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ABSTRACT

This thesis examines the mechanisms of European border governance in the central Mediterranean and their humanitarian consequences. Since 2014, 26,411 people have disappeared or died in this region, representing 78% of global migration deaths. The mortality rate has not increased because more people are attempting the crossing, but because rescue capacity has been progressively dismantled. The research identifies three structural tensions: between the legal obligation of international maritime law and the operational withdrawal of the state; between the vacuum created by states and the civilian actors they simultaneously criminalize; and between the sole evaluation indicator (arrivals) and the deadly reality of the system. The thesis argues that the dismantling of rescue capacity reflects a deliberate policy shift, that outsourcing and criminalization constitute a coherent governance regime aimed at reducing civilian rescue, and that this reduction directly translates into increased mortality per crossing. The attack on the Ocean Viking in August 2025 represents the end point of this causal chain, revealing a system whose deadly consequences are not accidental but structural.

INTRODUCTION

On 25 August 2025, the humanitarian world was shaken by devastating news. The Ocean Viking, the Search and Rescue vessel operated by the Non-Governmental Organisation SOS MEDITERRANEE, was deliberately attacked by Libyan coast guards. For twenty terrifying minutes, both rescuers and survivors on board were subjected to live gunfire. Even though Libyan coast guards have a documented history of irresponsible behaviour at sea, this direct attack on a humanitarian vessel was a first of this type and cannot be dismissed as an incident. It cannot be understood as an isolated event, but rather resonates as a warning, illustrating a broader dynamic in which lives in the Central Mediterranean are placed at ever-greater risk and humanitarian operations are increasingly targeted (SOS MEDITERRANEE, 2025j).

This warning did not emerge in a vacuum. Just weeks into 2026, the International Organization for Migration reported that hundreds of people were already feared missing or dead following multiple shipwrecks in the Central Mediterranean during Cyclone Harry. Among the confirmed victims were twin girls, approximately one year old, who died of hypothermia moments before disembarkation. Their mother, a survivor from Guinea, watched them die. At least 51 further deaths were reported off the coast of Tobruk, Libya. The IOM itself acknowledged that the final toll might be “*significantly higher*”, a phrase that has become a grim constant in its reporting on this route (International Organization for Migration, 2026). These are not exceptional events. They are the rhythm of the Central Mediterranean.

The numbers confirm what the individual tragedies illustrate. Since 2014, 26,411 people have died or disappeared in the Central Mediterranean, nearly 78% of all migrant deaths recorded worldwide. Yet the most revealing figure is not the absolute count, but the lethality ratio: in mid-2019, one person died for every six who reached Europe from Libya. In 2017, the ratio was one in thirty-eight (United Nations High Commissioner for Refugees, 2020, p. 7). The route did not become more dangerous because more people attempted it. It became more dangerous as the capacity to rescue them was progressively dismantled. “*The Mediterranean must not become a killing sea*”, declared Admiral De Giorgi, Chief of the Italian Navy, at the conclusion of Operation Mare Nostrum in 2014, an operation that had saved over 160,000 lives in little over a year. More than a decade later, his warning reads less like a caution than an indictment.

This data helps us understand that the Central Mediterranean is not a natural route. It is a structured one, a pivot space between the Libyan and Tunisian coastlines in the south and the

Italian and Maltese coasts in the north, shaped by organised criminal networks, political fragmentation, and deep economic asymmetry between two shores. Population movements have always existed in this region and are nothing new, but they have intensified significantly in recent decades. The post-2011 period marked a decisive turning point: the Arab revolts, the collapse of the Gaddafi regime, the Syrian war and NATO intervention collectively destabilised North African coastlines, weakened state control, and multiplied both the motives and the opportunities for departure, producing what Panebianco describes as a “*feeble control over the North African coasts*” (Panebianco, 2016, p. 9).

Libya sits at the centre of this system. Far from being merely a point of departure, it functions as a genuine transit hub. IOM estimates identify 824,131 migrants present on Libyan territory at the end of 2024, a figure rising to 894,890 by mid-2025, an accumulation that reflects not just transit, but prolonged immobilisation, informal labour, and the constant reconfiguration of trajectories (International Organization for Migration, 2025a). In October 2025 alone, 92% of the 7,900 arrivals recorded in Italy had departed from Libya, confirming that the route organises itself primarily around the Libyan coastline, even when other departure points exist in the region (United Nations High Commissioner for Refugees, 2025). The Central Mediterranean has gradually evolved, in this context, from an area of mobility and exchange to a secure and highly political border at the very heart of European migration governance, a transformation driven not by geography alone, but by a set of deliberate political choices whose nature and consequences this research seeks to examine.

Before examining the mechanisms through which this governance operates and its consequences for humanitarian actors, it is necessary to clarify the key concepts that structure this analysis. These are not merely definitional exercises as each term carries a political and theoretical charge, and the way in which it is defined directly shapes how the problem is framed and what solutions appear thinkable. The intensification of Central Mediterranean crossings in the 2010s gave rise to what is now routinely described, in political discourse and media coverage alike, as a “*migration crisis*”. This framing, however, is not neutral. As Panebianco notes, it tends to portray mobility as exceptional rupture rather than structural phenomenon, obscuring the geopolitical dynamics, conflict, economic asymmetry, state collapse, that durably produce and sustain migratory movements (Panebianco, 2016, p. 3). By naturalising emergency, the “*crisis*” frame legitimises security responses to what are fundamentally humanitarian needs. Throughout this research, the term will be used with this critical distance, as a political construction to be interrogated rather than a description to be taken at face value.

The term “*Search and Rescue*” refers to the set of operations aimed at locating, assisting, and recovering persons in distress at sea. Crucially, SAR is not a charitable act performed at the discretion of states or organisations, it is a binding legal obligation. The United Nations Convention on the Law of the Sea (United Nations Convention on the Law of the Sea, 1982) requires states to ensure that assistance is rendered to any person in danger at sea (Art. 98). The International Convention on Maritime Search and Rescue (SAR Convention, 1979) further specifies that this assistance must be provided “*regardless of the nationality or status*” of the person in distress (SAR Convention, Chapter 2.1.10). These obligations are unconditional in nature. Establishing this baseline is essential, because every subsequent restriction examined in this research, on NGO operations, on disembarkation, on coordination, must be understood against the standard that international law already sets. Moreover, it is important to distinguish “*humanitarian space*” from “*place of safety*”. On the one hand, “*humanitarian space*”, in the operational sense developed by organisations such as Médecins Sans Frontières and the International Committee of the Red Cross, refers to the environment in which humanitarian actors can access people in need and carry out their mandate safely and effectively. It is not a fixed or guaranteed condition but depends on the degree of acceptance by surrounding political and military actors, on physical access to affected populations, and on the absence of legal or administrative obstacles to intervention. In the Central Mediterranean context, humanitarian space is the operational reality within which SAR NGOs function and, as this research will show, it is the primary target of the governance mechanisms under examination. On the other hand, “*place of safety*” is the legal criterion that formally terminates a Search and Rescue operation. As defined by the IMO's Guidelines on the Treatment of Persons Rescued at Sea (Resolution MSC.167(78), 2004), it designates “*a location where rescue operations are considered to terminate*”, specifically, a place where “*the survivors' safety of life is no longer threatened and where their basic human needs (such as food, shelter and medical needs) can be met*” (Resolution MSC.167(78), 6.12, 2004). Importantly, the guidelines specify that a rescue vessel does not itself constitute a place of safety simply because survivors are no longer in immediate danger on board (Resolution MSC.167(78), 6.13, 2004). The identification of an appropriate disembarkation point therefore requires state cooperation, and it is precisely at this juncture that political decisions about port assignments, delays, and jurisdiction become instruments of pressure on humanitarian actors.

Additionally, to qualify the practice by which states or regional bodies, in this case, the European Union and its member states, delegate or transfer border control functions to third

countries, located upstream of the border itself, we will speak about “*externalisation*”. In the Central Mediterranean context, this takes the form of financial agreements, capacity-building programmes, and operational cooperation with Libya and Tunisia, enabling interceptions to occur before vessels reach European waters. Externalisation does not eliminate mobility but displaces it, as it transforms the conditions, temporalities, and human costs of the crossing. Criminalisation, as used in this research, does not refer exclusively to the formal prosecution of individuals under criminal law, though such prosecutions form a significant part of the phenomenon under examination. It designates, more broadly, the ensemble of legal, administrative, and political mechanisms through which states have recast civil SAR as objects of suspicion, regulation, and sanction rather than as legitimate performers of an obligation that international law places, in the first instance, on states themselves. This ensemble encompasses criminal investigations opened against NGO crews on charges of facilitation of irregular migration, the administrative seizure of vessels under procedural pretexts, the systematic assignment of distant ports of disembarkation designed to maximise time out of the rescue zone, the application of flag state pressure to force vessels out of operation, and the elaboration of domestic regulatory frameworks specifically calibrated to constrain NGO activity at sea. What unites these measures is not their legal form, which varies considerably across jurisdictions and instruments, but their cumulative functional effect: the reduction of civil rescue capacity in the Central Mediterranean. Treating criminalisation as a governance mechanism rather than as a series of independent judicial episodes is one of the methodological commitments of this research, and it is this treatment that makes the pattern visible.

The lethality ratio is the analytical instrument through which this research measures the human consequences of that reduction. It is defined here as the number of deaths or disappearances recorded per crossing attempt in the Central Mediterranean, expressed as a proportion of total departure events rather than of total arrivals. This distinction is methodologically significant. Conventional migration statistics tend to report mortality as a share of arrivals, that is, of successful crossings, which produces a figure that fluctuates with arrival volumes and is therefore poorly suited to isolating the effect of rescue capacity on survival outcomes. The lethality ratio, by contrast, holds the denominator constant at the level of departure, making it possible to observe how survival probability changes independently of the number of people attempting the crossing. It is this instrument that reveals the central paradox of European border governance: that the periods in which fewer people arrived in Europe were not periods of lower mortality risk but, in several documented instances, periods of higher lethality per crossing. Without this conceptual precision, the governance system's

claim to effectiveness, measured exclusively in arrivals, cannot be properly interrogated. Finally, non-refoulement is the foundational norm of international refugee and human rights law that prohibits the return of any person to a territory where they face a serious risk of persecution, torture, or other grave harm. Codified in Article 33 of the 1951 Refugee Convention and affirmed across multiple international human rights instruments, it is widely regarded as a peremptory norm from which no derogation is permissible.

Armed with these definitions, three structural tensions become visible that the empirical chapters of this research are designed to investigate. The first is a tension between legal obligation and operational withdrawal. International law imposes on states an unconditional duty to render assistance to any person in distress at sea, regardless of nationality or status. At the same time, from 2014 onward, European states progressively dismantled their proactive SAR capacity in the Central Mediterranean, replacing a rescue-first logic with a border surveillance logic. These two realities coexist without resolution as the legal obligation was never formally repealed, and the operational withdrawal was never formally acknowledged as incompatible with it. What remains unexplained is whether this coexistence is a contradiction the governance system failed to notice, or one it chose to sustain.

The second is a tension between the void that states created and the actors they targeted for filling it. The withdrawal of state SAR capacity produced an operational vacuum to which civil society responded, not as an act of charity but as the performance of an obligation that states had abdicated. Yet these same states subjected civil SAR actors to sustained legal and administrative obstruction, while simultaneously delegating interdiction functions to Libyan and Tunisian forces whose conduct at sea systematically implicates the non-refoulement principle. The tension lies in the simultaneity as the state is absent where international law requires it to be present, and present, notably through criminalisation and externalisation, precisely where its intervention reduces the protection available to people in transit.

The third is a tension between the metric through which governance evaluates itself and the reality that metric cannot capture. European border governance in the Central Mediterranean is assessed against a single indicator which is the number of arrivals. Yet arrivals measure only those who reached the shore. They say nothing about those who did not, and nothing about how the probability of survival changed as rescue capacity contracted. A governance system evaluated exclusively on arrivals has no institutional mechanism for registering the lethality of the conditions it produces, and therefore no institutional incentive to reduce it.

These three tensions converge on a question that runs through every chapter of this thesis.

To what extent does the progressive dismantling of rescue capacity in the Central Mediterranean constitute a governance regime whose lethal outcomes are predictable, documented, and politically accountable?

This research is structured around three hypotheses, each corresponding to one of the structural tensions identified above, and each designed to be tested progressively across the chapters that follow. The first hypothesis holds that the progressive dismantling of proactive state SAR capacity in the Central Mediterranean from 2014 onward reflects a deliberate political reorientation, in which the objective of reducing arrivals structurally displaced the obligation to protect human life at sea, rather than a response to budgetary or operational constraints alone. The transition from Operation Mare Nostrum to Triton, and the subsequent configuration of European naval and border operations through EUNAVFORMED, is read here not as a technical recalibration but as evidence of a redefinition of the policy objective itself, one in which the border function of migration governance was elevated above its humanitarian function, in direct and documented tension with the unconditional obligations imposed by UNCLOS, the SAR Convention, and the SOLAS framework. This reorientation is the foundational condition of possibility for everything that follows. It creates the operational void into which civil society was drawn, and against which the subsequent treatment of civil SAR actors must be evaluated.

The second hypothesis holds that the legal and administrative obstruction of civil SAR actors by EU member states, combined with the externalisation of border control functions to Libya and Tunisia, does not constitute a series of independent policy decisions but forms a structurally coherent governance regime whose cumulative functional effect is the reduction of available rescue capacity in the Central Mediterranean. This research does not require that states consciously designed these mechanisms as mortality-producing instruments in order to sustain this hypothesis. What it requires, and what the evidence examined in Chapter 3 is designed to demonstrate, is that criminalisation through the EU Facilitation Directive, the Italian regulatory framework, and the Memorandum of Understanding with Libya, alongside the cooperation arrangements with Tunisia, were adopted in full knowledge of the operational void that state withdrawal had already created, and therefore in full knowledge that any further contraction of rescue capacity would elevate lethality per crossing. Externalisation and criminalisation are

treated here not as parallel phenomena but as complementary instruments of a single governance logic that governs the border upstream through the delegation of interdiction to third-country actors, and downstream through the legal attrition of the civil actors operating in the space those third-country actors do not reach.

The third hypothesis holds that the cumulative effect of spatial and legal obstacles imposed on civil SAR actors, remote port assignments, vessel seizures, administrative detention, and the broader delegitimisation produced by criminalisation, generates a measurable and documented contraction of humanitarian rescue capacity that directly elevates the lethality ratio per crossing, and that the attack on the *Ocean Viking* on 24 August 2025 is the empirical endpoint of the causal chain traced across the preceding chapters. This hypothesis has both a quantitative and an interpretive dimension. Quantitatively, it is testable through the lethality ratio data and the operational impact analysis of remote port assignments assembled in Chapter 4, which document the relationship between the contraction of rescue capacity and the restriction of presence in the area of operations. Interpretively, it holds that the attack on the *Ocean Viking* is not intelligible as an isolated incident attributable to Libyan conduct alone but is the point at which the shrinking of humanitarian space, constructed progressively through the legal and spatial mechanisms examined in Chapters 2 and 3, reached its violent physical conclusion, a humanitarian vessel, operating in international waters, under fire from a coast guard force that European governance had created, trained, and legitimised, after months of systematic displacement from the zone where it was most needed. Taken together, the three hypotheses do not merely describe a governance system that has produced harmful outcomes. They describe a system in which those outcomes are the predictable and documented consequence of choices made in full knowledge of their effects, a finding that carries implications not only for policy analysis but for the question of legal and political accountability that this research, while not adjudicating fully, refuses to set aside.

This thesis follows the following outline. Chapter 1 constructs the analytical landscape within which the subsequent chapters intervene. It maps the Central Mediterranean as a structured geographical and political space, tracing the departure coastlines, the transit dynamics of Libya and Tunisia, and the arrival hubs of Italy and Malta, before turning to the empirical record of migration flows, demographic profiles, and mortality data that document what this route actually produces in human terms. It then sets out the international legal framework governing rescue at sea, the obligations imposed by UNCLOS, SOLAS, and the SAR Convention, and the criteria that define a place of safety. Its function is to establish the

factual and normative baseline against which the political choices examined in Chapters 2, 3, and 4 must be read, making visible, from the outset, the distance between what the law requires and what the geography of the route demands. Chapter 2 then traces the political and operational sequence through which the state rescue logic was progressively dismantled. Beginning with Operation Mare Nostrum, the last instance of a proactive, rescue-first state engagement in the Central Mediterranean, it follows the successive transitions that reoriented European naval and border operations toward surveillance, deterrence, and anti-smuggling, culminating in the ambivalent configuration of EUNAVFORMED. It then examines the emergence of civil SAR as a direct response to the operational void this reorientation produced, analysing how NGOs were simultaneously integrated into the maritime rescue coordination system and exposed to the political contradictions of a governance framework they were substituting for but not recognised by. Chapter 3 turns to the mechanisms through which that void was maintained. It examines externalisation and criminalisation not as parallel phenomena but as complementary instruments of a single governance logic, one that governs the border upstream, through financial agreements, capacity-building programmes, and operational cooperation with Libya and Tunisia, and downstream, through the legal and administrative attrition of civil SAR actors. From the EU Facilitation Directive to the Italian Code of Conduct and the Piantedosi decree, and from the Memorandum of Understanding with Libya to the shifting cooperation arrangements with Tunisia, Chapter 3 reconstructs the architecture through which European states reduced the rescue capacity available in the Central Mediterranean while maintaining formal distance from the consequences of that reduction. Finally, Chapter 4 measures the effects. It opens with a typology of the spatial and legal obstacles imposed on civil SAR actors, before constructing the causal chain that connects those obstacles to concrete humanitarian harm. It then turns to the case study of the *Ocean Viking*, examining the systematic remote port assignment policy applied to the vessel between January and August 2025 and its measurable operational impact, before analysing the attack of 24 August 2025 as the empirical endpoint of the causal chain traced across the preceding chapters, a threshold crossed toward armed violence that this research reads not as an aberration, but as the violent conclusion of a process years in the making.

METHODOLOGY

This research employs a multi-layered analytical approach designed to trace the causal chain linking political and legal decisions to observable humanitarian effects. Rather than treating migration governance as a discrete policy domain, the study reconstructs it as a dynamic system in which legal instruments, administrative practices, and operational consequences form an integrated whole. The methodology is structured around three interconnected levels of analysis: first, the examination of the legal and regulatory instruments through which European states have created an increasingly restrictive environment; second, the translation of these instruments into concrete operational practices; and third, the measurement of how these practices produce measurable humanitarian consequences.

