

Master Thesis

The Necrotic Face of The European Border Infrastructure:

The Left-to-Die Boat

Nesrine H'mida (530281nh)

Engaging Public Issues

Erasmus University Rotterdam

Thesis Supervisor: Willem Schinkel

Word count: 9865

Date: 23/06/2024

Abstract

This thesis examines how the European border infrastructure manufactures migrant death in the Mediterranean Sea. To highlight the intentional violence and death that migrants are subject to, practices of (non) assistance are examined from a legal perspective. The case study of the Left-to-die boat, which drifted off for two weeks without assistance and killed 63 people, is then used to demonstrate the enactment of these practices. The data of this case was obtained through the investigation by the Forensic Architecture Research Centre. By redescribing this incident using the theoretical concepts of Necropolitics, the state of exception, and bare life, the narrative is shifted from assigning responsibility and blame to acknowledging that this incident is the product of a necropolitical mode of migration governance. Having international laws that clash with sovereign laws puts the migrants in a state of exception and transforms them into racialized bare lives. The sea then turns into a deathscape where migrants are subject to necropower due to being a superfluous population. These liberal politics of disposability that are fed by colonial and racial imaginations cannot be the source of reform or justice. Instead of continuously adapting laws and policies, the necropolitical world order should be examined, and knowledge from the lived experiences of migrants should be at the centre of this examination. In the end, deaths at sea will only stop when unrestricted movement for all becomes a fundamental human right.

Keywords: Necropolitics, state of exception, bare life, migration, border infrastructure

*Oh night cover me, cover me with your
darkness*

يا ليل احجبني حجبني بعتمتك

*Oh night fill me, strengthen me with your
darkness*

يا ليل املئني قويني بعتمتك

*My brother saw the secret, he saw the secret,
he was going to reveal it*

أخوي شاف السر شاف السر كان حييوح

*My brother is inside the waves, inside the
waves lamenting*

أخوي جوا الموج جوا الموج عميينوح

And the fishermen are sleeping

والصيادين نائمين

Oh sea return to me, return to me my brother

يا بحر رجلي رجلي أخوي

*The waves stole from me, stole from me my
brother*

الموج سرقلي خطقلي أخوي

*I took him to the edge of the sea, let the water
cleanse him*

أخذته حد البحر خلي الموج يطهره

*I took him to the edge of the sea, the waves are
darkened with his blood*

أخذته حد البحر دبغت الموج بدمه

*And the fishermen are oblivious, unmoving,
sleeping*

والصيادين غافلين خامدين نائمين

*My brother is with the mermaid, return him to
me*

أخوي مع الحورية رجعه له

*The waves took my brother from me, return
him to me*

الموج أخذلي أخوي رجعه لي

My brother left at dawn, return him to me

أخوي راح مع الفجر رجعه لي

*My brother is at the bottom of the sea, he still
hasn't returned to me*

أخوي بقعر البحر لسا ما عاد لي

Bahr (بحر) – Mashrou' Leila

Introduction

The European project sought to articulate a European identity that would transcend the individual identities of the member states and to bring together a European community that is tied by scientific progress, technological advancements, and democratic values. However, this Europeanness is marked by a sense of moral superiority that has its origins in the colonial endeavours of Europe. After all, Europe has transformed into an Empire through the active exploitation and extermination of the people in its colonies. And despite the fight for decolonization and independence, it has effectively managed to establish and maintain neo-colonial relationships with its past colonies. Notably, after World War II, the project of European integration began, and with it the realization that the viability of Europe was and is inherently dependent on maintaining a connection with former African colonies (Hansen & Jonsson, 2017). The empire needed the natural resources and lands of Africa to rebuild and prosper, effectively bringing about ‘Eurafrica’: a geopolitical project of re-inventing the relationship between Europe and Africa. The presumably post-colonial era then turned into a neo-colonial one, and Eurafrica was asserted “now as a necessity, [...] now as a common European task, now as the white man’s burden, now as Europe’s last chance, now as Africa’s only hope.” (Hansen & Jonsson, 2014, p. 8). To this day, the neo-colonial violence of Europe keeps its hold on the African continent, if not through extractivism (i.e., extracting natural resources from the colonies then exporting them to the metropole) (Pereira & Tsikata, 2021) then through controlling mobility and movement. While multiple deals and joint policies give the illusion of a relationship of solidarity and symmetry between the two parties, Europe continues to gatekeep its privileged way of life through a brutal and calculated border infrastructure.

Faced with the increasing entry restrictions to the European member states, migrants – who often come from Europe’s former colonies – are escaping precarious living conditions,

wars, and famines funded by Western regimes; making them resort to risking their lives by crossing the Mediterranean Sea on unsafe vessels. As an attempt to stop this ‘flow’ of migrant arrivals, European states resorted to bilateral migration agreements with African nations such as Tunisia, further strengthening their colonial claim on the definition of borders. In the case of Italy, Prime Minister Giorgia Meloni said that “The battle against immigration is an epochal battle for Italy and Europe” (European Council on Refugees and Exiles, 2023). This came simultaneously as the negotiations for a new migrant deal between the European Union and Tunisia finalized. The package deal essentially aims at providing 900 million euros to Tunisia with the goal of promoting European investments, creating a circular economy, and supporting a Green Energy transition. Most importantly, 105 million euros would be invested in regulating “illegal immigration” (European Commission, 2023). However, despite the repeated attempts at establishing control over the European – African border, the estimated number of irregular migrants attempting to cross it in 2023 hit 380 000, with 41% of crossings taking way from the Central Mediterranean route (i.e., from Egypt, Libya, and Tunisia towards Italy and Malta), making it not only the most active irregular migration route towards Europe, but also the deadliest (Frontex, 2024; International Organization for Migration, 2023).

Migrant deaths in the Mediterranean have been significantly rising over the years. The number of missing or dead migrants recorded by national authorities and the International Organization for Migration (IOM) in 2023 was at a total of 2498 compared to 1417 in 2022 (Missing Migrants Project, 2023). Attempts to quasi-militarily mitigate these lethal sea crossings and paint them as ahistorical events by the European member states have been consistent. For instance, the military-humanitarian operation ‘Mare Nostrum’ was launched by the Italian government between 2013 and 2014 with the goal of search and rescue for migrants in distress at sea. Shortly after, ‘Mare Nostrum’ was replaced by operation ‘Triton’

led by the border securitization agency Frontex, and the focus shifted from search and rescue to border fortification and ‘protection’. Exerting control over human (im)mobility and the transgressions over the sacred space of Europe creates an illusion of a defeated threat. The Mediterranean Sea then turns into a death scene, where the water becomes the very agent that enacts the violence of European borders (Talbayev, 2023). Migrants die at the hands of a “liquid violence”, not in the sea as a space, but through it – particularly through the weaponization of its crossing by European migration policies (Heller & Pezzani, 2018). As such, this thesis will delve into the topic of the violence and death due to border controls. The research question is: *how does the European border infrastructure manufacture migrant death in the Mediterranean Sea?* To answer this question, I will discuss practices of (non) assistance for vessels in distress and take the case of the Left-to-die boat. The Left-to-die boat is the name assigned to a migrant vessel that departed from the Libyan coast in 2011 and drifted off its course for a total of 14 days without any rescue being sent to the migrants on it, despite several distress signals being sent. Out of 72 passengers, only nine survived. The case was investigated and recreated by the Forensic Architecture Research Centre through analyzing meteorological data, satellite imagery and victim testimonies. However, the political aspect of such events can be lost in the process of forensics: this thesis aims to rectify this. The alternative analysis that this thesis provides will thus be conducted through the theoretical frameworks of Necropolitics introduced by Achille Mbembe, as well as the concepts of bare life and the state of exception by Giorgio Agamben. The aim is to demonstrate how different agents, policies, and decisions that are fed by racial and colonial legacies come together to create a deadly scene in the Mediterranean. In this context, the chosen case serves only as an example of what practices of Necropolitics can lead to. Shifting the discussion on migrant deaths from liberal modes of thinking and solutionism to a

necropolitical analysis assigns the appropriate political urgency to them and underscores the intentional and calculated violence that migrants are subject to.

