situate the testimonies within legal frameworks. This report aims to spread awareness of the situation on the Franco-Italian border from a perspective that centres on human experience, and thereby contribute to the existing literature on migration. The report first includes a mapping of the demographics present at the border and an analysis of the linguistic challenges encountered by many, followed by a section on bureaucracy and administrative barriers, and finally a section on access to services and special protections at the border.

HISTORICAL CONTEXT



The Franco-Italian Border. Photograph by Enrico Pinto

Historical Context

The 1985 Schengen Agreement led to the gradual elimination of internal border controls between EU member states to permit the movement of citizens. The 1990 Schengen Convention extended that right to nationals of third countries with a residence permit in a Schengen member state. France, pleading national security concerns, restored controls at its border with Italy in 2015, a measure that is permitted for a limited duration. France, however, has renewed the closure of its borders repeatedly since 2015 (Pescinski, 2026). The reintroduced border controls have allowed for a significant number of pushbacks of people on the move. This has been enabled by the signing of bilateral agreements between the two countries' governments (Médecins Sans Frontières, 2023). Overall, the border context has been characterised by increased media and political interest, humanitarian issues, and security concerns.



Figure 1. Map of Alps-Mediterranean Euroregion. Map by Sémhur (2009) via Wikimedia Commons.

Migrants arriving in Italy often continue their journey to other countries. Many are making their way to France, or at least passing through the country on their way to destinations such as Germany and the United Kingdom. This may be because of a plan made earlier, or because of an adverse experience of living conditions in Italy (Pescinski, 2026). The main path taken by those arriving in Italy is the Central Mediterranean Route, the deadliest migration route in the world. Land arrivals accounted for around one-fifth of the arrivals (International Organisation for Migration, 2026).

Between the French border town of Menton, and Italy's Ventimiglia located about 10 kilometres from the border, pushbacks occur daily. In 2023, around 80 people were pushed back each day (Médecins Sans Frontières, 2023). The conditions on the border have often led to life-threatening situations, and in many cases, to death. Between 2015 and 2025, 48 people died while attempting to cross between Ventimiglia and Menton (Ligue des droits de l'Homme, 2025). During the 2025-2026 period that this report is based on, at least two deaths were reported (ANSA, 2025; Spagnolo, 2026).

The 2025-2026 period also saw other challenges at the border, including the repeated demolition of migrant encampments. In September 2025 and in April 2026, the encampments of people on the move on the banks of the Roya River in Ventimiglia were demolished, leading to the eviction of the inhabitants. These instances resulted in many losing their possessions (No Name Kitchen, 2026), as well as a vetting of the legality of migration statuses by Italian authorities in September 2025 (ANSA, 2025). Such operations constitute a threat to the already precarious situation of the people on the move.

The situation on the border evolves constantly. One of the most significant changes of the past years is the EU New Pact on Migration and Asylum that took effect in June 2026. The Pact aims to create a common EU system for migration in aspects including external borders, asylum procedure, and support and solidarity frameworks between EU member states (European Commission, 2024). Human rights organisa-

tions have raised concerns about rushed procedures, increased occurrence and duration of detention, and limited protections for asylum seekers (Human Rights Watch, 2026). This report, therefore, marks the last of the pre-Pact European asylum system.

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1.

BORDER DATA



STATISTICAL MAPPING OF NATIONALITIES (OCTOBER 2025 - APRIL 2026)

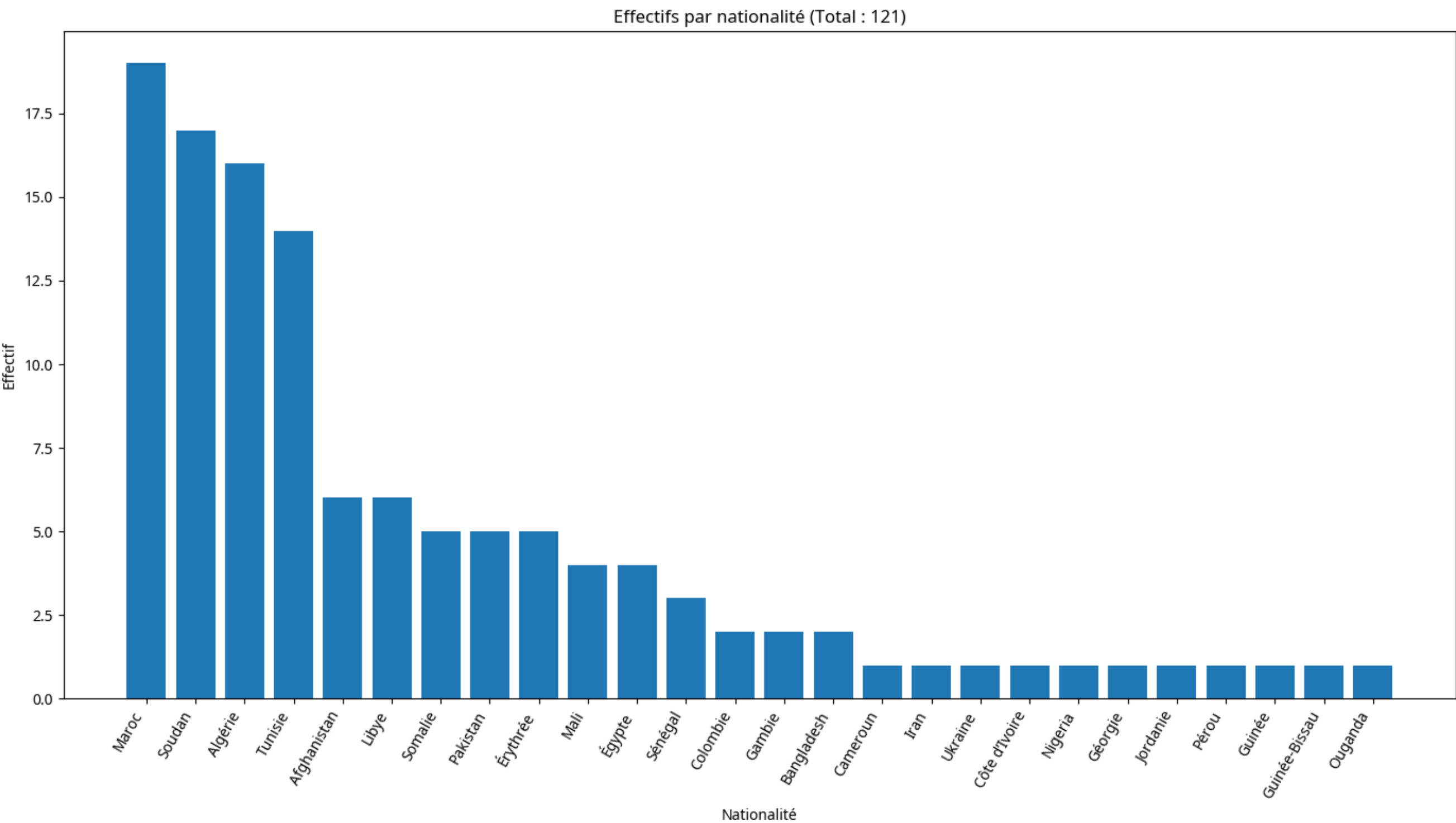
The first element that emerges from examining figure 1 is a genuine diversity of represented countries, with a predominance of statistical representation from the African continent and a significant presence from the Asian continent.

Among the nationalities, there is an overrepresentation of North African countries, starting with Morocco, represented by 19 individuals recorded in our statistical data attempting to cross the French-Italian border, followed by Sudan (17 individuals), Algeria (16 individuals), and finally Tunisia (14 individuals).

Immediately following are states from Asia and Sub-Saharan Africa: Afghanistan and Libya (with 6 individuals each), Somalia, Pakistan and Eritrea (with 5 individuals each), then Mali and Egypt (with 4 individuals each), and finally Senegal (with 3 individuals).

The other countries that follow – from Sub-Saharan Africa, Asia, the Middle East, and even Latin America – appear just after and are only very sparsely represented.

FIGURE 1: MOST COMMON NATIONALITIES



COMPARISON WITH 2024-2025

When comparing with the statistics collected over the period October 2024 – April 2025, several aspects should be noted.

First, the difference in scale: in 2024-2025, SPRH recorded approximately 145 individuals attempting to cross the border, compared with 121 in 2025-2026.

The second aspect to note is the enduring overrepresentation of North African countries, although specific trends are changing, with, for example, a much lower total number of Tunisian nationals recorded on the move.

An interesting development is the place of South Asia in the ranking, particularly Afghanistan and Pakistan, which became more represented: 5 Afghans and 2 Pakistanis in 2024-2025 compared to 6 Afghans and 5 Pakistanis in 2025-2026.

The Horn of Africa is also well represented, notably with Somalia and Eritrea, compared to last year.

While Latin America was previously represented by Ecuador and Venezuela, this year it is represented by Peru and Colombia, with no presence of Venezuela or Ecuador. The evolution is noteworthy but rather cyclical, noting that data collections depends on logistical, observational, and interactional vagaries.

2. LANGUAGE



2.1 Language Services: Failing to Ease Communication at the Border

Despite significant international, regional, and national frameworks protecting the rights of migrants attempting to cross the Franco-Italian border, the interpretation services (and often a lack thereof) fail to comply with legal frameworks. Interpretation services are paramount to the insurance of rights protection as a fundamental pillar of legal interaction in the internationalised context of a border. The burden of ensuring effective communication with migrants who originate from across the world cannot be placed on officers and should be assumed by trained interpreters. Nonetheless, such a process initiates structural challenges – there are thousands of languages migrants can speak, and having an interpreter available for each instance is near impossible, and non-human translation services (e.g. Google Translate, artificial intelligence, etc.) are insufficient to address this in their current form.

