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## Viewpoint

## Extra-territorial quarantine in pandemic times

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The quarantine and lockdown measures put in place in response to the coronavirus pandemic, as Simpson (2020) contends in his recent commentary, are not so much inspired by benign, 'pure' science, as constituted thorough political strategy. Indeed, the use of quarantine and lockdown strategies represents a revival and replication of devices and protocols from the past, particularly those deployed in Medieval Europe to manage the plague (Gensini, Yacoub, & Conti, 2004). Today, as in the past, these practices operate along 'axes of structural inequality' (Simpson, 2020), notably race, gender and citizenship, shielding some while exposing others to risk and even death.

Both Simpson and Mitropoulos (2020) describe the assertion and normalization of authoritarian control over the movement of citizens in the name of safety and backed by epidemiology. The state has obliged some people—e.g. those with COVID-19 symptoms or those returning from travel abroad—to 'self-isolate'. In contrast, it has deemed other people 'essential workers'—many of them authorized or unauthorized immigrants and people of colour—forcing them out of isolation and into workplaces. This tension between mobility and immobility, and between the state of exception and the formulation of exemptions to it, has been central to the state's COVID-19 response.

These tensions are starkly evident in the use of COVID-19 quarantine measures in the management of unauthorized migration by European Union (EU) member states. In this case, Europe's migration 'crisis'—the term applied to the flow of unauthorized migrants and asylum seekers across the Mediterranean from Africa and the Middle East—has intersected with COVID-19, unleashing both new challenges and new opportunities for creative governance. In this commentary, I discuss the

use of the instrument of quarantine as an extra-territorial measure deployed by frontline states, such as Italy and Malta, to 'manage' the flow of undocumented migrants into Europe. Quarantine, I want to suggest, meshes with existing strategies of offshoring migration management. With such strategies, the state simultaneously contains migrants and sets them adrift, subjecting them to detention, whether on land or at sea, and to the constant threat of deportation.

The merging of migrant offshoring strategies with COVID-19 management responses became evident in Spring 2020, when hundreds of migrants were rescued at sea while crossing from Libya towards Europe. The women (some of them pregnant) and children among the rescued migrants were ported and disembarked in Malta, presumably because they were deemed more deserving of direct humanitarian action. The remaining 425 male migrants were taken aboard four chartered tourist boats anchored in the shallow waters of Hurd Bank, just outside the territorial zone of Malta (DW, 2020). Apropos of the historical origins of the term quarantine, the Maltese state held the men offshore on these boats for up to 40 days. These men experienced 'involuntary immobility' (Lubkemann, 2008) as a consequence of state policy: they were *under arrest*, in a literal sense, with the 'ordinary application of the rule of law or principles of justice' deemed inappropriate and therefore arbitrarily suspended (Simpson, 2020). This was no standard COVID-19 quarantine, which typically involves 14 days at most. In defending its actions, the Maltese state cited security and safety concerns related to the pandemic, connecting the quarantining of the migrant boats to other public health-related mobility-restricting measures, including the closure of Malta's airport and seaports. The overcrowding and

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overflowing of migrant detention centres on home soil provided additional justification (Azzopardi, 2020).

The use of the pandemic to justify the offshore quarantining of migrants is likely to occur so long as the pandemic remains an active public health threat. Indeed, the Italian government has announced plans to commission a ‘quarantine ship’ capable of containing 400 persons and of catering to specific culinary requirements as may be dictated by religious observance of the ship’s passengers (D’Emilio, 2020; Meloni, 2020). In September 2020, some 750 migrants were transferred from the Italian island of Lampedusa to the *GNV Rhapsody*, where they are to serve their quarantine (Spectrum News, 2020). Meanwhile, the Maltese government has just chartered its own vessel, the *MV Galaxy*, which can accommodate 350 passengers (The Shift, 2020). The Greek government has chartered *Blue Star Chios* and other vessels to accommodate some of the thousands of asylum claimants that need shelter after their detention camp on Lesbos was set on fire (BBC, 2020).

The irony is palpable: vessels normally intended to transport tourists for pleasure are transformed into sites of stasis and containment, in this case frustrating the intended onward movement of migrants. And yet, containing and immobilizing people in this way is not entirely novel. The use of ships, in the first instance, is an extension of existing practices of using small, offshore islands to contain and detain criminalized and/or medicalized bodies. Island spaces can operate both inside and outside the law, but the main benefit of islands is that states can apply distinctive, exceptional rules to them, and can withhold rights that might be afforded even to non-citizens on national, ‘mainland’ territory (Baldacchino, 2014). In the past few decades, wealthy states have configured an ‘enforcement archipelago’ (Mountz, 2011) with various island bases, or entire islands, excised from national territory, and where undocumented migrants can be parked, sometimes indefinitely. These archipelagos, exemplified since 2002 by Australia’s Pacific Solution, are designed to isolate, contain, punish, and deter asylum seekers and other unauthorized migrants, while greatly diminishing claims to rights (Inder, 2010; Kumar Rajaram, 2007).

