



# Irregular Migration via the Central Mediterranean

## From Emergency Responses to Systemic Solutions

European Political  
Strategy Centre

**Between 2011 and 2016, some 630,000 irregular migrants and refugees<sup>1</sup> reached Italy via the Central Mediterranean. Some were successfully smuggled across, while others were rescued at sea and disembarked in Italy. More than 13,000 lost their lives attempting the crossing, and many more died on their journey through the Sahara.**

In the face of such human tragedy, new maritime surveillance operations were launched in the Central Mediterranean towards the end of 2013 and successively scaled up. Yet, despite the intensified efforts, **2016** was both the **deadliest year yet** and the one that saw the **largest number of irregular migrants** disembark in Italy.

With the closing of the Western Balkan route and the conclusion of the EU-Turkey agreement, the **Central Mediterranean** now acts as the **main gate of entry** for irregular migrants arriving in the EU by sea. Against this backdrop, there is a clear need to **strengthen concerted action at EU level to better control Europe's Southern sea borders, while offering improved humanitarian assistance and protection to those in need.**

### Dynamics are changing

Irregular migration across the Central Mediterranean is not new but it has increased considerably in recent years, triggering a change in response – from ad-hoc rescues in the high seas, to institutionalised surveillance operations, involving a growing number of European actors and going much closer to the African shores. This change in our *modus operandi* has, in turn, prompted new practices among smugglers, making irregular crossings cheaper and more frequent, but also more risky.

### EU values remain central

Controlling and reducing irregular flows is a political priority. The EU and Member States must demonstrate the ability to effectively protect their external borders against ruthless networks exploiting the aspiration and despair of irregular migrants and refugees. However, any measures taken to channel and stem the flows must be taken in full respect of human rights, European values and our humanitarian obligations towards people in need of protection.

### A systemic solution is needed

Given the complexity and scale of the problem, the current situation can only be properly addressed through a systemic solution that incorporates sending and transit countries, as well as all relevant European actors. Although there is no 'one-size-fits-all' solution to address the situation in the Mediterranean, learning from past experience can help to make effective political choices.

### Alternatives to irregular migration

A range of short to medium-term measures – with different pros and cons – are available to the EU and its Member States, including increased support to Libya's Border and Coast Guard, additional resettlement capacities and more functional hotspots in Italy. However, a longer-term solution will require a proactive engagement with sending countries, including opening legal avenues to Europe but also investing in economic growth and job creation with a view to offering alternatives to emigration.

EPSC Strategic Notes are analytical papers on topics chosen by the President of the European Commission. They are produced by the European Political Strategy Centre (EPSC), the European Commission's in-house think tank.

### Disclaimer

The views expressed in the EPSC Strategic Notes series are those of the authors and do not necessarily correspond to those of the European Commission.

