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Arriving Somewhere, Not Here: Exploring and Mapping the Relationship between Border
Enforcement and Migration by Boat in the Central Mediterranean Sea, 2006 to 2015

by

Kira Andrea Williams

Master's of International Public Policy, Wilfrid Laurier University, 2013

DISSERTATION

Submitted to the Department of Geography and Environmental Studies

in partial fulfilment of the requirements for

Doctorate of Philosophy in Geography

Wilfrid Laurier University

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Abstract

The European Union (EU) implemented a maritime interdiction network using search and rescue which interdicted at least 462,813 “illegal migrants” in the Central Mediterranean Sea between 2006 and 2015. This involved 15 discrete, militarised and semi-secret maritime interdiction operations (MIOs) at a minimum cost of 126.9 million 2014 Euros. In this dissertation, I will explore and map these operations and their geographies between 2006 and 2015.

First, and based on the given existence of the European Patrols Network, I examine how this network came into being in the first place. This serves to show that the EU purposely created regular maritime interdiction operations using search and rescue to interdict migrants by 2006. This approach also justifies and underpins my subsequent analyses of their histories, functions and outcomes, all of which depend on the network having two specific properties. First: that the EPN was a system intentionally designed to internalise migrants and boats as external objects of security via legal inclusion in order to exclude them. Second: that the main mechanism for this process of what I call *internalisation* was search and rescue.

Second, and based on the establishment of these two properties of the EPN, I examine and explore these operations in order to describe them for the first time. I demonstrate the existence of these operations, their inner workings and their basic empirical outcomes. I then proceed to statistically show that search and rescue was empirically vital to their interdiction practises over time. I subsequently display that

search and rescue was also critical to spatial externalisation, or the outward movement of border enforcement to manage international migration. These analyses demonstrate that search and rescue was indeed the primary spatial and legal tool of interdiction in the Central Mediterranean Sea between 2006 and 2015.

Last, and based on the empirical demonstration of the relevance of search and rescue, I put these maritime interdiction operations to unprecedented statistical testing to determine whether they were effective at stopping current or future migration. This enables analysis of whether social theories assuming or arguing for the (lack of) effectiveness of such operations have empirical support, something yet to be performed in past research.

Acknowledgements

I recall thousands of memories as I write these acknowledgements for my doctoral dissertation – the sum of my academic life so far. I hear voices of finality, telling me how low I am and why nothing is all to which I will ever amount. I see endless street lights, wind rustling through the trees and the hill I hid on when I had no physical home. (Never has a *place* been figuratively home. It was inside of me.) I smell cigarettes and alcohol, which I attempt to cover with the scent of algae that grow on the beaches of Lake Ontario. I taste blood in the back of my throat, metal on my skin and hot water pouring through my upside-down head in a Victorian bath. I touch the body which I could not bear to look at – *my* body – and know asphalt, brick, judgement and flames; I remember the fists that transformed me in the violence which I relive every night. For all the things my hands cannot erase: I acknowledge *you*.

This thesis is in part about me. It is the story of a human being who tries to reconcile with suffering in a world of wonders. It is the story of a woman who, seeing the lives of others, must confront their denial – *my* denial – about who they are, what they have done and what they still can do. It is the story of a researcher who once tried to see the meaning of loss solely through computer eyes. It is the story of a better place which has yet to, and cannot, pass until we expose and fight these systematic human rights abuses. Everything I knew about *migrants*, about *states*, about *violence*, about *life*: it was all wrong. And these words mark my transition to becoming who I was meant to be and a world which I will not betray. So, you see, *I* am arriving somewhere, not here.

This thesis is for everyone I love and everyone who loves me. It is for my mom, whose incredible strength, wisdom and caring helped carry me through my darkest days. It is for my friends, especially Ari, with whom I share my life and am so lucky to find safety and meaning. It is for those who believe in me, like Michael Holland, and show the good yet undone. It is for Jenna, who first taught me about migrants, and whose intelligence, tenacity and spirit push me forward. It is for all the scholars, like Margaret and Richard, who share their time, concern and knowledge with me, for which I am forever grateful. It is for Derwent Whittlesey. Though you left this world long ago, you still teach me about political geography, queerness and what it means to be human. Alison: you are my advisor, colleague and above all else my friend. Words are inadequate to describe you have helped me heal. I too now fight the death of asylum, so this is for you. This thesis is for all the people I have never met and will never know. Everyone: I acknowledge you. *You are all a part of me.*

This thesis is for migrants. When this all began, I simply hoped to understand how states around the Mediterranean Sea used secret operations at sea to manage the movement of migrants. What I instead discovered was their role in the interception, detention, deportation and destruction of hundreds of thousands of human beings. Upon learning this, I set out to expose this system of dehumanisation which had the legal sanction and broad support of the members of the European Union and its citizens. I set out to understand and memorialise an incomprehensibly-large loss, statistically measured in bodies thrown overboard and ships drifting at sea. I thought I could restore your

humanity by identifying, counting and analysing your pain, but I was ignorant and wrong. I did not understand you. I did not learn your hopes, your dreams, your *lives*, because I did not listen to you. I did not turn my work into a political attack on these oppressions, which meant that it could have been co-opted to continue this seemingly never-ending, so-called crisis – one made by states for states. Now I write this thesis as a rejection of these wrongs. I write them for you. Let us tear down these borders.

All my designs simplified
And all of my plans compromised
All of my dreams sacrificed.

Arriving somewhere, not here.

Table of Contents

Abstract.....	ii
Acknowledgements.....	iv
List of Acronyms.....	x
1 Introduction.....	1
1 How to Search and Rescue Weapons of Mass Destruction.....	1
2 About Maritime Interdiction Operations and the Central Mediterranean Sea.....	4
2.1 Maritime Interdiction Operations.....	4
2.2 The Central Mediterranean Sea and Selection of 2006 to 2015 as Study Time Period.....	7
3 Methodological Approach.....	8
Table 1.1. Summary of Dissertation’s Mixed Methodology and its Components....	14
4 Exploring and Mapping the Relationship between Border Enforcement and Migration by Boat in the Central Mediterranean Sea, 2006 to 2015.....	15
4.1 Research Questions and Functions.....	15
4.2 Summary by Chapter.....	17
References.....	20
2 Internalisation and the Origin of Maritime Interdiction via Search and Rescue in the European Union, 1985 to 2006.....	25
1 Introduction.....	25
2 The Sea and its Relationship to the Internal/External through Internalisation.....	28
2.1 The Border, the Sea and the Central Mediterranean.....	29
2.2 The Internal, the External and a Theory of Internalisation.....	31
2.3 Internalisation highlights the Limits of and extends Agamben’s Camp.....	36
3 Search and Rescue and Evolution of Interdiction at Sea in the European Union, 1985 to 2006.....	41
3.1 The Creation of the Schengen Area forces an Imagination of the External Border.....	42
3.2 EU Policymakers Problematised Illegalised Movement across the External Border.....	43
3.3 The Problematisation of Illegalised Movement led to Crisis.....	45
3.4 EU Authorities created new Policy Instruments for Coordinated Management of the External Border.....	46
Table 3.1. Key Policies Created by the EU to Manage the External Maritime Border, 1985-2006.....	47
The early days.....	47
The Treaty of Amsterdam and the Tampere, Hague, Odysseus and ARGO Programmes.....	48
The External Borders Fund.....	51
Frontex.....	52
The Schengen Borders Code.....	53

Programme of Measures to Combat Illegal Immigration Across the Maritime Borders.....	54
The European Patrols Network.....	55
Hold and remove illegalised bodies in the Union.....	58
Keep illegalised bodies contained to prevent departure.....	59
Interdict, halt and move illegalised bodies before arrival.....	60
4 Discussion: How to Arrive Somewhere, Not Here.....	61
5 Conclusion.....	64
References.....	66
3 Search and Rescue as an Instrument of Maritime Interdiction in Frontex’s Operations in the Central Mediterranean Sea, 2006 to 2015.....	77
1 Introduction.....	77
2 The Origin and Structure of Maritime Interdiction.....	79
3 Background: Origin of the Central Mediterranean and Deployment of Search and Rescue.....	85
3.1 The European Patrols Network and the Creation of the “Central Mediterranean”.....	86
3.2 Search and Rescue as an Instrument of Migration Management.....	92
Figure 3.1. Map of Search and Rescue Regions, by State, in the Central Mediterranean, 2016.....	94
4 An Empirical Description of Joint Interdiction Operations in the Central Mediterranean, 2006-2015.....	96
Table 3.2. Summary of Joint Interdiction Operations in the Central Mediterranean, 2006-2015.....	96
4.1 Overview.....	96
4.2 Empirical Description by Operational Class, 2006-2015.....	99
Nautilus.....	99
Chronos.....	103
Hermes.....	103
Figure 3.4. Operational Areas of Hermes and Aeneas, 2011-2014.....	107
Table 3.5. Personnel of Operation Hermes, 2011.....	108
Aeneas.....	109
Triton.....	110
Figure 3.6. Operational Area of Operation Triton, 2015.....	110
5 Operational Deployment of Search and Rescue as an Instrument of Migration Management.....	113
Methodology.....	114
Findings.....	116
Table 3.7. Sinusoidal Regression Model Results (n=925).....	117
Figure 3.9. Distribution and Fitted Sinusoidal Model of Incidents Outside Operational Area over Incidents using Search and Rescue (n=925).....	120

Figure 3.10. Distribution and Fitted Sinusoidal Model of Migrant Interdiction over Time (n=925).....	121
Discussion.....	121
6 Conclusion.....	123
References.....	125
4 Testing the Effectiveness of Maritime Interdiction Operations at Deterring Migration in the Central Mediterranean Sea, 2009 to 2015.....	135
1 Introduction.....	135
2 Literature Review.....	138
2.1 The Effectiveness of Maritime Interdiction Operations Using Search and Rescue	138
2.2 Existing Work on Data in Maritime Interdiction Operations and Migration.....	141
3 Methodology.....	145
Table 4.1. List of Attributes in JORA.....	148
Table 4.2. Variables Included in Crossings Data Set.....	151
Table 4.3. Variables Included in JORA Data Set.....	152
4 Findings.....	152
Table 4.5. Summary of Model Results from JORA Data Set.....	155
Table 4.5. Summary of Model Results from Crossings Data Set.....	156
Table 4.6. Summary of Relationship of all Models to Core Hypothesis.....	156
5 Discussion of Findings.....	157
6 Discussion of Limitations.....	160
7 Conclusion.....	165
References.....	168
5 Conclusion.....	172
1 Summary of Analytical Conclusions.....	172
2 Wider Lessons from Arriving Somewhere, Not Here.....	177
2.1 Maritime Borders.....	177
2.2 Maritime Interdiction Operations.....	180
2.3 Migration by Boat.....	183
3 Future Lines of Enquiry.....	185
4 Arriving Somewhere, Not Here.....	188
References.....	189
6 Appendix: A Brief Analytical Update for 2016 and 2017.....	194
Figure 6.1. Distribution and Fitted Sinusoidal Model of Incidents using Search and Rescue over Time (n=1620).....	195
Figure 6.2. Distribution and Fitted Sinusoidal Model of Migrant Interdiction over Time (n=1620).....	196
Figure 6.3 Spatial Coordinates of Interdiction Incidents between 2016 and 2017 (n=1464).....	197
Table 6.4. Model Results from Analysis of JORA Data Set, 2016 to 2017 (n = 600)	198
References.....	198

List of Acronyms

Acronym	Term
CNN	Cable News Network
COM	European Commission
Crossings	The Number of Illegal Border Crossings data
EC	European Council
EPN	European Patrols Network
EU	European Union
EURODAC	European Dactyloscopy
EUROSUR	European Border Surveillance System
JHA	Justice and Home Affairs Council
JORA	Joint Operations Reporting Application (Database)
MIO	Maritime Interdiction Operation
SAR	Search and rescue
TEU	Treaty of the European Union

1 Introduction

1 How to Search and Rescue Weapons of Mass Destruction

If cooperation between Member States [in border enforcement at sea] is to be uniform and more effective, there is a special need to reaffirm the principle of solidarity in intercepting vessels carrying illegal immigrants, by means of meticulous application of the law of the sea for the immediate rescue of ships whose seaworthiness is in doubt.

Council of the European Union (2003, 10)

On 21 May 2015, CNN reporter Christian Amanpour received a rare chance to shipride with a maritime interdiction operation in the Central Mediterranean Sea (CNN 2015).

Such shipriding likely required permission from both the Government of Italy and Frontex, the European Agency for the Management of Operational Cooperation at the External Borders (Frontex 2014, 52). As she walked towards a Italian helicopter, Christian appeared confident that she was joining on a mission to ‘free’ those journeying from all over Africa and the Middle East to Italy.

Christian, however, appeared unaware of the obfuscation happening right before her eyes. She confused interdiction, or the practise of blockading the sea to halt and control the movement of contraband, with search and rescue. Amanpour had no knowledge of the fact that the very human beings making journeys by boat to the European Union, or migrants, *were* the contraband. So when Italian Admiral Pierpaolo Ribuffo called such migrants and their boats “weapons of mass destruction”, her only response was to note how that affected the military forces on their mission of interdiction in the region. But the Government of Italy and Frontex considered them a threat which they had to contain.

Amanpour watched a military helicopter track and stalk a migrant boat near the coast of Libya. She never seemed to question either the legality or justification for interdiction despite how far it happened from EU shores. Rather, Christian was moved by the intricate military equipment and personnel used to interdict the migrant boat on its journey northward towards the Italian island of Lampedusa. She reverently observed EU frigates approaching to isolate this vessel, while its ‘human cargo’ was offloaded by border enforcement personnel wearing masks and white hazard suits. Once aboard, she smiled while explaining that the deckload of huddled, African migrants left in the burning sun were “free at least”. Not once did Amanpour question what would happen to these people or where they might end up. Though, for many, that would either be in detention and eventual deportation, or, for others, ‘return’ to Libya. Amanpour said such an outcome was necessary to stop the “merchants of death”, that is, those who help facilitate these migrants in moving to the EU.

Most critically, Christian never connected the relationship between search and rescue and interdiction, despite the fact that it laid before her eyes. The boat she followed was moving, not sinking, when Italian and EU forces interdicted it. In spite of this, Frontex’s records reported that border enforcement authorities stopped the boat by virtue of search and rescue, which implied it was in distress and thereby needed intervention (Frontex 2015a-b). It was on this basis that they went far beyond EU territorial limits to stop the boat and detain those on board. What Amanpour in fact witnessed were military forces actively *seeking out* migrant boats to claim as in distress and therefore interdict.

Rescue had become interdiction before Christian's very eyes: a tool to contain the presumed threat of migration itself. This was the European Commission's "meticulous application of the law of the sea for the immediate rescue of ships whose seaworthiness was in doubt." That result, as this dissertation will demonstrate, was the culmination of a larger policy to intentionally use search and rescue as an instrument of interdiction for political ends. I will specifically examine and explore the history, implementation and outcomes of these semi-secret maritime interdiction operations in the Central Mediterranean Sea between 1985 and 2015. I will now expose these operations and their consequences for the first time. I will show what these operations looked like, how Frontex designed and operated them, and their basic empirical effects. I will additionally demonstrate that search and rescue was spatially and legally critical to the operations. Finally, I will substantiate that they ultimately were ineffective at deterring migration.

Hundreds of thousands of people journeyed from North Africa by boat to reach the EU through the Central Mediterranean Sea. Some of this movement was part of longer processes of migration and exclusion, such as restrictive visa controls, carrier sanctions and generally tighter borders. But also important was the existence of substantial violence and conflict in the EU's periphery, most notably the Syrian Civil War (2011-present). While only a minority of such migrants attempted to enter the EU by boat, Chapter 2 shows how its policymakers nevertheless constructed them into a major threat.

2 About Maritime Interdiction Operations and the Central Mediterranean Sea

This dissertation's analytical object is the Maritime Interdiction Operation, or MIO. The MIOs which I explore happened in a specific region between the EU and North Africa, which Frontex calls the "Central Mediterranean Sea", between 2006 and 2015. In this section, I briefly introduce and justify my selection of MIOs, the Central Mediterranean Sea and time period from 2006 to 2015, elaborations of which occur in subsequent chapters.

2.1 Maritime Interdiction Operations

Maritime interdiction describes the practise of implementing military control over space at sea in order to achieve political ends. Western European states developed organised maritime interdiction as a strategy to achieve their military objectives by blockading enemy states between the 17th and 19th centuries. They later formalised and implemented international law concerning how interdiction should occur. To avoid war while maintaining their enforcement powers, imperial powers created new interdiction instruments, one of which later evolved into the maritime interception operation.

United States authorities, such as the Coast Guard, would later reapply these terms and spatial tactics to non-military "contraband" like the drug trade and human migration in the Caribbean by the 1970s. Multinational forces also deployed these types of interdiction in cases like the First Gulf and Yugoslavian Civil Wars. Morabito (1992, 10) described this rebranding of interdiction as a "creative disguise to well tested and proven wartime strategy." US Navy Lieutenant Commander Ziegler (1995, 29) supported this

lack of distinction: "It could well be argued that MIOs are merely the late-20th century version of pacific blockade."

Combined with search and rescue, the Government of Italy experimented with its first MIO to manage migration from Albania in the late 1990s based on the United States experience and policy in Haiti during the early 1990s. As I discuss below, the EU later built on these experiments in creating the European Patrols Network (EPN), or a regular, near continuous system of maritime interdiction across its border spaces at sea.

I chose to study maritime interdiction operations because they were the object by and through which Frontex and the EU created and implemented interdiction at sea between 2006 and 2015. MIOs were the concept around which Frontex planned its spatial and legal tactics. The use of operations in this way has a longer history, part of which I will explore over time in Chapter 3 and in the EU context specifically in Chapter 2. We can best describe and explain interdiction at sea through the genealogy and practise of the concept of the MIO. This is therefore how I approach studying interdiction at sea in the Central Mediterranean Sea between 2006 and 2015.

Maritime interdiction operations matter because state border enforcement authorities frequently used them to interdict and detain migrants for processing and subject them to an expedited immigration process. During detention, state officials interviewed migrants to collect information on their characteristics and routes of travel. This additional surveillance mechanism helped state bureaucrats plan future border enforcement tactics.

MIOs have a governance character, in that the EU intends them to influence migrant behaviour on a regional scale. This placed them into an international mobility regime, which functioned to manage and reproduce population groups through influencing movement (Aas 2011; Agamben 1998; Cresswell 2006). Influencing mobility partially achieves this by changing the biological and political characteristics of the population itself. The result, then, has been a ‘policy of containment’, or global governance mechanisms designed to control movement as far away from the sovereign as possible (Castles 2003; Hyndman and Mountz 2008; Samers 2004). MIOs exemplify this result.

State coordination in surveillance and interdiction operations (e.g., through Frontex) in the EU reveal their quest for an international geography. The EU, for example, has signed many bilateral treaties with North African states, funds International Organization for Migration projects in known sending regions, and developed its policy from the actions and experiences of states like Australia and the United States (European Commission 2011; Loyd and Mountz 2018; Mountz 2010, 121; Ronzitti 2009, 125). It also shares surveillance data with third-party states (Aas 2011, 333; Mathiesen 2004). So while MIOs, as a whole, intended to manage migrant movement, their constituent activities are also part of larger governance mechanisms like surveillance intended to manage migration as a whole. This made understanding MIOs necessary in order to understand migration governance on larger scales.

Maritime interdictions further matter because states used them to compete in their political population management goals. While these objectives vary, a number of scholars agreed that enforcing border policy via MIOs is critical in maintaining sovereignty via social exclusion (Aas 2011, 333; Basch, Glick-Schiller and Szanton-Blanc 1997, 183-4). Insofar as such operations exist and expand, then, they reinforce the nation as a sovereign within a given space, even if that space, as I will argue in Chapter 2, is not that state's territory. Ultimately, however, and as shown in Chapter 4, MIOs have limits on their ability to control migration through containment. Chapter 4 instead highlights the limits of sovereignty and how states constructed political performances to produce sovereignty in the first place.

2.2 The Central Mediterranean Sea and Selection of 2006 to 2015 as Study Time Period

The European Union created and implemented regular maritime interdiction operations using search and rescue in the "Central Mediterranean Sea", or the physical sea space roughly bounded between North Africa, Greece, Italy and Malta, between 2006 and 2015. The region became a part of the wider European Patrols Network in 2006, which aimed to organise large-scale naval patrols across the Mediterranean Sea and parts of the Atlantic Ocean in preventing illegalised movement at sea. The European Union created and formalised the region as early as 1994 due to its political commitment to the "external border", problematisation of "illegal immigration" from North Africa, and desire to reduce displacement effects of migration enforcement elsewhere.

Between 2006 and 2015, Frontex, intended long before 2006 to become the EU's border guard, administered the European Patrols Network through at least 66 semi-secret operations at a minimum cost of 315.6 million 2014 Euros. To do this, it arranged the sea into four regions: Central Mediterranean, Eastern Mediterranean, Western Mediterranean and Canary Islands and Atlantic. This was the immediate origin of the term "Central Mediterranean", as used in this study. Frontex coordinated with local member states and cooperative third countries to organise large-scale naval patrols and surveillance through regional infrastructures, including command centres, search and rescue coordination centres and satellite systems. These activities worked with local operations to produce continuous migration deterrence over extended distances.

To study maritime interdiction operations using search and rescue in the EU, I had to examine the European Patrols Network. The EPN, however, was too large, legally, spatially and politically, to appropriately analyse in a single dissertation. I therefore selected one region based on its availability of data: the Central Mediterranean Sea. I set 2006 as the start of my full analysis because it was also when the EPN began its MIOs; I selected 2015 as the end since this was the last available data when I finished data collection in early 2016. My study therefore represents a complete analysis of the MIOs in one of the four regions of the EPN during its first ten years of existence.

3 Methodological Approach

My dissertation's methodological approach evolved during the course of the research. As I began to systematically study MIOs and migration, I reviewed a vast body of literature on migration by boat, maritime interdiction and methodology in studying international migration. The lived experience of my research combined with previous scholarship

fermented into a more formal, defined mixed methodology to study MIOs more generally (Williams 2018). I specifically designed my study to integrate critical, grounded, historical and correlational methodologies and thereby overcome previous limitations in studying MIOs. Despite my approach's ultimate limitations, my dissertation shows how it has enabled the first comprehensive, detailed account of the empirics of MIOs.

Current scholarly literature in border and migration studies had yet to examine the origin, development, implementation and wider consequences of maritime interdiction operations. This was despite the fact that they had become a critical part of understanding both the context and outcomes of international migration at sea. MIOs more specifically were integral components of policies of containment at sea, which first emerged after the growing concern over the movement of 'boat people' in Southeast Asia and the Caribbean in the 1970s (Gammeltoft-Hansen 2008; Loyd & Mountz 2018; Lutterbeck 2006). As I will explore in Chapter 2, state actors reinforced these concerns by the publicity of boat migrant boat incidents worldwide and the alleged security threats they posed (Pugh 2004; van Selm forthcoming). Since that time, and as previously mentioned, a host of wealthier states have practised regular MIOs ostensibly to manage migration at sea. This evolved in parallel with state and media discourses of crisis which served to exacerbate their threat (Mountz 2010). This dissertation thus serves to fill this important research gap.

A core scientific problem of the importance of maritime interdiction was how to approach studying it. Identifying which approaches were most appropriate required an appraisal of their relative benefits and consequences. Selecting the most appropriate

method required specification of what was being studied, identification of key study issues, and a list of appropriate methodologies. Six major challenges in understanding MIOs were data availability, different definitions, divergences in recording, power relations, reluctance to report, and data destruction by the state (Williams 2018). My dissertation functions partly to overcome these challenges and alleviate them in the future by forming a baseline for future research.

The philosophy of science employed multiple concepts of understanding, such as truth, falsifiability, and verifiability (Lauden 1981, 144; Salmon 1984). From a pragmatic perspective, the analytical use of objects in migration studies was to assist in constructing a logical framework of known social relations in determining migration outcomes using these concepts (Little 1991, 4-5). Relations which connected a series of characteristics, through events, to a given outcome in the world are called “causal mechanisms” (ibid, 15). Statistical approaches could not solely establish these mechanisms because they were limited in isolating the micro-level ways in which social relations affected behaviour (Achen 2002, 443). Models of MIOs, boats and migrants in this dissertation are not instrumental but rather meant to make inductive generalisations about causal mechanisms operating in the real world (Hausman 1992; Sugden 2010, 1). My models then *are not* MIOs, but instead serve as heuristics by which to understand, explain and act upon MIOs (Ruhs and Anderson 2010, 10; 30).

The ability of various available research designs to describe and explain maritime interdiction operations had substantial limitations (Williams 2018). On the qualitative

side, pragmatic and grounded theory approaches suffer from insufficient specification to guide the researcher in studying the analytical object (Pratt 2012, 2). Ethnographic and historical accounts often miss key informants, locations, documents, and even time can often only be selected in ways which significantly skew sampling (Freeman 1983; Thies 2002, 355). Critical theory widely neglects empiricism in favour of theory (Bohman 2013). Finally, content analysis' issues with document availability constrain its use, which applies in the case of my study (Sommer and Sommer 1991, 362).

Quantitative methodologies generally experience feasibility and validity issues. Experimental and quasi-experimental designs required selecting among undocumented migrants or state actors who lack incentive to self-report. Studies along these lines would likely be conducted in laboratory settings, where controlled conditions would remove the causal mechanisms most relevant in behaviour and render results invalid (Little 1991, 18). While a natural experiment could have solved the issue of subject selection, it necessitates an in-depth study of a MIO from start to finish which is simply infeasible at this time. This is possible because states design operations to be covert, making direct observation of *all* of their activities difficult. Correlational studies were limited by data availability and explanatory power of causal relationships (Shaughnessy, Zechmeister and Zechmeister 2014). If data were available, however, then a correlational study could explore interdiction at sea in an empirical way mostly previously absent in the literature (Mountz 2018; Williams and Mountz 2018). Simulation, via agent-based modelling is problematic to deploy due to the deductive limits of theory (Crooks, Castle and Batty

2008, 422). Scholars have also yet to sufficiently formalise traditional theories of international migration to be used in simulation (Bijak 2010, 47-50).

My view was that limitations in researching maritime interdiction operations made a mixed methods method approach most appropriate for studying them. I proposed that the most appropriate overall approach was to integrate critical, grounded, historical and correlational methodologies (Williams forthcoming). The design of this approach used a critical, theoretical underpinning to study interdiction at sea using available documentation and data on MIOs, boats, and migrants. In turn, the collected data allowed me to update my research as it progressed with the ultimate goal of identification of causal mechanisms and verification of theory (Table 1.1). The primary advantage of my methodological approach was to identify and describe causal mechanisms in a valid, empirical way which overcame the limitations of each method on its own.

The reliability, validity, and representativeness of a correlational study are desirable, but were limited in practise (Burawoy 1998, 11-3). A theoretical, qualitative approach permitted an identification and exploration of the actors relevant to causing MIOs. Critical theory was useful for understanding how social meaning was integral to this process. I moreover complemented social theories by a concurrent empirical description and analysis of its characteristics and verification of their outcomes. Important sources of historical data included state policy documents and legislation, bilateral agreements and memoranda of understanding between states, and archival information on operations from relevant actors.

Examples of correlational data included MIO, boat and migrant characteristics.

Multiple sources for these data existed, such as media reports, international organisation budgets, scholarly literature, police records, court documents, and border agency statistical publications. I also made use of unconventional data sources, one example was freedom of information requests from Frontex. I then conducted statistical analysis to search for relationships in the data to support or fail to support causal mechanisms in theory, as well as search for new relationships. Statistical tools included, but were not limited to, descriptive statistics, linear modelling, analysis of variance, time series analysis and spatial analysis. I actively incorporated historical data into these models. My ongoing analysis updated the existence, types, and workings of causal mechanisms from these findings, which informed additional research and thereby began the cycle anew.

There were ultimately limitations in my mixed methodology to study maritime interdiction operations using search and rescue in the Central Mediterranean Sea between 2009 and 2015. Three outstanding problems were differences in definition, divergence in recording and data destruction. A small amount of literature emerged in the last twenty years to deal with the first two issues. Methodologists in migration indirectly outline five tools for definition and recording issues: residual estimation, multiplier estimation, survey methods, capture-recapture methods, and regularisation estimation (Jandl 2004, 143-6; Raymer 2007, 986; de Beer et al. 2010). The applicability of these tools was highly contextual and not applicable to the MIOs I studied.

International migration literature has yet to study data destruction. Rarely, a secondary source such as a state, may republish destroyed data. Even when it was not possible to retrieve data which has been destroyed, it was possible to keep multiple, secure records of data used in my study. There were data management standards in social science describing how nearly any type of data can be stored electronically for later use (ICPSR 2011; DDIA 2014). Beyond preservation, storing all data used in studying migrant interdiction at sea had two further benefits. Publication of data added to public knowledge and awareness of MIOs, which they often poorly understood, as with CNN’s Christian Amanpour. My stored data are also reproducible for future researchers or policymakers to verify or expand upon my findings.

Table 1.1. Summary of Dissertation’s Mixed Methodology and its Components

Stage	Methodologies	Purpose	Expected Outcomes
1. Theoretical formulation	Critical Theory	Identify and explore causal mechanisms and actors	* Selection of theory * List of relevant actors and processes
2. Empirical collection and verification	Correlational Historical	Describe and analyse actions and outcomes of mechanisms	* Data collection * Data analysis
3. Inference and updating	Grounded Theory	Compare outcomes to expectations; update research	* Verification of theory * New actors and processes

My mixed methodology substantially compensated for methodological issues in studying maritime interdictions operations. As I will show, it allowed the most methodologically advanced and detailed study yet to be done on MIOs. My methodology,

however, did not ultimately solve all potential challenges, and therefore some limitations remained. Despite that, I employed this approach in my dissertation, which I argue has enabled the first comprehensive, detailed account of the empirics of MIOs.

4 Exploring and Mapping the Relationship between Border Enforcement and Migration by Boat in the Central Mediterranean Sea, 2006 to 2015

4.1 Research Questions and Functions

The European Union (EU) implemented a maritime interdiction network using search and rescue which interdicted at least 462,813 “illegal migrants” in the Central Mediterranean Sea between 2006 and 2015. This involved 15 discrete, militarised and semi-secret maritime interdiction operations (MIOs) at a minimum cost of 126.9 million 2014 Euros. In this dissertation, I will explore and map these operations and their geographies between 2006 and 2015 based on these three research questions:

- 1 How was it possible that a maritime interdiction network using search and rescue arose in the European Union? What were the historical, political and spatial factors that shaped this social structure?
- 2 What were the maritime interdiction operations involved with this network? What happened during them? How and why did they use search and rescue to conduct interdiction of migrants making journeys to the EU on boats? and
- 3 Were these maritime interdiction operations ultimately effective at stopping current or future migration?