The analytical approach centres on what we term the “*lethality ratio*”: the number of deaths or disappearances recorded per crossing attempt in the Central Mediterranean, expressed as a proportion of departure events rather than arrivals. This metric is methodologically significant because it isolates the effect of rescue capacity on survival outcomes independently of fluctuations in departure volumes. Conventional migration statistics measure mortality as a share of successful arrivals, a denominator that fluctuates with arrival numbers and therefore obscures whether elevated mortality reflects increased departures or deteriorated rescue conditions. The lethality ratio holds the denominator constant at the level of departure, making visible the central paradox of European border governance: periods in which fewer people arrived in Europe were not periods of lower mortality risk, but frequently periods of higher lethality per crossing. Without this conceptual precision, the governance system's claim to effectiveness, measured exclusively in arrivals, cannot be properly interrogated.

Empirically, the research develops a typology of obstacles encountered by NGO rescue actors, organized into four distinct categories:

- Spatial obstacles, which manipulate physical location through port assignments and operational zone restrictions.
- Administrative obstacles, which immobilize vessels through technical inspections and regulatory compliance mechanisms.
- Legal obstacles, which operate through the threat or reality of criminal and administrative proceedings

- Security obstacles, which stem from physical endangerment by state and non-state actors. The analytical significance of this typology lies not in formal legal classification but in demonstrating how each obstacle type, at its own operational level, reduces the capacity of humanitarian actors to be present when and where their presence is most needed.

The research then traces a five-stage causal chain connecting these obstacles to humanitarian harm. The chain progresses from legal and regulatory instruments, through their translation into institutional practices, to the measurable contraction of civil rescue capacity in the Central Mediterranean, to broader deterioration of search and rescue capabilities, and finally to elevated mortality risk for both survivors at sea and humanitarian workers. This causal framework is neither deterministic nor mechanical. It does not require that states consciously designed these mechanisms as mortality-producing instruments. Rather, it requires only that criminalisation and externalisation were adopted in full knowledge of the operational void that state withdrawal had created, and therefore in full knowledge that further contraction of rescue capacity would elevate lethality per crossing. The functional coherence of the governance system, in other words, does not require conscious intentionality; it requires only that documented choices were made in conditions of epistemic clarity about their probable effects.

The case study of the Ocean Viking provides the empirical anchor for this analysis. Through detailed documentation by SOS MEDITERRANEE, it is possible to trace how abstract policy choices translate into concrete operational constraints. Specifically, the research examines two dimensions: the systematic policy of remote port assignments in the sixteen missions carried out between January and August 2025, and the armed attack on 24 August 2025. The remote port assignments demonstrate how spatial obstacles mechanically reduce operational capacity through temporal and geographic displacement. The attack represents the qualitative threshold at which administrative obstruction escalates to direct physical violence, marking the endpoint of an escalating trajectory that begins with legal obstruction and culminates in armed confrontation. Together, these dimensions illustrate how humanitarian space, the operational environment in which humanitarian actors can access people in need and carry out their mandate safely, has contracted progressively from legal and administrative pressure to direct physical endangerment.

This methodology combines quantitative analysis of mortality data and operational impact with interpretive analysis of the structural logic that connects legal instruments to humanitarian

consequences. It treats the Ocean Viking not as an exceptional case but as an empirically well-documented instance through which broader patterns become visible. The significance of the case lies in its capacity to render transparent the causal connections that link governance choices to observable human suffering, connections that might otherwise remain diffuse or deniable.

CHAPTER I - THE CENTRAL MEDITERRANEAN AS A SPACE FOR MIGRATION GOVERNANCE: A FRAMEWORK FOR SEA RESCUE

The central Mediterranean is not a neutral geographic corridor. It is a governed space, shaped by political choices, regional upheavals, and competing state interests, a space in which migration routes have been structured as much by border policies as by the geography itself. Understanding this requires first mapping the route as a political object, before measuring the human reality it produces through migration data and mortality figures. These two dimensions must be read with the international legal framework that formally governs rescue at sea a body of law that establishes clear obligations while remaining deeply contested in practice.

Together, these three sections provide the conceptual vocabulary and empirical baseline with which the governance failures documented in subsequent chapters will be evaluated.

Section 1 - The Central Mediterranean route: governed space and migration routes

The Central Mediterranean Route runs between the Tunisian and Libyan coasts on the southern shore and the Italian and Maltese coasts on the northern shore. It is a major migration corridor between North Africa and Europe and, more broadly, a strategic area where issues of sovereignty, security, humanitarian concerns and political responsibility converge.

This area, which has been highly publicised since the “*so-called*” migratory crisis of 2015, cannot be studied simply as a maritime route connecting two continents. It has gradually transformed into a “*governed border*” where mobility is regulated, controlled and contained through a complex web of regional dynamics, an organised transit system, and political decisions and actors that play a role beyond the only moment of crossing alone. From this perspective, the Central Mediterranean route is not just a journey, it is also a configuration. It depends on the stability of the North African coastlines, local power relations, the presence of actors organising the passage, and the European political and media environment, where the Mediterranean is thought of as an external border of the European Union. This perception helps to explain why the danger of the route is not only due to its geography, but is also part of an

economy of crossing and a governance of the border that constantly reshapes the departure zones, itineraries and concrete conditions of the crossing.

The aim of this chapter is not to offer an immediate analysis of European Union policies. Its primary objective is to establish the geopolitical context in which SAR NGOs operate by identifying the main factors influencing the Central Mediterranean migration route and its main points of articulation. First, we will look at the geography of the Central Mediterranean, the key points of its migration system and its role in the European geopolitical context. Next, we will examine how the “*Arab Springs of 2011*” and changes in regional dynamics led to a reconfiguration of the region, with new actors and significant media attention. Finally, the Libyan and Tunisian contexts will be examined in depth and presented as very different spaces, but ones that play a role as genuine departure points and migration hubs.

In this context, it is first necessary to clarify what the central route represents as a pivotal space between North and South, identifying the main points of departure and arrival and how this geographical separation becomes a political issue. The following section will present the spatial configuration of the central route between the countries of North Africa on the one hand and the territories of Southern Europe on the other, emphasising the multiplicity of actors and dynamics that govern it as a catalyst for geopolitical and humanitarian tensions.

1. The central road as a pivotal space between North and South

The Central Mediterranean Route refers to the maritime corridor linking the central coasts of North Africa to those of Southern Europe. This route, which in this analysis encompasses the territories surrounding the maritime area, functions as a pivotal space between two asymmetrical entities shaped by very different regional and political dynamics.

1.1. Geography of the corridor: departure coastlines and arrival hubs

The crossing of the central Mediterranean originates in the coastal areas of the southern Mediterranean, consisting of the Libyan and Tunisian coastlines. The route connects these areas to the Italian and Maltese coasts to the north, which are relatively close by and represent a direct entry point into Europe. *Breezada*, an online maritime distance calculator, uses advanced mapping technology to provide accurate measurements based on the most direct navigable route between two points (Breezada Maritime, 2026). According to this tool, Tripoli, the Libyan capital, is located approximately 190 nautical miles from Marsaxlokk, a port in southern Malta. This is just over 350 kilometres. The Italian island of Lampedusa, an important entry point in

the migration process, is even closer to Tripoli, at around 160 nautical miles, which is less than 300 kilometres. Tunisia is also affected by this migration route due to its proximity to the Italian coast. Sfax, the economic capital of Tunisia, is only 130 kilometres from the island of Lampedusa, making it a major transit point for migrants wishing to reach Europe (Munteanu, 2024, p. 4). Both countries have very long coastlines, making them difficult to monitor and allowing direct access to the sea. Libya has approximately 1,770 kilometres of coastline on the Mediterranean Sea (GISGeography, 2021), while Tunisia has more than 1,300 kilometres. Thanks to its proximity to the Strait of Sicily and the Sardinian Channel, Tunisia is the second and third closest points to continental Europe after the Strait of Gibraltar (African Commission on Human and Peoples' Rights, 2026) which separates Point Marroquí in Spain and Point Cires in Morocco by only about 13 kilometres (Britannica Editors, 2025).

This central route is therefore a broad spatial configuration that includes the sea crossing, which is relatively short in terms of distance, the departure points on the coast of Libya and Tunisia, and the arrival points in Malta and Italy. However, this route can take on an even broader dimension when these areas are considered as transit points along migration routes that began in other regions or even on other continents. Migration routes can be complex and long. The varied origins of the people on the route show the importance of broadening the perspective of the central route beyond the single crossing and extending it to the hinterlands of the North African coast, which represent important land corridors and entry points for people coming from even further afield.

1.2. Italy and Malta: point of entry and proximity

On the northern shore, Italy and Malta are major arrival points. The Italian island of Lampedusa, in particular, is a key entry point on the migration route, mainly due to its proximity to the departure areas. According to the United Nations High Commissioner for Refugees (UNHCR), 45,500 arrivals by sea were recorded in Lampedusa in 2024. This represents approximately 68% of all arrivals in Italy that year (United Nations High Commissioner for Refugees, 2025, p. 3). This geographical proximity plays a role in migration dynamics, but it does not fully explain them. The Italian and Maltese coasts also represent the gateway to Europe, with all the aspirations that this entails, but also the debates raised by public opinion and politicians about reception conditions, the distribution of responsibilities and political

repercussions. However, some points of entry are not always considered as final destinations, but rather as stages in the migration journey. Italy itself is considered « *primarily a transit country* » (Panebianco, 2016, p. 4). This perspective broadens our understanding of the central route, which extends beyond the Mediterranean coastline into inland Europe, thus making it a geographically defined and theoretically broader space. Finally, the central migration route exists primarily because it is produced and sustained by a system. It is viable thanks to opportunities for passage, infrastructure and an organisational network that enables crossing. In addition to its natural geographical position, it exists because it is made usable.

1.3. Structuring the pivotal space: infrastructure and the economics of migration

To think of the central route as more than just a migration trajectory, or a line of crossing between two continents, we can draw on the concept of « *espace charnière* » (*Pivotal space* [Free traduction]) theorised by Michella Pellicani and Sassia Spiga (Pellicani and Spiga, 2007, p. 2). Describing the central route as a pivotal space leads us to go beyond the idea of a natural phenomenon resulting solely from geographical proximity. Panebianco emphasises that migration in the Central Mediterranean is “*not a spontaneous phenomenon favoured by geographical proximity, but rather a structured one, with organised crime planning*” (Panebianco, 2016, p. 4). In other words, migration along the central route relies on physical, economic and social infrastructure that makes the crossing feasible, structures the various stages of the journey and can benefit from it. Pellicani and Spiga describe pivotal spaces as key stages of the migration route that open the way to the North and that migrants use to recharge their batteries despite the deterrent measures against them (Pellicani and Spiga, 2007, p. 2). To identify a pivotal area, the authors use a three-criteria assessment framework. First, it must have direct contact with a territory experiencing economic and cultural distancing. The regions concerned may be affected by political or social crises that trigger population movements. Secondly, this area must be crossed by a south-north route. Finally, the border region must have a certain capacity to attract migrants and to get people moving again by enabling international migratory mobility (Pellicani and Spiga, 2007, p. 2). These criteria can thus be applied to the Central Mediterranean and the regions bordering it.

Initially, this economic and cultural distance is particularly striking between North Africa and Europe, and above all represents a kind of ideal for people aspiring to cross the central Mediterranean to the North. They can see the Mediterranean as the demarcation line

between a world of « *misère* » (*misery* [Free Traduction]) and a world of « *bien-être* » (*well-being* [Free traduction]) (Pellicani and Spiga, 2007, p. 2). Although this observation cannot be blindly applied to all countries of origin of migrants, it is echoed in the accounts of several people who have undertaken a migration journey. Xidig, a Somali man rescued in 2024 by the Ocean Viking, SOS MEDITERRANEE's rescue ship, spoke to the NGO. He says he left his country because there is no peace, no schools, no medical care. (SOS MEDITERRANEE, 2025a). Arham, 24, was rescued by the same non-governmental organisation. He says he is migrating to provide for his family, which has been severely affected by drought in Ethiopia (SOS MEDITERRANEE, 2025b). Many of those rescued report having suffered violence when they arrived in Libya and having been forced to leave. This leads them to attempt the crossing of the Mediterranean to the north and the European coast. This continuous migration chain therefore links these territories and represents a south-north route. Finally, the areas bordering the central Mediterranean also have the capacity to attract migrant populations. Thus, departure points such as Tunisia and Libya temporarily immobilise (sometimes for long periods) populations who aspire to continue their migration journey. In a way, these spaces allow people to rest and recharge, whether forced or voluntary (Pellicani and Spiga, 2007, p. 2). The crossing is largely controlled by criminal networks involved in the illegal trafficking of migrants.

The structure of the migration process can be analysed in several ways. Firstly, a logistical dimension could include the grouping of populations and the organisation of departures. According to the Observatory on Smuggling of Migrants, which is part of the United Nations Office on Drugs and Crime, despite the lack of consensus on the figures, between 66% and 93% of people travelling along the central route are victims of migrant smuggling networks (United Nations Office on Drugs and Crimes, 2024, p. 7). These networks therefore emphasise the economic aspect. People wishing to make the crossing pay a fee to traffickers, who provide them with access to a boat or put them in touch with a smuggler who will take them out to sea. The average cost of leaving Tunisia is estimated at the equivalent of US\$1,171 (United Nations Office on Drugs and Crimes, 2024, p. 8). To cross the sea from Libya, the cost varies depending on the migrant's nationality. The crossing costs on average between \$850 and \$4,500 per person (United Nations Office on Drugs and Crimes, 2024, p. 8). People wishing to cross the Mediterranean must therefore raise this sum in order to pay for the journey. This can take months or even years. Often, it is families who raise money to send to their loved ones. This is the case for Jackson, whose “*struggling family in Cameroon had borrowed and wired several thousand euros for his crossing attempts and to buy his release from successive prisons*” (Lacher and Tubiana, 2025). He spent two years in Libya and attempted to cross the

Mediterranean four times before being “*rescued by a European vessel*”. This period of immobilisation also involves the numerous detentions that migrants face. According to Amnesty International, “*as of December, more than 5,470 foreign nationals remained arbitrarily detained in centres run by the Department for Combating Illegal Migration (DCIM)*” in Libya (Amnesty International, 2025). This figure is certainly greatly underestimated, as thousands more people are being held by militias and armed groups. Extensive extortion schemes exist in which individuals must pay for their freedom in order to escape violence and forced labour (Amnesty International, 2025). Finally, information plays an important role, as the journey is largely guided by the circulation of often partial and sometimes erroneous information about controls and opportunities for crossing. In a study by the Mixed Migration Centre, almost 60% of migrants surveyed said they had used a mobile phone during their migration journey to access information, and 44% of respondents said they had used it to communicate with smugglers (Brenner and Frouws, 2019).

Thus, the territories bordering the Mediterranean are constantly involved in the perpetual movement of populations. Their journeys partly lead northwards, as long as they are not intercepted by the Libyan coastguard and brought back into the country, or as long as they manage to make the crossing without shipwreck.

2. Post-2011 Restructuration: Regional Shocks and Opportunities for Change

The previous section defined the central Mediterranean route as a pivotal space structured by transit infrastructure and marked by tensions between mobility, sovereignty and border policies. From this perspective, the rise of the central route since the 2010s can be interpreted as the result of a broader regional restructuring rather than a simple increase in the flow of people. The period that began in 2011 constitutes a turning point in this regard. It reconfigured the factors of departure, transformed transit spaces, weakened certain coastal control capacities and opened up new opportunities for passage. This section will highlight how post-2011 instability, combined with the perpetuation of a migratory system, is contributing to the construction of the central Mediterranean as a structured and highly politicised space.

2.1. Political and security shocks after 2011

The early 2010s saw a series of political and security shocks that permanently reshaped mobility in the Mediterranean basin. In her analysis, Stefania Panebianco explicitly links the acceleration in departures to “*the aftermath of the Arab Spring, the NATO intervention in Libya, [and] the beginning of the Syrian war*” (Panebianco, 2016, p. 4). This comparison places migration activity along the central route as one of the effects of a regional situation characterised by institutional collapse, prolonged conflict and a realignment of power relations. Thus, the period of the “*Arab Spring*”, which emerged at the end of 2010 and reached its peak in 2011, corresponds to a wave of political and social protests and demonstrations across several countries in North Africa and the Middle East. However, the use of the term “*Arab Spring*” could be “*problematic*” because it was coined by Westerners to describe these events without taking into account the aspirations of local populations. It refers to the democratisation process from an Orientalist perspective and accentuates the West's “*sense of superiority*” (Avery, 2021). In the interests of neutrality and to take into account the views of those concerned, the term “*revolts*” will be used for “*Thawra (revolution)*” in the rest of the analysis to describe the popular uprisings of the 2010s (Avery, 2021). The uprisings began in Tunisia and spread to many countries in the Middle East and North Africa (MENA) region. A Tunisian street vendor named Mohamed Bouazizi set himself on fire in December 2010 to protest against the injustices he had suffered at the hands of the police and the system in general (Hobbs, 2021). Protesters opposed to the Tunisian government took to the streets across the country, leading to the departure of Ben Ali, the ruling dictator. The uprisings spread to Iraq and Syria, but there they led to bloody conflicts. Syria experienced a terrible civil war that caused millions of Syrians to flee their country. The uprising in Libya led to the fall of dictator Muammar Gaddafi at the end of 2011. However, the country became “*embroiled in a civil war*” involving many international players, such as the European Union, the North Atlantic Treaty Organisation (NATO) and Russia (Hobbs, 2021). Other countries have been affected by waves of protests and widespread unrest leading to conflict, such as Yemen, which has been entangled in a terrible civil war since 2014, and Bahrain, where the uprising was suppressed with the help of certain Gulf countries. Egypt also experienced strong protests that led to a change of government (Hobbs, 2021). At the time, Tunisia was the model of success for these revolts. The country revised its constitution after 2011, becoming an example of transition to a democratic system (Hobbs, 2021). However,

economic disparities remained persistent in the region, and the country took a populist turn under President Kais Saied (Munteanu, 2024, p. 5), which has plunged the country back into political crisis since 2021 (Speakman Cordall, 2025). These numerous social upheavals have also led to severe repression and a certain reluctance to change on the part of some governments. In addition to the human cost and the destruction of infrastructure, these revolts have had a wave of side effects that have exacerbated an already critical situation. Although they led to political change in some countries, they plunged the region into great instability and vulnerability to external shocks, thereby degrading security and livelihood conditions and contributing to increased departures.

