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Rescuing, kidnapping, and criminalizing.

Migration containment in the Mediterranean

Abstract

This work investigates the government of migration from the angle of containment arguing that borderwork increasingly focuses on smuggling activities to achieve migration containment goals. The paper looks at three recent evolutions in the politics of containment in the Central Mediterranean, and particularly in the corridor connecting Libya and Italy. First, we look at the practice of blocking migrants at sea upon rescue, what we call the politics of migrant kidnapping. Second, we study the statecraft of civil society into a smuggling organization by policy—what we call the smugglerisation of civil society—by looking at governments’ actions against those who rescue migrants whose boats are in distress. Finally, we look at how smuggling networks are made part of border enforcement practices. The paper shows how migration containment is enforced through multiple spatial tactics that block migrants at sea, hamper independent actors’ search and rescue operations, and target smuggling networks.

Keywords: containment, migration, smugglers, rescue, central Mediterranean, detention.

Introduction: The politics of migration containment

March 27, 2019: 108 migrants from different countries hijack the merchant ship that rescued them in the central Mediterranean, in order to hamper the crew from taking them back to Libya, where migrants are the target of violence, illegal detention, and various forms of exploitation. The Italian Minister of the Interior, Matteo Salvini, blocks them at sea, forbidding their disembarkation in Italy, and calling them “pirates”. This episode illustrates an approach to migration containment in the central Mediterranean where states prevent migrants’ disembarkation on their territory, block them at sea, and at times even push them back to Libya. At the same time, it shows how migrants engage in collective forms of resistance, refusing to be taken back. In this paper we engage with transformations in the government of migration by investigating how containment is enacted by state actors in order to regain control over migrants’ unruly mobility (Bojadžijev and Mezzadra, 2015; De Genova et al., 2016). Through this focus, the paper contributes to spatial analyses of migration governmentality and investigates the ways in which migration containment is enacted at sea as a tactic for disrupting migrants en route. In particular, we focus on how containment is enforced during operations of “capture by rescuing” migrants (Tazzioli, 2015; Garelli and Tazzioli, 2018 and 2019; Pallister-Wilkins 2017). While rescue is usually associated with the act of bringing someone into safety, in the central Mediterranean being rescued has recently also been associated with being captured and taken back to Libya or being kept hostage at sea.

Far from taking the EU narrative of a “migration crisis” in the central Mediterranean at face value, we bring attention to the spatial reshaping of migration control and look at how para-state actors have been incorporated in the politics of migration containment even as they are officially presented as external to state operations, and often posited as state enemies. The paper contributes to rethinking the notion of “containment” and the politics of migration containment by focusing on specific spatial strategies used by states to disrupt migrants’ journeys across the central Mediterranean. Building on the analysis of these spatial strategies, the paper argues that migration containment in the central Mediterranean is not

limited to migrants' immobilization; it consists, more broadly, in violently disrupting migrants *en route* through temporary kidnapping, push-back operations and by hampering them from landing. Our approach to the study of migration containment builds in fact on carceral geography scholarship (Moran, 2016; Gill et al., 2016; Moran et al., 2013; Mountz et al., 2013) and investigates modes of confinement and tactics of capture that do not necessarily involve detention. The notion of containment is surprisingly under-theorized both in migration and in geography literature (notable exceptions include Casas-Cortes et al., 2019; Tazzioli and Garelli, 2018; Lloyd and Mountz, 2014; Tazzioli, 2018) and tends to be equated with detention and immobility. We argue that containment is not a spatial measure among others for controlling migration but, rather, it is wedded to a broader politics of control, which is predicated upon spatial and biopolitical measures apt at disrupting, decelerating, and diverting migrants' journeys. In so doing we contribute to the carceral geography literature an expanded notion of containment as a spatial tactic of migration governmentality which goes beyond incarceration and immobilisation and instead is centred on disrupting migrants' journeys. Such an approach to containment is not less violent and harmful for migrants than protracted detention. By foregrounding the multiple ways in which containment is enforced, we aim at widening our understanding of border violence beyond modes of governing through killing, detaining, or letting die. Relatedly, the paper intervenes in critical works on humanitarianism (Cutitta, 2018; Pallister-Wilkins, 2018; Tickin, 2005) showing that migrants as shipwrecked lives are not only governed through death (Squire, 2017) and by being left to die at sea: they are also harmed by practices of rescue that turns into modes of capture.

Two dynamics are at the centre of our analysis of containment. First, we look at a series of biopolitical tactics that put "holds" over migrants' lives to disrupt their autonomous journeys and hamper them from accessing asylum. The Mediterranean Sea represents a privileged site for observing the "intersection of the geopolitical and biopolitical realms" (Johnson and Jones 2016, p. 10), especially if we consider it not as an exceptional space out of the law but, rather, as a space that is legally and politically intertwined with what happens on the mainland (Heller and Pezzani, 2014). Second, containment's main characteristic is the recursive disruption of migrants' journeys, a disruption that does not necessarily result in full blockages and immobilization. This temporary, forced stranded-ness links up to a wide exploitation industry: containment can involve forms of economic exploitation and incorporation, and can be enacted also by keeping migrants on the move (Tazzioli, 2017). When migrants are detained and stranded, they often become a source of value extraction (Franck, 2017), bringing their exploitative profiling beyond the horizon of "life to be protected and a security threat to protect against" [Vaughan-Williams, (2015), p. 3; Aradau, 2004]. This is particularly the case in the Libyan context, where migrants are blackmailed, forced to pay ransoms for their own liberation and forced to work (Stierl, 2019).

The politics of migration containment we analyse in this paper refers to the multiplicity of spatial and biopolitical tactics enacted for disrupting migrant journeys. The essay is structured in three parts. First, we look at what we call *the politics of migrant kidnapping*, i.e., the practice of stopping rescued migrants at sea and preventing their disembarkation in European states which started to be massively adopted by Italy in the summer of 2018. Second, looking at state actions against NGOs and fishermen rescuing boats in distress carrying migrants, we study the statecraft of civil society into a smuggling organization in what we call *the smugglerisation of civil society*. Finally, we look at how smuggling networks are incorporated in border enforcement practices in a configuration that we call *governing migration through the smugglers*.

Rescue as Capture: The Politics of Migrant Kidnapping

One of the most glaring examples of the new politics of containment at play in the central Mediterranean context comes in the context of rescue at sea: migrants (and rescue crews) are held hostage onboard rescue vessels, while EU member states fight over "where" and "whether" these migrants should be allowed to disembark in Europe. The bureaucratic standstill about their destiny corresponds to a forced

blockage at sea. Episodes of such “containment through rescue” have multiplied since summer 2018 (Tazzioli, 2018) to expand migration management approaches in the Mediterranean Sea.