Theoretical Framework

Necropolitics

The Greek word *Nekrós*– meaning corpse or dead – comes at the start of the word Necropolitics. Therefore, Necropolitics translates to politics related to death and the dead. It is a sociopolitical theory introduced by Achille Mbembe to describe the “contemporary forms of subjugation of life to the power of death” (Mbembe, 2003). Mbembe departs from the notion of *biopower* proposed by Michel Foucault. According to Foucault biopower is the means to control and regulate modern societies. It the governing of biological life – whether it is individual or collective – through political power. This governing is concerned with matters such as birth, reproduction, population management, but it is also concerned with matters of death. In this regard, under biopower, it is necessary to put people to death in order to protect life. The managing of populations is then conducted according to the reasoning of “*make live, let die*”. However, the division of who must live and who must die happens through the categorization of humans according to race: “It is as managers of life and survival, of bodies-and the race, that so many regimes have been able to wage so many wars” (Foucault, 1978, p. 133) Therefore, some groups are more likely to be subject to domination and several forms of death (e.g., exposure to death, social death, or exclusion) than others.

Conversely, Mbembe argues that “*make live, let die*” does not operate in a symmetrical form anymore – meaning that life and death are no longer equal, and thus biopower does not fully attend to the ways which our current societies work. In this regard, Necropolitics is more interested in the regulation of death and violence or as he describes “the generalized instrumentalization of human existence and the material destruction of

human bodies and populations” (Mbembe, 2019, p. 68). Necropolitics operates through two main concepts: the state of exception and Otherness. The state of exception which, as outlined by Giorgio Agamben, describes a unique circumstance where the juridical order is halted due to an emergency or a crisis threatening the state. However, this suspension is extended beyond the bounds of the emergency, and the normative borders of order become blurred: what happens during the state of exception is not legal, but it is permitted under the exigent conditions. For example, this is reflected in the way that the EU paints migration as a ‘crisis’ and an ‘invasion’ in order to justify the use of more violence (De Genova, 2015). As such, the state reduces citizens to what Agamben calls ‘bare life’ – a form of life that is stripped to its most basic biological existence, not only controlled as a citizen but as an entity that can be deprived of its right to live without consequences. It is imperative to underline, however, that Agamben’s conception of bare life does not attend to the topic of race and racism, and it does not integrate the context of coloniality. In his book “Habeas Viscus”, Alexander Weheliye (2014) criticizes Agamben for not underscoring the political significance of race in the creation of bare life. Specifically, Agamben sees bare life as a state that supersedes all and any kinds of divisions produced by race, religion, or gender. While these distinctions may invent bare life, they disappear once it is reached. This is where the role of Necropolitics comes vis-à-vis understanding the functions of modern society: Mbembe explores the infliction of death on certain populations without neglecting the historical and current workings of coloniality and race. He additionally links it to the process of ‘Othering’: the exclusion of a certain group from society under the pretext of differences, inhumanity, and threat. All of these warrant the use of the state of exception, which simultaneously creates the presence of danger and gains legitimacy from it. Otherness, as put by Hannah Arendt, is tightly intertwined with race. She goes as far as describing the politics of race as “[...] not the natural birth of man but his unnatural death” (Arendt, 1986, p. 157) therefore linking it

directly with death. Ultimately, people who are divided into those who must live and those who must die are categorized as such through race (or racism). The next section will explain how the relationship between these two groups becomes one of hostility and violence or ‘enmity’, as Mbembe puts it.

Enmity, race, and colonization

The contemporary violence of European bordering practices finds its roots in the colonial legacies of Europe itself. As Mbembe describes, the project of separation is at the heart of coloniality. Western democracies were built over the demarcations of “Us” and “Them”. The need for an Other is ontological: there can be no Empire without a colony, no master without a slave, and no Europe without a migrant. Evidently, the dominion of colonial powers took place through various forms of violence and brutality, ranging from slavery, apartheid, genocides, to mass extraction of natural resources. This violence, which weaved its way into democratic institutions and became structural, thrived off the idea of an excess of a presence. This excess is the inferior Other who is produced and managed through imagination, discourse, and ‘practices of exception’. The Other who is barbaric, sub-human, and uncivilized constitutes a superfluous entity whose death does not pose a tragedy for humanity, nor does it strike questioning about who is responsible for it. The Other is someone who exists outside of my world, whose body is closer to a ‘thing’ than to human flesh, and whose transgression on my space requires his extermination. As such, Mbembe posits the life of the inferior Other as an automatic denial of the existence of dominant group— whether it is the master, the colonizer, or the white European. The process of Othering, however, does not stop at this separation and the creation of different spheres of being. Central to necropolitical power is creating a relationship of enmity. What allows the elimination of the Other is him being an enemy – or more precisely, making him into an enemy. Reducing those who are to be excluded to mere physical objects and creating a set of stereotypical representations to

identify them through eliminates all possibility of reciprocal involvement with the enemy. It is noteworthy that what drives this relationship of enmity is an anxiogenic imagination of the world. According to Mbembe, the desire to destroy the enemy exists because the enemy is everywhere all at once, and he never takes a fixed image: “ [...] today the young veiled woman, tomorrow the terrorist novice returning from the battles of the Near and Middle East, and [...] sleeper cells that [...] lie in wait looking for the right moment to strike” (Mbembe, 2019, p. 51). This fluidity of who is classified as the enemy serves to further strengthen the grip of violence and necropower on anyone who is deemed unnecessary in the fabric of (Western) society. It is nonetheless unfeasible to deconstruct the practice of Necropolitics without attaining to race. The divide into a higher (white) race and other inferior races is what organizes the violence and the destruction. It is through racialization that colonial conquests were possible, and it is through racialization that modern-day exclusions take place. As Alexander Weheliye affirms in the last section, reaching the state of bare life can only be fully and holistically understood through the framework of race.

Borderization as a Necropolitical device

As previously described, one of the areas in which Necropolitics is highly tangible is the borderization practices and the manifestations of the border. The confluence of race, colonial legacies and the relationship of enmity with a fabricated Other form a necropolitical device through which death-worlds or deathscapes can be created, and ‘inferior’ populations get sentenced to a non-life and a non-death. The racial division of the world enables the border infrastructure to fully come to life. In his book ‘Brutalism’ (2022), Mbembe delves into the shift that borders have undergone since the times of colonization. More specifically, he notes the transition of borders from a tool to seize control over lands to a tool that exerts control over racialized bodies. ‘Corps-frontière’ – or ‘border-body’ – is the term he assigns to this modern embodiment of borders. The excessive presence, which Mbembe refers to as a

‘surplus population’, is subject to violent borderization practices that are inflicted on the body anywhere it may exist. To demonstrate, one of the spaces where this necropower can be perceived is migrant refugee camps. For example, the Calais camp in the North of France was the target of multiple small-scale demolitions before being totally bulldozed in 2016.

Migrants who lived there in informal settlements were forcibly moved to other locations and were living precariously without access to adequate water sources, toilets, or kitchens. The cruel conditions and constant dehumanization that these migrants lived in were a testament to the dehumanizing necropolitical violence that the migrants had to endure not only at the camp, but from the moment they entered the EU space and started their registration process as refugees or asylum seekers (Davies et al., 2017). The borders of Europe in this sense do not delimit European territory, they are intermeshed with the migrant on the routes he takes, in the identity checks he is subject to, and especially with his epidermis and foreignness. It follows then that certain racial groups enjoy mobility seamlessly while others are confronted with consistent violence that ranges in its extremity from refusal of visas to deportation, imprisonment, and an absence of rescue attempts for sinking boats. The implementation of this mobility violence with a notable level of sophistication can only be achieved through complimentary surveillance methods. It is “the dream of perfect security” (Mbembe, 2019) that creates an obsession with predicting and anticipating the movements of certain undesirable groups. Tracking bodies through algorithms, databases, and surveillance cameras gives the illusion of a control on mobility while simultaneously fortifying this privilege of movement for Europeans alone. Ultimately, borders and practices of borderization have the goal of limiting, deterring, or eliminating bodies that are excluded from entering the EU member states. The Mediterranean Sea meticulously becomes a death-world through which Necropolitics operate, and the activities that take place in it – whether they are interceptions,

search and rescue, or surveillance – are all meant to reduce the migrant to bare life and to upkeep the racial and colonial portrayal of the Other.

