Maritime Migration and Maritime Rescue in the Central Mediterranean: Perspectives of Key Actors

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ABSTRACT

This paper is part of a larger research project on Search and Rescue (SAR) in the Mediterranean at DeZIM and complements a quantitative study testing and disproving the claim that rescue facilities in the Central Mediterranean represent a pull-factor for migration (Rodríguez Sánchez et al. 2023). It summarises the findings of qualitative interviews conducted in winter 2021/22 analysing the institutional arrangements, the drivers of migration and the nature of and dealings with migratory risks as *perceived* by some key actors. In sum, and in contrast to simplifying assumptions, there is super-directional migration by a super-diverse and changing cohort of migrants acting in a super-complex environment that is super-volatile, resulting in highly complex processes. In order to analyse this case and develop appropriate policy responses, a complexity thinking approach is required.

KEY FINDINGS

1. There is not simply one type of migration to consider, such as from the northern African shores to the EU, but many. These are: (1) emigration from countries of origin, (2) immigration to Libya and Tunisia, (3) transit or onward migration from Libya to Tunisia, (4) transit migration after a short stay (less than three months) or onward migration after a longer stay (three to 12 months) from Libya or Tunisia to Italy, (5) serial migration after a stay of more than 12 months in Libya or Italy, (6) involuntary (forced departure) and onward migration, (7) human trafficking, (8) unintended migration to Malta, (9) repeated attempts and repeated migration, (10) immigration to Italy or transit and (11) onward migration from Italy to northern Europe.

2. There is not simply one Central Mediterranean route. Instead, migration occurs on several routes, for example: (1) Egypt overland to eastern Libya, (2) Sudan via Libya, Tunisia and Algeria and on to Morocco and Spain, (3) eastern Libya/Benghazi to Italy, (4) western Libya to Lampedusa or Italy, (5) Algeria and (eastern) Tunisia to Lampedusa, Sicily or even Sardinia and (6) Turkey to southeast Italy. The route to Malta is no longer active. The Central Mediterranean route now intersects with the Eastern and Western Mediterranean route.

3. For the overwhelming majority of migrants, around 88%, Libya is a destination country promising employment and income. Onward migration from Libya and, since 2022, from Tunisia is usually unintended. The intention to migrate to the EU is usually a response to the deteriorating conditions and worsening security situation in Libya, and since 2023 also in Tunisia.

4. The interviewees generally agree (a) that conditions in Libya and Tunisia are key drivers of migration and (b) that smugglers and authorities collaborate and share profits, notably in Libya. Therefore, EU and Italian support of Libyan authorities and coast guards not only strengthens law enforcement but also consolidates the power of those actors who are the cause of the worsening security situation and the violence against migrants and refugees. It thus indirectly contributes to the drivers of forced migration. In addition, EU and Libyan support also indirectly benefits smugglers, because they are usually connected to authorities.

5. In the Central Mediterranean, there is an extremely large number of actors, including state actors, EU agencies, international organisations, civil society and private actors. These are dispersed over four countries and a sea that is divided into five territorial waters, the international waters and the Italian, Greek, Maltese, Tunisian and Libyan rescue areas—the last of which is de facto divided into a government-controlled western part and two warlord-controlled zones in the east (Benghazi). At every step in the migration process, there seems to be another actor, from the state or civil society of one of the five countries affected, who has or claims to have responsibility.

6. The different state, international and civil society actors have different definitions of maritime distress and thus different criteria for intervening and launching a rescue operation. NGOs have a broader definition of what constitutes distress, while state agencies have a narrower one. Therefore, state agencies and NGOs set for themselves different points of intervention. These definitions are thus inconsistent and a cause of controversy in practice.

7. The key problem that civil society actors mention when responding to maritime distress situations is a lack of communication between state and non-state actors. This is described as deliberate refusal to coordinate and communicate between the different actors.

8. A distinction has to be made between interception and rescue. In Libyan or Tunisian territorial waters, boats are usually intercepted and then pulled back. Beyond Libyan or Tunisian waters, boats are rather rescued—in international waters by NGOs and occasionally by commercial vessels, and in EU waters by national authorities. National authorities have largely withdrawn from international waters.

9. Seven types of risks related to maritime crossing can be identified: (1) conditions prior to embarkation (violence, torture), (2) the build and quality of boats and engines and the petrol supply, (3) weather, notably weather shifts, wind force and sea state, (4) lack of driver experience, (5) conditions of crossings (fumes from engines, exposure to petrol, lack of supplies and, in particular, of water), (6) health problems (seasickness, pregnancy, psychological problems) and (7) risks from interception operations and push-backs.

10. All actors agree that migrants and refugees are largely aware of the risks of the crossing, but that not all might be aware of all risks. Dealing with risks involves a trade-off between staying and facing the long-term risks in the country of origin or in Libya or crossing and facing the short-term risks at sea. Different communities have different social and informational capital. There is also false information on risks. As a consequence, certain groups may face higher risks, notably sub-Saharan Africans and women. Hence, risks are racialized and gendered.

11. The vast space and the patchy surveillance and rescue network, as well as the continuously high level of lives lost at sea, demonstrate that rescue remains unreliable, that migrants and refugees cannot count on rescue and that the risk of dying at sea is significant.

12. No actor interviewed believes that maritime rescue is a pull-factor; instead, all share the view that, apart from conditions in the countries of origin and the attraction of the EU, the main drivers are conditions in Libya.

