

# A Desert Sea

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The Mediterranean is being deserted. The sea rescue operations and public bodies are all leaving. So too are civil society organizations, which no longer have authorization to set sail or return with people they have rescued. All that is left are merchant ships, who have to decide for themselves, faced with the dilemma of turning a blind eye or meeting their obligation to rescue. And the latter might mean a change of course, following long days of waiting. There are also the coast guards from the southern Mediterranean countries, trained and funded by the European Union and its Member States. All this has happened in a matter of just a few years. If there is one thing that catches one's attention, it is the speed with which these events take place, and our capacity to forget them. Who remembers who said what? How did we get here?

## **Maritime Rescue**

The first ones to save lives in the Mediterranean were fishermen and merchant ship captains. Shortly after, the boats of the Italian coast guard arrived on the scene. Although their aim was security and border control, they could not overlook their obligation to save lives in the high seas. In 1997, for example, the Italian coast guard argued it would be impossible to return people to Tunisia in light of their obligation, in accordance with international maritime law, to come to the aid of migrants in trouble and take them to Italian shores. Since then, there has been an increase in the resources available to the coast guard. Although, essentially, the operations continued to focus on bor-

der control, saving lives was one of the priorities. Although yet to form part of the official discourse, this element was included in their regulations and it is what they did in practice.

On 3 October 2013, 366 people drowned before reaching the island of Lampedusa. The sinking of that ship was to change politics and policy. The then European Commissioner for Home Affairs Cecilia Malmström decried that this was not the Europe we want. The Italian government responded by launching Operation Mare Nostrum, which implied a substantial increase in the resources available for patrolling international waters in the Strait of Sicily. This was a quantitative rather than qualitative leap. What did substantially change was the public debate, whose focus shifted from fear of irregular immigration to the need to save lives. In addition, with Operation Mare Nostrum, the Italian authorities had the monopoly on rescues in the high seas, coordinating the operations and distributing arrivals to the different ports. Although it might seem paradoxical, this central role of the State allowed, and even encouraged, the entry of non-state actors. It was under the umbrella of Operation Mare Nostrum that the NGOs returned to the Mediterranean, this time without the fear of being accused of immigrant trafficking.

Operation Mare Nostrum lasted little over a year, from 18 October 2013 to 31 December 2014 and ended with a final tally of more than 170,000 rescued people. Despite attempts to *Europeanize* the operation, both politically and financially, the European Union was half-hearted in its involvement. The British government claimed that an Operation Mare Nostrum on a European level would produce a pull effect and encourage migrants to play with their lives. Although saving lives was still the main argument, it now served to justify a radically different policy, in other words, the end of rescue operations and even more control,

along with returns to countries like Libya and Turkey. In the knowledge that they were not going to be rescued or were going to be immediately returned, who would dare put their lives at risk? “Drown a migrant to save a migrant,” was how a British journalist from *The Telegraph*<sup>1</sup> summed it up. The argument, then, was with more control and more returns, there would be fewer deaths. The humanitarian and securitization discourse went hand in hand (Andersson, 2014). The result was Operation Triton, involving far fewer rescues and focused, fundamentally, on border control.

### The Fight against Smugglers

On 18 April 2015, a fishing boat with more than 800 people aboard capsized in the Strait of Sicily. 28 people survived and the rescue teams recovered 24 bodies. It was then that Jean-Claude Juncker, President of the European Commission, recognized that ending Operation Mare Nostrum had been a mistake which came at a high cost in human lives (European Commission, April 2015). As a consequence, he announced that the budget would be tripled, reaching the same level as Operation Mare Nostrum. In his own words they would reestablish “something that we had lost along the way” and there would be “a return to normality.” Not only in terms of budget, but also intentions. Frontex would place rescue at the centre of its operations and would do so beyond the territorial space of the Member States, in international and even Libyan waters. But the more direct result of that fateful day in April was the launch of Operation Sophia, whose main goal was also “to save lives,” but this time not with a “search and rescue” modus operandi, but rather one of “fighting and combating smugglers” (Garelli y Tazzioli, 2018).

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Made in the image of Operation Atalanta, whose goal was to put an end to piracy around the Horn of Africa and the Indian Ocean, Operation Sophia's main aim was the identification, capture and destruction of trafficking boats. In just under two years, there was, therefore, a three-fold twist in the plot. First, protection was no longer guaranteed through rescue and landing on Italian coasts, but rather by preventing migrants from leaving the coasts of North Africa. Researchers Glenda Garelli and Martina Tazzioli (2018) have described it as “preventative rescue.” Second, the migrants were no longer the target, but rather the boats they were travelling in. Third, on a discursive level, the smugglers became the guilty parties. The argument was that by destroying the boats, migrants were saved from being dragged into a life of slavery. The more inhumane and savage the portrayal of other side, i.e., the traffickers, the more humane and free of responsibility the European border appeared. The disconnection between humanitarianism and border securitization was thereby overcome once again: controlling the borders and fighting against traffickers was the best way to *save lives*.