Research Design

The present thesis will delve into the practices of borderization, and specifically those of (non) assistance to migrant boats in the Mediterranean Sea. It will deal with the case of the Left-to-die boat through the theoretical framework of Necropolitics, state of exception, and bare life. This case was chosen for two reasons. First, it offers a plethora of data that can be analyzed. Second, it is representative of a pattern of incidents that occurred in the Mediterranean Sea. The events of the Left-to-die boat was recreated through Forensic Architecture to assign responsibility and blame to different actors and to demonstrate how the incident was a failure to act. By looking at the data through a necropolitical lens, I will demonstrate how this incident was intentional and that it is illustration of how the border infrastructure is intended to operate. In order to show the deliberate necropolitical nature of these practices, I will divide the analysis into two main sections and use three data sources: the Forensic Architecture publications, international laws and treaties, and the victim testimonies. Throughout this analysis, I will be using the words ‘migrant’ and ‘irregular crossings/migration’ as umbrella terms for people who are crossing the sea to reach Europe or the act itself. I use these terms cautiously since the term ‘migrant’ and the labels that can be attached to it (e.g., legal, illegal, irregular) can be used to (1) naturalize and legitimize the violence that this category of people is subject to and (2) to reinforce existing racial and colonial stereotype (Iosifides, 2017).

Prior to the case analysis, I will introduce a section about the current status quo of the practices of assistance in the Mediterranean Sea. The section aims to (1) show the different laws and policies that govern practices of assistance and (2) to navigate the present discourses

and narratives held by different actors that are can be involved in them (e.g., governments, international laws) – precisely how these narratives can reflect aspects of Necropolitics. The data be will then stem from sources such as international maritime and rescue laws as well as legislation and policies from the EU that allows assistance or search and rescue missions in the Central Mediterranean route. This will provide an important gateway to understanding what conditions allowed for the Left-to-die boat incident to happen and explain why reading this incident purely through a legal framework cannot be generative.

For the section regarding the analysis of the case, I will be conducting a combination of a document analysis that is supplemented by pictures of maps. I will be using multiple sources that provide me with secondary and tertiary data. First, I will use the original Forensic Architecture report that was released by Heller et al., (2012) as well as the report page on the official centre website (<https://forensic-architecture.org/investigation/the-left-to-die-boat>). Both of these sources contain quantitative and qualitative data that was collected by the researchers to recreate the incident and to check the credibility of the claims made by the different parties who were involved. They also contain maps, letters and press releases from parties such as The North Atlantic Treaty Organization (NATO). A document analysis is useful in this context since it is a qualitative research method that is appropriate for case studies that aim to produce in-depth explanations of a singular event (Bowen, 2009). Additionally, revisiting the maps as a support for the analysis can provide new knowledge and new insights on the same topic that other researchers have examined (Pauwels, 2010). To further corroborate the evidence, a supplementary source will be used which is victim testimonies. The first testimony is a video that was recorded between a victim and an interviewer from Forensic Architecture. The second is a radio show episode that was conducted with 5 other survivors of the boat acquired from the Australian Broadcasting Corporation (ABC) (<https://www.abc.net.au/listen/programs/360-documentaries/the-left-to-die-boat>).

[die-boat-2/4210254](#)). These testimonies are crucial components not only because they provide rich qualitative experience but also because they ensure the humanization of this incident: they help keep into consideration that people lost their lives, and that survivors lost their loved ones in a brutal way. Through reading, looking at, and listening to this data, I will reveal how nothing went wrong with the (non) assistance of the boat. It was rather a necropolitical assemblage of decisions by governmental and non-governmental bodies.

This thesis will not deal with any primary data or participants. All the data is secondary or tertiary data that was previously collected by the Forensic Architecture Research Centre or published publicly by different governmental and non-governmental bodies. For the recordings of the victim testimonies, consent has been acquired beforehand by the interviewers and the data was published publicly online. Therefore, there are no relevant ethical considerations to address.

Analysis

Practices of (non) assistance

The practices of assistance and Search and Rescue (SAR) have been bound by different shifts and parameters that mainly depended on internal agreements between European member states themselves as well as agreements with North African countries. Outlining these EU migration pillars is an important first step in understanding their interaction with the international laws that govern human rights and sea crossings. I will start by painting a brief historical outline of the European border infrastructure and then supplement it with international obligations of assistance.

In the period during which the boat in case was left to meet its tragic end, two sets of rules guided the migration infrastructure of Europe. First, the Schengen Convention of 1990 – which supplemented the Schengen Agreement of 1985 – is an EU legislation that abolished

the internal borders between the member states and allowed for free movement for EU nationals within the area (EUR-Lex, 2000). However, this liberty of internal movement was compensated by a fortification of the external Schengen borders as well as an externalisation of border controls to non-EU countries. The Schengen Agreement thus “marks the birth of the European External Border as an institution” (Kasperek, 2016, p. 61). This was closely accompanied by signing the second set of migration regulatory procedures: the Dublin Convention (or Regulation). The latter is primarily aimed at managing asylum procedures within the EU member states. One of the most striking and influential regulations within it is the prevention of “asylum shopping”, a demeaning term that refers to filing asylum applications in different countries. The Convention thus forces a person to only file an asylum request in the EU country that they have arrived to, and they are prohibited from restarting this process in another country (EUR-Lex, 2013). Finally, and while it is partially a consequence of the introduction of the Schengen and Dublin Conventions, it is important to note the cooperation of the EU with other parties, mainly past colonies in Africa. The EU itself as well as its members states (e.g. Italy) have signed agreements with North African countries – specifically Tunisia and Libya – to curb the arrivals of irregular migrants (Boubakri, 2004). These strategies all contributed to the control of the ‘flow’ and assistance to migrants both at sea and on land (Heller & Pezzani, 2016). During this time, the Gadhafi and the Ben Ali regimes served as gatekeepers of irregular migrants, that is until their fall from rule at the start of the Arab Spring. The power vacuum left the EU – North African border even more vulnerable to irregular crossings, especially since the safeguards that initially held it in place were not entirely efficient in making it non-porous.

On the other side of EU laws, international laws and conventions exist to establish common standards for the treatment of individuals across different situations. With respect to sea crossings, multiple laws and treaties frame and organize sea passages as well as govern

the treatment of boats or migrants in need of assistance at sea. First, Article 19.1 of the United Nations Convention on the Law of the Sea (1982) states that:

Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law. (p.31)

The language used in this article relays important information. Passage is considered innocent if it is not disruptive to the security of the coastal state. But where do the boats of migrants fall in this regard? If the overcrowded rubber boats are not threatening the sovereignty of the state, carrying weapons, or engaging in “any act of propaganda aimed at affecting the defence or security of the coastal State” (United Nations Convention on the Law of the Sea, 1982, art. 19.2) then what makes them lose the quality of innocence? The appearance of migrants on the Mediterranean seems to evoke a threat that results in vilifying them and deeming their passage malicious. If peace is maintained by not granting passage to migrant boats, then their presence at the coastal state triggers chaos, and the act of migrating is considered a form of warfare. It would follow then that enacting a necropolitical form of border governance is the solution: the migrants are an enemy that threatens peace, so they can be subjected to death.