Thus, the border situation has given rise to structurally embedded violence, where the street-level bureaucratic interaction has engendered an alienation rather than familiarisation between the security apparatus and migrants (Dubois, 2010). Interpretation services in asylum and migration situations are widely considered as fundamental for the unimpeded access to the procedures (UNHCR, 2012), and mandated by European Union law ((UNHCR, 2013). Thus, the risk of legal infringement through inadequate interpretation services qualifies the criticality of this research, as will be explored below.

On the bi-level legal regulation of interpretation services for migrants at the Franco-Italian border should in theory provide an effective framework for the protection of migrant rights. Domestically, France's Code de l'entrée et du séjour des étrangers et du droit d'asile (CESEDA) groups all texts currently regarding governing asylum in France (Office Français de Protection des Réfugiés et Apatrides [OFPRA], 2026).

In article L141-2, the stipulation “the foreigner must understand” (OFPRA, 2026), intends to protect individuals halted when attempting to cross into France. Regionally, the Schengen Borders Code regulates how individuals enter and exit the Schengen Area. Within it, Article 25 enables the reintroduction of internal (Schengen Area) border control in the case of serious threats to public policy or security (Regulation (EU) 2016/399, 2016) – a policy France pursued in the wake of the November 2015 terrorist attacks to regulate migration. Moreover, the directive

2008/115/EC of the European Parliament and of the Council ensures ‘linguistic assistance’ in article 13.3, while also allowing expedited return to the originating state for an undocumented migrant, in the case of existing bilateral agreements ((article 6.3) Directive 2008/115/EC, 2008).

Such an agreement exists between France and Italy, the Chambéry Agreement 1997, which allows bilateral readmissions of irregular third-country nationals apprehended in cross-border areas, a much faster procedure than that governed by the EU (European Commission, 2024). Therefore, the intended protection of migrant rights exists in the bi-level mandate on interpretation services, though other legal frameworks enable the more rapid return of migrants to their country of departure (in this case Italy), initiating avoidance of legal interpretation responsibility.

This is clearly illuminated by the migrants’ testimonies that SPRH collected at the Franco-Italian Border which show the Ventimiglia-Menton border’s failure to meet EU and French standards on interpretation services. Between October and December 2025, SPRH volunteers observed 7 instances of no translator being provided at the border when dealing with French police, a clear violation of the CESEDA.

Furthermore, many of these cases were coupled with recorded testimony of not understanding the situation, especially the document they were being presented with which they then signed without understanding – a direct violation of the CESEDA (OFPRA, 2026). In a specific instance, two Libyan men were refused entry into France, after previously entering Italy via Lampedusa. They spent the night in the French PAF reporting that the officers yelled at them, and they signed a document but did not understand it at all. They told of zero translators or interpretation service being provided, even when they were greatly needed. A Malian man narrated a similar experience, facing no interpretation or explanation of documents before signing them.

While our data provides only a snapshot of the experience of people on the move they convey a systemic lack of interpretation services, particularly in regard to ‘understanding’ the procedure being mounted against them. This indicates a flagrant transgression of French domestic law in the CESEDA (OFPRA, 2026) where “the foreigner must understand” (OFPRA, 2026) and European law governed by the directive 2008/115/EC of the European Parliament and of the Council (Directive 2008/115/EC, 2008) mandating ‘linguistic assistance’ (OFPRA, 2026).

It is ultimately the responsibility of the French government to address its shortcomings in providing interpretation, and implement effective policy which satisfies its aforementioned domestic and supranational legal obligations. The question of interpretation services therefore hinges not upon an issue of law, but the street-level bureaucratic compliance (Dubois, 2010). In this, the legal framework to protect migrant rights already exists, though in practice it is not implemented and the effective interaction between the State and migrants is restricted. Any effective reform thus will likely be institutional, not legislative, as the latter has so far failed to ensure adequate interpretation.

Therefore, whilst legally the right to interpretation services in migrant proceedings at the Franco-Italian border exists, in practice it is not fulfilled. Extensive legal regulation has failed to ensure adequate interpretation services, as was evident in the exploration of SPRH-collected testimonies. Overall, two suggestions for future reform to better implement interpretation requirements are plausible, though their efficacy is challenged by numerous structural constraints. Thus, the interpretation services at the Franco-Italian border fail to satisfy requirements under domestic and EU Law.

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2.2 Language Barriers: Clarity, Consent, and the Exercise of Procedural Rights

The process of gaining asylum is deeply dependent on extensive administrative procedures. A comparative study by the Asylum Information Database (AIDA) across 23 European countries found that information and interpretation at borders often fail to adequately facilitate access to asylum, and that when information exists it is “not necessarily comprehensible or effectively communicated (AIDA, 2021). This remains prevalent at the Franco-Italian border, where migrants are frequently presented with administrative documents which carry significant legal consequences for their subsequent rights to the asylum procedure. Although legally, migrants are already inside Schengen, they are treated as if attempting first entry (Visa HQ, 2025).

Despite clear EU and international standards on transparency and interpretation, SPRH testimonies indicate that these documents are often signed without adequate comprehension due to language barriers and lack of explanations offered. In these conditions, with a lack of information the notion of consent becomes contestable. UNHCR guidelines explicitly state that signatures obtained without understanding cannot be considered voluntary (UNHCR, 1996). When migrants are presented with documents without interpretation or explanation, the procedural validity of these administrative acts becomes questionable not on just moral but legal grounds. This is notably relevant in regards to protections under the Asylum Procedures Directive (2013/32/EU) and the EU Charter of Fundamental Rights. The lack of clarity and transparency in administrative documentation at the Franco-Italian border undermines migrants’ effective access to asylum procedures, creating a gap between formal legal compliance and effective access to rights.

This paper will examine the question, “To what extent do the clarity, transparency, and accessibility of administrative documentation presented to migrants at the Franco-Italian border shape their effective access to asylum procedures?” It will first outline the legal standards governing information provision and interpretation in asylum procedures, followed by contrasting these standards with migrant testimonies in order to assess alignment in practice and to analyze the consequences of ineffective access to asylum.

Establishing the legal standards and protections

There are substantial key legal standards established by the European Union and international law regarding how information must be provided to asylum seekers. Firstly, the rights to effective, intelligible procedures for asylum seekers are at the core of the European Union's foundation, being broadly but fundamentally protected at the constitutional level. As outlined in the EU Charter of Fundamental Rights, these are primarily defensive of successful administrative procedures by outlining the right to good administration (Article 41) and the right to an effective remedy (Article 13) and fair trial (Article 47). These standards require authorities to handle each stage fairly and impartially, give comprehensible explanations of their outcomes and guarantee access to judicial review against each decision.

The EU Directive of asylum procedure is a binding legislative instrument acting as a secondary legislation that regulates the procedures through which these rights must be executed (2013/32/EU). It mandates its member states to ensure that the information delivered at the border is delivered in an accessible way. Its Articles 12 (a) and (b) requires member states to inform applicants about their rights, obligations and potential consequences of the asylum process in a language that they understand, and, if necessary, to guarantee access to interpretation services. The directive requires national authorities of both France and Italy to directly apply these procedural standards when processing asylum claims at the border or within their territory.

Comparing testimonies to legal standards

In view of these protections, the testimonies provided by the SPRH Surveillance Team bring into question the lack of satisfactory services provided to migrants at the Franco-Italian border. Language barriers are present in many testimonies, as well as the absence of interpretations. In one testimony, a monitor reported “They signed a document but didn't understand it at all, yet signed it anyway. None of the people involved had translators, even if it was necessary”, highlighting a lack of understandable procedures. EU Asylum directive Article 12(a)(b) requires information to be provided in a language the person understands, and Somali-only speakers receiving documents in English or French fall outside this requirement. If individuals signed official documents without understanding their content due to the absence of translators from the administrators, this strongly indicates a breach of procedural safeguards and questions the validity of informed consent (European Parliament and Council, 2013). A testimony of a Moroccan migrant reflects a concern in regards to the provision of proper explanations and support in the administrative process, “No interpreter, no explanation before signing ... they gave him a document, but he left it there”.

This experience suggests, again, a possible breach of Article 12(a)(b). Without proper explanation, the individual cannot understand the document, limiting their ability to appeal or access an effective remedy.

Another SPRH testimony reflects the potential for these neglects in administrative procedures to cause structural vulnerability. They observed an individual who, “arrived in Italy a year ago” and is “currently in the asylum application process.” He “reports difficult conditions and lack of support in Italy”. The extended asylum procedure, difficult conditions and limited institutional support evidences prolonged exposure to administrative uncertainty and inadequate conditions of reception. This uncertainty and lack of support may also conflict with Article 17 of the EU Asylum Directive, which requires adequate reception conditions (European Parliament and Council, 2013).

Consequences of ineffective access to asylum procedures

The lack of clarity in presenting documents illustrated by border testimonies may also have long-term impacts in the migrant’s asylum progress. The testimonies documented by SPRH show that a lack of clear information and procedural support at the border can obstruct access to asylum and leave migrants in prolonged uncertainty. Signatures obtained without full comprehension can trigger legal consequences for asylum seekers such as refusal of entry or repatriation decisions: on 23rd of February 2012, the European Court of Human Rights found Italy responsible for unlawful returns of 11 Somali and 13 Eritrean nationals to Libya after they were intercepted and processed without proper information about their rights or procedures (Hirsi Jamaa and Others v. Italy, European Union Agency for Fundamental Rights).

Lastly, it is also important to take note of the tension that exists between formal legality and substantive access to rights, where procedural safeguards implemented are ineffective although on paper may appear legally compliant. A 2026 study examines the growing practice of informal readmissions across European borders and situations where migrants are returned between states outside formal legal return procedures (Fortarezza). The procedural standards governing asylum previously outlined are largely reliant on indirect enforcement mechanisms such as commission monitoring or infringement procedures, which provide limited immediate oversight at operational border sites (European Commission, 2013). Although Member States are legally required to align domestic systems with EU directives, implementation ultimately occurs through national administrative structures which produce significant variation in practice. These readmissions are heavily benefited by informal operational cooperation between French and Italian authorities who

have been criticised by Anafé for undermining procedural safeguards (Anafé, 2022), which can have lasting consequences for migrants' access to asylum.

