

Border Deaths

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Border deaths, or as they are also called, migrant deaths and deaths in migration (cf. **disappeared**), are fatal outcome of the discrepancy between exclusionary migration policies and people's need to migrate. Definitions of the term itself, as summarized by Tamara Last (2020: 21), vary depending on a whole range of elements, including whether the concept of the border is associated with direct **transit** and crossing of external state borders, or stems from a broader understanding of the concepts of transit and the border. In other words, it depends whether the definitions focus on the deceased attempting to clandestinely cross near the border line, on fences, walls, wires, on ships and **detention** facilities near the border, as well as on "natural" borders like the Sahara desert in Africa or the Sonoran desert in North America, but also forests in Lika, the Alps, or Podlasie on the border between Poland and Belarus, in the depths of the Mediterranean Sea or the English Channel, as well as rivers like the Sava, Drina, Kupa, Una, or Maritsa/Evros, or if they also consider deaths far from state borders. According to the **4D databasis** and the ERIM **map** of deaths at the borders along the **Balkan route**, people in transit also die deep within territories, in cars, containers, and refrigerated trucks, on roads and highways, on railway tracks and railway stations, in mountains, rivers, swamps, and forests deep within countries. In transit, which is not evident from the map itself since it shows specific locations rather than routes, people can die at an unknown point along an oceanic journey that spans thousands of kilometers. For example, in Rijeka in Croatia in 2000, two men were found dead in the refrigerated compartments of a cargo ship. They boarded the ship in Ecuador, thinking they were heading to the United States, but after twenty-four days of sailing, the ship brought them to the port of Rijeka (*Novi list*, 11 April 2000, cf. **history of border deaths**). Twenty years later, seven men from Algeria, Egypt, and Morocco, including a nineteen-year-old, hid in freight containers at the railway station in **Šid**, Serbia, hoping to cross into Croatia or another European Union country. **However**, the containers were transferred to an ocean-going ship in Rijeka, which, three months later, arrived in Paraguay via Argentina with their bodies, of which, according to the statement of the competent public prosecutor, "only hair and bones remained."

In addition to dispersed borders that today, as formulated by Étienne Balibar, "are no longer situated at the borders at all, in the geographico-politico-administrative sense" but are "in fact elsewhere, wherever selective controls are to be found" (2002: 84), border deaths in broader approaches are associated with diffused forms of transit and multi-year, even multi-decade, nonlinear movements (cf. Tsianos et al. 2009) in various border zones. Thus, the mentioned UNITED list of border deaths includes deaths in detention, police stations, in hate attacks on camps, in fires in abandoned houses, warehouses, or factories, during deportation and after deportation, months and years after crossing the border, deaths due to the effects of harsh living conditions, illness and addiction, inadequate medical care, lack of protection of state institutions (judiciary, police, etc.), due to fear of detention or deportation, and more. In the broadest sense, border deaths are premature deaths of individuals whose movement or residence is not approved or has been irregularized (cf. Last 2020: 21). In this context, border deaths also encompass suicides and murders, such as conflicts between migrants or smuggling groups. They also include the death of twenty-eight-year-old Moroccan Ahmed H. during the early months of the COVID-19 pandemic – when camps in Bosnia and Herzegovina became detention centers overnight (cf. Hameršak and Stojić Mitrović 2021) – as he **suffocated** while attempting to pass through the camp fence in northwestern Bosnia and Herzegovina so he could take a shower.

The question of defining border deaths goes beyond the academic inclination towards the use of precise definitions. It has a pronounced political dimension. The focus of narrower definitions on deaths at state and supranational external borders, in addition to the actual number of deaths, also conceals the responsibility of states and other actors involved in shaping and implementing deadly migration policies. Narrower definitions ultimately, as seen, for example, in the framework of the documentation project **Missing Migrants** of the International Organization for Migration (IOM), contribute to depoliticization, and sometimes even to the integration of deaths into migration management and border control systems. As demonstrated by Charles Heller and Antoine Pécoud (2019), the IOM project, which is gaining importance due to its media visibility, places the smallest number of deaths in Europe, as it does not include deaths in detention centers, during deportation, or deaths generally related to irregularized status (e.g., working in the black market or the unavailability of medical care) into border deaths. At the same time, it geographically associates the highest mortality with the Mediterranean Sea. IOM „thus avoids cases that would entail a criticism of state practices. This strategy is in line with IOM's general refusal to blame its member states, an attitude that distinguishes this organization from other UN agencies: the UNHCR, for instance, regularly criticizes states that fail to respect the key principles contained in

the Geneva Convention on refugees.” (Heller and Pécoud 2019: 491). Putting aside critically intoned, yet still rare, research journalism pieces that approach border deaths, in the regional context, from the perspective of life stories and political responsibility for the loss of lives, invisible deaths and denied grief, media coverage continues to be dominated by reports where border deaths, in crisis mode and from a limited perspective, are presented as accidents for resulting from ruthless traffickers, harsh nature, and even migrants’ recklessness (for the Croatian context, cf. Popović et al. 2022a: 65). In these formulaic reports, as summarized by Paolo Cuttitta, two key features of spectacularization or border spectacle are found: “the victim (the poor migrant, whose life is put at risk) and the perpetrator (the callous smuggler or heinous trafficker)” (Cuttitta 2020: 10). In other words, border control actions are framed as rescue operations, a form of preventing border deaths, rather than their generator.