Additionally, the UNCLOS states that the master of the ship should provide assistance to people in danger of being lost at sea or in distress and to “proceed to with all possible speed” to their rescue (1980, art. 98.1). This is as long as it does not put the crew or the ship in danger. The International Convention on Maritime Search and Rescue (ICMSR) further extends this responsibility to save anyone “regardless of the nationality or status of such a person or the circumstances in which that person is found” (1979, art. 2.1.10). It is noteworthy that there is no uniform definition of ‘rescue’ or ‘assistance’. For example, ICMSR summarizes it in retrieving the distressed, providing for their needs, and getting them

to safety. However, the terms are usually used vaguely, leaving much room for interpretation. What constitutes distress can vary from unfavourable weather conditions, running out of fuel or food, to people dying on the boat. Besides, getting people to safety implies disembarking them at a coastal port. Here, the tension between the international laws which protect people at sea and their 'right to live' (United Nations, 1948, art. 3) and the sovereign laws of coastal European states is more apparent. Rescuing people from any nationality or citizenship is logical on paper, but it becomes a problem for the states who have created EU-wide laws to keep these very people outside of their borders (e.g., tightening asylum laws). The vagueness of the wording of these international laws as well as their inability to stop the transformation of borders into weapons is a testament to their contribution to the loss of life at sea. They claim to protect the rights of all humans, but in reality, they are of tool of Othering: it does not matter if you are a human, you lose that status by being a migrant. We can argue that these laws keep the migrants in a state of precarity. Then, the death of migrants is ultimately the result of the competing attributions of responsibility, which paradoxically aim to protect them and provide them with a justice, but eventually reduce them to bare-life: starving, not rescued, and finally decaying at the bottom of the sea.

One of the loopholes that is also exploited in these laws is that the boat have to be seen first in order to be rescued. More precisely, the Mediterranean includes zones of opacity and grey zones of (in)visibility. There is a limit to what surveillance and satellite imagery can capture, but the visibility can also depend on the political climate of the space. Discourse and governmental decisions can influence if the boat is seen. There have been multiple instances where the government prohibits fishing vessels from helping boats in distress and accuses them of aiding human trafficking (Statewatch, 2012), which deters these fishermen from extending help. Additionally, pre-determined SAR zones can in themselves be fabricated method of invisibility. These zones were created to alert maritime coordination centres about

emergencies and to divide the responsibility of coordinating rescue (Frontex, n.d.). However, they are used to intercept boats as far away from the external borders of the EU as possible. They also serve as an externalized form of border visualisation which serves to create a grey zone of intervention: you don't necessarily see what is happening, and therefore the responsibility for intervening is blurred, especially since the act of not assisting a boat in distress is not criminalized.

In many ways, the EU treats the Mediterranean Sea as a one-way borderscape: it is space that is constantly 'in the making' and always changing under new laws but at the same time only available to a certain category of people. It then becomes a deathscape where the EU rids itself of the unwanted. However, it falls into another paradox. On the one hand, the EU asserts its right to the sea in different ways: It not only maintains and protects the flow of capital and goods, but also grants itself the power to place NATO vessels in close proximity of Libya and Tunisia. On the other hand, it evades all responsibility when it comes to helping migrant vessels in distress and keeps finding legal ways of excluding them. By creating predetermined SAR zones, the EU also furthers this incongruity of claiming the sea but only under very calculated circumstances. We can see from this analysis that Necropolitics is built into the regulations of migration. The next section will discuss the Left-to-die boat case and demonstrate how these laws transform into material acts that inflict death not by mistake, but rather on purpose.

The Left-to-die boat

The Forensic Architecture Research Centre conducted an investigation of the boat that left Libya between midnight and 2:00AM on the 27th March 2011 and drifted off its intended course for a total of 14 days. It finally landed back on the shores of Libya, near the coastal city of Zlitan. 72 migrants set sail to the Italian island of Lampedusa, with one smuggler who

was in charge of driving the boat. The boat started losing fuel in the late afternoon of that day, and the smuggler contacted an Eritrean priest in Rome to arrange rescue. However, despite multiple attempts to deploy help, distress signals being sent out to neighbouring vessels, and sightings of the boat by different parties, the migrants were left to their own demise. 11 people survived the drift off back to Libya, and two people died shortly after, bringing the total of survivors to only nine people. The next subsections will delve into the multiple sightings of the boat by different vessels, and how the responses to the distress calls were shaped by a necropolitical mode of governance.

Sightings and responses

According to the results of the investigation and the victim testimonies, there were seven total sightings of the Left-to-die boat by five different actors. This fact by its own brings us to the question of how all these parties failed to assist the boat consistently. A first tempting conclusion would be that there was a failure of coordination of rescue due to an overlooking of responsibilities – which is what the Forensic Architecture report concludes. However, it is crucial to observe and analyze the specificities of the interactions between these actors and the migrants to sense that this loss of life reflects a more wretched system. In reality, the wheels of this system started before the migrants got on the boat, but this section will focus on the moment they became explicitly and materially visible to the bordering infrastructure. The first sighting of the boat was around 3:00PM of the same day it left Tripoli. A French aircraft spotted the boat, took a photograph (Figure 1) and sent it to the Rome Maritime Rescue Coordination Centre (MRCC). This was the first time that Rome

MRCC was informed about the presence of rubber boat with around 50 people on board as well as its exact coordinates.



Figure 1: Picture Taken by The French Aircraft

After 15 to 18 hours of leaving Tripoli, the boat only crossed half the distance needed to reach Lampedusa. Normally, the trip would take 18 hours on average. However, considering that the boat was overcrowded, it was moving very slowly. Seeing as they were running out of fuel, the migrants called an Eritrean priest, Father Zerai, and asked for help. Multiple calls were exchanged between the priest and the migrants as well as between Rome MRCC and the migrants in order to instruct them on how to send their GPS coordinates. Finally, the rescue centre was able to pinpoint their location, and Rome MRCC sent out a distress to all ships in the area. It also informed Malta and NATO headquarters in Naples. The boat continued its trip under the assumption that rescue will be coming soon. After a few hours, a helicopter with “ARMY” written on it approached the boat and had two people in a military uniform looking down and taking pictures. One of the victim recounts that the helicopter started to move around them four to five time, and in the process creating a lot of wind that made it

hard to keep the balance of the boat. Despite the blatant danger they were put in by the helicopter coming so close, he says :”We are rescued, we are safe, [...] people are very happy”. Yet, the helicopter left. And for the second time, the migrants were under the impression that rescue is undoubtedly coming, it was only a matter of time. This assumption prompted the smuggler to throw the satellite phone, the GPS and the compass in the sea in fear of being apprehended and imprisoned for smuggling. Five hours later, there was no sign of any rescue coming, and the migrants decided to keep moving. At this point, all vessels in the vicinity have received the distress signal. According to the Forensic Architecture report, when this signal was sent out, a Spanish frigate was only 11 nautical miles away from the boat. This distance can be covered in 30minutes if the frigate were to go at full speed. The second nearest vessel was under NATO command, 24 nautical miles away, which can be crossed in around an hour.

Despite the ease with which the boat can be reached, no one moved neither for lookout nor rescue purposes, a plain disregard of the moral obligation to help but also of international laws. Soon after, the migrants started to approach some fishing vessels around them, but they were also reluctant to help. Here, the previous discouragement and criminalization of fishermen for offering assistance to migrants at sea plays an important role. In his victim testimony, Dan Haile Gebre mentions that they could see five to six fishing vessels from the boat, and they came into direct contact with two. The first one drew its nets so fast it almost capsized the migrant boat, and the second showed them the way to Lampedusa and informed them that it is only four hours away. By being reluctant and even directly opposed to providing help, these fishermen contributed to making the journey even deadlier. Despite this, it is imperative to underline that it is the EU as a supra-state that creates forced migration through neo-colonialism, resource extraction and environmental destruction. Then, through producing deterring policies and setting legal precedence for criminality, it expands its

necropolitical apparatus to include non-governmental and non-military actors. It creates an order in which the excess population is disposed of through legal means. The law itself creates the disposability. To have international laws that are constantly in tension with sovereign laws produces a permanent state of exception for the migrants. As migration is painted constantly as an emergency that needs to be tackled by more security measures, no concrete legal frameworks are created to ensure the protection of the rights of migrants at sea. This is purposeful, because if the sovereign legal infrastructures are built to circumvent international obligations, and the international obligations are consistently entrenched with vagueness, then migrants die. Through this permanent state of exception, the migrants reach a racialized state of bare life. Looking back at the victim testimonies from the radio show episode, one of the migrants recounts how the boat was so full that people were sitting on the fuel cans, which first caused their skin to burn and then resulted in them getting sick. Their migrant, non-white status did not disappear then – nor did it disappear once they started drinking sea water and their own urine to survive and to show the vessels around them that they are in dire need of rescue. On the opposite, even in that state of bare life, they were racialized beings who were forbidden from entering the sanctified territory of the EU, and they were a threat and a burden to anyone who might be willing to help them. If we are to look at this tragedy without the lens of race as Agamben does, then we neglect the core reason of why a necropolitical border infrastructure exists: the colony was a manifestation of the state of exception, and when the colony disappeared, its racialized beings did not. They are still Others who pose an invasive threat to the current liberal rule of order. They cannot be killed, but they can be left to die.