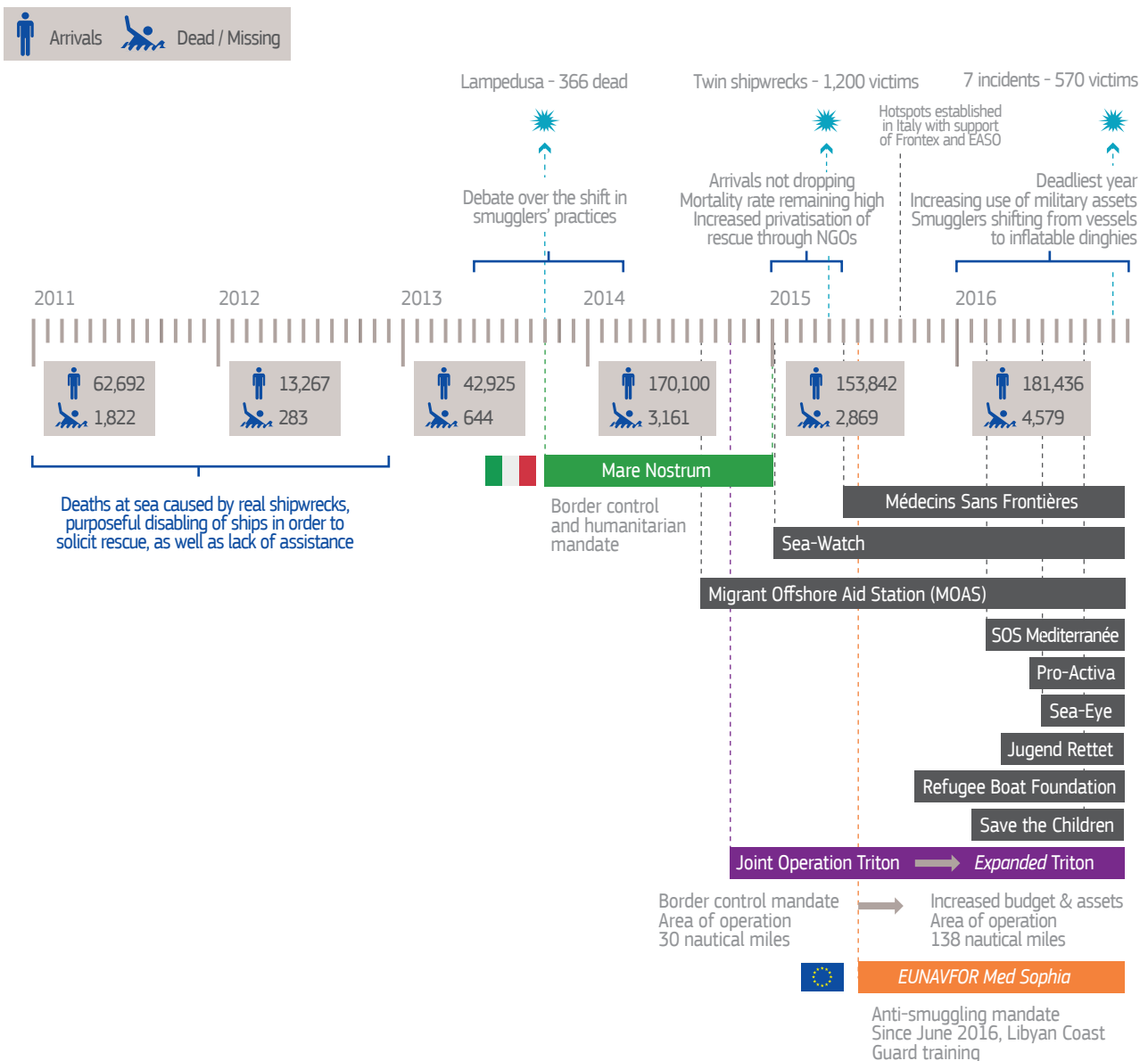
## Timeline and main actors

Flows of irregular migrants and refugees crossing the Central Mediterranean to get to Europe are not a new phenomenon. However, the steady increase in human tragedies in recent years has triggered a more institutionalised approach to surveillance operations –

first at Italian, then at EU level – while also prompting growing involvement of non-governmental organisations (NGOs). Notwithstanding these efforts, the numbers of arrivals and deaths have continued to grow (Figure 1). Total recorded irregular sea arrivals in Italy in 2016 reached 181,436, which represents an 18% increase in comparison to 2015, and a 7% increase compared to 2014.<sup>2</sup>