This approach was strengthened with the Action Plan against migrant smuggling, which was launched in May 2015. The Plan justified the fight against the smugglers, not only as facilitators of irregular border crossings, but also as exploiters and abusers of migrants. “Smugglers treat migrants as goods, similar to the drugs and firearms that they traffic along the same routes,” reads the document. But the plot makes yet another twist: it is the scruples of the smugglers that essentially explains the deaths on the border. The words from the text leave no room for doubt: “To maximize their profits, smugglers often squeeze hundreds of migrants onto unseaworthy boats – including small inflatable boats or end-of-life cargo ships – or into trucks. Scores of migrants drown at sea, suffocate in containers or perish in deserts. Over 3,000 migrants are estimated to have lost their lives in the Mediterranean Sea in 2014.” Just a few weeks after Jean-Claude Juncker's *mea culpa*, the European Union seemed to longer be feeling responsible. Guilt was thereby transformed into condemnation, rescue into the fight against the smugglers, saving lives at

<sup>1</sup> [www.telegraph.co.uk/news/politics/11192208/Drown-an-immigrant-to-save-an-immigrant-why-is-the-Government-borrowing-policy-from-the-BNP.html](http://www.telegraph.co.uk/news/politics/11192208/Drown-an-immigrant-to-save-an-immigrant-why-is-the-Government-borrowing-policy-from-the-BNP.html).

sea into saving lives preventatively, by leaving migrants on land.

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### Externalization and Criminalization of the Rescue

Since 2018 we have been witness to a dual process: the externalization of rescue operations to southern coast guards and the criminalization of the NGOs that are saving lives in the Mediterranean. The former relates to increasingly limited maritime rescue teams both in Italy and in Spain. Throughout 2018 and 2019, sea rescue on the southern Spanish border has been hit by severe budget cuts, a protracted search radar failure and personnel-related structural deficiencies on the rescue vessels. As rescue capacities of northern countries have diminished, so competences and resources of those of the South have increased. In 2018, once Libya recovered its SAR (Search and Rescue) region, its coast guard was given training and funding by the European Union and its Member States. Rescued from the South, the migrants are returned to the South. That is precisely the idea of externalizing the rescue efforts: to facilitate what a European vessel cannot do, in other words, return people to unsafe third countries.

In parallel, we have witnessed the progressive criminalization of the rescue NGOs. Firstly, they have been accused of “favouring illegal immigration” and “colluding with smugglers.” Then, the NGOs have also been persecuted for not collaborating with the Libyan coast guard. It matters little who is behind that coast guard or under what conditions the rescues are carried out. It is a question of competences and now the competences are theirs. With regard to Spain, the Open Arms rescue ship was prevented from leaving the port in Barcelona on technical grounds. With a

public opinion overridingly in favour of “saving lives in the Mediterranean,” the Spanish government (the same that had welcomed the Aquarius a few months previous) opted for the technical-administrative channel, killing the issue without offering any reasons. In all cases, the aim is to expel the NGOs from the Mediterranean. As has been mentioned, the NGOs arrived with Operation Mare Nostrum to assist or work under the coordination of the Italian authorities. The progressive withdrawal of the Italian government first, and later the European Union, meant the NGOs gradually took over these increasingly vacant positions. While in 2015, they performed 14% of the rescues in the Mediterranean’s central route, in 2017 this

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percentage surpassed 40% (*El País*, 15 May 2018). In 2019, there are hardly any NGOs left in the Mediterranean. The sea has been deserted. As we said at the beginning, all that are left are merchant ships and coast guards from the South.

### Why?

Why has it been so deserted? The argument is the same as ever: the alleged pull effect of the rescue operations. The more rescue ships, the more immigrants and, consequently, more deaths. However, there is no evidence to show that if there are fewer rescues, there will be fewer immigrants and, therefore, fewer deaths. The figures, in fact, contradict the theory of the rescue operations’ “pull factor.” A group of researchers from the Forensic Architecture agency at the University of London has shown (*Blaming the Rescuers*, 2019) that the rescue operations, which have been gradually passed over to the hands of the NGOs, do not explain the increase in arrivals to the Italian coasts in 2016. This same study indicated, to the contrary, that the fight against smugglers has had an effect on the

practices and conditions of the crossings. It has made the vessels increasingly precarious, to the extent that migrant lives are at risk almost right from their departure. This leads us to a double contradiction. Firstly, with the pretext of saving lives, the conditions for migrants have become increasingly horrific and the border crossings increasingly expensive and dangerous. In 2017, although arrivals were reduced, there was a proportional 75% increase in the number of deaths at sea (Petrillo and Bagnoli, 2018). Secondly, given the increasingly precarious conditions of the crossing, the obligation to rescue has become something even more pressing and unavoidable. If the rescue operations do not have a pull effect, how can the reduction in arrivals be explained? According to the IOM, in 2016 there were 390,432 arrivals, in 2017 186,768 and in 2018 144,166 (IOM, 2018). The reason for this is that border policy is not actually enacted in the Mediterranean, but beyond this, in the origin and transit countries. That is where the European countries escape from the control of their own citizenry and their own laws. That is where there is no dispute and no legal responsibility. That is where the chance to continue northwards is really thwarted. Because the impunity with which these countries act makes migration control all the more effective. And because it is easier to prevent them from leaving than from arriving. As was said already at the special meeting of the European Council in 2015: at the end of the day, the aim is “to prevent potential migrants getting to the shore of the Mediterranean” (European Council, 2015).

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