After the encounters with the fisherman, the same helicopter that appeared previously came back and dropped eight bottles of water and biscuits, which was hardly enough to feed 72 people. Through the Forensic Architecture investigation, the researchers suspect that the

helicopter was under NATO command because the strategy of vessel identification (i.e., approaching boats and taking photographs) is consistent with that of NATO during Operation Unified Protector. It is also consistent with NATO's strategy of "minimal assistance" to migrant boats. The reasoning is that if minimal help would be provided, the migrants would survive long enough to enter the SAR zone of either Italy or Malta, and the coast guard of whichever country would be obliged to intervene. Figure 2 shows where the boat was positioned in relation to the different SAR zones. The straight black line represents the movement of the boat, while the black circles represent the coordinates of the boat during different instances of the journey. For the majority of the trip, the boat was in the Libyan SAR. It appears that it entered the Maltese SAR briefly or was at least on its threshold on the

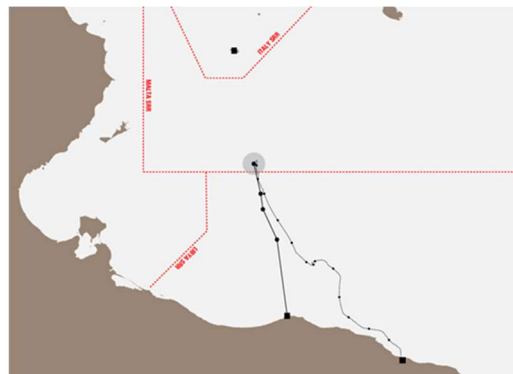


Figure 2: Search and Rescue Regions within the Strait of Sicily.

28th of March at 7:00 AM. But despite the distress signal being sent repeatedly every four hours for a duration of 10 days since the moment Rome MRCC was aware of the presence of the boat, and the GPS signals showing that the boat was still moving towards Lampedusa, no efforts were put in ensuring that rescue was deployed or was at least on standby.

Additionally, Malta and Italy have a conflict regarding their SAR zones. The two countries signed different SAR conventions: Italy has signed the 2004 amendments which state that if a migrant vessel was in the SAR zone of a certain country, then the migrants should be disembarked on the territory of that country. However, Malta has signed the SAR version in

which migrants should be disembarked at the closest safe port – in this case, Lampedusa. Besides, the size of the Maltese SAR is highly disproportionate to the size of the state, therefore making it fearful that unrealistic expectations would be placed on it when disembarking migrants in its territory. This has led to many incidents where Italian and Maltese authorities engaged in cycles of assigning responsibility to the other party which resulted many migrant deaths (Aalberts & Gammeltoft-Hansen, 2014). At the time when the boat was at sea, the Libyan SAR was non-functional due to the fall of the government. Instead, NATO had a Maritime Surveillance Area (MSA) that covered the entire Libyan SAR as well as a part of the Maltese SAR (Figure 3, Figure 4). This area was revised during the period when the boat was drifting off, yet it still placed the responsibility of rescue on NATO vessels. Here, we see again that having SAR and MSA zones are only means of extending the jurisdiction of sovereign states or military operations, hence rendering humans rights obsolete. NATO vessels were in close proximity of the boat for the entire 14 days it was at sea. Put plainly, jurisdiction is used to align with political goals: since the high sea is not a sovereign space, it can only be governed by international laws. The SAR and MSA then serve

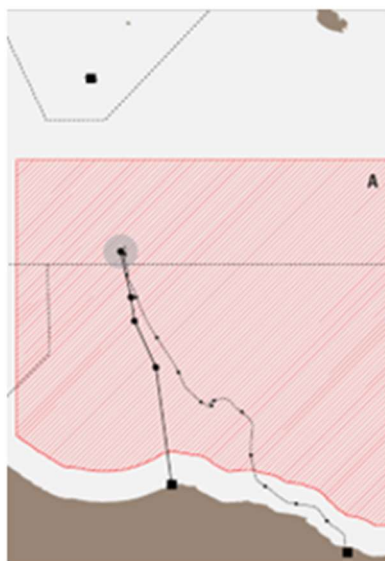


Figure 3: Northern extents (A) of
NATO MSA as of March 23, 2011



Figure 4: Revised northern extents
(B) of MSA as of April 8, 2011

as an extension of jurisdiction, and thus render humans rights obsolete. By eliminating the human characteristics of the migrants and depriving them of any useful legal protection, they are easily put to death and disposed of. Additionally, because of the way necropolitical forms of migration controls work through and oppose international laws, what is governed ceases to be the space and becomes the body of the migrant. With every moment the migrants spent unrescued at sea, the borders were manifesting through their racialized flesh. Controlling their mobility did not happen at the physical borders of the EU, it happened through abusing their bodies: being observed slowly dying, getting minimal amounts of food to sustain themselves until they possibly get rescued, and the indifference of all parties present to respond to their cries of help. Since what is affected is the migrant body, the application of this necropower is limitless and transcends geographical spaces. After 6 days of the boat running out of fuel and drifting off without any sense of direction, the migrants encountered a military vessel. The vessel came very close to the boat, and Dan Haile Gebre recalls: “They then circled around us [...] we are watching them, they are watching us. We are showing them the dead bodies.” (Forensic Architecture, 2012, 20:05). For the umpteenth time, the vessel only took pictures of the boat. It is disturbing, to say the least, that the corpses of the women, children and men did not invoke a reaction from the military forces. Why was the existence of the migrants in a dangerous and vast space such as the sea without any supplies not enough to deserve help? Here, I recall Mbembe when he says :”The Other is the one who must, each time, prove to others that he is a human being, that he merits being taken for a fellow human.” (Mbembe, 2019, p. 132). It also begs the question of whose lives are considered mournable and whose are not. Mbembe speaks of a “habitation to loss”. Lives of the racialized – who are by extension the colonized and the uncivilized – are superfluous and cheap. No one feels obliged to pay them considerable attention or feel responsible towards them. Not only that, but their death is necessary for the continuation of liberal democracies. It

is a matter of ontology: liberal democracies have been built on the premises of coloniality and racism, and to continue existing, they must keep reinventing the division of “Us” and “Them”. There cannot be a liberal order with freedom and equality for all (i.e., all Whites) if the Other is not exploited and disposed of.

In summary, the Left-to-die boat was a product of violent inaction and necropower exercised by the EU. I argued in this subsection that bordering practices are governed by a necropolitical apparatus that fabricates tension between international human laws and sovereign laws. Through creating international laws that are vague, passing sovereign laws that make it extremely difficult for non-EU citizens to enter the EU territory, and then expanding the jurisdiction of these sovereign states towards the geographical space of the sea, the migrants are caught in a death-world where they are denied rescue. The problem stops being one of assigning responsibility and starts becoming one of infrastructural elimination of the excess presence as far away from the EU borders as possible. This is how the EU manufactures migrant death. All throughout, race is a core constituent of this necropolitical infrastructure. In the next subsection, I will delve into the responses to the incident that befell the boat by some of the parties that were involved.