2.2. Weakening of coastal control and window of opportunity

These factors have thus permanently altered the geopolitical context of the region and transformed mobility in several ways. By closing off opportunities, conflicts in the region have contributed to increasing the reasons for departure. The Syrian conflict has led to “*one of the worst humanitarian crisis of the twenty-first century*” (Hobbs, 2021). By the end of 2012, nearly 500,000 Syrian refugees were in neighbouring countries, while the number reached 1 million Syrian refugees in March 2013, exceeding projections (United Nations High Commissioner for Refugees, 2018). The 2010s have thus reshaped regional dynamics, and migration routes have come under severe pressure at a time when institutions were weakened. In this context, the central road has become a place where internal political crises converge and, by extension, a weakening of state institutions involving numerous actors. This weakening is particularly evident in areas along the central road. Thus, the revolts and “*the collapse of authoritarian regimes in Tunisia, Egypt and Libya*” led to “*feeble control over the North African coasts*” and, by extension, a greater number of migrant arrivals in Italy (Panebianco, 2016, p. 9). This fragility reflects fragmented and often competing authority over the coastline, where several actors overlap and vie for effective control of coastal areas. Surveillance is sporadic despite the formal existence of a state apparatus. The central route has thus been strengthened by this deterioration in coastal surveillance and governance. The uprisings in the MENA region have led security forces to prioritise internal security issues and to partially abandon control of the coastline. This may open a “*window of opportunity*” for other actors wishing to compete with the authorities and take advantage of the absence of the state. In this context, the coast becomes a place of negotiation and opportunity, where passage can be organised or exploited. Services

and intermediaries develop around mobility, facilitating departure and organising the various stages of the journey, from accommodation to access to boats. Migration activity on the central route has thus intensified with the development of “*organised crime groups smuggling people from sub-Saharan countries through North Africa and across the Mediterranean Sea*” (Panebianco, 2016, p. 2). With controls becoming less stringent, opportunities to cross the border are increasing and the journey is becoming easier for those who organise the passage to the sea.

2.3. A migratory route with variable geometry

The restructuring of regional governance post-2011 can be seen in the central route's perpetual ability to shift and reconfigure itself according to constraints, the actors involved, and regional geopolitical dynamics. The development of a migration economy, mentioned earlier, produces longer and more uncertain trajectories, as it combines phases of waiting, informal work, indebtedness and dependence on actors involved in the organized passage economy.

However, the ability of those facilitating the crossing and those undertaking it to adapt is explained by *Médecins Sans Frontières* in a 2025 report on European externalisation in North Africa: “*Blockades on some routes lead to the opening or reopening of others*” (*Médecins Sans Frontières*, 2025, p. 4). This logic describes shifting routes that are sensitive to controls, local tensions, economic opportunities and the presence of transit actors. Furthermore, the actors interfering in the migration process, mentioned above, exert constant pressure on migrant populations and drive the perpetual reconfiguration of mobility trajectories. In addition to these actors, trajectories are redrawn according to local economic opportunities and political developments on the coastlines.

Thus, the post-2011 period must be seen as a lasting reconfiguration of the central route, with a reshaping of departure points, transit times and transit infrastructure, under the combined effect of political crises, economic dynamics and changes in coastal control capabilities. In this process of restructuring and adaptation, Libya and Tunisia occupy different positions within the central route.

3. Libya and Tunisia: Distinct junctions within the central route

The sustainable reconfiguration described in the previous section translates in practical terms into a hierarchy of departure and transit areas. Libya and Tunisia are both located on the southern side of the central route, while occupying distinct roles in the migration economy. Libya stands out as a transit and passage area that is permanently structured by security fragmentation and militarised power relations. Tunisia appears to be a more fluid space, whose role varies according to political developments, local tensions and reconfigurations of transit opportunities. This differentiation allows us to establish a more precise picture of the departure zones before addressing the effects of governance policies on rescue actors.

3.1. Libya as a transit hub: political and security fragmentation

Libya occupies a central position on the central Mediterranean route, as institutional instability and competition between armed actors create conditions conducive to the development of a migration economy and transit infrastructure. This centrality is also due to its *“geographic position between the Sahara Desert and the Mediterranean Sea”* which makes Libya a junction point between North Africa and Europe (Hammond, 2015, p. 5). Furthermore, *“its long coastline and close proximity to Malta and the Italian Peninsula”* make it possible to develop the departure system and offer people a form of *“exit strategy”* (Hammond, 2015, p. 5). The coastline is particularly affected as a point of departure, but the entire country participates in this transit system, where routes are extended, reconfigured and often cover long periods of time. The lasting fragmentation of political and security authority has been particularly evident since the fall of the Gaddafi regime. Institutional reconstruction has been marked by persistent rivalries and competition between armed actors. The country found itself *“split between forces loyal to the Libyan National House of Representatives (HoR) and the Libyan National Army (LNA) and the army loyal to the Government of National Accord (GNA)”* (Hobbs, 2021). The former, located in the east of the country under the control of Marshal Haftar, exert significant counter-power to the central administration based in Tripoli. Numerous armed groups from tribes, Salafists and former militias are also involved in this conflict, which is characterised by its complexity (Council on Foreign Relations, 2024). This fragmentation is part of a highly internationalised environment, where external support contributes to maintaining internal divisions with various alliances, including France, Egypt and Russia

supporting Haftar, particularly in his fight against Islamist terrorist groups, and on the other, Italy and Turkey giving varying degrees of support to the United Nations-backed GNA. (Council on Foreign Relations, 2024). This institutional fragmentation then evolved with the establishment of the Government of National Unity in 2021, which was supposed to unify the rival executives with the task of stabilising the country, still mired in political and security fragmentation de facto (International Institute for Strategic Studies, 2021). In this context, fragmented governance and porous controls over territories offer opportunities to non-state actors and foster the growth of mobility and transit economies, in which migration becomes a resource or an instrument of control. This configuration places Libya as a permanent transit zone, capturing migrants and slowing down their journeys towards the coast, at the cost of heavy dependence on intermediaries and increased exposure to violence and coercion. This structure then weighs heavily on the crossing itself, as it influences the conditions of departure, the organisation of the crossings and the vulnerability of those who take to the sea, exposed for months or even years to violence and deprivation.

3.2. Tunisia as a fluctuant space: local tensions and reconfiguration

Tunisia also participates in the central route, due to its geographical proximity to the Italian coast. However, its role appears to be more variable, as it depends more on political developments, local configurations and economic tensions that rapidly reconfigure the starting points and dynamics of temporary settlements. This variability is also apparent in the shifts observed along the route. In 2023, departures from Tunisia to Italy increased significantly, even surpassing those from Libya (United Nations High Commissioner for Refugees, 2024, p. 1). The example of Sfax illustrates this pivotal role. This city is located on the Tunisian coastline south-east of Tunis. It is one of the closest points to Italy. Until 2021, Sfax was one of the main transit points for migrants travelling to Europe, but then many people settled in the city and its economy began to “*depend on migrant labour and spending*” (Munteanu, 2024, p. 4). The region thus prospered in this way because it offered numerous job opportunities in the informal economy. Smuggling networks also developed with the help of the local population, who grew wealthy and profited from this business. However, local and economic tensions emerged, involving the “*police and border control authorities*” (Munteanu, 2024, p. 5). Furthermore, Tunisian President Kais Saied's shift towards populism and his resentment towards migrants have led to new directives encouraging the Tunisian army and police “*[to] force migrants from*

Sfax and [to] relocate them to Ras Jedir near the Libyan border and to the border region with Algeria in the west” in February 2023 (Munteanu, 2024, p. 5). This example therefore illustrates the difficulty of sustaining settlement processes and their eventual outcome of population displacement. This sequence highlights a Tunisia whose impact on the central road varies considerably depending on circumstances. Its role as a hub is rapidly evolving, depending on political dynamics and local conflicts, which is contributing to changes in departure points, length of stay and conditions for resettlement, and reshaping migration routes along the central route. This variability has a direct impact on the overall dynamics of the central route, as it contributes to shifting migratory pressure and opportunities for passage in sequences. The Tunisian segment may strengthen when constraints tighten elsewhere, then contract when control measures or local political tensions reconfigure the space. These disparities in stability at different stages of the migration journey and the recent forced returns to Libya, where these individuals are likely to experience violence again, are pushing people towards the sea, which is thus becoming a kind of bottleneck for access to a European ideal.

The central Mediterranean route thus appears as a pivotal Euro-Mediterranean space, structured by transit infrastructure and traversed by tensions between mobility, sovereignty and border policies. The sequence that began in 2011 is contributing to a lasting reconfiguration of this space, weakening certain control capacities and consolidating a migration economy capable of shifting its main points of articulation. Libya is characterised by a long-standing transit and passage structure, strongly linked to security fragmentation and the passage economy. Tunisia, on the other hand, plays a more fluctuating role, which shifts according to political developments and local tensions, rapidly reconfiguring the dynamics of departures. This differentiation highlights the concrete geography in which search and rescue actors subsequently intervene. Their presence, response times and operational risks unfold downstream from these departure zones, whose transformations have a direct impact on the crossing.

After establishing this geography of routes and junctions, the following chapter will quantify the scale of the migration phenomenon and objectively assess the lethality of the central route.

Section 2: Migration dynamics of the central route – arrival profile, mortality

This chapter provides an empirical overview of migration dynamics along the central Mediterranean route, based on the main data series used in the literature and by institutions. The research is based in particular on figures from the United Nations High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (IOM). The reports under study make it possible to identify orders of magnitude and annual trends and to attempt plausible explanations. The reports and figures under study will provide a general overview of arrivals by sea, the profiles of those making the crossing, and deaths and disappearances. It then explains a key methodological point. The documented deaths and disappearances represent a minimum figure, as a significant proportion of shipwrecks and disappearances escape observation and therefore counting. Finally, it introduces the expected effects of obstacles, in the sense of an analytical framework that links operational constraints, route reconfiguration and exposure to risk.

1. Migration data: annual comparisons, profiles and trends

This section uses reliable figures provided by institutions to establish orders of magnitude on the central route. It proceeds in three stages. First, it analyses arrivals by sea, mainly via Italy, which is the most stable observation point. It then assesses the profiles and nationalities as they appear in the registration records, before concluding with some interpretation of the annual variations. The aim is to describe trends and patterns, and to show from the outset that these figures also reflect changes in routes, points of departure and conditions of arrival.

1.1. Sea arrivals

On the northern shore of the central route, Italy is the most robust indicator of trends in maritime arrivals, both because it accounts for a large proportion of the landings recorded in Southern Europe and because its data series are regularly consolidated by the UNHCR.

SEA ARRIVALS IN ITALY (2015-2025)

<u>Previous years</u>	<u>Sea arrivals</u>
2025	66,316
2024	66,617
2023	157,651
2022	105,131
2021	67,477
2020	34,154
2019	11,471
2018	23,370
2017	119,369
2016	181,436
2015	153,842

Datas: Europe Sea Arrivals – Italy, Operational Data Portal (UNHCR), January 2026

UNHCR data shows a peak in arrivals by sea in 2015–2016, with more than 150,000 arrivals in Italy. A significant decline was seen from 2017 onwards, before a gradual increase from 2020. A new high was reached in 2023 with 157,651 arrivals in Italy, before this figure fell again in 2024 and stabilised in 2025 (United Nations High Commissioner for Refugees, 2026). These annual variations can be interpreted as the result of an adaptive system combining changes in the contexts of departure and transit, reconfigurations of crossing opportunities, intensity of controls and methods of managing arrivals. They can also be interpreted as a “*political*” series, in the sense that the border is materialised in mechanisms that influence the timing and conditions of arrival, both upstream and downstream of the sea crossing. An analysis

based strictly on arrival figures masks some of the migratory dynamics of the route. The number of attempted departures therefore provides another perspective that sheds light on the situation in migration areas. This figure helps to describe the concept of route reconfiguration. In 2023, for example, there were 212,100 attempts to cross from Algeria, Libya and Tunisia, representing a total increase of 52% compared to 2022, and the highest level since 2017 (United Nations High Commissioner for Refugees, 2024, p. 1). The same report highlights the distribution of migration outcomes in different ways. Only 71% of those who attempted the crossing in 2023 (151,500 people) were “*disembarked in Europe*”, while 29%, representing 60,600 people, were intercepted or rescued before being disembarked again in North Africa (21% in Tunisia, 8% in Libya) (United Nations High Commissioner for Refugees, 2024, p. 1). The number of arrivals in North Africa following interceptions or rescues remained roughly the same in 2024, at 58,777 people, but the proportion increased by 10% and represented 39% of departures (United Nations High Commissioner for Refugees and International Organization for Migration, 2025, p. 2). The number of arrivals is therefore highly dependent on political developments in the countries of departure and the reconfiguration of these departure points. In its Italy Sea Arrivals Dashboard for 2024, for example, the UNHCR notes that the sharp decline in departures from Tunisia explains the significant decrease in arrivals by sea in Italy compared to 2023 : “*the number of individuals departing from Tunisia fell by 80 per cent, from nearly 100,000 in 2023 to under 20,000 in 2024*” (United Nations High Commissioner for Refugees, 2025). Alongside Italy, Malta represents a quantitatively smaller but politically significant arrival point. The number of arrivals by sea in Malta has fluctuated in recent years. Between 2018 and 2019, it doubled from 1,445 arrivals to 3,406 in one year (United Nations High Commissioner for Refugees, 2023, p. 1). It declined steadily from 2020 with 2,281 arrivals, 832 in 2021, approximately 445 in 2022 and 2023, and only 238 in 2024 (United Nations High Commissioner for Refugees and International Organization for Migration, 2025, p. 2). Its importance in the study of migration flows stems mainly from its position in the maritime coordination architecture and in the recurring controversies over responsibility, distribution and landing conditions on the central route. Its proximity to the Libyan coast should make it a key player in coordinating sea rescue operations, despite its reluctance to cooperate (Borg and Cummings, 2025).

1.2. Profiles of individuals on migratory road

The figures from UNHCR and IOM provide an insight into the profiles of people arriving via the central route, even if this remains partial. First, it mainly describes people who reach a European shore and are registered, and much less those who remain stranded in transit areas or those who are intercepted at sea and then returned to their point of departure. It remains partial because the profiles are sorted by nationality, age or gender and reflect the administrative categories available upon arrival, without listing the diversity of trajectories, statuses and motives. In an IOM report on arrivals in Italy in the first quarter of 2025, the main nationalities mentioned illustrate the global and heterogeneous nature of the origins on the central route. For example, out of 9,215 people, 37% were from Bangladesh, 14% from Pakistan, and 9% were Syrian (International Organization for Migration, 2025b, p. 7). This distribution pattern highlights the fact that the central route is part of long-distance migration chains, in which North Africa often plays a role as a stopover rather than a single point of origin. According to UNHCR, the vast majority of people who have arrived by sea in Italy since January 2025 are men. They account for 74% of arrivals. Approximately 21% are children and less than 5% are women. Finally, these profiles must be placed within a context of constraints where the categories of “*refugee*”, “*asylum seeker*” and “*economic migrant*” overlap imperfectly. There are multiple and simultaneous motivations, combining a need for protection, economic conditions, family constraints, or exposure to violence in transit countries, which may have led to a longer journey. This plurality is important for the rest of the analysis, as it invites us to think about the border in terms of its effects on conditions of mobility and survival, rather than through a normative reading of the reasons for departure and their “*admissibility*”.

1.3. Reason for data variations

The interpretation of annual fluctuations can be based on three registers, each with different consequences. The first register concerns the initial contexts, which may be located upstream of the central route. Political instability, conflict, economic crises and periods of repression shape mobility dynamics, producing both reasons for departure and periods of immobilisation in countries of origin and transit. For example, the increase in the number of Sudanese arriving in Italy in 2023 compared to 2022 may suggest that the war in Sudan and its dramatic consequences for the population led to an increase in the number of departures and, consequently, a higher number of Sudanese nationals on the central route (United Nations High Commissioner for Refugees, 2024, p. 2). The second factor relates to opportunities for passage.

The volumes observed on arrival and the profiles of the individuals reflect rapid reconfigurations of departure points, linked to local tensions, security interventions, or changes in the economics of passage. Thus, as mentioned above, 2023 saw a higher number of arrivals from Tunisia than from Libya. By extension, the number of nationals from West and Central Africa was high in the total number of people arriving in Italy and Malta via the central route, as they mainly arrive via Tunisia (United Nations High Commissioner for Refugees, 2024, pp. 1–2). The third factor concerns governance and control mechanisms in the broad sense. Variations in arrivals remain sensitive to surveillance methods, coordination capabilities, and the political and administrative conditions surrounding disembarkation. Furthermore, as mentioned above, the increase in interceptions is reducing arrivals in Europe.

Thus, as interception capabilities and their proportion increase, landings in Europe decrease. The fluctuations therefore describe both how many people arrive and, more indirectly, how a governed border influences the completion of the migration journey or shifts it towards other outcomes such as prolonged waiting times, interception, or, in the most tragic cases, disappearance at sea.

2. Mortality on the central road: central indicator and estimates

This section focuses on mortality in the central Mediterranean Sea, a key indicator of the transformation of the central route into a governed and risky border. It first establishes the persistence of a high level of deaths and disappearances, then explains the inherent limitations of counting methods. The challenge is to consolidate the idea of a statistical floor and prepare an analytical reading of lethality focused on crossing conditions and rescue timescales.

2.1. High lethality

Since the early 2010s, the central Mediterranean has become one of the deadliest maritime routes for migrants travelling to Europe. Mass shipwrecks have helped to put this route on the European political and media agenda, highlighting the tension between movement, control and the lack of protection for human life. The autumn of 2013 was a turning point in this regard. In October, two successive shipwrecks caused the deaths of hundreds of people, including 366 migrants off the coast of Lampedusa and 268 people in Maltese territorial waters (Panebianco, 2016, p. 10). These events concentrate the criteria for structuring the central route, which is a combination of a geographically short crossing with unseaworthy and overcrowded

boats that are too unreliable to complete the journey safely, all in a fragmented environment in terms of security and politics (International Organization for Migration, 2026). The statistics consolidated since 2014 as part of the IOM's *Missing Migrants Project* now serve as a reference for understanding this mortality rate, even though they remain structurally incomplete. As of 12 February 2026, the organisation had counted 33,881 missing migrants, including 26,411 in the central Mediterranean, representing almost 78% of the total number (Missing Migrants Project, 2026a).

2.2. Methodological precaution over figures

The analysis of mortality requires constant methodological caution. Documented deaths and disappearances represent a minimum, and therefore a floor. The IOM emphasises that the figures are based on heterogeneous sources and that some shipwrecks are not recorded, particularly when no alert is issued, when there are no survivors to testify, or when the bodies are not found. In the methodology of their Missing Migrants Project, IOM researchers point out that the majority of deaths involve migrants travelling irregularly and therefore often occur in remote areas. When deaths occur at sea, the absence of passenger lists makes it impossible to know the exact number of victims (Missing Migrants Project, 2026b). As a result, a large proportion of those who die in the Mediterranean are never found. In 2016, out of 5,022 migrants who perished at sea, 3,546 bodies were not recovered. These difficulties in accounting for missing persons are particularly reflected in the situation of families searching for their loved ones. Furthermore, there is no specific and systematic procedure for identifying deceased persons (Boats 4 People, 2017, p. 5). This incompleteness has a direct impact on research. Mortality statistics do not provide a complete picture of the situation, they indicate a minimum level of violence and exposure to risk.

