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Autonomy of Asylum?

The Autonomy of Migration

Undoing the Refugee Crisis Script

**Their “Crisis” and Ours: The Proliferation
of Crises and “Crisis” Formations**

There has been an unrelenting proliferation of official discourses of “crisis” and “emergency” over the past several years. The historical era for our concerns may be understood to properly commence with the enunciation of an effectively global state of emergency with the promulgation of the “war on terror” in the aftermath of the events of September 11, 2001, in the United States, which marked a watershed in the reconfiguration of the global geopolitical landscape of the post-Cold War world order. Those events have served as the authorizing pretext not only for paroxysms of “antiterrorist” securitization, surveillance, and political repression but also for unnumbered major and minor military invasions, wars, occupations, civil wars, proxy wars, remote-control (drone) wars, (pseudo) revolutions, palace coups, covert operations, psychological operations (psyops), and counterinsurgency campaigns on a global scale. In the midst of that protracted and massively destructive series of politico-military disruptions of the world geopolitical order, the systemic convulsions that have wracked the world

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1 capitalist economy, especially since 2008, subsequently became perhaps the
 2 premier and dominant referent for “the crisis” everywhere. Then, in 2015,
 3 alarmist reactions to an ostensible “migrant crisis” or “refugee crisis” in
 4 Europe lent an unprecedented prominence to the veritable and undeniable
 5 autonomy of (transnational, cross-border) migrant and refugee movements,
 6 replete with their heterogeneity of insistent, disobedient, and incorrigible
 7 practices of appropriating mobility and making claims to space (Bojadžijev
 8 and Mezzadra 2015; De Genova 2017b, 2017c; Garelli and Tazzioli 2017; Kas-
 9 parek 2016; New Keywords Collective 2016; Scheel 2017, forthcoming;
 10 Tazzioli 2014).

11 Amid so many global-scale disruptions, we have witnessed a multi-
 12 tude of ensuing political spectacles of crisis choreographed within the
 13 frameworks of nation-states, reanimating nationalist projects, and com-
 14 monly articulating themselves in the idiom of one or another reactionary
 15 populism—from the genocidal pogroms against Rohingya Muslims in
 16 Myanmar/Burma to the unabashed mass murder of alleged drug addicts in
 17 the Philippines, from the recurrent assassination of Vladimir Putin’s politi-
 18 cal rivals and critical journalists in Russia to the sweeping repression follow-
 19 ing an attempted coup in Turkey, from the anti-refugee show trials in Hun-
 20 gary to the Kenyan government’s moves to forcibly evacuate and shut down
 21 the Dadaab refugee camp near the Somali border, from Britain’s referendum
 22 vote to exit the European Union (EU) to the election of Donald Trump to the
 23 US presidency. In various forms, state authorities or those aspiring to state
 24 power have promulgated “emergency” measures as authoritarian remedies
 25 for one or another “crisis,” by means of which “the people” must be pro-
 26 tected (see De Genova, in this issue).

27 Interlaced with these hegemonic discursive formations of crisis and
 28 the effective staging of crisis across the world, and resulting more or less
 29 directly from the manifold states of exception that they have unleashed,
 30 countless real crises for the preservation and social reproduction of human
 31 life have ensued. These human disasters themselves have been rendered
 32 apprehensible to varying extents within hegemonic crisis formations as
 33 irruptions of one or another “humanitarian crisis” (Tazzioli et al. 2016).
 34 Such humanitarian crises are not uncommonly produced as cynical specta-
 35 cles of misery for the further authorization of political manipulations and
 36 military interventions, even as they are derisively deployed to obfuscate other
 37 parallel human catastrophes altogether.

38 In this special issue, we interrogate this proliferation of crises and cri-
 39 sis formations from the specific critical vantage point of the *autonomy of*

migration. As the broad conceptual rubric for a heterogeneous field of critical inquiry and debate, pursued since the late 1990s largely by activist-scholars and scholar-activists primarily (but not exclusively) in the European context and explicitly challenging the overly deterministic rhetorical emphasis on control and exclusion that tended to be recapitulated even by critiques of the dominant discourse of an emergent “Fortress Europe,” the autonomy of migration has supplied a framework for advancing perspectives that foreground the subjectivity of migrant mobilities.

Navigating the perilous course between the objectivism of economic models in migration studies that treat migrants as effectively inert objects at the mercy of the “push” and “pull” of structural forces, on the one hand, and the humanitarian reason that has long dominated refugee studies by which refugees or “asylum seekers” are treated as pure victims, on the other, the autonomy of migration perspective has consistently insisted on the analysis of migratory movements as exercising a significant measure of autonomy. Importantly, this concept is not reducible to any liberal notion of the pure autonomy of migrants as free and sovereign individuals, nor is it a romanticization of the migrant exercise of the freedom of movement as a purely subversive or emancipatory act. Largely inspired by more general autonomist Marxist positions, the autonomy of migration has been conceived in terms of historically specific social formations of human mobility that manifest themselves as a constitutive (subjective, creative, and productive) power within the more general capital-labor relation. Moreover, advocates of the autonomy of migration perspective have therefore frequently advanced the proposition that migration can itself be understood to be a social movement in an objective sense (see, e.g., Bojadžijev and Karakayali 2007, 2010; De Genova 2010a, 2010c; Mezzadra 2001, 2004, 2011; Mezzadra and Neilson 2003, 2013; Mitropoulos 2006; Moulner Boutang 1998; Papadopoulos, Stephenson, and Tsianos 2008).

