Migration Control at the Ticket Desk: Carriers, Black Markets, and Air Access to Europe in the 1980s/90s

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Abstract

"Why don't refugees fly?" Since the 2015 refugee crisis in Europe, this question has popped up repeatedly in newspapers and on blogs of migration scholars and humanitarian organizations. As the media abounded with footage of boat refugees on the Mediterranean and migrants stuck on the Balkan route, there seemed a need to explain the current EU legislative framework that limits air access to Europe, even though flying would be faster, safer, and cheaper than migrating via land and sea. Taking a historical perspective on the topic, this paper sheds light on the role of air transport networks for asylum migration to Europe in the 1980s and early 1990s. It focuses on West Germany, which experienced a so far unseen influx of asylum cases at its airports, and Turkey, where the largest group of asylum seekers came from. In West Germany and Western Europe, growing migration from the Middle East, Africa, and South Asia fueled anti-asylum sentiments. Policy makers tightened visa regulations and immigration control at airports. Several governments, among them West Germany, also began to outsource control by holding the airlines liable for ineligible asylum seekers. Anxious to avoid sanctions, the carriers limited ticket sales to improperly documented customers – although the Refugee Convention allows refugees to enter a country without (proper) documents. Migration control, the paper shows, expanded from border checks to the restriction of access to air transportation. Against this background, the paper highlights the responses of migrants. Apart from the increased usage of alternative, more precarious routes, asylum seekers tried to circumvent the new restrictions. Using one example – the acquisition of false documents available on the black market in Istanbul –, the article asks: how does the perspective change when this practice is interpreted not as an act of illegal migration but as a subversive strategy to gain access to air mobility?

"Why not fly to freedom?" Or: "Ever wondered why refugees don't take the plane?" Since the so-called 2015 Refugee Crisis in Europe, these and similar questions have made the headlines of various blog posts and news articles. Journalists, migration experts, and activists explained why media was abounded with images of migrants traveling via the strenuous Balkan route or boarding shaky boats across the Mediterranean, while we saw hardly any images of refugees arriving by airplane. Even though flying would be safer, faster, and cheaper.[1] Air access to countries in the

[1] E.g., Jascha Galaski, "Ever Wondered Why Refugees Don't Take the Plane?" *LibertiesEU*, December 10, 2018, https://www.liberties.eu/en/news/why-refugees-do-not-take-the-plane/16529; "Why don't Mediterranean boat migrants take the plane? Why don't refugees fly?" *EurodebatesTV*, December 27, 2018, https://eudebates.tv/debates/special-debates/migration/why-dont-mediterranean-boat-migrants-take-the-plane-why-dont-refugees-fly/

Global North is restricted.[2] Passengers, including individually traveling refugees, need valid transit visa and entry permits for their destination countries before they can board a flight.

It has not always been that way. As I show in my research on the role of air routes in the history of refugee migration, until the mid-1980s, asylum seekers were often able to benefit from the convenience of air travel as visa regulations had been less strict.[3] Frankfurt Airport – a major transit hub – is a case in point. Throughout the 1980s, asylum numbers grew in West Germany. The trend was particularly noticeable at Frankfurt. Migrants could ask for asylum during a stopover at Frankfurt in the airport transit zone, because on many routes, transit travelers did not require a visa for Germany. By 1987 the Frankfurt Airport had become the most vital point of entry. Rising asylum cased led to a backlog of migrants in the transit zone. Many of them had to sleep on the floors, waiting for their interview with the German border police and the pending decision about whether they could enter the country or not.