2.3. Evolving figures

Beyond absolute levels, several operational documents emphasise the importance of understanding mortality in terms of the ratio between dead and missing persons and arrivals. This ratio varies over time and is a useful indicator for understanding what is happening at sea. A decline in arrivals can coexist with high mortality if crossing conditions deteriorate, if boats

become more precarious, or if rescue times become longer. UNHCR reports that in early June 2019, one person died for every six people who arrived in Europe from Libya, despite a decline in arrivals. The same document points out that in 2018, the ratio was around one death for every fourteen arrivals, and around one for every thirty-eight in 2017 (United Nations High Commissioner for Refugees, 2020, p. 7). These figures indicate that danger can arise in the practical organisation of the crossing, in the uncertainty of rescue and in the conditions for safe disembarkation. In its report entitled *Desperate Journeys*, the UNHCR makes a particularly important point, linking mortality to changes in the dynamics of the Mediterranean. The report, based on 2018, which saw a decline in the number of people crossing the Mediterranean, explains that it is possible that “*reductions to search and rescue capacity coupled with an uncoordinated and unpredictable response to disembarkation led to an increased death rate*” (United Nations High Commissioner for Refugees, 2019, p. 5). According to the organisation, people continue to flee conflict or poverty, and therefore the decline in the number of crossings will not be accompanied by a significant drop in mortality, quite the contrary.

This empirical basis leads directly to the subject of the research. On the one hand, arrival figures show rapid fluctuations, sensitive to changes in departure points and border management conditions. On the other hand, mortality remains consistently high and structurally underestimated, indicating persistent vulnerability on the central route. The combination of these findings leads us to treat mortality as a contextual indicator and a revelation of vulnerabilities, rather than as a result attributable to a single cause. From this perspective, the obstacles studied in the following chapters will be addressed as a set of mechanisms that affect the effective capacity of search and rescue, particularly on the part of NGOs. The analysis will focus on how political, administrative and practical mechanisms influence three key dimensions: presence in the search area, speed of intervention and the possibility of disembarking in stable conditions. This shift in the analysis, from numerical trends to mechanisms of obstruction, enables us to meet the research objective and understand how border governance is concretely transforming the humanitarian space at sea, and how this transformation is reconfiguring exposure to risk on the central route.

Section 3 – International law on rescue at sea: instruments and obligations

The central Mediterranean route is an institutionalised space, governed by a set of rules that regulate maritime sovereignty, the obligation to provide assistance and the procedures for coordinating search and rescue operations. In this space, the border is not only marked by a line between territories, but also by a chain of decisions and responsibilities that extends from departure to interception or rescue, then to disembarkation and care on land. The legal framework for rescue at sea is based on the law of the sea, in particular the 1982 United Nations Convention on the Law of the Sea. It is supplemented by specialised instruments adopted under the auspices of the International Maritime Organisation (IMO), in particular the International Convention for the Safety of Life at Sea (SOLAS) in 1974 and the International Convention on Maritime Search and Rescue (SAR) in 1979, as well as guidelines on the “*place of safety*”. The challenge is to clarify the obligations, who is responsible for them and their limits, while showing how the moment of disembarkation crystallises a structural tension between the imperative to rescue and the governance of arrivals.

1. The United Nations Convention on the Law of the Sea (UNCLOS) as a spatial and legal foundation

This section presents the general legal basis for maritime rescue. First, it will establish the structure of maritime areas based on the concept of sovereignty, different jurisdictions and territorial areas. Next, it will examine the obligation to provide assistance and the obligation to organise search and rescue capabilities.

1.1. Maritime areas and sovereignty

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) structures the exercise of sovereignty and the powers of States over maritime areas. Territorial waters refer to the maritime zone closest to a State's land coastline. According to the Convention, the sovereignty of the coastal State extends over these territorial waters as well as the airspace above them and the seabed. According to Article 3, “*every State has the right to establish the*

breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention” (United Nations Convention on the Law of the Sea, 1982, p. 27). Then, beyond these territorial waters, which are subject to strong jurisdiction, lies the high seas. It represents everything that is “*not included in the exclusive economic zone, in the territorial sea or in the internal waters of a State, or in the archipelagic waters of an archipelagic State*” (United Nations Convention on the Law of the Sea, 1982, p. 57). This architecture sheds light on how rescue operations are conducted in areas where freedom of navigation coexists with humanitarian obligations. In the context of the central Mediterranean, the distinction between territorial waters and the high seas helps to understand the multiplicity of actors present at sea and the fragmentation of responsibilities. Sovereignty is exercised close to the coast, while SAR intervention and coordination are largely deployed in areas where sovereign jurisdiction gives way to a regime of cooperation and obligations, which will be presented below.

1.2. Obligation to provide assistance at sea and organise rescue capabilities

Article 98.1 of UNCLOS is a key provision. It requires States to require masters of ships flying their flag to:

“to render assistance to any person found at sea in danger of being lost”,

“to proceed with all possible speed to the rescue of persons in distress”

The obligation is presented as a duty to rescue without, however, exposing the ship, crew or passengers to serious risk (United Nations Convention on the Law of the Sea, 1982, p. 60). This places assistance within a framework of feasibility and proportionality in relation to the danger. Article 98.2 extends this individual obligation with a structural obligation:

“Every coastal State shall promote the establishment, operation and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and, where circumstances so require, by way of mutual regional arrangements cooperate with neighbouring States for this purpose” (United Nations Convention on the Law of the Sea, 1982, p. 60).

The UNCLOS framework thus articulates two complementary levels: the immediate duty to provide assistance at sea and the requirement to organise capabilities and mechanisms to make such assistance effectively feasible.

2. SOLAS and SAR Conventions as operational tools for maritime rescue

This section specifies how IOM instruments operationalise general obligations. SOLAS sets out an obligation of assistance for the master of a ship, while SAR organises institutional coordination and provides a framework for emergency, non-discrimination and cooperation requirements until disembarkation.

2.1. International Convention for the Safety Of Life At Sea (1974)

The SOLAS Convention is considered the most important international treaty on the subject of merchant ship safety. The first version was adopted following the sinking of the Titanic in 1914 (International Organization for Migration, 2025c). It imposes significant search and rescue obligations on ships and states. In particular, they undertake to monitor their coasts and provide information on the rescue resources at their disposal. Over the years, it has been amended many times to meet rescue needs and adapt to distress situations. Chapter V, Regulation 33 of the SOLAS Convention establishes the procedures to be followed in the event of a ship in distress. Thus:

“The master of a ship at sea which is in a position to be able to provide assistance on receiving a signal from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible informing them or the search and rescue service that the ship is doing so.” (International Convention for the Safety Of Life At Sea, 2002, p. 26)

The Convention allows us to emphasise that the ability of ships to provide assistance is a cornerstone of the global rescue system. It is therefore impossible to organise a system based solely on dedicated rescue units, and ships at sea remain essential to the proper functioning of global SAR. The constant presence of ships in international waters means that we must also rely on them to rescue people in distress.

2.2. Search and Rescue Convention (1979)

The SAR Convention (1979) organises the institutional architecture of Search and Rescue. It aims to establish an international search and rescue plan to coordinate rescues by organisations and cooperation between these organisations. Following the adoption of the SAR Convention, the Maritime Security Committee divided the oceans into 13 Search and Rescue regions in which States have defined areas for which they are responsible (International Organization for Migration, 2025d). The objective is to assign primary responsibility for coordinating operations in a given area to a State in order to ensure a rapid and structured response. The SAR region constitutes an area of enhanced coordination obligations, distinct from borders and areas under sovereign jurisdiction. It is a “*area of defined dimensions within which search and rescue services are provided*” (SAR Convention, Chapter 1.1.3). The technical requirements of the SAR Convention are contained in an annex divided into five chapters (SAR Convention, 1979). As implemented in other conventions, the SAR Convention formalises that assistance must be provided to persons in distress at sea, but to do so, the Parties to the Convention must provide “*adequate search and rescue services for persons in distress at sea around their coasts*” (SAR Convention, Chapter 2.1.1). These services are established under the auspices of a “*Rescue Coordination Centre*”, which is “*a unit responsible for promoting efficient organisation of search and rescue services and for coordinating the conduct of search and rescue operations within a search and rescue region*” (SAR Convention, Chapter 1.3.2). When responsible for the area where the distress situation occurs, “*the responsible authorities of that Party shall take urgent steps to provide the most appropriate assistance available*” (SAR Convention, Chapter 2.1.9). It also provides a framework for coordination with neighbouring States and the possibility of entering the waters or territory of another State to carry out rescues, making cooperation an integral part of the effective implementation of rescue operations. Finally, the SAR Convention enshrines a key principle of jurisdiction in maritime rescue, the principle of non-discrimination. Thus, in Chapter 2.1, “*Arrangements for provision and coordination of search and rescue services*”, the Convention states that “*Parties shall ensure that assistance is provided to any person in distress at sea. They shall do so regardless of the nationality or status of such a person or the circumstances in which that person is found*” (SAR Convention, Chapter 2.1.10).

This requirement therefore prohibits making SAR responses conditional on the administrative or political classification of mobility and requires rescue operations to be carried out without distinction in order to ensure the safety of all individuals in the same manner.

3. The “place of safety” as a key criterion on the migratory route

This section clarifies the concept of “place of safety” as operationalised by the IOM and shows why it lies at the heart of contemporary SAR tensions in the central Mediterranean. The concept of a place of safety implies inter-state cooperation and, as a result, raises protection considerations.

3.1. Definition and necessary elements

“Guidelines on the Treatment of Persons Rescued at Sea” were adopted by the IOM through Resolution 167 of the Maritime Safety Committee in 2004 *“realizing the need for clarification of existing procedures to guarantee that persons rescued at sea will be provided a place of safety regardless of their nationality, status or the circumstances in which they are found”* (Resolution MSC.167(78), 2004, p. 1). Firstly, a place of safety can be defined as *“a location where rescue operations are considered to terminate”* and above all a place *“where the survivors' safety of life is no longer threatened and where their basic human needs (such as food, shelter and medical needs) can be met”* (Resolution MSC.167(78), 6.12). The *“place of safety”* may be located *“on land”* or it may be *“aboard a rescue unit”* (Resolution MSC.167(78), 6.14). Its identification depends on *“circumstances of the case”*, including *“the situation on board the assisting ship, on scene conditions, medical needs”* (Resolution MSC.167(78), 6.15). The guidelines specify that a ship that has carried out a rescue does not constitute a *“place of safety”* solely on the basis that *“the survivors are no longer in immediate danger once aboard the ship”*. The assisting ship may not have the equipment or capacity to accommodate survivors for an extended period of time without *“endangering its own safety or properly caring for the survivors”*. (Resolution MSC.167(78), 6.13). Moreover, *“even if the ship is capable of safely accommodating the survivors”*, alternative solutions must be found as fast as possible and responsibility must be taken over by the Rescue Coordination Centre. This sets the stage for the

next point, which concerns the cooperation that governments must demonstrate in order to “relieve” ships and find a “*place of safety*”.

3.2. Circumstances for protection

Governments must cooperate with each other to provide suitable safe places. To do so, they must “*consider relevant factors and risks*”. (Resolution MSC.167(78), 6.16). This requirement for cooperation also aims to limit the burden imposed on assisting ships and to prevent assistance from turning into prolonged immobilisation at sea. The guidelines explicitly introduce the consideration of international protection. Furthermore, avoiding “*disembarkation in territories where the lives and freedoms [...] would be threatened*” and where they would be persecuted is a factor that governments must take into account when assigning a place of safety to survivors (Resolution MSC.167(78), 6.17). In this way, the concept of “*place of safety*” is linked, at least in effect, to protection requirements and the prevention of return to dangerous situations, which gives disembarkation a legal and political significance that goes beyond the purely technical purpose of a SAR operation when disembarkation takes place.

These concepts are designed to ensure a framework that respects human rights, but this framework can come under pressure and lead to the politicisation of rescue operations.

4. Managing rescue operations in a high pressure environment

International law on sea rescue should be organised in a normative manner and advocate for rapid assistance, coordination in the SAR Region, and then the disembarkation of survivors in a safe place. On the central route, this sequence faces structural tension linked to border governance and the politicisation of arrivals. Disembarkation entails administrative, logistical and political responsibility, as it opens up access to a space for processing individuals. These individuals enter a system of registration, orientation, health care and then asylum applications. This system gives rise to conflicts of responsibility between coastal states, states responsible for SAR coordination and states of arrival. The decision on the place of disembarkation becomes a political act because it involves the responsibility of the territory receiving these people to take them in. It entails an administrative cost for the authorities and represents an internal political cost. Border policies converge here around the management of arrivals. The authorities classify the migratory status of individuals and decide who can stay and who must

leave. These various tensions arising from migration spaces and rescue responsibilities accentuate the effect of borders as a long process rather than a simple dividing line between territories. Numerous sequences thus follow one another during the migration process in the central Mediterranean, from the departure of migrants to their probable interception or rescue, the coordination of this rescue and the disembarkation of individuals, their administrative processing and often their immobilisation or the start of a new cycle of mobility. These tensions are thus reflected in control practices through the assignment of disembarkation points, checks on both SAR actors and migrants, and administrative processing times. The central Mediterranean is a space in action that is constantly being reconfigured according to the dynamics that drive it.

The international legal framework for maritime rescue nevertheless allows for the development of a coherent migration protection architecture. UNCLOS emphasises the obligation to provide assistance and the requirement for capacity. SOLAS and SAR specify diligence, urgency, non-discrimination and the organisation of coordination via regional SARs and search coordination centres. The IOM guidelines amending the various jurisdictions define the “*place of safety*” and require inter-state cooperation, incorporating protection considerations. This section highlights a legal framework and raises questions about the capacity to control departures, the procedures for interception and coordination, the practical means of rescue, the conditions for disembarkation and reception, and even the forms of political and administrative support once the border has been crossed. On the central Mediterranean route, this legal framework operates in an area where disembarkation crystallises the political issue of responsibility and management of arrivals. It thus brings together a set of decisions that apply not only at sea, but also on both shores of the Mediterranean. The rest of the analysis can thus examine how, in practice, governance mechanisms and administrative practices affect the effective capacity for rescue, the timing of intervention and the concrete conditions for access to a safe place.

CHAPTER 2 – FROM RESCUE TO CONTROL: STATE OPERATIONAL RECONFIGURATIONS AND THE EMERGENCE OF CIVIL RESCUE

The legal framework established in Chapter 1 presupposes the existence of actors willing and able to fulfill rescue obligations. Chapter 2 examines how the state was historically the primary SAR actor in the central Mediterranean and how it progressively vacated that role, and what filled the void it left behind.

Three successive movements structure this analysis. First, the operational reorientation of state and European missions away from rescue and toward border surveillance. Second, the ambivalent role of EUNAVFOR Med as an illustration of how counter-smuggling mandates have functioned as a vector of border militarization. Third, the rise of civil SAR as a direct consequence of state withdrawal.

Section – From “SAR First” to border logic: state operations, militarisation and the rise of NGOs

This section traces a key sequence that is essential to understanding the transformation of the central Mediterranean into a space of governance. Between 2013 and 2017, action at sea underwent a gradual evolution. A phase of proactive state rescue, Mare Nostrum, gave way to operations focused on border surveillance and control with Triton, then to a militarised operationalisation of the fight against smugglers with EUNAVFOR MED/Sophia. At the same time, the rise of Search and Rescue (SAR) NGOs is part of a partial substitution movement, which is unfolding without comparable institutional funding and in an increasingly conflictual political environment.

1. Shift in State and international operations: from SAR to surveillance

Before analysing the gradual substitution by non-governmental actors, it is necessary to place the 2010s in an operational chronology. The aim of this first section is to show how the framework for rescue operations has been reconfigured, first with the establishment of Mare Nostrum and then through the transition to Triton. This represents a transformation of the mandate, the scope of action, and therefore the rationale for presence at sea.

1.1. Mare Nostrum (2013-2014) as a proactive rescue operation

Operation Mare Nostrum comes at a time marked by repeated shipwrecks near European shores. As mentioned above, the tragic shipwrecks off the coasts of Italy and Malta, which have claimed the lives of many people, have prompted calls in Europe for action to be taken against the emergence of a “*cemetery within our Mediterranean Sea*”. At that time, a “*high number of shipwrecks and deaths at sea challenged the migration-security nexus*” and drew attention to a new humanitarian approach (Panebianco, 2016, pp. 9–10). October 2013 therefore represents this “*momentum*” and leads to the adoption of a new strategy (Panebianco, 2016, p. 10). The Italian government, led at the time by Enrico Letta, Prime Minister and centre-left politician, decided to launch Operation Mare Nostrum under his “*direct responsibility*” (Panebianco, 2016, p. 10). This allows for an immediate response and avoids a lengthy implementation process, a decision that will then have repercussions on the government in power (Panebianco, 2016, p. 10). This operation focused on two main objectives: safeguarding human life at sea and bringing human traffickers and migrant smugglers to justice (Ministero Della Difesa, n.d.). Launched on the 18th October 2013 as a “*military and humanitarian operation [...] in the Strait of Sicily*”, it brings together numerous security and emergency services, with the support of “*sea and air assets of the Navy, Air Force, Carabinieri, Financial Police, Harbour Masters Corps / Coast Guard, personnel of the Italian Red Cross military corps and of the Ministry of the Interior / State Police*” (Ministero Della Difesa, n.d.). The operation achieved very concrete results and enabled the rescue of many people. According to figures from the Italian Ministry of Defence, compared to 2011 and 2012, when the Italian Navy rescued 2,686 and 2,586 people respectively during 20 and 24 operations, the Italian Navy rescued 167,861 people between 2013 and 2014. In 2014, the cornerstone of Operation Mare Nostrum, the allocation of significant resources to the Italian Navy led to the rescue of 156,362 people during 439 interventions (Panebianco, 2016, p. 12). Mare Nostrum was therefore an operation designed to intervene as close as possible to the areas of departure and reduce the length of time spent exposed to risk. The figures show the scale of the mobilisation that took place and its effectiveness.