On June 12, 2019, for instance, the NGO Sea Watch rescued 53 migrants off the Libyan coast. Capitan Carola Rakete refused to dock the rescue boat in unsafe Libyan ports and instead headed toward Italy. Italian Interior Minister Matteo Salvini closed Italian ports to migrant rescue ships and refused to allow the ship to dock until other European nations had agreed to receive these migrants in their territories. After a 15-day standoff, Capitan Rakete decided to dock in Lampedusa, Italy, without authorization due to the unsustainable conditions onboard caused by the protracted blockage. The NGO Sea Watch was at the centre of another institutional kidnap in January 2019, when its boat rescued 47 migrants in the central Mediterranean and was forced to keep migrants trapped onboard and stranded at sea while European countries were not offering a port of safety to migrants. Migrants’ liberation (i.e., the authorization to land in the Sicilian port of Catania_) only arrived on January 31, after a twelve-day kidnapping and a harsh diplomatic war among member states. Italy said the Netherlands had to receive these migrants since the rescue boat flew a Dutch flag; the Dutch government refused, saying that passengers’ claim to asylum had to be adjudicated in Italy, the country of first entry, as per Dublin regulations. After days of negotiations in Brussels, and the Vatican’s offer to host the minors, eight member states agreed to take some migrants (France, Germany, Romania, Malta, Portugal, Spain, Luxembourg, and Italy). Rescue, we argue, has become a mode of capture and, as Violeta Moreno-Lax contends, “interdiction has been conflated with search and rescue” [Moreno-Lax, (2018), p.122].

This state politics of kidnapping migrants (and rescue crews) at sea also invests states’ own fleets, not just NGO vessels. The Italian Coast Guard’s Diciotti vessel is a case in point. In the night between the 15th and the 16th of August 2018, the Diciotti rescued 190 migrants in the Maltese Search and Rescue zone, as Malta refused to intervene. Malta also refused to be a port of safety for migrants’ disembarkation so the Diciotti headed toward Catania. Once it reached the Catania harbour in Sicily the Italian Coast Guard’s vessel was not granted authorization to disembark migrants by the Interior Ministry. Thirteen migrants considered vulnerable were allowed to disembark. The other 177 had to wait until the midnight of August 26th. They were held hostage on the Diciotti, while the Italian government was using their presence as a sort of biopolitical “currency exchange” (Neilson, 2018), and putting pressure on EU authorities for a redistribution of migrants.

Floating hotspots were proposed in 2016 by Italy and unofficially implemented on some vessels (e.g., Navy vessels of the Triton operation) where migrants were subjected to pre-identification procedures upon rescue. In 2018 Italian and Austrian Ministers of the Interior, Matteo Salvini and Herbert Kickl, tried to align the politics of containment upon rescue with the idea of floating hotspots and suggested that migrants rescued in the Mediterranean should be held on boats for identification, screening and processing until their eligibility to refugee status would be assessed (BBC News, 2018) . This proposal would correspond to enforcing a humanitarian kidnappingⁱ. Under this scenario, people would be forced to endure a seizure at sea (and run the risk of being excluded from landing and seeking asylum in Italy) as a precondition to the possibility to deposit an asylum claim. If ever officially implemented, these floating hotspots would be a multifunctional carceral archipelago, working as a sort of European pre-frontier on the move where a “humanitarian kidnapping” and a preventive exclusion from refuge are enacted at the same time.

The above episodes and political vision speak of a strategy of *containment through kidnapping* currently at play on the Northern shore of the central Mediterranean. This is both a biopolitical and spatial strategy. As migrants are temporarily detained and taken hostage on the vessels, their landing in Europe is delayed and becomes uncertain— will they be authorized to disembark? And if so: where and when? States’ “hold” over migrants’ lives cannot be reduced to the “making live/letting die” biopolitical formula (Foucault, 2019). Kidnapping, we contend, is one of the new political technologies currently used to disrupt migrants’ movements in the central Mediterranean. Migrants are not only let die at sea. Those who are rescued may end up seized and held hostage by EU politics or, if rescued by the Libyan Coast Guard, taken back to Libyan prisons.

What are the spatial effects that this containment through seizing generates? First, it is important to clarify that containment through seizing has been utilized mainly on the Northern shore of the Mediterranean, and in simultaneity with the *humanitarian push-backs* the Libyan Coast Guard started to implement upon the signing of the bilateral agreement between Libya and Italy (February 2017). We speak of humanitarian pushbacks as these initiatives of migrants' forced return to Libya were justified by Italian politicians in the name of preventing the risk for migrants to die at sea (Drogo, 2019). As Alison Mountz and Jenna M. Loyd remarked, violence that takes place at "the scale of the body [...] becomes central to the geopolitical construction of the region", that is of the Mediterranean [Mountz and Loyd, (2014), p.189).

Second, it is worth noting that the notion of containment through kidnapping refers to two different scales: the scale of the body (migrants' bodies held hostage at sea) and the geopolitical scale of international relations and state jurisdictions in relation to migrants' arrivals. Upon rescue & seizing migrants are temporarily immobilized and worn out by protracted waiting and uncertainty. Building on Shahram Khosravi's (2018) argument on migrants' experience being characterized by stolen time, we point to the wearing out effects that a protracted spatial limbo and waiting time generate and to the migration containment outcome resulting from this strategy of exhaustion.

The politics of migrant kidnapping is also at the core of a thorny diplomatic and political battle around member states' responsibilities towards rescued refugees at sea. In fact, the seizing of migrants at sea has been seen as a form of blackmailing, a bodily weapon Italy holds against other EU member states. In other words, migrants become hostage to the crisis of the EU border regime. But migrants' mobility is not fully stopped by this politics of kidnapping and migrants are in the end not necessarily pushed back eitherⁱⁱ. Rather, they are obstructed in their autonomous movements, as the moment of landing is deferred with no guarantees of success, and their arrival on the mainland is subjected to forced transfers from Italy to other member states. Migrants here are displaceable bodies that are moved and transferred according to a politics of numbers. Charmaine Chua, Martin Danyluk and Deborah Cowen (2018) conceptualize logistics in terms of "turbulent circulation" and talk of the "uneven geographies of power" that are manifested by the speeding up of circulation alongside increasing practices of containment, blockage and control. Drawing on their work, we contend that migration containment practices at play in the Mediterranean operate by slowing down, diverting, and temporarily interrupting migrants' movements. Far from being smoothly channelled, migrants are moved in a desultory way after being rescued.

The strategy of seizing migrants upon rescue furthers the divisions that already exist among shipwrecked people and introduces a shift from a minimal but equalitarian biopolitics of rescue (Moreno-Lax, 2018; Pallister-Wilkins, 2017) towards a sort of disembarkation eligibility based on vulnerability criteria. The Diciotti case, for instance, saw 13 of 190 people being disembarked after 24 hours as they were considered vulnerable cases (minors, pregnant women, and ill persons).