After the 14 days

NATO, who was running a naval arms blockade on Gadhafi’s regime at the time, denied having any knowledge of the existence of the boat in the highly surveilled waters of the Mediterranean. After the investigation, NATO’s spokesperson retracted this initial statement and made a new one:

NATO received a general notice in the evening of the 27th of March from Italian authorities to alert them to the presence of a vessel in difficulty carrying 68 people.

The message was not an instruction to begin search and rescue, nor did it request assistance. The message simply requested NATO to keep the Italian coast guard updated “in case of sighting” of the vessel (Heller et al., 2012, Annex B.8)

Through this communication, it becomes clear that NATO has reduced the alert that had the priority code “DISTRESS” to a mere general notice. The logistic ambiguity of not defining terms such as distress and assistance come into play again. What is the goal of a distress signal if not to demand help or indicate an emergency? In addition, they denied having any record of any of their vessels seeing or making contact with the boat (Strik, 2012). In regard to the Spanish frigate that was the closest to the boat (11 nautical miles away), the Spanish Minister of Defence at the time denied receiving any type of communication from Rome MRCC about the distress of the boat, and further denied that the frigate was in such close proximity to it. This is not probable since the Forensic Architecture report concluded that due to high presence of vessels in the area, consistent victim testimonies, previously known practices of assistance of NATO forces, and the repeated sending of the distress signal, that it is unlikely that any vessel in the area has missed the presence of the boat and/or not came into contact with it. Furthermore, NATO, who played a part in militarizing the borders in this case, prides itself on having helped over 600 migrants during Operation Unified Protector in Libya (NATO, 2011a). However, in relation to their surveillance capacities in the Mediterranean, this number is miniscule. During this blockade on Libya, NATO had access to both their own technology and advanced surveillance technologies provided by a previous anti-terrorist mission that was launched after 9/11 in the Mediterranean. These technologies consisted of land sensors, sensors on naval assets, and aerial sensors; all of which were called a “quantum leap in surveillance capacity” by one of the commanders based in the maritime command centre in Naples (Heller et al., 2012, p. 42). How is it that such a sophisticated surveillance system missed the existence of the Left-to-die boat for 14

days? While NATO refused to respond to the inconsistencies in their narrative, it remains unchallenged that the security infrastructure that is put in place is not for the protection of civilians as they claim (NATO, 2011b) . This also applies to all of the other modes of border surveillance that were utilized in the span of these 14 days. It is certainly not the security of the migrants that the EU and its military and non-military agents are concerned with, but rather the security of their way of life and the flow of capital. To not assist this boat when another NATO commander says: “Anyone who believes they can sail through NATO’s layers of surveillance and interdiction needs to think again” (Heller et al., 2012, p. 41) is a deliberate necropolitical choice. There exist, out there, multiple pictures of this boat taken by people working for multiple institutions of the EU. The boat was seen, and the chosen course of action was to give eight bottles of water and biscuits. The surveillance only worked in so far as it stripped the migrants of their right to mobility, their humanity, and their right to live. The technological abilities to locate and assist this boat existed, but they operate under a necropolitical infrastructure that keeps manufacturing some deaths to upkeep some lives.

The Forensic Architecture report is important in many ways. One of them is that it gave ground for NGOs and human rights organizations to pursue legal action against all actors involved in the incident. A case was filed against the French military for failing to assist the boat. However, it turned into a long legal battle in which the French courts dismissed it multiple times or overturned it for lack of sufficient evidence. It was only in 2022 that the case was resumed, and a verdict is yet to be announced (Gisti, 2022). Similar cases were filed against Italy, Spain and Belgium, but they were also quickly dismissed (Gisti, 2024). While laws are important in achieving a form of justice for the 68 people who unnecessarily lost their lives to the murderous border infrastructure that the EU created and extended to their once living bodies, it is important to remember that this same legal

infrastructure has allowed for the Left-to-die boat to happen in the first place. One of the aims of this thesis is to highlight the paradox that lies at the heart of liberal democracies: ensuring individual human rights and freedoms has always come at the price of depriving others of these same things. Spaces from the land to the sea are regulated and securitized through laws and policies that enable the precarity and death of racialized bodies, which in turn transforms those bodies into the border. Laws enable practices of exception and measures of security, which aim to intercept migrants and subject them to different forms of death as far away from the border as possible. I argue that the same system that villainized migrants and criminalized certain forms of movement cannot be the same system that grants them justice. Amending migration and assistance laws does not fix the deathscape that is the Mediterranean Sea, simply because this deathscape serves as one tool to filter out the entry to the EU and to preserve its privileged way of life. Evidently, The Left-to-die boat was not the first nor the last migrant boat to leave a trail of bodies in its wake. On October 3rd 2013, a migrant boat drowned off the coast of Lampedusa, killing more than 360 people (Amnesty International, 2023). Eight days after, the same incident occurred again. The response of the EU authorities was to declare a day of mourning and to launch the rescue operation ‘Mare Nostrum’ which lasted only for a year. The investments then went to increasing boat interceptions, collaborations with the Tunisian and Libyan coast guard, and forced returns to Libya (European Union, 2023; Statewatch, 2024), which human rights organizations declared unsafe due to the abuse and torture that migrants undergo in their detention centres (Amnesty International, 2016). The attempts of liberal democracies – in this case the EU – to ‘improve’ the regulation of migration are only a façade. The different rescue operations and the militarization of the sea did not and will not stop the death of the migrants because the political violence continues: the number of issued Visas continues to decrease, asylum laws are getting stricter and racism has shifted from covert manifestations to explicit

declarations by politicians as a mean to gain more election votes. To expect change to come from these institutions is delusional: launching “rescue missions” such as Mare Nostrum and Frontex is already a partial admission that the migration infrastructure does not work. The humanitarian aspect of these missions is then re-appropriated by state power, making this humanitarianism compatible with Necropolitics of borders (Cuttitta, 2018). For these institutions to fully admit their deadly politics would imply that there would be no more disposable population to sacrifice, and that would make the EU as it is now cease to exist.

Conclusion

For the last decades, the Mediterranean Sea has been increasingly transforming into a graveyard for migrants. Their continual contestation and resistance against the violence of the EU borders keeps generating even deadlier practices of borderization. My research question meant to detangle how the European border infrastructure manufactures these migrant deaths. I therefore examined the deadly politics that are at the core of migration controls and specifically the practices of (non) assistance. To illustrate this point, I used the investigative report by the Forensic Architecture Research Centre about the Left-to-die boat: a migrant boat that drifted off without assistance for 14 days despite multiple parties being aware of its distress, leaving in its wake nine survivors out of 72 passengers. I used the framework of Necropolitics that was developed by Achille Mbembe and a critical view on the concept of the state of exception and bare life that were introduced by Giorgio Agamben. Through this lens, I problematized looking at the report solely with the goal of assigning responsibility to those who failed to rescue the boat. I argued that from a sociological and political point of view, the migration infrastructure was built for incidents like these to occur. The boat drifting off was not a glitch in the rescue operations, but it was rather a conscious act that has its roots in a necropolitical apparatus of governing. By being non-

white people who are coming from spaces that Europe has colonized and drained through extractivism and exploitation, the migrants inherently gain the label of the Other who is not allowed into the White space – for this Other is an enemy to national security and cohesion. Contesting this form of immobility puts the migrant in a state of exception, where international and sovereign laws clash and ultimately turn him into a bare life who, even at the edge of death, is still racialized. By redescribing the Left-to-die boat case from the point of view of Necropolitics, I showed that the EU-ropean border infrastructure manufactures migrant death by turning the sea into a deadly space: it creates a necropolitical infrastructure that utilizes the ambiguity of laws and the externalization of jurisdiction to keep migrants in mortal danger. This sea is simultaneously nobody's sea when it comes to assistance, but Europe's sea when it comes to protecting its borders. Even the sea becomes a tool of Necropolitics: it kills the migrants without touching them, because their bodies and the border became one.