1.2. Political and budgetary debate: a turning point in the term of office

However, the implementation of this large-scale sea rescue plan was accompanied by a budgetary and political debate that quickly crystallised around the economic and political sustainability of Mare Nostrum. The high cost of the operation was used as an argument for overhauling Italy's strategy and transitioning to a less ambitious European system, based on very different principles. Mare Nostrum was quickly seen as a “burden” in Italian public opinion (Panebianco, 2016, p. 13). The operation represented a total of €9 million per month for Italy, which it had to bear alone (Brady, 2014, p. 2). In addition, anti-migrant rhetoric has gradually crept in with the concept of the “pull factor” (Panebianco, 2016, p. 13). The presence of rescue services at sea encourages departures because people who embark on the crossing believe they will potentially be rescued. This theory has been widely criticised by researchers for oversimplifying the complexity of migration routes. As Stierl argues, this argument about the “pull factor” has dangerous consequences because it has gained traction in public debate despite its rejection by the specific community (Stierl, 2023). Fabrice Leggeri, former director of Frontex, the European Union's border agency, echoed the “pull factor” rhetoric in 2015, citing “traffickers” who allegedly told people that it was “easy” to reach European shores thanks to the presence of rescue boats near the Libyan coast (Stierl, 2023). With his words, he is maintaining ambiguity at a pivotal moment for sea rescue. Fabrice Leggeri is now a Member of the European Parliament for the *Rassemblement National*, a French populist party regularly criticised for its anti-immigration stance. The announcement of his candidacy came as a shock because of the way it built a bridge between the European civil service and the far right (Pascual et al., 2024). Fabrice Leggeri served as director of the European Border and Coast Guard Agency between late 2014 and 2022, a period during which international sea rescue operations took a security-focused turn.

1.3. Triton: refocusing on the border effect and limited spectrum of action

The transition to Operation Triton marks a reconfiguration of the presence at sea. Even though rescue operations are still being carried out to some extent, the general focus has shifted towards monitoring external borders. This operation was launched in November 2014 under a European mandate, under the aegis of Frontex, the EU agency for border surveillance, and follows on from Operation Mare Nostrum, which was carried out under Italian responsibility. EU Commissioner Malmström highlighted the operation as a “European responsibility” because “the Mediterranean is a European sea” (Mainwaring and DeBono, 2021, p. 1034). However, Triton was very limited in its operations, especially for a European initiative and after the

numerous rescues undertaken by Mare Nostrum actors. This initial operation, which included “*patrols throughout the Central Mediterranean*” and was a large-scale SAR effort, was replaced by a smaller-scale operation due to “*accusations that Mare Nostrum had acted as a pull factor*”. (Mainwaring and DeBono, 2021, p. 1036). The capabilities of Operation Triton were thus limited to operating only 30 nautical miles from the Italian and Maltese coasts. Furthermore, compared to the constant surveillance of areas of tension during Operation Mare Nostrum, which involved numerous patrols, Operation Triton was limited to responding to distress calls (Mainwaring and DeBono, 2021, p. 1036). Amnesty International had already highlighted the danger, as soon as the Mare Nostrum mission ended, stating in an October 2014 press release that “*Italy must continue the Mare Nostrum search and rescue operation until there is a better-equipped alternative supported by other European countries – and Triton is certainly not it*” (Amnesty International, 2014).

In conclusion, presenting Operation Triton as a replacement for Mare Nostrum would be an oversimplification, as the two operations were based on very different mandates. Mare Nostrum was implemented with the aim of carrying out SAR missions, whereas Operation Triton was based on a more security-oriented approach focused on border control (Panebianco, 2016, p. 13). The change in the scope of action has two major implications. On the one hand, it distances public resources from the areas where boats are most commonly in distress. On the other hand, it creates dependence on other actors present at sea, whether merchant ships mobilised by their duty to assist, or NGOs that are gradually emerging to fill this operational void.

2. Towards the militarisation of the border through the fight against smuggling: EUNAVFORMED as an ambivalent sequence

The sequence that began after the launch of Operation Triton marks a turning point in European migration dynamics. Mass shipwrecks and an increase in crossings have highlighted a crisis of capacity and coordination, while the European response has been redefined around security and anti-crime measures. This section examines the ambivalence of this reconfiguration. The rhetoric of protecting lives remains present, but it coexists with a logic of prohibition, deterrence and neutralisation of networks.

2.1. Reassessment of Operation Triton and changes to the content of the rescue operation

In spring 2015, two massive shipwrecks occurred in the Central Mediterranean. On 12 April 2015, 400 people lost their lives in a shipwreck off the Italian coast (MIGREUROP, 2015). Barely a week later, on 18 April 2015, more than 1,000 people died when their fishing boat, in which they were crammed together with a *“Portuguese container ship that had responded to its distress call”* (SOS MEDITERRANEE, 2025c). These tragic shipwrecks have raised public awareness and highlighted the direct impact of the termination of Mare Nostrum and the launch of Triton with reduced capabilities (MIGREUROP, 2015). By *“restricting the operational area and reducing the number of vessels and aircraft”*, Operation Triton only *“resulted in more deaths”* (Cuttitta, 2018, p. 638). Furthermore, the presence of this Portuguese cargo ship calling for help highlights the reduced role of Triton, which at the same time led to the growing involvement of commercial ships in SAR operations. As a result, the proportion of people rescued by commercial vessels has increased significantly. From 25% in 2014, it rose to 33% of people rescued during the first six months of 2015. This change in rescue operations has also increased the mortality rate of crossings with boats that are *“not well equipped nor trained for SAR”* (Cuttitta, 2018, p. 638). The EU then decided to partially reconfigure Triton by increasing its resources and area of operation. Thus, the budget is *“tripled”* and *“the operational area [...] extended to 138 nautical miles south of Sicily”* (Cuttitta, 2018, p. 638). This adaptation confirms a key point: SAR capabilities are becoming a variable, dependent on trade-offs and contexts. The geography of resources, such as distance of action, presence or coordination, has a direct impact on rescue times and therefore on exposure to risk. They are part of a framework in which the border is also governed by the modulation of presence at sea and by the shift of state competences to other objectives.

2.1. The launch of a European mission to combat smuggling: EUNAVFORMED

Following the tragic shipwrecks of 2015 and the reconfiguration of Operation Triton, the European Union launched a second operation based on a different narrative, seeking to reduce migration flows by reducing opportunities for departure. To achieve this, the idea is to prevent criminal networks from transporting people to Europe by targeting them directly. The European Union Naval Force Mediterranean (EUNAVFORMED) was created and its mission, launched in May 2015, was later named Operation Sophia (European Parliament, 2019). The primary objective is not to establish search and rescue capabilities to save people crossing the Mediterranean, but rather to cooperate with the Libyan authorities *“to identify, capture and dispose of vessels”* and *“enable the confiscation of assets used or suspected of being used by*

migrant smugglers or traffickers” (European Parliament, 2019). This cooperation, “*required in order to operate in the Libyan Sea area*”, marks a form of legitimisation of these actors in the process of preventing departures (Panebianco, 2016, p. 22). The operation is presented as aiming to disrupt “*the business model of human smuggling and trafficking*” (Garelli and Tazzioli, 2017, p. 688). The first phase, launched in June 2015, aimed to gather information on how these smuggling groups operate before launching a second phase with a “*mandate to arrest smugglers in international waters and destroy their vessels*” (Cuttitta, 2018, pp. 638–639). Sophia thus illustrates a form of militarisation of action at sea. It is described as a “*humanitarian war against migrant smugglers*” (Garelli and Tazzioli, 2017). The operational logic of Operation Sophia is thus expressed in terms of neutralising crossing infrastructure. This doctrine explicitly links rescue to a strategy of closure. Securing the route becomes inseparable from a policy of borders and demarcation, where action on the means of crossing and preventing it constitutes a means of governing flows.

2.2. A marked ambivalence: between saving lives and shifting risk

As Operations Triton and Sophia are launched, a double discourse emerges around the protection of human life. EUNAVFORMED's stated aim is to save lives, in particular “*by disrupting criminal networks of smugglers and traffickers*” (European Parliament, 2019). This marks the explicit introduction of a hybrid rationale into European sea rescue operations, which are both military and humanitarian in nature. The protection of human life is thus invoked as a justification and legitimisation for actions that are primarily security-oriented. The control, surveillance and interception of those involved in smuggling networks is presented as a logical extension of rescue operations. This shift profoundly reconfigures the dynamics of rescue operations in the central Mediterranean. The central tension of the post-Mare Nostrum sequence rests on a structural ambivalence, whereby the aim is to “*save*” while simultaneously seeking to “*block*”. This paradox is expressed through Operation Sophia, which thus produces a “*humanitarian blockage*” (Garelli and Tazzioli, 2017, p. 689). By targeting informal transit systems and severely restricting the central route, the Operation no longer offers a way out for people in transit in Libya seeking to continue their migration journey. The logic of protection invoked by the European operation serves mainly to shift the danger zone. In a sense, it is based on the idea that destroying means of transport would prevent shipwrecks and reduce deaths at sea. However, this protection does not eliminate the risk, it transfers it from the Central

Mediterranean to Libya, where people face numerous forms of violence, whether physical, mental or sexual (Garelli and Tazzioli, 2017, p. 690).

Thus, the border is no longer just a place where people are rescued. It has become a mechanism for governing mobility, based on anticipation, logistical disruption of means of crossing, decisions on who can take to the sea, and the externalisation of human costs beyond Europe's field of vision.

3. Relative withdrawal of states and rise of civil search and rescue as a substitute for state action

The reconfiguration of state and European operations has been accompanied by a transformation of the rescue landscape. As the public presence dedicated to SAR is being reorganised, non-governmental organisations are moving into the central Mediterranean. They are filling the relative vacuum left by the reconfiguration of SAR mission objectives. SAR NGOs are thus becoming key players in migration dynamics in the Mediterranean and must operate with limited capabilities and a strong dependence on rescue coordination frameworks. This section analyses the rise of these NGOs, as well as the ambiguities of substituting state action in a dynamic of governance, controversy and obstruction.

3.1. Emergence and consolidation of an NGO SAR Sector as a third actor in rescue operations

Since 2014, several NGOs have been deploying rescue vessels or observation devices at sea, contributing to the gradual structuring of a non-governmental SAR sector. The rise of SAR NGOs follows directly on the heels of the reconfiguration of state operations and has been gaining momentum since 2015 (Cuttitta, 2018, p. 639). The emergence of these actors can be explained by two reasons: the increase in rescue needs and the perception of an operational vacuum, at least in part, left by the end of Mare Nostrum and by the security focus of Triton, limited to thirty nautical miles from the Italian and Maltese coasts and lacking an explicit SAR mandate. After the first launch of the boat by the Migrant Offshore Aid Station (MOAS) in 2014 (Cuttitta, 2018, p. 632), many NGOs have contributed to expanding the civilian fleet with vessels from numerous organisations such as Médecins Sans Frontières (MSF), SOS MEDITERRANEE, Sea-Watch and Save the Children (Cusumano and Pattison, 2018, p. 53).

This increase in the SAR capabilities of NGOs can also be measured quantitatively. According to the Guardia Costiera (Italian Coast Guard Agency), NGOs rescued “*over 110,000 people*” in the central Mediterranean between 2015 and 2017. The rescues carried out by these organisations accounted for 40% of the people rescued on the central route in 2017 (Mainwaring and DeBono, 2021, p. 1031). This contribution reconfigures the organisation of the practical rescue system. NGOs become regular operators, visible in the media, and de facto integrated into the SAR chain. However, Cusumano and Pattison stress that the actions of these NGOs cannot be considered satisfactory in view of the task at hand. Thus, NGOs “*simply do not have the capacity to conduct large-scale maritime rescue operations offshore Libya*” (Cusumano and Pattison, 2018, p. 70). In saying this, researchers are not attempting to blame organisations, but rather to question the actions of states which, by reducing the scope of public SAR operations, have opened the door to the emergence of these actors as substitutes without providing them with the resources necessary to carry out the tasks they undertake.

3.2.Cooperation with MRCC and humanitarian governmentalisation: integration into a double-edged migration management system

The practical operation of the SAR involves structural coordination between non-governmental actors and state coordination centres, foremost among which is the Maritime Rescue Coordination Centre (MRCC) in Rome. This coordination centre is responsible for organising rescue operations taking place in the Italian SAR zone. NGOs have collaborated with it to carry out rescues (Mainwaring and DeBono, 2021, p. 1040). Cuttitta attempts to explain this phenomenon of cooperation with the Italian authorities, who are themselves less and less present in the search area. According to him, it is “*the humanitarian governmentalisation of international waters that made non-governmental humanitarian intervention possible*” (Cuttitta, 2018, p. 639). This approach to governance from a humanitarian perspective led to Operation Mare Nostrum, but when it ended, it left a structural void that NGOs filled, in part, through their presence. This formulation highlights a key point. NGOs' access to maritime space, their ability to intervene and obtain landing ports depends on a governance framework that remains controlled by states, even when they are less operationally present at sea. This integration into the governance system creates a profound ambivalence. On the one hand, NGOs cooperate daily with the MRCC, reducing mortality through their presence and their ability to locate people in distress. On the other hand, this cooperation may contribute to stabilising a management order in which political responsibility

for protection remains contested. Thus, by delegating rescue services to organisations, the European Union is attempting to free itself from any complicity in deaths at sea (Mainwaring and DeBono, 2021, p. 1040). A representative from MSF Amsterdam summarises this tension: “*We don't want to replace the states. Are we relieving them from their responsibilities? Are we allowing them to use their resources for purposes which are different from SAR?*” (Cuttitta, 2018, p. 650).

By transferring survivors to the Italian authorities and cooperating with Frontex and EunavforMed, NGOs also provide a certain “*legitimisation to the border regime they declare to contest*” (Cuttitta, 2018, p. 650). The maritime space is becoming a place where humanitarian actors, through their very operations, are helping to make a border governable. These operations follow models and practices that structure a form of civilian search and rescue organisation through a “*process of emulation*” (Mainwaring and DeBono, 2021, p. 1040). This process guides the professionalisation and sharing of skills between NGOs, positioning them as credible actors in search and rescue operations in the central Mediterranean.

3.3. Between refusal to transfer and refusal to govern: the repoliticisation of the migration system by NGOs

Throughout their period of growth, NGOs find themselves caught between demands for operational neutrality and forms of active protest. Cuttitta notes that some NGOs carry out both SAR and the role of “*watchdog*” in the area of operations (Cuttitta, 2018, p. 636) transforming international waters into a political stage from which to denounce the deadly effects of the European border regime. MSF, in particular, uses only private funding to maintain a certain independence from state actors. Sea-Watch also helps to distance NGOs from the governance regime maintained by state actors by denouncing the lack of state capacity in the area of operations (Cuttitta, 2018, p. 641). Some NGOs are thus attempting to challenge a logic that places the responsibility for relief on non-state actors. These controversies are part of a context of “*media, political and judicial offensive*” that attacks all NGOs, even those that do not play the role of critics of the European migration system (Cuttitta, 2018, p. 649). This criminalisation then took a systemic turn in the Central Mediterranean, and numerous obstacles were put in place against NGOs, gradually structuring what the research would later present as a restriction of humanitarian space. NGOs operate within a heterogeneous migration system with a multitude of actors and decision-makers shaping the border. Their action takes place in a

context of “*borderwork*”, which can be defined as “*the involvement of ordinary people in processes of production, reproduction and transformation of the border that have traditionally been the domain of nation-states*” (Sinatti, 2023, p. 14). The outsourcing of border control to third parties, involving civil society, has shifted the focus of border governance beyond the simple jurisdiction of the state and geographical boundaries (Sinatti, 2023, p. 13). Transposed to the sea, this framework helps to understand why NGOs can both challenge the border, by rescuing, bearing witness, and refusing certain transfers, and participate, despite themselves, in certain effects of governance. Non-governmental intervention operates in a space where rescue requirements, state coordination, disembarkation policies, and strategies of increasing externalisation towards Libya overlap.

This chapter highlighted the profound changes that took place in maritime operations in the central Mediterranean between 2013 and 2017, shifting from a proactive rescue model to an increasingly militarised and security-focused approach to maritime border management. Through state and inter-state operations, we saw how European policies evolved. This change was accompanied by the emergence and rise of search and rescue NGOs. Operation Mare Nostrum, as an Italian state initiative, marked a turning point in sea rescue. The number of lives saved under its impetus was unprecedented and represented a model of humanitarian management of maritime distress. However, the transition to Triton put an end to this approach, an operation that was much more limited in terms of capabilities and scope. This change quickly showed its limitations, particularly after the tragic shipwrecks of 2015, which revealed the inadequacy of the European system. The establishment of Operation Sophia accentuated this development, transforming the maritime space into a battleground for combating migrant smuggling and crime, to the detriment of pure rescue. Faced with this relative withdrawal of states, NGOs have taken on an increasingly central role in rescue operations. Their intervention has been made possible by an operational vacuum left by the increasingly security-focused policies of states. However, NGOs have not only replaced the action of states, they have found themselves at the forefront of a repoliticisation of rescue, facing tensions related to their neutrality and growing criticism of their role in border management. The rise of these actors has highlighted border governance as a dynamic process, in which maritime borders are redefined according to the actors present and the policies in place. Thus, rescue at sea, beyond a simple humanitarian act, becomes an integral part of border management, where NGOs, while saving lives, also participate in stabilising a political and migratory order.

The following chapter will discuss the European Union's instruments for border management and how the externalisation of migration policies, particularly through the EU's Neighbourhood Policy, has transformed migration dynamics in the central Mediterranean.

CHAPTER 3 - GOVERNING UPSTREAM AND THROUGH THE LAW

The previous chapter demonstrated that state withdrawal from SAR created a structural dependency on civil actors. Chapter 3 examines how European governance has responded to that dependency by deploying two complementary instruments designed to reduce the overall volume of people reaching zones where rescue becomes necessary, and to constrain those who attempt to provide it. The first instrument operates upstream. Through externalization policies, the EU has progressively delegated border control functions to third-country partners, Libya and Tunisia foremost among them, transforming them into buffer states whose role is to intercept migration before it becomes a European rescue problem. The second instrument operates through law. The criminalization of humanitarian actors has functioned as a juridical deterrence mechanism, imposing legal, administrative, and operational costs on NGO vessels in ways that directly erode civil SAR capacity.

Section 1: Externalisation – governing the border upstream

The phenomenon of externalising European borders represents a significant change in migration governance over the last two decades. The EU's Neighbourhood Policy (ENP) is one of the main mechanisms used to extend EU border control beyond its geographical borders, establishing partnerships with countries south of the Mediterranean and in sub-Saharan Africa. This chapter explores how these externalisation efforts have redrawn Europe's borders by transferring control and responsibility for migration management to neighbouring countries, often at the expense of human rights and without clear accountability. Fundamentally, the logic of the EU's externalisation strategy is to create 'regional engineering' alliances that position neighbouring states as key actors in migration regulation. This strategy has been increasingly deployed as part of a broader geopolitical agenda, with the EU using its economic and political influence to promote cooperation on migration management. The Mediterranean region, particularly its southern shores, has become a central location for the implementation of these externalisation measures. In this context, the EU has sought to externalise its border control functions to neighbouring states such as Libya and Tunisia, each playing a different role within the broader framework of migration control.