To resist kidnapping strategies, migrants engaged in collective refusals or in what might also be called acts of refusal (Deutsche Welle, 2018): for instance, groups of migrants rescued at sea by the Libyan Coast Guard, for instance, refused to be taken back to Libya, engaging also in collective hunger-strikes; or, even when rescued by a European vessel, migrants may decide to hijack the ship to avoid being disembarked in Libya. The criminalisation on the part of state authorities of these collective acts of refusal, hijacking and counter-kidnapping show that when migrants act, they are often turned into riotous subjects. This is ultimately in continuity with the deep ambivalent mode in which migrants are targeted by states: "above all, migrant and refugee mobilities and subjectivities have instigated for European authorities an epistemic and governmental dilemma regarding an amorphous mob simultaneously composed of people "'in need of protection' shadowed by the spectre of predators" [De Genova, (2018), p.1776; Moreno-Lax, 2018].

Illegalized Duty-to-Rescue: Criminalizing Rescue as Smuggling

On August 29, 2018, six Tunisian fishermen were arrested by Italian authorities (Guardia di Finanza) and preventively put into jail in the city of Agrigento, after rescuing fourteen Tunisian migrants who were drowning in the central Mediterranean, close to Italian waters. The six men had taken their co-nationals into Italian waters asking Italian authorities to rescue them. They were accused by the Agrigento Court of “facilitating the illegal entry into the Italian territory of fourteen third-country nationals, with the goal of making profit”, risking up to fifteen years in prison. More than twenty-days later, on September 22, they were released as the magistrate found the accusations against them to be groundless.

The occasional criminalization of fishermen who rescue migrants is not a new affair (especially in Italy) (Vassallo Paleologo, 2007 and 2009; Albahari, 2015, p 101). Currently we are witnessing a systematic process where states target independent actors engaged in search and rescue activities on a daily basis in the Mediterranean, while also continuing to criminalize citizens who end up seeing and rescuing migrant boats in distress (e.g. the fishermen). Rescue operations that happen outside state-led initiatives are equated with smuggling (United Nations 2000, European Council 2002)ⁱⁱⁱ, despite international maritime laws mandate to intervene (Røsæg, 2020). Moreover, smuggling activities tend to be increasingly delinked from economic profit, in breach of the *United Nations' Convention against Transnational Organized Crime* which specifies that the procurement of illegal entry for migrants is defined as smuggling when it is offered in exchange for "a financial or other material benefit" (United Nations, 2000). As a result of the current delinking of economic profit from smuggling any support provided to migrants in transit (including actions geared at saving people's lives and that are not profit-driven) is seen as a potential “facilitation of entry of unauthorized persons into the EU territory”, also building on the ambiguities about the dimension of economic profit of the 2002 EU Council Directive where smuggling is at some point also defined as the mere action of assisting unauthorized entry and transit (art 1a) independently of economic profit.

This politics of criminalization of actions of solidarity and rescue toward migrants goes far beyond the sea border and the scene of rescue and concerns both individuals and organized groups. This politics targets a heterogeneous group of individual citizens, ‘landscape experts’ like Alpine guides (Garelli and Tazzioli, forthcoming) or fishermen, organized activist groups, and NGOs who act in support of migrants’ transit outside state-led interventions. The label “crimes of solidarity” has become a descriptor used by NGOs, human rights organizations and activists to denounce states’ attack against their intervention along perilous migrant routes (see, for instance: Panico, 2019 and Wannesson, 2019).

In the Mediterranean context the criminalization of the NGOs performing search and rescue operations started in 2016 and progressively increased. It is important to retrace the main steps that shaped the Mediterranean Sea as a space of both deadly crossing and hyper-governmentalized containment. When the EU border agency Frontex launched Operation Triton in the Mediterranean Sea in 2014, it channelled its efforts toward border enforcement despite the increasing number of deaths at sea (Amnesty, 2014). As the Head of Operational Analysis at Frontex put “the Mediterranean coasts are now in serious crisis” due to how smuggling networks operate (Frontex, 2014). In that context NGOs, independent actors, and philanthropists enlisted their means to detect boats in distress and assist Coast Guards with rescue operations (Cusmano, 2017; Cuttitta, 2018; Stierl, 2018). For about two years, the presence of NGOs at sea was not only tolerated by state institutions but also ultimately welcomed and incorporated into the search and rescue system coordinated by the Italian Maritime Rescue Coordination Centre (MRCC).

In 2016 the situation started to change: NGOs were accused of constituting a pull-factor for migrants, of collaborating with Libyan smugglers, and of facilitating illegal immigration into Europe (Fassin, 2017; Fekete, 2018; Garelli and Tazzioli, 2018). However, it is worth noting that only the small NGOs and independent search and rescue actors (e.g., Jugend Rettet and Sea Eye) were initially put under attack and accused of collaborating with Libyan smugglers, while the more established organizations (like MSF and SOS Mediterranean, for instance) were left alone at this stage. During this first phase it was not so much the act of rescue per se to be criminalized but the autonomous way of acting by small NGOs. These criminalization initiatives came in the context of a general change in the Italian and EU

discourse on migration. The political discourse shifted from the rescue-centred narrative that characterized Operation Mare Nostrum (the air and naval operation by the Italian government, 2013-2014), to an explicit migration containment agenda voiced by EU member states thereafter. This is not to say that during Mare Nostrum European states adopted a “refugee welcome” politics; or that migration containment was a marginal component of the EU political agenda at that time. What we mean is that in 2013 the EU used a twofold register of action and discourse, asymmetrically distributed across Mediterranean shores. On the Northern shore of the Mediterranean, EU member states—and Italy in particular—officially engaged in a rescue-politics led by military actors, a politics which scholars frame in terms of “military-humanitarianism” (Cuttitta, 2017; Garelli and Tazzioli, 2017). Instead, on the southern shore of the Mediterranean invisible shipwrecks continued to take place: the scene of rescue was narrowed to the sea waters close to the European shores and a blatant politics of containment was enacted in cooperation with third-countries to keep migrants off the European shores.

The criminalization of rescue went alongside the institutional reframing of the “refugee crisis” into a “smugglers’ crisis”. In other words, the attention shifted away from the crisis people were fleeing from and the crisis of their dying at sea in the attempt to reach a refuge in Europe and focused solely on the smugglers. From the launch of the EU’s Operation Sophia against smuggling networks in Libya (June 2015), in fact, the focus on stopping the infrastructure of migrants’ journeys out of Libya became the EU strategy for “managing” the crisis. The attack against non-state rescue actors is part and parcel of this strategy. The further criminalization of NGOs at sea followed two political events: the signature of the Memorandum of Understanding between Libya and Italy in March 2017, and Italy’s July 2017’s enforcement of a “Code of Conduct” for NGOs and organizations active in SAR operations at sea, (Ministero dell’Interno, 2017). The Code mandates the signatories’ acceptance of the presence of armed police on board their vessels, in strict violation of the humanitarian and non-militaristic mandate of some of these organizations. Doctors Without Borders and Jugend Rettet refused to sign the Code. The consequences of this rebellion were immediate in the “humanitarian battlefield” (Garelli and Tazzioli, 2019). These organizations’ boats were denied access to Italian ports, and a legal investigation was opened against the personnel of the Jugend Rettet: on August 2, 2017, the *Iuventa*’s crew was accused of collusion with Libyan smugglers and the vessel was seized by Italian authorities (Forensic Architecture, 2017). In this process solidarity and humanitarian actions were politically constructed as pertaining to the domain of smuggling activities. This shows how the juridical definition of a criminal activity is reconfigured by state actors to serve the containment of migration flows. In the span of one year only the Mediterranean scene of rescue closed: by the end of summer 2018, NGOs had been obstructed in their search and rescue operations with administrative, para-legal and political measures.