The function of each question is as follows. First, and based on the given existence of the European Patrols Network, I examine how this network came into being in the first place.

This serves to show that the EU purposely created regular maritime interdiction operations using search and rescue to interdict migrants by 2006. This approach also justifies and underpins my subsequent analyses of their histories, functions and outcomes, all of which depend on the network having two specific properties. First: that the EPN was a system intentionally designed to internalise migrants and boats as external objects of security via legal inclusion in order to exclude them. Second: that the main mechanism for this process of what I call *internalisation* was search and rescue.

Second, and based on the establishment of these two properties of the EPN, I examine and explore these operations in order to describe them for the first time. I demonstrate the existence of these operations, their inner workings and their basic empirical outcomes. I then proceed to statistically show that search and rescue was empirically vital to their interdiction practises over time. I subsequently display that search and rescue was also critical to spatial externalisation, or the outward movement of border enforcement to manage international migration. These analyses demonstrate that search and rescue was indeed the primary spatial and legal tool of interdiction in the Central Mediterranean Sea between 2006 and 2015.

Last, and based on the empirical demonstration of the relevance of search and rescue, I put these maritime interdiction operations to unprecedented statistical testing to determine whether they were effective at stopping current or future migration. This enables analysis of whether social theories assuming or arguing for the (lack of) effectiveness of such operations have empirical support, something yet to be performed in

past research. If such operations *are* effective, then that would support theories claiming that MIOs have clear deterrent effects which justify their implementation in migration management. If such operations are *ineffective*, and they are a functionalist structure (i.e., one which the EU implemented for its functions), then it follows that there must be other explanations for their continual use and enhancement.

So, by the end of this dissertation, the following three answers to the questions above will be known:

- How it was possible that the European Patrols Network came into existence in the European Union by 2006. How and why the EU and later Frontex intentionally designed this system of interdiction to try and stop human migration for political ends. How and why search and rescue was an integral part of such interdiction;
- What these maritime interdiction operations involved with the EPN looked like, how Frontex designed and implemented them, and their basic empirical consequences. That search and rescue was the main mechanism by which MIOs achieved interdiction, both spatially and legally; and
- Whether or not search and rescue *as* interdiction was effective at stopping current or future migration, as well as what that says about current theories of border enforcement at sea in migration studies and border studies literatures.

4.2 Summary by Chapter

My dissertation consists of five chapters. Chapters 1 and 5 are its Introduction and Conclusion, respectively, and Chapters 2 through 4 are its substantive chapters, or those

which contribute new research. I begin here by expanding upon these three chapters and the end with a brief discussion of the Conclusion.

Chapter 2 identifies and explains the creation of a maritime interdiction network using search and rescue in the European Union (EU) between 1985 and 2006. The purpose of this "European Patrols Network" was to interdict migrants prior to arrival in the EU. To explain its rise, I first give a structural narrative of the evolution of interdiction at sea through the concept of the "external border"; I then supplement this narrative with a structural theory of internalisation. My central argument is that EU authorities, led by Frontex, used search and rescue as a means to internalise the external objects of security via legal inclusion in order to exclude them. The Network's creation was a deliberate policy developed by EU policymakers at key moments over time. It fit into a wider system of border security whose goal was to manage illegalised movement in "all stages and places". Thanks to search and rescue, it was therefore possible for "illegal migrants" to "arrive" in the EU while simultaneously not being there.

Search and rescue regions, or those where maritime interdiction operations nominally occurred, had special characteristics which allowed denationalisation to occur, thereby transferring jurisdiction to the rescuing state and creating new territory in that process. Search and rescue was thus a mechanism of internalisation, which not only captured bodies, boats and spaces, but subjected them to security via police. This was parallel to but different than Agamben's camp, and had distinct and formidable

consequences for those trapped inside this space of potentiality (i.e., space which was internal/external).

Chapter 3 theoretically and empirically demonstrates that search and rescue was instrumental in Frontex's maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. I do this via four analyses. I conduct a theoretical and literature review of the key links between search and rescue and modern maritime interdiction. I then describe the evolution of both in the Central Mediterranean Sea from 2006 and 2015. I proceed to provide the first detailed account of these operations to show how they worked, including via search and rescue, to interdict migrants. Last, I statistically demonstrate that search and rescue was empirically instrumental in maritime interdiction via three subhypotheses: increases in (1) the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I find all three relationships to be statistically significant and positive, therefore supporting an undeniable connexion between search and rescue and maritime interdiction.

Chapter 4 demonstrates that there was no statistical relationship between maritime interdiction operational intensity and current or future migration in the Central Mediterranean Sea between 2009 and 2015. I find this result using a time series analysis of complete interdiction data from two data sets acquired through freedom of information requests with Frontex. My statistical analysis achieves a fine-grained, literally day-by-day analysis of 3,256 boat interdiction incidents involving 462,813 interdicted migrants over

3,241 operational days in 12 MIOs. My results give important evidence against previous theories which argued that MIOs had a clear deterrent effect that made them valuable tools of migration management. Contrastingly, they support scholars who argued that this general ineffectiveness reflected the political functions of MIOs. Though my data and analysis experience important limitations, my findings are compelling and show that an independent, quantitative analysis of the relationship between MIOs and migration is possible.

Finally, in Chapter 5 I bring together and review the conclusions of Chapters 2 to 4. I make further, speculative inferences on the nature of maritime interdiction via search and rescue as a means of border enforcement at sea. Given that my study ends in 2015, I proceed to update my findings to the end of 2017. This involves updating my historical, policy and statistical analyses using new data. I observe the continual deployment of MIOs using search and rescue to the present, despite their general ineffectiveness at deterring migration.

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2 Internalisation and the Origin of Maritime Interdiction via Search and Rescue in the European Union, 1985 to 2006

Abstract: This chapter identifies and explains the creation of a maritime interdiction network using search and rescue in the European Union (EU) between 1985 and 2006. The purpose of this "European Patrols Network" was to interdict migrants prior to arrival in the EU. To explain its rise, I first give a structural narrative of the evolution of interdiction at sea through the concept of the "external border"; I then supplement this narrative with a structural theory of internalisation. My central argument is that EU authorities, led by Frontex, used search and rescue as a means to internalise the external objects of security via legal inclusion in order to exclude them. The Network's creation was a deliberate policy developed by EU policymakers at key moments over time. It fit into a wider system of border security whose goal was to manage illegalised movement in "all stages and places". Thanks to search and rescue, it was therefore possible for "illegal migrants" to "arrive" in the EU while simultaneously not being there.

1 Introduction

A maritime interdiction network using search and rescue interdicted at least 462,813 "illegal migrants" in the Central Mediterranean Sea between 2006 and 2015. In this chapter, I critically examine the historical conditions which made such a system possible. Pursuing Agamben's (1998) suggestion, I consider how a system was set up to deprive international migrants of their humanity in a legally acceptable manner. I do this by heeding Mountz & Hiemstra (2012) in an analytical focus on how and where interdiction operations were created in the European Union from 1985 to 2006. I argue that

construction of a Mediterranean-wide interdiction network run by a proto-EU border guard was a new institutional framework of border security at sea. Its ultimate design, and thus the purpose of search and rescue, was to interdict people moving by boat as far away from the Union as possible.

I deploy two different modes of explanation to understand the origin of these operations. First, I give a structural narrative of the evolution of interdiction at sea through the concept of the "external border". My historical evidence comes from a policy analysis of 7,738 pages of material in 204 EU documents. This represents a census of every Union-level policy document including the terms "external border" or "external frontier" and "boat", as collected from EUR-Lex, the EU's database for EU law and publications (EUR-Lex 2016). I also analyse a number of unpublished documents which were later released via freedom of information requests or other, anonymous leaks. The policy analysis, in sum, explains how a system of maritime interdiction was set up from the birth of the Schengen Acquis in 1985 to the implementation of the European Patrols Network in 2006.

Second, I supplement this narrative with a structural theory of internalisation based on a review of previous literature and critique of Michel Foucault (2004), Stuart Elden (2013) and Giorgio Agamben (1998) in particular. My central argument is that EU authorities, led by Frontex, used search and rescue as a means to internalise the external objects of security (i.e., illegalised bodies, boats and spaces around them) via legal inclusion in order to subject them to police. I will show that this is parallel to, but distinct

from, Agamben's focus on the legal exclusion of internal persons to remove most of their political personhood. The process of internalisation thereby explains how the institutional framework of border security simultaneously dehumanised illegalised bodies while including them in the legal order.

The chapter proceeds as follows. I review previous literature on the border, the sea and border enforcement in the Central Mediterranean Sea. While the sea was a socially-constructed site of conflict over sovereignty of territory (Steinberg 2001), existing literature has yet to describe or map how borders were changed to exclude unauthorised boat journeys. I propose to fill this gap by examining the conditions under which these border changes were possible through maritime interdiction using search and rescue. These changes, as it turned out, reflected a process of internalisation, by which search and rescue could denationalise those within its space and thereby transfer them to the jurisdiction of another state. The consequences of this were to allow the subjection of these objects to security and create new territory in that process. Internalisation highlighted the limits of and extended Agamben's conceptualisation of the camp, which proved a poor empirical model for the operation of search and rescue regions.

I explain the emergence of maritime interdiction using search and rescue at sea in the European Union. The creation of a coordinated maritime interdiction network using search and rescue was a deliberate policy developed by policymakers within the EU at key moments over time. Through the evolution of the "external border", particularly its policies and spatial tactics, I show that the construction of a Mediterranean-wide

interdiction network run by a proto-EU border guard was a new institutional framework of border security at sea. This fit into a wider system of border security whose goal was to manage illegalised movement in "all stages" and "all places". Thanks to search and rescue, it was possible for "illegal migrants" to "arrive" in the EU while simultaneously not being there. I discuss the relationship of this result in the context of internalisation, and then briefly conclude the chapter.

2 The Sea and its Relationship to the Internal/External through Internalisation

Existing literature in political geography identified how sovereignty and territory were dynamic and constructed by social forces. The demarcation and enforcement of the border around sovereignty/territory was a strategic location where states contested power. The sea was one such exceptional zone. While governed by different legal regimes from land, the sea also became a space of exclusion to migrant entry in a policy of containment operated by the states of the European Union. In shifting the border using spaces such as search and rescue regions, these spatial tactics reflected a desire to (re)constitute territory as a means of (re)constructing sovereignty, which affected the lives of hundreds of thousands of people. Despite this, existing literature has yet to describe or map how borders were changed and their consequences in the Central Mediterranean Sea.

While notable scholars, such as Foucault, Elden, Sasken and Agamben, attempted to conceptualise the internal and the external relative to the state and security, they neither described which objects were external nor explained how they became internal and therefore subject to security. I therefore define the concept of internalisation

to fill this analytical gap, and identify search and rescue as a particular mechanism by which internalisation occurs. A focus on internalisation importantly highlights the limits of and extends Agamben's concept of the camp. Although the search and rescue region fit the state of exception, the camp was a poor model for its conditions. The root of this result was Agamben's focus on the externalisation of internal objects via exclusion, thereby neglecting the important but opposite process by which the external object was internalised to the state. This parallel process generated different conditions for those subjected to interdiction via search and rescue – to which the camp does not properly apply.

2.1 The Border, the Sea and the Central Mediterranean

Political geographers assume that the exercise of power does not end with the state and its bureaucracy but, rather, conjoins with the everyday. The construction of place through the everyday delineates our imagination of politics, particularly the limits of sovereignty and territory (O'Tuathail 1996). A primary mechanism for this construction was the demarcation and policing of boundaries or, as they are called between states, borders. As part of territoriality, borders are dynamic; they are conditioned by particular theories of the social, and these influenced the topologies of power (Agnew 1994). This is possible because borders regulated and reproduced movement/mobility (Steinberg 2009). Shifting borders, then, often associate with changes in sovereignty (Nevins 2002; Walters 2008). States, however, are not fully contained by borders, and therefore conflicts emerge at or beyond the margins of territory to construct sovereignty (Mountz 2013). These

“exceptional” zones became strategic locations where power is realised through spatial tactics (Gregory 2006). Search and rescue regions are such a zone.

The sea was a space of conflict over territory and sovereignty (Mountz 2013). Steinberg (2009) argued that the sea was defined as a space of movement by social forces, and that this conceptualisation changed with society. Accordingly, territory at sea was governed by multiple regimes unique from those on land, and its current existence operates by guarantee of a patchwork of state enforcement (Carling and Hernandez-Carretero 2011; Coppens 2013; Gammeltoft-Hansen 2008). Despite the difficulty of enforcing sovereignty over the sea, however, new spatial tactics have been developed to manage movement within it, especially to exclude migrant entry – what I call “illegalised movement”. In the Central Mediterranean Sea, this included the creation and expansion of search and rescue regions, which allowed authorities to patrol and interdict boats far beyond previous territorial limits (Pugh 2004). Other authors have claimed that, in extreme cases, territory may even be explicitly (re)moved to divert migrants from entering at all, as in Italy's joint naval patrols with Libya in the Gulf of Sirte or Australia's multiple territorial excisions for the purposes of claiming asylum (Bialasiewicz 2012; Crock and Saul 2002; Cuttitta 2008). In shifting the border, these spatial tactics reflected a desire by state authorities to (re)constitute territory as a means of (re)constructing sovereignty – and vice-versa.

Existing literature on illegalised movement by boat across the Central Mediterranean Sea has yet to empirically describe or map *how* borders were changed to

exclude unauthorised journeys and their consequences for migrants on a macro scale. The issue of containment in the Mediterranean emerged as early as the mid-1980s with growing concern about movement at sea, as will be shown in the next section (Lutterbeck 2006). These concerns were reinforced by increasing publicity of migrant boat incidents worldwide and the security threats states constructed them to pose (Pugh 2001). Gammeltoft-Hansen (2008) and Carling & Hernandez-Carretero (2011) identified ways policymakers in European Union member states used international law and humanitarianism to justify boat interdiction, but their studies were limited to the Canary Islands. At the same time, Bialasiewicz (2012) documented micro-level complexities on the ground for border enforcement between Libya and Italy. These studies, nevertheless, failed to reveal the larger relationship between migration by boat and border enforcement in the Central Mediterranean Sea. The only recent, large-scale empirical study focusing on this region did not discuss interdiction operations or search and rescue at all (di Pascale 2011). The immediate question at hand in this chapter is to thus examine the conditions that made it possible to interdict 462,813 bodies in the Central Mediterranean Sea between 2006 and 2017. I particularly follow Mountz & Hiemstra's (2012) suggestions to study how and where interdiction operations were created.

2.2 The Internal, the External and a Theory of Internalisation

An important but unexplored result of governmentality in management of international movement is what I call *internalisation*, or the process by which state authorities, like border guards and immigration agencies, rendered objects internal as security threats.

Those who did not follow the normation of the border could not be managed by its discipline, and therefore were subject to security via governmentality. Foucault, however, did not describe which objects were external nor explain how they became internal and therefore subject to security. This section explores the latter. One characteristic authorities used to manage their movement was space, specifically by rendering moving bodies as “internal” through loss of their previous state identifications. Search and rescue was one way of doing this. Internalisation subjected bodies to the police state (*polizeistaat*), or a fused juridical-executive authority which only internal, administrative mechanisms checked. This ultimately followed a strategy of containment, which attempted to halt, integrate and pre-empt illegalised movement. Internalisation thus paralleled externalisation through Elden’s “imperio”: a boundless, administrative power which was only limited in application through the extent of enforcement.

Foucault used internal/external as an analytical distinction with respect to the operation of the state’s power through “raison d’État”, or the idea that “the state is organised only by reference to itself.” (Foucault 2004, 378) The state’s reconfiguration as an object with final sovereignty over fixed territory shifted security to its internal power in early modern Europe (Elden 2013). The mechanism of this security, called police, was the “maintenance of the relations of forces and development of the internal forces” to “ensure maximum growth of the state’s forces while maintaining good internal order” (Foucault 2004, 384; Agamben 1998). This contrasted with external power, where states checked each other (e.g., the international system).

One important aspect of the border was its function as a disciplinary mechanism.

State authorities prescribed norms from which acceptable practises of international movement followed, thereby attempting to control who may “cross the threshold” and under what conditions (Balibar 2003; Foucault 2004, 85). Authorities determined abnormal (i.e., “illegal”; “unauthorised”; “undocumented”) entry by building, surveilling and breaking down subjects (Franko-Aas 2011). So while the border was hugely dispersed, it was also fluid and became concentrated at particular times and places as state practises changed (Carrera 2007). State authorities imagined and justified these border regimens for a variety of reasons, empirically, as shown later in this chapter, but a key purpose of this power was to enforce a desired spatial order over movement (Cresswell 2006; Mountz 2010). Outside of this order, the body (and vessels) of the “other” became associated with ideas construed to be a threat (Appadurai 2006).

Those who did not follow the normation of the border thus violated its *raison d’État*, and therefore were subject to security via police. People who engaged in illegalised movement, nevertheless, were especially difficult for authorities to manage due to their location. They were external in the Foucauldian sense, out of sovereignty’s reach (i.e., territory), yet constructed as internal to its forces with potentially harmful effects (Ceriani et al. 2009). Governmentality, in this context, presented a strategy by which illegalised movement could be managed on aggregate using indirect characteristics (Foucault 2004). Geography was foremost of the manageable characteristics identified in this case study, due to its relative ease of manipulation at sea and the fixation of state

authorities with territorial integrity and preservation (Elden 2009). By removing previous state identification (i.e., denationalising) under international law, EU authorities tactically rendered bodies (and boats) internal to their power – that is, *internalised* them. Space then became an object of internalisation, insofar as the border extended into these sites of interdiction and further around the bodies of those interdicted as they moved elsewhere. Search and rescue, as this study demonstrates, became the key tactic in achieving these outcomes between North Africa and Italy between 2006 and 2015.

One major consequence of the process of internalisation was the subjection of interdicted persons to the police state. In the Foucauldian perspective, liberalism normally provides external checks on the operation of administrative power within the state, thereby limiting security in the interest of freedom (Foucault 2008).¹ But in the police state, juridical and executive authority became blurred in the hands of bureaucrats with unlimited authority in achieving the state’s objectives, akin to Butler’s (2004) depiction of detainees in Guantanamo Bay or Agamben’s (2005) “state of exception”. State authorities subjected people engaging in illegalised movement to the police state due to their illegalised identity, which they structured as unmanageable by normal processes (Foucault 2004).² They were thus simultaneously made internal and external (internal/external) to the state’s geography and power. This was not a contradiction but a

1 Foucault argued that the state’s interest in freedom was to construct and ensure conditions allowing proliferation of desirable natural phenomena. Freedom was therefore a means to developing the states internal forces (e.g., population; production). Liberalism was a strategy to reduce government intervention in order to produce freedom – one that simultaneously checked the police state.

2 According to Foucault, authorities would determine these “normal processes” through empirical observation. The normative commitments made in creating and measuring the normal, however, indicate the continuing presence of disciplinary regimens, at least insofar as they structure what is normal and delimit how “unfavourable normals” may be moved to a more desirable normality.

new variation of the relationship between territory and sovereignty, one which political scientists oversimplified through the binary of territorialisation-deterritorialisation, and Agamben misunderstood through his lens of the “camp” (Agamben 1998; Sassen 1996, 19).

Internalisation followed the European Union’s enactment of a “policy of containment” designed to keep most people engaged in international movement out (Castles 2003). Border enforcement at sea was premised on this idea of containment. To this end, state authorities built systems to force migrants back before, during, or after arrival at the physical border (Hyndman and Mountz 2008). These new border sites, like search and rescue regions, became spaces demarcating political and legal status (Agamben 1998; Franko-Aas 2011).

Containment was consequently a logic of security, which entailed a series of mechanisms through which offending bodies could be kept as far away as possible from sovereign territory. Elden (2009) further postulated that containment implied spatial tactics of integration and pre-emption. This was because threats, now internally contained, would need to be integrated to be restored to circulation, and future attempts to circulate between contained places would need to be pre-empted to maintain containment. All this represented an expansion of territory, or space as a bounded container subject to state power (Elden 2013). Search and rescue, then, in attempting to contain illegalised movement to defined spaces, integrating bodies to the state’s political and legal processes, and pre-empting arrival to the state produced new territory.

The territory produced through search and rescue was also internalised, since state authorities coded it as a space of internal threat and so subjected it to the police state. Internalisation, in this case, thus paralleled what migration scholars called externalisation, or the outward spatial enforcement of the border. Enforcement pushed the border's outer limit and simultaneously produced search and rescue regions. While Elden (2009; 2013) implied that the boundedness of territory itself precluded empire, he later described imperio (i.e., imperial power) as fundamentally boundless, limitless and administrative. I propose that the logic of containment worked through imperio, in that its objects had no fixed spatial boundary, and that its constant expansion was only limited in application through the extent of enforcement. Search and rescue was subsequently just one means by which illegalised movement could be managed in "all stages" (and places), and empire emerged from attempts to produce containment (European Union 2000a-b; Loyd and Mountz 2018).

2.3 Internalisation highlights the Limits of and extends Agamben's Camp

Internalisation can be understood through the work of Giorgio Agamben, especially his framing of the internal/external in the state of exception and the camp. Subsequent work in the border studies related how the high seas, interdiction and detention produced illegalised bodies in this state; however, they did not fully unpack the applicability of Agamben's camp. His definition of the camp, in particular, did not empirically fit search and rescue regions at all. The origin of this gap was Agamben's focus on internal externalisation, or the process of rendering internal objects internal/external through

exclusion. Internalisation instead explored how the external object could be rendered internal/external through inclusion. This process proved distinct in that the fundamental problem was not the suspension of legal order, but inclusion of that which was never formally part of the order in the first place. The resulting differences of internalisation produced a site of exception with different characteristics than the camp: the search and rescue region.

Agamben's (1998; 2005) work had an important impact on border studies literature. Previous scholars demonstrated how state authorities placed illegalised bodies in institutionalised sites of crisis through the introduction and conceptualisation of the state of exception (Kernerman 2008; Mountz 2011). Notable studies of migration by boat pursued this idea by proposing how the high seas, vehicles of interdiction and resulting detention centres were all in the state of exception, and therefore implicitly part of the camp (Gammeltoft-Hansen 2008; Hyndman and Mountz 2008; Loyd and Mountz 2014). The location and expansion of these spaces was a central element of the externalisation literature, which explored how shifting borders captured bodies, coded their movement as illegal and thereby altered their legal status (Bigo 2000; Samers 2004). These scholars directly succeeded Agamben in understanding these sites as both internal and external to the state's juridical order. Bigo's (2001) "Möbius ribbon" of security, for instance, directly paralleled Agamben's (1998) "Möbius strip" of law and violence in the state of exception. One major gap of this work, however, was that it did not fully unpack the applicability of the camp, and thereby the internal and external in Agamben, as a

model by which to understand the production of illegalised movement of actual people in existing locations. Internalisation addresses this issue.

Understanding the camp reveals its limits. The internal/external relation is deeply tied to the state of exception and what Agamben calls inclusion/exclusion (Agamben 1998). The “law is outside of itself” in this state, yet remains as “force-of-law”: the normal division of violence and law produced by the state breaks down, and the sovereign dictates and enforces whatever actions are necessary to maintain the juridical order (Agamben 2005). The state creates this condition by suspending the law, continually violating its norms ostensibly so that they may be otherwise enforced. Those placed into this state are trapped in spaces of potentiality (e.g., inclusion/exclusion; violence/law; internal/external), decidable only by the sovereign; realised only by the sovereign’s removal of impediments to either part of the relation. The state activates this position on bodies through the “ban”, in which it abandons the political person (*bios*), thereby turning its very life (*zoe*) into a political object. This is not a reduction to bare life³ (i.e., nature), but an indeterminate condition, relation and non-relation producing each other, where life and law cannot be easily separated. The camp is the site which forms and illuminates the normally potential, obscured spaces of exception and bodies therein.

3 Internal externalisation (i.e., movement from the internal to internal/external) cannot reduce the political person to bare life. Bare life, for Agamben, exists as pure nature. Reduction to nature is impossible so long as political society exists, since the relation that strips political personhood of the body maintains a relation to that body. This is the fundamental difference between the state of nature in Hobbes and the state of exception in Schmitt and Agamben.

Agamben describes the camp as the modern spatial formalisation of the state of exception. He defines the camp, in three conditions, as a space:

1. Of temporary suspension of law;
2. Which becomes a permanent arrangement; and
3. Which remains outside of the “normal order”.

The problem with this definition is that none of the three conditions held in the case of search and rescue regions, despite empirically fitting into the state of exception. Search and rescue regions were not:

1. A suspension of law or temporary, since they had no previous status in the juridical order and so became included in it through a long-standing interdiction network;
2. Spatially fixed, since they continually moved closer to “places of origin”; and
3. Outside of the “normal order”, but, in fact, came to constitute regular practises and rules managing illegalised movement.

A careful analysis of this gap revealed its origin in the construction of the exception as “inclusive exclusion”. This occurred due to Agamben’s analytical focus on what I call *internal externalisation*, or the process in which the state rendered the internal object internal/external through exclusion. “Homo Sacer” was its model: a normal, political person (i.e., internal) whom the state banned (i.e., externalised) and whose life thus became an object of politics. While correctly identifying that the internal can be

made internal/external through exclusion, Agamben failed to consider the opposite case:

an external object becoming internal/external through inclusion. This process of inclusion was (external) internalisation, and it operated in parallel but distinctly from Agamben's examples, leading to a different site of exception.

Internalisation extends the camp by exploring the movement of the external into the state of exception. The fundamental problem of this position is not the suspension of order from a previously normal state, but the inclusion of that which was never formally part of the order in the first instance. The bearer of illegalised movement must be internalised in order to be managed by the state and its authorities. Bare life is made political, in this case, and thereby becomes an internal/external potential. Like *Homo Sacer*, only the sovereign can remove the impediments to decide and realise and outcome of this body (e.g., through deportation or visa) (Geiger and Pecoud 2010). But to produce this potential, or to realise its particular outcome, the state must activate the juridical order. This inclusion can be understood as the creation of a second, legal body – the biotic person. That is, in order to legally manage and exclude migrants, it is necessary to turn them into persons to whom the some law applies. This application subjects them to a legal body. It is this subject which allows application of the juridical order while superficially covering the violence inflicted upon the natural body. The space in which this occurs is in the state of exception, but is not a camp; in this case study, it is known as the search and rescue region.

3 Search and Rescue and Evolution of Interdiction at Sea in the European Union, 1985 to 2006

In this section, I demonstrate that the creation of a coordinated maritime interdiction network using search and rescue to interdict illegalised bodies neither emerged suddenly nor spontaneously. It was, instead, a deliberate policy developed by policymakers within the European Union at key moments over time. At the forefront of this policy and its associated spatial tactics were the European Commission and the European Council. They imagined and created the "external border", a concept which became central in the problematisation of "illegal migration". This problematisation of illegalised movement at sea evolved and was increasingly securitised, its changes coinciding with alterations in locations and functions of spaces of control. Expanded and heightened border enforcement produced crisis, justifying internalisation and externalisation. Despite the policy failure of the external border, policymakers remained convinced that escalation of their previous efforts would solve illegalised movement, thereby repeating the vicious cycle.

European Union authorities made the creation of what became the European Patrols Network run by Frontex possible through the creation of a new institutional framework of border security, as evidenced through policy and practise. Elements of this framework explored here included new policy priorities, research agendas, programs and institutions to enhance security and surveillance. Its ultimate design, and thus the purpose of search and rescue, was to interdict people moving by boat as far away from the Union as possible. But the Network fit into a wider deployment of spatial tactics by EU

authorities within and far beyond its territory to manage illegalised movement in "all stages" and "all places".

3.1 The Creation of the Schengen Area forces an Imagination of the External Border

While previous scholars noted the importance of 1986 Single European Act in establishing a unified market in Western Europe by 1992 (Lodge 1986; Moravcsik 1991), the origin of the European Union Treaty (TEU) was also critical in forwarding a unified security policy. This policy was solidified at the 1988 Rhodes European Council, where European leaders agreed on the organisation of controls at the "external border" (European Commission 1991a, 36). One goal of these controls was to coordinate and harmonise national policies to combat illegalised immigration: "In view of the risks in the fields of security and illegal immigration, the Ministers and State Secretaries underline the need for effective external border controls" (European Commission 1999, 95). Illegalised immigration, however, was considered less important than customs, drug trafficking and environmental issues (European Commission 1991b, 3).

The need for external border controls arose from the structure and framing of the TEU. As noted, the states that would go on to form the Union had committed themselves to what Elden (2009) called a "policy of containment". The push for containment was enhanced by the end of the Cold War and the increasing politicisation of migration (Betts 2011, 78-80; Castles and Miller 1998, 9-10; Samers 2010, 18-20). This policy conflicted with the abolishment of internal border controls created by the Schengen Area in January 1993, since member state authorities would lack legal instruments to control movement

into their territory. It was therefore concluded as early as 1992 that all controls would be moved to the external border (European Commission 1992). To do this, a geographical imagination of the external border was necessary. The signatories of the 1985 Schengen Acquis and, later, European Commission (COM) accordingly conceptualised it as the first border between a member state, including all of its ports, and a third country, and delegated the task of enforcing it to the member state whose territory it delimits. In the case of the Central Mediterranean Sea, this meant that primary responsibility for future management of movement by boat would fall upon Italian and, later, Maltese authorities.

3.2 EU Policymakers Problematised Illegalised Movement across the External Border

The geographical imagination of the external border subjected European Union policymakers to the problem of its security. Illegalised movement was made to be a core threat to this security through a cycle of problematisation, increased enforcement and crisis. EU policy documents defined “illegal immigration” as a problem immediately after the creation of the Schengen Area (European Commission 1993a; 1995a). COM emphasised “the urgent problems arising from illegal immigration” as early as 1994, tying it to transnational criminal networks, drug trafficking, human trafficking and terrorism (European Commission 1994a; 1995b; 1996a). Policymakers spatially connected these initial concerns to the evolving concept of the external border and described them using verbs like fight and combat. They saw halting illegalised movement as necessary to achieve unspecified socio-economic outcomes. Policymakers also intended the external border to restrain the perceived “inherent cultural differences” of

those attempting to enter the EU from North Africa (Committee of the Regions 1996a, 16).

The problematisation of illegalised movement at sea conceptually evolved and solidified over time. EU policymakers constructed protecting the external border as essential to border security. They particularly framed this space to establish a “common security identity” of the Union (European Commission 2002a, 5). Failure to prevent illegalised movement, then, was a threat to European solidarity and entailed significant “political and strategic risk” (European Commission 2003a, 7; 2004a, 10). One political risk requiring “fighting illegal immigration” was the legitimacy of the asylum regime, which policymakers stated was compromised (European Commission 2000c; 2001a, 8; 2002b, 8). Another was the public’s awareness of the ineffectiveness of border control and surveillance, especially around the Union’s external maritime borders (Council of the European Union 2002, 62-63; European Commission 2003a, 7; 2006a, 33). Some documents even included illegalised movement by boat in a category of risks covering natural disasters, presenting it as an abnormal and dehumanised threat (European Commission 2006b, 25).