In this chapter, we will examine the EU's logic of externalisation through the lens of its Neighbourhood Policy and how this has translated into specific partnerships with Libya and

Tunisia. We will explore the instruments that have been put in place to secure the cooperation of these countries. This chapter will also highlight how these externalisation practices have contributed to the southward shift of European borders, creating a complex and often violent environment for migrants. By analysing these practices, we aim to shed light on the consequences of the EU's externalisation of border control on both the sovereignty of the states concerned and the human rights of asylum seekers.

1. European Neighborhood Policy (ENP): region building in the service of EU interests

The externalisation of European borders is part of a governance approach that has shaped the EU's relations with its neighbours for several decades, well before the 2015 crisis. To understand its coherence, we must first restore the conceptual and institutional framework in which it operates, before examining how this framework translates into financial instruments and concrete delegation practices.

1.1. The limes in the central Mediterranean: a geostrategy of containment

Outsourcing is a key concept in border management and broader migration strategy, which takes place in a context marked by varied configurations of territory and actors that are constantly restructuring the dynamics. According to Loyd and Mountz, a regional scale of border management has developed with the “*potential means of regulating human mobility, due to the inability of individual nation states to control migration*” (Cuttitta, 2022, p. 5). The European Union has thus gradually established partnerships with countries of origin or transit with a view to controlling the border upstream of the flow. The EU has gradually built up a migration control area extending well beyond its territorial borders. The logic underlying this architecture is that which Walters conceptualised through the notion of limes. He defines them as a border that is not linear but diffuse, that draws a line “*between stability and order within and disorder, nomadism, barbarism outside*” (Oner and Cirino, 2021, p. 66). This definition thus relegates the countries south of the Mediterranean to a structurally asymmetrical position in relation to the European Union and reinforces the concept of the sea as a pivotal space connecting these two distinct poles. This strategy of demarcation and gradual delegation has

materialised in the construction of a “contained mobility paradigm” (Oner and Cirino, 2021, p. 68) which combines the criminalisation of SAR NGOs, the outsourcing of migration control to third countries, and the EU's gradual withdrawal from SAR responsibilities.

1.2. Neighbourhood Policy instruments: funding and delegation of powers

The “*geostrategy*” outlined above is implemented in practice through the European Neighbourhood Policy. The European Neighbourhood Policy was launched in 2004 “*to foster stability, security and prosperity*” in the immediate neighbourhood of the European Union (European External Action Service, 2021). The three priorities for cooperation are economic development, security and, thirdly, migration and mobility (European External Action Service, 2021). As Bialasiewicz points out, “*Europe's neighbours are becoming Europe's policemen, with the Mediterranean as the primary site for externalising European governance and a laboratory for finding various solutions for policing EU borders*” (Oner and Cirino, 2021, p. 68). This “*region building*” in the service of European interests translates into massive funding for border control capabilities in neighbouring countries. This funding is even being put in place through the action of certain NGOs that “*are involved in a number of migration-related activities that aim at preventing people from attempting the sea-crossing to Europe*” in exchange for funding (Cuttitta, 20220, p. 9). In this way, they contribute, sometimes unwittingly, to the outsourcing trend that they claim to criticise.

Thus, the European Neighbourhood Policy is part of a geostrategy aimed at extending the EU's migration control beyond its borders. By delegating responsibilities to neighbouring countries, the EU has built a regional governance space where the management of migration flows is outsourced. This system has the effect of making the countries of the southern Mediterranean both actors and victims of this dynamic, thereby strengthening the European border while shifting the human risk to the southern shores.

2. Cooperation with Libya: towards an increasingly violent environment

The European Union's action towards the countries of the central Mediterranean is particularly evident in the cooperation between Italy and Libya. Their joint action on migration predates the 2017 Memorandum by far and is part of a long series of bilateral agreements that have gradually become more operational, supervised by the European framework. Cooperation

with Libya is the paradox of European externalisation, being at once the most heavily funded, the most documented in terms of its effects on human rights, and the most problematic in terms of international legal responsibility. To understand the logic behind this, it is necessary to examine its institutional and financial architecture, its operational implementation through the training of coastguards and the creation of a Libyan SAR zone, and then its human and legal effects.

2.1. Architecture of the Memorandum of Understanding: agreements and construction of an interception infrastructure

Italian-Libyan cooperation on migration is part of a long history of bilateral agreements. In 2000, the two countries signed an agreement to combat irregular migration, followed by a series of increasingly operational protocols. The 2007 agreements already provided for joint sea patrols. The 2008 Friendship Treaty is described by MSF as a “*historical matrix for externalization*”. This “*Friendship Deal*” between Berlusconi and Gaddafi “*aimed to facilitate deportations from Italy to Libya, as well as the detention of migrants in Libya and their subsequent deportation from Libya*” (Médecins Sans Frontières, 2025, p. 7). This sequence reveals a logic of mutual dependence and structural blackmail. Thus, “*instead of Europe pressing Gaddafi for political change, Gaddafi was able to blackmail European governments for whom migration was a political liability*” (Médecins Sans Frontières, 2025, p. 7). It is within this continuum that the Memorandum of Understanding signed on 2 February 2017 fits, the text of which commits Italy to providing:

“technical and technologic support to the Libyan institutions in charge of the fight against illegal immigration, and that are represented by the border guard and the coast guard of the Ministry of Defence and by the competent bodies and departments of the Ministry of Home Affairs” (Memorandum of Understanding, 2017).

The document also provides for “*the provision of temporary reception camps in Libya, under the exclusive control of the Libyan Ministry of Home Affairs, pending voluntary or forced return to the countries of origin*” (Memorandum of Understanding, 2017). Article 5 commits both parties to “*interpret and apply the present Memorandum in respect of the international obligations and the human rights agreements to which the two Countries are parties*” (Memorandum of Understanding, 2017). This statement can be considered purely declaratory

given the numerous human rights violations committed by the Libyan authorities, which have been widely documented by observers and NGOs (Amnesty International, 2025). This three-page text, which is legally vague, has never been ratified by parliament and has been automatically renewed every three years by successive governments. This raises the question of the legal validity of this agreement, as the Italian Constitution requires international treaties to be authorised by a parliamentary vote (EMERGENCY, n.d.). Requests from NGOs to terminate this bilateral agreement or at least to reconsider it have not been met with a positive response. A motion to revoke the Memorandum was even rejected by a majority in Parliament, demonstrating the government's willingness to dismiss objections concerning human rights and to take a stand in favour of protecting people in distress (Amnesty International Italia, 2025). Since 2012, *“Libya has received €480 million in Italian and European funding”* (EMERGENCY, n.d.) and has received substantial assistance from the European Union, notably through the EU Emergency Trust Fund for Africa and its programme Support to Integrated Border and Migration Management in Libya (Emergency Trust Fund for Africa, 2021).

2.2. Operationalisation: training of Libyan coast guards, SAR zone and proxy refoulement

The implementation of the MOU has resulted in a gradual increase in the interception capabilities of the Libyan coastguard, which has been directly trained and equipped by the EU and Italy. The EU's Operation Sophia began training the Libyan coastguard in October 2016, and the effects are measurable in quantitative terms: *“interceptions grew from zero in 2014 to 7,000 in 2015, 14,000 in 2016 and 32,000 in 2021”* (Médecins Sans Frontières, 2025, p. 10). The interception rate as a proportion of departure attempts rose from 12% in 2017 to an average of 50% between 2018 and 2021 (Médecins Sans Frontières, 2025, p. 10). This increase in power was institutionalised by the creation of a Libyan SAR zone formally established in August 2017, which Mainwaring and DeBono describe as a *“legal fiction”* due to *“the Libyan coastguard's limited capacity and human rights record”* (Mainwaring and DeBono, 2021, p. 1041). The political rationale behind this measure was explicitly stated by Admiral Credendino, commander of Operation Sophia:

“We will create a Libyan system capable of stopping migrants before they reach international waters, as a result it will no longer be considered a push-back because it will be

the Libyans who will be rescuing the migrants and doing whatever they consider appropriate with the migrants” (Mainwaring and DeBono, 2021, p. 1041).

This shift was accompanied by a “*political offensive against SAR NGOs*” by the Italian authorities, accusing them of “*facilitating irregular migration*” (Cuttitta, 2022, p. 14) which confirms that restricting humanitarian space and strengthening externalisation are two components of the same strategy. More recently, an additional trend has complicated this picture. The rise in departures from eastern Libya, controlled by Haftar, has led the EU to seek to “*rapidly engage with Eastern Libya's government and try to replicate the cooperation it has with the GNU, to close the entire Central Mediterranean route*” (Médecins Sans Frontières, 2025, p. 20). This illustrates how externalisation policies generate new routes that the EU then seeks to control by further expanding its network of partnerships with non-state armed actors.

2.3. Human consequences and responsibilities

The human consequences of this policy are documented in a consistent manner by multiple authorities. MSF points out that the financial aid granted by Italy to Libya “*comes at the expense of migrants and refugees' human rights*” because “*virtually everyone intercepted at sea by the Libyan Coastguard ends up in a Libyan detention centre*” (Médecins Sans Frontières, 2022). An independent United Nations fact-finding mission stated in 2023 that violations committed in places of detention in Libya constitute “*crimes against humanity*” and that these took place “*under the actual or nominal control of Libya's Directorate for Combating Illegal Migration, the Libyan Coast Guard and the Stability Support Apparatus*”, actors directly funded and equipped by the European Union (EMERGENCY, n.d.). In terms of deaths at sea, the effect of this policy is also documented. The death rate in relation to attempted crossings increased between 2013 and 2017. It rose from an average of 2% to 7% in 2019. This increase in mortality can be linked to “*the effect of European policies gradually empowering the LCG, the declaration of the Libyan SAR zone in 2017 and the withdrawal of Sophia's maritime operations in 2019*” (Médecins Sans Frontières, 2025, p. 10). The question of Italy's legal responsibility was raised as soon as the MoU was signed. Even if Italy is not directly involved in human rights violations, it provides Libya with logistical and financial resources “*to block migrants and then either detain them*” (Vari, 2020, p. 107). Given the risks faced by persons in detention in Libya or that they could face if returned to their country, Italy and Europe would be responsible for “*aiding and assisting Libya perpetrating international law violations*” (Vari, 2020, p. 130). This model has been replicated with Malta, which in turn has established a MoU

with Libya. This joint action could lead to illegal returns of migrants and human rights violations (Asylum Information Database and European Council on Refugees and Exiles, 2025). NGOs such as Sea-Watch also report that Malta consistently delegates rescue operations to the Libyan authorities and that “*Frontex's intelligence-sharing primarily enables interceptions by Libyan and Tunisian authorities rather than rescues, leading to forced returns to conditions of torture and abuse*” (Asylum Information Database and European Council on Refugees and Exiles, 2025) In February 2024, the Italian Court of Cassation ruled that “*Libya cannot be considered a place of safety*”, which supports the fact that Libyan operations do not meet the criteria for search and rescue (EMERGENCY, n.d.). This has not prevented Italy and Europe from continuing to cooperate with the Libyan authorities. This policy is even encouraged at the highest level of the institutions by the President of the European Commission, who stated at the end of 2024 that “*continued work with Tunisia and Libya [...] remains a high priority, always in full compliance with our principles and values*” (Médecins Sans Frontières, 2025, p. 6).

Libya thus represents an extreme case of violent externalisation, in which European authorities play a role in human rights violations. We will then look at how this process of externalisation is expressed in neighbouring Tunisia, which also cooperates with European and Italian authorities.

3. Cooperation with Tunisia: a fluctuating role

Tunisia illustrates a complementary configuration, that of a state whose role is structurally conditioned by economic dependence on the EU and by internal political developments that make it a fluctuating but increasingly integrated partner in the European border system. It is worth first examining how long-standing bilateral cooperation has been reactivated and intensified in the context of Kais Saied's authoritarian consolidation, before analysing the concrete effects of the 2023 Memorandum on the ground.

3.1. Economic dependence and political instrumentalisation

European and Tunisian cooperation on migration issues dates back many years and involves numerous actors. Italy is the main European Union stakeholder in Tunisia. In 1998, a police cooperation and repatriation agreement was signed, which has been the basis for police training measures carried out by Italian authorities for Tunisian law enforcement bodies until today (Naceur, 2020). Cooperation between the two countries intensified in the 2000s, when reports of refoulement operations began to emerge. After more than 25,000 Tunisians arrived in Italy in 2011, Italy signed an information exchange protocol. Then, starting in 2012, it delivered at least twelve patrol boats to the Tunisian navy and coast guard, in addition to vehicles, computer equipment and training programmes (Naceur, 2020). At the European level, the Neighbourhood Policy and the Emergency Trust Fund for Africa have financed a vast programme to strengthen Tunisia's border capabilities, through a wide range of actors such as French and German development agencies and the International Centre for Migration Policy Development (ICMPD). This has led to the construction of an architecture defined as *“a systematic attempt to hermetically seal off Tunisia's external borders as quickly as possible”* (Naceur, 2020). The momentum accelerated considerably with Kais Saied's authoritarian consolidation of power from 2021 onwards. In 2023, Saied used the migration crisis both domestically *“as a populist way to increase support for his government”* and internationally *“as a currency to negotiate with the EU”* (Munteanu, 2024, p. 5). It was in this context that the EU-Tunisia Memorandum was signed on 16 July 2023, explicitly replicating the Libyan approach. The agreement allocates €150 million in budgetary support to Tunisia and €105 million for border management, *“to combat anti-smuggling operations, fortify border management capabilities, and streamline the repatriation process for asylum seekers”* (Munteanu, 2024, pp. 5–6). The text of the memorandum of understanding contains only general arguments on human rights, coupled with silence on the part of the European Union regarding human rights violations in Tunisia and off its coast. This confirms that European actors have chosen to adopt a security-based approach to the joint management of migration flows with Tunisia (Munteanu, 2024, p. 6). Furthermore, this agreement was signed at European level, bypassing the European Parliament, which led to legal proceedings challenging the allocation of a budget to a state that does not respect human rights (EMERGENCY, n.d.).

3.2. Operational effects on interceptions and reduction of humanitarian space

The EU has allocated €4.5 million in 2024 and an additional €4.5 million for 2025 to support Tunisian naval units in countering irregular immigration operations, in addition to €4.8 million to renovate six vessels belonging to the Maritime National Guard (GNM), the Tunisian coastguard agency. The effectiveness of this financial support is reflected in the figures, with 14.62 migrants intercepted at sea by the GNM during the first quarter of 2024, all of whom were repatriated to Tunisia (Munteanu, 2024, p. 6). On 19 June 2024, Tunisia notified the IMO of the establishment of a Tunisian SAR zone, replicating the Libyan mechanism of 2017. This had led to an increasing disengagement of Italian and European vessels from the Central Mediterranean (EMERGENCY, n.d.). This relaxation of responsibilities has led to a certain legitimisation of the violent practices of the Tunisian National Guard. This new zone has also created a situation of overlapping responsibilities at sea between the Libyan and Tunisian authorities, leading to “*migrants departing from Libya [being] returned to Tunisia*” (Médecins Sans Frontières, 2025, p. 10). Similarly, Tunisia cannot be considered a safe place due to numerous human rights violations and the refoulement of migrants to Libya, where they are likely to be tortured. The Tunisian government continues to use migration as leverage in its negotiations with Brussels, illustrating how the dynamics of externalisation are not simply imposed by the North on the South, but produce configurations of intersecting interests that reinforce their permanence.

In conclusion, the study of the Libyan and Tunisian cases now makes it possible to identify the central structural effect produced by all of these European cooperation mechanisms. On an operational level, the creation of Libyan and Tunisian SAR zones has justified the gradual withdrawal of European states from the main distress zone, while entrusting interceptions to actors whose conduct is documented as violent and contrary to international law. On a discursive level, European governments have used humanitarian rhetoric to present externalisation as a policy for protecting lives. It is in this context that the humanitarian space for SAR is shrinking. The criminalisation of NGOs, coupled with the reconfiguration of the framework in which they operate, serves to delegitimise non-governmental actors and put them and survivors at risk. The following chapter will analyse how the criminalisation of SAR NGOs is taking place and how it aims to reduce any non-governmental presence in the space where the border is being contested.

Section 2 – The criminalisation of humanitarian actors: legal tools for deterrence

The criminalisation of humanitarian actors has gradually become widespread in the field of search and rescue, targeting organisations that intervene directly in areas of operation in international waters. It is not limited to a series of abusive prosecutions or local political decisions. As researchers have argued, it is a structural phenomenon rooted in migration governance (Du Jardin, 2022, p. 526). It relies on a growing arsenal of instruments such as criminal law, administrative sanctions, media delegitimisation, bureaucratic obstruction and operational regulation.

Together, these tools serve as a consistent deterrent, signalling to civil society that solidarity with migrants comes at a price. This chapter traces the architecture of this deterrence, beginning with the legal framework that makes prosecution possible, then moving on to the concrete mechanisms through which European states, notably Italy, have translated legal ambiguity into operational pressure on rescue NGOs.

1. The legal foundations of criminalization

Legislative and regulatory developments in Europe have led to increased criminalisation of humanitarian assistance, particularly in the context of irregular migration. This trend has manifested itself in a series of legal measures, including the 2002 Facilitation Directive, which was initially aimed at combating migrant smuggling for financial gain. However, the scope of this legislation quickly expanded, also affecting civil society actors engaged in humanitarian solidarity actions. This first section first explores the legal basis for this criminalisation, highlighting the ambiguities left by the legislative texts and the consequences for NGOs. It then assesses the concrete impact of this legal basis by examining a regulatory instrument that is supposed to ensure the transparency of rescue operations at sea, but which has been exploited for other purposes.

1.1. European Union Facilitation Directive: a broad and instrumentalised framework

The legal basis for criminalising humanitarian aid in Europe stems mainly from a legislative framework adopted by the European Union in 2002. This framework is based on the “*Facilitators Package*”, a legal framework on the criminalisation of human trafficking in the context of migration. This package combines Directive 2002/90/EC, which defines the facilitation of unauthorised entry, transit and residence, with a framework strengthening the criminal justice response (The Kinsa Case, n.d.). Under Article 1, Member States are required to penalise any person who “*intentionally assists*” a foreign national to enter or transit through a Member State in breach of immigration legislation (Council of the European Union, 2002). The aim of this legislation was to target criminal networks of smugglers who profit from irregular migration, but its application has proved to be much broader. As the directive does not clearly define the nature and scope of humanitarian aid, nor specify what constitutes a “*lucrative purpose*”, Member States have considerable room for interpretation and, in practice, it is used against civil society actors who pose no threat to anyone (Du Jardin, 2022, p. 525). Article 1(2) of the Directive provides for an optional humanitarian exemption. It states that:

“Any member State may decide not to impose sanctions with regard to the behaviour [...] by applying its national law and practice for cases where the aim of the behaviour is to provide humanitarian assistance to the person concerned.” (Council of the European Union, 2002).

The word “*optional*” here leaves it up to the State to decide on the humanitarian intent behind the assistance mission. Rather than strengthening the humanitarian exception to make it a mandatory principle, the EU has left Member States free to implement it as they see fit. The vagueness of the directive makes it possible to prosecute acts that would have been carried out without any criminal intent or attempt to enrich oneself (Du Jardin, 2022, p. 526).

Humanitarian justification becomes an exception, not a principle. This directive has had consequences for civil society. Many volunteers and NGO workers have been prosecuted on the basis of facilitating entry into the country. Cédric Herrou is one of the figures in these symbolic prosecutions. The French farmer living in the Roya Valley was convicted for helping people cross the French-Italian border. His trial found that he had obtained something in return that was in terms of notoriety (Brocard, 2018). On 16 January 2026, a Greek court acquitted 24 humanitarian workers who had spent more than seven years facing charges of trafficking, membership of a criminal organisation and money laundering for their search and

rescue work on the island of Lesbos. After years of legal uncertainty, one defendant reflected the ambivalence of the moment:

“It is a huge relief that I will not spend the next 20 years in a prison cell, but at the same time, it is troubling that this should ever have been a possibility” (Nilsson-Julien, 2026).

According to a Belgian NGO, approximately 124 people were subject to similar legal proceedings across Europe in 2024 alone (Nilsson-Julien, 2026).

1.2. The Italian Code of Conduct (2017): compliance as control

While the Facilitation Directive provided the legal basis for criminalisation, Italy's 2017 code of conduct for NGOs conducting search and rescue operations in the Mediterranean represented the first major attempt to translate this basis into an operational control instrument. Proposed by Italy, the Code was presented at an informal meeting of the European Justice and Home Affairs Council in July 2017 (Amnesty International and Human Rights Watch, 2017). It takes the form of a regulatory measure necessary to ensure transparency and prevent NGO vessels from acting as a pull factor for irregular migration. In practice, it has imposed a series of obligations which, taken together, have significantly limited the ability of rescue organisations to operate autonomously. NGOs were required to refrain from entering Libyan territorial waters, to maintain Automatic Identification System tracking signals at all times, to refrain from signalling their presence to ships in danger of sinking and, most controversially, to proceed directly to port after each rescue rather than transferring survivors to larger ships at sea (Comité Maritime International (Translation), 2017). This latter provision effectively immobilised small NGO vessels, such as Sea-Watch, which regularly carried out ship-to-ship transfers in order to remain operational in distress areas (Mainwaring and DeBono, 2021, p. 1038). The code also required NGOs to accept the presence of judicial police officers on board for investigative purposes and to disclose all their sources of funding to the Italian authorities. (Comité Maritime International (Translation), 2017). Amnesty International and Human Rights Watch jointly condemned the draft, warning that the code “*could put lives at risk*” by preventing rescue boats from accessing the waters near Libya where they were most needed (Amnesty International and Human Rights Watch, 2017). The response from the NGO community has been mixed. Organisations such as MOAS, Proactiva Open Arms and Save the Children have signed the code. Médecins Sans Frontières, Jugend Rettet, Sea-Watch, Sea-Eye and SOS MEDITERRANEE have refused, arguing that several provisions repeat obligations already

present in international conventions while introducing new requirements that would compromise their missions (Mainwaring and DeBono, 2021, p. 1038). Jugend Rettet immediately paid the price. One day after refusing to sign, Italy seized the organisation's ship, *Iuventa*, on 1 August 2017, accusing it of maintaining contact with Libyan smugglers. (Mainwaring and DeBono, 2021, p. 1038). However, research has pointed out that no judicial investigation has produced evidence of collusion between NGOs and smuggling networks, despite accusations by Frontex and Salvini, the Italian far-right leader who has labelled NGOs a “*migrant taxi service*” (Mainwaring and DeBono, 2021). The Code was therefore used as a strategy of delegitimisation, creating conditions in which non-compliance could trigger legal proceedings and compliance constrained the effectiveness of humanitarian interventions.

The legal and regulatory tools examined in the first part of this chapter have created an environment conducive to the harassment of rescue NGOs. But the logic of deterrence was not limited to legislation and formal codes. As the political climate hardened across Europe with the rise of the far right, states decided to supplement legal pressure with operational measures designed to make rescue operations practically impossible, even when they remained technically legal.

2. Beyond legal instruments: operational deterrence

2.1. The logic of operational obstruction and the Piantedosi decree

Between 2018 and 2023, the Italian government gradually stepped up its efforts to restrict the activities of NGOs, moving from the symbolic pressure of the 2017 Code to increasingly punitive administrative and legislative measures. Under the coalition that came to power in 2018, led by the far-right Lega party, Italian ports were gradually closed to NGO ships (Mainwaring and DeBono, 2021, p. 1031). The Maltese government followed suit, seizing the Lifeline after its captain, Claus-Peter Reisch, successfully disembarked 234 people. Malta also decided to close its ports (Mainwaring and DeBono, 2021, p. 1031). In August 2018, Gibraltar withdrew the Aquarius's registration after what SOS Méditerranée described as pressure from the Italian authorities (United Nations High Commissioner for Refugees, 2019). This diplomatic pressure was then reportedly applied to Panama, which had granted the flag to the SOS MEDITERRANEE ship but then revoked it, leaving the vessel without nationality (Cuttitta, 2022, p. 14). In December 2018, the Aquarius completely ceased operations after a

final offensive by the Italian authorities to detain it due to “*waste management issues*” (United Nations High Commissioner for Refugees, 2019). The human cost of this policy was directly measurable. According to the UNHCR, while one person died for every 38 arrivals from Libya in 2017, the rate rose to one person for every 14 in 2018, more than double the mortality rate, coinciding precisely with the period during which NGOs were forced to leave the sea (Mainwaring and DeBono, 2021, p. 1031). The non-governmental humanitarian system has thus been tackled on many fronts, resulting in numerous human losses in the central Mediterranean. The *Piantedosi* decree of January 2023, named after the Italian Minister of the Interior and signed by President Meloni, represents a further legislative consolidation of this deterrent approach. The decree imposed two fundamental obligations on NGO rescue vessels. Firstly, vessels were required to request a port assignment immediately after carrying out a rescue and to reach that port “*immediately after a single rescue*” (Sea-Eye, 2025). This effectively prevents them from remaining in the area of operation to carry out further rescues. The prohibition on carrying out further rescues can be seen as a violation of international treaties that require ship captains to assist anyone in distress at sea. Secondly, the decree required NGOs to collect asylum applications from people rescued at sea before disembarking them, a procedure that the UNHCR deemed inappropriate and legally questionable, given that the quality of applications for international protection must be assessed on land (Conte, 2023). The decree also introduced the instrument of port allocation as a punitive mechanism. The Italian authorities began systematically allocating ports in central and northern Italy, far from the waters where rescues were carried out, forcing NGO vessels to undertake journeys of several days before disembarking survivors, thus distancing them considerably from the area of operation. Finally, violations of the provisions of the decree were punishable by administrative fines of up to thousands of euros and the seizure or immobilisation of the vessel (SOS MEDITERRANEE, 2023a). Thus, this decree creates significant obstacles for NGOs operating in the Mediterranean, but it will also endanger the lives of thousands of innocent people (Conte, 2023). Legislative instruments have thus led to the evolution of search and rescue and, more broadly, the humanitarian world towards an increasingly punitive regime.

2.2 Delegitimisation of the humanitarian system

Formal instruments of criminalisation, legal proceedings, port closures and ship seizures do not operate in a vacuum. They are accompanied by and depend on a sustained campaign of

delegitimisation that reposition humanitarian workers as suspects, accomplices or vectors of the very problem they seek to solve. At the end of 2016, the public prosecutor in Catania accused NGOs of “*colluding with smugglers*” with the aim of destabilising the Italian economy. Salvini called for their ships to be destroyed and their employees arrested. Frontex has incorporated the language of pull factors into its official reports (Mainwaring and DeBono, 2021, p. 1038). This discursive framework, which researchers refer to as 'policing humanitarianism', serves a specific function. It creates the political conditions in which operational harassment becomes not only possible, but also publicly defensible (Roepstorff, 2019, p. 10). This strategy, combined with legal, administrative and discursive practices, has created a deterrent effect. At sea, the scale of NGO operations in the central Mediterranean has been significantly reduced. Humanitarian workers tried during the Lesbos trial noted that it had discouraged rescue operations in the region (Nilsson-Julien, 2026). Humanitarian workers face not only the prospect of criminal prosecution, but also the psychological and financial costs of protracted legal proceedings. On land and at sea, organisations across Europe have reported difficulties in recruiting volunteers and a decline in donations as a result of smear campaigns (Roepstorff, 2019, p. 10). This set of measures reveals that the criminalisation of NGOs is not primarily a matter for the justice system in the conventional sense. The courts have regularly acquitted defendants precisely because there was no evidence of criminal intent or financial gain. The function of legal proceedings is not conviction, but deterrence. It is the judicial process itself, with the costs it entails, that serves as an instrument of control and law enforcement and has an impact on people on the move and those who support them (Du Jardin, 2022, pp. 524–525). As lawyer Danièle Lochak says, “*the imagination of the administration and the public prosecutor's office knows no bounds*” (Du Jardin, 2022, p. 537). Finally, the rise of the far right in Europe has been accompanied by strong anti-migrant rhetoric among militant groups that directly threaten humanitarian workers. SOS MEDITERRANEE has been particularly targeted by these attacks, both verbally and physically. In October 2018, a group of far-right activists violently attacked the NGO's premises, assaulting and traumatising the employees who were present at the time (Macé and Plottu, 2022). This association, a "favourite target" of the far right, has since been regularly attacked by elected officials and small groups seeking to threaten humanitarian workers (SOS MEDITERRANEE, 2022). Thus, criminal charges are the most visible manifestation of a broader security-oriented approach that also manifests itself through intimidation, administrative obstruction, media delegitimisation and excessive regulation. Taken together, these mechanisms constitute what can be identified as a general narrowing of humanitarian space in Europe (Roepstorff, 2019).

The acquittal handed down in Lesbos in January 2026 will probably remain in the memories of humanitarian workers as an important legal precedent. But the verdict also confirmed what critics had long argued: saving lives has never been and should never be illegal. However, this trial had the desired effect. Here, it is the legal process that counts, even if it does not result in a conviction. Through the opaque Facilitation Directive, the code of conduct conditioning NGO compliance, the port allocation regime provided for in the Piantedosi decree, and the mechanism of media delegitimation, the legal architecture examined in this chapter appears to be designed to make the cost of humanitarian action high enough that fewer people and organisations are able to bear it. It can be argued that the criminalisation of civil society is not a failure of European law but rather a product of its decisions.

CHAPTER 4: HUMANITARIAN SPACE UNDER PRESSURE – OBSERVABLE EFFECTS

The previous chapters have documented, in their legal and political dimensions, the mechanisms by which European states have created a hostile environment for humanitarian actors working with migrants. From ambiguous humanitarian exemptions in the Facilitation Directive to the operational constraints of the Italian code of conduct and the Piantadosi decree, from media delegitimisation campaigns to the judicial harassment of rescuers, the findings point to the existence of a coherent, albeit not always consciously coordinated, regime of pressure on civil society. What remains to be examined is the concrete and observable translation of this regime into practice, i.e. its effects on the ability of NGOs to be present, to act and to save lives at sea.

Section 1: Typology of obstacles and causal chain

This section organises the analytical terrain and aims to propose a typology of the obstacles faced by NGOs and outline the causal chain through which these obstacles produce measurable humanitarian effects. The following case study, focusing on the Ocean Viking and its operations in the central Mediterranean, provides a detailed entry point to these issues. The objective of the preceding chapter is methodological. It aims to provide a framework for interpreting the observable facts of part of the case study and assessing their significance.

1. A typology of obstacles

The obstacles encountered by rescue NGOs operating in European waters and at European borders do not constitute a homogeneous category. They differ in their legal nature, institutional origin and the immediacy of their operational effects. For analytical purposes, four main types can be distinguished, each targeting a different dimension of humanitarian capacity.

1.1. Spatial Obstacles

Spatial barriers are perhaps the most direct expression of deterrence policy. They work by manipulating the physical location of NGO ships in relation to areas of distress. The allocation of distant ports of disembarkation is a practice that has become institutionalised through the instrumentalisation of the Piantedosi decree (SOS MEDITERRANEE, 2025d). It keeps rescue vessels away from the central Mediterranean for several days, creating gaps in coverage precisely where people are most at risk. Similarly, the requirement for NGOs to return to port within a very short time after a single rescue effectively excludes them from the high-risk corridor near Libyan waters. The ban on entering Libyan territorial waters, codified in the 2017 code of conduct, further reduces the operational space available for rapid intervention. These measures are not legally defined as rescue bans, but they are logistical constraints that produce the same result. Spatial obstacles will be particularly visible in the Ocean Viking case study, where the allocation of distant ports and the obligation to return immediately after a first rescue are among the most directly documented mechanisms of disruption.

1.2. Administrative obstacles

Administrative obstacles encompass bureaucratic mechanisms used to immobilise, delay or destabilise NGO operations without resorting to criminal jurisdiction. These obstacles include systematic inspection of vessels upon arrival in port, where they are subjected to detailed technical checks which, when prolonged, disrupt operations. The immobilisation of vessels for administrative or technical reasons such as violations of waste management rules, alleged non-compliance with codes of conduct or unseaworthiness results in the removal of humanitarian vessels from the civilian fleet for periods ranging from a few days to several months. Refusals of entry into ports further limit the continuity of operations by forcing this permanent immobilisation. De-flagging, i.e. the revocation of a ship's registration by its flag State, often under political pressure, can render a ship completely unusable from a legal standpoint (Human Rights at Sea, 2019). Together, these instruments demonstrate an ability to paralyse operations through attrition rather than prohibition, by targeting the material conditions necessary for humanitarian presence at sea.

1.3. Legal obstacles

Legal barriers, as analysed in depth in the previous chapters, operate through the threat or reality of criminal or administrative proceedings. They include investigations and charges brought under laws on immigration facilitation, human trafficking or the exploitation of human beings. Even when dismissed, these charges impose prolonged uncertainty, legal costs and reputational damage on both individuals and organisations. The fines provided for in instruments such as the Piantedosi Decree translate criminal deterrence into financial terms, creating liability for organisations that already operate with limited resources. The deterrent effect of legal barriers extends beyond those directly prosecuted. The awareness that rescue operations can trigger investigations changes the behaviour of humanitarian workers and organisations, who may decide that the risk is not worth taking. This deterrent effect is one of the main mechanisms by which legal barriers reduce search and rescue capabilities.

1.4. Security obstacles

The fourth category is, in some respects, the most worrying and should be the most visible. It corresponds to the physical endangerment of humanitarian workers and the survivors they rescue. The obstacles to safety stem largely from clashes with coastguard forces, mainly Libyan, trained and funded at least in part by the EU despite proven cases of abusive behaviour. They intercept, threaten or obstruct NGO vessels at sea. Incidents involving live fire near rescue operations (SOS MEDITERRANEE, 2023b), The forced return of survivors to Libya in circumstances that constitute refoulement and the direct harassment of NGO vessels by armed actors have been recorded during several years of operations in the central Mediterranean. These security risks exacerbate spatial constraints as they discourage presence in areas closest to distress zones, due to the prospect of physical harm. They also expose survivors to further danger at the very moment of rescue, when they believe they have escaped the worst.

These four categories are distinct analytically, but closely linked operationally. A vessel detained for administrative reasons cannot respond to a distress call. An NGO whose captain is under criminal investigation may suspend operations while the case is ongoing. A crew aware of the risk of attack by the Libyan coastguard may be reluctant to enter the most dangerous area.

What unites these four types of risk is that each of them, at its own level, reduces the capacity of humanitarian actors to be present at sea when their presence is most needed. The second part of this chapter examines the causal chain through which this reduced presence leads to concrete humanitarian harm.

2. The causal chain: from legal instruments to humanitarian harm

To understand the effects of the regime of obstacles described above, it is possible to trace a causal chain linking political and legal choices to operational consequences, and these consequences to outcomes measured in terms of their impact on human lives. This chain can be summarised in five stages, each linking to the previous one with a degree of predictability that makes it difficult to consider the humanitarian effects as unintended. The chain begins with legal and regulatory instruments. These include administrative codes that make operational freedom conditional on compliance with politically motivated requirements, and decrees or laws that impose fines and port obligations. These instruments do not in themselves prevent rescue operations. They simply alter the profit calculations faced by NGOs, their funding, their crews and their volunteers. The second stage consists of translating legal instruments into practices such as ship seizures, port closures, inspections or media campaigns to delegitimise the NGOs. It is at this stage that political will is transformed into institutional action and the ambiguity of legal texts is resolved by discretionary choices. The third step is to reduce the presence of NGOs at sea. Immobilised vessels cannot patrol. Vessels directed to distant ports cannot monitor what is happening in the area of operations. Organisations threatened with bankruptcy due to fines and legal costs may suspend their operations. The overall effect is a contraction of the civilian rescue capacity available in the central Mediterranean, particularly in the high-risk corridor closest to Libya. The fourth stage is the more general deterioration of search and rescue capabilities. Civil society rescue organisations monitor areas of distress, relay information to maritime rescue coordination centres and carry out rescues in areas of operation where states are not intervening as they should. Data from 2018, when the effective exclusion of NGOs from central Mediterranean waters coincided with an increase in mortality rates, suggests that the state has not been redeployed. The disappearance of civilian capabilities therefore leads to real and measurable gaps in the rescue architecture. The fifth and final stage is the increased risk borne by two groups. On the one hand, there are the survivors at sea, whose chances of being rescued in time decrease when fewer vessels are present in distress areas. On

the other hand, there are the humanitarian workers themselves, whose legal exposure and physical safety are directly affected by the hostile environment in which they operate.

This causal chain is the analytical lens through which the Ocean Viking case study will be examined. More specifically, this case is based on research into the spatial obstacles that structurally restrict its presence in the Mediterranean and the security curve that has risen since the NGO was attacked in 2025. This allows us to link the structural analysis of the previous chapters to the concrete confrontation between a rescue ship and the regime designed to constrain it.

Section 2: Case study - the Ocean Viking as a product of the humanitarian space shrinking

The analysis developed in the previous chapters has established the legal and political architecture through which European states have constructed an increasingly restrictive environment for humanitarian actors working in the field of migration. It remains to be demonstrated how this architecture translates into concrete and measurable operational reality. Here, we will show how the instruments designed in Brussels and Rome, in ministerial decrees and coastguard protocols, have observable effects on the ability of a rescue vessel to be present in a distress zone, to reach people in danger and to save lives. The Ocean Viking offers a well-documented case study by the association SOS MEDITERRANEE, which allows us to trace this translation.

SOS MEDITERRANEE was founded in May 2015 by a group of European citizens responding to the escalating humanitarian emergency in the Central Mediterranean (SOS MEDITERRANEE, 2025e). Structured as a European network spanning Germany, France, Italy, and Switzerland, the organisation operates according to three founding commitments: “*to save*” by rescuing people in distress at sea through search-and-rescue operations, “*to protect*” survivors on board until disembarkation at a place of safety, and “*to bear witness*” to the humanitarian crisis and give voice to the people it affects (SOS MEDITERRANEE, 2025f). These commitments define the operational logic of every mission and serve as the normative framework within which the effects of state obstruction are expressed. The Ocean Viking, deployed since August 2019, is the flagship vessel of the operations of the organization. Originally constructed in 1986 as a support vessel for North Sea oil operations, this 69.3 metre ship flying the Norwegian flag has been reconfigured for search-and-rescue operations. It is equipped with a bridge offering 360-degree panoramic visibility, radar and infrared camera systems, and three fast semi-rigid rescue craft (SOS MEDITERRANEE, 2025g). Its maximum speed of fourteen knots allows more rapid intervention than its predecessor, the Aquarius, whose operations were brought to a close in December 2018 under the cumulative weight of Italian administrative and judicial harassment (United Nations High Commissioner for Refugees, 2019). Each mission mobilises approximately twenty-five to thirty people with a SAR team, a medical team and communication and logistical team. The daily operating cost stands at twenty-four thousand euros, financed almost entirely by private donations (SOS MEDITERRANEE, 2024). Since 2016, SOS MEDITERRANEE has conducted 455 rescue

operations and assisted 42,831 people (SOS MEDITERRANEE, 2026a). The Ocean Viking operates in the international waters of the Central Mediterranean, approximately fifty kilometres off the Libyan coast, never entering Libyan territorial waters (SOS MEDITERRANEE, 2026b). The creation in 2018 of a Libyan SAR zone, with formal transfer of coordination authority to the Libyan Coast Guard, fundamentally reconfigured the operational environment with many dysfunctions such as the non-transmission of distress alerts, the failure to respond to NGO vessels, the impossibility of designating a safe port (SOS MEDITERRANEE, 2026b).

This chapter analyses two dimensions of the shrinking humanitarian SAR space that are both analytically revealing and empirically well documented. The first is the systematic policy of assigning distant ports of disembarkation in the sixteen missions carried out between January and August 2025, which mechanically reduced the ship's operational capacity through spatial displacement. The second is the armed attack on the Ocean Viking by the Libyan coastguard on 24 August 2025, which marks a qualitative threshold in the trajectory of hostility with the shift from administrative obstruction to direct physical violence against humanitarian actors. Together, these two dimensions highlight the complete causal chain traced in the previous chapter with a framework from legal instrument to operational practice, from operational practice to diminished capabilities, and from diminished capabilities to increased danger for survivors and those seeking to help them.

1. Operational spatial obstacles: the systematic remote ports policy (January – August 2025)

1.1. Methodology and corpus

The analysis covers the sixteen missions conducted between January and the attack of 24 August 2025. For each mission, the following data were documented with the mission dates, the rescues performed, the port initially assigned by Italian authorities, any requests for reassignment to a closer port of safety and the official responses received, and the port at which disembarkation was ultimately carried out (SOS MEDITERRANEE, 2025h). Distances are calculated using a sea calculator and choosing as the operational reference point the zone between Tripoli and Misrata, where the majority of the Ocean Viking's interventions take place. Navigation times are established on the basis of SOS MEDITERRANEE operational reference that states that around 700 kilometres is equivalent to approximately two days of navigation at

standard cruising speed (SOS MEDITERRANEE, 2023c). The calculations of comparative figures such as the mean and the total of kilometres traveled does not include the distance from the operations area to Augusta after the attack. A methodological limit must be noted at the outset. The calculations that follow represent only the outward journey from the operational zone to the assigned port. After each disembarkation, the Ocean Viking must complete the return journey to the operational zone before resuming SAR patrols. The distances and times are therefore doubled in the analysis that follows to reflect operational reality.

1.2. The geography of assignments

The examination of the sixteen missions reveals a systematic concentration of assigned ports in northern and central Italy, at the greatest possible remove from the zone of operation. The table below documents the distribution:

Port	Assignations	Distance (km)	Navigation
Ancona	3	1 600	4 days
Marina di Carrara	3	1 500	3-4 days
Ravenna	2	1 400	3-4 days
Livorno	2	1 200	3-4 days
Ortona	2	1 450	3-4 days
Genova	1	1 300	3-4 days
Savona	1	1 300	3-4 days
Taranto	1	700	2 days
Augusta (Sicily)	1	300	1 day

What the table makes visible is the almost total absence of disembarkations at the Sicilian ports that are geographically closest to the operational zone. Fifteen of the sixteen missions resulted in assignments to ports more than 1,200 kilometres from the zone of operation, the majority at three to four days of navigation. The single exception that was in Augusta, Sicily, occurred only in the exceptional circumstances of the August attack. In all other cases, the Ocean Viking was directed northward along the Italian peninsula far from the operation zone. The consistent direction of the Ocean Viking toward distant northern ports reflects a deliberate administrative choice, operationalising the Piantedosi Decree's provision that vessels must

proceed “without delay” to the assigned port of disembarkation. Its practical consequence is to maximise the time spent in transit and minimise the time available for SAR operations.

1.3. Quantitative analysis: measuring the operational impact

The aggregate figures that emerge from the sixteen missions are striking. The mean distance of the assigned ports from the operational zone is approximately 1,380 kilometres, corresponding to three to four days of navigation. Multiplied across the fifteen missions, the total outward distance to assigned ports reaches approximately 20,700 kilometres. Once the return journey is included, the total navigation distance attributable to port assignments amounts to approximately 41,400 kilometres. The operational significance of this figure becomes clear when expressed in temporal terms. On the basis of the 700 kilometres as a 2 days-trip reference, 41,400 kilometres corresponds to approximately 118 days spent navigating toward distant ports and returning to the operational zone. This figure can be set against two comparator scenarios that illustrate what a different administrative policy would have produced. Had the Ocean Viking been systematically assigned to Taranto, the southernmost Italian port to which it was assigned once in 2025, at 700 kilometres, the total round-trip distance would have been approximately 21,000 kilometres, corresponding to 60 days of transit. Had assignments been to Augusta in Sicily, at 300 kilometres, the total would have fallen to approximately 9,000 kilometres, or 26 days of transit. The gap between the policy actually applied and the Augusta scenario amounts to 92 additional days of transit imposed on a vessel whose only function is to be present in a zone of humanitarian need. The quantitative picture is compounded by the pattern that emerges from the Ocean Viking's formal requests for reassignment to closer ports of safety. Over the period under analysis, the vessel submitted six requests, after being first assigned to a port of safety, to get a closer one. Five were formally refused, one was granted. The refusal rate stands at 83%. It is a figure that, coupled to the uniformity of the geographic distance imposed, rejects any possibility of interpreting the remote ports policy as an administrative coincidence.

1.4. A deliberate strategy of obstruction

Beyond the primary impact on operational presence, the remote port policy generates other effects that have humanitarian consequences. For example, the financial burden is very

important. At a daily cost of €24,000, 92 additional days of navigation compared to Augusta scenario produces a cost of approximately 2.2 million euros. For an organisation funded almost entirely by private donation, this figure represents a structural threat to the capacity to maintain operations at all. Financial deterrence could be seen as a mechanism of exclusion from the field. Most important, each day of transit to a distant port represents a day of reduced SAR coverage in the operational zone and so a ground for more deaths in the sea. The interpretation of mechanisms reviewed in the preceding sections admits one coherent interpretation. The remote-port policy applied to the Ocean Viking in 2025 is not the product of logistical necessity or administrative routine. It is a deliberate strategy of operational obstruction, implemented through the instrumentalisation of the ambiguity surrounding disembarkation obligations. The Piantadosi Decree, as examined in the preceding chapter, exploits the imprecision of international maritime law regarding the acceptable distance between a place of rescue and a place of disembarkation. The rigidity of the process for refusing requests for closer ports confirms that the objective is to govern humanitarian actors through spatial displacement. Rescue ships are kept away from the area where they could intervene and save lives.

2 The attack of 24 August 2025: a threshold crossed towards violence

2.1. Chronological reconstruction

The Ocean Viking left Syracuse on 21 August 2025 for a routine patrol. On the morning of 24 August, the vessel completed two successive rescues with 47 survivors brought on board and then 40 survivors during the second rescue. 87 persons were finally on board after the two rescues. Ocean Viking received authorisation from the Italian MRCC to change their navigation toward its assigned port of Marina di Carrara in order to respond to a third distress report. At 14:45, the crew identified the Libyan Coast Guard patrol vessel Houn PB 664, a Corrubia-class boat supplied by Italy to Libya in 2023 under a EU programme. It was approaching rapidly from the south. At 14:58, the Libyan vessel issued an order to “go north”, addressed to a ship that was operating in international waters and so non governable by such provisions. The Ocean Viking decided to alter its course northward at 15:02 in an attempt to de-escalate the situation. At 15:03, without further warning and in violation of every procedure of maritime law, the Libyan vessel opened fire. The attack lasted 21 minutes, from 15:03 to 15:24. Sustained automatic weapons fire was directed at head height across the deck. The patrol vessel performed

manoeuvres to maintain continuous fire and threatened the Arabic-speaking crew member, ordering him to expose himself while the shooting continued. The crew immediately directed everybody inside, evacuated the 87 survivors in protected shelter containers and went to the “citadel”, a safe space for the crew. At 15:24, the fire ceased and the Libyan vessel withdrew (SOS MEDITERRANEE, 2025i).

2.2. Consequences and reaction

The attack caused extensive material damage. Four bridge windows were shattered, multiple deck impacts at head height were spotted and the communications and navigation antennas were destroyed. The three small rescue-boats had been rendered inoperable. No crew members or survivors were injured because of the exceptional professionalism of the crew. The trajectories of the rounds make the intent legible, the attack was designed to kill (SOS MEDITERRANEE, 2025j). The psychological consequences were also very important. Several team members described their first experience of direct armed violence, generating stress responses and symptoms consistent with post-traumatic injury. One crew member recounted having genuinely believed the coastguard would board and kill everyone on board. The vessel proceeded to Augusta in Sicily, the only Sicilian disembarkation of the entire year, for the landing of survivors. The boat stayed few days out of port because of the instrumentalization of a tuberculosis case of one of the survivors (SOS MEDITERRANEE, 2025k). This period was followed by a period of repairs, security-protocol revision, and psychological support.

SOS MEDITERRANEE described the attack as deliberate and noted that the boat had been implicated in prior violent incidents without any investigation being opened. The organisation demanded an independent inquiry, the suspension of EU-Italy cooperation with the Libyan Coast Guard, and guarantees of protection for SAR humanitarian actors. On 8 October 2025, SOS MEDITERRANEE and seven French crew members filed a complaint before the Marseille public prosecutor for attempted murder and criminal conspiracy (SOS MEDITERRANEE, 2025l). Institutional responses were revealing in what they withheld. The European Commission, at its 26 August press briefing, acknowledged having seen press reports, expressed concern, and proposed to ask Libyan authorities to clarify events, declining, despite video evidence and documented physical damage, to issue any formal condemnation or to call into question the cooperation frameworks that had placed the attacking vessel in Libyan hands (European Commission, 2025). This pattern is not a failure of the system, it is the system

operating as designed. Where violence serves the purpose of deterrence, condemnation is inconvenient.

2.3. Analytical conclusion of case

First of all, the attack marks a point on a coherent trajectory of intensifying hostility from a rhetorical and administrative pressure, a systematic operational obstruction and direct physical violence at the end. Each stage follows from the insufficiency of the previous one. The administrative obstacles fail to deter an organisation committed to its SAR mandate so escalation continues toward more coercive forms. Secondly, the attack sends a message whose intended audience extends far beyond the Ocean Viking. No NGO vessel is safe until attackers face no consequences. The Central Mediterranean has become a zone where humanitarian presence itself carries lethal risk. This is deterrence through terror, targeting actors but also future people that would like to enroll. The attack is the direct product of a decade of European externalisation policy. The financing, training, equipment transfer, and formal recognition of the Libyan Coast Guard as a SAR authority has led to this moment. These acts have not merely capacitated the Libyan Coast Guard but they also have legitimated it as an instrument of European migration governance. The violence of 24 August is the logical terminus point of externalisation. The subsequent impunity confirms the same logic. The attack reveals a fundamental transformation of the operational environment. Humanitarian actors at sea are traditionally protected by their civilian status and rescue mandate. However, in the Central Mediterranean in 2025, that status no longer confers protection. The fact that the crew had to use a citadel expresses the gliding to the militarisation of Central Mediterranean. Humanitarian workers have become, in this space, bearers of risk.

CONCLUSION

The attack on the Ocean Viking on 24 August 2025 was not a surprise. It was the violent endpoint of a coherent trajectory of European migration governance in the Central Mediterranean, a trajectory that began with legal and regulatory restriction, proceeded through administrative obstruction and spatial displacement, and culminated in armed violence against humanitarian actors. This research has documented that trajectory in its full architecture: from the deliberate withdrawal of state search and rescue capacity, through the legal criminalisation of civil society alternatives, to the externalisation of border control to third-country forces whose conduct at sea implicates fundamental violations of international humanitarian law. The attack does not stand apart from this governance system. It is the point at which the system's internal logic reached its violent physical conclusion.

The three hypotheses advanced at the outset of this research have been substantiated through the empirical examination of the preceding chapters.

First, the progressive dismantling of proactive state SAR capacity in the Central Mediterranean from 2014 onward reflects a deliberate political reorientation in which the objective of reducing arrivals structurally displaced the obligation to protect human life at sea. The transition from Operation Mare Nostrum to Triton, and the subsequent configuration of European naval operations through EUNAVFORMED, was not a technical recalibration but a redefinition of policy objectives itself. The border function of migration governance was elevated above its humanitarian function, in direct and documented tension with the unconditional obligations imposed by the United Nations Convention on the Law of the Sea, the International Convention on Maritime Search and Rescue, and the SOLAS framework. This reorientation created the operational void into which civil society was drawn and against which the subsequent treatment of civil SAR actors must be evaluated.

Second, the legal and administrative obstruction of civil SAR actors by EU member states, combined with the externalisation of border control functions to Libya and Tunisia, does not constitute a series of independent policy decisions but forms a structurally coherent governance regime whose cumulative functional effect is the reduction of available rescue capacity in the Central Mediterranean. Criminalisation through the EU Facilitation Directive, the Italian regulatory framework, and the Memorandum of Understanding with Libya, alongside the cooperation arrangements with Tunisia, were adopted in full knowledge of the operational void that state withdrawal had created. They were pursued with documented

awareness that any further contraction of rescue capacity would elevate lethality per crossing. Externalisation and criminalisation are not parallel phenomena but complementary instruments of a single governance logic that governs the border upstream through the delegation of interdiction to third-country actors, and downstream through the legal attrition of civil actors operating in the space those third-country forces do not reach.

Third, the cumulative effect of spatial and legal obstacles imposed on civil SAR actors, remote port assignments, vessel seizures, administrative detention, and the broader delegitimisation produced by criminalisation, generates a measurable and documented contraction of humanitarian rescue capacity that directly elevates the lethality ratio per crossing. The case study of the Ocean Viking provides empirical demonstration of this causal chain. The systematic remote port assignments between January and August 2025 imposed 92 additional days of navigation on a vessel whose sole function is humanitarian rescue. These assignments were not the product of logistical necessity but of deliberate administrative strategy, operationalised through the instrumentalisation of international maritime law's ambiguities regarding acceptable disembarkation distances. The refusal rate of 83% on requests for closer ports confirms that the objective was not accident but design. The financial burden of approximately 2.2 million euros imposes structural threat to the capacity of organisations funded almost entirely by private donation. Most significantly, each day of transit to a distant port represents a day of reduced SAR coverage in the zone of operations and therefore a multiplication of risk for people in distress at sea.

The attack of 24 August 2025 marks the moment at which administrative obstruction escalated to direct physical violence. The twenty-one minutes of sustained automatic weapons fire directed at head height across the Ocean Viking's deck was not an isolated incident but the logical terminus of an escalating trajectory of hostility. The attack sends a message whose intended audience extends far beyond the Ocean Viking itself: no NGO vessel is safe until attackers face consequences. The Central Mediterranean has become a zone where humanitarian presence itself carries lethal risk. This is deterrence through terror, targeting humanitarian actors but also potential future recruits to such operations. The attack is the direct product of a decade of European externalisation policy. The financing, training, equipment transfer, and formal recognition of the Libyan Coast Guard as a SAR authority has led directly to this moment. These acts have not merely capacitated the Libyan Coast Guard but have legitimated it as an instrument of European migration governance. The violence of 24 August is not a malfunction of the externalisation framework, it is the framework operating as designed.

The subsequent institutional responses, the European Commission's muted acknowledgment of concern, the absence of formal condemnation, the preservation of cooperation frameworks, are not failures of the system. They are the system functioning according to its internal logic. Where violence serves deterrence purposes, condemnation is inconvenient. The impunity granted to the attacking vessel confirms the same logic that produced the attack itself.

This research refuses to treat the humanitarian consequences of European border governance as unintended side effects of policies designed for other purposes. The evidence examined across the preceding chapters establishes that reduction in rescue capacity was adopted in full knowledge of its probable effects on survival outcomes. The lethality ratio in the Central Mediterranean, the systematic gap between the legal obligation to render rescue assistance unconditionally and the operational reality of contracted rescue capacity, is not an accident. It is a structured outcome of political choices made at every level from the ministerial office to the operational zone. The question of legal and political accountability that emerges from this finding cannot be set aside.

The Mediterranean is no longer, if it ever was, a killing sea caused by the forces of nature or the desperation of migrants. It has become a killing sea designed by policy, maintained by law, and defended by impunity. The transformation of humanitarian space in the Central Mediterranean documented in this thesis is not inevitable. It is the product of choices. It can be undone. The restoration of adequate search and rescue capacity, the cessation of criminalisation of humanitarian actors, the termination of externalisation to forces demonstrably unwilling to comply with international humanitarian law, and the reinstatement of Europe's unconditional obligation to protect human life at sea are all technically and legally possible. What remains to be determined is whether the political will exists to choose a different path.

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