What does the criminalization of individuals (e.g., fishermen) and groups (e.g. NGOs) tell us about the politics of containment? It speaks of a process of *smugglerisation of citizens*, and particularly of citizens who act in compliance with the duty to rescue and/or in solidarity with migrants’ right to survive deadly borders as they move toward a place to call home. While EU member states adopted new strategies containment—via agreements with transit countries, and the politics around rescue we have described in this paper—they also transformed citizens who rescue into *non-for-profit criminal smugglers*. In the span of just a few months in 2016, public discourse around the “refugee crisis” in Europe shifted focus and narrative, moving away from the smuggler-hunt against “criminal networks” and towards the smugglerisation of individual citizens and NGOs. With the term “smugglerisation” we point to that criminalisation that individualises the allegedly criminal act as the alleged criminal. In other words, the enemy figure of the smuggler is mobilized to support the uncanny criminalization of the duty to rescue which is hence transformed into the practice of “facilitation of illegal immigration”.

A critical intervention against the criminalization of non-state actors, we suggest, should work in three directions. First, it is important to avoid Euro-centric racialization of “rescue” where the image of the European citizen saviour is profiled against the foil of the dodgy “real” smuggler from African countries’ networks. By the same token, it is important to underline that the ongoing criminalization of non-state-led rescue operations is not only a European affair. As mentioned above, for instance, Tunisian fishermen were persecuted for saving migrants whose boats were in distress, and a civic mobilization was organized in their support (Zagaria, 2018). Finally, the illegalization of rescue and

solidarity we discussed should be read in continuity with the Visa Regime illegalization process that forces migrants to become clients of the smugglers in the first place and fails to provide safe and legal channel of migration. This process suggests an “illegality continuum” in the field of migration that deserves further investigation.

Governing Migration through Smugglers

The figure of the smuggler has been at the centre of the EU border security strategy for a long time. It is important to situate the smugglerisation of civil society and the state-enforced kidnapping of migrants we talked about above in this legacy. Since 2015 the EU political agenda has put “smuggling” at the core of its declaration of a “migration crisis” in the Mediterranean”. Smuggling networks were posited as the propulsive factor for the Mediterranean “migration crisis”, both as the vehicle for the purported migrant invasion and as the perpetrators of violence against migrants—from abuses along the journey to death at sea. Both in securitarian or in humanitarian mode, smuggler networks were posited as state enemies, building on an international tradition that goes back to the early Nineties (Gallagher and David, 2014).

A clarification about the way in which “smuggling” features in our research is due at this point. While “smuggling” is at the centre of our analysis, this paper is not an analysis of smuggling networks' activities and organization (Porsia 2014; Sanchez, 2016, 2018; Triandafyllidou, 2018; Zhang, 2008; Zhang et al., 2018) or of the economy of smuggling (Brachet, 2018; Guevara-Gonzales, 2015; Koser, 2008; Porsia, 2017). Smuggling is the analytic lens we use for investigating the politics of migration containment. Geographers have widely analysed the reshaping of the politics of migration control in the Mediterranean as well as of offshoring processes (Bialasiewicz, 2012; Casas-Cortes et al., 2014; Mountz and Lloyd, 2014). For instance, Maribel Casas-Cortes and colleagues observed that the border “refers not to the territorial limit of the state but to the management practices directed at ‘where the migrant is’” as a result of externalization policies [Casas-Cortes et al., (2014), p.2]. Similarly, migration scholars have produced contributions on the criminalization of NGOs and independent search and rescue actors (Forensic Architecture, 2017; Heller and Pezzani, 2017; Perkowski, 2016; Stierl, 2018). Less attention has instead been paid to peculiar and heterogeneous mechanisms of containment, which are enforced because of the EU-Libya's cooperation, and in connection with new approaches to rescue and smuggling.

Distancing ourselves from IR analyses that corroborate the image of smugglers as state enemies and building on interdisciplinary conversations that underline the fuzziness of the notion of “smuggler” (e.g., Maher 2018, Sanchez, 2018, Watson 2015), we push forward the argument that smugglers are incorporated in the EU politics of migration-containment. We propose to shift the focus away from a sovereign gaze—centred on “figures” and “enemies” (Negri and Hardt, 2004; Neocleous, 2016), and instead look at the reshaping of migration governmentality in the intervention against/through migrant smugglers. Anti-smuggling discourses “induce a whole series of effects in the real [...] they crystallize into institutions” (Foucault, 1991, 81) and, in turn practices of containment reshape the discursive field of migration governmentality. The “war on smugglers” is not so much a misnomer, we suggest; rather, it names a politics aimed at targeting the logistics of migrant crossing--what creates problems for states, in fact, is not the existence of smugglers as such, but the partial ungovernability of migrations.

Anti-smuggling discourse supported the EU's launch of its first military intervention in the field of migration in 2015, when “Operation Sophia” by the EU Naval Force was tasked to fight smuggler networks in the Central Mediterranean. While military forces had been involved in the Mediterranean scene of migration for years, mainly with search and rescue functions (Garelli and Tazzioli, 2018; Stierl, 2017), Sophia was the first EU warfare operation specifically aimed at disrupting the “business model” (Mogherini, 2015a) of smuggling. Operation Sophia was officially waged with the goal of protecting migrants from the smugglers and to “reduce the loss of lives at sea” (Mogherini 2015b). But rescue operations conducted by Operation Sophia were only the spill over of a containment strategy aimed at

producing effects of deterrence on migrants' departures. While the Operation did not block departures, it however changed their industry's practices. The smuggling business, in fact, reorganized to operate despite Sophia and increasingly opted for boarding migrants on inflatable boats and marginalizing the use of sturdier safer wooden vessels (House of Lords, 2016). In other words, the smuggler-hunt Operation Sophia turned out to be a politics of migration containment that affected migrants' chance to make it into Europe—attacking the logistics of crossing and pushing smugglers and migrants along deadlier paths.