The findings of this paper reveal a clear gap between the procedural safeguards formally guaranteed under EU asylum law and their application in practice at the Franco-Italian border. Testimonies collected by the SPRH surveillance team demonstrate that migrants are frequently asked to sign administrative documents without understanding their content or legal implications, practices which contrast the Asylum Procedures Directive (2013/32/EU) and the EU Charter of Fundamental Rights which grant asylum seekers the rights to accessible information and interpretation. Where administrative documentation is unclear, insufficiently explained, or presented without interpretation, procedural safeguards risk becoming formal requirements rather than meaningful guarantees of protection. Bureaucratic border practices thereby contribute to forms of systemic exclusion as access to asylum becomes conditioned not on legal entitlement but on an individual's ability to navigate these administrative processes. The Franco-Italian border illustrates this dynamic clearly as operational practices that mediate access to rights through documentation can limit migrants' ability to seek international protection.

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3.

BUREAUCRATIC VIOLENCE AND ADMINISTRATIVE BARRIERS



3.1 A Protracted State of Mobility: Legal Uncertainty and Survival Strategies

“Released from the police station with nowhere to go to, I tried once again to enter France by taking the train from Ventimiglia to Menton” – this is a common testimony collected from people on the move on the Franco-Italian border, where many are stuck in liminality. Anthropologist Victor Turner (1967) conceptualised liminal people as those who ‘elude or slip through the network of classifications that normally locate states and positions in cultural space’ (Turner, 1967). They are ‘neither here nor there; they are between and between the positions assigned and arrayed by law, custom, convention and ceremonial’ (Turner, 1967). Liminality amongst people on the move can exist in different forms: time, space, and status (Schuster, 2016).

This sight of people stuck in liminality is not a singular unique one, but a microcosm of the state’s larger phenomenon of protracted mobility which migrants, asylum seekers and refugees are stuck in. The route that people-on-the-move take is often conceptualised as ‘single, unidirectional journeys’ (Schuster, 2016). However in reality, migratory movements are diverse and can appear more as a forward-and-backward movement pattern trapping them in a state of liminality. Hence, this paper seeks to further explore this topic through the question: How do legal uncertainty and survival strategies contribute to a protracted state of mobility among refugees and migrants along the Franco-Italian border?

This paper will explore how this state of mobility is protracted, followed by an examination of its impacts on refugees and asylum seekers, and finally, the EU debates on this topic.

Legal uncertainties, administrative barriers and survival strategies in entrenching the state of mobility

People on the move often face legal uncertainties in their status. They are not citizens, not tourists - some might be asylum seekers and not afforded refugee status yet. This state of being between statuses leaves their identity liminal.

One's legal status is defined by 'shifts between different national contexts, between different legal statuses and between living in state-funded accommodations and either staying with friends or living in other makeshift circumstances' (Wyss, 2019). Such uncertainties result in administrative restrictions, prompting constant border movement to navigate this, leaving them in an entrenched state of mobility.

This is seen in border patrol procedures and administrative hurdles in asylum-seeking (Axelsson, 2022). Uncertainty in legal status is marked by the search for documentation to prove and certify one's identity, a process which can trap people on the move, their lack of documents confining them. The testimony of an undocumented Bangladeshi man seeking asylum in France illustrates the challenge of obtaining necessary documents. In attempting to do so, he travelled from France to Ventimiglia, though failing to obtain them and thus being stuck in a state of waiting, unable to return to France. A Pakistani man's testimony further reflects the long-drawn search for stability while on the move. He had travelled through 10 countries from Pakistan to reach Italy, where he had waited for months to be granted asylum. These two testimonies convey the arduous journey one takes to obtain documents, only to be met with a bureaucratic suspension which traps them in a state of limbo. Even if the wait ends and documents are obtained, this new state of certainty is not permanent. Further testimony reveals how the expiry of an Afghan man's refugee status rendered him stuck in Ventimiglia for a month while waiting for new refugee status documents to be ready.

Faced with these administrative hurdles in legal status and everyday needs, refugees and asylum seekers strategise and navigate asylum regulations to escape Italy's restricted economic opportunities. Thus, refugees and asylum seekers frequently utilise their mobility to relocate to other EU countries and work informally there, before alternating with a return to Italy to renew their residence permit (Hatziprokopiou et al., 2021).

But to renew the permit, a residence address is needed. Hence, this gives rise to a black market of fake documents. This 'circular' motion (Hatziprokopiou et al., 2021) of crossing the border back and forth to navigate administrative and bureaucratic hurdles leaves refugees and asylum seekers in a constant state of movement. A South Asian man's testimony recounts working in France, despite having Italian ID and refugee status. He explained how he returns to Italy about 1-2 times a year, necessitated by his documentation.

Another type of survival strategy includes the exchange of information and attempting different ways to cross the border. For example, many have chosen to take taxis, walk on foot, train, etc. to travel from Ventimiglia to Menton. Sometimes, it succeeds. Other times, they are brought back to Ventimiglia after being detected. Undeterred, they will try again via another mode of transport, as seen in SPRH testimonies. This confined circular movement fractures the ‘duality between mobility and immobility’ (Amigoni & Queirolo Palmas, 2023), reflecting the protracted liminality that people on the move are confined to, by the very strategies they use attempting to circumvent it.

Impact on Refugees and Asylum Seekers

This liminality creates a sense of lost time. The wait in dealing with bureaucracy, administrative work or applying for asylum slows time, leaving them in an ‘experience of directionless stasis’ (Griffiths, 2014) while the world moves on. One testimony tells of a person on the move whose demand for asylum (*demande d'asile*) ended in 2025. While on a train, the French police took them to the Italian police. They walked to Ventimiglia as there were no buses left, and planned to go back to France to apply for asylum again. This evidences constant movement which does not always lead to concrete results, creating a sense of lost time.

A lack of stability and rootedness is also commonly felt, as refugees and asylum seekers often become stranded in transit countries, unable to move on to their final destination. Plans and aspirations can change involuntarily, with no guarantee of success. This lack of certainty lands refugees and asylum seekers in a state of instability and mental fatigue (Jochim & Macková, 2025). A testimony collected of a man attempting to reach Spain through France told how he was rejected at the French border, and since the refugee camp in Ventimiglia only opens for families and minors on Sunday, he had nowhere to go, leaving him stranded at the border. Individuals in such limbo must constantly fight for their basic needs, often tolling one’s mental wellbeing. One woman was attempting to seek asylum in France, and was crying as she did not have anywhere to spend the night. With this lack of legal protection, asylum seekers frequently find themselves in unfamiliar and unfriendly situations, which can even leave them more vulnerable to possible exploitation.

EU Debates

Currently, under Article 13 of the Dublin III Regulations, ‘an applicant has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for international protection. That responsibility shall cease 12 months after the date on which the irregular border crossing took place.’ Asylum seekers are anchored to the country of first entry even if they want their final destination to be elsewhere for reasons such as having friends in a particular city, familiarity, or job opportunities. Thus, asylum seekers end up needing to circumvent authorities, leading to the development of strategies such as moving back and forth between different countries.

In 2026, a new EU Pact on Migration and Asylum has come into effect. Among the slate of plans in the pact, the Asylum and Migration Management Regulation (AMMR) will replace the Dublin III Regulation. Article 33 of the AMMR now states that ‘responsibility shall cease if the application is registered more than 20 months after the date on which that border crossing took place’ (Regulation (EU) 2024/1351, art. 33(1), 2024). The increase from 12 to 20 months means that asylum seekers are legally anchored to the country of first entry for a longer period. This leaves them in an extended state of limbo.

Conclusion

Despite the new measures, the broad stroke remains. Asylum seekers and refugees continue to face legal and administrative hurdles in their search for stability. Thus they are trapped in a continual state of circular movement to navigate such challenges, condemning them to a protracted state of liminality.

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3.2 Arms of Administration: Exploring Bureaucratic Violence on the Franco-Italian Border

A 2018 report from the National Library of Medicine found that between 40-46.5% of migrants in Italy faced some form of violence since they had arrived; psychological violence, defined as “isolation or confinement, withholding information, disinformation, and threatening behaviour” (Council of Europe, 2025) proves to be the most common.

Conceptual Framework

The very concept of ‘violence’ is contested and malleable, though public attention on border and migrant crises often centers around physical pushbacks, checkpoints, and expulsions, while violence can manifest in much more mundane manners. Violence is often conceptualized across three categories: physical, structural, and symbolic. Physical violence is defined as physical attacks which entail violations of human rights (Gren et al., 2024), discouraged in frameworks such as the Universal Declaration of Human Rights (The United Nations, 1948) and the European Convention on Human Rights (European Court of Human Rights, 1950). Structural violence is defined by Johan Galtung as harm indirectly applied to certain groups of people via the establishment of specific social systems (Galtung, 1969). While less explicitly prohibited, discrimination and inequality are increasingly barred in legal instruments such as the International Covenant on Economic, Social, and Cultural Rights (United Nations General Assembly, 1966). These forms of violence do not exist within a vacuum; rather, they exist on a “violence continuum” (Scheper-Hughes & Bourgois, 2004), interacting and interconnecting. Therefore, it can be argued that migrants can simultaneously face multiple forms of violence, both explicit and implicit.

Definitions and Theoretical Framework

Encyclopaedia Britannica defines bureaucracy as a form of organization defined by complexity, labor division, hierarchy, and legal authority (Rockman, 2026). As a social institution, bureaucracies provide access to rights, but also hold the authority to remove access to rights (Gren et al., 2024). This dual function demonstrates that bureaucracy does not merely administer rights, but conditions their accessibility.

Political scientist Hanna Arendt underlines the dominating and disempowering potentials of bureaucracy which have a tendency to normalize lasting violence (Berkowitz, 2022). Her concept of the “banality of evil” demonstrates that certain administrative frameworks can foster systemic violence (Steensma, 2025). In this sense, violence is not only overt. Rather, it can emerge through mundane procedures and seemingly apolitical administration.