Since, in this special issue, we are interested in interrogating the proliferation of crises and crisis formations from the specific critical vantage point of the autonomy of migration, we seek to reassess the critical traction of the concept of the autonomy of migration *from within* the specificity of this extended historical conjuncture of a proliferation of co-constituted and interconnected crises and crisis formations. Specifically, rather than a mere “application” of the autonomy of migration perspective to recent events, we propose to take seriously the dire lived circumstances of millions of people who reap the poisoned harvest of the multiple calamities of our global sociopolitical regime as a crucial opportunity for the reevaluation and recalibration of this

1 particular analytical perspective on human mobility. In other words, in the
2 spirit of Walter Benjamin's (1968: 257) famous dictum that "the tradition of
3 the oppressed teaches us that the 'state of emergency' in which we live is not
4 the exception but the rule," we aim to reassess and reinvigorate the critical
5 purchase of the concept of the autonomy of migration from within (and
6 against) the plurality of crises. Dedicated to an analysis of migration from the
7 standpoint of migration rather than that of state power and the perplexities of
8 border control or "migration management," an autonomist perspective on
9 migration reinvigorates the sense that migration has always entailed, to vari-
10 ous degrees, acts of *desertion* from the regimes of subordination and subjec-
11 tion that migrants objectively repudiate through their mobility projects and
12 thus may be understood in terms of escape or, indeed, flight (Mezzadra 2001,
13 2004, 2011; Papadopoulos, Stephenson, and Tsianos 2008). Simply put, every
14 act of migration, to some extent—and in a world wracked by wars, civil wars,
15 and other more diffuse forms of societal violence, as well as the structural
16 violence of deprivation and marginalization, perhaps more and more—may
17 be apprehensible as a quest for refuge, and migrants come increasingly to
18 resemble "refugees," while, similarly, refugees never cease to have aspirations
19 and projects for recomposing their lives and thus never cease to resemble
20 "migrants" (De Genova 2017c; Garelli and Tazzioli 2013a, 2017; Tazzioli 2013,
21 2014). This elementary insight has long been one of the distinctive features
22 of the autonomist repudiation of the customary governmental partition
23 between migrants and refugees. Likewise, we are reminded of the funda-
24 mentally exclusionary juridical reification and rarefication of the status of ref-
25 ugee (Chimni 1998, 2009; Malkki 1995; Nyers 2006; Scalettaris 2007;
26 Squire 2009). However, the current conjuncture, characterized by its multi-
27 plicity of crises, commands a fresh intervention that can address the precise
28 sociopolitical conditions of refugees *as refugees*—taking seriously the claims
29 and demands of those who emphatically and insistently identify themselves
30 as refugees—and interrogate the governmental particularities of asylum
31 regimes as such. In other words, we are interested in the epistemic disputa-
32 tions and political contestations introduced into the governmental purview of
33 the refugee protection regime by those who make assertive claims for their
34 own condition as refugees and demand that asylum regimes recognize the
35 legibility, credibility, and legitimacy of their autonomous appropriations of
36 mobility as such. By directing our attention to the increasing centrality of
37 struggles over refuge/asylum that characterizes the present migration con-
38 text, we emphasize the need to repoliticize asylum beyond its institutional
39 and juridical framework, starting instead from the radical practices of free-

dom enacted by migrants/refugees. The stakes and ramifications of this intervention are plainly global in scope. Our particular sociospatial and political point of departure in this introductory essay, however, is the European asylum regime and the protracted “crisis” of borders, migration, and refugee movements across the amorphous space of “Europe.”

Without retreating into the uncritical complicities of humanitarian reason or the normative liberal complacencies of human rights discourse, we aim to reformulate the autonomy of migration thesis—now repositing from within the multiplicity of crises—and emphatically understand this move to also make a critical/autonomist intervention into the scholarly field of refugee studies. However, we expect that such an engagement reflexively compels a critical reevaluation of the autonomy of migration thesis itself and promises to resituate the question of asylum and the struggles of refugees as critical counterpoints to the conceptual centrality and epistemic stability of the figure of “migration” within autonomist debates around human mobility. Thus we propose a double move: to rethink asylum through the critical lens of autonomy and migrants’/refugees’ practices of freedom—indeed, to reconceptualize “forced migration” from the standpoint of the freedom of movement—while simultaneously rethinking autonomy through the lens of asylum and from the critical standpoint of the refugee predicament. This is the urgent demand we confront for theorizing the autonomy of migration from within the actuality of the crises. Therefore, our proposition is that any question of the autonomy of migration must now be posited simultaneously as inextricable from a concomitant question concerning what we will designate here to be the *autonomy of asylum*.

The stakes of this intervention are multiple. On the one hand, to formulate a problematic of autonomy that subsumes simultaneously the parallel but always interrelated phenomena of migration and refugee movements is to reaffirm the primacy and subjectivity of the human *freedom of movement* as an elemental and constitutive force in the ongoing unresolved struggles that are implicated in making and transforming our sociopolitical world. This is plainly not a matter of “rights” adjudicated, granted, or honored but rather one of a power exercised, a prerogative taken and expressed as freedom. Notably, especially in the context of refugee protection and petitioning for asylum, such a freedom in and through movement is nonetheless a freedom that operates only within and against what Michel Foucault ([1976] 2007) memorably depicted as the “meshes of power”; it is not an abstract, essentialized, or absolute autonomy but one that is necessarily limited, compromised, contradictory, and tactical. As Foucault ([1984] 1994:

1 292) instructively contends: “Power relations are possible only insofar as the
2 subjects are free. . . . Thus, in order for power relations to come into play,
3 there must be at least a certain degree of freedom on both sides. . . . This
4 means that in power relations there is necessarily the possibility of resis-
5 tance because if there were no possibility of resistance (of violent resistance,
6 flight, deception, strategies capable of reversing the situation), there would
7 be no power relations at all.” The freedom of movement is situated always in
8 relation to outright violence and heterogeneous formations of hierarchy and
9 domination, as well as within the constrictions of various transnational
10 regimes for governing mobility, and consequently operates continuously
11 within definite and diverse constraints on its room for maneuver (cf.
12 O’Connell Davidson 2013).

13 On the other hand, even while emphatically attending to the particu-
14 larities of refugee struggles and the mobility projects of asylum seekers, we
15 seek to foreground the profound affinities and continuities between diverse
16 categories of people who move across state borders, variously labeled
17 “migrants” and “refugees”—notably, including the complementarity of their
18 illegalization, securitization, and criminalization—despite the sedimented
19 and ossified legacies by which these forms of mobility have been disciplined
20 into apparently separate and distinct realities. Thus we underscore further-
21 more and uphold yet again the radical instability and incoherence of any rigid
22 partitions between the figures of migration and refugee movement, which
23 underwrite and authorize the bifurcated governmentalities that manage
24 migration and superintend asylum. It is not uncommon to encounter refu-
25 gees who repudiate the restrictive encumbrances, constrictions, and humilia-
26 tions of the asylum system altogether and prefer to retain the relative freedom
27 of maneuver that comes with migrant “illegality” (Black et al. 2006; Collyer
28 2010; Karakayali and Rigo 2010; Papadopoulos, Stephenson, and Tsianos
29 2008; Picozza 2017; Scheel and Squire 2014; Spathopoulou 2016). Nonethe-
30 less, we argue that asylum, produced always as a scarce resource, has become
31 one of the main stakes in the global geopolitics of mobility control. Conse-
32 quently, we also seek to trouble the concomitant institutionalization of aca-
33 demic research and scholarship into segregated fields of inquiry under the
34 pronouncedly separate and distinct rubrics of migration studies and refugee
35 studies. Finally, we contend that the human freedom of movement, mani-
36 fested as both the autonomy of migration and the autonomy of asylum—or,
37 perhaps more precisely, the autonomy of migration as asylum—is an indis-
38 pensable analytical counterpoint through which to apprehend the numerous
39 reaction formations of “crisis” and populism (see De Genova, in this issue).