The EU focus on smugglers as an intervention in the “migration crisis” in the Mediterranean extends even further than this military operation. The EU government of the crisis, in fact, also relied on traversal alliances between states, smugglers and internationally unrecognized sovereign powers. In March 2017, for instance, Italy signed a new Memorandum of Understanding with one of the three Libyan governments (led by Fayed al-Sarraj), mandating the Libyan Coast Guard's full cooperation^{iv} with operations of sea patrolling aimed at intercepting (and returning to Libya) migrants headed Europe (Odysseus Network, 2017). To facilitate this goal Italy sent Navy ships into Libyan territorial waters in July 2017. While Italy initially presented the deal as an agreement with Libyan authorities and with the Coast Guard for fighting smuggling networks, in August 2017 evidence emerged of Italy's negotiations with different smuggling groups for decreasing migrants' departures to Europe. Italy was accused of paying Libyan militias to block migrants' departures from Sabratha (a coast-town west of Tripoli), hence implement the EU Commission's goal to reduce the number of migrants landing in Europe with drastic, informal means, i.e., deals with Libyan guerrilla (Michael, 2017; Mannocchi, 2017). In this context Italy strengthened the technical cooperation with Libya in the name of a war on migrant smugglers. Alongside training activities (delivered by the Italian Coast Guard to the Libyan Coast Guard), Italy announced the creation of a “joint operations room” based in Tripoli in December 2017. As part of this “joint operations room” real-time information about migrant boats detected at sea are shared between Italian and Libyan authorities, with the official purpose of “tackling migrant smugglers”. On a similar note, the EU recently further strengthened its collaboration with the “controversial Libyan Coast Guard” (Batke, 2019) to fund the “prevention of migrant smuggling” (EU Commission, 2020) as part of a series of Covid-19 emergency measures. This effort on the part of the EU problematically matches a public health response to Covid-19 for migrants in Libya with a border patrol intervention to fight against migrant smuggling from Libya to Europe.

It is important to notice that in the face of the ensuing reduction of migrant departures (Frontex, 2018), the Libyan smuggling industry reorganized its business (McVeigh, 2018; Hayden, 2017). As the possibility to organize migrant travels out of Libya decreased, in fact, the smuggling industry converged around other forms of profit making that are close to the trafficking business. In particular, the focus became migrant captivity (e.g., money extortion and requests of ransoms from migrants' families) showing the flexibility of an industry that can shift its profit-making activities in a swift manner, i.e., from the movement to the captivity of migrants. Although a European cooperation with Libyan authorities to block migrants is certainly not a recent measure, we currently witness a deliberate and systematic strategy apt at intercepting, capturing, and taking migrants back to Libya. Containment in the current Mediterranean context corresponds with what we call the *governing of migration through smugglers*, where smugglers are posited as a military target (in the war against the logistics of migrants' journeys) or as political allies (in the attempt to block departures from Libya). With this expression we intend to call attention to two elements that are surprisingly under-investigated in the geopolitics and IR literatures on migration management and smuggling. The first element has to deal with the prominent role that smuggling networks are taking on as political partners in the European management of migration flows, showing the incorporation of non-state actors (including guerrilla groups) in the government of the Mediterranean migration crisis. Second, we underline that the different “uses” of smugglers by the EU is a testimony to the flexibility of governing structures in migration management (Burrige et al., 2017; Mezzadra and Neilson, 2013).

This use of smugglers on the part of state institutions illuminates how the politics of migration containment increasingly relies on non-state actors that are normatively regarded as “illegal” entities, publicly portrayed as “state enemies”, and de facto invested with a central role in the government of the

“migration crisis”. In fact, because of the Memorandum of Understanding with Libya, the Italian government, backed up by the European Commission, has incorporated para-state actors in the strategy of migration containment. We refer to para-state actors since the distinction between institutional actors, national authorities like the Coast Guard, militias, and smuggling networks is blurred in the Libyan context. The incorporation of para-state actors into governmental operations is what characterizes these operations of migration containment.

Containment outcomes are pursued by attacking smugglers’ activities—either directly, through the EU military-humanitarian operation aimed at disrupting the business model of smuggling as a whole; or indirectly, through EU-sponsored trainings of Libyan coast-guards to perform preventative border enforcement operations and decrease the number of boats that reach Europe. Containment effects are also obtained in even more indirect ways. In these cases, the blurring of boundaries between legality and illegality is rearranged via new frameworks and interventions organized by state-actors. For instance, the informal deals the Italian government sealed with Libyan guerrilla with the aim of reducing migrants’ departures belong to this group of initiatives. Other indirect approaches to migration containment come as push backs to Libya, when the forced return of migrants is presented as an intervention aimed at preventing their possible shipwreck at sea (what we called ‘humanitarian’ push backs); or as the seizure of migrants at sea and away from the European mainland while states argue about where they should (not) be disembarked; or, finally as the criminalization of those who act in support to migrants as they risk their lives in transit.

Building on the analysis carried out in this paper, we want to close by sketching a field of problematisation around smuggling and humanitarianism that we plan to address in future works. As we strongly critique the criminalization of independent search and rescue actors, we think it is also important to find ways to avoid the corroboration of a discourse that traces a radicalized and morally-grounded distinction between the good white Europeans (who help migrants for free and are criminalized by state actors) and the “real” smugglers. An important question for further research is: how can a counter-discourse on the criminalization of migrant solidarity act in a way that does not rely on the same normative assumptions of state’s anti-smuggling discourse? This interrogation leads us to the second theoretical impasse that this paper invites to deal with: how can we conceive of the increasing politicization of humanitarianism? In other words, how do we analyse the opening-up of a political terrain around humanitarianism and humanitarian intervention to save lives in the Mediterranean Sea?

NGOs, journalists, and researchers have demonstrated the lack of collaborations between independent rescue actors and smuggling networks. They also highlighted the non-political commitment of humanitarian actors, insisting that they are there “only” there to save lives. However, we want to suggest that there is a need for complicating this narrative by pointing to the role of independent rescue actors in enabling migrants to reach the Northern shore of the Mediterranean. Moreover, some NGOs deliberately exposed themselves to criminalization as they considered their presence in the Mediterranean a necessary action in a context where internal laws were violated by states (e.g., as states did not support NGO efforts to comply with the duty to rescue seafarers in distress at sea). A critical account of the EU politics of containment, we suggest, involves undoing the asymmetries of lives upon which humanitarianism is predicated and the radicalized partitions between bodies to rescue, saviours, and smugglers to blame.

Conclusion

The EU politics of migration containment in the Mediterranean Sea and transformation of “the maritime borders of Europe into a macabre deathscapes” [De Genova, (2018), p.1576] is certainly the outcome of consolidated practices of border externalisation. It is however also the result of its most recent restructuring around three biopolitical and spatial tactics this paper analysed, i.e., migrants’ kidnapping at sea upon rescue; the widespread criminalisation of independent actors involved in search-and-rescue operations; the incorporation of smugglers in the government of migration. This paper engaged with

migration containment's shifting geographies, and at the multiple biopolitical and geopolitical tactics through which containment is enacted. These multiple modes of containment take place, as Sandro Mezzadra aptly observed, through a series of violent "disarticulation[s] of the geographical coordinates of the European integration" (2018, p.927). The politics of migration containment has not only escalated through a multiplication of bilateral agreements. It has also been reconfigured through systematic operations where migrants are taken back by the Libyan Coast Guard with the support of European institutions, who in this way achieve containment goals without even having to carry out push-back operations. Our study of the heterogeneous tactics used by states to perform migration containment contributes to rethinking containment beyond the notions of full blockage and immobilization and proposed to distinguish it from detention. We understand containment as an umbrella term comprising spatial and biopolitical tactics apt at disrupting, decelerating and temporarily stranding migrants.