**Figure 1: Irregular migrant and refugee flows to Italy (crossing the Central Mediterranean), 2011-2016**

Number of migrants arriving, dead or missing



Source: Adapted from Médecins Sans Frontières

## Key turning points in search and rescue

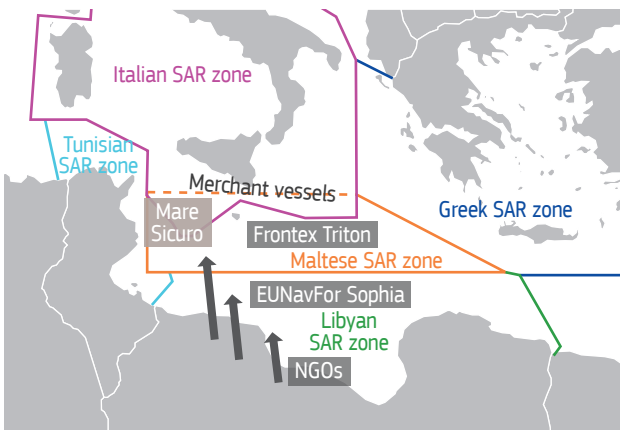
Flows of irregular migrants crossing the Central Mediterranean are not a recent phenomenon. However, the ship wreckage off the coast of Lampedusa on 16 October 2013, which cost the lives of 366 Africans, marked a real turning point in terms of response. In the aftermath of this tragedy, the Italian Government launched a major military-supported humanitarian and border control operation **'Mare Nostrum'**, which saw both sea and air capabilities deployed in the Italian, Maltese and Libyan 'Search and Rescue' (SAR) zones,<sup>3</sup> under the authority of the Italian Navy.

Prior to this, SAR operations in the Central Mediterranean were not institutionalised. Any rescue operations were carried out on an ad-hoc basis, in response to distress calls at sea, mainly by merchant vessels, as well as by Italian Coast Guard, Custom Guard and Fisheries Surveillance ships.

Despite seemingly broad public support,<sup>4</sup> operation *Mare Nostrum* was politically controversial in **Italy**, given the high costs and the fact that the country was as **seen as unfairly shouldering the burden for all other Member States**.<sup>5</sup> It ended just one year later, on 31 October 2014.

As of 1 November 2014, patrolling activities were taken over by the **Frontex-led 'Operation Triton'**.<sup>6</sup> Unlike *Mare Nostrum*, *Operation Triton* focused more on sea border protection in the first nine months, rather than SAR, operating closer to the Italian coast line and – at the request of Italy – with a smaller capability. However, as of 1 July 2015, it expanded its assets and spread its activities southwards, to a line 138 nautical miles south of Sicily (Figure 2). Operation Triton currently consists of nine Italian and three Maltese Coast Guard ships, as well as an additional ten sea vessels provided by other EU Member States<sup>7</sup> and non-EU countries.<sup>8</sup> Three air assets also support the mission: two helicopters from the UK and one airplane from Finland (Figure 3).

**Figure 2: Central Mediterranean: Main search and rescue activity zones**



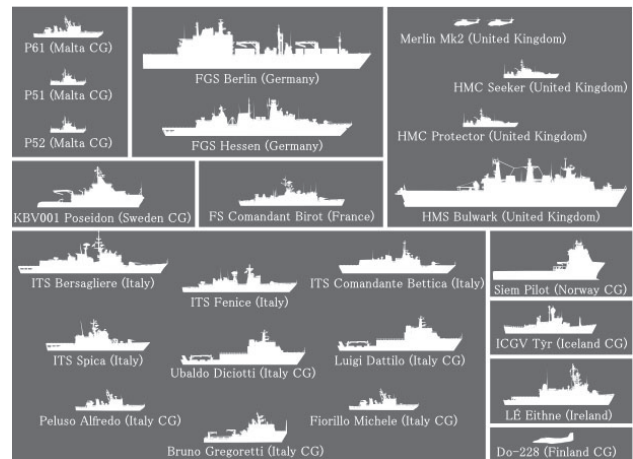
Sources: European External Action Service, United Nations Convention on the Law of the Sea, Frontex, EU Navfor Sophia, Maritime Rescue Co-ordination Centres Rome, Médecins Sans Frontières