Those developments at Frankfurt Airport happened against the background of rising antiimmigration sentiments in West Germany. Not only right-wingers, voices from all over the political spectrum shared the conviction that the liberal right to asylum was being infiltrated by "economic refugees" from Asia and Africa who were not fleeing from persecution, but allegedly seeking better life chances in Europe's welfare states.[4] Politicians and media fed popular fears and perpetuated the threatening image of a "flood of asylum seekers."[5] Frankfurt Airport was depicted as an open gateway letting the alleged "flood" sweep in, so to say. Connecting West Germany with places from all over the world, the airport seemed much closer to Asia and Africa than, say, the land border with France. Unlike the land borders, which were often crossed by refugees from

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[2] As sociologist David Scott FritzGerald puts it: "A virtual dome over national territories has become a primary technique of mobility control that restricts access via airspace." David Scott FitzGerald, *Rufuge Beyond Reach. How Rich Democracies Repel Asylum Seekers*, New York 2019, 6.
[3] Cf. Carolin Liebisch-Gümüş, "Airborne Asylum: Migration by Airplane in (West) Germany, 1945-1980s," *Bulletin of the German Historical Institute Washington* 68 (2021): 39-60.
[4] Words that framed asylum seekers as illegitimate, such as "Scheinasylant," ("bogus asylum-seeker") or "Asylmissbrauch," ("asylum abuse"), became widespread. See Klaus J. Bade, "Zur Karriere und Funktion abschätziger Begriffe in der deutschen Asylpolitik," *APuZ* 65/25 (2015): 3-8.
[5] Quote by Carl-Dieter Spranger, Deutscher Bundestag, *Plenarprotokoll* 8/228, July 2, 1980, 18548. Even though they criticized the derogatory wording of the debate, SPD politicians also repeated the credo that Germany is "no immigration country" and demanded that the abuse of asylum should be prevented, see the statement by Willfried Penner (SPD) in ibid., 18530.

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Eastern Europe, Frankfurt was an entry point for refugees from countries such as Turkey, Iran, Afghanistan, Sri Lanka, and Eritrea. Given the general resentment against South-North migration at the time, it is thus unsurprising that the German government figured out ways to curb immigration via the airport, introducing measures such as new visa requirements for transit passengers as well as the aforesaid sanctions against airlines.

Ever since governments started to fine airlines for transporting passengers who were later declared non-admissible, airline staff reacted by rejecting improperly documented passengers beforehand – at the check-in desks. Those rejections, however, also affected individuals who lacked papers but would nonetheless be eligible for protection, because according to the 1951 Geneva Convention, a refugee does not require valid or indeed any papers in order to seek protection. Carrier sanctions undermined this principle by externalizing border controls to private companies at foreign places where refugees could not ask for asylum. As migration researchers Sophie Scholten and Ashley Terlouw stress, "states are most interested in […] the access that carriers have to persons before they travel [because] this access is exactly what governments lack."[6] And indeed, the German Ministry of Interior reasoned, in 1988, that "the influx of foreigners cannot be effectively countered by the standard border policing […] Prevention through effective control at the points of departure is of decisive importance."[7]

Immigration control – this is a first point I want to highlight – has shifted from classic border checks to restricting access to air transportation. This underlines the key idea of Border Studies, namely that borders are not territorial lines, but diffuse and dynamic arrangements including different spaces, actors, laws, and material practices.[8] It also dovetails with discussions in Migration Studies, stressing that in the last decades migration regimes have become increasingly transnational, thereby expanding the "migration playing field."[9] What I want to suggest in this

[6] Sophie Scholten/Ashley Terlouw, "Private Carriers as Experts in Immigration Control," in *The Role of 'Experts' in International and European Decision-Making Processes. Advisors, Decision Makers or Irrelevant Actors?* eds. Monika Ambrus et al., Cambridge 2014, 292.
[7] Bundesarchiv Koblenz, B 106/380500, Ministry of Interior, internal communication, March 4, 1988.
[8] Thomas M. Wilson, Hastings Donnan, "Borders and Border Studies," in *A Companion to Border Studies*, eds. Thomas M. Wilson and Hastings Donnan, Chichester 2016, 1-25, see especially p. 19.
[9] Gallya Lahav, Sandra Lavenex, "International migration," in *Handbook of International Relations*, eds. Walter Carlsnaes, Thomas Risse and Beth A. Simmons, 2nd ed., Los Angeles 2013, 746-774.

short paper, however, is to look at the topic not just from the perspective of Migration and Border Studies, but specifically from the perspective of Transportation Studies.

Looking from a transport perspective highlights the fact that airlines are first and foremost transportation companies with economic motives; the fact that they have also become agents of migration control is merely a side effect of their main purpose. In 1987, the International Air Transport Association formed a working group in which representatives from airlines and immigration officials from several countries, primarily from Europe and North America, came together to discuss the issue of undocumented migration. Airlines and states made it clear that they were looking at the problem from different angles. The immigration authorities' prime interest was to prevent "illegal entries" – which was basically a pretext to curb asylum migration in general. The airlines wanted to minimize the costs associated with the transportation of inadmissible passengers. Yet, as they explicitly stated, their prime interest was to facilitate the flow of passengers as much as possible and with the shortest delays.[10] Airlines were experts in passenger handling. Becoming experts in document checking was important, but neither their priority nor their core competency. This gave migrants room to maneuver: Much to the dismay of the German border police, migrants with false papers continued to arrive in Frankfurt in the late 1980s and 1990s because the airline staff did not always take the time for document checks and notice falsifications. Governments, including the authorities in Bonn and later Berlin, reacted by establishing a network of so called 'document and visa advisors'. Those advisors were police officers sent on civilian missions to airports abroad to support airline staff during document checks.[11] However, due to limited personnel capacities and increasingly professional falsification techniques, this did not completely suppress travel with false papers.

Looking from transportation studies might also change our perspective on migrants' smuggling practices and the use of false papers. In the 1980s, thriving black markets for smugglers and false papers had emerged at several places along the flight routes that many migrants chose. A first investigation report on "unauthorized entries by air" written by the border police in Frankfurt in

[10] Bundesarchiv Koblenz, B 106/380504, IATA Facilitation Department Bulletin, Travel Document Awareness Programme, 1987.
[11] Bundesarchiv Koblenz, B 106/380500, Ministry of Interior, internal communication, March 4, 1988.

November 1986 included several interviews with asylum seekers, who all admitted that they had reached Frankfurt with the help of smuggling agents. Some refugees had hired such agents back in their home country. Most refugees, however, had approached smugglers en route, in transit countries. Five asylum seekers from Afghanistan, for instance, all agreed that "at the bazar in Karachi, one can always find someone who organizes exits." Similarly, refugees from Ethiopia had first moved to Khartoum in neighboring Sudan knowing it was, as one refugee said, "easy in this city to meet persons who will enable journeys to Germany even without passports."[12]

The bête noire for German border authorities, however, was Istanbul which they called "trouble airport" ("Problemflughafen"). Not only was it the point of departure for the many Turkish refugees asking for asylum in West Germany during the 1980s; but it was also a hub for transmigrants from Asia and the Middle East. In the late 1980s, many refugees from Iran fleeing the regime and the war with Iraq first traveled from Iran to Istanbul. The interviews conducted by the German border police revealed that it was apparently a well-known secret among Iranians that Istanbul was the place to facilitate emigration to the West:

> "The streets of the neighborhood Aksaray are said to be teeming with smugglers. […] This neighborhood and especially the street Urdu-Jada are also called 'Little Tehran' because 80% of the population are Iranians. The business is said to be firmly in Iranian hands. The smugglers themselves often run a shop in the Aksaray neighborhood. The boutique Marmar […], was mentioned several times as a contact address, also a video store […] and the Iranian travel agency Iran-Paima."[13]

There, migrants could purchase false visa for countries like Sweden, Denmark, or Belgium on the local black market which would then allow them to use their layover stop in Frankfurt to apply for asylum. Or, after the German government started to abolish visa-free stopovers, they started to buy fake visa for Germany.[14]

One of the Iranians who had visited the Aksaray neighborhood in summer 1986 before he boarded a plane from Istanbul via Frankfurt to Malta and asked the police at Frankfurt for asylum was Ali Ahmadi,[15] a computer technician from Teheran. In his interview with the German border police,

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[12] Bundesarchiv Koblenz B 106 207414, Border Police Frankfurt to Federal Border Guard Directory Koblenz, November 18, 1986.

[13] Bundesarchiv Koblenz B 106 207414, Border Police Frankfurt to Federal Border Guard Directory Koblenz, December 23, 1986.

[14] See various copies of fake visa in: Bundesarchiv Koblenz B 106 207414.

[15] Name changed by the author of this paper.

he described Aksaray as a place where one finds shops openly advertising smuggling and visa services in their shopping windows – a subversive version of a travel agency.

According to his own statement,[16] Ali Ahmadi had visited the black market and bought a fake visa for Sweden, allegedly to make it seem that he had been to Europe before and can be trusted. By the people he met there, he was also advised to fly with Lufthansa, because German authorities were less strict in levying carrier sanctions on Lufthansa than on foreign airlines. Moreover, Ali Ahmadi was told that Lufthansa tickets were expensive and that the police seems to "have the feeling that with those passengers everything is in order" thus abstaining from measures like the pre-screening of passports right after landing. Since Ali Ahmadi did not require a visa for the transit in Frankfurt, it is possible that he might not have been insufficiently documented from the start. However, like many asylum seekers, he disposed his documents shortly after his arrival in Frankfurt. This strategy made it difficult for the border police to track the identities and itineraries of asylum seekers and thus to send them back. In Ali Ahmadi's case, the police had observed how he had thrown his passport into the letter box in the transit zone. He told the police that he wanted to send the passport to an acquaintance in Berlin and pick it up later after his arrival in Germany.

In the past 20 years of academic research on human smuggling (understood here as practices facilitating the entry of a person into a country through illegal means), different theoretical approaches have made the point that smuggling is often more than a business. It can take the form, as seems to be also the case with Istanbul's "Little Teheran," of network ties of acquaintances and co-ethnics. Other scholars follow a human rights approach focusing on the states' efforts to compromise the right to asylum by criminalizing smuggling.[17] What I like to suggest here based on the example I just outlined – though only in the form of very preliminary considerations – is to think about smuggling also in terms of a kind of travel planning that involved knowledge about the air transportation network and that was based on mixed methods, some illegal, others legal being merely advise on routing, transits, and the selection of a carrier. This is not to deny or

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[16] Bundesarchiv Koblenz B 106 207414, Border Police Frankfurt to Federal Border Guard Directory Koblenz, November 18, 1986, annex. The case of Ali Ahmadi's itinerary and documents is, like in most other cases, difficult to reconstruct, especially as the main source of information is the interview with the border police, which might obviously include omissions, tactical narratives, or lies.
[17] On different perspectives on smuggling see, Theodore Baird, "Theoretical Approaches to Human Smuggling," *DIIS Working Paper* 10 (2013): 5-29.

relativize that the business of smuggling relied on criminal activities and money-making through exploiting the precarious situation of refugees. But I do question the dualistic framing of the topic as either illegal migration or legitimate migration. Instead, one might also simply understand migrants as travelers and users of air transportation infrastructure. Any undocumented asylum seeker in fact only became an 'illegal migrant' at the moment he engaged with the border police. There, he or she was either denied entry; or, in case the claim for asylum was accepted, the right to asylum legitimized the illegal entry a posteriori. But, as historians and researchers, we might decide not to frame the topic based on how it ends. Instead, we can analyze mobility – understood here as the transit phase from the moment migrants tried to get air access until their arrival at the border point – as a historical subject in its own right. This history is shaped by how governments, with the help of airlines, began to exclude a certain group of travelers – improperly documented asylum seekers – from the air transport network. And it is shaped by those who used subversive strategies to gain access to this network and the places it connected.