As the numbers of migrants continue to rise due to political instabilities and wars, it is crucial now more than ever to face the necropolitical reality of our world. The EU has just established a deal with Lebanon to curb the arrivals of Syrian migrants (European Commission, 2024) and the United Kingdom passed a legislation to forcibly relocate asylum seekers to Rwanda as a way to “deter unauthorised immigration, especially people arriving by small boat.” (UK Parliament, 2024). Liberal democracies continue to wield necropower and to find new ways of stopping the migrants. Yet, the migrants keep fighting and finding riskier ways of crossing. The death in the mediterranean cannot be curbed with new policies, higher surveillance, or unreliable assistance practices. Deconstructing the necropolitical institutions that continue to live through racist and colonial legacies should be the priority in order to foster a world where humanness prevails. A first step can be consulting militant knowledge that is derived from the lived experiences of migrants and creating broader

ecologies of knowledge and resistance (Pezzani & Heller, 2013). Ultimately, free mobility for everyone should be a universal right. As Mbembe reaffirms: “If it is true that this Earth is the home of all, then nobody at all can be required to return home” (Mbembe, 2019, p. 140).

References

- Aalberts, T. E., & Gammeltoft-Hansen, T. (2014, 2014/10/01). Sovereignty at sea: the law and politics of saving lives in mare liberum. *Journal of International Relations and Development*, 17(4), 439-468. <https://doi.org/10.1057/jird.2014.12>
- Amnesty International. (2016). *EU risks fuelling horrific abuse of refugees and migrants in Libya*. <https://www.amnesty.nl/actueel/eu-risks-fuelling-horrific-abuse-of-refugees-and-migrants-in-libya>
- Amnesty International. (2023). Ten years since the Lampedusa shipwreck, what lessons have been learned? <https://www.amnesty.org/en/latest/news/2023/10/ten-years-since-the-lampedusa-shipwreck-what-lessons-have-been-learned/>
- Arendt, H. (1986). *The origins of totalitarianism*. André Deutsch.
- Boubakri, H. (2004). New Migratory patterns at the Tunisia-Libya frontiers. Case of the Sahara desert area. In, Council of Europe. Proceedings of the Regional Conference on 'Migrants in transit countries: sharing responsibility for management and protection'. Strasbourg: Council of Europe,
- Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27-40. <https://doi.org/10.3316/QRJ0902027>
- Cuttitta, P. (2018). Delocalization, humanitarianism, and human rights: The Mediterranean border between exclusion and inclusion. *Antipode*, 50(3), 783-803.
- Davies, T., Isakjee, A., & Dhesi, S. (2017). Violent Inaction: The Necropolitical Experience of Refugees in Europe. *Antipode*, 49(5), 1263-1284. <https://doi.org/https://doi.org/10.1111/anti.12325>

De Genova, N. (2015). Spectacles of migrant 'illegality': the scene of exclusion, the obscene of inclusion. In *The Language of Inclusion and Exclusion in Immigration and Integration* (pp. 58-76). Routledge.

EUR-Lex. (2000). *Schengen Agreement and Convention*. [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:42000A0922\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:42000A0922(02))

EUR-Lex. (2013). *REGULATION (EU) No 604/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL*. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R0604-20130629>

European Commission. (2023). *Memorandum of Understanding on a strategic and global partnership between the European Union and Tunisia*. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_3887

European Commission. (2024). *President von der Leyen reaffirms EU's strong support for Lebanon and its people and announces a €1 billion package of EU funding*. https://neighbourhood-enlargement.ec.europa.eu/news/president-von-der-leyen-reaffirms-eus-strong-support-lebanon-and-its-people-and-announces-eu1-2024-05-02_en

European Council on Refugees and Exiles. (2023). *Mediterranean: Arrivals to Lampedusa Spark New Crack-down from Italy, Commission 10-Point Plan Denounced by NGOs, Germany Gives Up Suspension of Relocation*. <https://ecre.org/mediterranean-arrivals-to-lampedusa-spark-new-crack-down-from-italy-commission-10-point-plan-denounced-by-ngos-germany-gives-up-suspension-of-relocation/>

European Union. (2023). *EU migration support in Tunisia*. https://neighbourhood-enlargement.ec.europa.eu/document/download/5fd60eeb-7748-4f29-bda6-de875be53317_en

Forensic Architecture. (2012). *The Left-to-Die Boat - Interview with Dan Haile Gebre*.

<https://forensic-architecture.org/investigation/the-left-to-die-boat>

Foucault, M. (1978). *The History of Sexuality: An introduction*. Pantheon Books.

<https://books.google.nl/books?id=h8knAAAAYAAJ>

Frontex. (2024). *Significant rise in irregular border crossings in 2023, highest since 2016*.

<https://www.frontex.europa.eu/media-centre/news/news-release/significant-rise-in-irregular-border-crossings-in-2023-highest-since-2016-C0gGpm>

Frontex. (n.d.). *Operations: Search and Rescue*. [https://www.frontex.europa.eu/what-we-](https://www.frontex.europa.eu/what-we-do/operations/search-and-rescue/)

[do/operations/search-and-rescue/](https://www.frontex.europa.eu/what-we-do/operations/search-and-rescue/)

Gisti. (2022). *Plainte contre l'armée française: Affaire du Left-to-die-Boat*.

<https://www.gisti.org/spip.php?article4882>

Gisti. (2024). *Vies perdues en mer : le silence de la justice pour prix de l'impunité de l'armée*

? <https://www.gisti.org/spip.php?article7219>

Hansen, P., & Jonsson, S. (2014). *Eurafrica: The Untold History of European Integration and*

Colonialism. Bloomsbury Publishing. [https://books.google.nl/books?id=-](https://books.google.nl/books?id=-FuCBAAAQBAJ)

[FuCBAAAQBAJ](https://books.google.nl/books?id=-FuCBAAAQBAJ)

Hansen, P., & Jonsson, S. (2017). *Eurafrica Incognita: The Colonial Origins of the European*

Union. History of the Present, 7(1), 1-32.

<https://doi.org/10.5406/historypresent.7.1.0001>

Heller, C., & Pezzani, L. (2016). *Ebbing and flowing: The EU's shifting practices of (non-)*

assistance and bordering in a time of crisis. Near Futures Online, 1(1).

Heller, C., & Pezzani, L. (2018). The Mediterranean Mobility Conflict: Violence and Anti-Violence at the Borders of Europe. *Humanity Journal*.

<https://humanityjournal.org/blog/heller-and-pezzani/>

Heller, C., Pezzani, L., & Studio, S. (2012). Report on the “left-to-die boat”. *London: Forensic Architecture Project Goldsmiths University of London, 11*.

International Convention on Maritime Search and Rescue (1979).

<https://treaties.un.org/doc/Publication/UNTS/Volume%201405/volume-1405-I-23489-English.pdf>

International Organization for Migration. (2023). Deadliest Quarter for Migrants in the Central Mediterranean Since 2017. <https://www.iom.int/news/deadliest-quarter-migrants-central-mediterranean-2017>

Iosifides, T. (2017). Against ‘migration’: Using critical realism as a framework for conducting mixed-method, migrantization research. *Journal of Critical Realism*, 16(2), 128-142.

Kasperek, B. (2016). Complementing Schengen: The Dublin System and the European Border and Migration Regime. In H. Bauder & C. Matheis (Eds.), *Migration Policy and Practice: Interventions and Solutions* (pp. 59-78). Palgrave Macmillan US.

https://doi.org/10.1057/9781137503817_4

Mbembe, A. (2003). Necropolitics. *Public Culture*, 15(1), 11-40.

<https://doi.org/10.1215/08992363-15-1-11>

Mbembe, A. (2019). *Necropolitics*. Duke University Press.