While bureaucracy is shaped by policymakers and higher-up politicians, it is primarily implemented by street-level bureaucrats (Lipsky, 1980), who make active decisions regarding the livelihood of migrants (Gren et al., 2024). Their decisions are supplemented and shaped by the actions of police and immigrations and customs officers. The choices made and executed by French and Italian border police are ground-level examples of bureaucracy in action.

This paper defines bureaucratic violence as the production of exclusion and marginalization through selective application of bureaucratic rules, power imbalances, and systematic oppression.

Building on this continuum, this paper argues that bureaucratic violence constitutes a distinct, yet interconnected, modality of harm. While closely related to structural violence, bureaucratic violence operates through an environment of limbo and uncertainty which defines the lives of many migrants. Therefore, bureaucracies should be understood not as static nor administrative spaces, but active sites of power, marginalization, and sociocultural interaction (Eldridge & Reinke, 2018), which continuously shape migrants’ legal statuses, mobilities, and senses of belonging.

This paper explores how bureaucratic violence is experienced by migrants on the Franco-Italian border, specifically how it manifests in language barriers and administrative practices which shape migrants’ access to asylum and protection. Ultimately, it will argue that on the Franco-Italian border, violence is not only enacted through physical and psychological abuses, but through bureaucratic mechanisms that render migrants deportable, uncertain, and existing in a state of legal suspension.

Documentation: Paperwork, Visas, and Legality

Documentation and paperwork function as key instruments through which migrants are categorized and controlled. While often perceived as neutral tools of rational bureaucracy, documentation is inherently political and has a tendency to reflect and reproduce power inequalities between state

authorities and noncitizens (Andreetta & Borrelli, 2024), actively producing legal identities and hierarchies.

Legal frameworks, such as the Dublin Regulation (United Nations High Commissioner of Refugees, 2015) and Eurodac Regulation (European Parliament and Council, 2013) provide for tangible administrative manifestations of identity, enabling states to assign responsibility for migrants while restricting mobility. In France, the Code of Entry and Residence of Foreigners and the Right to Asylum (2004) and the French Office for the Protection of Refugees and Stateless Peoples (1952), alongside local prefectures, are chiefly responsible for handling migration and residence claims. The Italian legal framework primarily includes the Consolidated Immigration Act (1998) and Decree Law 130/2020. These legal instruments alone allow documentation to become a mechanism of categorization and control. When combined, they may produce disjunctures and inconsistencies, a selective recognition that underscores the precariousness which defines migrants' lives.

Bureaucratic violence manifests not only in excessive documentation, but also through strategic non-documentation. Deliberate non-documentation, whether through delays, missing paperwork, or inaccessible procedures, produces uncertainty, opacity, and unpredictability. These conditions impose upon migrants a state of permanent limbo, hindering them from advancing in documentation processes (Rozakou, 2017).

Nicholas P. De Genova's concept of migrant "illegality" and "deportability" illustrate how categories created through bureaucratic procedures can produce vulnerability. (De Genova, 2002). Through deportability, migrants are governed by the constant threat of physical abuse and removal from a state. Labeling migrants as deportable and illegal is a constructive process, demonstrating that documentation does not only record categories, but creates labels that dictate what migrants can and cannot do.

At the Franco-Italian border, this dynamic is particularly relevant. In the Fall of 2025, a male migrant, despite having obtained an Italian ID and refugee status, was pushed back across the border because he lacked an adequate passport.

In spite of having received official documentation, the French border patrol mobilized non-documentation to continue their pushbacks across the border.

A similar instance occurred in February 2026, when a female migrant explained that while she had documentation, it was taken from her at the train station, along with her phone and credit card. Now, contactless and lacking documents, she was unable to cross the border.

Therefore, legal recognition and denial of status do not promote clarity, nor does it reduce migraine vulnerability. Rather, it complicates uncertainty through layers of documentation and unclear requirements for residency.

Language, Communication, & Linguistic Discrimination

Language operates as a central mechanism through which bureaucratic violence is carried out. At the Franco-Italian border, migrants are required to navigate complex administrative systems in languages that they may not be fully proficient in. This requirement reconstructs language as not a form of communication, but a gatekeeping device.

The burden of communication is often individualised. The neoliberal, bureaucratized welfare state emphasises individual responsibility to claim services like interpretation (Nordberg & Merikoski, 2025). This expectation ignores material, structural, and symbolic disadvantages faced by migrants, transforming systemic barriers into individual failures. By painting a lack of communication abilities as a personal shortcoming, states and administrations can evade responsibility and dismiss the structural inequities that lead to miscommunication.

This inaccessibility violates Article 5(2) of the Reception Conditions Directive, part of the EU Pact on Migration and Asylum, which states that information regarding legal procedures and protections must be conveyed to applicants “in a language that [they] understand” (European Union Agency for Asylum, 2023). Despite the legal framework, accessible translation services are not always provided.

Even when translation services are offered and obtained, power dynamics can hide within them. Power differentials between interlocutors and interpreters are embedded into language levels (Angelelli, 2015) and the perceived legitimacy of the speaker (Holzinger, 1792), creating an explicit hierarchy between translator and translated. Legitimacy in translation is unevenly distributed, and migrants’ voices can be filtered and diminished in translations. In Fall 2025, the French police forcibly signed the paperwork of a Moroccan man who was fluent in French. Despite the lack of actual language barrier,

power dynamics and negligence constructed a theoretical language barrier in its place.

At the Franco-Italian border, language functions as more than a communicative tool: it operates as a categoriser, differentiating between who can navigate administrative systems and who cannot. The latter, often including migrants, remain suspended in a linguistic limbo, where their inability to communicate reinforces their vulnerability.

Bureaucracy as a Border Technology

Sandro Mezzadra and Brett Neilson (2013) argue that “borders are not merely geographical margins or territorial edges. They are complex social institutions, which are marked by tensions between practices of border reinforcement and border crossing” (Mezzadra & Neilson, 2013). This statement highlights that bureaucracy itself functions as a core technology of the border.

At the Franco-Italian border, control is not exercised only through walls and checkpoints, but through legal categorisation, documentation, and linguistic hierarchies that place migrants into a state of uncertainty and inaccessibility. These mechanisms do not only exist on the border but constitute the space and experiences within it.

Bureaucratic violence demonstrates that the border operates not only as a physical demarcation, but as a system of administrative practices. Through delays, uncertainty, and discretionary application, migrants are governed in ways that render them deportable and unstable. Ultimately, this paper contends that to understand borders and violence, it is essential to move beyond overt and explicit forms of violence, shedding light on the mundane, procedural, and normalised practices that produce harm. Bureaucracy, therefore, is far from neutral. Instead, it has emerged as a site of power dynamics, through which borders are shaped and shaping.

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3.3 Limited mobility within the European Union: permits and visas at border crossings

The treatment of migrants at the European Union's internal and external borders is theoretically determined by laws and regulations issued by the EU and national authorities. However, these laws and regulations undergo frequent changes such as revision of the *Schengen Border Code* in July 2024 and sometimes contradict each other, as evidenced by France's decision to maintain the closure of internal borders through the *September 2018 Act*, in conflict with the aforementioned *Schengen Border Code*. This complex character of the legislature comprising the EU migration system raises a question of its real life application among the prevalence of "pushbacks", defined as the collective expulsion at EU's land and sea borders by the European Parliamentary Research Service (Luyten, 2025). This essay aims to examine the legal basis for pushbacks at the Franco-Italian border to determine how international safeguards meant to protect the rights of migrants and refugees are circumvented, limiting their mobility within the EU.

The French border with Italy is an internal EU border. Until July 10, 2024 the *Schengen Border Code* determined that member states could not maintain border controls for longer than 2 years (Eur-Lex, 2024). The code was revised in July 2024 and the maximum period of controlling internal borders was extended to 3 years. However, this period has been continuously disregarded by French authorities since 2015, and movement between internal EU borders has been controlled with border patrols using racial profiling to target non-European nationals (Anafé, 2026).

Besides the EU-wide policies such as the *Schengen Border Code* or the *Dublin Regulation*, French immigration is determined by national policies like the *Code of Entry and Residence of Foreigners and of the Right to Asylum* (CESEDA) and the national Asylum and Immigration Act of September 2018 (Asylum Information Database, 2025). Yet, both academic and humanitarian reports as well as testimonies collected at the Franco-Italian border by SPRH volunteers show that the reality of unjustified pushbacks is disconnected from this legal framework.

Some of those who were refused entry to France at the Franco-Italian border in between September 2025 and February 2026, carried different forms of identification from IDs, permits and visas to proof of refugee status. The *Schengen Border Code*, also known as *Regulation (EU) 2016/399*, states, that upon entry through external borders, nationals of non-EU countries are required to be in possession of a valid passport, a valid travel document or visa (if required), not be the subject of an alert in the Schengen information system (SIS) and be able to justify the purpose and conditions of their intended stay (Schengen Border Code, 2024). However, amongst the migrants refused entry to France at the border in fall 2025 was a Pakistani man with an Italian ID and valid proof of refugee status. This shows the dichotomy between legal frameworks and reality of migrants' mobility at the Franco-Italian border.

France's national legal framework CESEDA gives France the authority to refuse an asylum claim if it is considered "manifestly unfounded". However, this is supposed to be decided by The French Office for the Protection of Refugees and Stateless Persons (OPFRA). Instead, some of the migrants who try to cross the Franco-Italian border are systemically sent back without an individual examination of their situation and without the possibility to register a request for asylum in the French protection system (Institut Convergences Migrations, 2022). This further highlights the discrepancy between legislation and reality.

Furthermore, even if an individual is refused entry, the precise reason for their refusal must be stated and the refusal itself may be subject to appeal (Eur-Lex, 2025). Yet many of the migrants and refugees who were pushed back at the border without the opportunity to file for admission to France were not given an explanation of the reason for the refusal of entry, which is in direct conflict with EU directives. For example in fall 2025 a young Iranian man described that he was made to sign release papers without being allowed to apply for asylum, and without a translator. Two other men, from Sudan, who lost their IDs while escaping the war, were also refused entry without justification or translation.

Even those who have already been living and working in the EU for years are facing the bureaucratic paradox of a system that makes crossing borders both extremely difficult and necessary. A Pakistani man interviewed by SPRH claimed he lives and works in Paris but has to go back to Italy every 6 months because his documents require him to. A Moroccan man who lived in Italy for a long time and whose passport expired was trying to get from Torino to Morocco, through France and Spain, by train to renew it.

Mobility of migrants within the EU is increasingly limited through the existing legal framework both at a national and EU level. French authorities abuse internal border checks in conflict with the *Schengen Border Code* and lack transparency in their deliberation process, as migrants and refugees trying to cross the Franco-Italian border are refused entry without a justification, refused access to a translator or manipulated into signing release papers.

Furthermore, the European Parliament continues to propose new laws that will further complicate and endanger their passage, such as the March 2025 proposal to change the 2008 Return directive, introducing the possibility of detention of third-country nationals up to 2 years and their deportation to third countries (European Parliament News, 2026). Such a bill, according to Marta Welanders from the International Rescue Committee, is a reflection of a “systematic dismantling of protections for people based on their migration status in Europe” (Nielsen, 2026).

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4.

ACCESS TO SERVICES



4.1 Minors' rights at the Franco-Italian border

“The migrant said he was underaged but didn’t have any document stating it. The document given by the Italian police said he was 19”. This incident was documented by the SPRH Border Surveillance team in the fall of 2024 at the Franco-Italian border and is not an isolated event. Indeed, as Angela Giuffrida recalls in an article published by the Guardian in 2018, Italian charities have accused French border police of falsifying the birth dates of migrant children travelling alone in an attempt to pass them off as adults and send them back to Italy (Giuffrida, 2018). This leads to question how the dates of birth are manipulated by border control offices, and what this means for minors crossing the Franco-Italian border. One way to look at this issue is through identity cards, and how their value is challenged at the border.

Identity cards

The primary problem encountered by migrants at the Franco-Italian border is that police officers on either side do not consider the identity cards presented by the refugees as legitimate documents testifying their age and overall identity. As Pascual and Rerolle both recall in articles published in Le Monde in April 2024 and October 2023 respectively, when minors, specifically, present documents to the police officers, these are not taken into account (Pascual, 2024; Rerolle, 2023). As a result, police forces write a different date of birth than that written on the identity card on the “refusal of entry” documents that they publish, refuting de facto the migrants’ minority. However, this bypasses essential needs provided under French law in case of age uncertainty of the migrants, such as the intervention of a children's social-aid official - independent of the regional services - to give their opinion on the migrants’ minority (Pascual, 2024). Additionally, the migrants recognized as minors should, legally, be urgently placed in a temporary shelter; an infrastructure that is today largely missing from border areas (Pascual, 2024).

These transgressions of national law have been observed by our Border Surveillance teams multiple times, such as in the fall of 2024, when a “man with a picture of a document stating that he was born after 2006 was pushed back without papers”.

Moreover, a similar incident took place in the spring of 2025 when an underaged unaccompanied minor from the African continent was pushed back from the French border. This transgresses international human rights law as, by virtue of the United Nations Convention on the Rights of the Child, which all member states of the Council of Europe have ratified, there exists a special duty of protection and assistance to all unaccompanied children, irrespective of their nationality, immigration status or statelessness (1810 EU Parliamentary Resolution, 2011). As the same source recalls, “unaccompanied children must be treated first and foremost as children, not as migrants” (1810 EU Parliamentary Resolution, 2011). Further, this convention states that:

“No child should be denied access to the territory or be summarily turned back at the border of a member state. Immediate referral to assistance and care should be arranged by specialized services with a view to identifying if the migrant is a minor, ascertaining his or her individual circumstances and protection needs and ultimately identifying a durable solution in the child’s best interest.”

Finally, EU law stipulates the following that stresses the utmost need of interpreters at the border today, who are largely non-existent as reported by our border surveillance teams:

“Children should be informed immediately upon arrival or interception, individually and in a language and form that they can understand, about their right to protection and assistance, including their right to seek asylum or other forms of international protection, and the necessary procedures and their implications”

Interestingly enough, between September and December 2025, these incidents were far less frequent, as the SPRH Border Surveillance team did not report any of them in that period. Yet, the lack of their mention in the fall of the previous year may also reflect how minors are simply taken as adults and not recognized as underaged refugees altogether, making their identification equally difficult for the Border Surveillance team. More than a legal transgression, such incidents render data on unaccompanied minors in Europe unreliable, as recalled in the 1810 Resolution of the EU parliamentary assembly : “There may be up to 100 000 of them, although there is little reliable data on their movement other than statistics on asylum claims.” (1810 EU Parliamentary Resolution, 2011).

How old are you? The biometric tests

As mentioned by Pascual, border police officers carry out “operations of judiciary identification” which include gathering the migrants’ fingerprints and the consulting of various biometric files (Pascual, 2024). The journalist explains that the region of the Alpes-Maritimes, where Menton is located, has been testing out an experiment since 2019 whereby specialized personnel are present at the police stations of Menton to proceed with an age assessment of young refugees, through an interview of a few minutes (Pascual, 2019). This practice, however, was not observed on site, and its implementation should thereby be - partially at least - questioned.

Even if implemented, this assessment presents certain limitations that need to be elucidated. Professor Ranit Mishori of the University of Georgetown published a research paper in 2019 titled “The use of Age Assessment in the context of child migration: imprecise, inaccurate, inconclusive and endangers children's rights”, which focuses on United States’ borders but whose findings are applicable to a broad geographic range. Mishori notes that the procedures of assessment of the chronological ages of minors have come under great scrutiny for being arbitrary and inaccurate (Mishori, 2019) with a significant margin of error as they are generally based on reference materials that do not take account of ethnicity, nutritional status, disease and developmental history factors. More firmly, she states: “Using these procedures for migration purposes represent an unethical use of science and medicine, which can potentially deprive minors of the protections that they are owed,” (Mishori, 2019)

Under EU law, “age assessment should only be carried out if there are reasonable doubts about a person being underage” (1810 EU Parliamentary resolution, 2011). Moreover, “the assessment should be based on the presumption of a minority, involve a multidisciplinary evaluation by an independent authority over a period of time and not be based exclusively on medical assessment.”

Therefore, de jure, the assessment mentioned by Pascual in the article is not legitimate as it is not multidisciplinary and only lasts a few minutes (the time to complete the interview). Furthermore, “examinations should only be carried out with the consent of the child or his or her guardian” (1810 EU Parliamentary resolution, 2011); thus prohibiting such practices for unaccompanied minors. In terms of the uncertainty of those results, “the margin of error of medical and other examinations should be clearly indicated and taken into account” (1810 EU Parliamentary resolution, 2011).

On the ground, the reality is much different than what EU law prescribes as the following incident dating from the fall of 2024 relates: “A young mother with her son, both from the Ivory Coast were caught on the morning train, pushed back despite being minors, and given no papers.” Also, going back to the introductory incident when a 16 year-old minor was pushed back with a document stating him as being 19 years old, it demonstrates how “presumption of minority” does not apply at the Franco-Italian border.

To conclude, the French-Italian border between Menton and Ventimiglia remains one where the respect of minors’ rights can be disputed, especially in terms of how their identification documents are manipulated. The infractions mentioned also go against EU law that prescribes certain obligations that border officers need to carry out in the case of an uncertainty in a migrants’ age.

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4.2 The Constructed Narrative of Employment

For many immigrants crossing the Mediterranean, countries like France are not only destinations, but symbols of opportunity and stability. A young North African electrician, who lived much of his teenage life in Italy, described leaving home to find a better job and increased salaries, only to spend a year searching for housing and employment opportunities. Similarly, an immigrant woman described the need to access cancer treatments for her mom in France, while other immigrants spoke highly of France as a country of great opportunity and possibility. Across these testimonies, collected at the border between Menton and Ventimiglia, France is consistently imagined as a state of economic and social opportunities. Yet these personal experiences hint at a more complex experienced reality, one featuring prolonged unemployment. This paper argues that France's employment opportunities to immigrants are a constructed narrative, and there rest large employment, language, and economic barriers. It also seeks to explore the lived barriers that immigrants face to finding employment and liveable wages in France, along with how previous experience affects their employment opportunities.

Despite widespread perceptions of economic opportunity, statistics show that refugees and immigrants in France face significant challenges in accessing stable and appropriate employment based on their previous experience. According to the Asylum Information Database (2025), a 2022 study completed by Sophie Bilong and Frederic Salin found only 42% of refugees are employed one year after receiving refugee status, while 22% remain unemployed, 19% are inactive, and 17% are still in education. Although employment rates improve over time, with 63% employed four years after obtaining status, this increase does not necessarily represent effective employment based on experience. Research by Bilong and Salin (2024) shows that many refugees experience what they call professional downgrades in employment, often being forced to work in positions below what they were qualified for. This is further supported by observations through Forum Réfugiés (2024), which highlight difficulties in recognition of foreign diplomas, which may result in having to accept jobs that are unrelated to their previous career or in disproportionately blue collar sectors. As Bilong notes, “People who were highly skilled executives become basic level workers in France, while former bosses become employees” (Bilong & Salin, 2022). This pattern demonstrates that while employment may be attainable, it is often unrelated to previous experience and downgrades immigrants' professional capabilities.