The twin shipwrecks in the Central Mediterranean on 22 June 2015, which left an estimated 1,200 irregular migrants and refugees dead or missing, marked a further turning point, compelling EU Foreign Ministers to launch the **'EU NavFor Med Operation'** – now called **'EU NavFor/Sophia'**.<sup>9</sup> This anti-smuggling mission became operational just 5 days later. It operates within the Libyan SAR zone (which spreads up to 200 nautical miles south of Sicily). However, the ships remain strictly outside Libyan territorial waters – i.e. the zone between 12 and 62 nautical miles north of the Libyan coast (Figure 2).<sup>10</sup>

Under its Italian flagship 'Garibaldi' (an Italian light aircraft carrier), *EU NavFor/Sophia* currently comprises an additional seven ships (including a British Destroyer, a German auxiliary ship, a British surveyor ship,

**Figure 3: Deployment of EU Member State naval and airborne resources, 2016**

Under the mandate of Frontex Joint Operation Triton



Source: Frontex

Under the mandate of EUNavFor Med/Sophia

Surface Vessels	Air Assets
ITS Garibaldi Mission FLAGSHIP	IT SH 90 NFH
ITS San Giorgio	IT AB 212 ASW
BNS Louise-Marie	Alouette III SA316B
ESPS Navarra	ESP AB-212 ASW
Commandant Birot	ESP CN-235 Vigma D4
HMS Echo	FR FALCON 50
FGS Main	LUX SW3 Merlin III
FGS Mecklenburg-Vorpommern	

Source: European External Action Service

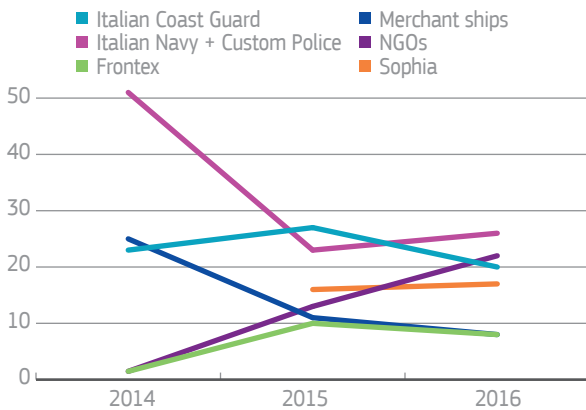
a German mine hunter, as well as a Spanish, an Italian and a French frigate). These are supported by seven air assets: four helicopters provided by Italy, Spain and the UK, and three airplanes provided by Luxembourg, Spain and France (Figure 3). Although 25 Member States are providing assets or human resources to these operations, Italy still makes by far the largest contribution.

## A shifting division of labour

In 2014, the Italian Navy and Custom Police (51%) and the Italian Coast Guard (23%) together represented three quarters of rescue efforts. Merchant ships crossing the area (25%) represented the broad remainder of the efforts (Figure 4).

**Figure 4: Search and rescue operations by agency / ship operator, 2014-2016**

in percentage



Source: Maritime Rescue Co-ordination Centres Rome, Frontex, EU Navfor Sophia, Médecins Sans Frontières

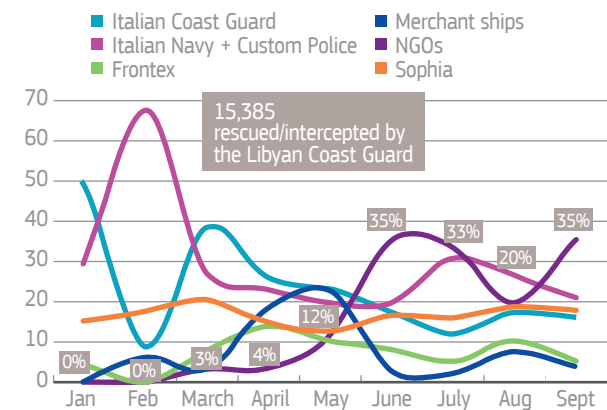
As of mid-2014 though, a small but growing number of NGOs started actively pursuing SAR operations in the Central Mediterranean.<sup>11</sup> At first, philanthropists Regina and Christopher Catrambone set up the Malta-based Migrant Offshore Aid Station (MOAS), equipping a former fishing vessel with two drones and staffing it with former Maltese Navy personnel.