Autonomy of Migration / Autonomy of Asylum

Our intervention arises from a particular sociopolitical context, that of the European space of migration, which has long been distinguished by a migration regime in which asylum operates as a machine of illegalization (De Genova 2013a, 2016; cf. Karakayali and Rigo 2010; Scheel 2017), but which—in the current historical conjuncture of warfare and refugee movements, globally—has come to be newly defined by the centrality of (struggles over) asylum. The European refugee crisis in particular has verified that the crisis of EU-rope is coconstituted and inextricable from a crisis of asylum.

Migrant/refugee struggles in EU-rope are polarized around two ongoing phenomena: on the one hand, the increasing criminalization of refugees *as* refugees and, on the other, the refugees’ politics of “incurability”—particularly their disaffection and defiance in the face of the exclusionary criteria of asylum, even as they petition for international protection *as refugees*. This incurability has otherwise been glaringly at stake in many migrants’ counternormative and sometimes antiassimilationist practices of freedom (De Genova 2010c). Notably, we do not use the word *refugees* only as a rarefied and exclusionary legal category. Irrespective of migrants’ status, we mobilize the term *refugees* here as a strategic essentialism, so to speak, to the extent that many of the migrants who arrive in Europe—who are predominantly refused recognition as refugees by legal standards—appropriate and twist this juridical category, simultaneously claiming the “right” to receive protection *and* insisting on the “right” to choose *where* to receive protection, which is to say, where to go in Europe, where their European refuge should be, where to reside and live. Even more than from their discrepant claims, however, their incurability arises from their practices of *spatial disobedience* (Garelli and Tazzioli 2017; Tazzioli 2014), in the face of the geographical restrictions imposed by the moral economies of asylum and enforced through the legal-enforcement economy instituted by the Dublin Regulation.

The Dublin Regulation is the particular feature of the Common European Asylum System that provides for the insulation of the wealthier (and, for many refugees, the most desirable) destination countries. First enacted in 2003, the Dublin accords deploy a fixed hierarchy of criteria with regard to the asylum seeker’s petition in order to quickly determine which state should be considered the “competent” state charged with the assessment of an asylum claim. Although the existence of family ties in a particular member state is officially designated to be the premier consideration, in practice such crucial details are seldom actively solicited from asylum seekers. Consequently,

1 the most commonly applied criterion tends to be the last one in the hierarchy:
2 the assignment of responsibility to assess the asylum claim to the European
3 state where the petitioner first set foot on the physical territory of the EU. In
4 this way, the Dublin Regulation allows for European signatory states to deport
5 refugees back to whichever signatory country was first to register them as asy-
6 lum claimants.¹ Of course, as Fiorenza Picozza (2017: 234) argues, this frame-
7 work “is based on a twofold falsehood: that there are equal standards of pro-
8 tection and welfare access in any signatory state; and that it is physically
9 possible to illegally enter any of them, so that the distribution of the asylum
10 ‘burden’ would be equal throughout Europe.” In practice, this means that the
11 Dublin convention legitimizes the commonplace deportation of “asylum
12 seekers” from the wealthiest western and northern European countries back
13 to the first country where they were registered, usually the poorer eastern or
14 southern European border states where they first arrived on EU territory.
15 Notably, the Dublin convention broadens the purview of the European depor-
16 tation regime, allowing for European states to deport migrants not only back
17 to their countries of origin but also to a so-called “safe third country,” literally
18 bouncing them back from one place to another and coercively reversing
19 migratory trajectories, turning them into transnational counterflows of
20 expulsion (Picozza 2017; cf. Mezzadra and Neilson 2003; Nyers 2003: 1070;
21 Rigo 2005: 6; see also Drotbohm and Hasselberg 2015; Khosravi 2016). Here,
22 moreover, it is crucial to recall that deportation itself is perhaps the premier
23 (and most pure) contemporary form of “forced migration” (Gibney 2013: 118;
24 cf. De Genova 2017a; Tazzioli 2017), and thus, through the coerced mobility
25 of “Dubliners,” the involuntary repatriation of refugees (Chimni 2004), as
26 well as the more general expulsion of rejected asylum seekers and other ille-
27 galized migrants, the European asylum regime itself actually becomes
28 increasingly implicated in *producing* refugees.

29 More broadly, and beyond the legal and spatial restrictions of these
30 regulations, the dominant politics of asylum is predicated on a moral econ-
31 omy that institutes a nexus between protection and nonfreedom. The
32 moment migrants/refugees file for international protection, they are imme-
33 diately figured as people who, as an effect of their vulnerability, victimiza-
34 tion, and presumed desperation, cannot but accept the conditionality and the
35 limitations of the asylum regime in a sort of “losing game” dynamic: the
36 price of becoming an asylum seeker is presumed to involve a sort of forfei-
37 ture of migrants’ autonomy of movement and freedom of choice. To seek
38 protection is fashioned as a voluntary submission to a regime that authorizes
39 itself to decide for and dispose of “refugees” as its docile supplicants. Any

residual manifestation of autonomy by those who petition for asylum thereby becomes suspect, presumptively indicative of a more properly “migrant” will to opportunistically “game the system.”