The economy of violence and exploitation connected to containment suggests that we should conceptualize containment beyond an exclusive spatial approach. More precisely, we propose to rethink the biopolitics of migration containment in a more nuanced way than what the formula making live/letting die allows us to do (Anderson et al., 2019). Our illustration of strategies of migrant kidnapping and rescue as a form of capture has shown that migrants are not only let die in many cases; even those who are rescued may become hostage of the EU anti-disembarkation politics or a currency exchange (Neilson, 2018) in the ongoing negotiations between Libya and the EU. It could be objected that this practice is in continuity with the use of migrants by the Libyan dictator Gaddafi as "human bombs" (Garelli and Tazzioli, 2018; Greenhill, 2011) sent as a menace to Europe. The "migration currency", we argue, consists in migrants being kept on hold en route (e.g., kidnapped at sea) as states negotiate with other states about what to do with them.

The analysis carried out in this paper showed how migrants are the target of containment practices that hamper their movement and that are characterized by confinement, even if these practices do not necessarily coincide with spatial incarceration. This approach to the government of migration delineates an analytical perspective which, building on Ruth Gilmore, we could call an "abolitionist geography" (Gilmore, 2017) of migration containment. With this expression we refer to an analytical perspective concerned with the plurality of modes of containment that target migrant mobility (which include, but are not narrowed to, detention). If the abolitionist approach strives to undo "processes of hierarchy, dispossession and exclusion that are produced through racializing bordering mechanisms, an abolition geography puts at the core practices of space-making as practices of freedom" (Gilmore, 2017). Expanding such analytics to migration involves shifting from borders as such towards a critique of the bordering mechanisms that produce migration containment. Abolition geography, Gilmore contends, constitutes the counterpoint to carceral geography, as long as it envisions practices of liberation. Thus, if containment is enforced through multiple spatial tactics apt at disrupting migrants' journeys, an abolitionist geography's approach gestures towards the opening of spaces of liberation from modes of capture and towards the disjoining of rescue from capture.

References

Albahari, M. (2015) *Crimes of peace: Mediterranean migrations at the world's deadliest border*. University of Pennsylvania Press, Philadelphia.

Amnesty International (2014) 'UN finds Mediterranean 'deadliest' sea route for migrants', available at <https://www.amnesty.org/en/press-releases/2014/12/un-finds-mediterranean-deadliest-sea-route-migrants/> (last accessed 19/8/2020).

Anderson, B., Grove, K., Rickards, L. and Kearnes, M. (2019). 'Slow emergencies: Temporality and the racialized biopolitics of emergency governance', *Progress in Human Geography*, DOI: 0309132519849263.

Aradau, C. (2004) 'The perverse politics of four-letter words: Risk and pity in the securitisation of human trafficking', *Millennium*, Vol. 33 No. 2, pp.251 - 277.

Batke, B. (2019) 'When helping hurts – Libya's controversial coast guard, Europe's go-to partner to stem migration', *Infomigrants*, available at <https://www.infomigrants.net/en/post/18196/when-helping-hurts-libya-s-controversial-coast-guard-europe-s-go-to-partner-to-stem-migration> (last accessed 4/7/2020).

BBC News (2018). 'EU migrant row', *BBC News online*, 14 September 2018, available at <https://www.bbc.co.uk/news/world-europe-45528158> (last accessed 29 June 2020).

Bojadžijev, M. and Mezzadra, S. (2015) "'Refugee crisis" or crisis of European migration policies?', *Focal Blog* [online] <http://www.focaalblog.com/2015/11/12/manuela-bojadzijeve-and-sandro-mezzadra-refugee-crisis-or-crisis-of-european-migration-policies/#sthash.TfaNdSke.dpuf>

Brachet, J. (2018) 'Manufacturing smugglers: From irregular to clandestine mobility in the Sahara', *The ANNALS of the American Academy of Political and Social Science*, Vol. 676 No. 1, pp.16 - 35.

Burridge, A., Gill, N., Kocher, A., and Martin, L. (2017) 'Polymorphic borders' *Territory, Politics, Governance*, Vol. 5 No. 3, [online] <https://doi.org/10.1080/21622671.2017.1297253>.

Casas-Cortes, M and Cobarrubias, S (2019) 'Genealogies of contention in concentric circles: remote migration control and its Eurocentric geographical imaginaries' in Mitchell, K. et al. (Eds.) *Handbook on Critical Geographies of Migration*. Elgar, pp.193--205.

Casas-Cortes, M, Cobarrubias, S and Pickles, J. (2014) 'Good Neighbours make Good Fences: Operation Seahorse and the Implementations of the EU Strategy of Migration Routes Management in North and West Africa', *European Urban and Regional Studies*, pp.1 - 21.

Chua, C., Danyluk, M., Cowen, D and Khalili, L. (2018) 'Introduction: Turbulent Circulation: Building a Critical Engagement with Logistics' *Environment and Planning D: Society and Space*, Vol. 36 No. 4, pp.617 - 629.

Cusumano, E. (2017) 'The sea as humanitarian space. Non-governmental Search and Rescue dilemmas on the Central Mediterranean migratory route' *Mediterranean Politics*, 1-8. DOI: 10.1080/13629395.2017.1302223

Cuttitta, P. (2018). Delocalization, humanitarianism, and human rights: The Mediterranean border between exclusion and inclusion. *Antipode*, 50(3), 783-803.

Cuttitta, P. (2017) 'Repolicization through Search and Rescue? Humanitarian NGOs and Migration Management in the Central Mediterranean' *Geopolitics*, Vol. 23 No. 3, pp.1-29. DOI: 10.1080/14650045.2017.1344834

De Genova, N. (2018) 'The "migrant crisis" as racial crisis: Do Black Lives Matter in Europe?' *Ethnic and racial studies*, Vol. 41 No. 10, pp.1765-1782.

Deutsche Welle (2018). 'Migrants refuse to disembark in Libya after being rescued at sea', *Deutsche Welle*, 14 November 2018, available at <https://www.dw.com/en/migrants-refuse-to-disembark-in-libya-after-being-rescued-at-sea/a-46299823> (last accessed 29/6/2020)

Doctors without borders (2018). 'NGOs are not in collusion with smugglers', available at <https://www.msf-crash.org/en/publications/humanitarian-actors-and-practices/ngos-are-not-collusion-smugglers> (last accessed 1/7/2020).

Drogo, G (2019) 'L'ultima farsa di Salvini: raccontare che chi salva vite umane mette a rischio le vite dei migranti', *Next*, 13 giugno, available at <https://www.nextquotidiano.it/salvini-vite-migranti-sea-watch/> (last accessed 1/7/2020).

European Council (2002). Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32002L0090&from=EN>, last accessed July 1, 2020.

European Commission (2020). 'EU Emergency Trust Fund for Africa: New assistance package to support vulnerable groups and address COVID-19 in North Africa', available at https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1244?fbclid=IwAR2UL49HlqLejrJnPxUaVD_YmHvC1yz9MUKibhkiCqxrZiojUiyALnw3YnQ, last accessed 4/7/2020.