A key factor contributing to these employment outcomes is significant administrative and structural barriers that delay and oftentimes restrict access to the labour market. The asylum process in France is often lengthy, with delays in obtaining residence permits and refugee status limiting immigrants ability to secure stable employment or enroll in language courses (Bilong & Salin). During this period, asylum seekers frequently lack access to adequate resources such as the labour market, which places them at a disadvantage once they are granted status (Bilong & Salin). Reports from InfoMigrants (2022) show that the process directly after recognition of asylum seeker status is a rushed introduction into the country and language which forces individuals without much information on the country into low-paying careers. Individual experiences through SPRH testimonies further illustrate these administrative constraints. One immigrant, despite holding refugee status and working in Paris, is forced to return to Italy every 6 months as his documents require him to. Cases such as these highlight the barriers faced to employment and how bureaucratic regulations can limit geographic and economic mobility. Sophie Bilong (2022) acknowledges how administrative procedures can be slow, delaying access to employment. She recommends that allowing asylum seekers access to the labour market earlier in the application process, along with facilitating access to essential resources, can help aid the transition process.

In addition to administrative challenges, language barriers significantly prevent new immigrants and refugees from attempting to integrate into the labour market. While refugees in France are legally required to complete 400 hours of French language classes, this is oftentimes insufficient to be able to work in French employment and leads to new immigrants remaining with the community from their native country (Asylum Information Database, 2025). Furthermore, access to language training is limited during the asylum seeking period, and while achieving status there are little resources available for language learning, leaving new immigrants and refugees unprepared for the labour market and gaining employment (InfoMigrants, 2022). This gap has consequences for not only employment opportunities but for daily life. For example, from one of the testimonies collected, a migrant who had worked in France for six years was denied regularization in Spain without a clear explanation or translators, despite not speaking the language. This absence of translators and clear communication within French and the broader European bureaucracies, prevents immigrants from understanding and contesting decisions that may affect their legal status in countries. These practices not only restrict access to higher employment opportunities but also reinforce patterns of exclusion from society as a whole.

The experiences of migrants seeking employment in France reveal a significant gap between the expectations and narratives constructed around France and the stark realities. Testimonies highlight the widespread belief among refugees that France offers pathways to stability and job opportunities. On the other hand, statistical findings challenge the dominant narrative of France as a land of opportunity and growth. The reality for many refugees and immigrants is constrained by administrative and language barriers, along with their previous experience being unable to be recognized. Although employment rates increase over time, many refugees remain concentrated in sectors lower than their previous experience due to lack of recognition of previous experience from their home country or lack of language skills. These issues are not being addressed by the French government but are in fact being perpetuated by the continuous barriers to employment caused by French bureaucracy. Addressing these challenges require reforms, including faster administrative process, recognition of foreign qualifications, earlier access to job support while applying for asylum status, and increased foreign language resources.

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5.

HEALTH



5.1 Healthcare Reception Policies for Asylum Seekers

This paper aims to centre the testimonies of migrants gathered on the Menton–Ventimiglia Public Health Code (Code de la Santé Publique) border by SPRH, within the legal framework of reception policies within France and Italy, and European Union health policies. France and Italy, as EU member states, formally recognise access to healthcare as a fundamental right, and Article 35 of the Charter of Fundamental Rights of the European Union affirms a right of access to preventive healthcare and medical treatment (EU Charter for Fundamental Rights, 2007). However, testimonies from the Menton-Ventimiglia border suggest that access in practice is shaped through policing, detention conditions and administrative exclusion, producing and exacerbating both immediate and long-term physical and mental harm.

Although legal texts outline migrants' right to medical assistance in waiting areas, they do not show whether these rights are actually implemented in practice. Within Italy, foreigners, under Article 3 of the 1998 immigration law, are guaranteed fundamental human rights regardless of their legal status (UNHCR, 1998). Similarly, in France, Article L1110-1 of the Public Health Code states the fundamental right to health protection by all available means possible (Code de la Santé Publique, 2022). At the European Union level, Directive 2013/33/EU, particularly Article 19, further requires member states to ensure necessary healthcare for asylum seekers, including at minimum emergency care, essential treatment of illnesses, and care for serious mental disorders (EU-Lex, 2013). Therefore, both national and EU legal frameworks formally establish healthcare protections, even if testimonies suggest that these guarantees are not consistently realised in practice.

Many migrants that SPRH interviewed on the border have been pushed back and refused entry into France. Many are detained in waiting zones, sometimes overnight in deficient conditions, wherein healthcare laws should apply. France states under Article L343-1 CESEDA that “[F]oreign nationals held in waiting zones are informed, as soon as possible, that they may request the assistance of an interpreter and/or a doctor” (LegiFrance, 2019).

In addition to CESEDA, Article R4127-10, a part of the Public Health Code, states that a doctor treating or examining a person deprived of liberty must not directly or indirectly tolerate or facilitate an infringement of the person's physical or mental integrity (Public Health Code, 2004). This illustrates the clear legal framework for the rights of asylum seekers in vulnerable positions. However, in reality, access can be difficult to obtain.

Organisations such as L'Association National d'Assistance aux Frontières pour les Etrangers (ANAFÉ) describe that demands for doctors or medical care are oftentimes ignored (ANAFÉ, 2021). Furthermore, there are reports which state the lack of quality of the healthcare provided, and that it depends mostly on the availability of police officers to bring people in waiting zones medical care (Perišić & Ostojić, 2022). Even once migrants are granted asylum, there is difficulty in understanding the health system due to language barriers and administrative problems. In reality, one in five patients in France gives up seeking medical care (Daynes, 2016). These examples illustrate the importance of using policy and legal norms as a standard to which lived experience is measured.

Testimonies collected by SPRH show that reception systems frequently fail at the most basic level. This reveals the possibility that neglect may not be incidental but rather a reflection of a system in which medical vulnerability is not treated as a priority, regardless of policies. This sometimes extends even to the provision of basic first aid to those visibly injured. For example, one testimony from November 2025 states that of two mothers who were with their two children aged between two and four years old, one appeared to have many injuries. These included bruises, cuts, scrapes and heavy scarring on her eyebrow, yet these wounds had been left unattended. This is significant not only because of the severity and visibility of her condition but because it indicates that even obvious medical needs do not necessarily trigger immediate care within reception spaces. Italy is characterised as a space of transit that exacerbates the chances of facing worse health conditions. A notion supported by SPRH testimonies, which find that injuries may go untreated for days and access to proper healthcare remains inconsistent (International Organisation on Migration, 2019). While cuts in the short term are easily treatable, once infected, they could have long-term consequences.

However, while some testimonies do describe medical assistance being provided, this care was typically limited and often insufficient to meet the needs of individuals.

One such testimony from February 2025 describes how, within the waiting zone, a man needing stitches asked to be brought to the hospital. Instead, his cuts were disinfected, and he was released. This shows the difference between basic intervention and adequate treatment. As described by testimonies, these waiting zones are characterised by conditions that further worsen the health of migrants: 20 men are held in a room with only one bathroom, and forceful treatment as well as lack of proper nutrition have been reported (WalawPress, 2025). Thereby, not only is care given inadequately, but the system itself produces and intensifies health vulnerabilities which people seeking asylum face. It should be noted that the lack of quality healthcare is not specific to the waiting zone between the Menton-Ventimiglia border, but reported in other waiting zones throughout France (Perišić & Ostojić, 2022). The testimonies show how healthcare administered on the border is at times limited due to the constraints of the system itself, administering healthcare in a way that is sustainable enough for it to be maintained, but at times failing to deliver meaningful benefits to vulnerable asylum seekers.

The experiences of women and children are particularly revealing as they show that even categories of migrants commonly regarded as especially vulnerable do not consistently receive meaningful medical protection within reception settings. The previously cited testimony of the mothers who had two children with them is relevant here as it depicts how vulnerability did not result in adequate care or greater protection. The fact that the women did not speak French or Italian further intensified their dependence on authorities and their exposure to neglect. Testimonies such as these illustrate how dependency and vulnerability, though immediately apparent, did not trigger heightened procedural safeguards. The fact that these women had young children with them did not change the response of authorities. Instead, these testimonies suggest that the recognition of vulnerability within reception systems remains largely formal without real or substantive application.

Moreover, in cases of pregnancy, women are not only visibly vulnerable to others, but also have specific ongoing medical needs. One testimony from October 2025 describes a pregnant Somali mother beaten by police in front of her children. The testimony reveals that reception practices may not only fail to protect vulnerable individuals but additionally intensify their position of vulnerability.

The Service Public provided by the French government says women must go to the doctor at least 7 times during pregnancy (Pregnancy: Medical Examinations, 2026). The testimony points to a situation which requires continuous care and was instead met with violence. This may have led to further long-term consequences for the woman, placing her at increased physical and psychological risk. More concretely, the NHS states that early pregnancy is typically met with nausea, vomiting and feeling very tired during these early stages (NHS, 2025).

Children emerge in these testimonies as especially vulnerable, revealing a gap between the legal protections afforded to minors in France and their treatment in practice. Similarly, another testimony describes a 17-year-old boy crying on the ground for nearly an hour before being forcefully removed by police and taken away after being pushed back. Under current French law, any person claiming to be a minor must benefit from a presumption of minority and be referred to child protection services (*Aide sociale à l'enfance*), which are responsible for their care, accommodation, and assessment (NHS, 2020). However, in many testimonies there are observations of the distortion of age on documents showing that a person is a minor. This reinforces the fact that the system acts as a determinant of psychological distress to those already vulnerable. Where women and children should be the clearest beneficiaries of policies to protect them due to disproportionate vulnerability as well as legal protections, these testimonies show that they are often exposed to the same neglect, or worse. Due to their vulnerable status, this has disproportionate long-term consequences.

The problem, therefore, is not only the absence of healthcare but the fact that access to care is mediated by police authority and by the detention environment itself. Perisic and Ostojic note that medical assistance requested by people in the waiting area depends on police officers being able to bring them care. In practice, the legal system for migrants does not effectively support access to successful healthcare. In another article on the same border written in 2021, interviewers state that people detained are unable to access medicine within their luggage during detention, which can span from 4 to 26 days (Anafé, 2021).

Additionally, in a report done by Anafé, one man's papers stating he had asthma were taken by the police while he was in the waiting zone, meaning that he was unable to access medication (ANAFÉ, 2020). This illustrates the control border police have over access to medical care, spanning from documents to medication.