Simultaneously, with the intensification of the crises, we have witnessed a fundamental unsettling of this customary state-based narrative on migration, framed around the (misleading) binary opposition between genuine “refugees,” on the one hand, and “bogus” asylum seekers or “fake refugees” (“economic migrants”), on the other. The overall effect of the “refugee crisis” has been an escalating criminalization of refugees as such. While the migrant-refugee opposition still informs the official rhetorics through which the effective production of “abject subjects” (Nyers 2003) is not only enacted but also legitimized by the increase of an illegalized population of “rejected refugees,” in reality even those who have been granted refugee status or humanitarian protection are increasingly decried as job stealers or fraudulent welfare beneficiaries and thus as an economic burden on “hosting countries” (Anderson 2013). Moreover, in the tumultuous frenzy of crisis management, refugees have increasingly been racially stigmatized as social deviants, sexual predators, and outright criminals or targeted as potential terrorists (De Genova 2017c; New Keywords Collective 2016). In this regard, further critical research on migration is challenged to unpack and disentangle the migration-terrorism nexus, which has by now come to be deployed as a standard securitarian lens for framing “terrorist attacks” as inextricably linked with migrant turmoils and casting the ostensible moral credibility and political legitimacy of refugees into doubt. In any case, the “crisis” of EU member states instigated by the presence of refugees seeking asylum in Europe ultimately comes to be about refugees *as* refugees: it is precisely the figure of the refugee that is currently under heightened scrutiny. Beyond the exclusionary partitions between supposedly fake and genuine asylum seekers, however, what triggers the crisis more than ever is refugees’ mere physical presence on a mass scale and their incorrigible practices of freedom enacted not *in spite of* claiming protection but precisely *from within* the struggle for asylum.

From this vantage point we suggest that it is crucial to extend and reelaborate the autonomy of migration literature’s criticism of the divide between (“economic”) migrants and (genuine, “political”) refugees (Balibar 2015; Scheel, Garelli, and Tazzioli 2015; Scheel and Ratfisch 2014). Our goal is not to reject that critique. On the contrary, our aim is to push it further in the direction of a more thorough and profound engagement with the contested politics of asylum. The asylum regime took shape historically only as a reactive governmental framework for containing, taming, and domesticat-

1 ing some of the excesses of cross-border human mobility. In this respect,
2 asylum has always been a contested political stake in the *struggles* over refu-
3 gee and migrant movements. Far from downplaying the freedom of move-
4 ment as the leading principle of critical analysis, we suggest that it is a ques-
5 tion of resolutely reconfirming this freedom, but that it is nonetheless
6 important to do so by starting from the historically specific and socially sub-
7 stantive coordinates of human mobility's *nonautonomy*: that is, the freedom
8 of movement should be reconceptualized through and dialectically articu-
9 lated with the myriad particular forms of its constrictions and its negation.
10 Thus autonomy and nonautonomy emerge as coconstituted and mutually
11 conditioned but antagonistic figures within the meshes of power that tem-
12 per the possibilities for specific struggles over human mobility. Hence the
13 question of asylum (and the asylum regime's government of migrants' abject
14 and illegalized presence within the spaces of sovereign power) becomes a
15 paramount site for examining the autonomist perspective (see Altenried et
16 al., in this issue). Rethinking *freedom* (of movement and of choice) and *asy-*
17 *lum* (and protection) together, in terms of an inherently contradictory *auton-*
18 *omy of asylum*, is therefore a productive way to reformulate analyses on the
19 autonomy of migration.

20 In this respect, asylum and refugee movements, classically associated
21 with discourses of forced migration, paradoxically emerge anew as sites for
22 investigating questions of the freedom of movement. This does not mean
23 disregarding the historical legacies and the juridical restrictions on which
24 the asylum regime is predicated; rather, it starts within and against those
25 contradictions and limitations, reversing our analytical gaze by redirecting
26 critical scrutiny toward (a) the changing composition of migrant move-
27 ments, marked by an increased presence of asylum seekers, and (b) the
28 integrity of migrants'/refugees' claims, which increasingly appear impudent
29 and outlandish to states and even to humanitarian actors, whereby asylum
30 seekers petition for protection and at the same time refuse to accept the spa-
31 tial traps and restrictions imposed by the asylum regime's "rules of the
32 game." Thus there is an urgent need to decouple the image of the refugee
33 from the dominant ideological equation of refugee-ness with nonchoice and
34 the governmental distribution of refugees as subjects who cannot but accept
35 any and all obligatory forms of relocation and conditions of hosting, convert-
36 ing their forced displacement with a subsequent condition of less violent but
37 no less coercive emplacement and immobilization. Rethinking the auton-
38 omy of migration through asylum, and starting from the exclusionary crite-
39

ria that underpin the rationale and functioning of the asylum system, therefore involves engaging with asylum and protection beyond—and in friction with—the sanctities of humanitarianism and the complacencies of human rights discourse. Our goal is not to propose a new formulation of refugee law or to invoke the renewed urgency or pertinence of asylum in the name of the respect for human rights. Rather, we suggest that it is vital to reconsider the *politics* of asylum through the critical lens of the autonomy of migration, beginning from what European Commission president Jean-Claude Juncker depicted as the “outrageous” claims of refugees/migrants who refused their mandatory relocation (RT 2016) and in light of the full panoply of their heterogeneous practices of spatial disobedience and incorrigibility.

This criminalization of refugees within the derisive parameters of a “migrant crisis” is a phenomenon that also concerns citizens who have mobilized to enact solidarity with migrants and refugees by actively supporting and extending the logistics of migratory border crossing, particularly in France and Italy. The “crime of solidarity” (*délit de solidarité*) involves both practices of humanitarian support—such as giving food to the migrants in transit or hosting them—and the facilitation of border crossing. Hence forms of solidarity have recently become *counterconducts* enacted against the illegality of states, to protest the practices of border guards pushing back migrants and refugees and hampering their possibilities of claiming asylum. Notably, such attacks against solidarity initiatives in support of migrants’ logistics of crossing are carried out by European states and Frontex (the EU border policing agency) by prosecuting not only self-organized activist networks or individuals but also well-established humanitarian projects such as Doctors without Borders and other organizations that have launched search-and-rescue operations in the Mediterranean Sea with independent vessels (*Libyan Express* 2017). Beyond the mere depiction of migrants/refugees as suspect and “risky” subjects, therefore, what is targeted is the logistics of migration as such, as well as emergent collective organizations and transversal alliances between migrants/refugees and others acting in support. States’ strategies for dividing and dispersing migrant/refugee multiplicities into governable categories of juridically partitioned subjects and also the criminalization of citizens’ solidarity with migrants and refugees—especially in these examples of support for the logistics of autonomous border crossing—should both be seen as methods for neutralizing or preventing the emergence and consolidation of new collective political subjects.