Fekete, L. (2009) 'Europe: Crimes of solidarity' *Race Class*, Vol. 50 No. 4, pp.83-97.

Forensic Architecture (2017) 'The Iuventa. Counter-investigation of the events leading to the seizure of an NGO rescue vessel', 18 June 2017 <https://www.forensic-architecture.org/case/iuventa/>

Foucault, M. (2019) *The History of Sexuality: 1: The Will to Knowledge*. Penguin, London.

Foucault, M. (1991) 'Questions on Methods' in Burchell, G., Gordon, C and Miller P (Eds.) *The Foucault effect: Studies in governmentality*. University of Chicago Press, Chicago, pp.73-86.

Frontex (2014). *Focus. Operation Triton, winter development*, available at <https://frontex.europa.eu/media-centre/focus/operation-triton-winter-developments-qXDamY> (last accessed 19/8/2020).

Frontex (2018). *Migratory Routes. Situation in 2018*, available at <https://frontex.europa.eu/along-eu-borders/migratory-routes/central-mediterranean-route/> (last accessed 19/8/2020).

Garelli, G. and Tazzioli, M. (forthcoming). When the 'via' is fragmented and disrupted: Migrants' walking along the Alpine route" (with M. Tazzioli) in William Walters, Charles Heller, and Lorenzo Pezzani. *Viapolitics: Borders, Migration, and the Power of Locomotion*, Durham, NC, USA: Duke University Press.

Garelli, G., & Tazzioli, M. (2018). The biopolitical warfare on migrants: EU Naval Force and NATO operations of migration government in the Mediterranean. *Critical Military Studies*, 4(2), 181-200.

Garelli, G., & Tazzioli, M. (2019). Military-humanitarianism. In *Handbook on Critical Geographies of Migration*. Edward Elgar Publishing.

Gill, N., Moran and Conlon, D. (2016) *Carceral spaces: Mobility and agency in imprisonment and migrant detention*. Routledge, London.

Gilmore, R. (2017) Abolition geography and the problem of innocence. In Johnson, G. T., & Lubin, A. (Eds.). *Futures of Black radicalism*. Verso Books. E-pub version.

Guevara, Y (2015). Migración de tránsito y ayuda humanitaria: Apuntes sobre las casas de migrantes en la ruta migratoria del pacífico sur en México. *The Journal of the International Association of Inter-American Studies*, 8(1), <http://interamericaonline.org/wp-content/uploads/2015/06/fiar-Vol-8.1-Guevara-63-84.pdf>

Hayden, S (2017). 'New mafia-led militia may be stopping refugees from leaving Libya for Italy', *Independent*, available at <https://www.independent.co.uk/news/world/africa/mafia-refugees-libya-italy-stop-leave-militia-mediterranean-crossing-sabratha-migrant-boats-a7906666.html> (last accessed 29/6/2020).

Hardt, M and Negri, A (2004) *Multitude* (Vol. 13). New York: Penguin.

Heller, C and Pezzani, L (2017) 'Blaming the rescuers. Forensic Oceanography, Forensic Architecture, Goldsmiths, London University (<https://blamingtherescuers.org/report/>)

Heller, C and Pezzani, L (2014) 'Liquid traces: Investigating the deaths of migrants at the EU's maritime frontier' *Revue européenne des migrations internationales*, Vol 30 No3, pp.71-107.

House of Lords (2016). 'Operation Sophia, the EU's naval mission in the Mediterranean: an impossible challenge', available at <https://publications.parliament.uk/pa/ld201516/ldselect/ldeucom/144/144.pdf> (last accessed 29/6/2020).

Koser, K (2008) 'Why Migrant Smuggling Pays International Migration', Vol 46 No 2, pp. 3-26.

Khosravi, S (2010) *'Illegal' traveller: an auto-ethnography of borders*. New York: Springer.

Maher, S. (2018). Out of West Africa: Human smuggling as a social enterprise. *The Annals of the American Academy of Political and Social Science*, 676(1), 36-56.

Mannocchi, F. (2017). 'Italy accused of bribing Libyan militias to stop migrants reaching Europe', *Middle East Eye*, available at <https://www.middleeasteye.net/news/italy-accused-bribing-libyan-militias-stop-migrants-reaching-europe> (last accessed 29/6/2020).

McVeigh, K (2018). 'Libya migrant centres near breaking point after spike in arrivals', *TheGuardian*, available at <https://www.theguardian.com/global-development/2018/jul/18/libya-migrant-centres-close-to-breaking-point-spike-new-arrivals> (last accessed 29/6/2020).

Mezzadra, S (2018) 'In the Wake of the Greek Spring and the Summer of Migration'. *South Atlantic Quarterly*, 117(4), pp. 925-933.

Mezzadra, S and Neilson, B (2013) *Border as Method, or the Multiplication of Labor*. Durham: Duke University Press.

Michael, M. (2017). 'Backed by Italy, Libya enlists militias to stop migrants. *ApNews*, available at <https://apnews.com/9e808574a4d04eb38fa8c688d110a23d> (last accessed 29/6/2020).

Ministero degli Interni (2017). 'Codice di condotta per le ONG impegnate nelle operazioni di salvataggio dei migranti in mare', available at https://www.interno.gov.it/sites/default/files/codice_condotta_ong.pdf (last accessed 1/7/2020).

Mogherini, F. (2015a). 'EUNAVFOR Med Mission Sophia Update. 1 June 2017', available at https://eeas.europa.eu/sites/eeas/files/eunavfor_med_mission_01_june_2017_en.pdf (last accessed 29/6/2020).

Mogherini F. (2015b). 'European Union Naval Force. Mediterranean Operation Sophia', 30 September, available at http://www.eeas.europa.eu/archives/docs/csdp/missions-and-operations/eunavfor-med/pdf/factsheet_eunavfor_med_en.pdf (last accessed 29/6/2020).

Moran, D. (2016) *Carceral geography: Spaces and practices of incarceration*. London: Routledge.

Moreno-Lax, V. (2018) 'The EU Humanitarian Border and the Securitization of Human Rights: The 'Rescue-Through-Interdiction/Rescue-Without-Protection' Paradigm' *JCMS: Journal of Common Market Studies*, 56(1), p.119-140.

Mountz, A. (2010) *Seeking asylum: Human smuggling and bureaucracy at the border*. U of Minnesota Press.

Mountz, A., and J.M Loyd. 2014. Constructing the Mediterranean Region: Obscuring Violence in the Bordering of Europe's Migration" Crises". *ACME: An International E-Journal for Critical Geographies*, 13(2), pp. 173-195.

Mountz, A., Coddington, K, Catania, R T, and J M. Loyd (2013) 'Conceptualizing detention: Mobility, containment, bordering, and exclusion' *Progress in Human Geography*, 37(4), pp. 522-541.

Neilson, B. (2018) 'The Currency of Migration' *South Atlantic Quarterly*, 117(2), pp.375-396.

Neocleous, M (2016) *The Universal Adversary: Security, Capital and the Enemies of All Mankind*. London: Routledge.

