

# Externalisation of EU Borders through Cooperation with Libya: Italy as a Gateway to the European Dream

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This article argues that cooperation between Italy and Libya with EU support, have accelerated and deepened especially after the migration crisis in 2015. The introduction of Italy–Libya Memorandum of Understanding (2017) to cope with the challenge of irregular migration has externalized the EU's borders and contributed to transformation of the Mediterranean Sea into *limes*. The conceptual and analytical framework of the article is based on territorial implications of Europeanisation of migration and particularly the concept of *limes* which refers to drawing a line to maintain a distinction between stability and order within and disorder outside (Walters 2004). The article focuses on Italy, which is one of the countries most affected by the crisis as it is located on the EU's external Mediterranean border. The study draws on semi-structured, in-depth, face-to-face interviews conducted in Italy in the first half of 2019 with the members of the Chamber of Deputies from various political parties, sea rescue NGO representatives in Italy, a representative from UNHCR Italy, and a mayor from southern Italy. The interviews reveal various metaphors and narratives such as 'Italy has been left alone' because of solidarity crisis in the EU and 'Italy as a gateway to Europe' for analysing Italy's role in externalizing EU borders and migration management through cooperation with Libya.

*Key Words:* irregular migration, Italy, Libya, European Union, Mediterranean, sea rescue NGOs

INTRODUCTION

[62] Ever since the so-called migration crisis (2015), security concerns have been increasingly prioritised in the EU, especially regarding regional threats identified in migration, trafficking, and terrorism. An increasingly securitised discourse has strongly influenced conceptualizations of borders, with emphasis increasingly being put on creating a border of control and exclusion (Browning and Joenniemi 2007, 24; Moreno-Lax 2018). There is a rising move towards ‘militarization of EU borders,’ rather than a humanitarian approach to save people’s lives (Irrera 2016, 27). Both member states and the EU itself have intensified this securitization following the migration crisis and the rise of populist radical right tendencies. For example, member states have reduced their Search and Rescue (SAR) capacity. The resulting increase in migrant death rates has made the Mediterranean the deadliest frontier worldwide (European Parliament 2021, 80).

On the other hand, the solidarity crisis within the EU has accelerated the externalisation of the EU border control and migration management a trend spearheaded by countries situated on the external EU border such as Italy. Europe’s eastern border control has also been externalised towards Turkey, particularly after the March 2016 EU–Turkey Statement, or so-called ‘refugee deal’ which was followed by the cooperation between Italy and Libya (2017), and Spain’s collaboration with Morocco (Armillei 2017, 144) to decrease irregular migration flows towards Europe. Further comparative research is needed to analyse how the EU has constructed complex, multiple borders by externalizing its borders and migration management. This study aims to contribute to existing literature by focusing on the case of Italy and the collaboration with Libya which was supported by the EU as well. Cooperation between Italy and Libya began long before the migration crisis. Since the late 1990s, Italy has promoted bilateral cooperation with Libya, with whom it shares a colonial history and close economic ties, including through several formal and informal agreements. Since the 1990s, this cooperation has been informal and secretive regarding the details of the agreements (Klepp 2010, 4). Since 2000, several agreements were made with



Libya, and also Tunisia, to strengthen their capacity to patrol their coasts (Cuttitta 2018, 30). In 2000, Italy and Libya signed an agreement to fight terrorism, organised crime, drug trafficking, and illegal migration (Hamood 2008, 32). Although Libya was perceived as a 'rogue state,' further important bilateral agreements were signed in 2003 and 2004 that introduced several crucial areas of close cooperation (Klepp 2010, 4). In 2004, Italy provided Libya with training and equipment to assist with border management (Hamood 2008, 32).

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After the economic and the migration crises, 'Italy has been left alone' became one of the most dominant and frequently used frames of Italian political elites, both in the government and the opposition. This further strengthened Italy's cooperation with Libya, which has been increasingly supported by the EU.

In recent years, the EU's and Italy's approaches to the externalisation of EU borders and to migration management have increasingly converged. However, this has eliminated asylum procedures for many asylum seekers, who were pushed back to Libya. This was most visible when leader of the Lega, Matteo Salvini, was Minister of the Interior, when the fieldwork of this study was conducted. Throughout Salvini's tenure as Interior Minister, migrants rescued at sea from sinking dinghies had to wait many days aboard NGO ships before being granted access to a harbour and disembark. Those who are pushed back or pulled back to Libya or in detention centres, frequently face human rights violations.

This study focused on Italy because it is one of the countries most affected by the EU's migration crisis as it is located on the EU's external Mediterranean border. As one of the main gateways to the 'European dream,' Italy is one of the main actors contributing to the externalisation of EU borders. By collaborating with neighbouring countries, particularly Libya, Italy transfers some of its border management responsibilities in order to prevent further irregular migration flows.

Because of the solidarity crisis within the EU after the migration crisis, the external border countries of the EU faced with bigger challenges. Since the crisis developed, the perception that 'Italy has been abandoned' has become a common narrative in Italy. As

[64] one of the main first entrance points to the Schengen area, Italy has to deal with many asylum applications under the Dublin Convention. The EU's 'solidarity crisis' has accelerated cooperation between Italy and Libya, with EU support, despite extensive human rights abuses in Libya. This cooperation has enabled the EU to externalise its borders which has led to thousands of migrants drowning in the Mediterranean Sea.

The externalisation of migration management and EU borders is analysed by focusing on the case of Italy and the cooperation with Libya. The first section provides the conceptual and analytical framework, based on Walters' (2004) 'territorial implications of Europeanisation of migration' and particularly the concept of *limes*. The second section presents the methodology, while the third discusses the historical background and challenges of cooperation regarding irregular migration between Italy and Libya, and the EU and Libya. It also explains how this has externalized EU borders and migration management. The final section draws on semi-structured, in-depth, face-to-face elite and expert interviews conducted in Rome in the first half of 2019 with members of the Chamber of Deputies in Italy, sea rescue NGO representatives in Italy, a representative from UNHCR Italy, and a mayor from southern Italy. The resulting narratives are used to explain Italy's role in externalizing EU borders and discuss the challenges of cooperation between Italy and Libya, especially regarding human rights.