1 The Queer Politics of Asylum

2 To comprehend the *autonomy* of asylum, we must foreground the *subjectivity*
 3 of refugees and migrants engaged within and against the asylum regime.
 4 While migrant/refugee subjectivity is plainly at work within and against the
 5 exclusionary politics of protection that inform more strictly juridical
 6 approaches to regulating and administering asylum, subjectivity also intro-
 7 duces a political excess, as refugees claim and reimagine their new lives (in
 8 refuge) beyond the confines of citizenship, the politics of human rights, and
 9 the frontiers of humanitarian approaches. When we speak of the “auton-
 10 omy” of asylum, therefore, we refer to an autonomy from the normative and
 11 regulatory frames through which international protection is adjudicated and
 12 implemented and, secondarily, an autonomy from the discourse of humani-
 13 tarianism, which tends to dominate the debate about the politics of asylum.
 14 Here we recall Nicholas De Genova’s (2010c: 106) conception of a “queer”
 15 politics of migration, distinguished by the unreserved and unapologetic
 16 assertion by illegalized migrants not only of their irreversible presence
 17 within a given (nation-)state space but also of an intrinsic “incorrigibility”
 18 that “seeks not to be integrated within an existing economy of normative and
 19 normalizing [juridical] distinctions, but rather to sabotage and corrode that
 20 hierarchical order as such” and may therefore be understood to be counter-
 21 normative and antiassimilationist. This approach to the politics of asylum
 22 allows us to develop three critical interventions.

- 23
- 24 1. Enlisting a queer politics in the debate about asylum means approaching
 25 asylum from the horizon of *freedom*.

26 This is an important critical point. The idea of freedom of move-
 27 ment underpins the agenda of critical migration studies. Yet its articula-
 28 tion in terms of the struggles of those who flee wars and destitution has
 29 not hitherto been powerfully articulated. Such a lack of a politically and
 30 theoretically rigorous discourse connecting refugees’ movements to auton-
 31 omy leads to a seemingly self-evident but deeply problematic conceptual
 32 tension—which commonly even appears to be an absolute opposition—
 33 between freedom of movement and forced displacement.

34 An autonomous politics of asylum counteracts the essentialization of
 35 forced mobility as the political subjectivity of pure victimhood and the com-
 36 pulsory ethos of strict compliance assumed for those to whom international
 37 protection is owed and granted. Such essentialized victimhood is at the heart
 38 of policy frameworks for refugees, where the disbursement of protection is
 39

discursively and politically tied to various types of borders imposed on refugees' freedom: first, the freedom to take a safe and cheap carrier to reach their desired refuge is prevented by policies in the wealthier and more powerful receiving countries, which leaves the overwhelming majority of refugees no escape routes other than those provided by smugglers;² second, within the dominant policy framework, refugees are also denied the freedom to choose where they want to start their new life in refuge; and, third, upon resettlement, there are often numerous restrictions imposed on refugees' access to housing and other social welfare benefits, as well as rights to work, family reunification, relocation, or mobility (sometimes even within the country of asylum). Visa policies force refugees to zigzag toward their aspired destination, often leaving them stuck in countries that they deem to be merely temporary and tentative spaces of transit, which are then forced on them as obligatory spaces of asylum. Through resettlement programs, refugees are heavily screened and eventually selected by receiving countries and have little say about where they may end up. Finally, relocation programs impose a destination on the very few who are selected as eligible, hence linking the possibility of refuge to the acceptance of its institutionally mandated location. The queer politics of asylum reveals that most refugees (and others to whom some form of international protection is granted) reject and more or less actively work against such *forced settlement routes* imposed on them.

2. Approaching the politics of asylum as a queer politics of autonomy also implies that we recognize a politics of *refusal* in refugee movements—not only a refusal of the violence and disruption of life from which refugees flee but also a rejection of the structural violence of the juridical order of international protection.

Hence the autonomy of asylum leads us to document refugees' flights from capture within the meshes of power enacted by the asylum regime itself. For instance, when refugees refuse to undergo fingerprinting procedures in countries such as Italy or Greece—or any country of first entry in the EU where, according to the Dublin Regulation, they would thereafter be forced to claim asylum—they assert their freedom into the process of protection, initiating a discrepant politics of asylum that starts from their actual experiences, extant social relations, desires, aspirations, and political subjectivity. Similarly, when some refugees refuse to participate in the EU relocation scheme, which would transfer them from Italy and Greece to another European country other than that of their own choosing, they enact their freedom to choose where to settle in Europe and

1 thereby stage their refusal of the coercive refuge forcefully mandated by EU
 2 agencies. Likewise, consider the example of hundreds of Libyan war refu-
 3 gees whose asylum claims were rejected by the Office of the United Nations
 4 High Commissioner for Refugees (UNHCR) because they had been
 5 migrants in Libya and could ostensibly return to their countries of origin
 6 and who found themselves stranded at the Choucha refugee camp at the
 7 Tunisian border (Garelli and Tazzioli 2017). When these refugees from the
 8 civil war in Libya publicly demanded to be resettled as refugees in Europe,
 9 they counterposed a geography of (often long-term) migrant residence to
 10 the citizenship bind that underpins the rules of asylum and thereby repudi-
 11 ated the structural violence that notions such as “safe country” of birth
 12 introduce into the government of refugees’ lives. In spite of the citizenship
 13 inscribed in their passports, serving to blindly allocate them back to a “safe
 14 country” of birth to which they were instructed to return, the people fleeing
 15 violence and persecution encamped at Choucha insisted that they were in
 16 fact “Libyan” war refugees. These are all instances of a queer politics of asy-
 17 lum, where “freedom is taken” (rather than given or granted) (De Genova in
 18 Abram et al. 2017: 25) and activated against the juridical borders instituted
 19 by asylum procedures and regulations and the disciplinary (corrective)
 20 structures embedded in its administration.

21
 22 Refuge tends to be mapped along the coordinates of the host country’s
 23 juridical order. Refugee claims to protection that clash with these coordi-
 24 nates are ordinarily removed from the picture altogether. However, the ethi-
 25 cal dimension of “giving” refuge (mobilizing solidarity/hospitality) and the
 26 normative-juridical dimension of “adjudicating” refuge (the exclusionary
 27 regime of asylum) do not exhaust the politics of asylum. The queer politics of
 28 asylum also refers to the *appropriation* of political spaces where the borders
 29 of asylum’s institutional politics are contested and where refugees’ subjectiv-
 30 ity breaks out of the forced mobility trap through their efforts to exercise the
 31 freedom to choose their own pathways for life in refuge, demanding an alter-
 32 nate variety of protection that differs from and exceeds the official humani-
 33 tarian pathways that they are offered. Thus a “queer politics of asylum” per-
 34 spective brings into focus the pathways to refuge claimed and practiced by
 35 refugees, within and against the humanitarian regime of protection.