Changes with the problematisation of illegalised movement at sea coincided with alterations in the locations and functions of spaces of control. The external border had already shifted towards third countries via the “external dimension” of the Union’s policies. This meant harmonisation of migration management and border controls, and signing expulsion agreements as a condition to future political or economic treaties

(European Commission 1995b, 204; 1995c). By 1998, however, COM documents proposed the management of illegalised movement in “all stages”, especially via interdiction at sea (European Commission 2000a-b). This geographical fiction of the external border corresponded with a call to move asylum and visa processing to or near countries of origin (European Commission 2000d). Policymakers framed interdiction as the ideal spatial tactic to enforce the external border, and they wanted to push it as close as possible to the point of origin of boats (European Commission 2001, 3). This led to the conceptual extension of the external border at sea into the territorial seas of “origin” and “transit” countries, which were to be patrolled using maritime interdiction operations (European Commission 2006, 33).

3.3 The Problematisation of Illegalised Movement led to Crisis

The problem of illegalised movement led to repeated “crises” requiring tighter controls and additional resources, which pushed externalisation through spatial tactics.

Policymakers noted “Urgent problems arising from illegal immigration” as a basis for the creation of the EU’s initial policy instruments on the external border (European Commission 1994a). They also framed increasing illegalised movement into the Union as dire in 1998, necessitating stronger enforcement and additional resources and powers (European Commission 2000a-b).

For policymakers, these “substantial waves” of people could only be addressed by reinforced member state cooperation and technical assistance at the external border, especially at sea. Despite continually receiving these, they repeated the call for an

intensified fight against illegal immigration each year. In 1999, EC stressed illegalised movement as requiring enhanced border controls (Council of the European Union 1999). In 2000, COM claimed Europe was failing to maintain the external border, and called for a tougher fight (European Commission 2000d). In 2001, the Justice and Home Affairs Council (JHA) stated that combatting illegalised movement was so urgent and necessary that it received its top funding priority (European Commission 2001, 5).

This narrative continued through 2006, calling for new efforts to stop migration, especially at politicised sites of arrival like Gibraltar, the Canary Islands, the Greek islands, Lampedusa and Malta (European Commission 2002c, 27; 2003; 2005a). The term “migration crisis” was regularly applied to illegalised movement into these spaces by 2006 (European Commission 2006a, 2; 2006c, 90; 2006d, 3). At the same time, the external border that vaguely delimited their location continued to push outward, thereby expanding the crisis. It became apparent that the continual creation and enforcement of the border was not solving the problem of illegalised movement. Policymakers explained policy failure by a lack of enforcement, lack of homogenous levels of security, and lack of political will among the Union and its member states (European Commission 2001, 20). These explanations prompted further escalation of previous efforts, and fed into a cycle of problem, internalisation, externalisation and crisis.

3.4 EU Authorities created new Policy Instruments for Coordinated Management of the External Border

As the perceived threat of illegalised movement grew, the European Council and

European Commission created new priorities, research agendas, policy programs and

institutions to promote enhanced border security and surveillance. The culmination of this process at sea was the creation of Frontex and the European Patrols Network (EPN) by 2006. These policies built a coordinated maritime interdiction network using search and rescue under the auspices of a proto-EU border guard. The design of this institutional framework was to interdict people moving by boat as far away from the Union as possible.

Table 3.1. Key Policies Created by the EU to Manage the External Maritime Border, 1985-2006

Year	Policy Created
1985	Schengen Acquis
1993	Establishment of the Schengen Area
1997	Treaty of Amsterdam
1997-2001	Odysseus Programme
1999-2003	Tampere Programme
2001	Inception of Frontex
2002-2006	ARGO Programme
2003	Programme of Measures to Combat Illegal Immigration Across the Maritime Borders of the European Union
2004-2008	Hague Programme
2005	Inception of the External Borders Fund, 2007-2013
2005	Inception of the European Patrols Network

The early days

The formal establishment of the Schengen Area included few policy instruments to create and manage the spaces of the external border. EC and COM officials actively created these policies at key moments in time. These actors were initially constrained by their reduced legal authority, institutions and material resources in achieving their policy objective of controlling movement at the external border. Over time, however, member

state governments and Union policymakers used the construction and reproduction of the threat of illegalised movement to expand their power.

Union authorities attempted to manage movement at sea by information gathering, risk analysis and monitoring member state policy convergence were the initial means by which nascent (European Commission 1993b; 1994a). These softer instruments reflected the lower political importance of preventing illegalised immigration. They also stemmed from the scarcity of funds allocated to maintenance of the external border, and the absence of Union-level institutions through which to use them. The TEU embedded these processes within a federal politics between the European Union and its member states – one that, with few exceptions, denied the Union the authority to legislate on immigration issues via Article K (Council of the European Union and European Commission 1992).

The Treaty of Amsterdam and the Tampere, Hague, Odysseus and ARGO Programmes

The Treaty of Amsterdam fundamentally changed this power dynamic by giving the European Union the authority to handle migration control (Council of the European Union 1997). The Treaty additionally prioritised the operation of the Justice and Home Affairs Council to create policy instruments to this end. EC mandated the creation of a JHA Task Force to produce reports on the situation of illegalised movement and how best to manage it (European Commission 2000b). These reports fed into the call for member state cooperation and technical assistance in control of maritime borders at the Cardiff, Vienna and Tampere European Councils and consolidation of the expanded Schengen Acquis (Council of the European Union 1999; European Commission 2000a-b). The

Councils became the basis of the five-year Tampere Programme which outlined an action plan and timetable to control the external border and illegalised movement through it. EC and COM used TEU article 66 projects, third country agreements, Odysseus and ARGO Programmes, and Frontex as instruments to fund these goals (European Commission 2000e, 25; 2002c, 5; 2003b, 7). EC expanded them and their funding with a renewed five-year Hague Programme in 2004 and the External Borders Fund in 2007 (Council of the European Union 2005; European Commission 2005b).

The funds generated by the European Council and European Commission flowed into a growing number of policy experiments. The first three pilot projects of coordinated management of the external border were created by the Council in 1995, given €600,000, and implemented by COM (Council of the European Union 1997, 146; European Commission 1997, 2). Policymakers in COM wrote in their evaluation of these projects that they “not only constitute a valuable adjunct to the Council's legislative activity but can even serve as a starting point for such activity” (ibid, 3). EC accordingly created the five-year Odysseus Programme in 1997 as the first regularised policy project in coordinated management of the external border. Odysseus made use of €14 million to finance projects which aimed to “combat illegal entry, residence and employment” (ibid, 13). Member state border guards, non-governmental organisations and university researchers participated in these projects, which included the Union’s first joint surveillance operations (European Commission 1998).

The Odysseus and Tampere/Hague Programmes had different policy instruments, despite their common policy objectives. Tampere/Hague had a broader political mandate and more funding as part of the JHA, whereas Odysseus was a targeted call for projects with far fewer resources. While border security was a secondary aim of Odysseus, Tampere/Hague actively prioritised funds to identify factors causing illegalised movement across the external border and the means to control them (European Commission 2001b, 14). As stopping illegalised movement across the external border grew in political importance, the EU bestowed the Programmes with new authority, institutions and material resources.

The European Council renewed the Odysseus Programme as the five-year ARGO Programme in 2002. ARGO directly succeeded Odysseus in its institutional framework, but its mandate was the administration of a secure external border (European Commission 2001a, 18-19). COM made the fund primarily available for member state agencies, and nearly all of its resources were spent on external border projects (European Commission 2004b, 9). Its policymakers justified this by claiming that Odysseus showed the need for enhanced coordinated management of the external border, and simultaneously adopted a plan to this end (European Commission 2002b, 18). EC gave COM €48 million for the task, disregarding reports of the Programme's underperformance (European Commission 2004b, 3; 10). One cause of this underperformance was the immense cost of the Union's first joint maritime interdiction operations, which the Council used ARGO to finance (Council of the European Union

2003; European Commission 2004c). Ulysses, RIO IV, Pegasus, Triton, Orca and

Neptune were initial experiments in joint patrols of the external border at sea between

2002 and 2003 – and forerunners of Frontex’s European Patrol Network.

The External Borders Fund

Large, stable financing was a core problem in coordinated management of the external border. COM’s funding instruments were ad hoc and often depended on voluntary contributions of member states. EC leaders stated in 2005 that voluntary funding threatened to undermine Union-level border enforcement, and directed the creation of the External Borders Fund to compel annual funding (European Commission 2005c). COM added the creation of the Fund as a core goal of the Hague Programme, to be implemented by 2007 (European Commission 2005b, 8). The EU budgetary authority formally allocated the Fund an impressive €1.82 billion from 2007-2013 – enough money to finance the entire ARGO Programme 38 times over (European Commission 2006e, 11).⁴ EC implemented the External Border Fund in 2007 (Council of the European Union 2007). It would become the primary financial instrument for Frontex and the European Patrols Network.

The European Council and European Commission used the Treaty of Amsterdam as the legal basis for Union-level controls at the external border (European Commission 2001a, 5). They also established a plan for its integrated management, especially at sea, in 2002, and used previous or created new institutions and material resources to this end.

⁴ The External Borders Fund itself was part of a larger “Solidarity in Management of Migration Flows” Fund, to which the budgetary gave €4.02 billion. The External Borders Fund constituted the plurality, or 45%, of the Fund’s total value.

What unified all of these elements, moreover, was Frontex, soon to be the Union's coordinated border agency.

Frontex

The European Commission explored and received strong political support for an EU border guard as early as November 2001 (ibid, 17; Neal 2009). Its policymakers reported that the EC would be effectively going ahead with the agency's formation, referring to the future Frontex as the "nucleus of an overall approach" to its plan for integrated management of the external border (ibid). EC leaders discussed this plan at Laeken in December 2001, and requested a feasibility study. COM policymakers approved the agency in principle on 7 May 2002 – weeks before the feasibility study's completion on 30 May 2002 (European Commission 2002a; Rome Study Group 2002). Composed of participants from border enforcement agencies around Western Europe, the Rome Study Group concluded that a "European border guard" was necessary and feasible. Frontex was to become that border guard.

The European Council made Frontex politically palatable by framing it as an organisation which would only coordinate and, eventually, integrate member state border guards (European Commission 2002a, 12). COM designed it, however, to progressively expand its activities beyond this bureaucratic mandate as the need arose and as an implicit precursor to an EU border guard (ibid, 12; 14). Frontex would inevitably handle all checks at all crossings of the external border (ibid, 21). COM established Frontex's operation as a key priority for the Union's 2004 legislative work program, and formally

named the agency on 20 November 2003 (European Commission 2003b-c). These set the stage for Frontex's legal creation on 26 October 2004 (Council of the European Union 2004). Frontex would become the chief enforcer of the Schengen Borders Code, and take over joint maritime interdiction operations from the ARGO Programme in 2006 (Council of the European Union 2006; European Commission 2004b, 3; 2006e, 9).⁵ Its expanding activities would be financed by the new External Borders Fund. EC and COM policymakers thus ultimately enabled Frontex by a "fast policy" (Peck and Theodore 2015) which set up its necessary authority, institutions and funds long before its existence, reflecting coordinated management as their preferred policy alternative to control the external border.

The Schengen Borders Code

The Schengen Borders Code, formerly the Common Manual on Border Checks and Surveillance, documented best practises to harmonise member state border guard activities. Although EC agreed to its drafting during the creation of the Schengen Acquis in 1985, and implemented it by 1993, the Code was to "be made available only to authorities designated by Member States and persons duly authorised" until its declassification in 2000 (European Commission 1999, 62; 128). With the expansion of Union-level enforcement of the external border, EC leaders secured political agreement to extend the Code to become the working basis for border control and surveillance operations in 2002 (European Commission 2003a; 2004c). Versions of the Code released

⁵ The European Commission discussed Frontex taking over these operations as early as 2004; however, the agency lacked sufficient funding to do so until 2006 as the ARGO Programme was phased out.

after this time became the guidelines for maritime interdiction used in the Union's first joint interdiction operations and the European Patrols Network. They established the conditions under which the external border could be crossed, outlined enforcement protocols and tactics, designated the spaces where enforcement would occur, and assigned authority for carrying it out (European Commission 2002d; 2004c).

Programme of Measures to Combat Illegal Immigration Across the Maritime Borders

The European Council's action plan for coordinated management of the external border and the updates to the Schengen Borders Code paid special attention to illegalised movement at sea, but failed to identify the means to achieve them at an operational scale. JHA therefore instructed COM to provide a program of measures to "combat illegal immigration across the maritime borders" (Council of the European Union 2003). The EU Presidency directed these measures in a secret communication to EC in 2003. It called for the creation and expansion of joint maritime interdiction operations as the basis for control of the external border at sea. It was also the first document to propose the use of search and rescue to interdict boats and achieve this control:

If cooperation between Member States is to be uniform and more effective, there is a special need to reaffirm the principle of solidarity in intercepting vessels carrying illegal immigrants, by means of meticulous application of the law of the sea for the immediate rescue of ships whose seaworthiness is in doubt (Council of the European Union 2003, 10).

The Presidency additionally directed COM to extend the geography of these operations into the high seas and territorial waters of third countries.⁶ This made the Programme the direct ancestor of the MEDSEA and BORTEC studies, which used these spatial tactics as the basis of the EPN.

The European Patrols Network

The European Council assigned COM the task of creating the European Patrols Network after the Hampton Court Council in October 2005 (European Commission 2005a, 4-5).

The purpose of the Network was to reinforce monitoring, surveillance and interdict in the Mediterranean Sea through the creation of permanent, Union-level maritime interdiction operations (Council of the European Union 2006). Frontex would run these operations in cooperation with member states and third countries, using search and rescue as the foundation for joint patrols on the high seas and third country territorial waters (Council of the European Union 2006, 12-13; European Commission 2005a, 8-9). EPN was significant as the immediate origin of every operation in this study.

The MEDSEA Study provided the EPN's substance. COM policymakers began the Study in 2003, following JHA's instruction for enhanced maritime border controls (European Commission 2003d). COM handed MEDSEA over to Frontex, which presented its final report on 13 July 2006 (European Commission 2006a, 7; 2006e, 18). Frontex officials called for a "permanent Coastal Patrol Network for the southern maritime external border" within and beyond EU territorial waters "to prevent and divert

6 The communication interestingly cited the relationship of US patrols in the Caribbean with Haiti and Cuba as a historical precedent for this type of operation.

illegal immigration” (ibid, 7; 10). Operations began on 15 July 2006 around Spain and on 5 October 2006 around Italy, during Joint Operation Nautilus (Frontex 2017). Like the inception of Frontex, the rapid implementation of the EPN was fast policy. EC and COM made it possible by the construction and allocation of new authority via the Treaty of Amsterdam, institutions including the Tampere/Hague and Odysseus/ARGO Programmes and Frontex, and new resources such as the External Borders Fund. These policies together built a coordinated maritime interdiction network designed to interdict people moving by boat using search and rescue as far away from the Union as possible.

3.5 EU Authorities attempted to create and Control the External Border via New Spatial Tactics

The European Council and European Commission implemented enhanced border security and surveillance by deploying new spatial tactics, as briefly surveyed here. Although member states previously used some of these tactics, such as expulsion and detention, EU authorities created and standardised them on a wider scale. Other tactics, such as joint patrols, were new. These tactics helped to build the sovereign power of the Union through the construction of new jurisdiction and thereby new territory. Authorities closely mapped enforcement to the movement of migrant bodies. In this way they attempted to keep these bodies as close to their point of origin as possible, and so prevent journeys by boat to the Union before they ever occurred. Illegalised movement by boat continued, however, and the expansion of new spaces of enforcement of the external border paralleled the creation of new policy instruments to manage it.

Table 3.2 Key Spatial Tactics Deployed by the EU to Manage the External Maritime Border, 1985-2006

Year	Spatial Tactic Deployed
1990	Inception of the Dublin Convention
1992	Expulsion
1995	Third Country Cooperation
1997	Inception of the EURODAC System
1997	Detention
1997	Joint Interdiction Operations
1998	Liaison Officers
2000	Third Country Processing and Tracking
2002	Search and Rescue
2005	Permanent Joint Interdiction Operations

Like policy instruments, the creation of the Schengen Area included few spatial tactics to make the new spaces of the external border. EC and COM officials actively implemented these tactics at key moments in time. The EU’s limited sovereign power circumscribed these tactics geographically and legally as previously noted. Over time, however, they expanded to internalise migrant bodies in particular places with-in and -out of the Union. Authorities tried to contain legally “arrived” but undesirable bodies by restricting their mobility from their place of arrival. Illegalised bodies in the Union were subject to detention and expedited expulsion procedures. Authorities strived to contain people en route to the Union via illegalised movement by refusing to recognise their arrival or halting their progress. This was where EC and COM placed joint patrols using search rescue: to prevent arrival. Finally, authorities ultimately sought to stop

undesireable people from leaving their place of origin to go to the EU, though this goal was largely unrealised by the end of 2006. These strategies reflected the perceived need to end illegalised movement from the earliest days of the Schengen Acquis.

Hold and remove illegalised bodies in the Union

The European Commission reported that operation of the Schengen Area meant that “arrangements for the admission of asylum-seekers and refugees can no longer be made nationally” based on the mobility of asylum-seekers amongst member states (European Commission 1994b). EC created the Dublin Convention in 1990, as ratified in 1997, to prevent that movement (European Commission 1994c). The EURODAC System supported the Convention, and its later iterations, by establishing a Union-level fingerprint database of all undocumented migrants (Council of the European Union 1997a; European Commission 2002c, 36; 2005a). Authorities used fingerprints to determine which member state first registered presence of the asylum-seeker, attempting to keep them within their space.

The European Commission created common standards for expulsion (i.e., deportation) in 1992 and detention in 1995 (European Commission 1994a). COM established common standard travel documents, common forms and simplified readmission procedures, programs for “repatriation”, and initiated the systematic expulsion of third country national following an EU-wide policy in 1999 (European Commission 1994a, 18; 1995c; 2000a). These policies forced recognition of detention and expulsion by other member states (Council of the European Union 2001). The

“Community return policy” would eventually evolve into a “voluntary return” program, with joint expulsion flights directly operated through Frontex by 2006 (European Commission 2002b, 8; 2006b, 10). These tactics attempted to hold and remove illegalised bodies on a Union-wide scale.

Keep illegalised bodies contained to prevent departure

Whereas the Dublin Convention, EURODAC, expulsion and detention focused on managing the spaces of illegalised bodies already within the Union, third country cooperation, liaison officers and third country processing and tracking tried to prevent bodies from leaving to the Union in the first place. The first third country cooperation with the EU occurred in 1994, and there were agreements with Morocco, Tunisia, Egypt, Algeria and most of Africa by 2000 (European Commission 1994a, 20; 1995c; 1996c).⁷ These agreements covered joint surveillance and patrols as well as the provision of technical assistance and assets (e.g., naval vessels) for border enforcement (European Commission 2000a, 16; d, 3.2). The agreements were worth approximately €3.4 billion from 1995 to 2000, and came with other economic benefits, such as free trade agreements (Council of the European Union 1996; European Commission 2001c). It was through these agreements that EU authorities deployed liaison officers (1998), sent projects to control migrant flows in the Sahara (2000), created third country tracking and processing, and authorised joint maritime interdiction operations (2005) (European Commission

⁷ Most African countries were covered via the Cotonou Agreement.

2000a,c; 2001d, 9; 2002c, 18). These tactics attempted to keep bodies within contained territory beyond the EU through development, security and border enforcement.

Interdict, halt and move illegalised bodies before arrival

The last series of spatial tactics were joint interdiction operations, search and rescue and permanent joint interdiction operations. These tactics aimed to halt illegalised bodies as they approach the EU's external border and interdict them so they could be held in a different political and physical space. As noted, they originated in the 1997 Odysseus Programme, which initiated the first joint operations at the external border (Council of the European Union 1997b). Based on these experiences, COM committed to the "fullest possible surveillance of land and sea borders outside authorised border crossing points" (European Union 2000b). This commitment culminated in the first, experimental joint maritime interdiction operations in the Mediterranean Sea. Although largely confined to the territorial seas of Spain, France and Italy, they soon expanded into the EPN, which included third countries (European Commission 2005a, 8). COM identified the space between North Africa and Italy as key in this network, and so created the "Central Mediterranean" region there with its own command centre and assets for interdiction (European Commission 2006a). Member states, Frontex and third countries, such as Libya, Algeria and Tunisia, jointly ran operations using search and rescue on naval vessels featuring bureaucrats from multiple countries (European Commission (2005a, 2; 2006a, 33)). COM charged them with carrying out continuous interdiction at sea in the territorial waters of third countries to prevent and divert the movement of illegalised

bodies. By search and rescue were illegalised bodies interdicted, halted and moved en route to the EU, thereby preventing arrival.

4 Discussion: How to Arrive Somewhere, Not Here

This chapter had two components: a literature review and theory of internalisation, and a policy analysis of the history of interdiction at sea in the European Union. The latter demonstrated that the advent of search and rescue as a means to interdict over 747,000 illegalised bodies in the Central Mediterranean from 2006 and 2017 was neither spontaneous nor sudden. This outcome, instead, was part of a longer-standing series of policies and spatial tactics deployed by EU policymakers, which culminated in the creation of the European Patrols Network run by Frontex in 2006. This is where the story of permanent maritime interdiction operations begins in this study, and so is a useful point to critically reflect on how this condition arose and its consequences.

Previous work in political geography and migration studies showed that the tactical use of space and security were important parts of the policy of containment; however, few scholars put them together, and those who did have yet to fully explain how it was possible for one to produce the other. Even Agamben, whose analysis of the state exception lay at the core of internal and external power, focused exclusively on those within the state's politics who were pushed out, not those brought in from the outside. The problem of this empirical reality was to bring illegalised bodies into the legal order, not suspend them. Following Agamben's (1998) line of thought, the central question for discussion is: How do we set up a system to deprive international migrants

of their humanity such that what happened to them was accepted? The policy analysis explained how such a system was set up. I therefore focus on how this system internalises the “illegal migrant” as a means to simultaneously dehumanise them while including them in the legal order. The system’s exact empirical functioning and outcomes through maritime interdiction will be explored in Chapters 3 and 4.

A primary problem in management of illegalised international movement was to render the external internal so that it could be subjected to security via police. The external, in this case, became not simply the bodies of migrants, but the vessels that moved them as well as the space they occupied. This process of internalisation had to be conducted in such a way that, once included, these objects would remain removed from the regular internal checks of the state, yet nonetheless subject to the administrative apparatus. Because the discipline of the border failed, governmentality presented an alternative way to achieve this end; however, the bodies of illegalised movement were difficult to manage by virtue of their location. Geography, in this context, provided a powerful means by which to relocate them under the state’s jurisdiction. As explored in Chapter 3 search and rescue regions had a number of special characteristics which allowed denationalisation of those inside of them to occur. Special jurisdiction over these bodies extended to states involved in their rescue; in particular, they had the power to hold them and determine where they would be moved. This, in addition to policy diffusion, was the reason COM selected search and rescue in its secret maritime interdiction plans of 2002.

Maritime interdiction operations worked with other policies and spatial tactics employed within the European Union; they were only one part of a larger system. They occupied a special position, however, in that they handled those who were neither fully inside nor outside of the Union's territory. Unlike Agamben's camp, the search and rescue region was not a suspension of law or even temporary, since it followed international rules defined in the Search and Rescue (SAR) and Safety of Life at Sea Conventions as early as the late 1970s. Although these regions had no legal recognition in the Union itself, they became included in it through interdiction operations and, ultimately, the EPN.

Despite having assigned geographies, the SAR Convention accepted that rescue itself was not spatially bounded but based on necessity and first response. Member states of the Union exploited this potential to continually violate or, in the case of Malta, outright reject their assigned region in the name of emergency. These operations expanded with the external border and so were not fixed, like the camp, but continually moved closer to the origin of the boats.

And last, but not least, the "rescue" of bodies itself was their entry point into legal system of the EU and its member states. Their status was legally defined by virtue of their mode of arrival, and they therefore remained mostly outside of the "normal order". This practise, nevertheless, came to constitute the regular rules for managing their status in this order. As Agamben pointed out, then, yet in a different sense, maritime interdiction via search and rescue was not the exception but the rule. It was the status of those inside

this space relative to the normal order, rather than regularity of this process, which was exceptional. Put another way, the EU and its member states included these bodies in their legal order, but the order's execution did not operate according to legal norms. It was this separation of application from execution that provided a mechanism for systemic dehumanisation. Thanks to search and rescue, it was possible for these people to "arrive" in the EU while simultaneously not being there.

I established in this chapter two specific properties of the EPN: (1) it was intentionally designed to internalise migrants and boats in order to exclude them, and (2) its main mechanism for this process of internalisation was search and rescue. I use these findings in Chapter 3, where I examine and explore these operations in order to describe them for the first time. I demonstrate the working of these properties in the existence of these operations. I then proceed to statistically show that search and rescue was critical to their interdiction practises over time. Search and rescue was therefore the primary spatial and legal tool of interdiction in the Central Mediterranean Sea between 2006 and 2015. Finally, I use these properties in Chapter 4 to examine where such operations were effective in this region and time.

5 Conclusion

This chapter demonstrated the emergence of search and rescue in maritime interdiction operations as part of a wider EU system of border security. The European Patrols Network was the culmination of this process, as implemented through Frontex in 2006. The EPN was one part of a broader institutional framework of security for the external

border which was designed to manage illegalised movement in all stages and places. As policymakers intended maritime interdiction via search and rescue to permit the simultaneous legal inclusion and dehumanisation of illegalised bodies by virtue of their geography. Search and rescue regions had special characteristics which allowed denationalisation to occur, thereby transferring jurisdiction to the rescuing state and creating new territory in that process. Search and rescue was thus a mechanism of internalisation, which not only captured bodies, boats and spaces, but subjected them to security via police. This was parallel to but different than Agamben's camp, and had distinct and formidable consequences for those trapped inside this space of potentiality (i.e., space which was internal/external).

While this chapter outlined the broad, legal consequences of the position of bodies interdicted in search and rescue, I also noted that the violence done to the natural body was different than that done to its legal counterpart. This detachment was intentional, and it purposely obscured that violence as a means to prevent political repercussions to mass violations of human rights, as enacted by member states of the EU. To expose these abuses, and to fill a key gap in the existing literature, I document the fuller empirical consequences of search and rescue through the fate of the lives of over half-a-million people from 2006 and 2015 in Chapters 3 and 4. A truly disturbing result of this systemic dehumanisation was that the vast majority of these people disappeared. This disappearance took many forms and held many names: the systematic erasure of lives lost on boats which sank and all were lost; the removal of missing bodies who were not found

following interdicted; the massive gap between interdictions and detention and asylum, which implied mass losses of people in the statistical record; and the failure to record who was sent back to North Africa or ended up in detention camps in Libya, where no recognition of asylum existed at all. The European Union and its member states were able to cover up this twisted racism through the depoliticisation of search and rescue and its obstinate humanitarianism.

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3 Search and Rescue as an Instrument of Maritime Interdiction in Frontex's Operations in the Central Mediterranean Sea, 2006 to 2015

Abstract: In this Chapter, I theoretically and empirically demonstrate that search and rescue was instrumental to Frontex's maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. I do this via four analyses. I conduct a theoretical and literature review of the key links between search and rescue and modern maritime interdiction. I then describe the evolution of both in the Central Mediterranean Sea from 2006 and 2015. I proceed to provide the first detailed account of these operations to show how they worked, including via search and rescue, to interdict migrants. Last, I statistically demonstrate that search and rescue was empirically instrumental in maritime interdiction via three subhypotheses: (1) the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I find all three relationships to be statistically significant and positive, therefore supporting an undeniable connexion between search and rescue and maritime interdiction.

1 Introduction

The European Union vis-a-vis Frontex operated a maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. This involved 15 discrete operations interdicting 462,813 migrants at a cost of 126.9 million 2014 Euros. The purpose of these operations was to prevent migrants from reaching EU territory via interdiction. In Chapter 2, I explored the creation of an EU-wide maritime interdiction operations: the European Patrols Network (EPN). I demonstrated that these operations had two key

properties: (1) intentionality and (2) the use of search and rescue as a means of interdiction. In this chapter, I demonstrate that deployment of search and rescue was instrumental in these maritime interdiction operations. I do this via four analyses, explained further below. I conduct a theoretical and literature review of the key links between search and rescue and modern maritime interdiction. I then describe the evolution of both in the Central Mediterranean Sea from 2006 and 2015. I proceed to provide the first detailed account of these operations to show how they worked, including via search and rescue, to interdict migrants. Last, I statistically demonstrate that search and rescue and maritime interdiction in this case were intimately tied with one-another.

First, I conduct a necessary conceptualising of "maritime interdiction" in order to understand how it worked in the Central Mediterranean Sea between 2006 and 2015. This is needed due to the lack of theoretical or conceptual work modelling "maritime interdiction" as a concept in migration and border studies literature. I then proceed to review, critique and extend existing accounts. According to a number of scholars, the use of search and rescue has become an instrumental part of maritime interdiction of migrants (e.g., Guilfoyle 2009; Morabito 1997; Ziegler 1995).

Second, I provide an overview of the background of the creation and implementation of maritime interdiction operations using search and rescue in the Mediterranean Sea between 2006 and 2015. After its creation as part of the European Patrols Network in 2006, the region received increasing amounts of resources to run more

operations to interdict migration by boat. The European Union justified these operations using international agreements, especially search and rescue.

Third, I identify and describe the European Union's 15 maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. I use novel empirical evidence from operational and policy documents combined with statistical data to form the first comprehensive picture of these operations' personnel, infrastructure, physical assets, member state and third country operations and policy.

Fourth, I use statistical analysis to test past literature's claim that search and rescue was instrumental to maritime interdiction. If search and rescue was instrumental in allowing or even enhancing maritime interdiction, then I argue we would expect to observe three trends: increases in (1) increases in the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I formalised these trends using three relationships which served to proxy them. I then tested these relationships to estimate their direction, strength and significance between 2006 and 2015. I found all three relationships to be statistically significant and positive.

2 The Origin and Structure of Maritime Interdiction

There is currently little theoretical or conceptual work modelling "maritime interdiction" as a concept in migration and border studies literature; however, conceptualising it is necessary to understanding how it worked in the Central Mediterranean Sea between 2006 and 2015. This section therefore reviews, critiques and extends the term's existing

accounts from military and legal scholars. Western European states developed organised maritime interdiction as a strategy to achieve their military objectives by blockading enemy states. They later formalised and implemented international law concerning how interdiction should occur. To avoid war while maintaining their enforcement powers, imperial powers created new interdiction instruments, one of which later evolved into the maritime interception operation (MIO). Combined with search and rescue, the Government of Italy experimented with its first MIO to manage migration from Albania in the late-1990s based on the United States experience and policy in Haiti during the early-1990s.