CONCEPTUAL AND ANALYTICAL FRAMEWORK:  
THE CONSTRUCTION OF LIMES IN THE  
MEDITERRANEAN SEA THROUGH COOPERATION  
BETWEEN ITALY AND LIBYA

European politicians have increasingly emphasised the need for a geopolitical vision of (EU)rope (Bialasiewicz et al. 2009, 79). Individual EU member states are influenced by national political, geopolitical cultures and visions of Europe, as is evident in the way particular member states focus on different neighbourhoods. France and Italy, for instance, see the Mediterranean as Europe's primary space of intervention (Rupnik 2007; cited by Bialasiewicz et al. 2009, 79).



Critical studies on security and borders theorise contemporary borders by emphasizing their increasingly mobile and de-territorialised re-spatialisation beyond national territories (Walters 2004; Rumford 2006). The resulting 'transportable border politics' is reflected in the outsourcing of migration policies to third countries, new techniques of mobility control, and surveillance mechanisms (Bialasiewicz et al. 2009).

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The cross-border policing of people and counterterrorism projects have reshaped Europe's borders (Walters 2006, 142). During the 1990s, the predominant concept used to define EU borders was *Fortress Europe* which was constructed towards outsiders. It has become much harder to enter the Schengen area while several parts of the EU external borders have been externalised. This changed after the Schengen agreement was incorporated into the Amsterdam Treaty: internal borders were harmonised while the EU's external borders became *fuzzy* because they produced intermediate spaces between inside and outside. This development enabled EU policies to be exported beyond its member states (Christiansen and Tonra 2000, 390–3).

According to Huntington (1993; cited by Christiansen and Tonra 2000, 401), the Mediterranean Sea is a key fault line in a 'clash of civilisations.' The Mediterranean's northern states define themselves as European. They share modern industrial and service-based economies, secular political traditions, and liberal-democratic governmental structures. They also share a Mediterranean identity within a broader European identity. In contrast, despite sharing more cultural identifiers than their northern neighbours, the states and peoples from the south of the Mediterranean have a much weaker collective identity (Christiansen and Tonra 2000, 401–2).

The EU's Euro-Med initiative made the Mediterranean a new version of *Mare Nostrum*, with the EU playing the role of the ancient Romans (Tunander 1997; cited by Christiansen and Tonra 2000, 411). However, this has been harshly challenged especially since the migration crisis.

There has been 'securitisation of migration' (Huysmans 2000) which accelerated after the migration crisis. The distinctions be-

[66] tween external and internal security have become blurred: border defences have been thickened through the creation of buffer zones and there has been an increasing use of military technologies for border enforcement. Moreover, there is 'layered border inspection/policing approaches that move customs and immigration inspection activities away from the territorial border' (Bialasiewicz 2012, 844) which has led to externalisation of borders. As Bialasiewicz (2012, 845) notes, Frontex, which is the external border control agency of the EU, has become the most visible actor in the EU's increasingly exclusionary border control.

In his discussion of the 'multiplicity and plurality of borders,' Walters (2004, 674–6) argues that the form and function of Europe's borders have been transformed. He focuses on the 'territorial implications of the Europeanisation of migration.' He perceives *Fortress Europe* as an alternative for the fear of *Sieve Europe*, 'open to all manner of transnational threats.' For Walters (2004, 678), the geostrategic moment refers to 'instrumentalization of territory for the purposes of governing one or more of new security issues,' such as human trafficking, asylum, and terrorism. He emphasises that geostrategies can offer a more nuanced version of the production of geopolitical space in Europe than concepts like *fuzzy borders* or *Fortress Europe*.

Walters (2004, 679–82) considers several geostrategies of EU borders. The *networked (non)border* achieves effective frontier control through cooperation between state agencies on both sides of the frontier. *March* implies a buffer zone between powers to protect the interior, such as Central and East European countries. The *colonial frontier* refers to the way the EU's complex borders include asymmetric power relations whereby centre is perceived as the 'repository and arbitrator of what is proper' (Walters 2004, 683–8). Finally, Walters (2004, 690–1) suggests another border type derived from imperial history: *limes*. This refers to a border between a power and its outside, between the 'empire and the barbarians, or cosmos and chaos.' *Limes* draws a line to maintain a distinction between 'stability and order within and disorder, nomadism, barbarism outside.' Thus, EU borders have become much more complex, especially af-



ter the migration crisis due to their externalisation and increasing collaboration with neighbouring countries.

The geostrategy of the *colonial frontier* perceives it as open to expansion, whereas the *limes* presupposes a more permanent frontier. Like the *colonial frontier*, the *limes* creates a hierarchy between inside and outside, and institutionalises asymmetric relations between unequal powers. The *colonial frontier* aims to incorporate the outside into the inside whereas the *limes* precludes further expansion and preserves what the empire has achieved (Walters 2004, 691). Thus, in the case of *limes* rather than incorporation of outside, exclusion of outside is maintained while transferring some responsibilities of border control and migration management.

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According to Walters (2004, 691), the Romans considered the Mediterranean as *Mare Nostrum* (centre of the civilised world) whereas ‘the area of Europe where the *limes* materialise more than anywhere today is its Mediterranean frontier.’ Walters (2004, 692) claims that ‘the *limes* constitute the European community as a gated community.’ *Limes* refer to ‘an edge, fringe or limit,’ as in Europe’s Mediterranean frontier (Karadağ 2019). Walters (2004, 693) suggests that further empirical work is needed to determine whether arrangements like police partnerships are attempts to extend control beyond the frontier. Based on this analytical and conceptual framework, this article focuses on the EU-supported collaboration between Italy and Libya in response to irregular migration across the Mediterranean Sea. It argues that this has contributed to the construction of *limes* in the Mediterranean Sea between the ‘cosmos’ of Europe and the ‘chaos’ of the South, with Italy perceived as a gateway to the European dream.