- 36 3. The notion of autonomy of asylum may also be a helpful lens to think
 37 about value extraction mechanisms that are performed through migrants’
 38 bodies and that do not necessarily pertain to the dimension of labor.

39 While refugees’ differential inclusion in domestic labor markets is
 certainly part and parcel of what labor scholars have called the “continuum

of unfreedoms” (Lewis et al. 2015; Strauss and McGrath 2017; Waite et al. 2015; see also Altenried et al., in this issue) and of global circuits of value extraction (see Neilson, in this issue), it is also true that many refugees are not even adversely incorporated in labor markets. In refugee camps, upon landing, and in transit points, refugees are often not channeled toward exploitative laborscapes: their lives are often not “put to work” but rather remain stalled indefinitely. But even if refugees’ lives are not directly exploited on the labor market, these lives are nonetheless valorized as part of information, financial, and consumption circuits. In this sense, we might contemplate the question of a sort of “biopolitical value” that is extracted from migrants’ mobility and from the circuits of heterogeneous data that are collected from them.

This approach involves refocusing the attention from value conceived in strictly economic terms to a conceptualization of value that stems from modes of capitalization over human life and mobility as such, as Brett Neilson (in this issue) also suggests. Migrants can be denied international protection and excluded from the channels of asylum while at the same time be included in circuits of financialization and biopolitical value extraction. This directly relates to the financialization of migrant mobility controls and asylum seekers’ and refugees’ hosting procedures. Electronic vouchers for refugees’ services or humanitarian credit cards for refugees (e.g., the Humanity Ventures initiative for Syrian refugees, developed by Mastercard and George Soros [*Fortune* 2017]) are examples of financial products used in hosting centers across Europe as well as in refugee camps in the Middle East region, which produce databases on refugees’ consumption behaviors while also mapping their movements. These innovations produce a potentially constant traceability of asylum seekers. Simultaneously, they raise the question of the modes of value production and value extraction from refugees’ mobility as such, beyond the profit made on migrants as commodities tackled by the literature on the migration industry (Andersson 2014). The ongoing multiplication of apps for refugees (apps that can be downloaded on a smartphone to facilitate migrants’/refugees’ crossing of borders) by transnational corporations such as Google and Apple offers another case in point. These apps are double-edged tools: while they certainly support migrants’/refugees’ border crossing and may prove to be vital for survival, they also work as mechanisms for potentially monitoring migrants’ traceability. Beyond merely keeping track of individual displacements, however, border enforcement agencies such as Frontex are interested in collecting and elaborating data about migrant trajectories and *modi operandi*, in order to produce risk

1 analyses about migration routes and prospectively divert human mobility.
 2 Hence the relationships between the financialization of mobility, data circu-
 3 lation, and forms of biopolitical value extraction affecting migrants com-
 4 mand further investigation. Likewise, they raise important new questions
 5 about the relationship between governmentality and logistics (see Altenried
 6 et al., in this issue).

8 **Spatial Disobedience, Crisis Management, and “Hotspot” Europe**

10 What has been designated unanimously by European authorities as a migra-
 11 tion or refugee crisis is not a zero-sum game: that is to say, the putative cri-
 12 sis, as we have argued elsewhere (De Genova 2017b; New Keywords Collec-
 13 tive 2016), signals an impasse for the effective and efficient government of
 14 multiple cross-border mobilities that is figured as “crisis” only inasmuch as
 15 it signifies a crisis of *control*—a crisis of the sovereign power of the European
 16 border regime. Nonetheless, it has also been a protracted crisis for the
 17 migrants and refugees fleeing crises of conflict, structural violence, and per-
 18 secution who find themselves stranded at the amorphous borders of Europe
 19 and thus subjected anew to an unforeseen and often unfathomable crisis
 20 arising strictly from the stalemate inflicted on the border regime itself by the
 21 confrontation between migrants’ and refugees’ autonomous movement and
 22 the feckless reactions of enforcement authorities. Thus, rather than speak-
 23 ing of a singular crisis, we must more accurately refer to a plurality of crises.
 24 After all, the administrative crisis for authorities provoked by asylum seek-
 25 ers’ refusals to be fingerprinted is an altogether distinct problem from the
 26 material crisis of a shortage of adequate reception facilities and services for
 27 migrant and refugee families who find themselves detained in a border
 28 camp. Indeed, the crisis for border guards of a thwarted police power con-
 29 fronting a mass migrant/refugee charge against a border fence or check-
 30 point, likewise, is an altogether different matter from the terror of tear gas,
 31 truncheons, rubber bullets, and even live ammunition that those same
 32 migrant and refugee families are met with in the very same encounter.
 33 Therefore, thinking through the autonomy of migration and asylum involves
 34 drawing attention to the constituent spaces that are opened up by migrants’
 35 and refugees’ movements and the diverse forms of their spatial disobedi-
 36 ence. Moreover, beyond the production of ephemeral spaces of transit, strug-
 37 gle, and control, it is important to take into account the *temporalities* of these
 38 constituent spaces. When and how, for instance, do spaces of “waiting” and
 39 “transit” become spaces of tentative and indefinite settlement? In Greece, as

in Turkey, migrants and refugees stuck in transit (sometimes for years on end) inevitably become incorporated into informal labor markets, simply as a matter of enduring the protracted and uncertain migratory “journey.”

On a larger scale, the pluralization of *crisis* allows us to more readily discern the coconstitution of the economic crisis, the political crisis of the European space of free mobility ensuing from the EU’s internal rebordering, and the epistemic crisis at stake in the governmental labeling and administration of migrants’ and refugees’ heterogeneous mobilities. In order to destabilize the dominant discursive and political framing of “the crisis,” we must repudiate the image of a passive Europe that is made to appear as always somehow disconnected from the spaces of conflict and misery where trouble originates, whereby the migrants and refugees become the pitiful or loathsome embodiments of a traveling contagion of crisis (De Genova et al. 2016), and instead resituate Europe itself as a decisive source, both historically and in the present, of so much violent (postcolonial, post–Cold War) upheaval.