As of 2015, the Brussels and Barcelona branches of the humanitarian organisation Médecins Sans Frontières (MSF) developed SAR capabilities, using their own vessels, the Bourbon Argos and Dignity.<sup>12</sup> German NGO Sea-Watch also purchased a vessel to search for migrant boats in distress in 2015. And, in February 2016, SOS Méditerranée chartered a large ship to conduct operations in partnership with MSF. Later, in 2016, a spin-off of the official Spanish lifeguard company Pro-Activa joined in the efforts to rescue irregular migrants and refugees in the Central Mediterranean, as did other German NGOs, Sea-Eye and Jugend Rettet, as well as the Dutch charity Refugee Boat Foundation and the UK-based Save the Children.

Today a total of nine NGOs have a fleet of fourteen ships and two drones conducting SAR activities. As a result, **NGOs were responsible for as many as 22% of all rescues in the Central Mediterranean in 2016.** Still the dominant actors, the Italian Navy and Custom Police (26%) and the Italian Coast Guard (20%) together represented a little less than half of rescue efforts. Rescues by merchant marine vessels declined significantly, to 8% while EU operations *Triton* and *EUNavFor Sophia* accounted for 25% of rescues (Figures 4 and 5).

**Figure 5: Search and rescue operations by agency / ship operator, 2016**

in percentage



Source: Maritime Rescue Co-ordination Centres Rome, Frontex, EU Navfor Sophia, Médecins Sans Frontières

Typically, NGOs operate in a range of 10 to 50 km off the Libyan coast. Two different operating models can be observed: Organisations with larger vessels, such as MOAS, MSF, and SOS-Méditerranée, conduct fully-fledged SAR operations, picking up irregular migrants and refugees, transporting them and dropping them off in Italian ports.<sup>13</sup> Smaller NGOs such as Sea-Watch and Pro-Activa focus exclusively on rescuing on the spot, distributing life jackets, drinking water and emergency medical care near the Libyan coast while waiting for larger vessels (operating in the area) to shuttle irregular migrants and refugees into an Italian port.

As a response to the growing intensity of rescue operations and arrivals in Italy, the Italian authorities started to open hotspots and mobile teams as of September 2015,<sup>14</sup> to identify and register irregular migrants and refugees. Today, Italy counts four active hotspots (Lampedusa, Pozzallo, Taranto and Trapani), which are supported also by Frontex and European Asylum Support Office (EASO) staff.<sup>15</sup>

The growing diversity of actors involved in SAR operations has made the work of police and coast guards more challenging with regards to identification and processing of irregular migrants and securing the external borders of the EU.

## Who is crossing the Central Mediterranean route?

Most arrivals in 2016 were from Africa (Figure 6). Nigeria (21%), Eritrea (11%), Guinea (7%), Ivory Coast (7%), Gambia (7%), Senegal (6%), Mali (6%), Sudan (5%) and Somalia (4%) were the main countries of origin. The only non-African nation on the top ten list of sending countries is Bangladesh (4%).

The sizeable reduction in numbers of sea arrivals in Greece and the closing of the Western Balkan route have, in fact, had almost no impact on the composition of sea arrivals in Italy.