Although EU enlargement has lost momentum, further enlargements to the East may still occur in the longer term. In contrast, there is no prospect of enlargement to the south. Rather, the EU’s approach to its southern neighbourhood, which it considers as a region of multiple security challenges, is driven by a strategy of ‘containment in the face of a world that is viewed as profoundly alien’ (Walters 2004, 692).

Whereas the EU’s eastern neighbourhood’s Europeanness is less

questioned, that of the south is much more contested, leading to a rather static view of the EU's southern borders. This in turn has contributed to the construction of the *limes* in the Mediterranean (Browning and Joenniemi 2007, 25).

[68] To exemplify the notion of *limes*, Walters (2004) discusses the wall financed jointly by the EU and Spain to prevent irregular migration from Moroccan mainland to the Spanish enclave cities of Ceuta and Melilla. Walters (2004) argues that the EU's borders reflect dynamism and plurality. In the case of Italy, the EU has externalised its borders and shifted responsibilities onto neighbouring countries like Libya to contain irregular migration. As a result, *limes* has been constructed in the Mediterranean Sea.

More specifically, the 'out-sourcing of migration management to African states,' particularly Libya, is a crucial example of 'out-sourcing and off-shoring of Europe's border work' (Bialasiewicz 2012, 848–52). As Bialasiewicz (2012, 847) argues, 'Europe's neighbours are becoming Europe's policemen, with the Mediterranean as the primary site for externalising European governance and a laboratory for finding various solutions for policing EU borders.'

As Walters (2004, 693) argues, 'at the EU's Southern frontier, the geostrategy of *limes* seems to be dominant' even before the migration crisis. Carrera and Cortinovis (2019) criticise the 'contained mobility paradigm,' achieved by increasing criminalisation of sea rescue NGOs, EU member states' gradual operational disengagement from SAR activities, and Italy's delegation of containment tasks to Libyan Coast Guard, supported by the EU. This article argues that the EU's externalisation of its borders and migration management has deepened as a consequence of the 'migration crisis' and the EU's 'solidarity crisis.' The main narrative in Italy of 'having been left alone' has accelerated and deepened its cooperation with Libya which has been supported by the EU as well. This in turn has led to construction of *limes* in the Mediterranean between a peaceful and prosperous Europe and a chaotic South.

#### METHODOLOGY

For this study data was collected through 18 semi-structured, in-depth, face-to-face elite and expert interviews conducted in Rome



in March 2019. The interviewees included politicians from Italy's Chamber of Deputies from various political parties, sea rescue NGO representatives in Italy, a mayor from southern Italy, and a representative from UNHCR Italy. Except for the Five Star Movement (M5S) deputy, all the politicians were from opposition parties at that time. Interview requests with several members of other governing parties were rejected. Thus, the interviews mostly reflect a critical approach to Italian and EU migration policies, and Italy's collaboration with Libya.

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To analyse the interviews, the metaphors and frames that the interviewees frequently used to evaluate Italy's migration policy, how its abandonment led to deepening cooperation with Libya and the humanitarian challenges of this collaboration are analysed.

Frame analysis was introduced by Goffman (1974). Verloo (2005, 20) defines a policy frame as an organizing principle that transforms fragmentary information into a structured problem in which a solution is implicitly or explicitly included. Actors usually make intentional decisions and choose between the available competing frames to pursue their goals ('strategic framing'). The types of actors can be compared based on the frames they employ (Dombos and Zentai 2012, 5–13). Issue frames can be articulated by both state and non-state actors, as dominant state frames or contesting non-governmental frames (Dombos and Zentai 2012, 5–6).

This article analyzed the frames of mostly opposition parties and sea rescue NGO representatives who focus on the humanitarian challenges of the collaboration with Libya. Sea rescue NGO representatives were included in the study because they closely observe the situation in the Mediterranean Sea. Thus, they can evaluate the humanitarian impacts of Italy's collaboration with Libya and the construction of *limes* in the Mediterranean's north and south.

EXTERNALISATION OF EU BORDERS  
AND MIGRATION MANAGEMENT TOWARDS LIBYA  
AND THE ROLE OF ITALY

While Libya was previously more of a destination country for migrants from Arab and Sub-Saharan countries, it has become a transit country for irregular immigrants trying to reach Italy as a first step

[70] to achieving the European dream. Migrants arrive in Libya from many war-torn countries, such as Sudan and Somalia. However, Libya lacks the administrative and legal system to identify or protect refugees (Klepp 2010, 3–4). The migratory journeys before the Mediterranean crossings are also highly risky, often involving crossing remote terrain like the Sahara Desert and residing in countries like Libya (Missing Migrants Project 2021).

Libya's increasing importance as the main jumping-off point for entry into Europe by sea has created a sense of urgency in the EU. In response, it has tried to prevent irregular arrivals from Libya and deepened EU–Libya cooperation, including by partially exporting border management responsibilities. A central aim is to strengthen these countries' migration management capacities, particularly regarding border control (Hamood 2008, 19–20) to decrease irregular migration to Europe.

In June 2005, the Council announced an *ad hoc* dialogue and cooperation with Libya on migration issues based on respect for human rights. However, Libya is not a signatory to the 1951 Geneva Convention or its 1967 Protocol. Faced with the choice of remaining in Libya or risking the Mediterranean crossing to Europe, many people have chosen the latter (Hamood 2008, 20–5) to realise their 'European dream,' which represents their only hope for survival and a better future. On the other hand, in 2005 Italy's Interior Ministry announced that Italy and Libya planned to create joint teams to tackle smuggling. Without signing a readmission agreement, they agreed verbally on returns. This has allowed Italy to restrict entry into its territory while carrying out mass deportations, especially since 2004, when many irregular immigrants arrived in Lampedusa. However, the way these deportations were carried out violates Italy's national and international obligations, particularly regarding the right to seek asylum and *non-refoulement*. After being returned to Libya, some migrants were detained without access to UNHCR while facing the risk of torture and ill-treatment in detention centres. Others were sent back to their countries of origin, where they are also at risk of human rights violations. Italy has nevertheless financed charter flights to repatriate irregular immigrants from Libya



to their countries of origin. It has also financed the construction of camps for these immigrants in Libya (Hamood 2008, 32–3). According to Klepp (2010, 5–8), implementation of these cooperation programs has actually eliminated rather than externalised the asylum system in Libya.