Additionally, the condition of the holding cell in the waiting zone in 2021 was described by the Conseil d'État, France's highest court of administrative law, as "likely to undermine human dignity" (Conseil d'État, 2021). In 2025, there are continued reports of poor conditions according to the General Controller of Places of Deprivation of Liberty (CGLPL) (WalawPress, 2025). This is fundamental to the issue of healthcare access because fear may discourage some from asking for a doctor, or insisting on the rights to which they are legally entitled. This demonstrates how healthcare becomes less accessible in practice, even if it exists in the law, when people do not know their rights, do not understand procedures, or are afraid to ask.

In conclusion, the report illustrates the clear gap between formal legal entitlement and practical access, a gap which vulnerable people seeking asylum are victims of. Testimonies reveal how injuries go untreated, vulnerable groups are not offered protection and access to medical care is more often dependent on police mediation. It is important to note that the issues highlighted in this report use testimonies between 2025-2026; however, this situation greatly predates that by almost a decade. Taken together, the border is not simply a place where healthcare is inconsistently delivered but a space in which institutional practices actively produce physical and psychological harm, thus making it a detriment to health.

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5.2 Crossing the border: the psychological impact

At the border, SPRH volunteers encounter large numbers of migrants. Many of them are in serious states of distress. In this particular research paper, the psychological impacts of the migration experience, particularly border crossing, will be discussed. This essay will first cover the emotional impacts of border crossing, then the French response, and lastly how non-profit organisations seek to take on this position.

Crossing the Border: A Traumatic Experience

People on the move are very often in a state of distress. According to the report of Prieur et al. (2022) in *Une personne sans titre de séjour sur six souffre de troubles de stress post-traumatique en France* (In English: *One in six people on the move without a residence permit in France suffers from PTSD*) :

“54% of people who don’t have a residence permit have experienced a traumatic event, and it is for 33% of them that they live this traumatic experience and for 19% during their migration. 16% of them develop post-traumatic stress disorder; in France, this rate is estimated at around 1-2%. This rate is multiplied by 8 for migrants. The report also says that migrants who come from Sub-Saharan Africa have to face much more traumatic experiences in their own countries and during their migration; that’s why the rate of Post-Traumatic Stress Disorder (PTSD) reaches 20%.” (Prieur et al., 2022)

This clearly shows that states of stress and anxiety are prominent at borders. Hye-Knudsen et al. (2024) discuss this issue in more detail, specifically focusing on the signs of the state of shock and panic. In their paper *First They Scream, Then They Laugh*, they state that hysterical laughter is one of the most common signs of distress (Hye-Knudsen et al., 2024). Migrants at the Franco-Italian border present these symptoms very often. This is clear from a testimony that SPRH volunteers collected in fall 2025 - during a conversation, a migrant often laughed hysterically, alternating a mood of excitement with one of deep reflection.

Agrali et al. (2016) develop this particular issue, focusing on minors in particular. They state that unaccompanied minors also have to face trauma. In their work *La souffrance psychique des exilés* (In English: *The mental suffering of people in exile*), they state that:

“The mental health of minors is particularly deteriorated due to their often extremely painful life experiences: traumatic events in their country of origin (family breakdown, precarious living conditions, discrimination, violence, abuse, exposure to death, war, natural disasters...), during their migration journey (violence, living conditions, loss of loved ones, uncertainty, confinement, rape, dangers...)” (Agrali et al., 2018)

Again, this issue is prominent at the Franco-Italian border as well. In fall 2025, an SPRH volunteer encountered someone who left his country as an underage teenager. The person migrated to Spain, where he spent over a decade homeless. He recently tried to enter France. His whole journey was somewhat unclear; he said he had passed through Turkey, Greece, and the Balkans before arriving in Germany, and then he claimed to have been deported. He spoke to our volunteers for a long time, around 45 minutes. All of the above clearly shows that border-crossing is often a traumatic experience, which holds even for the Franco-Italian border.

Re-Building Trust

People on the move often encounter violence. According to the report *The psychological suffering of exiles: A public health emergency* written by Agrali et al. in 2018: “Police violence appears to be more or less intense and structural (...) at the Italian border, in particular, it appears to be deeply entrenched. The impact of this violence is significant (Agrali et al., 2018).”

As any violence can act as a trigger of trauma, police violence is no exception. This very often undermines trust in police, as it reinforces fear and anxiety (Agrali et al., 2018). It can also lead to a substantial loss of self-esteem, resignation, a normalisation of violence, or even to traumatic re-experiencing (Agrali et al., 2018). Again, there is clear evidence for these events even from the Franco-Italian border. A pregnant Somali lady was beaten up by police in front of her daughter.

Furthermore, SPRH collected testimony from a young man who was beaten by three civilians - according to them, a migrant, not the one SPRH encountered, had stolen their cell phone in a supermarket. According to the interviewees, this young man committed suicide a few days after the incident, highlighting the major impact that the violence that people on the move face has on their well-being and their lives.

Violence can also be administrative: the rejection of a migrant’s asylum requests can “destroy all hope of reconstruction” (Agrali et al., 2018). In such conditions, a psychological accompaniment seems really difficult. They are living under the pressure of urgently needing a residence permit, which prevents them from properly rebuilding their lives. All of the above shows that migrants' situation at the Franco-Italian border is difficult and does not help them in beginning a new life.

Civilians themselves, with their discriminatory states and attitudes, can also have a significant impact on the mental well-being of people on the move. An Italian woman came up to SPRH volunteers and complained about how refugees litter around the Franco-Italian border, giving the example of setting up a camp next to her. The migrants who were standing next to her while she was re-telling this story to SPRH volunteers looked visibly upset and uncomfortable, often breathing erratically. This clearly shows the depth of trauma caused by border crossing and how vast its consequences are.

The Role of Non-profit Organisations

Lastly, there is a large number of associations that try to help migrants by providing food, listening to their stories or helping with paperwork. One of the most significant issues is the inability of governmental bodies to fulfil the obligations they have been assigned by the European Union (Agrali et al., 2018). This means that the structures capable of caring for exiled people suffering from mental disorders are in fact mostly specialised care centres, managed for the most part by associations, amounting to only about fifteen such structures in France (Agrali et al., 2018).

Therefore, NGOs, act as a “fill-in” for the gap between citizens and the state. Although they provide at least a certain degree of care to people who would have been otherwise without any support, as the state is not capable of taking on this role or does not want to, non-governmental organisations often lack funding, making the range of services they can offer to people on the move very limited (Agrali et al., 2018). The fact that the words “mental health” are absent in the immigration law of January 26th 2024 is proof of the lack of will on the part of the state on this issue (Agrali et al., 2018).

An SPRH testimony shows the reality of this issue at the Franco-Italian border. “A Tunisian man who spoke multiple languages came to France but never obtained legal status, although his brother did. He is currently on vacation and wanted to visit his brother, but he was denied entry to France”. Situations like these feed frustration and separate families and networks of help, association can not do anything about this.

To conclude, on top of having to struggle with their own trauma, which is amplified by precariousness and hunger, migrants face a variety of violence, from mental abuse and degradation, through physical to administrative violence. Their situation, especially on the Franco-Italian border, the way they are welcomed, and the lack of food often deepens their frustration and resignation, making mental health issues prevail.

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WHAT'S NEXT?



What's Next? Anticipated Impact of the *New Pact*

On June 12th, 2026, the European Parliament's New Pact on Migration and Asylum officially took effect in all EU member states, seeking to establish a comprehensive EU migration management system to ensure "strong and secure external borders, that people's rights are guaranteed, and that no EU country is left alone under pressure" (European Commission, 2026). As this report is based on testimonies from October 2025 to May 2026, it reflects a final stage of the pre-Pact asylum system in Europe. The violations of international law and human rights that Sciences Po students documented at the border between France and Italy during that period of time are at risk of exacerbation by the New Pact (Human Rights Watch, 2026).

Legislative changes and anticipated impact

The EU Migration and Asylum Pact is a set of ten legislative files that amend the previous migration management system. The objectives, according to the EU Commission, are "Secure external borders", "Fast and efficient procedures", "Effective system of solidarity and responsibility" and "Embedding migration in international partnerships" (European Commission, 2026). The EU strives to obtain these objectives through harmonisation of existing legislation and introduction of new procedures. However, some humanitarian aid and human rights organisations have pointed to some of the specific Regulations for potentially increasing the risks faced by asylum seekers in Europe.

Among these is the **Screening Regulation**, which requires everyone entering the EU illegally to undergo a screening procedure which can last up to 7 days. While researchers at Human Rights Watch state that this could allow for better identification and specialised support for at-risk individuals, they also argue that it could endanger individuals' rights to seek asylum or to an effective remedy, as during that time asylum seekers are legally not recognised to have entered the country (Human Rights Watch, 2026).

Likewise, Pauline Fritz from the Border Violence Monitoring Network (2026) stated in a personal interview that: "people undergoing the screening procedure are not allowed to legally enter the territory of the EU and are therefore required to stay in the border area or the centres where screening takes place". She also commented that this legal fiction of non-entry will result in "widespread detention or de facto detention, although under EU law detention should [be] a last resort" (P.Fritz, personal communication, August 3rd, 2026).

Additionally, the Pact replaces the Dublin III Regulation, which required the first country of entry to shoulder the responsibility for processing asylum claims, with the **Asylum and Migration Management Regulation (AMMR)**. Nonetheless, the AMMR does not change the “first entry criterion” or introduce an equitable distribution of responsibility through relocation of asylum seekers according to their wishes and community ties, which is something that human rights organisations such as Human Rights Watch have been advocating for (Human Rights Watch, 2026). Instead, it creates a “solidarity mechanism” which mandates that all EU member states choose between three ways of supporting a border country experiencing migratory pressure: financial contributions, relocations of asylum seekers and alternative solidarity measures (equipment, personnel, etc). While EU countries can fulfil their obligations through a combination of these measures, they are also able to refuse to take in refugees and instead fulfil their obligations solely through financial contributions.