Early modern philosophers enshrined sea space as *res communes omnium* - the common property of all. Grotius (via Jones 1983; Ziegler 1995, 19) particularly affirmed that no one either owned or could seize the sea. This principle followed from Western European states' custom of supporting free movement at sea. Jones (1983, 760) defined "interdiction" as any restriction to this freedom of movement in order to achieve a state's military objectives. States designed interdiction in this context as a strategy to cause the enemy's surrender through economic or diplomatic coercion (ibid, 762; Olson 1993, 1).

Western European states used modern blockades, or prevention of ships from leaving or entering a state's seas, as the earliest form of organised interdiction as early 1584 (Jones 1983, 765; Morabito 1997, 3). Blockades were a siege tactic which intended to deny an enemy economic resources, thereby reducing their will and ability to fight (Jones 1983, 769). Contemporary scholars, like Grotius, correspondingly legitimised

blockades by tying them to customary laws of siege warfare on land (Morabito 1997, 3).

While initial attempts at interdiction focused on shorelines near ports, they later moved outwards to the high seas to more efficiently manage the blockade's distance and success (Jones 1983, 765). This change confronted free movement with potential restrictions via interdiction: "interdiction operations are designed to, and, in fact do, impose the concept of *mare clausum* [closed sea] on otherwise free seas" (Ziegler 1995, 11).

Continued use, experimentation and acceptance of blockades led Western European states to formalise rules of maritime interdiction into naval warfare law by the end of the 18th century (Jones 1983, 762). International law such as the London Convention of 1909 legalised interdiction while attempting to minimise its adverse effects on free movement. These rules effectively meant that states should interdict ships at sea if and only if they (1) targeted another state and its space, (2) gave notice to all affected ships prior to interception at sea, (3) completely, (4) impartially intercepted all ships, but (5) allowed neutral ships to continue any otherwise legal activity without substantial delay (ibid; London Naval Conference 1909). Naval warfare laws also defined acceptable enforcement measures for ships in violation of interdiction: sanction and destruction. States could particularly subject such ships to visit and search, diversion, capture or destruction (Hazen et al. 2003, 4; Ziegler 1995, 35).

Closely tied with interdiction was construction of the notion of "contraband", or goods destined for the enemy to carry out war, which was subject to capture (Jones 1983, 765-6; Paris Declaration 1856). Naval warfare laws specifically tasked enforcement to

identify and control the movement of contraband, which, being ambiguous, could range from military weapons to food, money or even people. Olson (1993, 4) specifically defined interdiction as the "use of naval force to prevent import by sea of specified contraband items." Blockades and thereby interdiction legally centred on contraband movements and spaces.

During the 19th and 20th centuries, state practise was generally to more closely and directly interdict contraband by intensifying enforcement and moving it as close to the port of departure as possible (Jones 1983, 767). One example of this was Allied deployment of the "Navicert" system during the Second World War, which moved interdiction enforcement to the port of departure even prior to heading to sea (ibid). Navicert served to provide interdiction at port by forcing neutral ships to be inspected for contraband prior to departure from Allied ports to Europe; only then could they be certified for travel.

While interdiction via blockade was a powerful strategy of control, its legality depended upon the existence of war between states. Empires such as the United Kingdom, Germany and the United States experimented with non-belligerent "pacific blockade" to coerce states like the Ottoman Empire (1827) and Venezuela (1902-1903) to yield to their policy demands (Morabito 1997, 6; Olson 1993, 6; Ziegler 1995, 28). Pacific blockade simply consisted of implementing blockade *without* a declaration of war. This violated existing maritime law on blockade such as the London Declaration. Practises of pacific blockade allowed imperialist states to deploy interdiction without the costs of war,

including following its corresponding rules; however, other states challenged its use and so its legality remained disputed (Morabito 1997, 6; Olson 1993, 2).

Given their inclination to evade formally declaring war and the legal stigma of "pacific blockade", powerful, imperialist states like the United States and the United Kingdom invented new types of interdiction to justify their military strategies of control (Olson 1993, 14). These included, but were not limited to, instruments such as embargo, naval quarantine and what we now call maritime interception (or interdiction) operations (ibid, 3; Ziegler 1995, 1). The United States, for example, thus deployed *de facto* blockades during the end of the Chinese Civil War, Cuban Missile Crisis, Vietnam War and anti-terrorist operations while insisting that these were not blockades by using different terms (Dawley 2003, 2; Jones 1983, 770-2; Morabito 1991, 9). United States authorities, such as the Coast Guard, would later reapply these terms and spatial tactics to non-military "contraband" like the drug trade and human migration in the Caribbean by the 1970s (Dawley 2003, 5). Multinational forces also deployed these types of interdiction in cases like the First Gulf and Yugoslavian Civil Wars (Olson 1993, 9). Morabito (1992, 10) described this rebranding of interdiction as a "creative disguise to well tested and proven wartime strategy." US Navy Lieutenant Commander Ziegler (1995, 29) supported this lack of distinction: "It could well be argued that MIOs are merely the late-20th century version of pacific blockade."

Given the lack of directly applicable maritime law, states created or borrowed practises for maritime interdiction operations (Morabito 1991, 20). These operations often

reused parts of if not the entirety of blockade enforcement rules and instruments (Hazen et al. 2003, 4-5; Olson 1993, 4). They made use of military assets, including but not limited to warships, fixed-wing aircraft, helicopters, land-based surveillance and satellite systems to identify, track and intercept ships at sea. Once intercepted, operational personnel would detain and interrogate those on-board to gain further intelligence (Ziegler 1995, 27). MIOs also made active use of military scientific methods, especially risk modelling and statistics, to optimise their decision making (Dawley 2003, 2; Hazen et al. 2003, 5).

The United States conducted the first combination of these practises in combination with search and rescue during an MIO to interdict Haitian migrants between the 1991 Haitian Coup and d'etat and 1994 Operation Uphold Democracy (Guilfoyle 2009, 90; 189-90; Ziegler 1995, 68). It facilitated the legality of these and subsequent actions through the signing of agreements with Caribbean and Latin American states, which handled jurisdictional issues by allowing United States authorities to act on these states' behalf and having their enforcement officers ride on United States ships (Dawley 2003, 13-14; Guilfoyle 2009, 91-2).⁸

Guilfoyle (2009, 188-194) detailed how this forerunner of modern migration interdiction at sea worked. The Government of the United States signed a bilateral agreement with the Government of Haiti to allow its patrols effective jurisdiction over Haitian persons and vessels on the high seas and vessels in Haitian waters. The US Coast

⁸ Scholars have also called this practise “shipriding”.

Guard and Navy patrolled as closely as possible to Haiti, using search and rescue to intercept boats "in distress" as they left. Initially, they processed migrants' asylum claims on board vessels and then deported all other migrants, as well as most of the claimants, back to Haiti; however, as their numbers grew, the Government of the United States began detaining and processing migrants at Guantanamo Bay, Cuba. When even these facilities became inadequate, the Clinton Administration issued a policy to cease all migration processing and simply deport all interdicted migrants to Haiti.

Other states, like Australia, Malta, Spain and Italy, transferred this constellation of enforcement practises for their own MIOs, despite its questionable legalities (Guilfoyle 2009, 182; 197; 207-9). Italy particularly experimented with it to manage migration from Albania during the Kosovo War in the late 1990s, the experience of which became a basis for further experimental, EU-level operations (see Chapter 2) (Cuttitta 2018; Guilfoyle 2009, 210).

3 Background: Origin of the Central Mediterranean and Deployment of Search and Rescue

This section reviews the background of the creation and implementation of maritime interdiction operations using search and rescue in the Central Mediterranean Sea between 2006 and 2015. The region became a part of the wider European Patrols Network (EPN) in 2006, which aimed to organise large-scale naval patrols across the Mediterranean Sea and parts of the Atlantic Ocean in preventing illegalised movement at sea. The European Union created and formalised the region as early as 1994 due to its political commitment

to the "external border", problematisation of "illegal immigration" from North Africa, and desire to reduce displacement effects of migration enforcement elsewhere. The area bounded between North Africa, Greece, Italy and Malta roughly encompassed its space at sea.

Search and rescue became an instrument of migration management in the European Union by 2006, as shown in Chapter 2. By then the EU had created a European-wide system of maritime interdiction in the EPN. In Chapter 2, I demonstrated that this system had two key properties: (1) it was intentionally-designed, and (2) it used search and rescue as its primary mechanism for interdiction at sea. International agreements and state-based enforcement institutionalised and implemented a search and rescue regime to which EU member states conformed. Through the work of politics at various scales, these states held great power over legal geographies of asylum and migration with little oversight in their search and rescue regions. The structure of the Search and Rescue Convention, in particular, allowed them to extend this power well beyond sovereign territory. This situation promoted the deployment of search and rescue to achieve these states' political objectives. Previous literature identified its use to manage migration, but did not empirically explore or map its deployment or consequences. I address these gaps in this Chapter 4.

3.1 The European Patrols Network and the Creation of the "Central Mediterranean"

By 2006, the European Union had created a maritime interdiction network using search and rescue over parts of the Mediterranean Sea and Atlantic Ocean. Frontex, intended to

become the EU's border guard, administered the European Patrols Network through at least 66 secret operations at a minimum cost of 315.6 million 2014 Euros between 2006 and 2015 (Frontex 2016).⁹ To do this, it arranged the sea into four regions: Central Mediterranean, Eastern Mediterranean, Western Mediterranean and Canary Islands and Atlantic (European Commission 2006b). This was the immediate origin of the term "Central Mediterranean", as used in this study. Frontex coordinated with local member states and cooperative third countries to organise large-scale naval patrols and surveillance through regional infrastructures, including command centres, search and rescue coordination centres (RCCs) and satellite systems (European Commission 2002a; 2006a). These activities worked with local operations, like those identified by Carling (2007) in Spain and Andrijasevic (2006) in Italy, to produce continuous deterrence over extended distances (European Commission 2006a, 6).

I conducted a policy analysis of the EU's maritime interdiction policies up to 2006 in Chapter 2. Based on its policy documents, the European Council, European Commission and Frontex specifically created and formalised the Central Mediterranean as a region of operations due to its:

1. Political commitment to enact and enforce an "external border", which member states increasingly relied upon because of formally reduced internal border controls in the Schengen Area;

⁹ These costs only cover the funds directly allocated by the European Commission to Frontex's operations at sea. They do not include additional costs included in other budget items, such as physical infrastructure (e.g., operations facilities; lodgings for personnel), operational assets (e.g., patrol vessels; fixed-wing aircraft; helicopters) and expenses incurred by member state operations (e.g., Italy's *Mare Nostrum*). These costs cannot be reliably estimated based on current data, because Frontex and the Commission aggregate them with similar expenses for land, air and return operations.

2. Conceptualisation of the space between North Africa and Italy as a region of “illegal migration” requiring management; and
3. Desire to reduce displacement effects of migration enforcement at sea by extending it as far as feasible.

The EU imagined and created the “external border”, a concept which became central to the problematisation of “illegal migration”, as early as 1985. As I demonstrated in Chapter 2, COM and EC deployed this concept to securitise movement at sea. Despite its failure to stop or even noticeably reduce migration by boat (see Chapter 4), policymakers remained convinced that escalation of previous efforts would solve illegalised movement, culminating in the EPN. Given Frontex’s constrained resources and authority, a principal problem of the Network in 2006 was geography.

The European Commission and European Council conceptualised the Central Mediterranean as a region requiring migration management by problematising “illegal immigration” from North Africa (i.e., Morocco, Algeria, Tunisia, Libya and Egypt) to Italy as early as 1994 (European Commission 1994). The Council used bilateral treaties through the Barcelona Process to allocate 4.6 billion (2014) Euros in technical aid and secure the cooperation of each of these states, except Libya, by 1996 (European Commission 1995).¹⁰ This occurred despite the fact that 87.6% of maritime arrivals to Italy came from the Balkans, not North Africa, in the late-1990s (De Bruycker et al. 2013, 15). Contemporaneous policymakers identified the region as problematic due to its perceived deficit of human rights and democracy, lack of development, presence of

¹⁰ The Council of the European Union notably tended to package free-trade agreements with these deals, making trade contingent on cooperation with the European Union’s migration policies. For more information, see European Commission (2001).

criminal networks and inherent cultural differences “rooted in history” (Committee of Regions 1996, 16; European Commission 2000). Corresponding documents stressed the importance of controlling the region’s maritime borders as well as “transit migration” from Sub-Saharan Africa (Council of the European Union 2000; European Commission 2002c). EC, COM and, later, Frontex reiterated these policies with a special focus on the islands of Lampedusa and Malta in 2003, 2005 and 2006 (European Commission 2003; 2005; 2006a, 4).

The plan for migration management between North Africa and Italy centred on escalating series of policy instruments and spatial tactics, which solidified and enhanced the problem of illegal migration there and so increased its perceived importance. These included the deployment of liaison officers¹¹ (1999) (Council of the European Union 1999, 7), third-country surveillance (2000) (European Commission 2000), creation and collection of statistics (2001) (European Commission 2001), assignment of border projects “to control migration flows” (2002) (European Commission 2002b), technical assistance to and training of North African border guards (2004) (European Commission 2004) and joint interdiction operations (2005) (European Commission 2005). By 2006, policymakers said the region was central to the EPN (Frontex 2006), and therefore instructed Frontex to carry out continuous interdiction operations (European Commission 2006a, 6). These operations would work with Morocco, Libya, Tunisia and Egypt to

11 Liason officers are border enforcement agents placed by states in countries other than their own for the purposes of managing migration.

patrol their territorial waters, thereby preventing or diverting migrant bodies before they arrived in the Union (ibid, 33).

COM argued that their success depended on the Union's ability to secure the Government of Libya's cooperation on joint search and rescue patrols (European Commission 2005, 9). Due to its outcast position, however, the Government of Italy and EC had to reintegrate Libya back to the international community in the early-2000s to do so. Reintegration meant lifting international embargoes and United Nations sanctions, which allowed Italy and the Union to export border control equipment and assistance, in addition to formally signing an Action Plan to enable joint search and rescue in 2005 (European Commission 2003, 17; 2004, 7; 2005, 9). Although not without issue, as described in the next section, EC and COM thus conceptualised and implemented the Central Mediterranean as an effective region of operations, which Frontex formalised in the EPN.

The European Union also created and formalised the Central Mediterranean region to reduce expected displacement effects of interdiction operations by extending enforcement as far as possible. While policymakers frequently claimed that such operations were effective in deterring illegalised movement at sea (see Chapter 2), they admitted in contradiction that deterrence may fail: "experience shows that the constant pressure of illegal immigration will lead to displacement effects along the external borders" (European Commission 2006, 6). This implied a belief that enforcement isolated in particular regions would ultimately be ineffective, since those moving at sea would

bypass patrols. Like a leaking bucket, patching one gap does not stop the leak, but increases pressure in the remaining gaps; therefore, the only way to prevent water from escaping is to simultaneously patch all gaps – that is, simultaneously operate interdiction patrols in all areas of the external border at sea. The Central Mediterranean therefore partly served to extend the EPN as far as possible, thereby reducing displacement effects caused by enforcement in other regions.

The seas bounded by North Africa, Greece, Italy (including Sardinia and Sicily) and, later, Malta, roughly became the EPN’s Central Mediterranean region.¹² Contrary to EU policy documents claiming that illegalised movement had repeatedly reached unprecedented “crisis levels” in the 2000s, Italy regularly experienced migration by boat prior to EPN’s establishment (European Commission 2002c, 27; 2005). From 1998 to 2005, or the period prior to the EPN for which data were available, Italy’s Ministero dell’Interno reported no less than 208,701 people illegally arrived at sea (a mean of 26,088 per year), peaking in 1999 at 49,136 people (De Bruycker et al. 2013, 15). The organisation of regularised, large-scale maritime interdiction operations by the EU was the notable change from this earlier period compared to 2006 to 2015. These operations, in fact, ultimately failed to noticeably prevent or deter such movement, which significantly grew ($p < 0.01$) to a mean of 52,924 arrivals per year during 2006-2015.¹³

12 Neither Frontex, the European Commission nor European Council ever formally defined the Central Mediterranean region; however, as I will argue later in this Chapter, its space in practise can be inferred by the location of its operations. This characteristic was particularly important, because it allowed Frontex to continually move its operation as it considered necessary. Frontex and local member state operations frequently violated these boundaries.

13 Using quarterly data in freedom of information requests from 2009 to 2015, I found that the European Patrols Network as a whole also experienced a statistically significant increase ($p < 0.05$) in illegalised movement at sea. A mean of 7,873 more people per quarter illegally moved at sea towards the European Union.

3.2 *Search and Rescue as an Instrument of Migration Management*

Search and rescue became an instrument of migration management by 2006 through the European Patrols Network, as demonstrated in Chapter 2. This thesis, however, has not yet established the wider basis or use of search and rescue in migration management. In this section, I therefore review the origin of institutionalised search and rescue, the authority it bestowed upon states, and how they could use it to alter the political personhood and legal geographies of bodies moving at sea.

International agreements and state-based enforcement practises institutionalised and implemented a search and rescue regime. Though an ancient custom, no international system existed for search and rescue until the sinking of the *RMS Titanic* prompted the proposal of the Safety of Life at Sea Convention (SOLAS) in 1914 (Kopacz 2001; Li and Wonham 2001). Signatory states updated and expanded SOLAS seven times from 1974 through 1996, turning over its control to the nascent International Maritime Organization (IMO) and introducing legal responsibilities for masters of ships to help those in *distress* and take the rescued to the *nearest place of safety* (International Maritime Organization 2014; Pugh 2004). IMO member states developed an international system to allocate these duties to states in the International Convention on Search and Rescue (SAR). SAR, along with its 1998 Annex and 2004 amendments, divided the seas of the world into *search and rescue regions* over which states have authority for managing search and rescue, especially determining the existence of distress and identifying the nearest place of safety (International Maritime Organization 1985). While these regions were neither

coincident with nor considered sovereign territory, as governed by the United Nations

Law of the Sea, they allowed claimant states to extend their power well beyond its limits (Coppens 2013; Division for Ocean Affairs and Law of the Sea 2014). Because of this, many states such as Italy and Malta have fought over control of these regions and filed unilateral claims (Figure 3.1).¹⁴

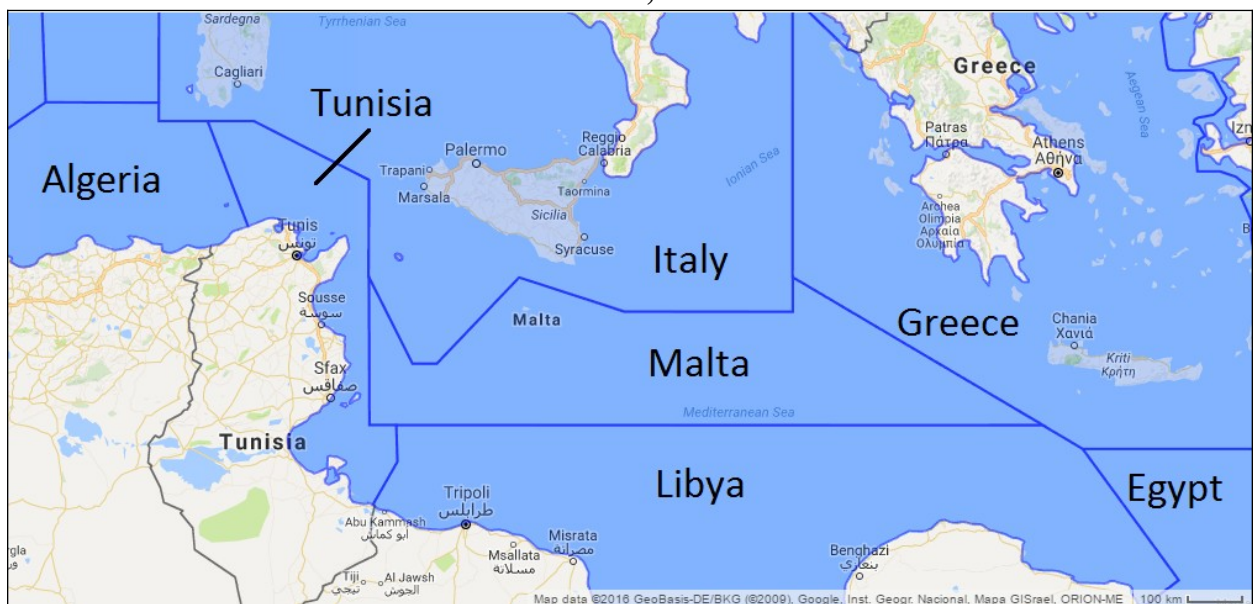
Only a patchwork of state-based enforcement guaranteed the operation search and rescue regions (Carling and Hernandez-Carretero 2011; Gammeltoft-Hansen 2008; Miltner 2006). Politics at various scales modulated this operation:

1. *International* agreements altered the conditions under and the means by which states managed maritime traffic and its spaces. The 2000 Palermo Protocol on Transnational Organized Crime, for instance, extended the right of state authorities to board a ship with suspected irregular migrants to the high seas if that ship's flag state approved or no flag was present (Pugh 2004; United Nations Office on Drugs and Crime 2004);
2. *Multilateral* agreements and organisations created or facilitated joint or extended interdiction patrols beyond of the boundaries of single states involved, such as that signed between Italy and Libya in 2008 and formation of Frontex (Ronzitti 2009); and

¹⁴ The claims of the Governments of Italy and Malta under SAR were not the most extensive of all member states. The United States of America, for instance, claims well over half of the Pacific Ocean and nearly the entire Caribbean Sea, and Australia most of the Indian Ocean. This was not a coincidence: these states also made use of search and rescue to manage illegalised movement at sea.

3. *National and local* politics, including domestic migration law, governed the legal statuses and modes of entry by which bodies entered and were in the state, thereby altering their personhood (Gammeltoft-Hansen 2008; Mountz 2010). This also encompassed the determination of *who* counted as in distress, *how* states “rescued” them, and *what happened* to them after interception.¹⁵ These powers intentionally changed the legal geographies of asylum and migration, as discussed below.

Figure 3.1. Map of Search and Rescue Regions, by State, in the Central Mediterranean, 2016



Notes: Malta and Italy dispute the boundaries of their search and rescue regions; this map represents them as recognised in SAR. Source: *Fisheries and Oceans Canada* (2016).

Because IMO had no effective instruments to ensure signatory compliance with SAR and SOLAS, states thus held great power in search and rescue regions with little

¹⁵ I use interception, here, because, as I will demonstrate, most, if not all, “rescues” in the Central Mediterranean became interdiction by 2015. Rescue was therefore a misleading term, designed to imply political partiality and humanitarian motivations, which obscured SAR’s use as an instrument of migration management.

oversight. This situation promoted the deployment of search and rescue to achieve the state's political objectives, mainly placing a desired spatial order over movement (Barnes 2004).

States more specifically used SAR and SOLAS for migration management.

Previous literature on legal rights and obligations of migrants, refugee and states at sea identified this possibility. Barnes (2004) and Pugh (2004), for example, outlined how the intricacies of migration, refugee and maritime law could affect movement, interdiction and rescue (Moreno-Lax 2011; Tondini 2012). Though subsequent legal analyses sometimes disagreed with the interpretation of these laws, they agreed that their ambiguity and dependence on states meant that states could manipulate which legal regimes applied to bodies at sea through geography, thereby preventing them from ever arriving in their territory (Klepp 2011; Lutterbeck 2006; Mainwaring 2012). A number of scholars also demonstrated how EU, Italy and Malta particularly deployed maritime law to police movement at sea, shifting the political status and location of bodies caught within (Frontex 2016). Surprisingly, however, no work empirically explored or mapped the use of search and rescue as an instrument of migration management or its consequences. I will address these gaps by empirically exploring and mapping the use of search and rescue as an instrument of migration management in the Central Mediterranean between 2006 and 2015 in this Chapter, and examine its consequences, especially with respect to affect of migration trends, in Chapter 4.

4 An Empirical Description of Joint Interdiction Operations in the Central Mediterranean, 2006-2015

Table 3.2. Summary of Joint Interdiction Operations in the Central Mediterranean, 2006-2015

Name	Start Date	End Date	Real Budget (Millions Euros)	Days Active	Interdiction Incidents	Interceptions (Persons)
Nautilus	10/05/06	10/15/06	1.9	11	9	650
Nautilus	06/25/07	10/14/07	5.9	112	67	3,090
Nautilus	05/17/08	10/15/08	7.7	152	84	18,419
Hermes	04/16/09	10/16/09	5.6	184	59	1,193
Nautilus	04/20/09	10/15/09	3.9	179	17	1,475
Hermes	06/14/10	10/29/10	3.5	138	.	.
Hermes	02/20/11	03/31/12	21.2	406	505	51,205
Aeneas	04/05/11	03/31/12	10.6	362	.	.
Hermes	07/02/12	10/30/13	4.2	486	117	5,964
Hermes	05/06/13	04/30/14	9.0	360	540	6,3955
Aeneas	06/03/13	05/31/14	3.6	363	92	4,145
Hermes	05/01/14	10/31/14	4.2	184	757	122,044
Aeneas	06/01/14	9/30/14	2.0	122	34	2,196
Triton	11/01/14	1/31/15	9.3	92	152	19,183
Triton	02/01/15	12/31/15	37.3	334	1000	145,777
Total	-	-	126.9	3,485	3,433	439,926 ¹

Notes: “.” = no data; dates in mm/dd/yr format. All numbers were *minimal* estimates based on statistical reports; true numbers were likely larger. Sources: COM (2008: 150); Frenzen (2009); Frontex (2014a; 2015a; 2015b; 2016). 1: This number does not add up to the total of 462,813 interdicted migrants in the region since some operations were missing interdiction statistics.

4.1 Overview

This section identifies and describes the European Union’s maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. Frontex operated at least 15 discrete joint maritime interdiction operations, in addition to two operations which it cancelled, in the Central Mediterranean region between 2006 and 2015 (Frontex 2016). These EPN operations incurred 130.2 million (2014) Euros in direct costs and had 3,485 days of active patrols. Available data indicated that they were associated with no less than 3,433 interdiction incidents and the interceptions of 439,926 people (Table 3.2)

(European Commission 2008a; Frenzen 2009; Frontex 2014a; 2015a-b).¹⁶ I divided these operations using Frontex's five distinct phases, each explored below: *Nautilus*, *Chronos*, *Hermes*, *Aeneas* and *Triton*. These names reflected Frontex's active practise of naming maritime operations after heroes and gods in Greek mythology.

All operations were assemblages with five major, common components:

1. *Personnel* who oversaw and directed operations. Frontex typically planned, monitored, coordinated and evaluated interdiction operations on multiple geographical scales. Italy and Malta used their military and border enforcement authorities to work with EPN operations at sea and in coordination centres. Frontex relied upon EU member state staff to operate its physical assets prior to the mid-2010s. Member states also volunteered intelligence officers, interviewers and interpreters. Third countries sent observers, and put their officers aboard Italian vessels;
2. *Infrastructure* that held operational activities and personnel. Frontex located its planning and administrative personnel in local, national and regional coordination centres. It also had support offices at its central facility in Warsaw, Poland. Italy and Malta hosted Frontex, other member state and third country personnel, and often lent it local facilities. They additionally provided detention centres to detain and interview intercepted persons, hospitals to treat the wounded and search and rescue coordination centres;

¹⁶ As explained in more detail below, this number includes all interceptions in the region which European Patrol Network operations assisted. This distinction was important because Frontex did not typically intercept at sea, but actively helped Italian and Maltese ships which did.

3. *Physical assets* by which Frontex directly conducted its activities. These included patrol vessels, fixed-wing aircraft, helicopters, satellites and other, ground-based surveillance systems, as coordinated in the European Border Surveillance System (EUROSUR) (European Commission 2008b; 2011). The purpose of these assets was to locate persons illegally moving at sea so that Italian or Maltese authorities could intercept them;
4. *Member state and third country operations* which Frontex actively assisted in migration management. Italy and Malta continuously held operational activities during this time period, working with the Governments of Tunisia, Libya and Egypt. Frontex's work often administratively, legally and spatially revolved around these operations; and
5. *Policy* that practically enabled and politically and legally justified operational activities. This involved politics at many scales, as identified in the previous section and Chapter 2. Frontex used EU funding to finance its operations, with notable support from Italy, Malta and projects by inter-governmental organisations, such as the International Organization for Migration. It followed its political mandate, to prevent and deter illegalised movement, from COM, EC and the Governments of Italy and Malta. Frontex claimed a legal basis for its activities from international law (e.g., Law of the Sea; SOLAS; SAR; Convention on the Status of Refugees; Palermo Protocol), EU law and policy (e.g., 1950 European Convention on Human Rights; COM directives) and domestic migration law.

These components will be the focus of my empirical description of these five operational phases. I will explore them in roughly chronological order, using historical, content and statistical analyses. Spatial analysis follows in the next section.

4.2 Empirical Description by Operational Class, 2006-2015

Nautilus

Frontex created Joint Operation Nautilus after the failure of the experimental Operation Jason in 2005. COM intended Jason to intercept suspected migrants in Libya's territorial waters, which the Government of Libya disallowed (Fink 2012). Nautilus nonetheless proceeded without Libyan support on 10 May 2006, and ran in four iterations between 2006 and 2009 for a total of 450 days of active patrols and a cost of 19.3 million (2014) Euros (Frontex 2016). Available reports stated that there were at least 23,634 intercepted persons in 177 incidents associated with these operations (Frenzen 2008; Frontex 2007a; Times of Malta 28 April 2010). Although Frontex generally refused to publish maps or coordinates of any of its operations,¹⁷ reports suggested Nautilus' operational area included the territorial and high seas around Malta, Lampedusa, Sicily and, later, Libya (Frontex 2008a). Nautilus maintained a complicated relationship with Libya, securing its support in 2007 after a Frontex technical mission there, only to have it again withdrawn (Diestelmeier 2012; Frontex 2007b). This caused Nautilus' 2007 iteration to abruptly end as the Government of Libya refused to take intercepted persons (Fink 2012). Frontex re-

¹⁷ In my communications with Frontex, its representatives stated that any publication of spatial information of its operations would compromise their future effectiveness, and therefore claimed an exemption to freedom of information due to "public security". This included Nautilus, despite the fact that it occurred nearly a decade before my requests, and that its areas likely bore little resemblance to later operations, like Triton.

secured Libyan assistance after the Government of Italy agreed an aid package worth 6 billion (2014) Euros in 2008 (Ronzitti 2009). While Libyan support continued, Nautilus' ultimate demise occurred due to conflict between the Governments of Italy and Malta over its rules of engagement, as well as renewed Italian-Libyan operations, in 2009.