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After the first Frontex Technical Assistance Mission to Libya in June 2007, Italy and Libya signed several bilateral agreements to create joint patrols along Libya's coast. This allowed Italian coastguard vessels to operate in Libyan waters. In 2008, Italy and Libya signed the Treaty of Friendship, Partnership, and Cooperation, perceived as a crucial step towards reconciliation. Its provisions included bilateral efforts to combat illegal migration, facilitated by joint sea patrols launched in December 2007. In May 2009, during the Berlusconi government, Italy's parliament approved legislation making irregular migration punishable by a fine and detention. It also authorised deportation of migrants through a push-back policy (Bialasiewicz 2012, 852–3). As Bialasiewicz (2012, 858) emphasises, the 2007 and 2009 bilateral treaties focused on collaboration in the fight against terrorism, organised crime and irregular migration.

Italy's external border controls were conducted under the *Constant Vigilance* operation. This involved patrolling the Strait of Sicily after 2004 and then the *Mare Nostrum* operation which focused on SAR between October 2013 and November 2014. Subsequently, Frontex launched the *Triton* operation, which focused on external border control rather than SAR activities. After 700 migrants died during a rescue operation carried out by a commercial vessel, Italy launched a new military operation, *Eunavfor Med Sophia*, to fight smuggling networks and prevent boats leaving Libya (Cuttitta 2018, 7).

EU and Libya's cooperation on migration and border management started in 2013 with the establishment of the EU Border Assistance Mission to Libya (EUBAM), designed to develop a border management framework (European Parliament 2021, 129). Most EU actions since the migration crisis have focused on increasing border controls and 'externalising migration management outside of the European territory,' particularly to Turkey, Libya, and Morocco

[72] (Gattinara 2017, 320). Frontex has also supported cooperation programmes with Libya to patrol Libyan waters and return irregular migrants to Libya (Klepp 2010, 7). At the Valletta Summit of 2015, there was a push for further externalising border and migration control in response to the humanitarian crisis (Perkowski 2016, 333).

On 2 February 2017, the Italy-Libya Memorandum of Understanding was signed to provide patrol boats for the Libyan Coast Guard. Italy's government focused on 'equipping the Libyan Coast Guard to make pull-back operations to Libya.' However, this resulted in drownings and *refoulement* to Libya's detention centres in violation of international law (Maccanico 2019).

In February 2017, EU leaders agreed on new measures to reduce irregular arrivals along the central Mediterranean route. They committed to increasing cooperation with Libya and tackling migrant smugglers on the basis of the Malta Declaration. In November 2017, the EU established a joint migration task force with the African Union and the UN which aimed to pool efforts and enhance cooperation in response to migration challenges in Africa, particularly Libya (European Council 2021).

In August 2017, the EU-trained Libyan Coast Guard claimed responsibility over a large SAR region, warning NGOs against entering the area without authorization. However, Libya still lacks capabilities to conduct effective SAR operations. The 27 August 2017 meeting in Paris between Italy, Germany, France, and Spain called for other EU member states, particularly those bordering the Mediterranean, to support Italian attempts to externalise migration management by funding countries in the Sahel region and Libyan municipalities. Efforts to monitor and restrict maritime rescuers formed part of a wider EU strategy to rely on the Libyan Coast Guard to deter migrants from crossing the central Mediterranean Sea. Although this policy may have helped reduce crossings, the humanitarian results have been highly questionable (Cusumano 2019, 113).

Carrera and Cortinovis (2019) argue that EU and Italian support for Libya through funding, training, and equipment increased the Libyan Coast Guard's capacity to conduct unlawful operations at sea,



enabled the Libyan authorities to establish a Libyan SAR region, and set up a Maritime Rescue Coordination Centre (MRCC). The European Commission also indirectly supported these activities through the EU Trust Fund for Africa (EUTF).

After cooperating with the Libyan Coast Guard, Libya's SAR was combined with anti-smuggling operations, which reduced crossings via the central Mediterranean (Ghezelbash et al. 2018, 319). By cooperating with Libya, both Italy and the EU allowed Libya's anti-migration policies to become harsher (Klepp 2010, 13). Meanwhile, Malta also agreed with Libya to cooperate on intercepting and returning migrants to Libya (European Parliament 2021, 130). [73]

A long-time country of emigration, Italy has in recent decades become a major destination country for irregular immigrants arriving by boat. These 'boat people' have been constructed as a threat to national security (Armilli 2017, 141), especially since Lega's leader, Matteo Salvini, became Minister of Interior in 2018.

At the European Summit of June 2018, EU leaders called for further measures to reduce illegal migration across the central Mediterranean. They agreed to step up efforts to stop migrant smugglers operating out of Libya, continue to support Italy and other frontline EU countries, increase their support for the Libyan coastguard, improve reception conditions, increase voluntary return to countries of origin of migrants in Libya, and enhance cooperation with other countries of origin and transit, and on resettlement. In July 2019, the EU approved five new migration-related programmes in North Africa. These were adopted under the EUTF, established in November 2015 to address the root causes of forced displacement and irregular migration. The EU's actions in Libya focused on training of the coast guard, protecting, assisting migrants and refugees, supporting local communities, and improving border management. They were funded through the EUTF for Africa (European Council 2021).