Pervasive references to “hotspots” and “trouble spots” are telling reminders of how state authorities and governmental policy makers refer to the pathologized spaces of conflict and crisis (elsewhere) that threaten to contaminate social order and civility “at home” and therefore require prompt interventions, if not emergency measures, to be implemented at border-crossing “hotspots” (Antonakaki, Kasparek, and Maniatis 2016; Garelli and Tazzioli 2016a, 2016b; Sciarba 2016; Spathopoulou 2016; Tazzioli 2016). The officially designated “hotspots” encompass a continuum of closed prisons, (semi) open detention and processing (“reception”) camps, as well as makeshift migrant/refugee camps. In fact, hotspots are not narrowly reducible to detention infrastructures or spaces but rather refer, more broadly, to a series of procedures put into place by EU member states for quickly identifying and partitioning migrants and refugees, by preventively illegalizing the majority of them. More precisely, the hotspot nomenclature hints at modes of governmental intervention that are predicated on the discursive register of the crisis and contribute to reshaping the very image of what a border is—shifting from a linear conceptualization of the border as a national frontier toward a mobile and punctual constellation of critical border zones. From this perspective, the European space can be remapped according to the fabrication of such border sites of crisis, which eventually appear as “trouble spots” due to the recalcitrant presence of migrants and consequently are securitized into “hotspots” through the implementation of detention infrastructures and identification procedures. Here, again, the autonomy of migration as well as the autonomy of refugee movements can be readily recognized as veritable

1 catalysts for instigating a reconfiguration of the border regime, while also
2 reconfirming the global postcolonial connections that otherwise tend to be
3 suppressed. In this sense, highlighting such spatial and temporal connec-
4 tions against the tendency of dealing with migration through episodic and
5 unidirectional snapshots of the ostensible incursions of “outsiders” into
6 “receiving” countries requires resituating the analysis on a global scale.

7 If we aim to apprehend anything of the crisis as it presents itself “in”
8 Europe, therefore, we inevitably have to “jump” scales and turn our critical
9 attention beyond the space of what is conventionally imagined to be
10 “Europe.” Instead of imagining a besieged Europe surrounded by belea-
11 guered border “hot spots,” then, we must begin to apprehend the ongoing
12 production of “Europe” through the “hotspot” regime with which European
13 sovereign powers mediate their live interconnections with the formerly col-
14 onized world. Rather than a merely comparative analysis of putatively sepa-
15 rate and discrete cases, this means mobilizing a method that considers how
16 certain political technologies resonate and are diversely enacted in different
17 spaces. In this respect, “the global” should be taken to refer here not to a
18 monolithic and homogenized representation of “the” crisis of the world cap-
19 italist system, for instance, but rather to the transversal connections
20 through which that global regime of capital accumulation is sustained and
21 convulsively enforced through a variety of contingent and contradictory
22 sociopolitical relations enacted between heterogeneous spaces of crisis and
23 spaces of governmentality.

24 Nonetheless, the discursive formation of crisis that has been mobi-
25 lized to shore up EU-rope against its unruly constitutive “outside” also has
26 had repercussions inward. For instance, EU-ropean internal free mobility,
27 which until recently was considered a fundamental pillar of the EU, has
28 been radically repudiated by the British campaign to leave the union (Brexit),
29 while at the same time, in the face of the migrant/refugee crisis, many mem-
30 ber states have reintroduced emergency border controls, effectively suspend-
31 ing the Schengen system. Such reborderings of and within Europe are
32 inseparable from various articulations of a reactionary backlash against the
33 mass arrivals of non-European migrants and refugees, but also increasingly
34 against the re-migrantized mobility of other Europeans as well (Bhambra
35 2016). Consequently, the multiplicity of crises must inevitably be analyzed
36 in connection with the variety of emergent right-wing populisms through-
37 out Europe and across the world (see De Genova, in this issue). Refashioned
38 as a part of a “security crisis,” the figure of the refugee has been repurposed,
39 inverting the politics of protection as antiterrorist suspicion. Whether in the

post-Trump United States or EU-rope in the aftermath of attacks in Paris, Brussels, Nice, London, and so on, the figure of the refugee is now always a potentially nefarious one, against which “the people” or “the nation” must be protected and against which sovereign state power seeks to inoculate itself.

Toward the De-migrantization of Migration and Refugee Studies

What is designated by state powers to be a migration/refugee crisis is actually a crisis of the transnational government of populations on the move across state borders, whom we tend to continue to label “migrants” or “refugees” (New Keywords Collective 2016). The conventions by which such labels persist in regimenting how we understand human mobility and its partitioning into bordered categories and identities, however, are ensconced in the epistemic conceits and complacencies by which knowledge itself has been disciplined and institutionalized (De Genova 2013b; Garelli and Tazzioli 2013b). Thus migration studies, as a professional intellectual field, tends to reify and fetishize epistemic objects such as “migration” and “migrants” just as refugee studies similarly cultivates the specialization of an often rarefied and rather technical object of knowledge that is labeled “refugee.” The multiple crises in and of Europe, and the inextricable connections between migration and violent conflict, therefore confront us with the urgency not only of continuing to repudiate the ossified partition between migration and refugee studies but, furthermore, of “de-migrantizing” migration and refugee studies altogether (see also Bojadžijev and Römhild 2014; Dahinden 2016). In other words, approaching migration and refugee movements from within the crises underscores the necessity of analyzing these heterogeneous mobilities through the prism of the full panoply of their multifarious and simultaneous connections to both political and economic dynamics. Hence our call to de-migrantize means refusing to approach migration or refugee movements as separate and discrete fields of research and instead taking human mobility as a constitutive force within the global restructuring of capitalism and therefore as a critical vantage point for understanding capitalism as both a regime of accumulation and a sociopolitical order (Mezadra and Neilson 2013; see also Neilson, in this issue). Nonetheless, enunciated from within the crises, such an analytical prioritization cannot afford to disregard or trivialize the fact that mobility is, to various extents, significantly impelled by circumstances of turmoil and conflict. While the autonomy of migration could be posited during the 1990s and early 2000s as a clear-cut contestation of the normative/juridical profiles of people on the

1 move, however, we are now compelled to resort to deploying the categories of
2 “refugees” and “asylum” as strategic essentialisms. This is a necessary meth-
3 odological reorientation of the autonomist perspective because it allows us to
4 take stock of the fact that many migrants now forcefully posit their right to
5 presence in Europe as refugees and resolutely insist on being included in the
6 normative and administrative system of asylum. Thus the autonomy of
7 migration must be rendered better apprehensible as also the manifestation
8 of an autonomy of “forced migration,” an autonomy within and against the
9 myriad constraints of people in flight—seeking refuge, demanding protec-
10 tion, and claiming asylum.