This unequal distribution of responsibility is further reinforced by AMMR stipulations preventing “secondary movement” of asylum seekers, which is expected to result in widespread detention and poor reception standards in border countries that remain under pressure (Caritas, 2024).

Jacob et al. consider the impact that AMMR may have in their paper *The New Pact’s Day-One Illusion*, where they state that:

"It may be hard to distinguish genuine difficulties from political reluctance to implement. A country may argue that it cannot comply because it lacks staff, infrastructure or legal clarity. Other governments, conversely, may suspect political reluctance. That distinction will shape whether the Pact is treated as a shared system under construction or an arena for shifting blame. If trust weakens, the system becomes more fragile. Member states that face secondary movements may again turn to unilateral measures, including internal border control" (Jacob et al., 2026)

Another noteworthy regulation of the Pact is the **Crisis and Force Majeure Regulation**, which allows member states to deviate from standard asylum procedures in the case of “mass influxes” or “instrumentalisation” of migrants for 12 months. Notably, the number of times a member state can invoke this is not limited by the regulation, and the EU has not addressed the risk of member states overusing exceptional measures. In fact, countries like Greece, Poland and Lithuania have previously used the excuse of a “crisis” to justify extraordinary measures, such as the temporary suspension of the right to seek asylum, resulting in diminished safeguards for people on the move and restricting humanitarian aid organisations from reaching them (MSF, 2023).

Furthermore, to expedite the rejection of “ungrounded” asylum claims, the New Pact expands on the notions of “safe countries of origin” and “safe third countries” in the **Asylum Procedure Regulation (APR)** and the **Return Border Procedure Regulation** (Jacob et al, 2026). The European Commission deems a safe country of origin one where nationals are “presumed to have sufficient protection against the risk of persecution or serious violation of their fundamental rights” (European Commission, 2026). Therefore, the APR requires that asylum applications from nationals of countries designated as “safe” be examined under the accelerated or border procedures, as they face an automatic presumption that they do not need protection. Under the accelerated procedure, the asylum application process can last 12 weeks, including the appeal period reduced to only 7 days (or 14 days if the applicant moved to a different member state). Under the border procedure, which the European Commission classifies as a “type of accelerated asylum procedure”, the applicant will be additionally required to remain in a designated area close to the border while their application is being processed (Migration and Home Affairs, 2026).

Safe country of origin

A list of “safe countries of origin” adopted by the EU includes countries like Bangladesh, Colombia, Egypt, India, Kosovo, Morocco and Tunisia, as well as EU candidate countries like Bosnia and Herzegovina, Georgia, Serbia and Türkiye. Each EU member state can add more countries to create a national list. Notably, to be designated as a “safe country of origin”, a country does not need to be safe for all people or on the entirety of its territory. In fact, Human Rights Watch claims to have documented serious human rights violations in every country on this list (Human Rights Watch, 2026). Nevertheless, as stipulated in the Asylum Procedures Regulation, member states are required to apply the accelerated border procedure to individuals from “safe countries of origin” or countries with a 20% or lower rate of asylum recognition, determined based on Union-wide Eurostat data (Apatzidou, 2024). Human Rights Watch calls this an arbitrary threshold that violates the right to an individual assessment of the personal situation of each asylum seeker and “approaches the risks of violating the obligation of non-refoulement” under international human rights law, which demands that people cannot be sent back to places where they face serious risk to their lives and rights (European Union Agency for Asylum, 2024).

Safe third country concept and the Return Regulation

The notion of a safe third country in which an asylum seeker could have applied for asylum has been used by EU countries to reject asylum applications since the 2005 Asylum Procedures Directive (European Council on Refugees and Exiles, 2017).

EU member states can consider an asylum claim inadmissible in the case of an existing connection between the applicant and the safe third country or the fact that the applicant transited through a safe country before reaching the EU. However, the New Pact introduced an expanded use of the safe third country concept, which allows EU member states to consider an asylum claim inadmissible even “where there is no connection or transition”, simply on the grounds of the existence of a bilateral, multilateral or EU-level agreement with the third country (European Commission, 2026). In effect, EU countries will be able to refuse to examine an asylum claim and relocate the asylum seeker to a country they may not have any ties to, and where their rights might not be equally protected.

Furthermore, alongside the Pact, the European Parliament adopted a new Return Regulation to replace the 2008 Return Directive. It was approved on June 17, 2026, just 5 days after the Pact came into force, with some articles taking effect immediately and others after a 12-month implementation period. The Return Regulation is meant to fast-track pushback procedures, as according to data collected by the European Commission only around 28% of those without permission to stay in European territory return to their country of origin (European Journal of International Law, 2026).

Therefore, the regulation introduces a “European Return Order” which determines that an expulsion decision of one member state can be enforced in all other EU countries (Ibid). Particularly, it introduces a possibility of the creation of “return hubs” based on agreements with third countries, where people ordered to leave EU territory could be returned to (Migration and Home Affairs, 2026).

Such use of the safe third country concept and the Return Regulation normalises arrangements like that between the EU and Türkiye in 2016 and solidifies the EU’s strategy of border externalization, criticized as an outsourcing of migration governance by wealthier countries or region to other countries which are lacking in access to asylum procedures, while allowing the EU to deflect their responsibilities under international human rights and refugee law (Human Rights Watch, 2026).

Increased role of Frontex

The New Pact increases the role of Frontex, the European Border and Coast Guard Agency, in migration management. It will assist EU member states with initial screening and identifying of illegally arrived at external borders and enforcing return decisions. Frontex has been accused of complicity in illegal pushbacks and cooperating with the Libyan Coast Guard, which itself has been accused of grave human rights violations, including shooting at human rights organisations such as Sea Watch and SOS Mediterranee (Al-Jazeera, 2026; SOS Mediterranee, 2025).

Furthermore, in a collaborative investigation by Human Rights Watch and Border Forensics, researchers concluded that instead of notifying rescue organizations Frontex uses its aerial surveillance to help the Libyan Coast Guard intercept migrants trying to cross through the Central Mediterranean route, stating that “without the information from EU aircraft, the Libyan Coast Guard would not have the technical and operational means to intercept these boats on such a scale” (Sunderland, J., Pezzani, L., et al, 2022). This means that thousands of people are returned to Libya, where they could face human rights abuses.

Additionally, Sea Watch has released a report on Frontex’s violations as part of its aerial surveillance of the Central Mediterranean migration route between 2022 and 2024, including failure to notify rescue organisations about boats in distress potentially leading to tragic shipwrecks (Sea Watch, 2024). This, according to Human Rights Watch, was demonstrated by the 2023 Pylos shipwreck in which at least 102 and possibly more than 600 people lost their lives. While Frontex identified a wooden boat carrying around 750 individuals hours before, it did not issue an emergency alert to vessels nearby, claiming that there was no “imminent risk of loss of life” (Human Rights Watch, 2024).

Positive reforms

Conversely, some provisions of the Pact are expected to bring positive reforms addressing issues emphasized in this report such as access to special protection for minors and access to employment. A mandatory age assessment and guaranteed education within two months of entry into the EU for underage asylum seekers, if implemented effectively, could help address the significant lack in protections of minor’s rights at EU borders. The Pact is also expected to make access to employment easier for adult asylum seekers who will have to wait a maximum of six, instead of nine months to be able to work. Other provisions, if implemented properly, could help identify and support especially vulnerable asylum seekers such as people with disabilities or at heightened risk of abuse (Human Rights Watch, 2026).

Conclusion

Through complementary legislative files, the New Pact on Migration and Asylum aims to make the asylum process in Europe faster and more efficient, while claiming that safeguards will remain in place to protect asylum seekers. However, non-governmental humanitarian organisations have raised concerns that in practice the New Pact will exacerbate the dangers and abuses faced by asylum seekers in Europe (Jacob et al., 2026). It is anticipated that mechanisms such as the fiction of non-entry introduced in the Screening Regulation could lead to further pushbacks at external borders as individuals subject to screening will not be considered to have legally entered the EU.

Restrictions of “secondary movement” maintained by the AMMR could lead to further pushbacks at internal borders, like the one between Menton and Ventimiglia. Additionally, other stipulations of the pact, like increasing the role of Frontex in managing migration, could lead to further pullbacks at sea. The acceleration of asylum procedures jointly with the application of concepts such as safe country of origin or safe third country as described in the Asylum Procedure Regulation are expected to limit the individual assessment of their situation that each asylum seeker is entitled to and facilitate their relocation to non-EU states, without equal access to asylum and with documented histories of human rights abuses, under the Return Regulation. Additionally, the Pact’s new “solidarity framework” is not expected to alleviate the unequal distribution of responsibility faced by border countries, and humanitarian organisations anticipate overuses of the Crisis Regulation to circumvent remaining safeguards for people on the move.

These legislative developments emphasise the importance of independent monitoring of the practices at both the EU’s external and internal borders, such as the Franco-Italian border. In the coming years, such monitoring will facilitate the documentation of the implementation of the New Pact and enable an assessment of whether the concerns raised by humanitarian organisations regarding its anticipated impacts materialise.

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Conclusion

Through this report and the organization's other activities, SPRH seeks to humanise the phenomenon of migration and to give a platform to the voices often left unheard. The publication is the result of the impressive efforts of different poles within the organisation, and especially of the willingness of people on the move to share their stories with us. The work of the 2025–2026 Research Pole covered topics such as languages and translation, bureaucratic and administrative processes, as well as health and employment. The experiences of people on the move extend beyond visible and physical struggles to issues such as administrative violence, latent psychological consequences, and detrimental language barriers. Therefore, an approach that is academically and legally compelling, as well as empathetic and humanising, is crucial for a holistic examination of migration as a phenomenon.

The physical proximity of SPRH's location in Menton to those experiencing displacement and liminality in Ventimiglia serves as a valuable reminder of our privilege. One of Europe's busiest tourist sites has a darker side, one that is often left untold. This report takes pride in shining a light on the events unfolding at the Franco-Italian border, which form part of a wider global trend jeopardising the rights and freedoms of people on the move.