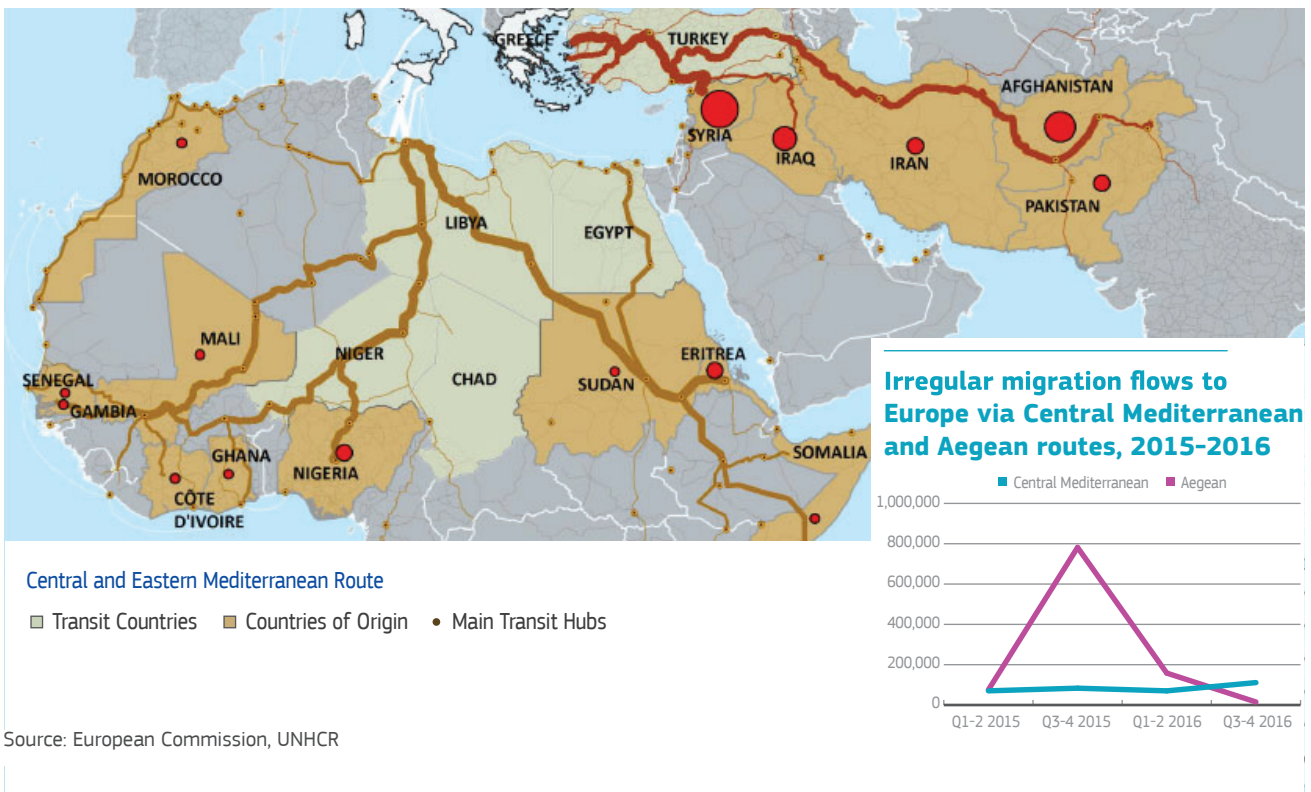
The geographic distribution clearly reveals that a **majority of irregular migrants rescued in the Central Mediterranean are most likely not refugees** in the sense of the Geneva Convention,

given that some 70 % come from countries or regions not suffering from violent conflicts or oppressive regimes.

This is also reflected in the number of asylum applications submitted by those that are disembarked in Italy: In 2014, only one in three asked for asylum.<sup>16</sup> The figure has risen somewhat since then, to reach around 50%.<sup>17</sup> However, this rise does not so much reflect a change in the composition of migration flows, but rather the impact of the creation of hotspots and the fact that asylum procedures are often misused or abused, also because of the lack of legal avenues enabling irregular migrants to remain in Europe.

**As a result, the asylum system is overloaded with claims of people who are not seeking protection but rather an improvement of their – often dire – living conditions.**

**Figure 6: Major routes of irregular migrants and refugees crossing the Mediterranean**





## Unintended consequences

Although the institutionalisation of maritime surveillance and rescue operations served a humanitarian purpose, it has also had other consequences – intended and unintended.