13. In sum, there is super-directional migration by a super-diverse and changing cohort of migrants acting in a super-complex environment that is super-volatile, resulting in highly complex processes. In order to analyse this case and develop appropriate policy responses, a complexity thinking approach is required.

Introduction

In 2023, 157,651 sea arrivals were recorded in Italy and 1,908 people were recorded dead or missing; (UNHCR 2024a). By April 2024, numbers were down again to a faction of this, 16,137 (UNHCR 2024b) so that 2023 appears to be an exception. In January 2023, there were 706,062 migrants and refugees registered in Libya (IOM 2023c) rising to 719.000 in 2024 (IOM 2024). By July 2023, about 85,000 people reached Italy and 1,815 were reported dead or missing (IOM 2023a). In 2023, the greatest number of people arriving in Italy came from West African nations (Ivory Coast, Guinea), followed by North African nations (Egypt, Tunisia) and South Asian nations (Bangladesh, Pakistan); in 2022, the greatest number came from Bangladesh, as again in 2024. As of July 2023, 8,800 people were intercepted and returned to Libya. In 2022, 24,700 were intercepted and returned to Libya (IOM 2023b) and up to 26,500 were intercepted and returned to Tunisia (FTDES 2023).

In comparison, the peak of daily arrivals, which was 2,808 on 24/3/23, is still way below the peak of 5,500 on 5/10/2016 (UNHCR 2023a). In 2022, 105,000 arrivals were recorded in Italy (up from 34,154 in 2020, and down from 119,369 in 2017), 1,373 were reported dead or missing. Arrivals included 28,000 unaccompanied minors.

Of the arrivals, 77,200 applied for asylum (2022) (ECRE 2023). In 2021, 2,356 were identified as victims of trafficking; this was 3.5% of all arrivals (OIT 2022). Of all arrivals, 51% departed from Libya, 29% departed from Tunisia and 20% departed from Turkey, Greece and other countries. In Malta, arrivals dropped from 3,406 people in 2019 to one boat with a few people in 2022: "the government has clearly made a decision that as much as possible, no one will be [disembarked]" (INGO 1).

During the period from 2015 to 2017, the number of sea arrivals was less than or similar to what it previously was (Ibid.); still, Frontex (2023) referred to developments in a somewhat alarmist tone ("increase of 64% from the previous year"), comparing the year to the exceptional conditions during the pandemic, when arrivals were low. Subsequently, in April, Italy declared a state of emergency in response to the inflow (Consiglio dei Ministri 2023).

From 2015 to 2023 (April), "615,087 lives [were recorded as] saved and 26,623 fatalities have been registered in the Mediterranean and Western African routes" (European Council 2023). Of those rescued in 2022, only about 10% were rescued by NGOs (Right Livelihood 2023). In June 2022, there were 15 NGO rescue vessels operating in the Central Mediterranean, and they were supported by three reconnaissance aircrafts. The number of vessels as well as of NGOs has been fluctuating significantly over time. In 2020, during the pandemic, there were only two vessels and two airplanes; prior to the pandemic in 2018, there were only four vessels, while over time vessels have also been prevented from rescue operations by legal proceedings (FRA 2023). NGOs also operate ashore, such as in Tunisia: "usually when there's a shipwreck we go to the scene to try and monitor if there's any rescue operations" (T-NGO).

With regards to Libya, "the security situation remains dangerous and unpredictable" (UK Government 2023). The UN Human Rights Council (2023) reports that "there are reasonable grounds to believe that migrants across Libya are victims of crimes against humanity. … Libyan authorities … have been on notice for years about the ongoing widespread and systematic attack on migrants". This illustrates the reasons why migrants and refugees in Libya seek protection elsewhere, including in the EU. Meanwhile, in Tunisia the president has taken an increasingly authoritarian approach, has failed to improve economic

conditions and employment opportunities for the youth and has inspired a wave of racial violence against immigrants in the country (Amnesty International 2023).

Migrants and their facilitators are served by Facebook groups such as "Libya to Italy" (104,000 members), "Naath in Libya" (36,000 members) and "Africans in Libya" (12,400 members). These are dedicated to stories of migrants and maritime journeys to Europe. They also advertise crossings to Italy: "new voyage from Libya, Zuwarah, to Italy, God willing, a 12-meter wooden boat. All safety equipment is available". "There's a lot of social media marketing by smugglers" (IO 1, Libya).

This paper analyses the perspectives and perceptions of (1) some key actors within the legal and institutional framework of migration governance in the Central Mediterranean, (2) migration and its drivers, (3) smugglers and boats, and (4) interception and rescue. To this end, 20 interviews with state agencies, international organisations and international and local civil society organisations in Italy (16), Malta (1), Libya (2) and Tunisia (1) were conducted.[1] However, many requests for interviews were either ignored or rejected, notably by law enforcement agencies, apart from some informal conversation. The sample is thus distorted. And while the patterns identified in the analysis can be considered valid, their range is incomplete.

Legal and institutional framework

While the situation is characterised by constant changes and thus is extremely volatile, cooperation between the various states is nontransparent, informal and even secretive, and the institutional framework is extremely diverse, with numerous actors populating the field. Indeed, the interviewees believe that there have been five major policy shifts (also see Stierl 2023); in addition, they identify no fewer than 50 different actors spread across 25 relevant sites in Italy (see figure 1), two or three sites in Malta and several sites in Libya and Tunisia.

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[1]   The interviews are confidential and were anonymised. The following abbreviations are used: European NGO 1: EU NGO 1; European NGO 2: EU NGO 2; Tunisian NGO: T-NGO; Italian NGO 1: I-NGO 1; International NGO 1: INGO 1; International NGO 2, Libya: INGO 2, Libya; International NGO 2, SAR branch: INGO 2, SAR; International Organisation 1: interview 1: IO 1:1; International Organisation 1: interview 2: IO 1:2; International Organisation 1, Libya branch: IO 1, Libya; International Organisation 2, Malta branch: IO 2, Malta; EU Agency 1: EU A 1; Italian State Agency 1: ISA 1.
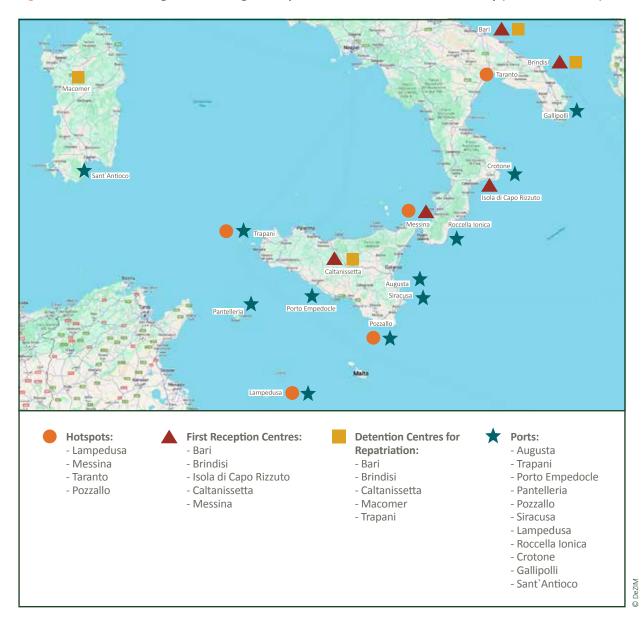
Figure 1. Main sites of migrant and refugee reception and detention in southern Italy (own elaboration)

Hotspots:
- Lampedusa
- Messina
- Taranto
- Pozzallo

First Reception Centres:
- Bari
- Brindisi
- Isola di Capo Rizzuto
- Caltanissetta
- Messina

Detention Centres for Repatriation:
- Bari
- Brindisi
- Caltanissetta
- Macomer
- Trapani

Ports:
- Augusta
- Trapani
- Porto Empedocle
- Pantelleria
- Pozzallo
- Siracusa
- Lampedusa
- Roccella Ionica
- Crotone
- Gallipolli
- Sant`Antioco

History, policies and law

In the context of irregular migration across the Central Mediterranean, policy changes began "in 2008 with the collaboration between Berlusconi and Gaddafi" (INGO 2, Libya). Another change was initiated in 2012, when organised rescue efforts were made by states and the EU, while more efforts have been made to increase the compliance of non-EU countries with EU migration policy goals (e.g. Tan & Vested-Hansen 2021). The next shift is associated with the beginning of NGO engagements in 2015. But already in 2017, deterrence by state actors began to prevail and, more recently in 2022, the new, right-wing Italian government intensified restrictions on the work of NGOs. Policies are complicated by the different relations that the EU and Italy have with Libya and with Tunisia; so far, the Libyan government has been rather compliant whereas Tunisia was rather hesitant. The latter began to change in July 2023, with the EU-Tunisia partnership package on the "fight against irregular migration to and from Tunisia," which has as its aim: "fighting against smugglers and human traffickers, strengthening border management" (EU Commission 2023). Meanwhile, the two key EU countries, Italy and Malta, take rather different approaches: whereas Italy still implements or supports

rescue operations and receives migrants and refugees, Malta almost completely ended such operation and reception. Also, one interviewee felt that Italy's policy is more transparent than Malta's.

One of the earliest organised rescue efforts reported in the Central Mediterranean, which was small in scale, was offered pre-2011 by an Eritrean priest in Italy (Arnold 2015). In 2013, following the Arab uprisings in 2011 and the increased number of crossings from Tunisia and Libya, Italy introduced the Mare Nostrum operation. In "2016 and 2017 … there was this real effort [by state actors and NGOs] to collaborate, this has stopped completely" (EU NGO 1). But after 2017, policies changed, one interviewee believed, "from push-back regime to a pull-back regime. Then came the end of the EUNAVFOR MED Sophia and the replacement by Irini". In parallel, policies in Tunisia have also changed and controls have been intensified. Simultaneously, a "withdrawal of the Italian Maritime Rescue Coordination Centre" was noted: "NGOs were persecuted during the Salvini period, there was a shift from the use of legal means for blocking us to an administrative channel, and in the Draghi period, we could verify a delay of six days to assign a place of safety" (INGO 2, SAR). At some point, "there was also quite a lot of criminalization or blocking NGO ships" (EU NGO 2). Meanwhile, "Italy continues to play a key role in indirect refoulements to Libya, continuing to equip and train the Libyan authorities thus preventing access to protection for thousands of fleeing people" (ASGI 2022). However, various courts annulled restrictions of the operations of rescue vessels by Italian authorities; they also negated that Libya is a safe country to which migrants and refugees can be returned (Scandura 2024). Courts are thus not only important actors; they also make important contributions to the legal framework.

Actors, institutions, organisational culture

There is an extremely large number of state actors, EU agencies, international organisations, civil society actors and private actors dispersed over four countries and a sea that is divided into five territorial waters, the international waters and the Italian, Greek, Maltese, Tunisian and Libyan rescue areas—the last of which is de facto divided into a government-controlled western part and two warlord-controlled zones in the east (Benghazi). Accordingly, there are five state or similar maritime rescue coordination centres (Italy, Greece, Malta, Libya, Tunisia) and a new rescue coordination centre operated by civil society, though with different functions—hence there are six in total. Communication is not well coordinated and the civil society centre is kept out of the loop; communication between Italian and Maltese actors is not good either, while the Libyan centre is generally not sharing information.

All actors have different organisational cultures and specific mandates that refer to different legal frameworks and concerns, and thus play specific roles. NGOs refer instead to international human rights, refugee and maritime law: "in terms of the legal framework we operate under the international conventions of the sea, but we also follow the Refugee Convention and the human rights conventions" (INGO 2, SAR; also see Mann & Permoser 2022). In contrast, state agencies refer to national frameworks, while some international organisations refer to both. At every step in the migration process, there seems to be another actor that has or claims responsibility. Among these many actors is an equally diverse network of interaction and communication, or often non-communication. Similarly, the actors use different vocabulary, which illustrates different policies. Few refer to refugees—civil society actors do this deliberately, it seems, so as to not contribute unduly to processes of categorisation; however, refugees are thereby rendered rather invisible (Mann & Permoser 2022). From 2019, the Italian coastguard categorises most of the search and rescue operations as law enforcement operations, which results in ambiguities regarding the reporting of their actual numbers (ASGI 2022). Most civil society interviewees perceive public and policy discourses as "securitization" (EU NGO 1) or even as an expression of "racism" (ibid).

Relations between the diverse actors display extremely complex and unequal power structures while the divergent mandates often bring actors into conflict with one another.

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Table 1. Grid of actors in the Central Mediterranean as mentioned by the interviewees

	Italy	**Malta**	**Libya**	**Tunisia**
State	- Ministry of Interior - Ministry of Transports - Italian Maritime Rescue Coordination Centre (IMRCC) - Coast Guard - Port Authority - Guardia di Finanza - Police authorities (Carabinieri) - Prefectures - Crotone reception centre, former CARA, now hotspot - Bari reception centre, former CARA - Questura, immigration office - Prison in Catanzaro - Order of Malta, medical staff	- Armed Forces of Malta (AFM), (performing coast guard duties) - Rescue and Coordination Centre (RCC Malta) - Agency for the Welfare of Asylum Seekers (AWAS)	- Ministry of Defence - Joint Rescue and Coordination Centre (JRCC) Libya - General Administration for Coastal Security (GACS) - Security Stabilization Apparatus (SSA) under the presidential council - Directorate for Combating Illegal Migration (DCIM), under Minister of Interior - Libyan Coast Guard - Libyan Navy, in the east	- Tunisian Navy - Guarde Nationale Maritime (performing coast guard duties) - MRCC Tunis
EU	- Frontex - EUAA	- Frontex - EUAA	- EUBAM	
Int Org	- UNHCR - IOM	- UNHCR - IOM	- UNHCR - IOM, Border Management Unit	- UNHCR - IOM
NGOs and Civil society	- Save the Children - Doctors Without Borders (MSF) - Alarm Phone (AP) - Civil Maritime Rescue and Coordination Centre (CMRCC) - Open Arms - Sea Watch, Airborne - Borderline Europe - Mediterranean Hope (MH)	- Order of Malta, medical staff - Jesuit Refugee Service (JRS)		- FTDES - Doctors Without Borders (MSF)
Commercial	- Fishing community	- Fishing community	- Militias - Smugglers - Fishing community	- Smugglers - Fishing community
Other			- Migrant Rescue Watch	
High Sea	- Commercial vessels, fishing vessels, NGOs			

Generally, on the European side, the level of professionalism is rather high, and this is also the case among NGOs, with only a few signs of amateurism. In contrast, Libyan actors lack any professionalism. Notably, NGOs perform several tasks, such as monitoring the sea, conducting rescue operations, coordinating rescue operations, informing other actors about ongoing distress situations and running awareness raising campaigns.

There are even more actors that are not mentioned in the interviews, notably the Italian civil courts (notably the courts of Brindisi and Crotone), Red Cross, Medicine du Monde and Terre des Home, as well as some commercial contractors (DEA, IAI) that provide services, such as reconnaissance drones, to state actors.

Migration and its drivers

Several types of migration are identified by the interviewees, which are then identified with specific certain countries: (1) emigration from countries of origin, (2) immigration to Libya and Tunisia, (3) transit or onward migration from Libya to Tunisia, (4) transit migration after a short stay (less than three months) or onward migration after a longer stay (three to 12 months) from Libya or Tunisia to Italy, (5) serial migration after a stay of more than 12 months in Libya or Italy, (6) involuntary (forced departure) and onward migration, (7) human trafficking, (8) unintended migration to Malta, (9) repeated attempts and repeated migration, (10) immigration to Italy or (11) transit and onward migration from Italy to northern Europe (for the categorisation, see Crawley et al. 2017).

> *"First of all, it's way harder to reach Libya in general"* (EU NGO 2); also, *"now [2022], it's getting harder for migrants to travel through Libya"* (IO 1, Libya). *"People from sub-Saharan Africa apply for asylum in Italy and remain in the country"* (ISA 1); others are *"repatriated and then again, they come back"* (IO 1:1). *"Syrians, Iranians, Iraqis and Afghans … intend to reach Germany, Italy is only a stage"* (ISA 1); immigrants in Libya are also *"deciding to move to Europe"* (IO 1, Libya).

Generally, all agree that "we have mixed flows of arrivals" (IO 1, Libya). At the same time, there are changing drivers of migration and a dynamic interplay of drivers in different countries. The key drivers of transit, onward migration and serial migration from Libya are (deteriorating) conditions within the country. A migration network effect is also noted. Different types of people in different countries are affected differently by different drivers. Notably, "sub-Saharan people [in Libya] are treated in the most violent manner, also for racist reasons" (INGO 2, Libya). In Tunisia, NGOs suggest there is a culture of migration (as defined, for example, by Kandel & Massey 2002). Migration aspirations are further spurred by narratives of previously successful migrants. Arrival in Malta is rarely if ever intended and thus has been rather accidental. Lampedusa is also not the prime destination; instead, this is mainland Italy. Onward migration from Italy is intended by some people and nationalities, but not by others. Sometimes migration results from opportunistic decisions based on the found opportunity/constraints structure. Migration is generally described as volatile and as more dynamic than during previous periods: conditions are said to propel people forward from one country to the other.

> *"We see that the majority of the migrants, about 80%, come to Libya to stay. So, more migrants coming, changing their minds, going back or move forward. There's less of an intention from the beginning. It's decided along the road"* (IO 1, Libya). *"Security incidents"* are identified as a main driver; meanwhile, *"the situation also in Tunisia is not getting better … the economic, social and political context is not stable. … Racist acts are also increasing"* (T-NGO).

Usually, onward migration is not only initially *un*intended. In fact, for a certain proportion, it is involuntary, which may well amount to human trafficking: "we definitely have many accounts of people being forced into boats … they didn't want to go … the actual travel often is not voluntary and goes along with violence and force" (IO 1, Libya).

In principle, a distinction can be made between self-organised crossings and crossings organised by smugglers, or between self-organised, autonomous arrivals and arrivals assisted by NGOs or coast guards. The first case is determined by the level of control in the country of departure as well as the capabilities of the migrants, while the second case is determined by the type of boat and chance of being detected. The change in patterns of crossing was driven by three developments: higher demand for crossings, intensified controls and patrols, notably in Libya, and the general conditions in Libya. Smugglers saw this situation as an opportunity and adapted quickly. They offered more trips and made use of the presence of patrol and later rescue ships in the region, though this did not increase overall aggregate numbers (Rodríguez Sánchez et al. 2023). Opportunities are subsequently shaped by nationality and even ethnicity, hence, there are racialised patterns.

Routes, crossings and journeys

The Central Mediterranean route consists in fact of several routes: Egypt overland to eastern Libya, Sudan via Libya and on to Morocco and Spain, eastern Libya/Benghazi to Italy, western Libya to Lampedusa or Italy, Algeria and (eastern) Tunisia to Lampedusa, Sicily or even Sardinia and Turkey to southeast Italy. Since 2020, the route to Malta is no longer active. These routes are connected to travel networks from as far as Bangladesh. Benghazi is a "new route, which was quite active in the past and which is now popping up again" (EU NGO 2). The Central Mediterranean route now intersects with the Western Mediterranean route. Finally, there is an important distinction between crossings from northern Africa to Italy and crossings from Turkey to Italy. It was reported that another new route by migrants and refugees from the Middle East runs across the Ionian Sea to Calabria (IO 1:1); it was also said that "they all start from Turkey" (ISA 1).

Certain changes in the routes and patterns of crossings can be identified: "in 2014, a lot of boats were trying" to reach Malta and Italy directly; these were "wooden small fishing boats that can travel far" (EU NGO 1). But after 2013, "the major shift was [the usage of a] rubber boat"; "because more people wanted to leave, the demand for more dinghies" went up (EU NGO 1). From 2022, purpose-built metal boats were deployed. Also, "previously, we would see a very clear seasonal trend, [in] summer, more boats would leave and after summer it would drastically go down. However, since [2020 and 2021], this is no longer the case" (IO 1, Libya). Crossings vary in frequency, and the number of arrivals fluctuates from "10 arrivals a week" (IO 1:1) to "20, 30 boats in summer within an 8-hour shift" (EU NGO 1). Some crossings involve interchange and thus a succession of smaller and bigger vessels. A crossing may be a one-off or it may involve repeated attempts. Finally, crossings may result in rescue, interception and possible return to detention centres, autonomous landing or death at sea.

Crossings also vary by duration. The shortest and fastest is from Tunisia to Sardinia: it is "an eight-hour journey" (EU A 1). From Lampedusa, "Tunisia is 60 miles away" (I-NGO 1). The second fastest is from Algeria to Sardinia. From western Libya it can be 30 to 40 hours, and it is even longer from Benghazi. From Turkey, across the Ionian Sea, "the trip is considered to last between four and eight days" (ISA 1). Differences in the routes, types and patterns of crossings are also associated with nationality and ethnicity:

"[It] depends on the groups, for example, the Harraga migration from Tunisia often take small fishing boats or small wooden boats [whilst] from Libya … [there are] a variety of boats, for example, small fiberglass boats, small yachts even, often also used by people from North Africa, sometimes the Libyans themselves" (EU NGO 1). *"From Bangladesh, Dhaka, they fly to Abu Dhabi and [on] to Tripoli or Benghazi, and then from Benghazi they go to Zuwarah"* (I-NGO 1).

Smugglers and boats

It is generally agreed that smuggling is a major and profitable business and that smugglers and authorities collaborate and share the profits, notably in Libya. In Libya, "everything is controlled by smugglers" (INGO 2, Libya); "a lot of government authorities are in some ways intertwined or linked to smuggling of migrants in Libya" (IO 1, Libya), and "it's quite impossible to leave Libya without the support of the Libyan Coast Guard" (INGO 2, Libya). This implies that EU and Italian support of Libyan coast guards not only strengthens law enforcement but also benefits smugglers.

Smugglers provide services to people willing to migrate, but they also compel people to undertake the crossing against their will. Services can be poor or good, and smugglers are perceived as "good" or "bad" based on their level of care for or level of abuse of migrants and refugees. A cycle of abuse was even observed: people go "freely, but then they are intercepted, sent directly to detention and then from detention they are forced on the boats" (INGO 2, Libya). There are also different business models that involve lower or higher fees and upfront or post-arrival payment and that include one or more attempts: "there are those packages where you pay maybe half and then half after arriving" (EU NGO 1). Some "packages" involve "trying two or three times" (IO 1, Libya). Smugglers have different practices for different types of migrants: "it's not the same networks … for the sub-Saharans, it's … more expensive than for Tunisians" (T-NGO). Practices seem racialized: "people from sub-Saharan Africa often pay upfront. Egyptian migrants often pay upon arrival. Migrants from Bangladesh pay higher prices than migrants from Ghana" (IO 1, Libya). Generally, fees "vary a lot" (IO 2, Malta): "€3-600, sometimes it gets [to] €5,000". In other words, safety at sea is also an issue of nationality and class.

There are also different types of boats of. They are of better or poorer quality and are more or less overcrowded depending on the country and region, or the period, of departure. Hence the type of boat changes over space and time. Boats can be repurposed for the crossings or even purpose-built.

"Rubber boats are becoming less [common] … wooden boats with 450, 500 persons are becoming rarer; [in 2022] we have seen … more fiberglass boats, with up to 40, 50 persons" (EU NGO 2); *"you can no longer buy rubber boats in Libya"* (IO 1, Libya); *"these rubber boats from China, there was a clamp down"* (EU NGO 1); *"metal boats … [are] often manufactured just for a single crossing"* (IO 1, Libya); from Turkey *"often they are 18-metre sailboats"* (ISA 1); there was a *"motorboat that carried about 220"* (ISA 1); they are *"often stolen"* (ISA 1).

"There is … no contact directly between any boats and smugglers" (IO 1, Libya). It is said that the drivers of the boats are not associated with the smugglers but are ordinary migrants: *"they often get a very quick sort of training … they are sometimes being picked out if they have any sort of sense of the sea … these are not usually not very experienced people at all"* (EU NGO 1).

Some interviewees explain the changes in smuggling practices, in points of departure and in the type of boats used as the responses of smugglers to intensified and improved controls.

Interception and rescue

In Libyan or Tunisian waters boats are usually rather intercepted and then pulled back, though there have recently been cases in which Libyan actors also intercepted boats in international waters. Beyond Libyan or Tunisian waters, boats are rather rescued—in international waters by NGOs and in EU waters by national authorities. National authorities have largely withdrawn from international waters: "the area of intervention is quite limited to the Italian SAR zone, it goes a little bit beyond 12 miles, 20, 25 miles" (I-NGO 1). The definitions of interception and rescue used in this paper are as follows: rescue involves subsequent landing in a country considered safe in terms of access to international protection (neither applies to Libya or Tunisia), whereas interception involves the prevention of access to international protection and thus usually qualifies as refoulement (see UNHCR 2020, HRW 2023).

Interception

The rate of interception and pull-back in Libyan waters is considerable; in 2022, "around 50% of the boats departing from Libya were intercepted and returned to Libya" (IO 1, Libya), and some "people have been pushed back or intercepted five, six or seven times in Libya" (EU NGO 1). After experiencing a push-back, "the average time you have to work to be able to cross again is several months, almost a year. So it means that you have to wait for a long time" (INGO 2, Libya). Push-backs thus slow down migration or prevent further attempts. It is suggested that the treatment of those intercepted differs significantly, ranging from detention to removal or release (IO 1, Libya). When intercepting a boat, Maltese authorities tell the people: "you have to go to Sicily, don't go to Malta" (EU NGO 2). Some maritime accidents and deaths were related to interception operations, for example, "due to false manoeuvres by the Tunisian coast guard" (T-NGO). It was noted that a "real danger is when Libyans appear … they are known for not being very careful" (EU NGO 1). Regarding the Coast Guard in Italy, it was said: "every day, in particular in the afternoon, they do patrols" (IO 1:1); in the Ionian Sea, "the boats are often spotted by Frontex reconnaissance flights with drones" (ISA 1). Previously, people intercepted by Maltese authorities were "subjected to what we would call routine detention at their arrival" (IO 2, Malta).

Rescue

Four types of rescues can be identified: (1) rescue from acute danger, (2) rescue due to threat of danger, (3) being picked up at sea in the absence of immediate threat of danger and (4) being picked up during a trip in which the aim is instead to autonomously land in Italy. In recent years, the number of civil society rescue vessels has increased. However, "all [NGOs] operate in the SAR area around Libya and Tunisia" (ISA 1); therefore, the Ionian Sea and the eastern Libyan waters are not well covered.

For triggering a rescue operation as well as for statistical purposes, the definition of distress matters. The SAR convention defines distress as "a situation wherein there is reasonable certainty that a person, a vessel or other craft is threatened by grave and imminent danger and requires immediate assistance" (Annex, Chapter I, para 1.3.11. SAR convention, 1979). However, in practice, the different actors have

different definitions of distress and thus different criteria for intervening and launching a rescue operation. NGOs have a broader definition (also see Mann & Permoser 2022), while state agencies have a narrower definition and thus a narrower point of intervention. Definitions are thus inconsistent and cause of controversy in practice.

> *"For us it's just logic. Even if the boat is quite stable it can become a distress case immediately, especially in overcrowded rubber boats",* but *"in general, Malta and Italy just say whenever the boat is moving, it's not really a distress case for us. So why should we act?"* (EU NGO 2).

Rescue can be called for by the people on the boat, by state or civil society surveillance airplanes or by rescue or commercial vessels: "for 10 years, these boats have a satellite phone probably given to them by the smuggler" (EU NGO 1). However, not all nationalities have the same resources. Often, NGOs are the first to receive information on distress at sea, not international organisations or state agencies. When NGO airplanes "find a boat in distress we search in the vicinity for merchant vessels, NGO vessels, bigger fishing boats to ask for support. When the case is super urgent, we immediately inform the authorities" (EU NGO 2). However, with regard to responsibility: "Italy is really unresponsive at the moment … it only coordinates rescues when the boat is already inside Italian waters or just a couple of miles outside Lampedusa" (EU NGO 2), and "the ones that go are the NGOs" (EU A 1); "EUAA has no mandate to rescue, also UNHCR is not present at sea" (IO 2, Malta). NGOs conclude that search and rescue is insufficient due to incompetence, negligence or deliberation:

> *"the official rescue and coordination centres are dysfunctional"* (EU NGO 1). *"Since [2017], all organizations were left on our own"; "there is this lack of coordination and negligence when there are distress cases, you'll never know if they're going to be taken care of or not".* The Libyans *"are not … taking care of all emergencies … we don't really know if they are going or not"* (INGO 2, SAR).

The big Italian Coast Guard ships can hold "approximately 1,000 migrants" (IO 1:2). On these, rescued migrants and refugees stay for a "minimum [of] four or five days, [a] maximum [of] two weeks" (IO 1:1). Also, on the NGO ships people stay for several days, until they reach the designated port of disembarkation. This extra time on the ships only adds to the stress of the rescued.

To sum up, a lack of communication between the different actors (NGOs, state agencies)—which can also be described as a deliberate refusal to coordinate and communicate—is mentioned as a key problem. A regular argument is that NGOs are prevented from rescuing migrants and refugees at sea. Rescue is described as challenging, as well as emotionally stressful. Overall, rescue has always been challenging, but beginning in 2022 it seems to have become even more arbitrary and unreliable.

Risks and dangers

There are multiple risks resulting from: (1) conditions prior to embarkation, (2) the build and quality of the boats and engines and the quality of the petrol, (3) weather, notably weather shifts, wind force and sea state, (4) lack of driver experience with regard to the steering of boats through waves or the night, (5) fumes from engines, exposure to petrol, lack of supplies and, most importantly, of water, (6) health problems, such as seasickness, pregnancy complications or psychological problems, or (7) risks from interception operations and push-backs, notably in relation to panicked movements by the actual rescue operation.

"The weather can change within hours, especially in spring or autumn". "Normally and logically we would observe more boats when there are perfect weather conditions. But this is not the case, especially when there's stuff going on in Libya" (EU NGO 2).

The risks from the weather are thus further aggravated when interacting with the security situation ashore, notably, when people are compelled to take higher risks because the security situation is deteriorating. Another type of risk is related to the boats—to overcrowding, as well as to

"fumes of the engine" (EU NGO 1) and *"engine malfunction … which happens fairly regularly"* (EU NGO 1); *"quite a lot of boats were drifting for days because they don't have any fuel left"* (EU NGO 2).

Another risk stems from drivers' lack of capability. Sometimes the drivers "have difficulties to manage the sea travel" (IO 1:1). "It's a vast space and you can get lost" (EU NGO 1); "when it gets dark, it's a real issue" (EU NGO 1). Steering by night and holding a course can be difficult for amateurs. An additional type of risk involves conditions during the crossing, such as

"running out of water, food" (EU NGO 1). During the crossing, *"persons are super dehydrated, especially in summer"* (EU NGO 2); *"a lot of people get seasick"* (EU NGO 1), *"some have burns from oil or petrol"* and, in general, there are *"stressful conditions"* (IO 1:1).

Finally, risks are also related to interception and rescue. There is "the risk of panic" (EU NGO 1); "people stand up, move around" (EU NGO 1), which could result in the boat capsizing. "Some of the biggest shipwrecks occurred during rescues" (EU NGO 1). Death at sea is the most severe risk: "the number of missing migrants has not come down by having boats at sea ... they don't always get rescued quickly" (IO 1, Libya). Particularly vulnerable groups are "pregnant women" or people who cannot swim (IO 1:1).

Fear and awareness of risks

By and large, all actors agree that migrants and refugees are aware of the risks of the crossing, but that not all might be aware of all risks. Moreover, the risks of the crossing have to be put in the context of the risks of traveling to Libya and the risks of staying in Libya. Dealing with risks thus involves a trade-off between staying and facing the long-term risks in the country of origin or in Libya or crossing and facing the short-term risks at sea. This is further complicated by the fact that different communities face different risks: several interviewees believe that it is less risky for Arabs and that it is riskier for sub-Saharan Africans and women. Hence, risks are racialized and gendered. Also, different communities have different social and informational capital; accordingly, risk awareness differs among communities. And whilst various processes, spaces and actors facilitate the spread of information, there is also false information.

"They are aware of the risks" (IO 1:1). People use *"Facebook or Twitter"* (INGO 2, Libya), and *"most are aware of the Alarm Phone number, how to check the weather"* (INGO 2, Libya); *"they are aware that they can't be rescued hours later, that the Libyans would come probably after them"* (EU NGO 1).

In any case, the drivers of migration—namely, the conditions in the country of origin and along the route—are said to be stronger than the fear of the risks. "The fear of the Libyans is so big" (EU NGO), and in Tunisia the pressure too high: "The motivation to migrate is so strong" (IO 1:1); "they are very determined to make this journey" (ISA 1). Those who finally voluntarily embark on the crossing are

experienced, resilient and aware of the risks. They have some capacity to cope with and are prepared for the crossing and the risks.

Summary and conclusion

The scape of irregular cross-Central Mediterranean migration consists of several layers with multiple borders and boundaries: (1) a geographic layer consisting of several coasts, bays, islands and mainlands, and complex weather systems determined by two continents; (2) a layer of the primary actors, namely refugees and other migrants from a wide range of countries; (3) a layer of the secondary actors, which includes smugglers, who serve the primary actors, and sometimes also pseudo-state actors; (4) a layer of five, even six nation states and their respective territorial waters, as well as the international waters in-between—all of which is further complicated by a warlord in eastern Libya; (5) an additional layer of five search and rescue areas, partly divided into sub-areas; and (6) a layer of state including independent judiciary actors and international civil society and private organisations and commercial actors, all regulated by constantly changing political and legal frameworks and new court rulings and led by constantly changing political actors.

Migration across the Central Mediterranean is thus shaped by a complex interplay of various, often conflicting actors and factors, which generates an equally complex opportunity/constraint structure at various sites in the countries of origin (ranging from Senegal and Sudan to Syria and Bangladesh), in the African countries of arrival (Libya and Tunisia), at sea and subsequently in the EU countries (Italy, Malta and other destinations further north). These countries are connected by various historically, economically, culturally and personally shaped networks that display racialized and gendered opportunities within which people migrate.

Maritime migration across the Central Mediterranean and from the Eastern Mediterranean to the southern EU shores is thus hugely diverse and complex. Libya is primarily a destination country, but some proportion, around 12% (85,000, as compared to 706,000 recorded immigrants in Libya in mid-2023, see above), either only transit or are propelled forward to Europe. There are diverse routes: different routes are used by different nationalities; smuggling businesses operate different models on the different routes and nationalities; different boats are used on different routes; and each route has its specific risks depending on the season and duration of the crossing, and the kind of policing actor, among other factors.

In addition, several changes in the patterns of Central Mediterranean crossings can be noted: shifts in the migration routes and the emergence of new routes; changes in the drivers of migration, such as security reasons in Libya and recently also in Tunisia; changes in the practices of smugglers; changes in the EU response from rescue to control—with a longer transition period—and to push-backs and pull-backs, and from maritime to aerial surveillance; shifts from state rescue to civilian rescue, and from state coordination to civilian coordination of rescue; changes in the mix of people (sub-Saharans, Bangladeshis, North African, etc.); a rise in online advertisement of maritime crossings; changes in the type of boats, ranging from smaller to bigger boats, from wooden fishing vessels to yachts, from rubber dinghies to stronger RIBs (Rigid Inflatable Boat) and fiberglass or purpose-built metal boats.

The migration can be explained with the constraint/opportunity structure. Mainly in Libya but also in Tunisia, the constraints and dangers of living an immigrant life weighed against the opportunity and risks of the journey to Italy or elsewhere. Measures to prevent irregular migration usually have unintended side-

effects, resulting in the opposite of what was hoped to be achieved. For example, the security situation in Libya is a migration driver, while the fighting distracts law enforcement agencies from controlling the borders. EU and Italian support for Libyan law enforcement agencies or for the Tunisian leadership is meant to improve control of irregular migration, but it empowers the very same actors from whom migrants flee, hence it increases forced migration. The intensified controls on the eastern route have driven some migration west, from Turkey to Italy. The withdrawal of state assets from rescue operations in the Central Mediterranean has triggered the arrival of even more civil society vessels and thus enhanced civilian rescue. Despite increased efforts to contain irregular migration through more enforcement, the number of arrivals has been increasing. It is likely that this is largely due to the strong push factors. The import ban of large inflatable dinghies from China has led to the emergence of purpose-built metal boats. Meanwhile, measures often push people onto alternative routes, which might cause riskier migration and thus an increased number of lost lives. Indeed, this complexity indicates why policy interventions are difficult to develop and why results are often unpredictable and unintended.

Last but not least, despite the growing importance of NGOs over time, rescue is largely performed by state actors such that in numbers of those rescued, around 10% or less, NGOs only play a minor role. In line with the findings of Rodríguez Sánchez et al. (2023), not one of the actors interviewed believes that rescue has a pull-effect; instead, all argue that conditions in Libya and Tunisia are the key driver of migration and maritime crossing to Italy and generally the EU.

> *"Migrants base their decision on crossing … more on the need to make this crossing"; "if you would take away all the rescue boats they would still make the decision to cross"* (IO 1, Libya). *"We believe that the motivation to migrate is so strong, they are aware of the risks"* (IO 1:1). Even if there were no rescue boats, *"they would still leave"* (EU A 1). *"They're being kept in detention centres, in very horrendous conditions … of course, leaving Libya would often be better"* (IO 1, Libya).

Overall, it is fair to say that there is super-directional migration by a super-diverse and changing cohort of migrants acting in a super-complex environment that is super-volatile, resulting in highly complex processes. This prevents any simplified claim such as "rescue has a pull-effect" and points to the fact that complexity thinking is required for analysis of the case and development of appropriate policy responses.

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