<https://doi.org/10.1215/9781478007227>

Missing Migrants Project. (2023). *Migration Within The Mediterranean*

https://missingmigrants.iom.int/region/mediterranean?region_incident=All&route=3861&year%5B%5D=10121&year%5B%5D=11681&year%5B%5D=13651&month=All&incident_date%5Bmin%5D=&incident_date%5Bmax%5D=

NATO. (2011a). *Operation UNIFIED PROTECTOR Final Mission Stats.*

https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2011_11/20111108_111107-factsheet_up_factsfigure.pdf

NATO. (2011b). *Operation UNIFIED PROTECTOR Protection of Civilians and Civilian-Populated Areas & Enforcement of the No-Fly Zone.*

https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2011_10/20111005_111005-factsheet_protection_civilians.pdf

Pauwels, L. (2010). Visual Sociology Reframed: An Analytical Synthesis and Discussion of Visual Methods in Social and Cultural Research. *Sociological Methods & Research*, 38(4), 545-581. <https://doi.org/10.1177/0049124110366233>

Pereira, C., & Tsikata, D. (2021). Extractivism, resistance, alternatives. *Feminist Africa*, 2(1), 1-13.

Pezzani, L., & Heller, C. (2013). A disobedient gaze: strategic interventions in the knowledge (s) of maritime borders. *Postcolonial Studies*, 16(3), 289-298.

Statewatch. (2012). *Italy: Criminalising solidarity - Cap Anamur trial underway.*

<https://www.statewatch.org/news/2007/april/italy-criminalising-solidarity-cap-anamur-trial-underway/>

- Statewatch. (2024). *Frontex collaboration with Libya: “we call them and try to persuade them to take them back”*. <https://www.statewatch.org/news/2024/june/frontex-collaboration-with-libya-we-call-them-and-try-to-persuade-them-to-take-them-back/>
- Strik, M. (2012). *Lives lost in the Mediterranean Sea. Who is responsible?* https://assembly.coe.int/CommitteeDocs/2012/20120329_mig_RPT.EN.pdf
- Talbayev, E. T. (2023). The Residual Migrant. *International Journal of Postcolonial Studies*, 1-15. <https://doi.org/10.1080/1369801X.2023.2190921>
- UK Parliament. (2024). *UK-Rwanda Migration and Economic Development Partnership*. <https://commonslibrary.parliament.uk/research-briefings/cbp-9568/>
- Universal Declaration of Human Rights, (1948). <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%203,liberty%20and%20security%20of%20person.>
- United Nations Convention on the Law of the Sea (UNCLOS), (1982). https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf
- Weheliye, A. G. (2014). *Habeas Viscus*
- Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human*. Duke University Press. <https://doi.org/10.2307/j.ctv11smq79>

Appendix

CHECKLIST ETHICAL AND PRIVACY ASPECTS OF RESEARCH

INSTRUCTION

This checklist should be completed for every research study that is conducted at the Department of Public Administration and Sociology (DPAS). This checklist should be completed *before* commencing with data collection or approaching participants. Students can complete this checklist with help of their supervisor.

This checklist is a mandatory part of the empirical master's thesis and has to be uploaded along with the research proposal.

The guideline for ethical aspects of research of the Dutch Sociological Association (NSV) can be found on their website (http://www.nsv-sociologie.nl/?page_id=17). If you have doubts about ethical or privacy aspects of your research study, discuss and resolve the matter with your EUR supervisor. If needed and if advised to do so by your supervisor, you can also consult Dr. Bonnie French, coordinator of the Sociology Master's Thesis program.

PART I: GENERAL INFORMATION

Project title: The Necrotic Face of The European Border Infrastructure: The Left-to-Die Boat

Name, email of student: Nesrine H'mida, 530281nh

Name, email of supervisor: Willem Schinkel, schinkel@essb.eur.nl

Start date and duration: January 2024, 6 months

Is the research study conducted within DPAS
NO

YES -

If 'NO': at or for what institute or organization will the study be conducted?
(e.g. internship organization)

PART II: HUMAN SUBJECTS

1. Does your research involve human participants. YES -
NO

If 'NO': skip to part V.

- If 'YES': does the study involve medical or physical research? YES -
NO

Research that falls under the Medical Research Involving Human Subjects Act ([WMO](#)) must first be submitted to [an accredited medical research ethics committee](#) or the Central Committee on Research Involving Human Subjects ([CCMO](#)).

2. Does your research involve field observations without manipulations
 that will not involve identification of participants. YES -
NO

If 'YES': skip to part IV.

3. Research involving completely anonymous data files (secondary
 data that has been anonymized by someone else). YES - **NO**

If 'YES': skip to part IV.

PART III: PARTICIPANTS

1. Will information about the nature of the study and about what participants can expect during the study be withheld from them? YES - NO
2. Will any of the participants not be asked for verbal or written 'informed consent,' whereby they agree to participate in the study? YES - NO
3. Will information about the possibility to discontinue the participation at any time be withheld from participants? YES - NO
4. Will the study involve actively deceiving the participants? YES - NO
Note: almost all research studies involve some kind of deception of participants. Try to think about what types of deception are ethical or non-ethical (e.g. purpose of the study is not told, coercion is exerted on participants, giving participants the feeling that they harm other people by making certain decisions, etc.).
5. Does the study involve the risk of causing psychological stress or negative emotions beyond those normally encountered by participants? YES - NO
6. Will information be collected about special categories of data, as defined by the GDPR (e.g. racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a person, data concerning mental or physical health, data concerning a person's sex life or sexual orientation)? YES - NO
7. Will the study involve the participation of minors (<18 years old) or other groups that cannot give consent? YES - NO
8. Is the health and/or safety of participants at risk during the study? YES - NO
9. Can participants be identified by the study results or can the confidentiality of the participants' identity not be ensured? YES - NO

10. Are there any other possible ethical issues with regard to this study? YES -
NO

If you have answered 'YES' to any of the previous questions, please indicate below why this issue is unavoidable in this study.

What safeguards are taken to relieve possible adverse consequences of these issues (e.g., informing participants about the study afterwards, extra safety regulations, etc.).

Are there any unintended circumstances in the study that can cause harm or have negative (emotional) consequences to the participants? Indicate what possible circumstances this could be.

Please attach your informed consent form in Appendix I, if applicable.

Continue to part IV.

PART IV: SAMPLE

Where will you collect or obtain your data?

Note: indicate for separate data sources.

What is the (anticipated) size of your sample?

Note: indicate for separate data sources.

What is the size of the population from which you will sample?

Note: indicate for separate data sources.

Continue to part V.

Part V: Data storage and backup

Where and when will you store your data in the short term, after acquisition?

My data is secondary and tertiary data that is available publicly online. The files I save will be stored on my personal laptop.

Note: indicate for separate data sources, for instance for paper-and pencil test data, and for digital data files.

Who is responsible for the immediate day-to-day management, storage and backup of the data arising from your research?

My data is not primary. The Forensic Architecture Research Centre is the main entity responsible for the daily management, storage, and backup of the data I will use for my research.

How (frequently) will you back-up your research data for short-term data security?

Since the data is available publicly and will not be collected by me, there is no need to back it up. There are no considerable security concerns to keep in mind. The analysis of the data will, however, be backed up on my personal laptop Cloud after every use.

In case of collecting personal data how will you anonymize the data?

I will not be collecting any personal data.

Note: It is advisable to keep directly identifying personal details separated from the rest of the data. Personal details are then replaced by a key/ code. Only the code is part of the database with data and the list of respondents/research subjects is kept separate.

PART VI: SIGNATURE

Please note that it is your responsibility to follow the ethical guidelines in the conduct of your study. This includes providing information to participants about the study and ensuring confidentiality in storage and use of personal data. Treat participants respectfully, be on time at appointments, call participants when they have signed up for your study and fulfil promises made to participants.

Furthermore, it is your responsibility that data are authentic, of high quality and properly stored. The principle is always that the supervisor (or strictly speaking the Erasmus University Rotterdam) remains owner of the data, and that the student should therefore hand over all data to the supervisor.

Hereby I declare that the study will be conducted in accordance with the ethical guidelines of the Department of Public Administration and Sociology at Erasmus University Rotterdam. I have answered the questions truthfully.

Name student: Nesrine H'mida

Name (EUR) supervisor:

Date: 24/03/2024

Date: