Panel 3 - Data circulations: Rethinking Sovereignty, Territory, and Citizenship

Collection of Abstracts

Tuesday, 27 June, 9:30-13:00

Circulating Technologies and Expertise across Migration and Crime Control: Biometric Surveillance in the Policing of the 'Crimmigrant Other'

Nina Amelung, Universidade de Lisboa
Matthias Wienroth, Northumbria University

Abstract

The use of facial recognition, dactyloscopic data, and advanced forensic DNA analyses are becoming dominant technological surveillance means for 'crimmigration' control. 'Crimmigration' describes the criminalisation of migration, based on a perceived 'crisis' of mass migration and its assumed negative impact on national stability and welfare, materialising in overlapping crime and migration control regimes. We analyse the policing of migration through biometric technologies via examples from forensic DNA phenotyping and the biometric database Eurodac.

By combining Shove et al.'s social practices with Radin and Kowal's ethical regimes, we suggest that biometric ethical regimes are constituted by social practices working towards legitimising the use of biomaterials and data. This analytical synthesis supports us in exploring how biometric technologies deployed in the policing of crime circulate into the policing of migration: (1) Technological *materials* (DNA, fingerprints, facial images, databases, etc.) are inscribed with assumptions about validating identity and suspicion. (2) Forensic *competence* moves in abstracted forms of expertise independent of context and ethics of application, creating challenges for reliable and legitimate technology deployment. (3) Biometric technologies, often portrayed as reliable, useful, accurate policing tools, travel from crime into migration control with *meanings* which construct generalised criminal suspicion of migrants.

To evidence ambivalent attempts of achieving 'accountability' and the ethical governance of biometric technologies in policing, we trace how risks and benefits of biometric technologies are framed, and how the 'legitimacy' of their deployment in policing of migration is constructed.

The movability of data processes and sovereignty tests and the emergence of post-colonial border politics

Huub Dijstelbloem, University of Amsterdam

Abstract

In the international politics of migration, the sovereignty to process citizenship can be seen as a movable test lab that can be transported to different states and territories (Martin et al. 2022). The colonial roots of administrative practices, registration, and surveillance, for instance regarding fingerprinting, are a historical example of the invasiveness of data circulation and its power as a tool for control and suppression. How do recent initiatives in migration management concerning the externalization of border control and the creation of external partnerships, such as relocation via the UNHCR's *Emergency Transfer Mechanisms* (ETM) relate to this tradition of movable sovereignty tests and colonized data processing? In this contribution, Huub Dijstelbloem will use the EU's partnerships with Niger and Ruanda to support emergency evacuation of refugees and asylum-seekers from Libya as an example to study the movability of data circulations and sovereignty tests and discuss the emerging post-colonial border politics.

References
- Aaron Martin, Gargi Sharma, Siddharth Peter de Souza, Linnet Taylor, Boudewijn van Eerd, Sean Martin McDonald, Massimo Marelli, Margie Cheesman, Stephan Scheel & Huub Dijstelbloem (2022) Digitisation and Sovereignty in Humanitarian Space: Technologies, Territories and Tensions, Geopolitics, DOI: 10.1080/14650045.2022.2047468

Digital Identity as Platform-Mediated Surveillance

Silvia Masiero

Abstract

Digital identity systems are usually viewed as datafiers of existing populations. Yet a platform view finds limited space in the digital identity discourse, with the result that the platform features of digital identity systems are not seen in relation to their surveillance outcomes. I illuminate how the core platform properties of digital identity systems afford the unadue surveillance of vulnerable groups, leading users into the binary condition of either registering and being profiled, or giving up essential benefits from providers of development programmes. By doing so I contest the "dark side" narrative often applied to digital identity, arguing that, rather than just a side, it is the very inner matter of digital identity platforms that enables surveillance outcomes.

"Ambiguation" between regulation and data practices: The contingent administrative reorganisation of task allocation

Chiara Loschi, University of Bologna
Annalisa Pelizza, University of Bologna, PI ERC Processing Citizenship

Drawing on 'Infrastructural Europeanism' (Schipper & Schot 2011) and insights from the social studies of science and technology (STS), Pelizza and Loschi (2023) have unpacked the meaning of 'operational' continuity in the Common European Asylum System. By placing more attention over heterogeneous forms of agency than only national governments and supranational bodies, they have shown how an international non-state actor such as International Organization of Migration (IOM) had an unavoidable mediating role and supported a form of integration without legislative transfers of powers to EU authorities. By including sociotechnical dynamics in the investigation, authors explain how IOM provided administrative continuity to intra-EU voluntary relocations procedures thanks to its data infrastructure which prompted data production, harmonized administrative standardization and built continuity in time (Pelizza, Loschi 2023). In parallel, also stemming from a 'governance turn', EU integration scholars are moving beyond the intergovernmentalism/ supranationalism divide and the harmonization through law focus to incorporate investigation about non-regulatory policy instruments playing a role into policy implementation (Börzel 2018; Tsourdi, De Bruycker 2022). Indeed, this scholarship has started to consider more substantive outcomes of integration (Lavenex 2018), also by engaging 'more systematically with international actors and institutions that have the capacity to influence EU migration policy' (Slominski 2021). We aim to push the investigation of EU governance even further.

The European legal framework in migration and border domains determines what and whose knowledge about third country nationals is legitimate. Such epistemic harmonization and standardization effort is pursued, among others, by means of a rhetorical tactic that we call ambiguation. Ambiguation refers to the use in EU policy of generic labelling for institutional agencies and processes tackled with data production, exchange, use and evaluation, in order to keep the implementation of EU policy at national level pliable. Besides achieving standardization, ambiguation seems to support contingent administrative and judicial reorganization of tasks within member states. While ambiguity has been scrutinized as an inherent phenomena to EU regulations to ensure directives wide applicability (Anesa 2014), or investigated as a policy tool, in the form of a strategic 'institutional ambiguity' to manage and deter peoples' movements (Stel 2021), the present paper wish to switch the focus to investigate how within a policy context characterized by

ambiguation, data infrastructures can de facto shift EU/member states governance through definitions of what counts as relevant knowledge. They first shape composite actors, and, secondly, entail the production of non-knowledge and thus exclusion of some actors. In so doing, the paper suggests a sociomaterial framework to account for which and how many 'Europes' are enacted and legitimized through data infrastructures. It also aims to contribute to the investigation of knowledge-related material dimension of migration management and 'alterity processing' (Pelizza 2020).

The infrastructural politics of access and belonging: containing, channeling, and detaining movement

Paul Trauttmansdorff, University of Bologna
Annalisa Pelizza, University of Bologna

Abstract
This paper looks at three empirical cases to study how mobile individuals become registered and enrolled into infrastructure, i.e., how mobile people are translated from potentially unknown individuals into legible, digitally storable, and recognizable identities. Our conceptual focus on registration seeks to carve out the enactment of access and belonging, which creates fundamental differences in people's rights, their capabilities to be mobile, and their experiences of borders in Europe. They endow or deny for example what Yuval-Davies calls spatial rights, namely "the right to enter a state or any other territory of a political community and, once inside, the right to remain there. [... T]he right to migrate, the right of abode, the right to work, and, more and more recently, the right to plan a future where you live (Yuval-Davis 2006, 208).

Drawing on our comparative analysis of the Eurodac/Dublin infrastructure, the infrastructure of temporary protection, and the Greek "register for foreigners," we explore how registration creates variant relationships between people, their movement, and spatial rights. Through the lens of these cases, we attempt to illustrate a) how registration is enabled by multiple actors, technologies, artifacts, documents, and both supranational and national databases that must classify individuals; and b) how infrastructures of registration take part in enacting multiple, co-existing topographies that entail different forms of access and rights. In short, they produce different couplings of (non)citizenship and territory in Europe.