Where no convenient islands occur, then ‘floating islands’ – boats, ferries, even cruise ships – have served as a *topos* of convenience at a state’s disposal (Bonnert, 2020). ‘Floating islands’ beyond territorial waters provide even more legal flexibility than actual islands. Such spaces have lent themselves historically to being utilised as detention centres and quarantine stations. The United Kingdom, for instance, has deployed prison ships in the past to hold convicts or prisoners of war (e. g. Bateson, 1974). Recent decades have seen the decommissioning of such island prisons following public outcries about the intolerable conditions in which inmates were kept. Some have become museums and tourist sites. Yet, the security advantages of operating prisons surrounded by water has seen a recent revival. The United States has affirmed its legal right to hold terrorist suspects on ships at sea (DeYoung, 2011); and various floating prisons are now in operation: the largest, known as ‘The Boat’, has been in New York Harbour since 1992, and can accommodate 800 inmates (Ürmösné, 2019). These ships are ‘spaces of exception’ (Agamben, 2005): laboratories amenable to ‘creative governance’ where any non-desirable outcomes can be more effectively managed and contained (Baldacchino, 2010).

In the EU context, such islanded spaces of convenience are where migrants’ movements can be frozen ‘in an endless temporal limbo’ (Rinelli, 2012, p. 96). Migrants become pawns, used by EU states like Malta and Italy to force the hand of Brussels or other EU countries to assume responsibility for the porting and housing of migrants and the processing of their asylum requests.

Meanwhile, amidst increasingly contentious claims in Europe about the inviolability of individual sovereignty vis-a-vis more collective measures to contain the spread of COVID-19 (Bialasiewicz & Eckes, 2020), the individual humanity and agency of migrants goes largely unacknowledged and unreported. The media have offered images and video footage of the migrants on their bobbing archipelago of pleasure-cum-prison boats, looking out at sea and sometimes waving (e.

g. Sansone, 2020). The most widely circulated photo was of migrants sitting idly while their laundry was hanging out to dry (see Falzon, 2020). This apparent passivity and non-agentic behaviour — what Spivak (1988) terms “subaltern silence”— was, however, unsurprisingly deceptive. One migrant aboard a boat posted a comment on the Facebook page of the nongovernmental organization Alarm Phone, which runs a hotline for boats in distress in the Mediterranean, describing the increasing despair in the ‘water prison’ (Agius, 2020). After 40 days languishing in aquatic limbo and suffering intermittent seasickness, the ‘passengers’ unsurprisingly became restless and threatened to revolt (Middle East Eye, 2020).

State pandemic policies have been implemented in profoundly unequal ways across space and society, sheltering and protecting some while exposing others to more risk. This is certainly the case for migrants within Europe, and for those trying to reach Europe. Migrants have long been the subject of European securitisation discourses and narratives of overcrowding and cultural decline. Now they are identified as potential carriers and spreaders of COVID-19, though migrants are critical to the operations of European health systems (including low-paid care work sectors) that have been managing the COVID pandemic. Instead of addressing the injustices and vulnerabilities laid bare by COVID-19, appeals to ‘European solidarity’ during the pandemic have intensified practices of containment, including the 40-day offshore quarantine. This seems to be a throwback to an earlier era: dumping undesirable on islands offshore is ‘one of the oldest tricks in the book’ (Falzon, 2020). At the same time, it is, in many ways, the culmination of policies and practices that for decades now have treated unauthorized migrants as a security threat (or, alternatively, as a flexible, low-waged labour force for Europe’s post-industrial economies). It reflects the uncoupling of the act of saving lives at sea – a fundamental humanitarian act and an international obligation of all states – from that of transporting and disembarking these same, saved lives in European space. It reconfigures tourist pleasure boats and cruise ships as becalmed, artificial, floating islands on which to ‘house’, park, contain – and, one may add, imprison and render immobile – undocumented migrants until some solution can be reached. In the absence of any Europe-wide agreement to provide a safe and equitable discharge plan for migrants, the short-term solution seems to be a combination of immobilization through detention and quarantine, now configured at sea as well as on land. It seems most likely that this immobilization will be followed by a forced mobilization through deportation; or, for some, a transfer to other EU member states, subject to those states’ willingness to accept a specified number of such migrants. The uncertainty of these decisions, and of the timescale in which these decisions will be made, greatly augments the risks that migrants bear. As Mitropoulos (2020) notes, chances of survival in the midst of a pandemic are determined by access to ‘infrastructures of care, food, communication and, not least, inherited wealth’. For migrants, we must add access to the infrastructure of rights that European states claim to uphold.

#### Declaration of competing interest

None.

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