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Maritime Sar Systems in the EU: Convergence and Co-optation into the Anti-Immigration Border

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ABSTRACT

Research focusing on maritime Search and Rescue (SAR) operations in contexts of migration typically focuses on single-country studies, rarely engaging with the development of regional trends. This paper centers on five maritime areas along the southern EU border (Eastern Mediterranean, Central Mediterranean, Western Mediterranean, Canary Islands) and the Dover Strait to examine the transformation of maritime SAR in Europe over the last decade. Our analysis draws from secondary sources to understand trends in these five major sea routes to and out of the EU. We conclude that ways of doing maritime SAR in the region are converging and that the emerging approach to maritime SAR is defined by its co-optation into the anti-immigration border apparatus, its militarization and the externalization of SAR responsibilities to countries of origin and transit. This convergence of SAR policy is evident yet still incomplete and fragmented, with each country exhibiting distinct institutional arrangements.

KEYWORDS

Sea migration; maritime search-and-rescue; European Union; borders; migration

1. Introduction

Between 2015 and 2022, more than 32,200 migrants died along the southern maritime border of the EU (IOM *n.d.*). Migration and border scholars typically look at the structural conditions causing this loss of life from a country-specific perspective, exceptionally comparing two or more contexts (e.g. Topak and Vives 2020). This article focuses on Search and Rescue (SAR), as defined by the Convention on Maritime Search and Rescue or SAR (IMO 1979) that all coastal EU member states are party to.¹ Our goal is to overcome the dominant “methodological nationalism” (Wimmer and Schiller 2002) and offer a regional perspective.

We compare the five European maritime border zones where rescue services are most in demand: Atlantic, Western Mediterranean, Central Mediterranean, Eastern

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Mediterranean, and Dover Strait, and ask the following question: are member states along maritime border zones moving towards the Europeanization of their national Search and Rescue systems? More specifically, we focus on three developments: the co-optation of rescue services into the EU's border regime, the elimination of non-military SAR services (Ghezelbash et al. 2018; Vives 2023), and the externalization of rescue responsibilities to transit countries outside the EU (Markard 2016; Moreno-Lax 2021). By militarization, we mean the use of military paradigms, techniques, personnel, and technologies (Topak and Vives 2020). We use Moreno-Lax and Lemberg-Pedersen's definition of externalization, as the "range of processes whereby European actors and member states complement policies to control migration across their territorial boundaries with initiatives that realize such control extra-territorially and through other countries and organs rather than their own" (2019, 5). Other trends such as reliance on advanced surveillance and control technology are not discussed here (but see Dijstelbloem, Meijer, and Besters 2011; Léonard and Kaunert 2022; Martins and Jumbert 2022).

Evidence points to a convergence towards a fragmented, incomplete, and unfinished process of Europeanization where specific national contexts, geographies, and idiosyncrasies matter, and where tensions between states and non-state actors, scales of sovereignty, and realms of jurisdiction and responsibility remain. Still, in the ongoing "re-spatialisation of the high seas", the regional (EU) SAR regime is being manipulated "to shift sovereign responsibility as political imperative requires" (Gammeltoft-Hansen and Aalberts 2014, 441). In other words, states follow international obligations and domestic laws when they align with their political agendas, and otherwise try to manipulate and circumvent them by advancing the militarization and externalization of rescue services strategically.

The discussion begins with a review of the relevant literature on contemporary sea migration and borders, with a focus on maritime SAR. In section 3, we briefly discuss the selection of cases and data sources (as well as their limitations). Section 4 describes the evolving reality of sea migration in the EU. Section 5 outlines the evolution of SAR systems in the Central, Eastern and Western Mediterranean, the Atlantic, and the Dover Strait between 2013 and 2023. Co-optation, militarization, and externalization are easier to demonstrate along the southern sea border, while the findings in the Dover Strait show the limits to the generalization of our arguments. We turn towards this and other implications in the concluding section.

2. Policy Convergence and Institutional Isomorphism in the EU: The Case of Maritime SAR in the EU

National borders are polysemic, polymorphic, and, above all, historically contingent sociopolitical constructions (Amilhat-Szary 2020; Burrige et al. 2017). The EU is proof of their malleable nature: whereas European borders (both at land and at sea) remained a matter of exclusive national concern for centuries, today they are a key instrument in the realization of a supranational social, political, and economic project. A fundamental aspect of their role in this project is the filtering of people. The EU's long-standing declared policy goal is to develop a "common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country nationals" (Consolidated Version of the Treaty on the Functioning of the European Union 2012, Art. 67(2)). Achieving

this demands a re-imagination of the nature of the national border in a supranational context.

The foundation of this re-imagination is the Schengen Acquis. However, this set of rules is articulated upon a fundamentally land-based territoriality and is hard to transpose onto maritime space, which is by definition fluid, unstable, and jurisdictionally distinct from land space (Hung and Lien 2022; Peters and Steinberg 2019). This does not mean that the ocean is a “space devoid of regulation” (Gammeltoft-Hansen and Aalberts 2014, 440); instead, the implication is that maritime borders and boundaries are the result of an ongoing process of negotiation. Tensions and paradoxes are unavoidable.

This paper focuses on the tensions between, on the one hand, the unambiguous legal obligation to protect *all* human life at sea that EU (coastal) member states have willingly acquired through their signing of the SAR Convention (Rodrigo de Larrucea 2019; Banos et al. forthcoming), and, on the other, their determination to put an end to unwanted sea migration. This tension contributes to the expansion of approaches to sea border governance that manipulate sovereignty, jurisdiction, and responsibility to avoid rescue responsibilities. In this sense, it is worth noting that countries’ SAR responsibility zones (Search and Rescue Regions, or SRR) do not typically correspond with territorial or the contiguous seas (see Figure 1); however, “increasingly deterritorialised assertions of sovereign power [at sea], mixed with a re-territorialised SAR regime, and a complex web of overlapping legal regimes (...) provides further leverage for playing the sovereignty game and disclaiming sovereign responsibility” (Gammeltoft-Hansen and Aalberts 2014, 445). To put it differently, EU member states are wielding maritime political geography strategically to shun SAR-associated responsibilities and implement domestic law and