According to Frontex, Nautilus' purpose, as requested by the Government of Malta, was "to strengthen the control of the Central Mediterranean maritime border... and also to support Maltese authorities in interviews with the immigrants" (Frontex 2007a). This happened despite the fact that, during 2006-2009, Malta was not a member of the Schengen Area (Martin 2011), and it had rejected important amendments to SAR and SOLAS after the *MV Tampa* incident which formally defined nearest place of safety as the nearest port of call (House of Lords 2008). Nautilus was mainly based in Malta, which hosted Frontex personnel and a national coordination centre, as well as detention facilities at its military bases (Global Detention Project 2014). Even though it was originally opposed to Frontex's intervention in the region, the Government of Italy also hosted local coordination centres and physical assets in Lampedusa and Sicily until 2009, when it ended its support in favour of its own operations with Libya (Ronzitti 2009). Nine other EU member states gave physical assets or personnel, an example of which I present in Table 3.3. Nautilus included an evaluation of using satellites equipped with Synthetic Aperture Radar¹⁸ in addition to these assets to spatially detect boats prior to arrival in EU territorial seas (Frontex 2009a).

18 Synthetic Aperture Radar was a radar system which simulated an extremely large antenna (or aperture) and thereby generated high-resolution remote-sensing imagery over wide areas. For more information, see Wolff, C. (2016). Synthetic Aperture Radar (SAR). <http://www.radartutorial.eu/20.airborne/ab07.en.html>.

Table 3.3. Physical Assets of Operation Nautilus, 2007

Asset Type	Number	Source Country	Asset Type	Number	Source Country
Patrol vessels	3	Malta	Fixed-wing aircraft	2	Malta
Patrol vessels	1	Greece	Fixed-wing aircraft	1	Italy
Patrol vessels	1	Spain	Fixed-wing aircraft	1	France
Helicopters	2	Germany	Experts	20	Germany, France, Italy, Malta, Portugal, Romania and United Kingdom

Sources: COM (2008); House of Lords (2008).

Nautilus made creative use of geography and law to prevent boat arrivals. Patrols actively searched Libya’s search and rescue region between 2006 and 2008 and gave persons intercepted there to Libyan authorities (Frontex 2008b). Others corroborated practises interception beyond EU territory and search and rescue regions, including reports of 700 persons turned over to Libya in 2007 (Klepp 2010), at least 602 more to Libya and Tunisia in 2009 (Humans Rights Watch 2009; Tondini 2010). Frontex and the Governments of Italy and Malta did this with explicit knowledge that, by intercepting persons moving at sea beyond EU territorial seas, they would be unable to access human rights available in the EU (Government of Italy 2010, 25). The Government of Malta also made it difficult for those closer to EU territory to arrive through three primary means. First, Maltese authorities often chose to not intercept boats in its search and rescue region, instead letting them proceed to Italy (House of Lords 2009, 97). Second, they

generally refused disembarkation of persons intercepted outside of its search and rescue region in clear contravention of the newest SAR and SOLAS amendments. Last, persons “rescued” and disembarked in Malta never legally arrived due to being “refused entry” at the border, in spite of their physical detainment there (Global Detention Project 2014).

Operation Nautilus came to an end as the Governments of Italy and Malta disagreed on the rules of engagement in 2009. Italy, specifically, wanted to reduce arrivals by demanding that those who could not be sent to Libya be disembarked at the closest port, which usually happened to be Malta (Times of Malta 14 October 2009). Malta opposed this rule, preferring, as noted, to prevent arrivals by forcing them onward to Italy. While Frontex originally agreed with Italy and required that Malta, as Nautilus’ host country, had to be the operation’s disembarkation point, it later retracted this regulation to ensure Maltese support (Global Detention Project 2014). The results of these practises was that many boats were left for extended periods without assistance at sea, leading to unnecessary loss of life (Human Rights Watch 2009). When the Government of Malta refused to change its position in 2009, Italy withdrew its assets and ports from Nautilus, thereby effectively ending it (House of Lords 2009). The Government of Italy felt new confidence in this move following its 2008 agreement with Libya, which enabled joint Italian-Libyan patrols in the Gulf of Sirte, as well as Frontex’s assistance through Joint Operation Hermes. It argued that, because its activities were effectively preventing movement beyond Libya, Nautilus was no longer needed (Government of Italy 2010; Tondini 2010).

Chronos

When Italy withdrew its support of Nautilus, the European Commission and Frontex planned to replace it with the larger, wider-reaching Joint Operation Chronos (Times of Malta 16 January 2010). The Government of Malta, however, reportedly failed to support it due to planned changes to Frontex's governing regulations in 2010 (Times of Malta 26 April 2010). These changes would have given Frontex more operational authority to disembark intercepted persons in Malta (European Commission 2010). Although Frontex left no public record of Chronos' existence, other sources confirmed that, at about 9.8 million (2014) Euros, it would have been larger than any iteration of Nautilus. Malta again refused to host Chronos after the EU approved Frontex's changes in 2011, leading Frontex to drop the plan in favour in a renewed and enlarged Hermes (Times of Malta 4 February 2011).

Hermes

Frontex re-activated Joint Operation Hermes in 2009, moving it from the Western Mediterranean to temporarily replace Nautilus (Frontex 2016). Frontex again moved Hermes to between Algeria, Tunisia and Sardinia in 2010 in anticipation of the deployment of Chronos. With Malta's withdrawal of support and the end of Chronos, Frontex repositioned Hermes to replace it while maintaining its Sardinian-based patrols (Figure 3.4). Hermes operated in five years between 2009 and 2014 with 1,574 active days of patrols at a direct cost of 48.1 million (2014) Euros. Frontex and the Ministero

dell'Interno reported that these iterations were associated with the interception of 244,361 persons in 1,978 incidents (De Bruycker et al. 2013, 15; Frontex 2014a; 2015a-b).

While Frontex refused to report its spatial data, I reconstructed Hermes' operational area using maps from *Ministero dell'Interno* (Figure 3.4) (Ministero dell'Interno 2014, 6). Frontex claimed it bounded Hermes in the Gulf of Sirte by the search and rescue regions of Tunisia and Libya. As I will demonstrate, however, in the next section, over 75.6% (or 140,622) of intercepted persons in 67.3% (or 873) of incidents were outside of these areas during operations 2013-2014, overwhelmingly south of these lines (Frontex 2015a-b).

EC and COM dramatically increased resources to Hermes after the Arab Spring began in 2011, using it as the principal means to support the Government of Italy in diverting and turning over migrants at sea. Despite this increase, COM and Frontex ended Hermes after Italy unilaterally halted Operation Mare Nostrum, replacing it and Aeneas with the larger and more expensive Triton in November 2014.

The purpose of Operation Hermes was to assist the Government of Italy, which hosted Hermes, in its ability to divert and intercept migrant boats by increasing its surveillance resources (Frontex 2011a, 11). I observed this through the spatial and legal relationships of Hermes and Aeneas relative to Italian operations, like Mare Nostrum. The *Ministero dell'Interno*, in particular, reported that Frontex placed its operations behind Italy's in order to detect boats in Libyan waters or the high seas and relay this information to the *Marina Militare* (Italian Navy), which would then intercept them

(Ministero dell'Interno 2014). This spatial relationship reflected Frontex's lack of legal authority to regularly enter Libyan territorial seas or search and rescue region, as encoded in its rules of engagement, as well as Italy's primacy in determining the ultimate fate of boats in its jurisdiction due to SAR (Frontex 2014a, 13).

Frontex and Italy administered Hermes through facilities associated with its chain of command. Frontex oversaw Hermes and provided regular intelligence from its head office's Situation Centre in Warsaw, Poland (Frontex 2012a, 47). Frontex strategically coordinated Hermes with other regional operations, like Aeneas, through its Operational Office in Piraeus, Greece (Frontex 2011b, 16). These offices worked in the Central Mediterranean through its National and International Coordination Centres, as stationed at the Guardia di Finanza's (Financial Guard's) premises at Air-Naval Command in Pratica di Mare Air Base, Rome, Italy (ibid, 11). Centres actively planned, coordinated and evaluated Hermes in close cooperation with Italian authorities, whom the Guardia di Finanza represented. They issued operational instructions to Local Coordination Centres, especially the centre located at the Guardia di Finanza's building in the port of Lampedusa, Italy, which organised and assisted operational assets and personnel (ibid, 17). These resources and instructions acted directly through patrol vessels, which became mobile "border control points" for Frontex. Italy also housed Frontex personnel in Rome and Lampedusa, provided detention centres and allowed use of air bases at Lampedusa, Pantelleria, Sigonella and Catania for aircraft deployment (ibid, 8).

Personnel for Hermes came from Frontex, 22 member states and 6 third countries.

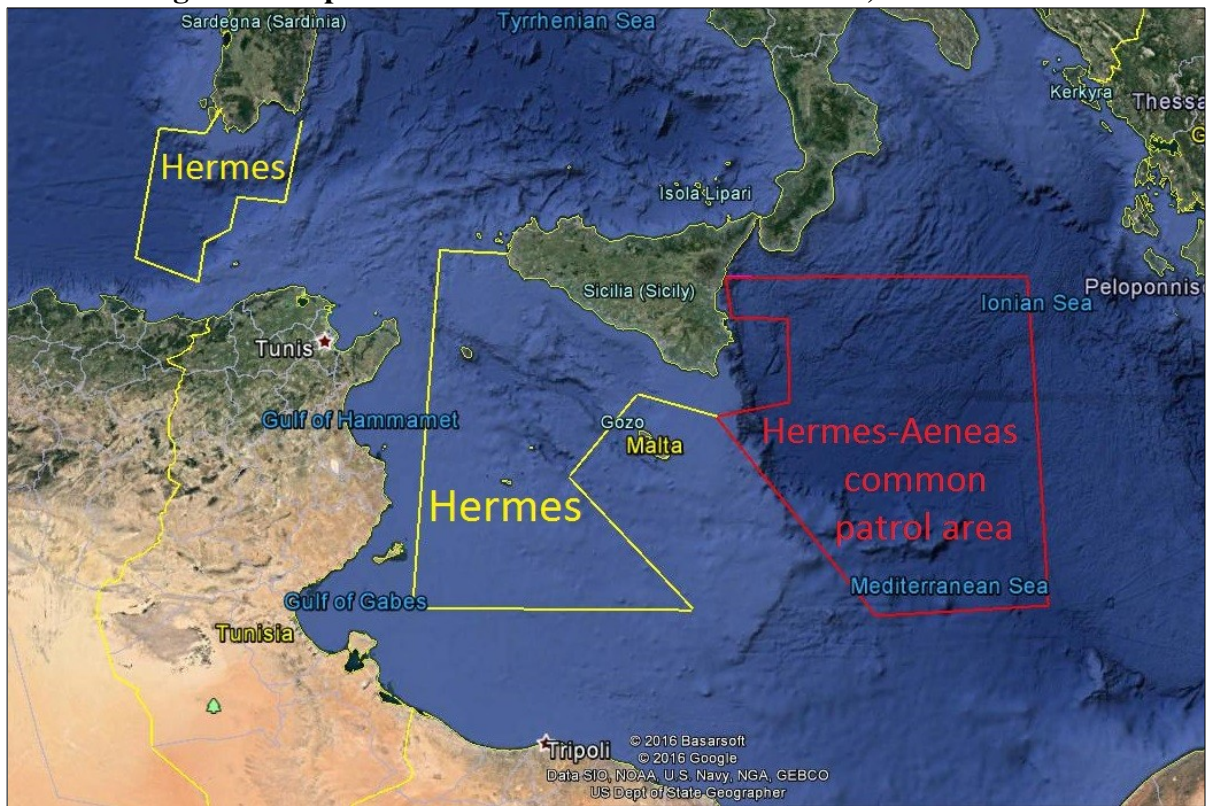
A summary of personnel can be found in Table 3.5 (Frontex 2009b, 11-15; Frontex 2016). Frontex personnel planned, implemented and monitored the operation, gathered intelligence and produced risk assessments in close coordination with and direction from the Government of Italy. Personnel from Italian border guard agencies, including Ministero dell'Interno, Polizia di Stato (State Police), Guardia di Finanza, Guardia Costiera (Coast Guard) and Marina Militare, directed daily operations, commanded all physical assets and determined what to do with intercepted persons. Other EU member states and third countries provided interviewers, specialised advisers, observers and guest officers to oversee the operation of their assets. All participating member states, each Italian border guard agency, and Frontex all had members on the Joint Coordination Board, which made daily decisions for operational activities.

Operation Hermes also actively functioned in moving interdicted migrants to detention centres for the Government of Italy. Locations of detention centres included Caltanissetta, Trapani, Caligari, Bari, Mineo, Crotone, Lampedusa, Pozzallo, August and Ragusa (Frontex 2009b; 2011b, 4; 2013). European Union authorities used detention as an opportunity to gather intelligence from detained migrants on their routes, reasons for migrating and sources of funds and boats (Frontex 2012b, 30).¹⁹ While Frontex redacted

19 Migrant interviews in detention during operations had two functions: (1) intelligence-gathering and (2) constructing migrant ontology. "Debriefing teams" would collect data detailing the identity, route and means by which migrants journeyed to the EU. They would record and store the texts and maps produced during interviews, later giving them a grade based on how useful they were. Frontex's personnel, however, would purposely not give any questions related to regarding expression of fear or desire for protection. Authorities did not explicitly explain rights to protection, this system's design evaded the identification of asylum seekers. Thanks in part to this exclusionary process, only about 5% of interdicted persons from 2006 and 2015 became recognised refugees.

the total number of migrant interviews, 2,229 occurred over 51,205 interdicted migrants in 2011 – a ratio of about one interview for every 23 migrants (Frontex 2011c, 5). If this ratio was representative of Hermes overall, then at least approximately 7,853 interviews would have occurred between 2009 and 2014. Examples of questions used and data collected during migrant interviews can be found in Frontex (2012b, 33-35).

Figure 3.4. Operational Areas of Hermes and Aeneas, 2011-2014



Notes: Map re-projected using linear transform from Ministero dell'Interno data. Source: Ministero dell'Interno (2014).

Table 3.5. Personnel of Operation Hermes, 2011

Personnel Type	Source	Function
Coordinator	Frontex	Monitoring and cooperation and coordination with Italy, member states and third countries
Analyst Support Officers	Frontex	Information collection and production of risk assessments
International Liaison Officers	Frontex	Additional officers to coordinate with Italian authorities
Project Team	Frontex	Overall monitoring, planning and evaluation of operation
Personnel for Physical Assets	Italian border guard agencies	Operation of all physical assets administered by Frontex
Commanding Officers	Italian border guard agencies	Command aerial, maritime and land assets and personnel
Liaison Officers	Italian border guard agencies	Coordinate and transmit information from various Italian border guard agencies
Intelligence Officer	Polizia di Stato	Gathers local information during operation and transmits to International Coordination Centre
International Coordinator	Guardia di Finanza	Directs daily operations and tasks of the International Coordination Centre
Interpreters	Italian border guard agencies	Provide translation for interviews
Guest Officers	Member states	Coordinate use of physical assets by Italian authorities
National Officials	Member states	Responsible for coordination and monitoring of deployed member state assets
Experts	Member states	Conduct interviews with intercepted persons
Special Advisers	Member states and third countries ²⁰	Assist local staff with specialist knowledge
Observers	Third countries	Provide advice and exchange experience
Joint Coordination Board	Frontex and member states	Leads daily operational activities

Sources: Frontex (2009b, 11-15; 2016).

By 2015, Hermes was associated with a total of 1,978 interdicted boats, 244,361 interdicted migrants and 1,758 days (the equivalent of 4.8 years) of activity. All this came at a cost to Frontex of about 45.6 million 2014 Euros or 24,791.25 2014 Euros per day of

²⁰ Examples of participating third countries included Moldova, Georgia, Ukraine, Albania, Turkey and Egypt.

activity (Frontex 2016). The Government of Italy implicitly, heavily subsidised Hermes through its corresponding maritime interdiction operations (e.g., *Mare Nostrum*). Frontex eventually phased out Hermes by combining it with Triton in 2015.

Aeneas

Operation Aeneas overlapped with but was not part of Frontex's command or operations in the Central Mediterranean Sea. Frontex primarily intended the Operation to support Poseidon in the Eastern Mediterranean region. Nevertheless, Operation Hermes conducted joint patrols with Aeneas in their joint patrol area (Figure 3.4). Frontex operated Aeneas in the years 2011, 2013 and 2014 with up to 16 (13 EU member and 3 non-member) states participating (Frontex 2016). Aeneas was ultimately not repeated in 2015, with its assets being combined with Hermes and then Triton. With the advent of Operation Triton in late 2014, Frontex finalised this amalgamation and substantially shifted Aeneas' former patrol areas around Malta and Brindisi.

While Aeneas's details are beyond the scope of this chapter due to its geography, I present some key statistics in order to note their contribution to the Central Mediterranean region's operations as a whole. Operation Aeneas operated for a total of 847 days at a cost of about 16.29 million 2014 Euros, or about 19,229.67 2014 Euros per day of activity. During this time, Operation Aeneas was associated with at least 63 incidents interdicting 6,431 migrants. Overall, Aeneas' rate of interdiction (e.g., by incidents or migrants interdicted per day) over time was significantly less ($p < 0.01$) than that of Hermes or Triton.

Triton

Operation Triton was Frontex's last, amalgamated operation in the Central Mediterranean between 2006 and 2015 (Frontex 2014c). According to Frontex's unredacted operational concept,²¹ Frontex recommended an extension and replacement of Hermes after its end in October 2014 due to the "high number of search-and-rescue cases" (ibid, 7). The end of the Government of Italy's Operation *Mare Nostrum*, which previously coordinated with Hermes and Aeneas, also encouraged Frontex to create a newer, larger interdiction operation. Frontex's stated objectives with Triton were to combine border surveillance and gathering of information through debriefing and screening in order to "control irregular migration flows towards the territory of the European Union and tackle cross border crime" (ibid, 10).

As with Hermes, Frontex designed Triton to interdict migrant boats en route from Northern Africa and Greece to Italy and Malta (ibid, 3). Frontex established a large, combined operational area (Figure 3.6) which was broken into three sub-areas: (1) M1 (Mike 1), covering the Pelagic Islands and Sicily, (2) M2 (Mike 2), covering the area south of Sardinia and (3) common patrol area (CPA), covering east of Sicily.

21 Frontex only gave me a redacted version of its operational concept via freedom of information requests; however, a secondary source release an unredacted version, which I use here.

Figure 3.6. Operational Area of Operation Triton, 2015



Notes: Map re-projected using linear transform from Ministero dell'Interno data. Source: Ministero dell'Interno (2014).

Triton made use of similar assets to Hermes. It used two fixed-wing aircraft and a helicopter to surveil maritime areas within and outside its stated operational area in order to gain early detection of migrant boats (ibid, 7; 11). Frontex deployed three coastal patrol vessels for interdiction within the operational area, and two offshore patrol vessels beyond it. Seven debriefing (interview) teams deployed in Mineo, Ragusa and Syracuse for the purposes of gathering intelligence on migrant journeys from migrants in detention (ibid, 8). Personnel and reporting structures mirrored those found in Hermes. Frontex established its operational headquarters at Lampedusa and Roma, as in Hermes. At its onset, Operation Triton had an estimated operational cost of 2.83 million 2014 Euros per month.

Triton was the first operation in the Central Mediterranean to be fully integrated in EUROSUR, or the European Union's maritime surveillance network (European Commission 2011; Frontex 2014c, 12). Specific services integrated included traffic information systems in combination with vessel detection capabilities using radar-based earth observation technology to detect boats far beyond the operational area. Frontex incorporated these data into a system which measured vessel risk and gave alerts as to its personnel and the Government of Italy as the risk of migration increased. It also included other geographic models (e.g., weather) in order to provide regular forecasts of expected migration.

Frontex outlined Triton's tactics in its operational annexes (Frontex 2014a). Here it legally justified its interdiction of migrants via previously mentioned conventions, in addition to the European Convention and updates to the Schengen Borders Code (*ibid*, 9). It designated a shift in the use of offshore patrol vessels, which no longer disembarked migrants, but transferred them to coast patrol vessels for disembarkation (*ibid*, 12). Frontex also redesignated coastal patrol vessels to allow redirection of interdicted migrants in the territorial sea to outside of it, with the Government of Italy retaining ultimate jurisdiction on where boats would go (*ibid*, 13). It provided intentionally vague, bureaucratic and expanded definitions of "distress" and "vulnerable person" in order to allow interdiction of more boats (*ibid*, 16; 20). Finally, Frontex stated new rules which explicitly forbid handing over any "rescued persons" to third countries, though which

countries counted as “third” or whether the rule was implemented remained unclear (ibid, 20).

In the end, Triton began an unbroken operation from October 2014 to December 2015. Based on available data, this included 426 operational days active at a cost of 46.58 million 2014 Euros, or a cost of about 109,341.4 2014 Euros per day (Frontex 2015a-b). This daily cost was overly four to five times more expensive than Aeneas or Hermes. Operation Triton was associated with 1,152 interdiction incidents and 164,960 interdicted migrants.

5 Operational Deployment of Search and Rescue as an Instrument of Migration Management

In this section, I test the empirical relationship between use of search and rescue, space and migrant interdiction using complete interdiction data from Frontex for each day between May 2013 and December 2015.²² I specifically model these relationships using three types of models, with sinusoidal regression being the least biased and most accurate. I reject the null hypothesis that there is no relationship between the use of search and rescue with geography, time or migrants interdicted. Instead, the use of search of rescue increased over time, and was correlated with increases in migrants interdicted and externalisation of geography – even beyond those stated in Frontex’s operational documents. I know interdiction occurred beyond the boundaries stated in Frontex’s documentation because my data explicitly measure such incidents. These findings

²² I use this time frame due to data constraints. Frontex only provided detailed interdiction data from its JORA database between 2013 and 2015; however, this database’s data go back to at least 2011.

demonstrate the increasing deployment of search and rescue as a means to alter geography and enhance interdiction over time.

Methodology

I conducted a statistical analysis of Frontex's detailed maritime interdiction data from its JORA database, as outlined in its operational documents (Frontex 2014d). I acquired these data, including their relevant variables, via multiple freedom of information requests to Frontex (Frontex 2015a-b). After aggregating separate requests, I received all available data for a large selection of variables between 1 May 2013 and 31 December 2015. These periods represent the beginning of Hermes in 2013 to the end of Triton in 2015, thereby encompassing two years-worth of complete interdiction data. In the end, the completed interdiction data I used for the following analysis included 375,300 interdicted migrants over 2,575 separate incidents and 954 days of operations – or the majority of interdictions and incidents in this study.

I used the following variables in my analysis: time (days since 1 May 2013), interdiction incidents, interdicted migrants, migrant deaths, incidents outside the operational area and incidents initiated using search and rescue. To help better model trends in the data, I intentionally reduced the extreme variance observed from day-to-day operations by smoothing data over 30 days for three variables: migrants interdicted, incidents outside the operational area and incidents initiated using search and rescue. These smoothed trends more accurately represented the overall trend of these variables over time while only reducing the number of observations to 925.

To test the empirical relationship between the use of search and rescue, space and migrant interdiction, I modelled three relationships: (1) incidents initiated using search and rescue over time, (2) incidents occurring outside the operations area over incidents initiated using search and rescue and (3) migrant interdiction over time. I tested these relationships on the basis that they proxy for three specific characteristics about the hypothesis of search and rescue as an instrument of maritime interdiction: (1) its intensity of use over time, (2) its intensity of use and geography of interdiction and (3) its intensity of use and total interdiction. If Frontex in fact used search and rescue as an instrument of interdiction, then we should observe significant, positive relationships in all three cases. This would be in conference with existing theories and histories of maritime interdiction.

I modelled the relationships of interest using three model types: naive treatment effect estimation, linear ordinary least squares estimation and sinusoidal ordinary least squares estimation. The purpose of these three types was to contrast relationship results between model types and thereby check for the robustness of findings. I deployed sinusoidal regressions to control for observed wave-like effects observed over time. As noted in the Discussion subsection, these were likely caused by changes in seasons and Frontex's response to them. All ordinary least squares models used the following independent variables: time (days since 1 May 2013), month, total migrants interdicted, total incidents and total migrant deaths. Sinusoidal regression models replace the month control with two controls according to their trigonometric identity:

$$\sin\left(\frac{2\pi}{12\text{month}_i}\right) + \cos\left(\frac{2\pi}{12\text{month}_i}\right) \quad (1)$$

where “month” is the number of months since 1 May 2013 for observation i . I multiply month by 12 since this represents the number of months in a year. Since 2 over 12 is 1 over 6, this form allows there to be at least two distinct cyclical periods per year.

All models used Huber-White, or robust, standard errors. I conducted my analysis in *R* version 3.4.2. All figures were also produced in *R*. Statistical significance was assumed to occur beyond a 95% confidence interval.

Findings

I modelled three relationships over 925 days-worth of data:

1. Density of incidents using search and rescue to initiate interdiction and time;
2. Density of incidents occurring outside the stated operational area and density of incidents using search and rescue to initiate interdiction; and
3. Migrants interdicted and time.

For each of these relationships, I set the null hypothesis to be that there was no relationship between the variables in question. Using sinusoidal regression with Huber-White standard errors, I found there to be a statistically significant relationship ($p < 0.001$) in all three cases. Results for final models can be found in Table 3.7.

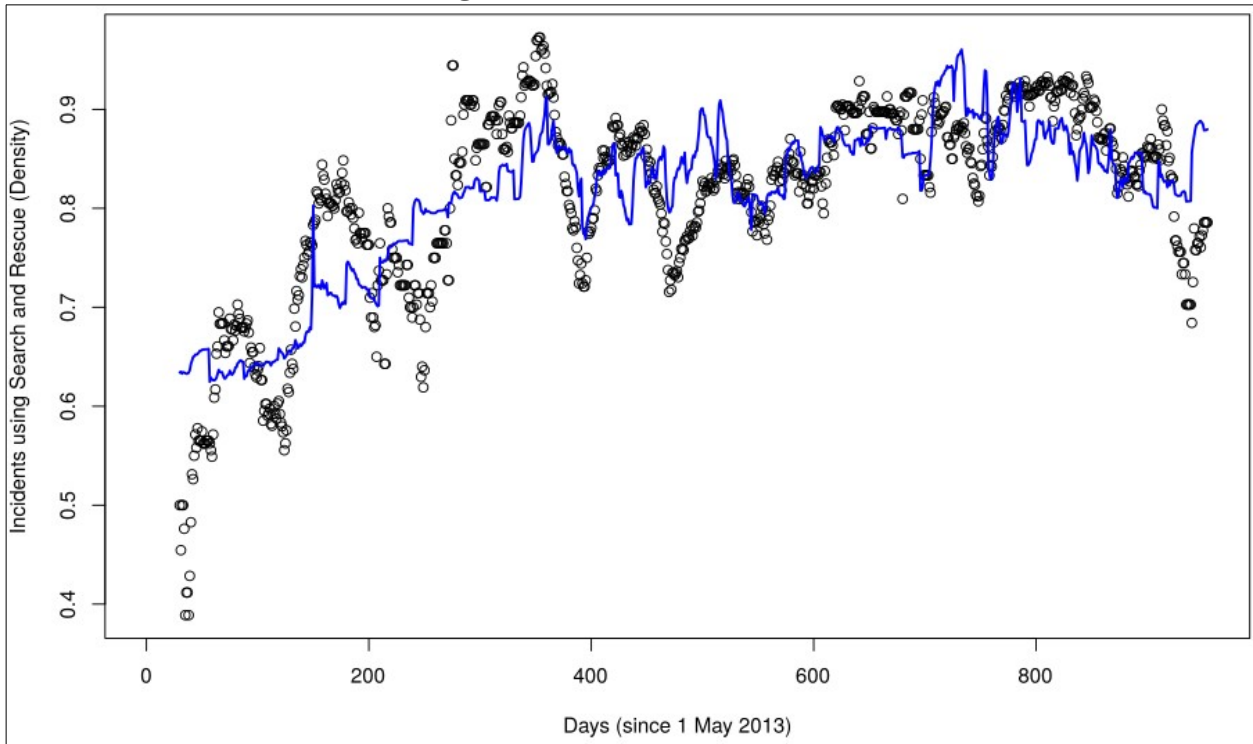
Table 3.7. Sinusoidal Regression Model Results (n=925)

Dependent Variable	Independent Variable of Interest	Coefficient	Standard Error	Adjusted R-Squared
Migrants Interdicted	Time (Day)	0.1118***	0.02159	0.7379
Incidents Occurring Outside Operational Area	Incidents using Search and Rescue	0.5042***	0.03961	0.847
Incidents using Search and Rescue	Time (Day)	0.0001241***	8.808E-06	0.6444

Notes : Statistical significance at $p < - * : 0.1; ** : 0.05; \text{ and } *** : 0.01$. Uses Huber-White standard errors.

The density of incidents Frontex initiated using search and rescue was significantly associated with time (Figure 3.8). Each additional day in the final model was associated with about a 0.012% increase in the use of search and rescue, which, over 925 days, was associated with about a 11.5% average increase in the use of search and rescue. This significant increase remained, despite controlling for other time-based effects (e.g., seasons). This final sinusoidal regression model had an adjusted R-squared of over 0.64, which meant it was also relatively good at explaining the observed variance of use of search and rescue over time. Given its statistical and substantive significance, I rejected the null hypothesis that there was no relationship between these two variables.

Figure 3.8. Distribution and Fitted Sinusoidal Model of Incidents using Search and Rescue over Time (n=925)



Notes: Blue line – fitted sinusoidal model values.