11 Rethinking the autonomy of migration involves not only problematiz-
12 ing the relationship between the bordering of space and the bordering of
13 identity through processes of migrantization but also scrutinizing the pro-
14 duction of racialized subjectivities and interrogating the racial question at
15 large (or its occlusion) within the political projects of the Western Left. For
16 this reason, scholars associated with theorizing the autonomy of migration
17 have argued for the necessity of dealing with migration in light of the postco-
18 lonial condition (De Genova 2010b, 2016, 2017c, 2017d; Mezzadra 2006,
19 2008; Mezzadra and Rahola 2006). In fact, it could be argued that there can-
20 not ultimately be something like a critical knowledge of migration govern-
21 mentality without a thorough engagement with the legacies of the colonial
22 past and the enduring inequalities of the postcolonial present. Importantly,
23 such a methodological and political posture inevitably troubles also the
24 iconic figures of “the migrant” and “the refugee” that we tend to reproduce
25 in both academic and nonacademic discourses—one customarily depicted
26 as seeking economic opportunity and the other, equated with victimization
27 and persecution, routinely represented as fleeing conflict and seeking ref-
28 uge, but both always “arriving” from an “elsewhere” that appears to be radi-
29 cally external to the spaces of wealth, power, and prestige that historically
30 could never have been produced apart from their precisely colonial relations
31 of domination to those same places of migrant and refugee origin.

32 The postcolonial critique that has been crucial for conceptualizing the
33 autonomy of migration and theorizing the freedom of movement requires
34 that we rethink the articulation between freedom and equality. Étienne Bali-
35 bar (2017), in an interview conducted with the EuroNomade collective, and
36 building on his own theory on “equaliberty,” points to the need for the Left
37 to rethink *equality through freedom*, starting from the consideration that
38 while equality in itself (as well as claims for civil or human rights) has sig-
39 naled a fundamental struggle, it has nonetheless been articulated through

struggles that have tended to be contained by disputes over (non)discrimination. What has been missing, according to Balibar, is the capacity to encompass both manifestations of difference and commonality within struggles for equality (see also Revel 2015). Such an argument suggests a fundamental critique of both the dominant discourse of “integration” and the politics of recognition and, more broadly, questions the rights-claiming framework through which migrant struggles are often analyzed. If we consider what we are calling the queer politics of asylum, refugees’ spatial disobedience ought not to be flattened to claims against discrimination within the horizon of minimal rights. Instead, they compel us to confront refugees’ and migrants’ exercise of *freedom*—considered outrageous from the standpoint of state power—even from within the constrictions of the asylum regime (Aradau 2008). Hence we propose to build an analysis of the politics of asylum on the basis of refugees’ actual claims for equality, even as they make such claims through practices of freedom that exceed the parameters of any asylum regime. Refugees’ practices of freedom, in other words, disrupt asylum’s juridical and normative borders and cannot be subsumed or contained within the human rights framework. Their quest for protection cannot be severed from the exercise of their own freedom of movement—including the demand for a freedom to choose where to claim asylum and thus where to move to reconstitute their lives.

But how is freedom to be understood in the context of asylum? And what does freedom mean if we do not understand it within the liberal paradigm and instead try to overcome approaches that limit themselves to methodological individualism? We suggest that rethinking the autonomy of migration entails rejecting the presupposition of any fully autonomous space or condition. Instead, it means building on what William Walters and Barbara Lüthi (2016) have called “cramped spaces” to designate the often marginal leeway in which migrants or refugees exercise their practices of freedom. In other words, when speaking of the autonomy of migration (or, indeed, of asylum), we should be meticulous about not positing the notion of an autonomous individual subject in the liberal sense of the term. In this regard, we also fundamentally question the extensive use of the notion of agency in the migration literature as one of the dominant ways for conceiving migrant autonomy, which tends to remain within the confines of methodological individualism and, in its more romanticized articulations, commonly resorts to allocating to migrant noncitizens the political burden of performing the fanciful role of (virtual) “active citizens.” In contrast, the analytical perspective of the autonomy of migration works to destabilize and

1 unsettle the boundaries of what is commonly assumed to qualify as “resistance” in liberal political theory and political philosophy. That is to say, 2 instead of analyzing migrant struggles for the sake of corroborating the liberal 3 conception of the political subject (not infrequently idealized in terms of 4 “citizenship,” however metaphorically), the “gaze of autonomy” (Mezzadra 5 2011) seeks to apprehend and theorize migrant struggles by asking what 6 about them is *irreducible* to that liberal conception of political subjectivity 7 and thereby simultaneously contributes to reshaping the very meaning and 8 sense of conventional political categories (Tazzioli et al. 2015).

10 Rethinking the autonomy of migration through the lens of asylum, in 11 particular, involves pushing further the critique of methodological individualism 12 that is already well established in the autonomy of migration literature. 13 Indeed, putting aside debates over whether or not we can speak of a temporal 14 or ontological primacy of the autonomy of migration in relation to border 15 controls, what is more pressing is critical reflection about how to conceptualize 16 together both how refugees make claims for protection and seek asylum 17 and how they do so nevertheless without ever relinquishing their freedom. 18 In other words, we must attend to the practices of autonomy that arise from 19 within the constrictions of the marginal leeway in which migrants and refugees 20 move and thus from within, while yet against, the multiple, unevenly 21 articulated modes of subjection and exploitation to which they are exposed. 22 This is why we can only truly apprehend the autonomy of asylum with 23 recourse to an appreciation of its queer (counternormative) politics and the 24 manifestations of freedom that may seem incomprehensible to conventional 25 political philosophy because of their sheer incorrigibility.

26 Notes

28 We are grateful to Stephan Scheel for his careful, thorough, and thoughtful critical feedback 29 on an earlier draft of this essay.

30 1 This includes all EU member states, as well as Iceland, Liechtenstein, Norway, and 31 Switzerland.

32 2 Resettlement programs serve fewer than 1 percent of forced migrants worldwide.

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