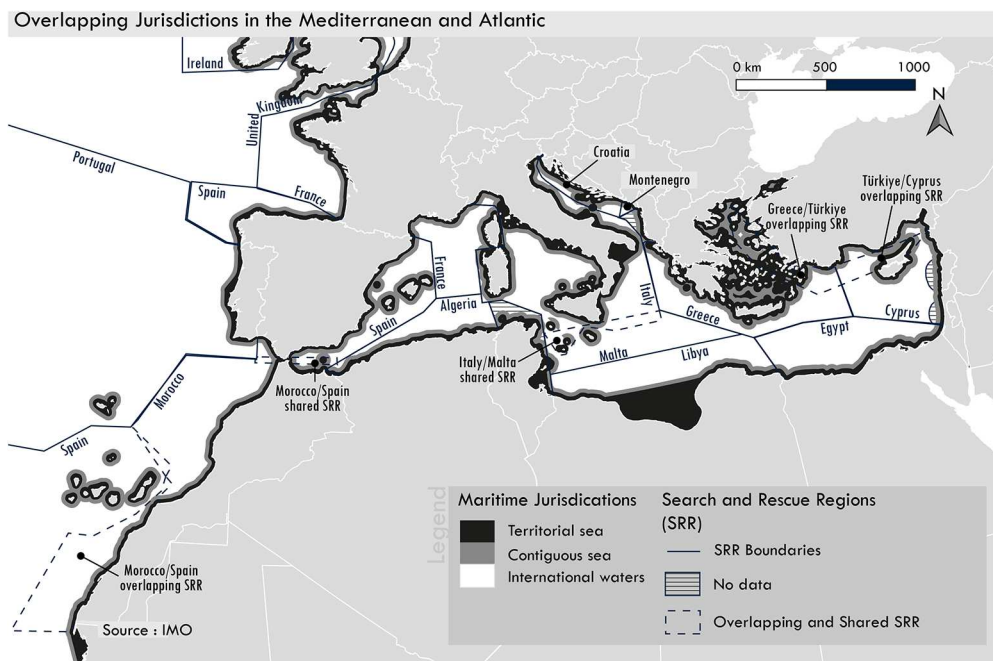


Figure 1. Territorial waters, contiguous seas and Search and Rescue regions in the Mediterranean, Atlantic and Dover Strait.

regulations in areas outside their sovereign space and beyond their jurisdiction. In this sense, the co-optation of rescue services into the EU's border apparatus and their instrumentalization to deter, stop, or criminalize unwanted sea migration demonstrates the intrinsic function of the border as a resource-intensive political technology (Elden 2013; Peters and Steinberg 2019): a power structure that rests on, builds upon, and produces inequality. In this case, inequality involves increased exposure to violence and death.

Over the last two decades, this process of co-optation and instrumentalization of rescue services has developed through the framing of sea migration as a series of "crises" (Dines, Montagna, and Vacchelli 2018; Mainwaring 2019; Mainwaring and DeBono 2021). As Mountz and Loyd (2014) have argued, the crisis framing is productive in that it legitimizes the articulation of border logics, technologies, and policies at multiple levels and justifies the implementation of well-funded but opaque repressive initiatives that would otherwise be unacceptable (see also Mainwaring 2019; Mountz 2020; Mountz and Loyd 2014). In the context of maritime SAR, the crisis framing legitimizes the manipulation of sovereignty and jurisdictional regimes at sea to negotiate (or refuse to abide by) rescue responsibilities (Vives 2023; Cusumano and Pattison 2018); moreover, focusing on migration "crises" paves the way for policy innovation and transfer (Mountz 2020).

The crisis framing has indeed led to a still partial and incomplete convergence towards a common approach to maritime rescue. It should be noted that the issue of policy convergence in the EU has been a matter of debate for a while now (e.g. Chebel d'Appollonia 2019; Geddes 2007); in fact, there seems to be more agreement on Europeanization of migration policy among non-EU countries that participate in the EU's border regime than among EU member states (Lavenex and UçArer 2004; Pollozek and Passoth 2023). Nonetheless, and despite a persistent "differential integration" of member states into the EU's border policy, Chebel d'Appollonia (2019) notes that "progress [towards convergence] is made only in policy areas related to the resilient framing of immigration (broadly defined) as posing a security threat" (Chebel d'Appollonia 2019, 199). An example of how this crisis framing works was the fundamentally repressive European Pact on Migration and Asylum, which the European Parliament voted for in April 2024 after many years in the making.

Sea migration is an area of EU policy where securitization and criminalization are clear (Mainwaring 2019; Mountz 2020), and maritime rescue is an area where we observe both policy convergence and institutional isomorphism. We borrow the latter concept from sociologists DiMaggio and Powell (1983, 147), who concluded that networks of organizations in "highly structural fields provide a context in which individual efforts to deal rationally with uncertainty and constraint often lead, in the aggregate, to homogeneity in structure, culture, and output." In their paper, DiMaggio and Powell describe three key mechanisms of institutional isomorphic change. The first mechanism, *coercive isomorphism*, results from formal and informal political pressures and expectations from the cultural environment. Generally speaking, there is a normative trend towards border militarization (Jones and Johnson 2016). In the context of maritime SAR, political pressures to stop sea migration have shaped the transformation of national SAR systems in areas of migration – despite well-defined legal obligations at the international and supranational levels (e.g. SAR Convention, Schengen Borders Code). Coercion here fosters an inevitability mindset: the militarized approach to migration and (external) border policy has long been an article of faith in mainstream political discourse (van Houtum 2010).

Second, DiMaggio and Powell argue that *mimetic isomorphism* (or “organizational modeling”) happens in contexts of great uncertainty and when goals are ambiguous, where “[o]rganizations tend to model themselves after similar organizations in their field that they perceive to be more legitimate or successful” (1983, 151). In the midst of uncertainty over both the legitimate means and ends of sea rescue along the external border, Cusumano (2019a) has documented the existence of “selective emulation” or mimetic isomorphism among SAR NGOs in the Central Mediterranean. Beyond the specific context this author studies, uncertainty and ambiguity, along with pre-existing institutional arrangements, differences in rescue capacity, and the securitization of irregular migration have led to the perception that state-actors, and in particular military or militarized actors, are both more legitimate and more efficient in dealing with this phenomenon (Topak and Vives 2020). This explains convergence towards military or militarized state actors as well as the selective emulation of organizational models among these actors, a convergence facilitated by Frontex (nominally a civil EU agency with a nonetheless militarized *modus operandi*) and reinforced by the supranational normative framework in the area of maritime SAR (Cusumano 2019b; Cuttitta 2018; Léonard and Kaunert 2022).

Finally, *normative isomorphism* rests in formal training and the emergence of professional networks. This is most evident in the case gradual displacement of volunteer rescue groups such as the *Société Nationale de Sauvetage Maritime* (SNSM) in France or the *Cruz Roja del Mar* in Spain. Additionally, through its role as a facilitator in professional networks within the EU and with countries of origin and transit of sea migration, Frontex has played a key role in the reinforcement of a militarized approach to national SAR systems in the EU (Bachiller López 2023; Léonard and Kaunert 2022). Externalization further reinforces militarization, since rescue responsibilities have been placed in the hands of foreign military forces such as the Libyan Coast Guard, the Moroccan Royal Navy, or the Senegalese Navy.

In this context, tensions between the neoliberal humanitarian discourse and restrictive security measures increasingly define border control in the EU (Cusumano and Gombeer 2020; Cusumano and Pattison 2018). Thus, border control “oscillates between sentiments of sympathy on the one hand and concern for order on the other hand, between a politics of pity and policies of control” (Fassin 2005, 366). Pallister-Wilkins observes that the care and control logics have long coexisted along national borders: at sea, “humanitarianism is put to work by Frontex, for example, in the framing narratives and discursive justifications given for the growing migration management assemblage as seen with the use of humanitarian justifications” for the rolling out of new surveillance technology and cooperation agreements with Third Countries (2015, 66). With sea migrants conceived as both *at risk* and *a risk*, non-militarized SAR operations are framed as facilitators of human smuggling and trafficking. Their removal is thus justified, while at the same time governments present migrant criminalization and detention as instruments for the protection of migrants (Mainwaring 2019; Vives 2023).

3. Case Studies and Data Sources

This paper focuses on five maritime areas where SAR obligations on the part of EU member states and sea migration intersect. These areas refer to what is usually called

“migration routes” (although, in reality, each one of these areas contains several routes): Atlantic / Canary Islands (Spanish SRR), Western Mediterranean (Spanish SRR), Central Mediterranean (Maltese and Italian SRR), Eastern Mediterranean (Greek SRR), and Dover Strait (French SRR). We have chosen these case studies because they attract the majority of sea migration and because they receive the most attention in research and policy circles. The almost absolute lack of data for rescues on the other side of the border by countries such as Morocco, Libya, or Turkey and our focus on the Europeanization of the SAR regime explains our choice to focus on EU member states.

The EU member states we study have what we can refer to as national SAR systems: a set of interconnected actors, and rescue assets mandated to respond to emergencies on a well-defined area of the sea or ocean the area responsible for (the national SRR). A key element in this network or system are the shore-based Maritime Rescue Coordination Centers (MRCCs, *Centres régionaux opérationnels de surveillance et de sauvetage* or CROSS in France); these centers co-ordinate the deployment of rescue assets and personnel once it has been authorized by the relevant authorities.

From a methodological perspective, six major challenges to studying maritime rescue SAR are: data availability, differential definitions, divergences in recording, power relations, reluctance to report, and data destruction or other obfuscation by states (Williams 2018). This paper seeks partly to overcome these challenges and alleviate them in the future by forming a baseline for further research. There is a broad range of data in migration studies, typically in the form of official statistics or administrative data produced by states or international organizations (Sirbu et al. 2021). We used official statistical publications (e.g. IOM; UNHCR) and policy documents (e.g. EUR-Lex) about SAR operations and migrant rescue; we complemented such data with sources including, but not limited to, freedom of information requests with state-based and EU agencies (e.g. Frontex), international agreements, and official reporting on SAR operations by NGOs. These sources provided alternative lenses into various aspects of SAR systems’ convergence such as externalization and militarization, which this paper explores.

To support our claims about externalization and militarization, we also mobilize secondary data, including official policy documents, information from national and European budget and funding agencies, and agreements between the EU and/or member states and third countries. To document human rights violations at sea, we relied on information prepared by European government agencies such as the EU’s Fundamental Rights agency and NGOs working in the region. Despite the triangulation of multiple sources, the lack of complete and comparable longitudinal data on migration by boat throughout the EU remains a key limitation of this study.

4. Sea Migration in the EU

We lack reliable official statistics on EU-bound maritime migration. Mainly, we have the number of deaths/disappearances (roughly 30,000 between 2014 and 2029; IOM, n.d.) and interdictions by EU authorities (over 2.3 million for the same period; UNHCR 2023). These numbers are rough approximations. First of all, the exact number of deaths at sea is unknown. Second, EU member states are not required to collect or share information on SAR operations or migrant deaths/disappearances at sea in a way that is comparable or consistent over time and across countries (Vives and Williams

2021, 2021). Third, a number of migrants manage to enter EU territory undetected, and are therefore also absent from official statistics; not all regions are equally exposed to this phenomenon, which means that data for some countries/regions will be more accurate than for others. Finally, IOM and UNHCR data do not indicate the people returned to the country of departure through regular deportations or pushbacks/pullbacks. This means official data likely underestimates deaths and double counts people attempting multiple entries. These limitations make comparisons across border regions problematic, but such exercise remains necessary. With these caveats in mind, Figure 2 uses recorded deaths at sea and mortality rates for each one of the areas considered here as a proxy to show both the evolution of the overall numbers and variations among the selected case studies.

An important development across all routes has been the increasing presence of larger boats and the normalization of mass rescues. In the Western Mediterranean, migrant dinghies typically have small capacity, but rescue data shows an increased presence of larger semi-rigid boats. In the Atlantic, where migrant vessels tend to be larger than in the Western Mediterranean, *cayucos* (traditional wooden fishing boats) now coexist with crowded semi-rigid boats that leave from farther up north (Mauritania/Western Sahara/Morocco) and are less adapted to the long journey. Boats in the Central Mediterranean have always been the largest, carrying hundreds of people at a time; this is likely due to the distance traveled and the nearly universal involvement of criminal smuggling networks (Achnich 2022). Boats taking a new route departing from Eastern Libya (Benghazi and Tobruk) that became popular in 2022 are particularly overcrowded (up to 650 people per boat in 2023). In the Dover Strait, migrants have typically used self-made flotation devices and leisure crafts such as kayaks and inflatable boats to cross in

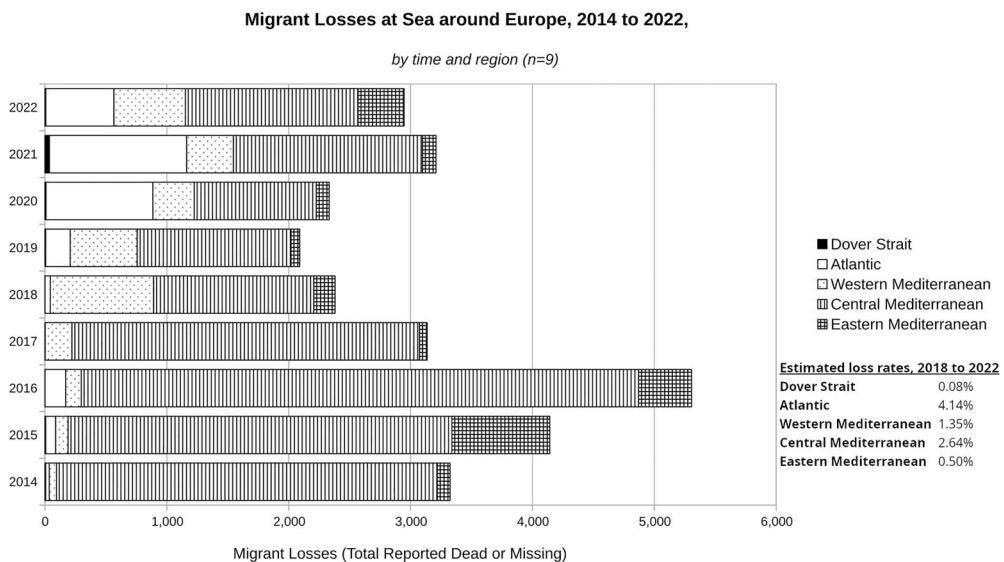


Figure 2. Estimated migrant losses at sea along the five main migratory routes, 2014-2022.

Sources: IOM (2023); UNHCR (2023). Notes: Minimum loss rates for each route are calculated by computing the sum of total losses at sea for a given route, then dividing by the sum of total losses at sea plus total arrivals at sea for a given route; the result is then multiplied by 100%. Data for arrivals on the Dover Strait come from our own analysis.

places where the distance separating the British and French coasts is relatively short (33 km). In recent years, however, larger dinghies have become dominant (40 people on average in 2022, with peaks close to 90), leading to discussion of the “Mediterraneanization” of this route.

The presence of larger boats on migration routes has normalized mass rescues of sea migrants. The International Maritime Organization (IMO) defines a mass rescue as “one that involves the need for immediate assistance to large numbers of persons in distress such that capabilities normally available to search and rescue (SAR) authorities are inadequate.” The normalization of mass rescues means that states must adapt their SAR systems and capabilities at a time when they have no incentive to do so due to the politization, dehumanization, and criminalization of sea migration. Despite this, since 2021, the French and British governments have been adapting their SAR systems to facilitate mass rescues in the Dover Strait.

Beyond the obvious logistical challenges of mass rescues, these operations have become weaponized in anti-immigration discourse. Focusing on the large numbers that characterize mass rescue operations instead of the personal histories and diversity of people using these routes enables anti-immigration proponents to develop policies that restrict migrants from reaching European shores; however, international and domestic law stipulate that under no circumstance are EU member states legally allowed to refuse entry or expel foreigners from their territory without evaluating their cases, lest they violate the principle of *non-refoulement*, which is the cornerstone of the international asylum system. Despite this obligation, organizations working along each of the southern routes have documented the withholding or denial of assistance at sea: pushbacks, pullbacks, driftbacks, and other forms of delegation of legal responsibilities, such as Britain’s Rwanda plan for people arriving by sea (Aegean Boat Report [n.d.](#); Alarm Phone 2021; Caminando Fronteras 2023; Forensic Architecture 2022; FRA 2022; Freudenthal et al. 2022; Grundler and Guild 2022; UNHCR 2021). These practices are all potential or actual breaches of the principle of *non-refoulement*, leading to “refugees in orbit” (Hyndman and Mountz 2008).

5. The Co-Optation of Maritime SAR into the EU’s Border Apparatus

States party to the SAR Convention have an unambiguous legal responsibility to implement a national SAR system, but they also have great freedom in deciding how to acquit themselves from this responsibility. The SAR Convention (and its technical Annex, revised in 1998 and entered into force in 2000) requires signatory states to (1) define their SRR, (2) establish a legal framework for maritime SAR, (3) designate a responsible authority, (4) organize “available resources” (5) create a network of rescue communication centers and subcentres that operates 24/7, has the capacity to coordinate maritime and air units, and is staffed by personnel with a working knowledge of English, (6) define the coordination and operational functions of the system and its different elements, and (7) implement processes to “improve the service including planning, domestic and international relationships and training” (IMO 1979). These, however, are broadly defined responsibilities with no international-level enforcement mechanism: at the end of the day, signatory states decide what this system will look like. They can, for example, assign the responsibility to coordinate and conduct rescue operations to

the agencies of their choosing and independently determine the amount, kind, and location of rescue assets.

For this reason, it is impossible to talk about *one* European SAR system. Instead, what we observe is a (gradual, staggered, and incomplete) tendency towards convergence among existing national approaches to maritime SAR. The Europeanization of maritime SAR converges along “frontier zones” (areas of the border where migration from less-developed countries happens) and is mainly achieved through the elimination of non-military alternatives to SAR and the externalization of rescue responsibilities to countries of origin and transit of sea migration. As a result, rescue services are co-opted into the anti-immigration border regime.

Frontex has been a key force in the transformation of national rescue mechanisms inside and outside the EU (Akkerman 2021; Martins and Jumbert 2022). The agency has been a driver of both the elimination of non-militarized approaches to SAR and the externalization of rescue responsibilities. Militarization builds upon a pre-existing tendency to place rescue responsibilities stemming from the signature of the SAR Convention on the hands of military actors such as national navies or coast guards within or closely related to military bodies. Externalization, on the other hand, debuted in the early 1990s through the signing of bilateral agreements with countries of migrant origin and transit such as Tunisia (1995), Morocco (1996), Palestine and Jordan (1997), Egypt (2001) and Algeria and Lebanon (2002). Bolstering these partnerships was the EU’s wider work on migration and mobility with African and Asian countries via the Cotonou Agreement (2000). The adoption of the Global Approach to Migration and Mobility (GAMM) in 2005 catalyzed the shift of focus from the border itself to the routes migrants used to reach Europe, even in countries beyond the Neighborhood Area. But this externalization was largely limited to land borders until the Valletta Summit on Migration in 2015 and the subsequent creation of the EU Emergency Trust Fund for Africa. Between 2013 and 2022, bilateral agreements increased by 46.9% (from 147 to 216; “EUR-Lex” n.d.). These agreements often demand collaborating countries pass domestic laws that reflect the EU’s political priorities in the area of migration and border control – a process of Europeanization of non-EU legislation and policy (Lavenex and UçArer 2004; Pollozek and Passoth 2023); However, prior to 2015, these agreements did not have an impact on maritime SAR – in fact, most do not even mention it. That changed in the years that followed, as explained below. The acceleration of cooperation along the sea borders highlights the links between externalization and militarization of sea rescue.

5.1. The Central Mediterranean: Denial of assistance, Externalization, and Criminalization of NGOs

Typically, EU member states have given SAR responsibilities to their national Coast Guard agencies, which are part of their militaries or closely linked to them. For example, Italy’s *Guardia Costiera* (created in 1989) is the operational SAR branch of the Corps of the Port Captaincies, which in turn is part of the Italian Navy. In Malta, the armed forces are directly responsible for providing SAR services, but these are routinely denied when migrants are involved (Mainwaring 2019; Mainwaring and DeBono 2021). On the other side of the border, most sea migrants depart from Libya and Tunisia.

For over more than a decade, European and Italian funds have propped up the Libyan Coast Guard (which is part of the Libyan Navy) to stop unwanted migrants using this route from reaching EU territory. Today, the Central Mediterranean route is the most widely used and the most dangerous (IOM, *n.d.*).

The Lampedusa shipwreck in October 2013 resulted in at least 360 deaths and triggered a new era of maritime SAR in the Central Mediterranean, which resulted in increased cooperation between the EU, Italy, and Libya, as well as in the involvement of SAR NGOs and Frontex in the area. Shortly after the shipwrecks, the Italian government launched operation *Mare Nostrum*, a SAR national initiative operated by the Italian Navy that rescued over 150,000 people at sea. After a year, however, the political and financial costs of keeping the seas safe were deemed too costly (€9 million per month for 12 months; see Davies and Neslen 2014). The operation was first downsized, then replaced by less ambitious Italian-led border surveillance operations with a weaker or no rescue mandate. Then, in November 2014, Italian-led Operation Triton (coordinated by Frontex) replaced *Mare Nostrum* as well as smaller *Aeneas* and *Hermes* operations in the region (also led by Frontex). Triton's main mandate was to reinforce the border, gather intelligence, and promote the cooperation of the Libyan Coast Guard. Within a year of its launching, deaths in the region increased six-fold.

Cooperation with Libya advanced rapidly afterwards. In 2015, the Libyan Coast Guard began operating as a proxy for European border forces following a funding agreement reached with Frontex; cooperation accelerated after the creation of the Libyan SRR zone in 2017 (Statewatch 2020). The Libyan Coast Guard has, in cooperation with Maltese, Italian, and European authorities, forcibly and violently intercepted departing migrant boats and interfered with NGO rescue operations; Frontex itself has provided the Libyan Coast Guard with information allowing it to carry out interceptions and pull-backs in the Central Mediterranean. Increased cooperation with Libya has come at a high financial and human cost. In 2022, EU Home Affairs Commissioner Ylva Johansson stated that the EU had “devoted around €700 million to Libya during 2014-20, including €59 million” for the Libyan General Administration of Coastal Security (GACS) and the Libyan Coast Guard (Cook 2023). In addition, Italy and the EU supplied eight boats and trained 142 GACS officers (Cook 2023).

Externalization of SAR responsibilities in the Central Mediterranean has gone hand in hand with increased repression of non-militarized approaches to SAR. European-based NGOs started operating boats in the Central Mediterranean shortly after the Lampedusa shipwreck as an attempt to fill the gap left by Italy, Malta, and Europe (Cusumano and Pattison 2018; Cuttitta 2018). Starting with MOAS in 2014, followed by MSF, Sea-Watch, SOS Méditerranée, Sea-Eye, Open Arms, and others, NGOs formed a growing “fleet of border humanitarians” (Stierl 2018). Until early 2017, their collaboration with Italian rescue authorities was publicly valued and welcomed by the latter (Cusumano 2017; Funke 2018).

In late 2017, the Italian government passed a non-binding code of conduct that imposed additional conditions on these organizations. A few months later, Interior Minister Matteo Salvini introduced further restrictions. Since then, successive Italian governments have increased operational requirements, blocked NGO rescue assets at Italian ports, impeded their access to a port of safety after a rescue operation, limited their presence at sea, increased their operational costs, jeopardized their logistic and recruitment

processes, and launched the criminal prosecution of rescue crews (Cusumano and Villa 2020). According to the EU's Fundamental Rights Agency, in the summer of 2022, there were ten SAR NGO assets operating in the Central Mediterranean (seven boats plus other monitoring vessels and aircraft). Eleven other assets were temporarily blocked at port "due to ongoing criminal and administrative proceedings, vessel seizures, as well as mandatory maintenance work" (FRA 2022). Simultaneously, Italy's Prime Minister Meloni and her government, following an electoral campaign targeting SAR NGOs, published a decree forcing boats to head to Italy after each rescue (prohibiting boats to address multiple emergencies during a single rescue operation). While SAR NGOs continue to operate in the Central Mediterranean, these obstacles, along with Frontex's involvement and the externalization of responsibilities towards Libya, have resulted in frequent denials of assistance and define the dominant current approach to SAR along this route.

5.2. The Eastern Mediterranean: Militarization and the Normalization of Refoulement

Much like in Italy, SAR responsibilities in Greece fall upon a paramilitary government agency: the Hellenic Coast Guard. Strictly speaking, this agency is not within the Greek Armed Forces in times of peace, but it is structurally designed to quickly switch to a supporting role for the Greek Navy in times of war (Kovras and Robins 2016; Topak and Vives 2020). SAR NGOs were also present in the Eastern Mediterranean for a brief period (2015-2020).

Initially (2015-2016), NGO-led rescue interventions in the Eastern and Central Mediterranean were closely linked, with some boats and rescue personnel circulating between the two depending on demand, political context, and administrative restrictions (Cusumano 2017). For example, in the winter of 2015, German-based NGO Sea Watch stopped its operations in the Central Mediterranean but launched a monitoring operation in the Aegean Sea. Monitoring halted in March 2016 following a rapid drop in arrivals after the EU-Türkiye Deal. Sea Watch returned to the Aegean in 2017 (Alarm Phone 2017) and 2018, only to sell its boat to the NGO Mare Liberum a year later following the imposition of severe restrictions and penalties on civil sea rescuers by the Greek Parliament (Medium 2021). Between late 2017 and early 2020, Refugee Rescue (an Irish NGO) was the only NGO leading SAR operations in Aegean Sea. Based on the north shore of Lesbos (Skala Sikamineas), Refugee Rescue had been working directly under the authority of Hellenic Coast Guards until the expulsion of most NGOs from Aegean Sea in the early 2020. The elimination of NGOs from the Greek SRR and shores has rendered human rights abuses at sea largely invisible to the public (Schack and Witcher 2021). The only actors that remain active in the area are all closely linked to state and European security forces: the Hellenic Coast Guard, Frontex, NATO, and the Turkish Coast Guard. These actors' priority is border enforcement. Bachiller López (2023), for example, documents the evolution of Operation Poseidon's objectives in the period between 2006 and 2020: originally designed to intercept boats and bring them to Greek shores, in recent years the operation has become a "detecting device" for the Hellenic Coast Guard.

Greece and the EU's have used multiple strategies to co-opt SAR assets into migration control, including externalization. In parallel with discussions between the EU and

Türkiye around the latter's role to stop migration towards Greece, in early 2016 NATO deployed maritime and aerial assets in the area to gather intelligence concerning migratory movements, detecting and tracking migrant boats, then sharing knowledge with Turkish and Hellenic coast guards, as well as Frontex (Caligiuri 2022). Indeed, as part of the EU-Türkiye March 2016 Declaration, Türkiye agreed to step up efforts to intercept migrants departing from its coasts, and to take back anyone intercepted in its waters (Keady-Tabbal and Mann 2023). This was in return of EU funds that have been renewed since. For example, in 2022, the EU funded two projects to strengthen the search and rescue capacity of the Turkish Coast Guard and the management of returns from the EU for a total of €80 million (European Commission 2023).

Despite the opacity of SAR operations in the region, there is abundant evidence of human rights violations along the Eastern Mediterranean route. These include violent pushbacks/pullbacks towards Turkish waters (Topak 2014), a practice allowed and financed by the 2016 EU-Türkiye Agreement (IOM 2017). Since 2020, accounts of pushbacks carried out by the Hellenic Coast Guard have multiplied, involving various methods including “driftbacks,” through which thousands of asylum-seekers have been intercepted in Greek waters and left to drift out of them on repurposed life rafts or on boats with broken engines (Forensic Architecture 2022; Keady-Tabbal and Mann 2023). Greek authorities and Frontex have consistently denied their responsibility (Topak 2019).

5.3. The Western Mediterranean and Atlantic Routes: Militarization and Externalization

Both the Western Mediterranean and the Atlantic routes cross the Spanish SRR. Spain's approach to maritime SAR is an anomaly in the European context: maritime rescues are coordinated by a publicly agency with no operational links with the military until 2018–2019 (Vives 2023). This company (usually referred to as “Salvamento Marítimo”, although its official name is SASEMAR) has a triple mandate: to provide marine traffic management and safety services, to protect the marine environment, and to safeguard human life at sea. To do this work, SASEMAR relies on four types of vessels owned, maintained, and staffed with workers hired directly by the state. Air units such as drones, small planes, and helicopters are publicly owned but staffed with privately-hired personnel, and provide crucial support to sea crews: they help locate vessels in distress at sea, rescue them when the conditions make it impossible for the sea crews to do so, and transport those in need of immediate medical assistance to nearby hospitals. Air and crew units are coordinated through a national network comprising 20 coordinating centers and six strategic bases. In addition, in 2019 the Spanish government created a single operative command (SOC or *Mando Único Operativo de Coordinación de las Actuaciones*). The SOC and its executive arm, the Coordination Center for Emergency operations or CCOE, are run by the Guardia Civil (military) and intervene only in operations where sea migrants are involved, and only in the Western Mediterranean (although at the time of writing there were demands for the creation of a similar structure in the Canary Islands). In other words, there is currently a two-tiered SAR system in the Western Mediterranean: one for immigrants, under military command; and one for the rest of people in distress at sea, coordinated by civil units from the coordinating centers.

When the SOC gets involved, the military chain of command kicks in and makes operational decisions that SASEMAR workers have to follow; when the military is not involved, rescue operations are coordinated by the (civil) regional MRCCs in coordination with the (also civil) National Maritime Rescue Coordination Center, based in Madrid.

The differentiation between these two approaches to SAR (civil and military) is rather artificial, particularly since the two often share the same rescue staff and equipment: the assignment of an operation to civil or military command simply depends on the presence or absence of migrant persons requiring assistance. This situation has created tensions and is representative of a larger context of rapid transformation of the Spanish SAR system. Additionally, putting rescue operations in the hands of the military has led to longer operational times (Vives 2023), which may have translated into increased loss of life in the Western Mediterranean.

In parallel with the militarization of the Spanish SAR system through the transfer of operational responsibilities to national (Guardia Civil), Spain has delegated some of these responsibilities to Morocco's still embryonic SAR system. As is the case in the Central and Eastern Mediterranean, the externalization of border and SAR responsibilities to Morocco comes with a hefty price tag: Morocco went from receiving minimal transfers in 2017 (€126,000) to becoming the first recipient in 2019 (€32 million) under state transfers earmarked for international police cooperation and international cooperation, both linked to border control. In addition, Spain transferred €2.5 million to Morocco to purchase police vehicles in 2018. To this amount, the EU transferred an additional €140 million in 2018–19 – €40 million of which were earmarked for the acquisition of maritime, aerial, and terrestrial equipment to enhance border control by the Royal Moroccan Navy, the military force responsible for carrying out maritime rescues (Statewatch 2019; Vives 2023). The increased involvement of the military, both in Spain and in Morocco, has resulted in a dearth of information about SAR operations along the Western Mediterranean and Atlantic routes and, quite possibly, more deaths, more disappearances, and more violence against migrant people en route (Caminando Fronteras 2023). Efforts to externalize rescue responsibilities are also under way in Mauritania and Senegal.

5.4. Dover Strait: Interceptions in British Waters, Rescues in French Waters, Militarization of Both

In the Dover Strait, the externalization of British migration controls to France long preceded the emergence of a sea migration route in 2018. However, before that date, cooperation focused on land borders and was restricted to the prevention of departures from France on sites such as train stations and ferry terminals. The increasingly complex articulation of UK migration control in French territory started in the 1980s in the context of the Schengen area development (Bosworth 2020). Today, and in the context of Brexit, cooperation between the two countries rests on a series of more than twenty treaties, joint declarations, and action plans that fund both infrastructure and surveillance technology to prevent migrant crossings and encourage seeking asylum in France (Galissou 2021). Opposition from some French politicians and human rights groups has done little to undermine this arrangement, likely due to path-dependency effects (Bonnevalle 2022; Foucher 2018). The geographical scope of bilateral agreements

has expanded over the years along the French coast to adapt to changes in migration routes, resulting in a paradoxical situation of intra-European externalization. Yet, despite British efforts, at the time of writing these externalization measures have not been extended to the sea. What we observe, instead, is the growing importance of intelligence-oriented capacity-building, and a deployment of military assets that cooperate in the detection, interception, and (in some cases) rescue operations on both sides of the Dover Strait.

British military assets have been deployed to perform maritime border closure on multiple occasions since 2018. A Navy patrol vessel, *HMS Mersey*, was first deployed in the Dover Strait in September 2019, after serving NATO in the Aegean Sea on a mission to detect migrant crossings (House of Commons Defence Committee 2022; Ministry of Defence 2016). In August 2020, a former Royal Marine, Dan O'Mahoney, was made the First "Clandestine Channel Threat Commander" (CCTC) in efforts to make the Dover Strait route "unviable" (Wallis 2020). That summer, the Royal Air Force launched several flights to gather intelligence of Dover Strait crossings including launching drones which had been used in Afghanistan (the Thales' Watchkeeper). A year later, as crossings continued, the Home Secretary at the time legalized pushbacks under certain conditions. The legality and morality of the plan was vastly contested (Borelli 2021). Following the November 24 shipwreck, in 2021, the largest union of Border Force officers allied with the refugee support charity Care4Calais to demand a judicial review of the policy, threatening to go on strike (Slawson 2022). Faced with this opposition, the Home Secretary announced that the British Navy would be deployed in the Dover Strait. Operation Isotrope, presented by then Prime Minister Boris Johnson, implied that the Ministry of Defense was taking "primacy" over operations in the Channel (House of Commons Defence Committee 2022). Yet, from the outset, the Royal Navy stated that its boats would not perform pushbacks. Operation Isotrope was halted in January 2023 and replaced with the Small Boats Operational Command, managed from within the Border Force. Working alongside private vessels contracted by the Home Office and the Royal National Lifeboat Institution (RNLI), the Border Force has since regained the lead on interception and rescue operations.

The legality of the UK's pushbacks is dubious and lacks approval from French authorities. Indeed, French guidelines state that the protection of human lives prevails (Direction des Affaires Maritimes 2021). However, this does not mean that there have been no changes to the way rescue operations are conducted. Until mid-2022, up to 30% of rescue interventions coordinated by the French CROSS (MRCC equivalent) were made by the Société Nationale de Sauvetage en Mer (SNSM) volunteers. The SNSM is an NGO with a public service mission funded primarily by private donors. When active on sea rescue operations, the SNSM acts under CROSS orders, along with other agencies participating in the French Coast Guard's mandate such as the French Navy, Maritime Affairs, Customs, and the National Gendarmerie. As Figure 3 shows, however, SNSM participation has declined since 2021. The decline is explained in part by volunteers asking to be relieved from rescue duties during times of extreme workload. While volunteers have expressed their interest in remaining part of the regional rescue system, SNSM management has expressed concerns that rescue needs vastly surpass its capacity. As mass rescues have become the norm in the Dover Strait, the number of people rescued per

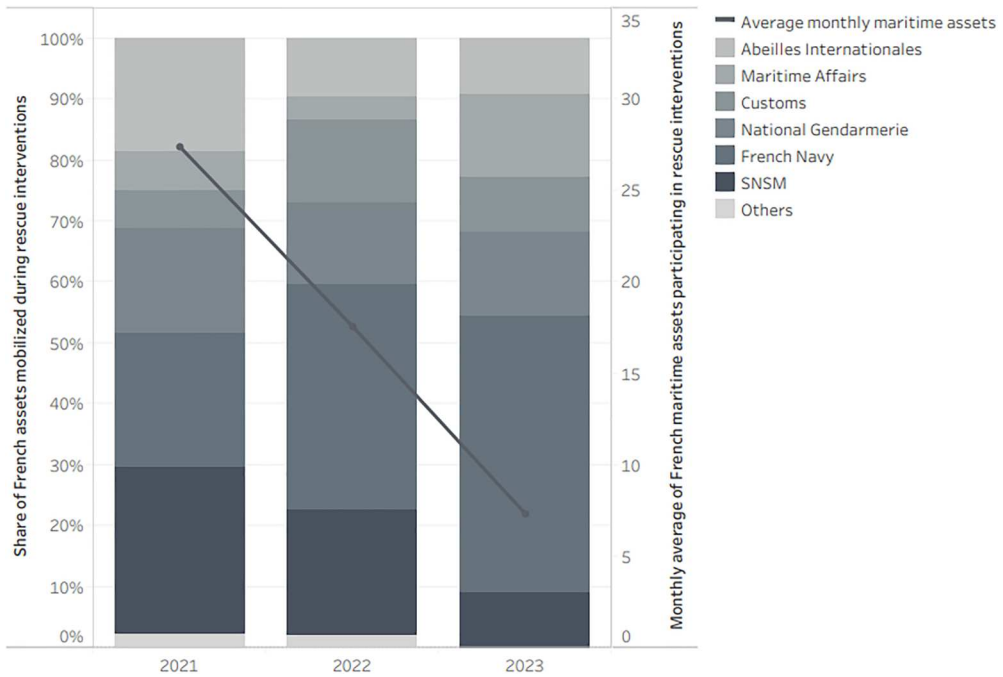


Figure 3. Share of assets deployed by the different organizations and agencies involved in the rescue of migrants crossing the Dover Strait monthly (%).

Source: Press releases of the Manche and North Sea maritime Préfecture. For 2023, data were retrieved up to April 2023.

operation rose from an average of 28 in 2021–40 in 2022. As a result, the French Navy, which has better capacity and rescue equipment, has become increasingly involved. Thus, during 2022, two 54-meter Navy patrol boats were involved in most rescue operations (the PSP Flamant and PSP Pluvier). Still, most French Coast Guard rescue crews have been trained in mass rescue techniques by SNSM volunteers, which highlights their continued involvement. Despite this commitment to SAR, jurisdictional disputes have resulted in non-assistance in the Dover Strait in cases where migrants in distress were close to the boundary between France and the UK’s SRRs (El Idrissi and Pascual 2022; Taylor 2023).

In a sense, the Dover Strait case shows the limits of the convergence argument. Though the unusual intra-European border externalization mechanisms described in the other case studies have not been extended to the maritime space in this area, they are now, paradoxically, reinforced by the presence of a recent Frontex mission. A Frontex plane, which had been requested by the French Interior Minister for several months, first arrived in December 2021, presented as a European response to the 2021 shipwreck mentioned above. Instead of being deployed around the maritime border (as Frontex planes are in the Central Mediterranean) this drone’s flights are restricted to monitoring a portion of the French coast. In 2022, it worked alongside planes hired by French authorities and financed with British funds, the two countries jointly contributing to the first case of non-EU border efforts being externalized to the territory of a member state.

6. Conclusion

SAR is not only a moment in a much longer journey, but a crucial one that determines whether or not migrant people will live or die; have access to protection within a safe territory or be denied of this right. Historically, providing SAR services has been the responsibility of individual states who have tailored such systems to their own needs and pre-existing institutional arrangements. In this paper, we have argued that this era is coming to an end. Since 2014, we observe a tendency towards the Europeanization of national SAR systems, as well as their co-optation from their original purpose (to protect *all* human life at sea) to serve migration and border control objectives. Evidence presented here supports Gammelhoft and Aalberts' argument that a new ocean geopolitics is being "created, through which states may seek to disclaim responsibilities by repositioning rescue operations to foreign SAR regions and shifting between different legal regimes and interpretative strands" (2014, 461). Furthermore, the emerging EU approach to maritime SAR is characterized by the marginalization of non-militarized approaches and actors.

The cooptation of maritime rescue assets for border and migration control purposes, militarization, externalization, and the deployment of humanitarian logics of care/control are well advanced along the southern EU border. This is not the case in the Dover Strait, where we find a fragile equilibrium in the sharing of responsibilities between the UK and France. We see some signs of convergence along this route: for example, through the arrival of Frontex or the concentration of SAR responsibilities in the hands of the French Navy. At the same time, externalization here takes a different twist. In a context where the British government seems determined to undermine the asylum system (e.g. changes in applications of the Modern Slavery Act, plans to externalize the asylum process to Rwanda), France's commitment to saving lives at sea in its SRR has not yet wavered. Unlike in the other SRRs we have discussed in this paper, there are no reports of pushbacks in the Dover strait, and rare reports of pullbacks or driftbacks, which thus can't be said to characterize French rescue policy in the area at the time of writing. There is externalization, however, in the sense that the UK has transferred money to France so that the latter stops migrants from arriving in British territory. It remains to be seen if France will change its approach to maritime SAR in the years to come.

The transformation of national SAR systems demonstrates the plasticity and the opportunistic nature of contemporary approaches to borders as technologies of control. In an attempt to curtail the mobility of certain groups of people, states increasingly integrate spaces beyond their traditional border. At sea, in contexts where migrant lives are at risk, EU bordering processes also demonstrate the tensions inherent to humanitarian logics of care/control – even at the expense of international commitments to maritime SAR and human rights, as well as domestic policy. Border violence at sea resulting from the co-optation of maritime SAR services into the anti-immigration border affects unwanted migrants and asylum seekers, whose chances of entering EU territory to claim their accrued rights are severely limited. The cooptation of European SAR systems, thus, is part of a larger necropolitical regime where racialized groups are overexposed to violence and death by the action and inaction of member states at sea.

These conclusions point to future areas of research. First, as noted above, data on sea migration is limited, both due to the nature of the phenomenon (e.g. migrants' interest

to remain invisible to state authorities, difficulty at confirming deaths at sea due to the disappearance of the bodies drowned) and to the lack of consistent and comparable long-term data for sea migration collected by EU member states. Further research must fill in these gaps. Secondly, national SAR systems along the routes considered here remain distinct due to their specific institutional arrangements and their stage in the evolution towards Europeanization and co-optation for migration control. The question remains if we will see a linear progression towards a unique EU multi-scalar and two-tiered SAR system designed to protect only *some* lives at sea. It will be a matter of time until we understand if regionalization and co-optation of maritime SAR (and the militarization, externalization, and increased recourse to illegal practices) will become the defining traits of the emerging EU approach to maritime SAR in border regions.

Note

1. Belgium, Croatia, Cyprus, Denmark, Finland, France, Greece, Iceland, Ireland, Italy, Germany, Luxembourg, Poland, Portugal, Spain and Sweden have signed the SAR Convention. Malta signed the original Convention, but has not ratified the 2004 guidelines for the treatment of persons rescued at sea. The Manche Plan (1978, revised in 2018) is a bilateral regional Treaty which sets out directions in terms of coordination of search and rescue operations between neighbour states within the framework of the SAR Convention

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