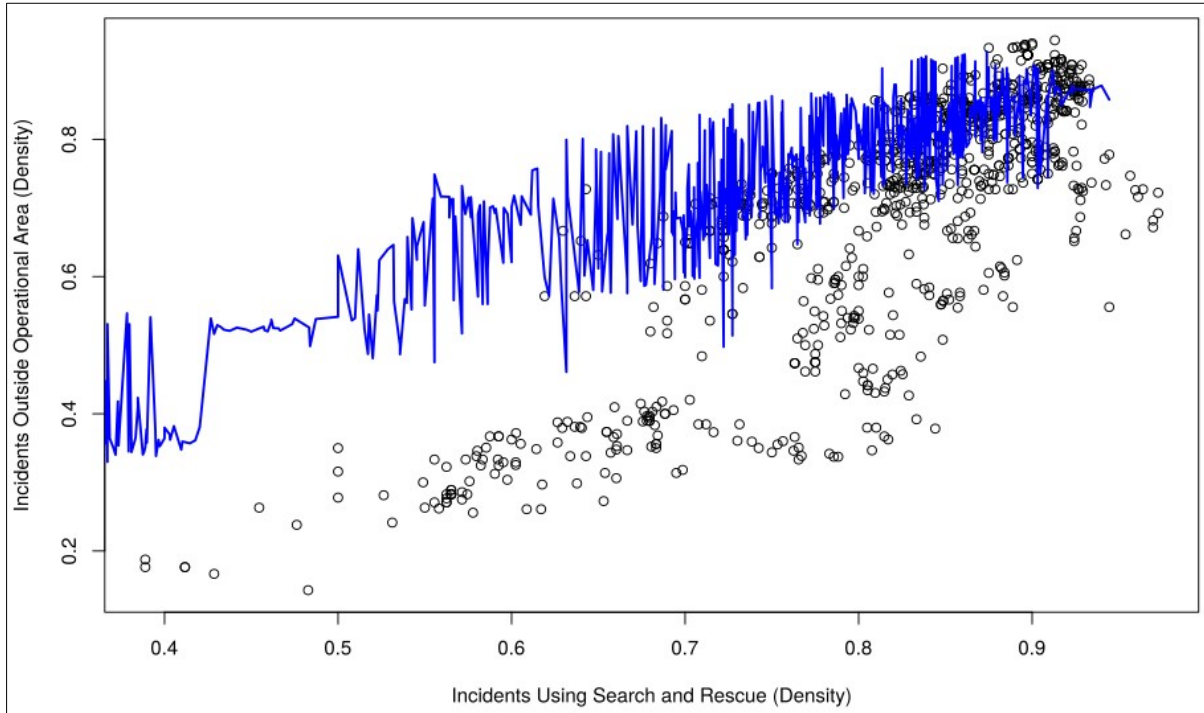
The density, or proportion, of incidents which occurred outside of Frontex’s stated operational areas was significantly associated with the density of incidents initiated using search and rescue (Figure 3.9). A 1% increase in the use of search and rescue was associated with a 0.5% increase in incidents occurring outside operational areas. Given an increase of use of search and rescue by about 28.57% between May 2013 and December 2015, incidents occurring outside stated operational areas increased by over 14.4%. Density of use of search and rescue was the strongest predictor of the location of an incident, explaining the majority of its observed variance (Pearson’s $r = 0.81$). A sinusoidal regression model achieved an adjusted R-squared of about 0.85 – an extremely

high result for a finding in the social sciences. Based on its significance, I thus rejected the null hypothesis that there was no relationship between the density of incidents which occurred outside stated operational areas and density of incidents initiated using search and rescue.

I conducted regression diagnostics to validate ordinary least squares assumptions of this critical model. Breusch-Pagan tests failed to reject that its residuals were homoskedastic. A Durbin-Watson test failed to reject error independence. A Bonferroni outlier test rejected that there were no statistical outliers in the data. Based on these results, and given the model's strong adjusted R-squared, I concluded that most, if not all, ordinary least squares assumptions were true and that the model was therefore valid.

I further tested this finding by conducting time series modelling of 1464 incidents from Operation Triton between 2014 and 2017 which had spatial data available for interdiction latitude and longitude (Frontex 2017). After including the previous mentioned controls as well as one new one, the interdicted boat's country of departure, I found that search and rescue was significantly ($p < 0.001$) associated with the latitude but not longitude of interdiction. Specifically, the use of search and rescue pushed the average interdiction incident 0.45 degrees south – or closer to North Africa. This was strong evidence that the use of search and rescue was associated with border externalisation.

Figure 3.9. Distribution and Fitted Sinusoidal Model of Incidents Outside Operational Area over Incidents using Search and Rescue (n=925)

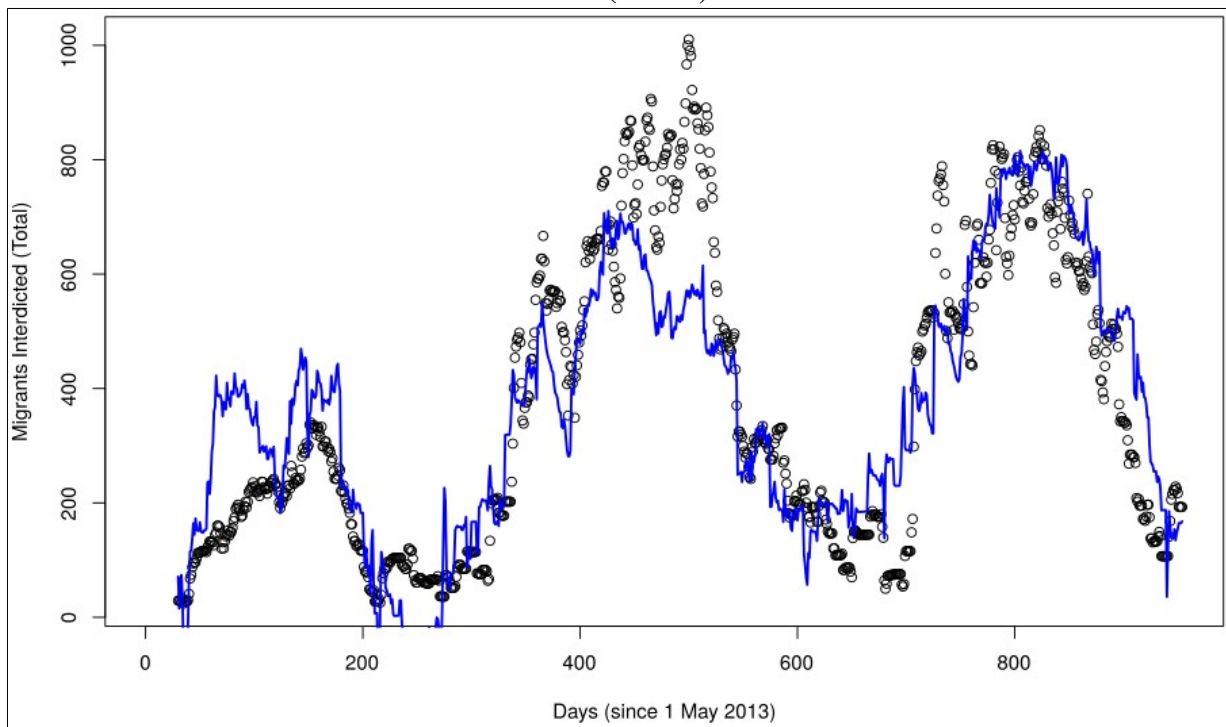


Notes: Blue line – fitted sinusoidal model values.

The number of migrants interdicted through Frontex’s operations significant grew between May 2013 and December 2015 (Figure 3.10). Each day was specifically associated with an average 0.11 more migrants interdicted than the previous day; this meant, by the end of the period, Frontex interdicted an average of 103.42 more migrants per day. Given this statistical and substantive significance, I rejected the null hypothesis that there was no relationship between migrant interdiction and time. A sinusoidal regression model using the previously-mentioned control variables featured an adjusted R-squared of approximately 0.74, and was therefore relatively good at predicting migrant

interdiction during this time period. The sinusoidal model specifically captured the impact of seasonal effects on interdiction.

Figure 3.10. Distribution and Fitted Sinusoidal Model of Migrant Interdiction over Time (n=925)



Notes: Blue line – fitted sinusoidal model values.

Discussion

Ziegler (1995), Guilfoyle (2009) and Mountz & Loyd (2018) argued that modern maritime interdiction operates primarily via the use of search and rescue. These practises diffused to and became ingrained within the European Union's bordering practises, as explored in Chapter 2. Cuttitta (2018) and Guilyfoyle (2009) identified that Italy experimented with modern the configuration of the modern maritime interdiction operation via search and rescue in what Frontex would later label as the Central Mediterranean Sea. The search and rescue hypothesis, however, had yet to be empirically

tested in the region. This was the purpose of conducting a detailed statistical analysis on data from 2013 to 2015.

If search and rescue was instrumental in allowing or even enhancing maritime interdiction, then I argued we would expect to observe three trends: increases in (1) the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I formalised these trends using three relationships which served to proxy them. I then tested these relationships to estimate their direction, strength and significance.

I found all three relationships to be statistically significant and positive. Each model explained the majority of observed variance in its dependent variable and passed checks for violations of ordinary least squares assumptions. This supported the search and rescue hypothesis via three avenues. First, my results showed that the use of search and rescue increased over time. Second, they demonstrated that increases in search and rescue directly corresponded with increased externalisation of enforcement. Third, my results revealed that increases in search and rescue were also associated with increases in migrant interdiction. Given that I observed all three expected trends, I therefore concluded that search and rescue was instrumental in maritime interdiction of migrants in the Central Mediterranean between 2013 and 2015.

These conclusions strongly support previous theories tying search and rescue to maritime interdiction, as noted above. Further research, moreover, will be required to test

and extend its findings to additional geographies and time periods. I discuss such additional research in Chapter 5.

6 Conclusion

This Chapter revealed that search and rescue became instrumental in maritime interdiction in the Central Mediterranean Sea between 2006 and 2015. I also gave the first detailed description of maritime interdiction operations in the European Patrols Network. The EU via Frontex operated a maritime interdiction network in this region which involved 15 discrete operations, interdicted 439,926 migrants and cost 126.9 million 2014 Euros. I demonstrated that search and rescue was empirically instrumental in maritime interdiction via three subhypotheses: increases in (1) increases in the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I found all three relationships to be statistically significant and positive, therefore supporting an undeniable connexion between search and rescue and maritime interdiction.

I showed that search and rescue was theoretically instrumental in maritime interdiction via three additional analyses. First, I conducted a theoretical and literature review, which concluded that we would expect modern maritime interdiction of migration to use search and rescue. Second, I overviewed the creation and implementation of maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015, which established the central role of search and rescue. Third, I

identified and described these operations in detail to show how search and rescue was integrated within them.

My findings were important in three ways. First, my findings give the first, if brief, genealogy of maritime interdiction, a topic left untouched within migration and border studies. The history and deployment of maritime interdiction operations reveal them as a form of blockade; however, modern border enforcement authorities purposely avoid such a designation in order to not violate international maritime law. Such operations nonetheless have a history which is clear, experimental and traceable. Second, I completed the first empirical account of a series of related maritime interdiction operations over time. Most existing studies of MIOs analyse them on a general level using qualitative methodologies; I closed this gap by giving a detailed, quantitative account to supplement my qualitative analyses. Last, I conducted the first statistical analysis of search and rescue and its relationships to maritime interdiction. Contemporary studies were unable to gather data or proxy for use of search and rescue, which restricted their ability to empirically infer its relevance. I have shown that measuring search and rescue is possible and crucial to understanding MIOs.

Given the importance of search and rescue in maritime interdiction, one key question remains unanswered: Was maritime interdiction via search and rescue effective in deterring migrants from making journeys to the EU? I will address this question in Chapters 4. It suffices to say that statistical analysis shows that even despite their

increasing resources and efforts, maritime interdiction operations in the Central

Mediterranean Sea were ultimately not effective in deterring current or future migration.

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4 Testing the Effectiveness of Maritime Interdiction Operations at Deterring Migration in the Central Mediterranean Sea, 2009 to 2015

Abstract: In this chapter, I demonstrate that there was no statistical relationship between maritime interdiction operational (MIO) intensity and current or future migration in the Central Mediterranean Sea between 2009 and 2015. I find this result using a time series analysis of complete interdiction data from two data sets acquired through freedom of information requests with Frontex. My statistical analysis achieves a fine-grained, literally day-by-day analysis of 3,256 boat interdiction incidents involving 462,813 interdicted migrants over 3,241 operational days in 12 MIOs. My results provide important evidence against previous theories which argued that MIOs had a clear deterrent effect that made them valuable tools of migration management (e.g., Carling 2007; Miltner 2006; Tondini 2010). Contrastingly, they support scholars who argued that this general ineffectiveness reflected the political functions of MIOs (e.g., Pugh 2004; Tazzioli 2016). Though my data and analysis experience important limitations, my findings are compelling and show that an independent, quantitative analysis of the relationship between MIOs and migration is possible.

1 Introduction

There has yet to be a detailed statistical analysis of the effectiveness of maritime interdiction operations (MIOs) using search and rescue. This absence of detailed statistical analysis happened despite the existence and importance of a system of regular maritime interdiction in the European Union beginning in 2006. Chapter 2 explored this system's intentional creation and use of search and rescue in interdiction. Chapter 3

empirically demonstrated the deployment and effects of search and rescue as interdiction in the Central Mediterranean Sea between 2006 and 2015. While many policymakers and scholars alike have assumed the (lack of) effectiveness of MIOs to deter migration for their own political or theoretical ends, none have statistically demonstrated either side of the debate. In this chapter, I do so by testing one core hypothesis using two new, detailed data sets: increases in maritime interdiction operational activity decrease migration. I disaggregate this hypothesis into two subhypotheses, which test the effectiveness of MIOs on current and future migration in the Central Mediterranean Sea between 2009 and 2015. Using three types of statistical models, I find that enhanced MIO activity was not generally associated with decreased migration in either the present or the future. My findings therefore fail to support the core hypothesis that maritime interdiction operational intensity was associated with less migration.

I conduct a time series analysis of complete interdiction data from two data sets: the Crossings data and JORA data, the European Border and Coast Guard Agency's (Frontex's) statistical database. I supplement these data on interdicted migrants and interdiction incidents with data on all operations in the Central Mediterranean Sea. These data sets represent a nearly complete record of all migrant detection and interdiction in the region between 2009 and 2015, and use many previously unavailable variables to enhance my statistical analysis.

My findings provide evidence against previous theories which posited that the deterrent effect of maritime interdiction operations served to make them valuable tools of

migration management. At the same time, they support scholars who argued their general ineffectiveness reflected their function as political tools. The empirical reality was that MIOs strengthened in the Central Mediterranean Sea between 2009 and 2015, despite the fact that they failed to stop or prevent migration. This implies that other motivations or functions of such operations trump their questionable role in migration management.

This chapter contributes to the previous literature through a new and expanded analysis of maritime interdiction operations and migration as well as methodologies. I make use of more advanced data than ever used before on this subject. I explicitly analyse data on migration with data on MIOs using statistical analysis. I do this by providing a greatly expanded representation and measurement of operational intensity. My statistical analysis is the first ever to explicitly incorporate search and rescue as a spatial tactic. I achieve a fine-grained, literally day-by-day analysis of all interdiction in a third of the Mediterranean Sea, including at least 3,256 boat interdiction incidents involving 462,813 interdicted migrants over 3,241 operational days in 12 MIOs. The scale and scope of my analysis are therefore unprecedented in this field.

While my findings represent the most advanced analysis on the most detailed interdiction and migration data to date, they have a number of important limitations. These include generalisability, weak proxies, specification error, selection bias, measurement error, baseline bias and differentiated treatment bias. I also discuss a number of limitations in each of the two data sets used. In spite of their limitations, I

argue my findings are compelling given their advanced methods and detailed data. Future research, moreover, will be needed to improve, verify and expand them.

2 Literature Review

2.1 The Effectiveness of Maritime Interdiction Operations Using Search and Rescue

Public policymakers in the EU and academics alike made assessments of the effectiveness of maritime interdiction operations using search and rescue in deterring migration.

Frontex has repeatedly reviewed and evaluated the performance and outcomes of its own joint operations in the Central Mediterranean Sea. In general, Frontex's classified and public documents argued or even assumed that its operations "provided an effective border control at [the] external border of the EU. [They have] also enhanced the detection and prevention of cross border crime" (Frontex 2014, 4). Frontex authors also claimed that "the number of arrivals in [the] European Union [who went] undetected was very small" (ibid, 5). In these documents, however, Frontex provided little to no clear criteria by which to determine whether its MIOs in fact had met their own stated aims.

Frontex made its judgements on maritime interdiction operation effectiveness first and foremostly on their statistical impacts on migration. Each annual report evaluating Joint Operation Hermes, for instance, begins its assessment of outcomes by listing how many interdiction incidents occurred and how many migrants they interdicted (e.g., Frontex 2010, 1; 2011, 5). Frontex began to include additional statistics over time, such as the deployment of search and rescue, geography of incidents and quantity of migrant interviews (Frontex 2012a, 5-6; 2012b, 7).

While no specific determination of success or failure occurred, Frontex authors frequently used such statistics to justify operational expansion, thereby implying operational effectiveness. Frontex (2012b, 7), for instance, argued that the increase of incidents around Sicily justified the expansion of operational intensity and geography to cope. They also maintained that detection and interdiction of boats, no matter their numbers, all were clear indicators of well-planned and -executed operations (e.g., Frontex 2012a, 5; 2013, 7). Other EU policymakers agreed with this assessment, adding that boat interdiction was an effective tactic for deterring ‘irregular’ entry (COM 2004, 11). Ultimately, though, Frontex made no rigorous, empirical evaluation of the effectiveness of its own operations in its own documents. This represents a major gap in understanding and explaining the use of search and rescue in maritime interdiction operations.

Academics reached limited, mixed conclusions about the effectiveness of maritime interdiction operations using search and rescue at sea. They also questioned whether state authorities judged their success based on effectiveness of interdiction at all. With respect to operations specifically using search and rescue, Miltner (2006, 84) stated but failed to argue that “interception has proven to be a highly effective tool for controlling migrant flows.” Italian Navy officer and scholar Tondini (2010, 6) concurred with assessment, writing that “[patrols] have been rather effective in curbing the [migration] phenomenon.” While pointing out operational limitations, Carling (2007, 333) agreed with these conclusions, quantitatively showing that, at the very least, MIOs using search and rescue reduce migrant mortality rates, if not migration generally.

A number of scholars, by contrast, claimed or showed that maritime interdiction operations using search and rescue had either no effect on migration or even increased migration or losses at sea. Pugh (2004, 62) proposed that operations, while not effective as a deterrent, satisfied “political expediency”. Marin (2011, 478) challenged previous evaluations of operational effectiveness by Frontex, questioning whether independent assessment was even possible. Tazzioli (2016, 6) furthered these arguments by understanding search and rescue-based interdiction of a form of humanitarian governmentality, one which required its ultimate ineffectiveness as a deterrent in order to justify its political existence. Williams and Mountz (2018) completed the first statistical analysis of operational effectiveness with respect to migration, finding no relationship between the two, and that increases in enforcement were associated with increased migration in alternate times and places. These two groups of scholars therefore reached mixed conclusions about the effectiveness of MIOs using search and rescue. The overall lack of statistical analysis on the deterrent effect of such operations and data limitations therein warrant additional and more sophisticated analysis.

Despite their disagreement over effectiveness, most authors agreed that maritime interdiction operations had motivations beyond stopping or preventing migration. In Chapter 2, I demonstrated how interdiction itself became a core part of EU policymakers’ political project as part of a wider project of border security. In this case, ‘securing’ the border was necessary to preserve the political integrity of the Union itself. Other scholars also concluded that the effectiveness of interdiction was less about migration itself and

more about political expediency, xenophobia and governmentality (Gammeltoft-Hansen 2008; Pugh 2004; Tazzioli 2016).

For those who maintained that MIOs were intended for migration management, effectiveness of surveillance was more important than deterrence (Carling 2007, 336; Miltner 2006, 85). All of these proposals aligned with border studies literature which saw border control at sea as a form of political spectacle where the state tried to preserve its sovereign functions and legitimacy (Carrera 2007; Ceriani et al. 2009; Van Selm and Cooper 2005). In this way, Collyer (2007) and de Haas (2007) showed that the EU had little interest in stopping migration from North Africa – or even actively increased it. This explained why MIOs persisted and intensified even as they tended to enhance crisis, not stop it (Loyd and Mountz 2014; Lutterbeck 2006). These perspectives, while insightful, failed to demonstrate a critical part of their causal hypotheses: that MIOs using search and rescue did not decrease migration. Failing to find this would represent a substantial problem for these theories, as they support themselves by consistently alluding to the ultimate inefficacy of MIOs. This limitation warranted more data and analysis.

2.2 Existing Work on Data in Maritime Interdiction Operations and Migration

There exists little work tracking the relationship between maritime interdiction operations and migration at sea. Most of these efforts stemmed from descriptions and analyses of migrant losses at sea. Williams and Mountz (2018) and Davies et al. (2017) pointed out that this analytical gap shows the oft-obsfucated nature of MIOs as well as the dehumanisation of migrant lives and their loss at sea. There have, moreover, been

important efforts to identify and describe this relationship on both land and sea in a number of regional geographies. These included Mexican journeys to the United States (BurrIDGE 2009; Delano and Nienass 2014), losses at sea among people trying to reach Australia (Hodge 2015; Weber and Pickering 2011), and losses in the Mediterranean Sea among those headed for the EU (IOM 2017; Spijkerboer et al. 2015; Williams and Mountz 2018). Overall, however, the state of the literature on data related to maritime interdiction operations and migration were extremely limited and dramatically constrained the ability to conduct any statistical analysis of their relationship.

There were substantial examples of recording border migration data. Beyond administrative data (e.g., Frontex), scholars and NGOs began efforts in various regions to better understand migration at land and sea borders. Memorialisation efforts recorded important information of migration at the US-Mexico border (Brigden 2016; BurrIDGE 2009). Weber and Pickering (2011) conducted a parallel survey of ‘border deaths’ over a decade at the maritime boundaries of Australia, and continue this work via the Border Cross Observatory (Border Crossing Observatory 2013). SIEV X was a similar effort in Australia, which specifically focused on interdicted migrant boats en route to Australia (Hutton 2015). In the EU, Spijkerboer et al. (2015) and UNITED for Intercultural Action (2014) created and updated lists of documented migrant deaths throughout the Union over time using different methodologies. Williams and Mountz (2018) extended these projects to a global scale, but only incorporated migration which involved losses of life at sea. We

were also the first authors to statistically examine, albeit in a limited way, the links between MIOs and migration.

Despite the relative absence on work statistically linking maritime interdiction operations with migration, a number of authors theoretically mapped relationships between them in specific contexts. Skop (2001), Stevens (2002) and Kotic and Triandafyllidou (2004) described and documented migration by boat and its connexion to MIOs in the United States, Australia and Italy in the 1990s and early 2000s. Guilfoyle (2009) and Loyd and Mountz (2018) expanded this literature by providing deeper legal, historical and social context. While all intricate, none of these analyses empirically associated structured data on MIOs with migration. Arango and Martin (2005) and Carling (2007), in contrast, explicitly made the first papers on this association but exclusively in the Spanish-Moroccan context and with limited data. These works additionally failed to consider how new spatial tactics, like search and rescue, affected mobility in a statistical way. Williams and Mountz (2018) also suffered from data with many limitations in their initial analysis of the statistical relationships between MIOs and migration in the Mediterranean Sea.

Previous work on data linking maritime interdiction operations and migration did not consider this relationship on a larger scale in order to measure the intensity of enforcement. So, for example, it was not possible to examine the treatment effect of exposing migrants to more intense maritime interdiction using search and rescue – either on those presently making their journeys or who might do so in the future. Assessments

so far have therefore relied solely on either the intensity of enforcement (e.g., in terms of numbers of interdictions) or intensity of migration and losses. This disconnect moreover represented a virulent selection bias, since policymakers and researchers tended to select their preferred data in order to conclude whether MIOs were effective.

Frontex, for example, conditioned its own conclusions on operational effectiveness by only looking at enforcement, not migration itself; contrastingly, academics tended to only examine data on migration or migrant outcomes as indicators of operational success or failure. The former is problematic because it assumes, rather than tests, the relationship between the treatment (exposure to MIOs) and the outcome (decisions to migrate). Frontex specifically assumes that there is a negative correlation between the two, meaning that higher measures of enforcement *always* lead to more deterrence. The latter is problematic because it selects on the outcome variable. Only looking at migrants who die or boats which sink, for instance, becomes an issue when we make inferences about migrants who *do not die* or boats which *do not sink*. So, for example, only examining cases where migrants die may lead to the faulty inference that maritime interdiction *always* results in death. I address these analytical gaps by combining information of maritime interdiction *and* migration into a centralised, nearly complete data set for the Central Mediterranean Sea from 2009 to 2015. This was possible due to new statistical recording and databasing by EU authorities over time.

3 Methodology

I conducted a time series analysis of complete interdiction data from two data sets: the Crossings data and JORA, Frontex's statistical database (Frontex 2015a-c; 2016a). I supplemented these data on interdicted migrants and interdiction incidents with data on operations in the Central Mediterranean and weather data from the Weather Company (Frontex 2017; Weather Company 2017). These generated interdiction data over time, with different units of time for two discrete time periods. First, I used quarterly data between 2009 and 2015. Second, I used daily data between 2013 and 2015. I expanded the geography of the first analysis by explicitly modelling the relationship between interdiction and migration in the Central Mediterranean with the Eastern and Western Mediterranean.

This analysis explicitly modelled the relationship between migration in the present with current and past enforcement. As discussed, EU policymakers and some academics argued that enhanced maritime interdiction operations deter migration by increasing the costs and decreasing the odds of successful entry to the EU (e.g., Carling 2007; Miltner 2006; Tondini 2010). If this were true, then we would expect that increased operational activity would be associated with decreases in migration either in the present or future. One difficulty in conducting a statistical analysis of this relationship was finding appropriate data. I managed to locate such data using freedom of information requests with the EU.

Here I describe the data used in my analysis. The Joint Operations Reporting Application (JORA) was a relational database implemented by Frontex as early as 2011 in

its operations in the Central Mediterranean Sea (Frontex 2012, 16). JORA functioned as a database to collate reporting on MIOs. Designated Frontex personnel were to report all interdiction incidents in the region during operations, which the Governments of Italy and Malta provided during times with no Frontex MIOs (Frontex 2013, 45). Frontex provided the attributes (variables) of JORA's relational database in a freedom of information request (Table 4.1). JORA included data verification and quality control, as well as connexions to other data sources (Frontex 2014b, 56). Given Frontex had nearly complete detection of migration by 2013 via EUROSUR, JORA represented an effectively complete sampling of migration in the Central Mediterranean Sea between 2013 and 2015. I therefore made a freedom of information request and received most of these attributes for all MIOs in the region from Frontex during this time period (Frontex 2015a-b). The JORA data set ultimately contained full details on 2,575 boat interdiction incidents involving 357,300 interdicted migrants over 954 operational days in 5 MIOs between May 2013 and December 2015. It thereby represented the most detailed maritime interdiction and migration data available to date.

The Number of Illegal Border Crossings (Crossings) data were a detailed, quarterly data set of migrant detection throughout the Mediterranean between 2009 and 2015. Frontex released these data in response to my freedom of information request in 2015 for the years 2009 to 2014, which they later added 2015 during a new request in 2016 (Frontex 2015c; 2016). Crossings formed a comprehensive record of migrant *detections* as opposed to interdictions, which was more accurate from 2009 to 2013. This

was possible because, in the past, it was far more likely that migrants might be detected via surveillance but not interdicted due to material, legal or geographical constraints, thus making detections a more accurate proxy of migration than interdictions. The Crossings data set ultimately included at least 3,256 boat interdiction incidents involving 462,813 interdicted migrants over 3,241 operational days in 12 MIOs between January 2009 to December 2015. These data therefore represented a similar but more advanced version of migrant interdiction data used by Williams and Mountz (2018).

I used proxies to model the relationship between maritime interdiction operational intensity and migration. I proxied migration using total migrants detected between 2009 and 2015, and total migrants interdicted between 2013 and 2015. I proxied operational intensity using three measures for both data: operational days active, operational spending and operational spending per day. I posit that these represent good and valid measures for operational intensity. For both data sets, I generated days active and spending during the current time period using Frontex's operational data (Frontex 2017). If an operation began on 1 May and ended on 31 October, for instance, then it would have had 61 days in the second quarter, 92 in the third quarter and 31 in the fourth quarter.

I also divided operational spending in this way, justified by the fact that expenditures were nearly constant in operations due to consistent use of operational resources during operations over time (see Chapter 3). I then generated spending per day by dividing total operational spending by the number of operational days active for each time period. Given the relatively consistent expenditure of operational resources by

Frontex, this resulted in, for example, six discrete levels of operational intensity between

2013 and 2015. I was able to use this variance in operational intensity to measure

correlations between intensity and migration in the present and future. I proxied

externalisation of geography using a variable which measured whether or not an

interdiction incident occurred outside the operational area. I assumed that the more

incidents which occur outside the operational area, then the more externalised that

operation was.

Table 4.1. List of Attributes in JORA

General Information	Persons Information	Additional Information
1. Incident Number	17. Country of Departure	33. Number of Transport Means
2. Reporting Unit	18. Place of Departure	34. Transport Type
3. Operational Area	19. Time of Departure	35. Transport Hiding Place
4. Incident Type	20. Date of Arrival	36. Boat Destroyed by
5. Date of Reporting	21. Country of Destination	37. Comments
6. Detection Date	22. Disembarkation	38. Modus Operandi
7. Detected by	23. Migrants Deterred	39. Additional Vessel Information
8. Latitude Detection	24. Victims of Trafficking	40. Heading
9. Longitude Detection	25. Death Cases.	41. Vessel Type
10. Interception Date	26. Nationality Information	42. Departure Point Relief
11. Intercepted by	27. Migrants Information	43. Vessel Length
12. Interception Place	28. Documents Alerts Information	44. Vessel Width
13. Place of Interception Comments	29. Asylum Requests Information	45. Number of Engines
14. Latitude Interception	30. Smuggling Activities	
15. Longitude Interception	31. Smuggling of Number	
16. Reference to Op. Area	32. Market Value	

Source: Frontex (2013, 51).

The Crossings data recorded the number of migrants detected en route to the European Union by quarter between 2006 and 2015 – a total of 28 quarters. It included

the following variables (Table 3.1): quarter, detected migrants (Central, Eastern and Western Mediterranean), operational spending (total and density of EU-wide maritime interdiction spending), operational days active (total and density of EU-wide maritime interdiction days active) and average windspeed near Lampedusa. The latter variable was a proxy for general weather conditions at sea, which were expected to reduce migration as they speed increased and weather became worse.

The JORA data recorded many more variables than the Crossings data. Frontex generated the original data using interdiction incidents as the unit of analysis. I converted the unit analysis to time (day) by adding a measurement of time using incident dates and then tabulating data for each variable on each day. I then generated all zeros (i.e., missing days) and filled in their missing values (i.e., zero). This method created a total of 954 observed operational days between May 2013 and December 2015, or the entirety of Hermes 2013 to the end of Triton in 2015. This was appropriate because, in this case, zeros occurred due to the absence of incidents, not of recording. Variables used included month, operations active, operational spending per day (current time period and multiple past time periods), interdiction incidents, migrant deaths, interdicted migrants, density of interdictions involving search and rescue, density of interdictions outside of operational areas and density of interdictions by operational area (Calabria, Pelagic Islands, Puglia, Sardinia or Sicily) (Table 4.3). Variables for the Crossings data included time (quarter), operational days active, operational spending (total), migrants detected and average wind speed (weather) (Table 4.2).

I constructed three classes of models: naive treatment effect estimators, ordinary least squares (OLS) estimators and OLS estimators using lagged independent variables. I deployed these three types to provide a contrast between different types of modelling and to check robustness of results. I also used two classes of time series compensations: incorporation of time as an independent variable and use of lagged independent variables. In the first case, I included quarter as an independent variable between 2009 and 2015, and used a sinusoidal version of month between 2019 and 2015. I justified the latter by improved fit of sinusoidal compared to linear regression for these data (see Chapter 3). In the second case, from the residuals of each final OLS model, I estimated optimal time lags using time auto-correlation functions. I algorithmically identified which time lags were significantly autocorrelated with the present, and then included these lags as independent variables. I found a total of one optimal lag in the 2009 to 2015 data and nine optimal lags in the 2013 to 2015 data. The three models therefore had the following specifications respectively:

- (1) $y_t = \beta_0 + \beta_1 x_t + \epsilon_t$ (Naive treatment effects),
- (2) $y_t = \beta_0 + \beta_1 x_t + \beta_2 z_{1,t} + \dots + \beta_{i+1} z_{i,t} + t_t + \epsilon_t$ (OLS) and
- (3) $y_t = \beta_0 + \beta_1 x_t + \dots + \beta_i x_{t-j} + \beta_{i+1} z_{1,t} + \dots + \beta_{i+j+1} z_{i,t} + t_t + \epsilon_t$ (OLS with time series),

where x is operational intensity, z_j through z_i are control variables, t is time, j is a time lag in the set of time lags, and i and t are elements of the set of natural numbers.

Table 4.2. Variables Included in Crossings Data Set

Variable	n	Missing	Mean	Standard Deviation	Skewness	Kurtosis	Imputed
Time (Quarter)	28	0	14.5	8.23	0	-1.33	No
Operational Days Active (Total)	28	0	115.75	74.65	0.02	-1.04	No
Operational Days Active (Density of EU Total)	28	0	0.48	0.28	0.07	-0.76	Yes
Operational Spending (Total)	28	0	4016590	33892131	0.47	-1.24	No
Operational Spending (Density of EU Total)	28	0	0.47	0.29	0.04	-0.76	Yes
Migrants Detected (Total)	28	0	16600.4	21249.39	1.44	0.86	No
Average Wind Speed (Weather)	28	0	18.57	2.87	0.21	-0.87	No

Due to the data’s structures, I was able to not reduce the number of observations by using lagged independent variables. This was because I had access to measures of operational intensity from 2006 to 2015 (Frontex 2017). This meant that I could provide measures of operational intensity in periods prior to 2009 and 2015 for both data sets. I therefore ran my time series analysis using these earlier measures of operational intensity.

All models used Huber-White, or robust, standard errors. I conducted my analysis in R version 3.4.2. I assumed statistical significance to occur beyond a 95% confidence interval.

Table 4.3. Variables Included in JORA Data Set

Variable	n	Missing	Mean	Standard Deviation	Skewness	Kurtosis	Imputed
Time (Day)	954	0	477.50	275.54	0.00	-1.20	No
Month	954	0	16.35	9.07	0.00	-1.20	No
Operations Active	954	0	1.51	0.50	-0.03	-2.00	No
Operational Spending per Day	954	0	66837.50	37161.66	0.27	-1.87	No
Interdiction Incidents	954	0	2.70	3.76	2.21	5.94	Yes; Smoothed
Migrants Deceased	954	0	0.93	12.33	27.04	786.59	Yes; Smoothed
Migrants Interdicted	952	2	373.98	636.49	2.78	9.16	Yes; Smoothed
Migrants Interdicted (Smoothed)	925*	29	381.02	269.12	0.49	-1.12	Yes; Smoothed
Use of Search and Rescue in Interdictions (Density)	925*	29	0.93	0.09	-1.96	2.76	No
Outside of Operational Area in Interdictions (Density)	925*	29	0.77	0.21	-1.28	0.55	No
Operational Area: Calabria Interdictions (Density)	925*	29	0.04	0.04	2.46	10.69	No
Operational Area: Pelagic Islands Interdictions (Density)	925*	29	0.68	0.21	-0.41	-0.85	No
Operational Area: Puglia Interdictions (Density)	925*	29	0.01	0.03	4.68	22.90	No
Operational Area: Sardinia Interdictions (Density)	925*	29	0.00	0.00	3.53	13.37	No
Operational Area: Sicily Interdictions (Density)	925*	29	0.27	0.19	0.35	-0.96	No

Notes: * - 29 observations removed due to use of smoothed migrants interdicted variable.

4 Findings

I tested one core hypothesis: increases in maritime interdiction operational activity decrease migration. I formed two subhypotheses based on this core hypothesis: (1) increases in past maritime interdiction operational activity decrease current migration, and (2) increases in current maritime interdiction operational activity decrease current

migration. I tested these subhypotheses in the Crossings and JORA datasets using three model types, as noted above. I rejected both subhypotheses in both data sets. Increased operational activity in the past or present had no significant relationship with migration in the present. These findings failed to support the core hypothesis.

I modelled the relationship between operational intensity and migration in the 2013 to 2015 JORA data set, summary results of which can be found in Tables 4.4 and 4.6. I measured operational intensity by total spending per day and migration as the total number of migrants interdicted by Frontex-related maritime interdiction operations. The statistical and substantive significance of current operational intensity's association with migration was mixed. In the simplest model (naive treatment effects), increased operational spending per day was associated with significantly more migrant interdiction, where each additional 1,000 2014 Euros spent per day was associated with about 0.7 more migrant interdictions. Contrastingly, the OLS model found that increased operational intensity was associated with significantly less migrant interdiction, with 1000 Euros associating with one less migrant interdiction. Finally, OLS with time series, the most robust of all models, found no significant relationship between the two. The ambiguity of significance and direction of effect strongly suggested that there was no effect between operational intensity and migration.

Although operational intensity in the past had more significant effects than the present on migration, these effects were also equally ambiguous. This meant that while some time lags appeared to have significant impacts on migration, there were an equal

amount of time lags with significant impacts in the *opposite* direction of effect. There was therefore no clear pattern in past enforcement's impact on the present. An autocorrelation function identified the following lengths of days as optimal time lags: 101, 141, 160, 189, 233, 284, 418, 484 and 516. I found eight of these nine lags to have statistical significance; however, four of them featured positive coefficients while four featured negative. Most negative coefficients occurred closer to the present while positive occurred further in the past. These findings suggested two things. First, the ambiguity of effects suggested that there was likely no clear, unidirectional effect over time. Second, and more weakly supported, was that maritime interdiction operational intensity may be associated with less migration in the short-run, but may be associated with *more* migration in the medium- or long-run.

The two OLS-based models also tested a number of control and time variables. Increased use of search and rescue and externalisation of geography were associated with more migration. Search and rescue, in particular, had a strong substantive effect: each 1% increase in the use of search and rescue to initiate interdiction was associated with about 15 more people migrating. Likewise, increasing operational intensity in areas closer to major migration routes (i.e., the Pelagic Islands, Puglia and Sicily) was also associated with significantly more migration. I observed this despite incorporating the effects of past operations on present migration. These findings suggested that while the deployment of search and rescue may be strongly associated with more interdiction, that interdiction in the present did not deter future migration.

Table 4.5. Summary of Model Results from JORA Data Set

<i>Model Type</i>	<i>Naive Treatment Effects</i>		<i>OLS</i>		<i>OLS with Time Series</i>	
Variable	Coefficient	Standard Error	Coefficient	Standard Error	Coefficient	Standard Error
Intercept	334.65***	19.06	-806.09***	146.83	-1621.06***	129.78
Operational Spending per Dayx1000	0.68**	0.24	-0.99***	0.17	-0.62	0.44
sin(Month)			360.55***	6.74	324.94***	8.64
cos(Month)			-118.06***	8.20	-29.56**	9.11
Use of Search and Rescue in Interdictions (Density)			1331.78***	78.83	1502.44***	85.35
Outside of Operational Area in Interdictions (Density)			402.88***	39.30	151.21***	45.36
Operational Area: Pelagic Islands Interdictions (Density)			-324.96	172.38	401.60***	152.70
Operational Area: Puglia Interdictions (Density)			856.67***	255.28	770.12***	205.00
Operational Area: Sardinia Interdictions (Density)			-8195.73***	1749.39	-3825.38	2094.25
Operational Area: Sicily Interdictions (Density)			-438.43*	180.14	535.77***	158.02
Operational Spending per Day (101-day Lag)x1000					-1.66***	0.25
Operational Spending per Day (141-day Lag)x1000					-1.40***	0.25
Operational Spending per Day (160-day Lag)x1000					3.45***	0.26
Operational Spending per Day (189-day Lag)x1000					-1.91***	0.27
Operational Spending per Day (233-day Lag)x1000					0.63**	0.23
Operational Spending per Day (284-day Lag)x1000					-0.18	0.18
Operational Spending per Day (418-day Lag)x1000					6.31***	0.64
Operational Spending per Day (484-day Lag)x1000					5.31***	0.75
Operational Spending per Day (516-day Lag)x1000					-5.78***	1.01

Notes: Statistical significance beyond - *: 5%; **: 1%; ***: 0.1%. Uses Huber-White standard errors.

Table 4.5. Summary of Model Results from Crossings Data Set

<i>Model Type</i>	<i>Naive Treatment Effects</i>		<i>OLS</i>		<i>OLS with Time Series</i>	
Variable	Coefficient	Standard Error	Coefficient	Standard Error	Coefficient	Standard Error
Intercept	5845	5799	42454	21558	45994*	21245
Operational Spending (Total)x1000	2.68*	1.11	0.31	1.13	0.02	1.13
Operational Spending (Density of Total EU Spending)			8649	14462	15486	14951
Average Wind Speed (Weather)			-2891.60	1218.20*	-3360.50*	1237.10
Quarter			1556.00	465.68**	1640.70**	459.64
Operational Spending (Total; 1-Quarter Lag)x1000					32.82	23.13

Notes: Statistical significance beyond - *: 5%; **: 1%; ***: 0.1%. Uses Huber-White standard errors.

Table 4.6. Summary of Relationship of all Models to Core Hypothesis

Data Set	Time Period	Model Type	n	Adjusted R-Squared	Relationship to Core Hypothesis
Crossings	2009 to 2015	Naive Treatment Effects	28	0.15	Fails to support
Crossings	2009 to 2015	OLS	28	0.46	Fails to support
Crossings	2009 to 2015	OLS with Time Series	28	0.48	Fails to support
JORA	2013 to 2015	Naive Treatment Effects	954	0.01	Fails to support
JORA	2013 to 2015	OLS	929	0.80	Supports
JORA	2013 to 2015	OLS with Time Series	929	0.86	Fails to support

I modelled the relationship between operational intensity and migration in the 2009 to 2015 Crossings data set, summary results of which can be found in Tables 4.5 and 4.6. I measured operational intensity using total operational expenditure during the time period (quarter) and migration by total migrants detected by Frontex-led maritime interdiction operations. There was generally no statistical or substantive significance between migration and operational intensity. Specifically, all models either found that increased operational intensity was associated with more migration or not at all. The naive

treatment effects model found that an increase of 1,000 2014 Euros was associated with about 2.7 more migrant detections, while the OLS and OLS with time series models found no significant relationship between the two. These results strongly suggested that, at best, maritime interdiction operational intensity had no association with migration.

Operational intensity in the past also had no significant relationship with current migration. An autocorrelation function estimated only one optimal time lag: one quarter; however, operational intensity lagged by one quarter had no significant association with current migration. These findings suggested that past operational intensity had no association with current migration.

The two OLS-based models also tested a number of control and time variables. Of these variables, only two were significantly associated with migration: weather and time (quarter). In particular, as average wind speeds increased and therefore weather worsened, lower migration was observed; each increase in 1km/h was associated with about 2,892 fewer migrants. As time passed, migration itself grew, with each quarter being associated with nearly 1,645 more migrants than the previous quarter – this despite the increasing intensity of maritime interdiction in the region. The latter finding specifically suggested that operational intensity was not deterring migration over time.

5 Discussion of Findings

My findings demonstrated that search and rescue *as* interdiction was not effective at stopping current or future migration. They also relate the importance of that finding with respect to existing theories of the purposes and uses of border enforcement in migration

and border studies literatures. My findings additionally bring the final answer to the three research questions I posed at the beginning of this thesis. Specifically, they indicated that the EU's system of maritime interdiction using search and rescue failed to achieve its intended ends.

The summary of observed results relative to the core hypothesis was that enhanced maritime interdiction operations were generally not tied to decreased migration in the present or future. Models featured relatively high measurements of fit to the data for social science, with the OLS with time series model on the JORA data, for instance, having an adjusted R-squared of 0.86 (Table 4.6). Most of the strength of fit, however, was attributable to the effect of search and rescue in interdiction (see Chapter 3), whereas operational intensity was only weakly correlated with migration in the present or future. These findings held despite passing multiple checks to model validity, such as Durbin-Watson, Breusch-Pagan, Bonferroni, among other, tests. These facts fail to support the core hypothesis that maritime interdiction operational intensity was associated with less migration, neither for statistical nor substantive significance. This occurred despite the relative strength of the final models involved, meaning that, while room for bias exists, it may be too small for operational intensity to have a consistent effect on migration either in the present or the future.

My findings provided evidence by which to partly evaluate previous theories of the effectiveness of maritime interdiction operations using search and rescue. First, operational intensity had no discernible or even a positive effect on migration in nearly all

cases. This meant that MIOs were not an effective deterrent of current or future migration.

This conclusion fails to support EU policymakers in Frontex and beyond, as well as academics such as Miltner (2006), Carling (2007) and Tondini (2010). Contrastingly, MIOs' lack of effective supported border studies literature which argued that they were not effective, such as Williams and Mountz (2018). This meant that my findings fail to support theories of maritime interdiction which explicitly require its effectiveness at deterrence.

Second, the ineffectiveness of maritime interdiction operations served to test theories which depended on its presence to support their causal hypotheses. My results failed to support those who argued that MIOs functioned primarily as parts of migration management in controlling or stop movement (e.g., Carling 2007; Miltner 2006). This was because their observed ineffectiveness substantially reduced their ability to serve as tools to control or stop migrant mobility – at least prior to interdiction. Theories that used the ineffectiveness of MIOs to support their causal hypotheses, however, had more evidence to support their positions. So, for instance, ineffectiveness supported scholars such as Pugh (2004) and Tazzioli (2016) who argued that it reflected that MIOs served more as political tools than migration management. It also supported my arguments in Chapter 2, where I identified and explored how the creation of a unified maritime patrols network was ultimately a political production. It additionally aligned with my arguments on how such operations persisted despite their general ineffectiveness.

The inclusion of these findings brings the final answer to my dissertation's three research questions. Chapter 2 showed how it was possible that the European Patrols Network came into existence in the EU by 2006. It also identified how and why the EU, and later Frontex, intentionally designed this system of interdiction as well as the importance of search and rescue within it. These two properties formed the analytical focus of Chapter 3. Here I explored and mapped the functions of each maritime interdiction operation in the Central Mediterranean Sea during the first ten years of the EPN. I empirically demonstrated that search and rescue was the main mechanisms by which these MIOs interdicted migrants at sea. These findings culminated in this chapter, where I made the first empirical assessment of whether search and rescue *as* interdiction was effective at stopping current or future migration. In sum, my dissertation has now explored and mapped (1) how and why a system of regular maritime interdiction arose in the Central Mediterranean Sea, (2) how that system functioned to achieve its ends, and (3) whether or not it achieved those ends. My conclusion based on my findings above was that the EU's system of maritime interdiction failed to achieve its ends – at least with respect to migrant deterrence.

6 Discussion of Limitations

While my findings represented the most advanced analysis on the most detailed interdiction and migration data to date, they had a number of important limitations. I begin by exploring methodological limitations and then conclude with data limitations.

One limitation was the generalisability of findings. While it was clear that time series analysis failed to support that MIOs were effective in deterring current or future migration by boat, this inference was limited to the Central Mediterranean Sea between 2009 and 2015. In the Appendix, I expand this analysis to August 2017 and find similar results; however, analysing other regions lays beyond this dissertation's scope. It was ultimately possible therefore that these findings were a statistical outlier: either a special case modulated by unique circumstances or simply a statistical fluke. Given the data's extensive coverage and the parallel use of MIO tactics throughout the EU, I would expect similar findings for MIOs in this region between 2009 and 2017. This implication was strongly supported by Williams and Mountz (2018), who found such a pattern for the entire Mediterranean Sea between 2009 and 2015. I make no assertions for maritime interdiction operations using search and rescue globally based on my observed results, though my educated guess would be to expect similar results to those found here.

Assuming that the Central Mediterranean between 2009 and 2017 was not an outlier, I suspect a limited number of errors or biases accounted for the lack of relationship between maritime interdiction operational intensity and migration. One major possibility was that the dependent variables were poor proxies for migration. Perhaps we would have expected the increased use of search and rescue to have increased migration because migrants wanted to be interdicted by EU-based authorities. Frontex (2014a, 4) first made this argument during its operational planning for JO Triton. This explanation

was ruled out by the OLS and time series models, however, since I explicitly controlled for the density of use of search and rescue, and the lack of effect persisted.

Another explanation along the lines of specification error was that use of migrants detected or interdicted suffered from significant selection bias, which thereby made them poor proxies for migration as a whole. As noted, however, by 2013 “the number of arrival in [the] European Union undetected [sic] was very small. Aerial assets delivered early detections that allowed an effective intervention by maritime units” (Frontex 2014, 5). While a counter-argument could be made that Frontex misevaluated its ability to detect migration, evidence for enhanced detection via both the implementation of EUROSUR and enhanced MIOs failed to support this position. A further potential problem with the dependent variables was measurement error, in that Frontex’s reporting could have been inaccurate. Due to the comprehensiveness of data used, a more effective counter-argument could be that Frontex misreported migrant detection or interdiction numbers. I was unable to rule out this possibility during my analysis due to the lack of third party verification of data used. It remained possible thus that Frontex could have biased my results through misreporting.

One potential source of important bias involved baseline bias in the dependent variable. Perhaps some groups of migrants at different places or times were more prone to make journeys by boat to the EU. If this were the case and the variance was substantial enough, then we would have expected to observe spikes or ebbs in migration in the Central Mediterranean which were unrelated to MIOs. If these spikes happened to

coincide with increased enforcement, then I might have falsely concluded that increased operational intensity was positively associated with migration when, in fact, there was actually a negative relationship. This position failed to be supported, however, when I explicitly modelled at least one significant factor modulating probability of migration from 2009 to 2015: weather conditions. Other factors which modulated propensity to migrate, moreover, were not controlled for, and therefore could explicitly have biased my models. Ultimately, making strong empirical conclusions on this issue would require data on those who chose not to migrate by boat in addition to those who did, which are unavailable at this time. Existing evidence from other regions failed to support this position, though, since numerous reports documented migrant willingness to take journeys by boat regardless of external circumstances (e.g., Bialasiewicz 2012; Carling 2007; Hamood 2006).

A final potential methodological limitation as considered here was differential treatment bias, in which migrants exposed to the treatment (i.e., maritime interdiction) had an objectively different effect than those who remained unobserved. If those who went unobserved were more likely to change their decision to migrate based on the presence or intensity of MIOs, then my model results would have overestimated their effect on migration. Although I could not directly observe this difference due to lack of data, it was likely not an issue for the JORA data set due to comprehensiveness of coverage. For Crossings, moreover, a study design with stronger controls over assignment of treatment groups would eliminate the possibility of differential treatment bias.

Despite the novelty and detail of the JORA and Crossings data sets, they both experienced substantial limitations. These limitations were larger for Crossings, which was absent of JORA's incredible amount of information. Specifically, Crossings featured time as a unit of analysis by quarter, which would be expected to normalise a great deal of variance observed in operational intensity and migration by, say, day. Crossings also lacked particular spatial information about migration, such as spatial coordinates or subregion of interdiction, which limited the inclusion of known, relevant spatial factors affecting interdiction as demonstrated in Chapter 3. As I pointed out earlier, Crossings had a much higher chance of experiencing bias in the dependent variable due to the higher odds of undetected migration. Finally, Crossings lacked many of JORA's variable due to the non-existence of JORA prior to 2013 in the Central Mediterranean Sea.

JORA additionally held limitations in its data. Because it used incident as its unit of analysis, I had to convert JORA data to use time as the unit of analysis, which further required filling its zeroes (i.e., days that had no interdiction incidents). Another limitation my was use of data smoothing, which I used to better represent variance over long periods that would otherwise be heavily biased by zeroes. Smoothing data over a 30-day period led to reduced variance in a number of variables due to normalisation, as well as the loss of 29 days-worth of data. I note, however, that higher variance would have likely increased the observed standard errors in my models; this meant that the relationship between operational intensity and migration would be *less significant* due to higher covariance. I additionally normalised the variance of operational intensity by assuming constant

spending, though Frontex documentation supported this assumption. Last, my JORA data excluded a number of variables available in Frontex's version due to Frontex's redactions in their response to my freedom of information requests. One important example was detailed spatial information (e.g., coordinates) of interdiction.²³ Some variables (e.g., boat type) that I received, moreover, missed large numbers of observations, which excluded their use in my analysis.

7 Conclusion

This chapter demonstrated that there was no statistical relationship between maritime interdiction operational intensity and current or future migration in the Central Mediterranean Sea between 2009 and 2015. I found this result using a time series analysis of complete interdiction data from two new data sets: the Crossings data and JORA data, which I supplemented with data on all operations in the Central Mediterranean during this time period. My statistical analysis achieved a fine-grained, literally day-by-day analysis of all interdiction data in a third of the Mediterranean Sea, including at least 3,256 boat interdiction incidents involving 462,813 interdicted migrants over 3,241 operational days in 12 MIOs. The scale and scope of my analysis were thereby unprecedented in either the migration studies or border studies literatures.

My results gave important evidence against previous theories which argued that maritime interdiction operations had a clear deterrent effect that made them valuable tools

²³ I later received these data for JO Triton, 2014 to 2017, due to another freedom of information request. I subsequently added a brief analysis of their distribution in Chapter 3.

of migration management. It was an empirical fact that despite the increasing strength of MIOs in the Central Mediterranean Sea between 2009 and 2015, they failed to stop or prevent migration. If there was a causal relationship between the two, then we would also expect a correlation - but none was present. Given their continued use, this finding implied that other motivations or functions of such operations trumped their questionable role in migration management.

Contrastingly, my results supported scholars who argued that the general ineffectiveness of maritime interdiction operations reflected their political functions. If MIOs had no deterrent effect, and so there were other reasons for their implementation and persistence, then it was possible that it would be for the theoretical reasons presented by scholars such as Pugh (2004) or Tazzioli (2016). While my analysis was unable to make any direct conclusions about political theories of MIOs, it tested a key element of my proposals regarding the use of search and rescue in interdiction. Specifically, I found that search and rescue was significantly associated with interdiction, meaning that it was increasingly used to justify and practise interdiction at sea. This supported my conclusions about the creation and deployment of a maritime interdiction network using search and rescue in the Central Mediterranean Sea, as explored in Chapters 2 and 3.

This chapter contributed to previous literature through a new and expanded analysis of maritime interdiction operations and migration as well as new methodologies. I particularly used the first detailed data on MIOs and their relation to migration for analysing their empirical association. In doing so, I expanded on foundational steps in this

direction by Carling (2007) and Williams and Mountz (2018). Beyond these papers, moreover, I provided a greatly expanded statistical representation and measurement of operational intensity. My analysis was also the first to ever include search and rescue as a spatial tactic for statistical analysis, which allowed important conclusions about its effectiveness. Another important feature of my analysis was its large-scale analysis of the relationship between MIOs and migration, incorporating an entire third of the Mediterranean Sea between 2009 and 2015. I even achieved as fine-grained of an analysis as to analysis this relationship day-by-day – something very uncommon in either the border studies or migration studies literatures.

In spite of their limitations, my findings were compelling given their advanced analysis and detailed data. More work will need to be done, moreover, to improve, verify and expand them. My findings could be improved by using new methodologies and data. Potential avenues for additional statistical methods include expanded time series analysis (e.g., ARIMA) or matching methods, which, if not more robust than my approach, would provide further results for comparison. Researchers could use more data, specifically by extending JORA into the past (2012), future (2016 to 2017) and other regions in the EU (e.g., Eastern Mediterranean). Another data possibility would be to contrast findings from my data with third party data for reliability and accuracy. Future work could verify my results by confirming existing results using my data and methods as well as testing them using the improved models, as proposed above. Finally, findings could be greatly expanded by using similar statistical methods in new geographies, new times and

triangulating them with other methodologies (e.g., ethnography; spatial analysis). I would recommend to begin doing so by acquiring JORA data for all other EU regions in the European Patrols Network and reusing my approach.

Though my data and analysis experienced important limitations, my findings were compelling. This chapter's secondary but perhaps ultimately more long-term importance was its ability to give an independent, quantitative analysis of the relationship between maritime interdiction operations and migration. Some authors, like Marin (2011), have argued that such an analysis would be impossible, and therefore questioned if research was feasible at all. If nothing else, this chapter confirmed that such an analysis was indeed possible, and might even be so on geographical and temporal scales unheard of in the fields of migration studies and border studies. In doing so, I intended to continue an empirical foundation for research on the phenomenon on maritime interdiction operations using search and rescue begun by Carling (2007) and Williams and Mountz (2018). It will remain for future research to determine whether the statistical ineffectiveness of MIOs found here will also be discovered in other places and times.

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5 Conclusion

1 Summary of Analytical Conclusions

As the vignette with which I began my dissertation showed, CNN reporter Christian Amanpour received a rare chance to shipride with a maritime interdiction operation (MIO) in the Central Mediterranean Sea on 21 May 2015 (CNN 2015). She believed she had joined a rescue mission designed to free migrants. Amanpour parsed her personal experiences of her journey with the Italian Navy through this lens. But as this dissertation demonstrated, what she participated in and saw was *interdiction*, or the practise of blockading the sea to halt and control the movement of contraband – *human* contraband. Interdiction that the EU, through Frontex, practised using militarised border enforcement operations. The European Patrols Network (EPN) used search and rescue to interdict migrants before they could arrive to the EU. Despite being within the EU's jurisdiction, then, migrants remained precariously lodged outside of its territory, dramatically altering their physical, legal and political geographies. MIOs using search and rescue therefore made it possible to arrive somewhere yet simultaneously not be there.

Where did migrants arrive, if not the EU? Migrants arrived in a nominally stateless but de facto state legal jurisdiction, which operated using Elden's (2013) *imperio*. Recall from Chapter 3 that territorial seas did not bound search and rescue regions. Chapter 3 also empirically established that interdiction occurred far beyond sovereign territory using search and rescue. Naval warfare allowed use of enforcement instruments

up to and including capture and destruction. International maritime law thereby enabled states to control and management movement of migrant boats far beyond territory.

The question now becomes one of jurisdiction: what legal regime the interdicted fall under. Migrants and boats without a valid flag state were nominally in stateless zones, since states had few legal rights to implement domestic or regional law beyond their territorial seas. The Government of Italy and EU, moreover, exploited interdiction via search and rescue to selectively apply their laws. The Government of Italy, for example, repeatedly claimed that domestic and regional laws did not apply to the interdicted (Government of Italy 2010). Yet, at the same time, they implemented laws on migration and border control to halt, detain and move migrant bodies and boats. Like Mountz's (2010) long tunnel thesis, enforcement authorities, such as Frontex, argued that interdicted migrants had not crossed the threshold of the border, and therefore were neither in Italy nor the EU. They therefore could not benefit from domestic or regional human rights law or asylum law. States thereby internalised interdicted migrants into their *de facto* legal jurisdiction.

Search and rescue regions were spaces of imperio, not territory. In Maillet et al. (2018), we showed how the Central Mediterranean Sea's search and rescue regions internalised migrants. Imperio specifically involved a form of rule that was fundamentally boundless, limitless and administrative. Imperio was boundless in that it had no final spatial boundary and was therefore not contained like territory. It was limitless, bureaucratic and administrative in that there were only internal checks to its power.

Finally, the object this imperio's rule was not space itself, but migrants and their boats.

While interdicted migrants who arrived to the EU via search and rescue were nominally stateless, the Government of Italy and EU entangled law and geography to produce de facto jurisdiction.

The EU implemented a maritime interdiction network using search and rescue, the EPN, which interdicted at least 462,813 “illegal migrants” in the Central Mediterranean Sea between 2006 and 2015. This involved 15 discrete, militarised and semi-secret MIOs at a cost of 126.9 million 2014 Euros. My dissertation explored and mapped these operations and their geographies between 2006 and 2015.

I examined three core research questions. First, I examined how the European Patols Network came into being in the first place. This served to show that the EU purposely created regular MIOs using search and rescue to interdict migrants by 2006. It also justified my subsequent analyses of their histories, functions and outcomes, each of these depended on the network having two specific properties: intentionality and internalisation.

More specifically, Chapter 2 identified and explained the creation of the European Patrols Network in the EU between 1985 and 2006. To explain its rise, I initially gave a structural narrative of the evolution of interdiction at sea through the concept of the external border. I then supported this narrative with a structural theory of internalisation. My central argument was that EU authorities, as led by Frontex, used search and rescue to internalise the external objects of security via legal inclusion in order to exclude them at

key moments over time. The Network's creation was a deliberate policy developed by EU policymakers at key moments over time. It fit into a wider system of border security whose goal was to manage illegalised movement in "all stages and places".

Second, and based on the EPN's properites, I examined and explored its operations in the Central Mediterranean Sea in order to describe them for the first time. I showed the existence of these operations, their inner workings and their basic empirical outcomes. I then proceeded to statistically reveal that search and rescue was empirically critical to their interdiction practises over time. I subsequently demonstrated that search and rescue was also vital to spatial externalisation. These analyses led me to conclude that search and rescue was indeed the primary spatial and legal tool of maritime interdiction in the Central Mediterranean Sea between 2006 and 2015.

Chapter 3 theoretically and empirically revealed that search and rescue was instrumental in Frontex's maritime interdiction operations in the Central Mediterranean Sea between 2006 and 2015. I showed this via four analyses. I conducted a theoretical and literature review of the key links between search and rescue and modern maritime interdiction. I then described the evolution of both in my study region and time. I proceeded to give the first detailed account of these operations to show how they worked to interdict migrants. Last, I statistically showed that search and rescue was empirically instrumental in maritime interdiction via three subhypotheses: increases in (1) the use of search and rescue over time, (2) outward spread of interdiction geographies via use of search and rescue and (3) more migrants interdicted as a consequence of these shifts. I

found all three relationships to be statistically significant and positive, therefore supporting an undeniable connexion between search and rescue and maritime interdiction.

Finally, and from my empirical demonstration of the relevance of search and rescue, I put these maritime interdiction operations to unprecedented statistical testing to determine whether they were effective at stopping current or future migration. This analysis functioned to understand whether social theories assuming or arguing for the (lack of) effectiveness of such operations had empirical support. Given that such operations were statistically ineffective, and that they had a functionalist structure, it then followed that there must be other appropriate explanations for their continual use and enhancement.

In Chapter 4, I uncovered that there existed no statistical relationship between maritime interdiction operational intensity and current or future migration in the Central Mediterranean Sea between 2009 and 2015. I found this result using a time series analysis of complete interdiction data from two data sets acquired through freedom of information requests with Frontex. My statistical analysis achieved a fine-grained, literally day-by-day analysis of 3,256 boat interdiction incidents involving 462,813 interdicted migrants over 3,241 operational days in 12 MIOs. My results gave important evidence against previous theories which argued that MIOs had a clear deterrent effect that made them valuable tools of migration management. Contrastingly, they supported scholars who argued that this general ineffectiveness reflected the political functions of MIOs.

Finally, in this Conclusion, I bring together and review the conclusions of Chapters

2 to 4. I make further, speculative inferences on the nature of maritime interdiction via search and rescue as a means of border enforcement at sea. I review and contrast my findings with previous literature related to maritime interdiction and migration in the border studies and migration literatures. I then suggest future lines of enquiry for research and conclude the chapter.

2 Wider Lessons from Arriving Somewhere, Not Here

2.1 Maritime Borders

A body of scholarship addressed the location, description and function of maritime borders. With respect to migration and mobility, my findings support recent work that suggested that the border is hugely dispersed and moves with the body (Carrera 2007). I further this analysis by adding that this is because border enforcement authorities *imbue* and embody the border with meaning by making it the object over which they exercise power, as described in Chapter 2. It was therefore no accident that migration could be properly understood as a security threat to the EU (Boswell 2003; Ceriani et al. 2009), since internalisation was precisely the process through which states included migrant bodies and boats as security threats in order to exclude them. My dissertation additionally showed just how continuous and powerful the constructed political risk to the EU's very political integrity had become by 2006.

My conclusions supported claims that the border's function for the state were heavily political. I agree with scholars who argued that the border was located where the state tried to preserve its power and thereby legitimacy (Balibar 2003; Ceriani et al. 2009; Van Selm and Cooper 2006); however, I disagree that these states designed this place to

preserve sovereignty. This was because, as I demonstrated, MIOs using search and rescue intentionally went beyond established practises and notions of sovereignty and territory. These spaces instead functioned as sites of *imperio* via governmentality (Maillet et al. 2018). The general ineffectiveness of MIOs moreover supported these spaces' use as a form of political spectacle: a wall standing against wider social forces (Brown 2017; Carrera 2007; de Genova 2013).

Scholars claimed that states achieved the securitisation of migration via narration and construction of crisis. Hyndman's (2015) and Campesi's (2011) observation that securitisation operated by moving "regular politics" to security using a discursive rhetoric of emergency, threat and danger to justify extraordinary measures clearly applied to MIOs in the Central Mediterranean Sea between 2009 and 2015. As I argued, however, those exposed to the process of internalisation were never part of regular politics to begin with; they were not pushed out from the inside, but rather pushed out *after* being brought in to the state's politics via security. This internalisation thus represented the opposite of Agamben's (1998) *camp*. My findings bolstered those who showed that efforts to manage migration tended to intensify crisis, thereby justifying its own perpetuation (de Haas 2007; Loyd and Mountz 2014). The strength, enhancement and continuity of MIOs using search and rescue, despite their ineffectiveness at deterrence, uncovered their reality as a product of fast policy (Peck and Theodore 2015). It was apparent that these operations were born of rapid policy diffusion from states such as the United States and Australia (Guilfoyle 2009; Mountz 2010).

My dissertation found that - on some level - borders as colloquially understood simply do not exist at sea (Goodwin-Gill 2011). Maritime borders did not adhere to notions of the border applied on land, especially that of the topology of fixed containers of sovereign power (Elden 2013; Steinberg 2001). Klepp (2011) did partial justice to this space's distinctions through her description of maritime borders as a "multi-sited area of negotiation", where international norms were modified and adapted by various actors pursuing their own agendas through informal or even illegal practises. Other scholars also identified that the explicit deployment of MIOs as border spaces were an effort to enforce migration authority without remedy to international legal obligations (Fischer-Lescano et al. 2009; Gil-Bazo 2006) and as political spaces where states performed crisis (Huysman 2006; Mountz 2010). Search and rescue specifically fulfilled both of these roles through rhetoric and practises of humanitarian emergency and international law.

Some claims about maritime borders were not supported from my conclusions. I particularly disagree with Carrera's (2007) and Coppens' (2013) assertion that the extension of border control into third countries required a legal basis in bilateral agreements, since EU states repeatedly operated in Libyan maritime spaces even without formalised agreement. Search and rescue was the legal foundation of these practises, which, owing to its partial absence of spatial limits, justified application of imperio to interdiction practises. I also find no evidence for the implementation of securitisation via internalisation as a precautionary principle to migration: the EU designed the EPN to stop

its own clearly defined threat rather than an unknown, potential one (Aradau and Van Munster 2008).

Further, and as demonstrated in Chapters 2 and 4, MIOs using search and rescue as a border policy were not aimed at controlling who entered space, but rather *how* they did so (Gil-Bazo 2006). As Maillet et al. (2018) showed, changing the geography of entry using border enforcement correspondingly changed the legal and political regimes which applied to migrants and boats. More conclusions added more nuance to Mountz and Loyd's (2013) thesis that regional analysis overlooks daily life and politics surrounding migrant movement. From a philosophical perspective, a sufficient explanation of structural social forces, including politics, must be able to describe how macro-level forces affect micro-level interactions, which therein contribute to structure (Little 1991). While I concur that we must therefore understand contextual relations and everyday practices, a regional analysis facilitates the connexion of those forces to larger social forces which constrain the everyday. Both should be understood in conjunction with one-another, and my dissertation forms the structural side of deeper, contextual analysis produced by previous scholarship.

2.2 Maritime Interdiction Operations

Previous work identified, described and explained the origin and deployment of maritime interdiction in the modern era. The case of maritime interdiction in the Central Mediterranean Sea gave insight into its modern evolution and structure with respect to migration. Military and legal scholars understood interdiction as the "use of naval force to

prevent import by sea of specified contraband items" (Olson 1993). While MIOs in the Central Mediterranean were not intended to achieve "military objectives" or act as a siege tactic (Jones 1983), EU border enforcement agencies used militarised assets and spatial strategies in order to achieve wider political goals (Bialasiewicz 2012; Tazzioli 2016). Obstinate cloaked in the practise and rhetoric of rescue, MIOs nonetheless confronted nominal free movement at sea with restrictions via interdiction (Ziegler 1995). Morabito (1991) made an astute observation in that, given the lack of directly applicable maritime law, the EU and its member states created or borrowed international practises for MIOs, such as search and rescue.

Scholars argued that the evolution of maritime interdiction pushed from territorial ports and seas to the high seas to enhance efficiency (Jones 1983). Though the general logic of this conclusion applied in my findings, its inferences did not. Maritime interdiction pushed far beyond the high seas using search and rescue, and did so despite its demonstrable ineffectiveness at deterring migration.

Maritime interdiction operations in my dissertation made heavy use of but modified historical interdiction practises. MIOs, for instance, gave notice to interdicted ships and allowed neutral ships to continue unabated; however, they substantially deviated in not specifically targetting other states, and failing to completely, impartially interdict all ships in their patrol areas (Jones 1983; London Naval Conference 1909). Despite violating these classic rules, MIOs frequently practised all available, acceptable enforcement measures, up to and including vessel diversion, capture and destruction (Hazen et al.

2003; Ziegler 1995). They also made use of military assets, techniques and scientific methods, such as detention, interrogation, risk modelling and statistical analysis (Dawley 2003; Ziegler 1995). Guilfoyle's (2009) description of maritime interdiction using search and rescue remained accurate for the 12 MIOs in my dissertation.

My findings confirmed that operations remained centred around the implicit notion of "contraband". Frontex made hidden use of laws of naval warfare which specifically tasked enforcement with identifying and controlling the movement of contraband, which was destined for to carry out political violence (Jones 1983; Paris Declaration 1856). MIOs using search and rescue to interdict migrants mirrored alternate, modern versions of pacific blockade, such as embargo or naval quarantine (Olson 1993; Ziegler 1995). Participants in these MIOs obstinately insisted the legality of operations by using different terms and thereby obfuscating their function as a blockade of human beings (Dawley 2003; Jones 1983; Morabito 1991). The United States, where deploying these practises against migrants originated, specifically used these terms and spatial tactics to human migration, which the EU and Italy later borrowed (Dawley 2003; Guilfoyle 2009). My findings thus confirmed Guilfoyle's (2009) claim that these practises had been transferred in their entirety to the EU context. Ultimately, then, MIOs in the Central Mediterranean Sea between 2006 and 2015 were blockades in all but name and deployed their most powerful spatial and legal tactics while evading many of their associated international obligations.

2.3 Migration by Boat

Academics and policymakers debated the relationship between migration by boat and maritime interdiction operations. My findings were in a position to contribute to this debate. In terms of narration, scholars posited that the dominant discourses of migration by boat were those of transnational threat and, secondarily, protection of human security (Lutterbeck 2006; Pugh 2004). My findings demonstrated that these were true in the case of MIOs in the Central Mediterranean Sea between 2009 and 2015. EU policymakers further entwined these narratives in order to use humanitarianism as a necessary means to handle the protracted health, cultural, social, economic and security risks migrants allegedly posed (Hamood 2006). Given that humanitarianism in interdiction was a tool of governmentality (Tazzioli 2016), the use of the search and rescue regime was far less controversial than that of border control (Tondini 2012). It was for this reason that my research confirmed border enforcement agencies called their activities "search and rescue operations" in spite of obvious practices of interdiction (Tondini 2010).

Goodwin-Gill (2011) claimed that freedom of movement at sea had become effectively illusory for migrants due to state responses to migration by boat. My dissertation supported this claim, adding to it by demonstrating Moreno-Lax's (2011) argument that the EU achieved minimum compliance to international law by using a fragmentary reading of its norms. While the fact was that by using search and rescue, EU member states justified their actions based on the protection principle and accessed that regime's resources, the term remained intentionally legally ambiguous (Matthew 2003; Miltner 2006; Tondini 2012). As my study showed, interdiction had different

characteristics than search and rescue (Moreno-Lax 2011). To thus launch operations premised on interdiction at all clearly violated international norms of search and rescue, thereby imperiling that regime's functioning.

Migration by boat uncovered gaps in the topology of state power between sovereignty and jurisdiction (Goodwin-Gill 2011). Contrary to Mailla (2011), I found that the militarisation and externalisation of the Mediterranean Sea's border spaces explicitly made use of alleged risks to one member state to justify EU-level action (Lutterbeck 2006). My results extended Mainwaring's (2008) central conclusion: MIOs in the Central Mediterranean Sea revealed an EU policy focus on *internalisation* as well as externalisation of migration by boat.

Practises of search and rescue in interdiction of migration by boat reflected the EU's deployed legalities and politics. The broad limits on restricting freedom of movement in international maritime law necessitated the use of another instrument for interdiction: search and rescue (Klepp 2011; Miltner 2006).

My dissertation revealed that Frontex empirically conflated interdiction with search and rescue in its operations, and that this conflation only increased over time, until interdiction was effectively the same as search and rescue (Moreno-Lax 2011). This growth contributed to a "ratchet effect" by which militarisation drove migrants into even more extreme risks, which, in turn, enhanced calls for crisis management (Andreas 2000). I showed that the instruments of interdiction even went beyond migrants boats, such as visa requirements, carrier sanctions, immigration liaisons, which fostered imperio.

Previous work identified wider-ranging consequences on migration by boat due to the operation of maritime interdiction. Although I did not explicitly analyse it, the continual, complete interdiction, detention and deportation of migrants would be expected to produce a situation akin to Matthew's (2003) "refugees in orbit". Work by Hamood (2006), among others, uncovered that many of those who arrived in Libya, for example, repeated the journey. This was despite previous failure and the fact that the overwhelming majority of migrants were aware of the risks before they travelled (ibid). The "region" as a spatial solution concept to this movement in my research explicitly required the broader blurring of the internal/external (Mountz and Loyd 2013; Wolff 2008). But in as much as Frontex initially developed the Central Mediterranean as a spatial solution, it continually broke sovereignty and territory through its focused application to migrant bodies and boats regardless of physical, legal or political location. States blurring the internal and external, then, meant to confound the positionality of migration by boat. Blurring entailed *inclusion* of interdicted migrants in the margins so *exclusion* could occur.

To blur the internal and external in my findings then meant to confound the positionality of migration by boat: to include it in the margins; to make room for exclusion to occur.

3 Future Lines of Enquiry

My research presents an abundance of future lines for enquiry. Here I explore five particular projects which I propose to undertake. First, to explore and map what happened to interdicted migrants in my research. Second, to construct a better-defined, explicit

theory of internalisation for reuse in other research. Third, to conduct a deeper, genealogical analysis of the modern history of maritime interdiction operations in migration. Fourth, to extend my analysis of search and rescue's relationship interdiction to additional geographies and times, beginning with the EU. Last, to enhance my dissertation's existing analysis using new and improved data. All five lines of enquiry will distinctly enhance my findings.

One of the most interesting related questions in my research has been: What happened to interdicted migrants? Where did they go? While, by now, I have established the existence and functioning of MIOs in the Central Mediterranean Sea, their effectiveness was but one of their outcomes. A second, and arguably as important, outcome was the fate of the interdicted. I therefore propose an analysis to empirically track the fate of interdicted migrants using process mapping. This would further serve to establish the human costs of MIOs as well as re-emphasise migrants's basic humanity. It would also give insight into controversial practises of deportation and detention conducted by the Government of Italy and EU over time.

I forward two social theory-based lines of enquiry. Although I presented, explained and briefly applied internalisation in my thesis, its complexity and importance require further research. In this work, I submit to more fully develop the theory of internalisation via a closer engagement with social theory. I will also make use of multiple case studies to provide context and evidence for my theoretical positions, especially with respect to Agamben's *camp*.

Migration and border studies have yet to analyse the origin of maritime

interdiction operations in migration management. This lack of analysis represents a major analytical gap, especially given how much work exists on migration by boat. My dissertation briefly uncovered an interesting, highly relevant genealogy to MIOs. Based on this preliminary work, I propose we construct a wider genealogical analysis of MIOs in migration. Part of this work must entail a larger encounter with social theory to understand and explain *why* and *how it was possible* MIOs came to be as they are today.

Finally, I outline two further lines of enquiry based on extending my dissertation's empirical findings. First, I advance to repeat and extend my methodological approach to new regions and times. This extension will function to verify and generalise findings on the relationship between search and rescue, interdiction and geography. Immediate opportunities will be available in other EU regions, which have the same data and availability as the Central Mediterranean did for my study. Research could therefore, for example, be quickly taken up in the Western and Eastern Mediterranean.

Last, I submit to extend my thesis research by recompleting my empirical analyses with improved data. As of 2017, for instance, Frontex began releasing specific spatial data for boat identification and interdiction in the Central Mediterranean Sea. Conducting a spatial analysis of these data will allow a detailed description of the routes border enforcement authorities use, as well as their spaces. A statistical analysis of these data will enable me to estimate externalisation over time in *specific directions*, meaning that it will be possible to map where the border expands to. A longer range but highly relevant

data improvement will be to gather data on *all* migrant journeys, not only those interdicted. My analysis currently experiences baseline and differential treatment biases due to the lack of control group for analysing interdiction. While this does not invalidate my findings, we will gain much more statistical information and accurate measurements of the effects of MIOs using data including all migrants.

4 Arriving Somewhere, Not Here

I chose the my dissertation's title, "Arriving Somewhere, Not Here", based on its connotations for the migrants interdicted by the EU's maritime operations as well as my own life. The title is also a track by artist Porcupine Tree; its lyrics describe a personal transformation which brings one to a place where they never expected to be. One can only reach this unknown, uncharted space by confronting their deepest-held beliefs and watching them crumble apart. Though it may seem as if all is lost, there hides a chance for something different – if one can only see and embody the potential of growth.

There appears a cosmic paradox living in a world where life is born, lives and dies. To have to witness the daily loss of everyone we have or could know only to become cosmic fertiliser. To bear the secondary trauma of the struggle of hundreds of thousands of migrants to go somewhere new; to be something different. To hear how they toss the bodies of people they love dearly into the ocean while I get to sit comfortably at an office desk, reporting on it all. And I laugh at this because it is how I have learned to cope in having to do this over and over again. Can we be something different?

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6 Appendix: A Brief Analytical Update for 2016 and 2017

Maritime interdiction operations continued in the Central Mediterranean Sea after I finished collecting data for my dissertation at the end of 2015. I extended my data to incorporate Frontex-related MIOs from the beginning of 2016 to the end of 2017.

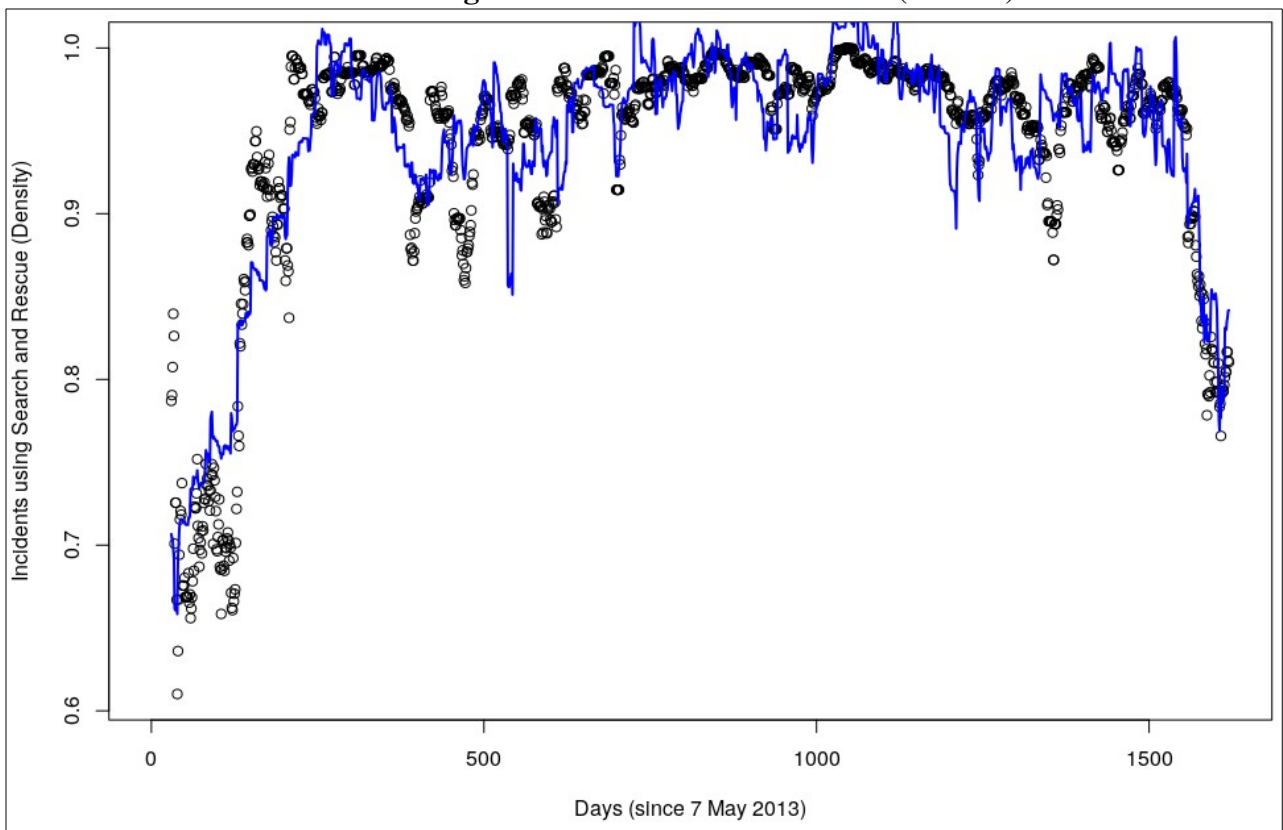
Since 2015 there were two additional iterations of Operation Triton. As noted in Chapter 3, Triton continued its function in combining and taking over from Operations Hermes and Aeneas. These two additional MIOs cost a total of 76.67 million 2014 Euros over 629 operational days active, and were associated with 286,559 interdicted migrants in 2,770 incidents (Frontex 2017a-b). This brought total statistics related to MIOs in the Central Mediterranean Sea between 2006 and 2017 to 14 MIOs at a total cost of 203.7 million 2014 Euros over 4,114 operational days active with 749,372 migrants interdicted in 6,255 incidents.

The general structure, tactics and spaces of Triton remained similar to the end of 2015. Search and rescue remained the primary means by which authorities initiated interdiction, reaching its peak in Spring 2016 (Figure 6.1). One notable change has been the slightly decreased use of search and rescue towards the end of 2017 due to the increased presence and function of the European External Action Service's EUNAVFOR Med (or Operation Sophia), a coordinated, formal EU military operation in the region designed to interdict and destroy migrant boats near the Libyan Coast (EEAS 2018).

The overall frequency of interdiction and its spatial location also remained relatively constant. MIOs interdictions corresponded with biannual, seasonal cycles, which experienced roughly similar peaks each throughout 2014 to 2017 (Figure 6.2)

(Frontex 2017a). This consistency occurred in spite of persistent increases in Triton’s budget from year-to-year and the presence of additional operations, like Sophia or Italy’s Mare Sicuro. Based on available spatial data, the average interdiction incident occurred near 33.6 degrees north and 13.2 degrees east, which was about 40km north of Tripoli and 150km southeast of Lampedusa (Figure 6.3). This spatial mean featured a standard deviation of about 0.85 degrees north-south and 1.74 degrees east-west. Even taking this variance into account, the spatial location of interdiction using search and rescue was far beyond even the EU’s search and rescue regions, which terminated at 34.4 degrees north.

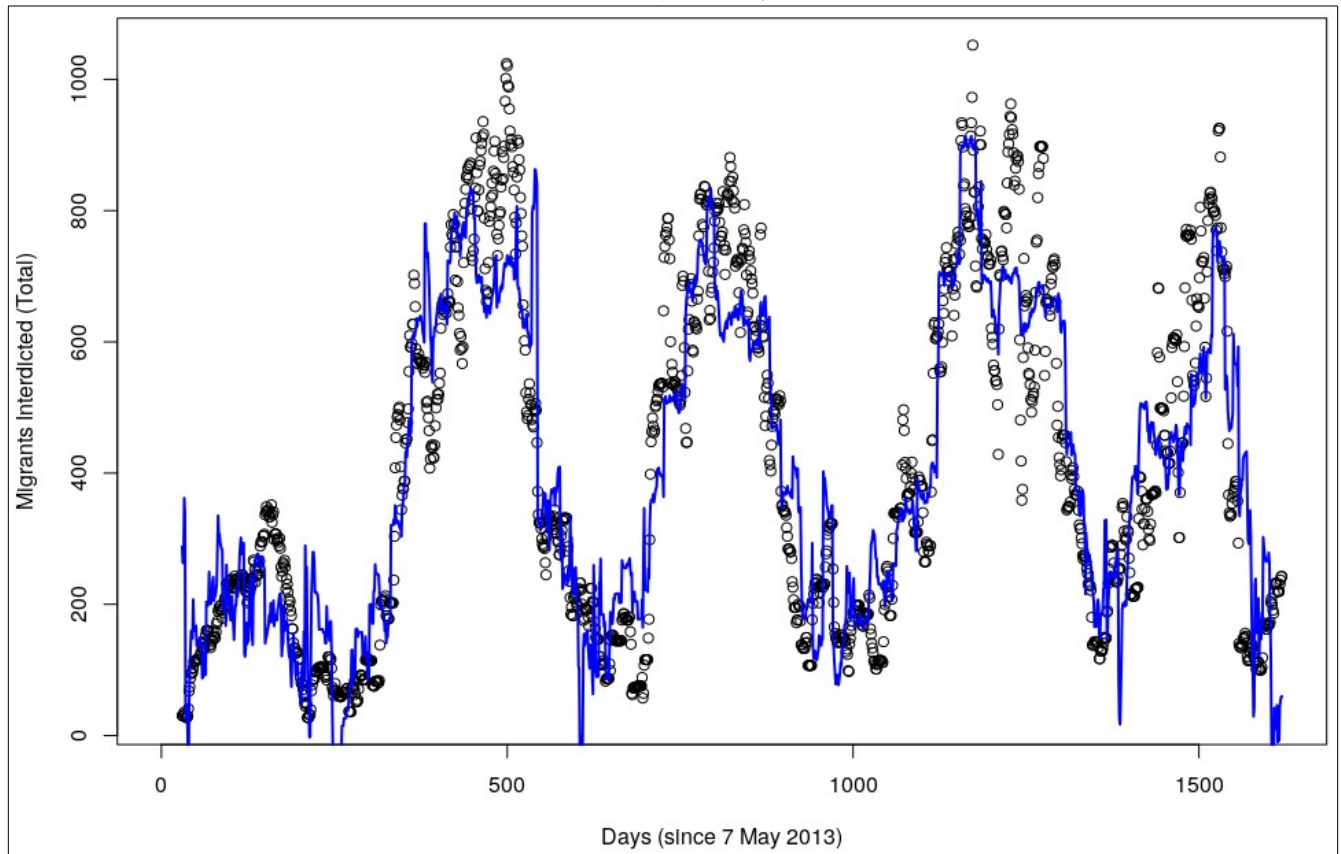
Figure 6.1. Distribution and Fitted Sinusoidal Model of Incidents using Search and Rescue over Time (n=1620)



Notes: Blue line – fitted sinusoidal model values.

Maritime interdiction operations were still generally ineffective at deterring migration (Table 6.4). Because of the presence of Operation Sophia, moreover, by the end of 2017 search and rescue lost its significant association with interdiction in the Central Mediterranean. Time and geography remained significant factors associated with interdiction. Overall, these findings maintained a failure to support the core hypothesis of Chapter 4 that maritime interdiction was associated with decreased current or future migration.

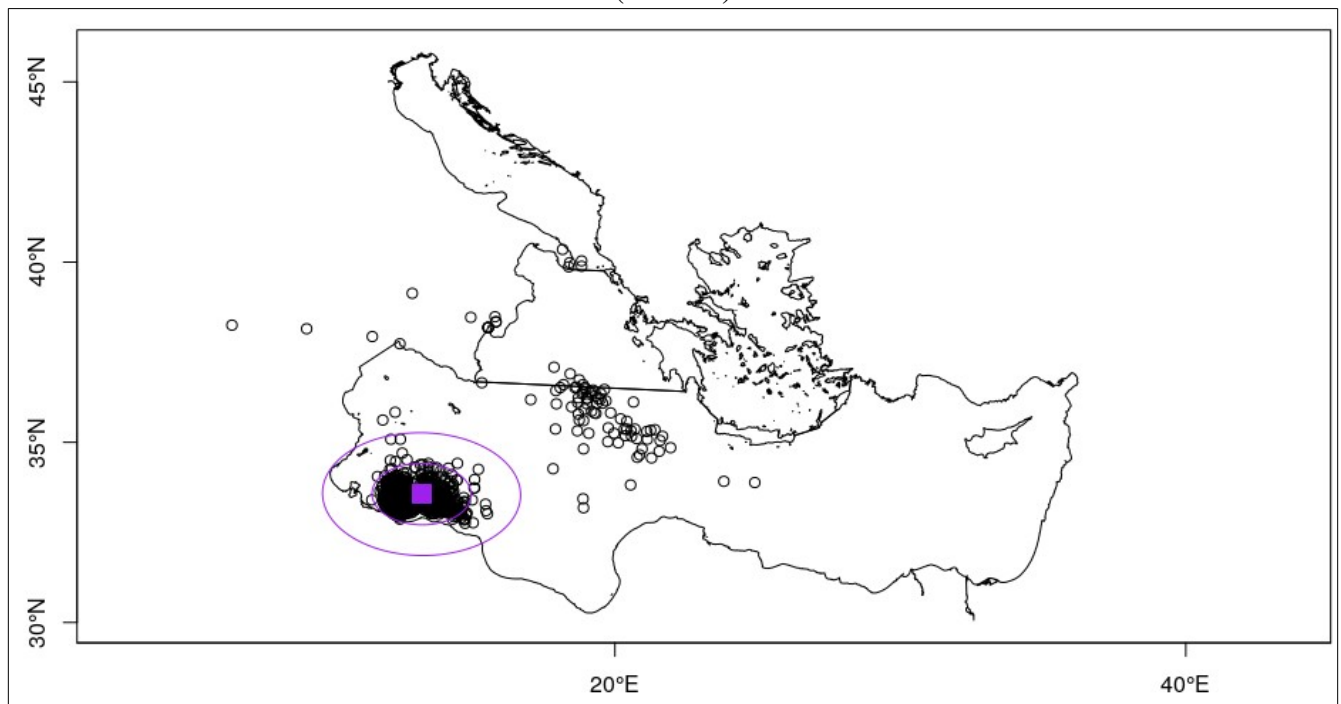
Figure 6.2. Distribution and Fitted Sinusoidal Model of Migrant Interdiction over Time (n=1620)



Notes: Blue line – fitted sinusoidal model values.

The analytical conclusion of my dissertation’s update was that maritime interdiction operations using search and rescue continue to be stronger than ever in the Central Mediterranean Sea. Given long-standing EU policy and current politics, there will be no apparent end in sight for such EPN operations in the region in the foreseeable future. Search and rescue will therefore continue to be used by Frontex and the wider EU as an instrument of interdiction, affecting the fate of the lives of hundreds of thousands of migrants each year.

Figure 6.3 Spatial Coordinates of Interdiction Incidents between 2016 and 2017
(n=1464)



Notes: Black circles – interdiction incidents; Purple square – spatial mean;
Purple ellipses – first and second stanard deviational ellipses.

Table 6.4. Model Results from Analysis of JORA Data Set, 2016 to 2017 (n = 600)

Variable	Coefficient	Standard Error
Intercept	-8118.45***	605.40
Operational Spending per Dayx1000	-5.06	3.84
sin(Month)	130.63***	17.98
cos(Month)	188.13***	11.36
Day	0.54***	0.16
Use of Search and Rescue in Interdictions (Density)	120.93	349.28
Outside Operational Area in Interdictions (Density)	-105.98	93.09
Operational Area: Calabria Interidctions (Density)	7853.09***	1002.41
Operational Area: Pelagic Islands Interidctions (Density)	8554.83***	748.96
Operational Area: Puglia Interidctions (Density)	1975.51*	774.45
Operational Area: Sicily Interidctions (Density)	8564.54***	767.86

Notes: Statistical significance beyond - *: 5%; **: 1%; ***: 0.1%. Uses Huber-White standard errors.

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