Odysseus Network (2017). 'Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and on reinforcing the security of borders between the State of Libya and the Italian Republic', available at https://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf (last accessed 29/6/2020)

Pallister-Wilkins, P. (2018). Hotspots and the geographies of humanitarianism. *Environment and Planning D: Society and Space*, 1-18.

Pallister-Wilkins, P (2017) 'Humanitarian rescue/sovereign capture and the policing of possible responses to violent borders' *Global Policy*, 8, pp. 19-24.

Panico, P. G. (2019) 'E' il ministro che dovrebbe finire sotto processo per aver violato la legge, non Carola Rackete di Sea Watch', *Melting Pot*, Available at <https://www.meltingpot.org/E-il-ministro-dell-Interno-che-dovrebbe-finire-sotto.html#.XvzflihKg2w> (last accessed 1/7/2020).

Paoletti, E. (2011). Power relations and international migration: the case of Italy and Libya. *Political studies*, 59(2), 269-289.

Perkowski, N. (2016) 'Deaths, interventions, humanitarianism and human rights in the Mediterranean 'migration crisis' *Mediterranean Politics*, 21(2), pp. 331-335.

Porsia, N. (2017). The kingpin of Libya's human trafficking mafia. *TRT World*. Available at <https://www.trtworld.com/magazine/libya-human-trafficking-mafia-in-zawiya-301505> (last accessed 3/7/2020).

Porsia, N. (2014). Libya's most successful people smuggler: 'I provide a service', *The Guardian*, available at <https://www.theguardian.com/world/2014/aug/01/libya-people-smuggle-provide-service> (last accessed 3/7/2020).

Røsæg, E. (2020) *The duty to rescue refugees and migrants at sea*. Available at: <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2020/03/duty-rescue> (Last accessed July 1, 2020).

Sanchez, G. (2018). 'Portrait of a human smuggler: Race, class, and gender among facilitators of irregular migration on the US–Mexico border.' In Palma, A., Vasquez, Y. and Bosworth, M. eds. *Enforcing the Boundaries of Belonging: Race, Criminal Justice and Migration Control*. Oxford University Press, London. pp. 29-42.

Sanchez, G. (2017). "Critical perspectives on clandestine migration facilitation: an overview of migrant smuggling research" *Journal on Migration and Human Security.*, 5, 9, <http://jmhs.cmsny.org/index.php/jmhs/article/view/72>.

Squire, V. (2017) Governing migration through death in Europe and the US: Identification, burial, and the crisis of modern humanism. *European Journal of International Relations*, 23(3), 513-532.

Stierl, M (2019) 'Of migrant slaves and underground railroads: Movement, containment, freedom' *American Behavioral Scientist*, 0002764219883006.

Stierl, M (2018) 'A fleet of Mediterranean border humanitarians' *Antipode*, 50(3), pp.704-724.

Tazzioli, Martina. "The expulsions of humanitarianism." *The hampered channels of asylum in France* (2017).

Tazzioli, M. (2015). The politics of counting and the scene of rescue. *Radical Philosophy*, 192, 2-6.

Tazzioli, M. (2018). Crimes of solidarity: Migration and containment through rescue. *Radical Philosophy*, 2(01).

Tazzioli, M., & Garelli, G. (2018). Containment beyond detention: The hotspot system and disrupted migration movements across Europe. *Environment and Planning D: Society and Space*, 0263775818759335.

Ticktin, M. (2005). Policing and humanitarianism in France: Immigration and the turn to law as state of exception. *Interventions*, 7(3), 346-368.

Tondo, L (2020). 'Matteo Salvini trial for kidnapping authorised by Italian senate'. *The Guardian*, <https://www.theguardian.com/world/2020/feb/12/matteo-salvini-trial-for-kidnapping-authorised-by-italian-senate> (last accessed 2/7/2020).

Triandafyllidou, A. (2018) 'Migrant Smuggling: Novel Insights and Implications for Migration Control Policing' *The ANNALS of the American academy of political and social science*, 676(1), pp. 212-221.

United Nations (UN) (2000). *Protocol against the smuggling of migrants by land, sea and air supplementing the United Nations Convention Against Transnational Organized Crime*, https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf (last accessed July 1, 2020)

Vassallo Paleologo, F. (2007). 'Ancora sotto accusa chi salva la vita in mare', *Melting pot*. https://www.meltingpot.org/Ancora-sotto-accusa-chi-salva-la-vita-in-mare.html#.Xvx_vShKg2x (last accessed, July 1, 2020).

Vassallo Paleologo, F. (2009). 'Processo ai pescatori tunisini. Una sentenza contraddittoria'. *Melting pot*. <https://www.meltingpot.org/Agrirento-Processo-ai-pescatori-tunisini-Una-sentenza.html#.XvyDByhKg2w> (last accessed, July 1, 2020).

Walters, W (2012) *Governmentality: Critical encounters* (Vol. 3). London: Routledge.

Walters, W (2010) 'Migration and security' *The handbook of new security studies*, pp. 217-228.

Wannesson, P (2019) 'Le délit de solidarité : une figure de la répression des mouvements sociaux', *Attac*, available at <https://france.attac.org/nos-publications/les-possibles/numero-19-hiver-2019/dossier-des-migrations-et-discriminations-aux-gilets-jaunes/article/le-delit-de-solidarite-une-figure-de-la-repression-des-mouvements-sociaux> (last accessed 1/7/2020).

Watson, S. (2015). The criminalization of human and humanitarian smuggling. *Migration, Mobility, & Displacement*, 1(1).

Zhang, S X, Sanchez G E and Achilli, L (2018) 'Crimes of solidarity in mobility: alternative views on migrant smuggling', *The ANNALS of the American Academy of Political and Social Science*, 676(1), pp.6-15.

Zhang, S (2008) *Smuggling and Human Trafficking in Human Beings: All Roads Lead to America*. Santa Barbara, CA: Praeger.

ⁱ The notion of “kidnapping”, which commonly refers to the abduction of a person to hold them captive, was used in in this context by journalists (e.g., Tondo, 2020) to talk about the judicial investigation against Matteo Salvini in relation to his refusal to authorize the disembarkation in Italy of 131 migrants onboard a Coast Guard ship. Salvini’s refusal was described as an abuse of power and an illegitimate deprivation of individuals’ freedom in the juridical investigation and as “kidnapping” by journalists.

ⁱⁱ As for pushback operations, UNCHR reports that the number of people intercepted by the Libyan Coast Guard in the first 10 months of 2018 (14,500) is higher than the number of sea arrivals from Libya to Italy.

ⁱⁱⁱ The Un Protocol defines smuggling as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident” (art 3, UN 2000).

^{iv} For an exploration of the geopolitics that underpin the history of the Italy-Libya cooperation on migration issues see Paoletti 2011.

^v On August 6, 2018, the Italian Parliament approved the donation of 12 patrol boats to the Libyan coast guard and a 2018 budget of 1.370.000 Euros to cover the vessels’ maintenance and training activities for the Libyan coast guard.