The main tool for supporting migration-related actions in Libya is EUTF's North of Africa Section. Libya is the main beneficiary of the EUTF North Africa, with a total funding of €455 million so far (European Commission 2021). This exemplifies the EU's support of externalizing its borders and migration management through col-

TABLE 1 Irregular Migration in the Mediterranean

Year	2015	2016	2017	2018	2019	2020
Arrivals	1,032,408	373,652	185,139	141,472	123,663	94,950
Dead and missing	3,771	5,096	3,139	2,270	1,335	1,166

[74]

NOTES Based on data from UNHCR (<https://data2.unhcr.org/en/situations/mediterranean>). The data includes sea arrivals to Italy, Cyprus, and Malta, and both sea and land arrivals to Greece and Spain, including the Canary Islands. Data are up to 31 December 2020 for all countries except Cyprus, for which the last available data is up to 31 August 2020.

laboration with Libya, and the construction of *limes* in the Mediterranean Sea, especially after the migration crisis.

Both the EU's and Italy's restrictive migration policies have abolished the rights of many asylum seekers through push-back policies and a transfer of responsibilities to Libya (Caponio and Cappiali 2018, 125–6). With the effect of these externalisation policies, you may see in table 1 that there has been a decline in the number of arrivals to EU member states in the Mediterranean after the peak in 2015. Despite reduced numbers of crossings since the Covid-19 pandemic erupted in 2020, many people have died in the Mediterranean while trying to reach Europe. From January to September 2021, for example, an estimated 1,369 migrants drowned (Statista 2021).

Thus, this collaboration with Libya is particularly challenging in terms of human rights because those sent back, have no chance to apply for asylum and may be put in detention centres where they can face human rights abuses. As a result, through externalisation of borders towards Libya, *limes* have been constructed in the Mediterranean Sea.

#### ANALYSIS OF THE INTERVIEWS

##### *The EU's Solidarity Crisis: 'Italy Has Been Left Alone'*

The EU has faced a solidarity crisis, especially since the migration crisis. All the interviewees criticised the EU's migration policy and found it ineffective. Because of the lack of solidarity among member states, Italy and the other external border countries have been left alone. Many interviewees argued that the Dublin Regulation has to



be revised, although some have noted that this would be extremely difficult because of resistance by some member states that believe maintaining the *status quo* is much better for their national interests.

Interviewee 4, a Democratic Party (PD) deputy, argued that ‘for many years Italy has been left alone in managing the migrant flows.’ He added that there had been some attempts to revise the Dublin Regulation. However, the former Italian government (M5S-Lega) had avoided this. He noted that Lega was absent during many meetings in Brussels when reform of the Dublin Regulation was debated. The political elites from the opposition parties claimed that although Lega’s main rhetoric was anti-immigrant and claimed that ‘Italy has been left alone’ after the migration crisis, Lega did not push for revision of the Dublin Regulation. Thus, the interviewees emphasised contradictions, particularly in Lega’s attitudes towards migration.

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Interviewee 17, a M5S deputy, argued that ‘Italy was left alone to face this emergency’ when EU members should have faced this problem together to find a solution. He stated that ‘our goal is working together, cooperating with other member states about the revision of the Dublin Regulation.’ He added that ‘we have to improve the humanitarian corridors by new bilateral agreements with home countries. We have to invest in those countries.’

Most of the interviewees criticised the lack of solidarity between member states, which put great pressure on those countries like Italy, situated on the EU’s external borders. Interviewee 10, a mayor from southern Italy, stated that ‘although this sensitive subject should be addressed by all EU member states, actually only Mediterranean states address this issue [...] We have been left to our fate.’ Although the mayor was critical about the EU’s solidarity crisis, he also criticised the Italian government’s policies. Specifically, those managing Italy’s migration policy were giving a weird message. As he put it, the government claim that ‘there are no more landings, no more dead, our ports are closed and the Mediterranean Sea has become a calm sea. But the truth is different, our ports are open, and people are still dying.’ He continued,

[76] We are welcoming, we will help people who are in danger, but we need the intervention of central institutions [...] We had seven landings in 2019, almost 300 landings in 2018. The only thing that changes is the number of immigrants. In the past, there were 80–100 immigrants on a boat, today there are 12–15 on a boat. Immigrants continue to land.

Thus, due to their location on the EU's external borders, Mediterranean states like Italy were much more affected by the migration and solidarity crises that have accelerated and deepened the EU's externalisation of borders, which has led to the construction of the *limes* in the Mediterranean Sea.

Some of the interviewees from the political elites criticised the EU migration policy because of its perception of immigration as an 'emergency phenomenon' rather than a 'structural problem.' Interviewee 7, a PD deputy, argued that the EU's migration policy had failed because 'they consider migration only as an emergency phenomenon.' She argued instead that the Dublin Regulation must be revised to include a new Common European Asylum System based on solidarity. As she put it, 'we have to introduce structural policies to solve this issue, not only in Italy but also in their home countries.' The European Commission proposed a new Migration Pact in 2020, however, it cannot introduce equal solidarity within the EU. Rather, it encouraged shifting responsibilities to neighbouring countries by externalising migration management. Thus, the EU has been continuing its trend of externalising borders to deal with the challenge of irregular migration.

Interviewee 15, a PD deputy, who also believed that Europe's migration policy had failed, argued that the EU should face this challenge cohesively, on the basis of co-responsibility. He stated that 'neither Italy nor Greece and Spain should be left alone. The entire Mediterranean front was left alone.' Interviewee 6, an Italian Left deputy, noted that 'if we close one border another one opens. The Libyan route towards Italy was closed, then the Moroccan route to Spain was opened.' Thus, the failure of the EU's migration policy and the solidarity crisis led to the emergence of the frame that 'Italy has



been left alone,' which intensified the externalisation of its borders. This in turn created various complex, multiple, and fuzzy EU borders that led to the construction of *limes* in the Mediterranean, while new routes are emerging, such as the recent conflicts and pushbacks of irregular migrants in the border between Poland and Belarus.

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*Italy as a 'Gateway to Europe'*

Some interviewees discussed Italy's position as a transit country to other European countries as a 'gateway to Europe.' They emphasised the importance of providing channels for legal migration to contribute to Italian and European economies. According to Interviewee 7 from Open Arms, 'we [Italy] are a transit country for immigrants who want to reach other countries.' Interviewee 14, a deputy from PD, argued that everyone was so sad about the young child, Aylan Kurdi, who was found dead on the shore near Bodrum, Turkey, in 2015, yet nothing has changed. She added, 'we can establish legal channels of entry for economic migrants across Europe, not only in Italy. Italy is not the final destination. It is the gateway to Europe.' Thus, irregular immigrants who enter Italy from Libya but originate from various countries, usually see Italy as a transit country, the main 'gateway to the European dream.' In response, Italy has further externalised its borders towards Libya.

Some interviewees suggested introducing humanitarian corridors and an inclusive migration policy that includes collaboration with and investment in origin countries. Interviewee 14, a deputy from PD, claimed that most arrivals are economic migrants, added that 'If they aren't refugees, the other countries don't want them and they stay here [...] We have to sign readmission agreements [...] I think that humanitarian air corridors may be a solution.'

Interviewee 4, from UNHCR Italy, argued that some hot spots have been introduced in the south of Italy in cities like Lampedusa, Trapani, Pozzallo, and Taranto. However, he did not think this can be the only solution to irregular migrant flows. Rather, an inclusive policy that includes the immigrants' home countries is required. Thus, Italy and the EU must start a dialogue with African countries. This may include 'the revival of humanitarian corridors' and

[78] allowing asylum seekers to leave their countries without ‘starting a journey of hope.’ Interviewee 6, a deputy from PD, argued that asylum, relocation, and family unification must be accelerated, and legal channels of arrival for working migrants and asylum seekers must be created. Thus, the interviewees, mostly belonging to opposition parties, suggested further collaboration with origin countries in Africa and called for legal channels for migration, rather than shifting responsibilities towards Libya, which is not ready to deal with this challenge legally or administratively.

*Contradictions of Italy’s Migration Policy:  
Instrumentalization of Migration by Lega*

Most of the opposition party interviewees criticised dichotomies in Italy’s migration policies. Interviewee 16, a PD deputy, argued that ‘our current immigration policy is a closed-door policy.’ Some interviewees from opposition parties claimed that Italy’s M5S-Lega government did not really want to solve migration issue. Interviewee 11, a PD deputy, argued that ‘the idea of considering “migrants as invaders” is ridiculous [...] We must manage these flows [...] Our government is still stoking fears of immigrants.’ He claimed that ‘they are not doing anything to solve that issue [...] because they do not want to solve that issue.’ Thus, they claimed that Lega was instrumentalising the migration issue. Interviewee 6, a deputy from PD, argued that the Lega-M5S government always complained that European policies abandoned Italy, yet ‘they chose to stay away from global and European meetings, which are useful to deal with this abandonment.’ The Lega-M5S government, particularly Lega, whose leader Matteo Salvini, was its Minister of Interior, claimed that the EU had abandoned Italy. However, they did not attend regional and global meetings on migration that could help resolve the issue.

Although the interviewees criticised the migration policy of the Italian government at the time, Interviewee 14, a deputy from PD, who was from one of the opposition parties claimed that if only external border countries in the EU accept these immigrants, the resulting chaos could destroy Italy’s welfare system. Predicting huge irregular migrant flows in the coming years, she argued that African



migrants mostly come from other countries than Libya after transiting in other African countries that had signed the Geneva Convention.

Regarding solutions for migration, some interviewees suggested collaboration with European and global actors while others called for further support and investment in origin countries. Interviewee 4, from UNHCR Italy, argued that the only solution to irregular migration was dialogue between these European and global actors. Interviewee 16, from one of the governing parties (M5S), argued that ‘if we want to prevent people being involved in dangerous journeys, we have to improve their economic conditions in the home countries.’ Interviewee 5 called for enhanced legal channels and family unification so that people no longer have to rely on smugglers and dangerous journeys to save their lives. He emphasised that ‘it is necessary to ensure an asylum system that must be fair, efficient and well managed.’ Thus, some of the interviewees’ solutions to deal with irregular migration included more collaboration and multi-level governance at local, national, European, and global levels, and greater investment in origin countries rather than externalisation of EU borders and migration management.

[79]

*Externalisation of EU Borders through Cooperation with Libya  
and the Construction of Limes in the Mediterranean*

Most interviewees mentioned Italy’s closed-door migration policy. Interviewee 4 from UNHCR Italy argued that it was following the trend in both Europe and globally:

They try preventing people arriving on Italian shores. This could only be achieved by intensive diplomatic activity with Libya and other origin countries. We should provide them with economic opportunities and logistical support.

He also claimed that the agreement between the Italian government and Al Sarraj in Libya in 2017 reaffirmed the need to ensure the intervention of the Libyan Coast Guard in its SAR zones.

Interviewee 13, a deputy from Forza Italia noted that, Italy is

aware that Libya has not signed international conventions protecting the rights of the refugees. However, it is crucial for Italy to have Libya as a negotiating partner. This agreement was reached under a left-wing government but confirmed by a right-wing government.

[80] Thus, in recent decades, different governments have consistently collaborated with Libya to cope with the challenge of irregular migration. However, the closed-door policy and externalisation of migration became more visible and prioritised when Salvini was Ministry of Interior.

Some interviewees mentioned that the agreement between Italy and Libya was inspired by the 'refugee deal' between Turkey and the EU (2016). The UNHCR Italy and sea rescue NGO representatives were particularly critical about externalisation of borders through cooperation with Libya. Interviewee 7, from Open Arms, claimed that 'the agreement between Libya and Italy was inspired by the deal between Turkey and the EU.' Interviewee 8, from SOS Meditteranee, argued that there are widely documented cases of violence, abuse of immigrants, and very poor conditions in Libyan detention centres, whereas Syrians in Turkey have been given temporary protection inspired by the EU directives and regulations.

Interviewee 18, from Sea-Eye, was also worried by collaboration between Italy and Libya:

Italy and the EU in general are handing over their responsibilities to Libya. For the Italian Coast Guard, it is illegal to bring people back to Libya, so they let Libyans do the job and no one will punish them for forcing people to stay in an insecure country.

Thus, several sea rescue NGO representatives from various countries but active in Italy perceived the cooperation between Italy and Libya as similar to the refugee deal between the EU and Turkey. However, they were more critical about externalisation of borders and migration management to Libya. They expressed critical frames based on humanitarian concerns that potential refugees may be sent back to Libya without access to proper asylum procedures. This collaboration has shifted responsibility for migration management



to Libya and the construction of the *limes* in the Mediterranean.

Interviewee 5, from UNHCR Italy, argued that improving the Libyan Coast Guard is not sufficient. While transferring SAR operations has reduced the number of sea crossings, the proportion of drownings to arrivals has increased. UNHCR Italy representative does not believe that Libya is a safe disembarkation point, adding that 'we recommend that after SAR operations people should not be sent back to Libya.' Thus, both UNHCR Italy and sea rescue NGO representatives emphasised the humanitarian challenges of Italy-Libya cooperation in migration and used critical frames about push-backs to Libya.

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Interviewee 2, from Doctors without Borders in Italy, added that containment of arrivals has been achieved through externalisation policies that have substantially reduced flows. He claimed that main goal of the agreement between Libya and Italy is containing departures. Interviewee 1, from the Italian headquarter of Proactiva Open Arms, argued that 'we are making deals with an illiberal state where human rights are systematically violated. It is a government which does not have stability' while 'we [Italians] are contributing to the system, giving money, patrol boats, training these people.' Interviewee 1, argued that the Italian government has not found a solution at a European level so they try to keep people in Libya. She claimed that people stuck in Libyan detention camps are tortured, abused, or raped. Thus, since Italy was abandoned while the migration issue remains unsolved at European level, Italy has tried, with the EU's help, to restrict and contain irregular migration in Libya to prevent further flows to Italy which is mostly perceived by irregular migrants as a gateway to the European dream. Some interviewees from opposition parties were also critical about the deal between Italy and Libya.

According to Interviewee 11, a deputy from PD, 'the deal between Turkey and the EU is very different from the deal that we signed with Libya. Libya doesn't have a stable government and it has reaped financial benefits from immigration.' He added that 'we made a deal with Libyan government of Al Sarraj as a political partner [...] only because they were recognised by the UN as Libya's legitimate repre-

sentative.' He had doubts about the agreement, especially because of human rights violations in Libya.

[82] Interviewee 9, a deputy of Più-Europa, claimed that there are Italian vessels based in Tripoli supporting the Libyan Coast Guard. He added that his party had called for a Parliamentary Committee of Inquiry to clarify the effects of the Italian government's policies.

Some opposition party and NGO interviewees noted the inhuman conditions in Libyan detention camps. Interviewee 11, a deputy from PD, claimed that the camps had opened many years ago before being legitimised by Berlusconi's government in 2011 and financed by a partnership with Ghaddafi. Interviewee 14, a deputy from PD, argued that moving the border far away does not work. She added that 'the investment shouldn't be made by giving money to Libyans to stop migrants in detention camps. These agreements should be made with home countries, such as Nigeria or Tunisia.' Thus, rather than collaborating with Libya, some of the interviewees called for collaboration with origin countries in Africa. Interviewee 6, a deputy from PD, claimed that the idea of hotspots in third countries like Libya is wrong because, rather than externalisation, it means abolishing the asylum process for those people.

Interviewee 4, from UNHCR Italy, claimed that after the 2017 agreement between Italian Prime Minister Gentiloni and Libya's former Prime Minister Al Serraj, Italy provided logistical support to the Libyan Coast Guard. However, many experts criticised systematic violations of human rights in Libyan detention camps. Interviewee 6, from Open Arms, claimed that the agreement between Italy and Libya reached by the Interior Minister of the previous government was unacceptable because this allowed Matteo Salvini to introduce even harsher migration policies. He noted that Libya never ratified fundamental conventions and cannot ensure their implementation because there is no stable government. Nevertheless, 'we gave money and means to the Libyan Coast Guard.' He added that if migrants are sent back to Libya, they may be tortured at detention centres, as revealed by an investigation by the TV programme *Piazza Pulita*.

Few interviewees supported cooperation between Italy and Libya.



However, rather than push-backs, they recommended focusing on cooperation to improve human rights conditions there. Interviewee 15, a deputy from PD, suggested that Italy should help improve human rights conditions in Libya with the support of international entities. Interviewee 10, a mayor from southern Italy, suggested that 'we have to cooperate with all states which are on the Mediterranean [...] Italy left Libya alone for many years.' Thus, there is a continuity in Italy's migration policy in terms of cooperation with Libya, which has intensified in recent years since the migration crisis. This collaboration has been supported by the EU. The externalisation of borders and keeping irregular migrants in Libya have contributed to the construction of *limes* in the Mediterranean which cannot stop irregular migration flows from Libya to Italy, moreover, humanitarian disasters in the Mediterranean Sea are still going on.

[83]

#### CONCLUSION

The security paradigm that perceives migrants as a threat usually prevails over legal obligations to protect human rights, even in the EU, despite supposedly being a 'normative power' (Manners 2002). The EU has moved towards a restrictive migration policy and the social construction of migration as a security question. Metaphors such as an 'invasion' or 'flood' of immigrants portray them as a serious threat to EU welfare system. In short, the Europeanization of migration policy has 'securitised migration by integrating migration policy into an internal security framework' (Huysmans 2000, 751–70).

It seems that the security component will predominate in the EU for the foreseeable future. For example, EU–Libya cooperation prioritises border control and surveillance, which has led to externalisation of EU borders and containment of irregular immigrants in Libya, which has led to the construction of *limes* in the Mediterranean. Immigrants will probably continue trying to make dangerous journeys to Europe across the Mediterranean despite risking their lives (Hamood 2008, 33–8). This sort of journeys have persisted albeit in a lesser proportion during the Covid-19 pandemic.

As Carrera and Cortinovis (2019) suggest, the EU needs to stop

[84] funding migration management-driven training and capacity building on SAR and border maritime surveillance in unsafe third countries such as Libya. Instead, as Carrera and Cortinovis (2019) argue, the EU could establish an EU SAR fund to encourage a coordinated SAR response to strengthen disembarkation capacities, reception capacities, and domestic asylum systems of member states. The spirit of solidarity within the EU must prevail to safeguard the EU's compatibility with its norms and principles.

During the Covid-19 pandemic, despite reduced global mobility, the role of neighbouring countries of the EU in containing irregular migration has even risen, as reflected in the new Migration Pact (European Commission 2020) put forward by the European Commission. This new pact aims to balance fair sharing of responsibility and solidarity in order to rebuild trust between member states and confidence in the EU's capacity of migration management. However, there is still an emphasis on ways of improving cooperation with the countries of origin and transit. Thus, the pact still focuses on externalising protection obligations and containment of asylum seekers and migrants in transit countries. According to the pact, the 'EU will seek to promote tailor-made and mutually beneficial partnerships with third countries.' These will help address challenges such as smuggling while the EU and its member states will use various tools to support cooperation with third countries on readmission. The pact also focuses on external border control, stating that the European Border and Coast Guard standing corps, scheduled for deployment from 1 January 2021, will provide increased support. In terms of legal migration opportunities, the Commission will launch Talent Partnerships with key non-EU countries, compatible with the EU's labour and skills needs.

According to a report from the EP's Policy Department for Citizens' Rights and Constitutional Affairs (European Parliament 2021, 159-160), the New Migration Pact considers rescue as an exception to the general rule of containment of irregular migration. However, it conflicts with SAR Conventions. Thus, push-backs may be normalised as a migration management technique, regardless of their human rights implications. The report also criticises making migra-



tion management the main priority of EU funding mechanisms due to misuse of development (Consolidated Version of the Treaty on Functioning of the European Union 2012, Article 208) and humanitarian aid (Consolidated Version of the Treaty on Functioning of the European Union 2012, Article 214). This falls short of the EU's legal obligation to promote fundamental rights when acting externally (Consolidated Version of the Treaty on European Union 2012, Articles 2, 21; Consolidated Version of the Treaty on Functioning of the European Union 2012, Article 205). This is binding on all EU institutions, agencies, and member states when implementing EU law (Article 51 of the Charter of Fundamental Rights 2012). It also risks undermining foreign policy coherence and may lead to mistrust by external partners, thereby damaging the EU's ability to address the root causes of migration and build relationships based on equal partnerships.

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According to EP report (European Parliament 2021, 155–8), prepared by the Policy Department for Citizens' Rights and Constitutional Affairs, the EU's approach focuses on the fight against irregular migration while giving limited consideration to the rights of migrants, including those of forcibly displaced persons in need of international protection. The EU has provided financial and material support to border management projects in neighbouring countries like Libya and Turkey. The report notes that informal arrangements, such as the one between Italy and Libya, and financial instruments (EUTFA) pose risks to the EU legal system by challenging judicial and democratic accountability. The report recommends that, in accordance with the right to good administration and the European Ombudsman's recommendations, the EP should insist that all agreements with third countries and all EU external actions only be implemented following a comprehensive compliance check. In addition, EU external development and humanitarian funding should not depend on cooperation on migration containment because this contradicts the aim of development aid and humanitarian assistance by undermining human rights. The EP should also contest the legality of funding measures that fail to comply with development cooperation and humanitarian aid policy objectives (Consoli-

[86] dated Version of the Treaty on Functioning of the European Union 2012, Article 263). Finally, the European Commission should provide a complete, public overview of EU funding to third countries in migration management at the EP's behest. Thus, especially from the EP there has been an increasing number of critiques about migration management and external border control of the EU, particularly on externalisation of border control and migration management.

As a result, opportunities for legal migration to the EU have to be extensively improved to overcome the challenges of irregular migration. To overcome the challenges in the Mediterranean, primarily solidarity within the EU has to be achieved and efficient multi-level governance mechanisms have to be introduced. These should include local, national, European, and global approaches to identify effective solutions to migration management. While cooperation with origin and transit countries can be improved, this should not mean push-backs, externalisation of EU borders, or shifting responsibilities to the neighbouring countries which caused construction of the *limes* in the Mediterranean. Actually, that means widening the gap between the northern and southern Mediterranean which may cause much deeper socio-economic challenges in the longer term. Rather, there should be more socio-economic investment in Africa and new channels for legal migration have to be introduced throughout Africa, not just from Libya. Without structural transformations and reforms in the field of European and global migration and asylum policies, all countries located on the EU's external borders will be seen as a gateway to the European dream. The pandemic has dramatically widened the socio-economic gap between North and South, thereby significantly increasing *pull factors* towards Europe. Even when one route may be closed, another one is found by irregular migrants which was reflected in the recent tragic incidents in the border between Poland and Belarus (Tondo 2021).

Although the Mediterranean Sea has no visible border fence like that between Morocco and Ceuta and Melilla, *limes* has been constructed across the Mediterranean Sea due to Italy's collaboration with Libya, which has externalised EU borders to contain irregular immigrants in Libya. While *limes* may reduce migration flows to Eu-



rope over the short or medium term, it cannot solve Europe's long-term security challenges and further challenge the EU as a 'normative power.' Moreover, it has caused severe human rights abuses and the loss of thousands of lives in the Mediterranean Sea.

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