In contrast to this spectacularized visibility, border deaths are almost invisible in official statistics (e.g., Dearden et al. 2020: 55; cf. also Pécoud 2020). In accordance with standardized patterns and instructions (cf. Ministarstvo zdravstva i socijalne skrbi i Hrvatski zavod za javno zdravstvo 2011: 24), which do not classify them as a separate category, they are most often incorporated into official statistics as violent deaths resulting from accidents, i.e., deaths due to falls, drowning, transportation accidents, and similar incidents. In this context, deaths due to or during pushbacks, such as the death of Madina Hussiny at the Croatian-Serbian border in 2017, or the deaths of eleven people, including eight children, near the Greek island of Farmakonisi in 2014, are classified as accidents. Some border deaths are officially classified as natural deaths, i.e. deaths caused by illness. However, even natural deaths in the migration context often depend, at least indirectly, on external causes (linked to violent deaths) or human action. A heart attack on the journey, after extreme physical exertion, walking in the snow or in harsh sunlight, is classified as a natural death, but at the same time, it is easily recognized as a direct consequence of irregularization of migration. The death of Khobeib Ben Khoder from Tunisia, who everyone called Ali, as highlighted in Ivana Perić’s article title, is recorded as a natural death. After the Croatian police made him walk barefoot in the snow back to Bosnia and Herzegovina, Ali returned to the camp in Bihać, where he lived in agony for months, refusing to have both of his legs amputated, moving with more and more difficulty, literally losing parts of his legs, until he died, officially from the consequences of gangrene, but in reality from the consequences of the pushback, in a local hospital.

Border deaths are an integral element of contemporary border management (e.g., Squire 2017). They are, as Martina Tazzioli (2015: 5) wrote, an inevitable consequence – not an unexpected side effect – of migration policies, primarily the visa regime, as openly stated by the Croatian Minister of Foreign Affairs, Davor Božinović, while commenting on the verdict of the European Court of Human Rights in the case of Madina Hussiny’s death: “Until this issue is resolved at the EU level, no one can guarantee that an incident will not occur.” This, as Boris Pavelić emphasized, was a message from the highest levels of government that Europe had “started to count on” incidents at the borders, including deaths, that they had “calculated them” into their policies. Relying on various racialized forms of violence (cf. Gündoğdu 2022: 21), a portion of the population is denied the right to live in the name of the right to control the border. In our world, crossing the border is forbidden for some, while it goes without question for others. Some are sent to their death, while others are allowed to routinely cross borders. In this sense, border deaths can be discussed as, using the terms of Maurizio Albahari (2015), crimes of peace, as administratively and institutionally supported forms of violence that serve to maintain the existing social system.

Border deaths are rarely the result of direct violence, the use of firearms, rubber bullets, batons, tear gas, as was the case in the massacre at Melilla in June of 2022, or in the incident in February of 2014, when the Spanish Civil Guard attempted to prevent hundreds of migrants from swimming to Ceuta, the other Spanish enclave, by using tear gas and rubber bullets, resulting in at least fifteen fatalities. Therefore, they are primarily associated with the concept of structural violence (cf. Cuttitta 2020: 11; Weber and Pickering 2011: 93-118; Squire 2017). This violence, unlike direct violence, lacks clearly identifiable perpetrators, but operates “silently and invisibly,” as part of everyday patterns (Galtung 1969: 173) in the form of criminalization of assistance, movement, existence, and through delegating violence to others, nature, unfortunate circumstances, force majeure, or other states, far from the centers in whose name it is carried out. The current visa regime and border control system, with fences and other types of material and non-material obstacles, redirect people on the move along the Balkan route (based on data published on the 4D Database website) to the roofs of trains, the undercarriages of buses and trucks, into containers and refrigerated holds, into karst terrain and minefields, or into weaponized landscapes, forests, mountains, and numerous rivers. These locations, in the context of migration, become deadly even when they otherwise are not, as in the case of the Dragonja River on the border between Slovenia and Croatia. The deliberate or indirect exposure to dangers and nature (cf. De León 2015; Schindel 2022) is reinforced by passivity, i.e., inaction, abandonment, non-rescue, as precisely elaborated in the case known as The Left to Die Boat from 2011 from the Mediterranean context. It involves a non-spectacular form of covert, liberal violence (Isakjee et al. 2020) or slow violence (Nixon 2013) that acts gradually, away from view, dispersed in time and space, with outcomes that can also be fatal, even deadly. In the context of the contemporary migration regime, this “spatialized slow violence,” to use a term from Estela Schindel (2022), is not so much aimed at stopping people on the move as it is at delivering them to nature or zones of non-protection.

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