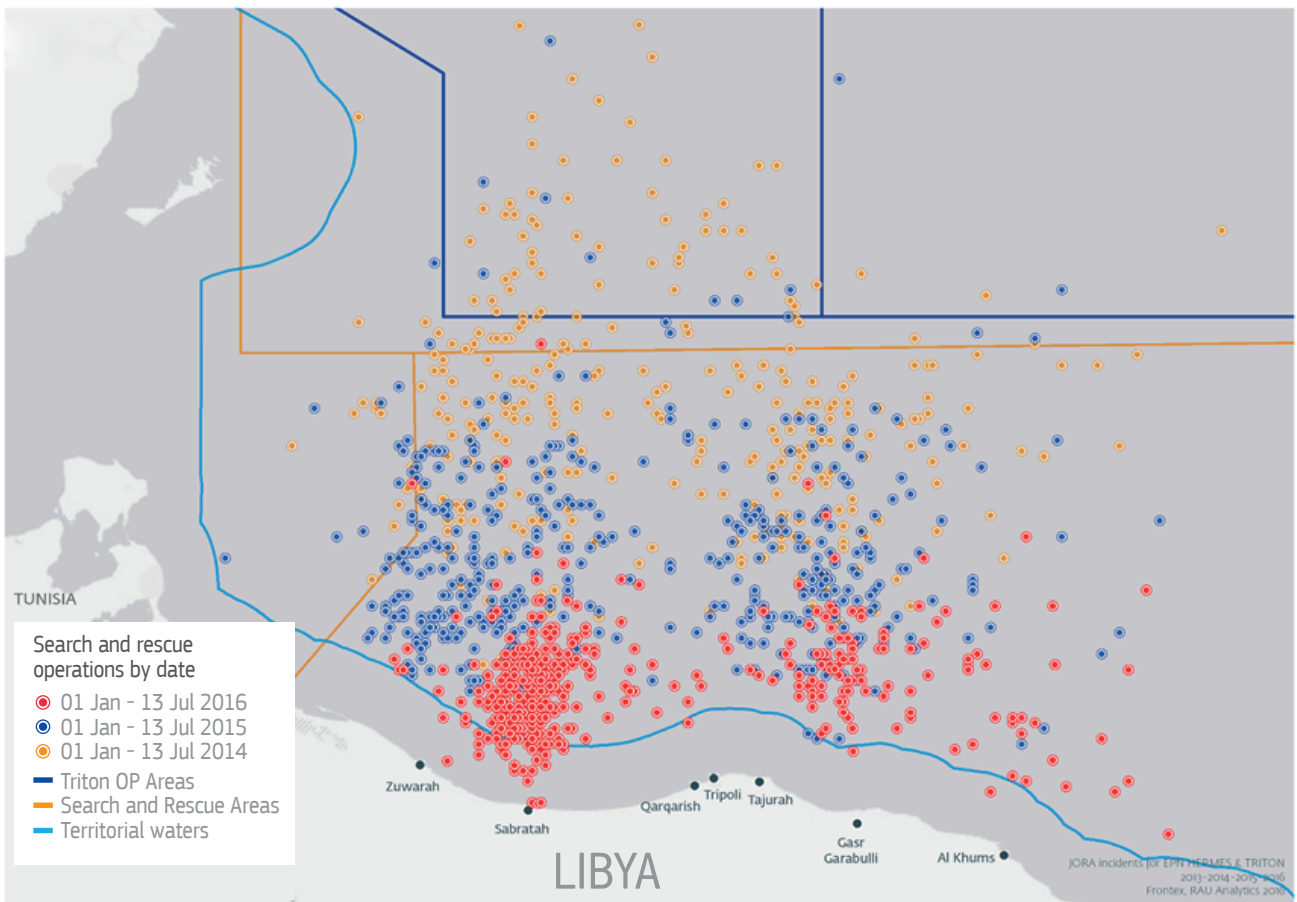
For one, the broader role of *EUNavFor Sophia* and the increasing activity of NGOs has meant that SAR activities have shifted geographically, moving away from the Italian coast to waters closer to Libya and – in the case of some NGOs – even entering Libyan territorial waters (Figure 7).



### Who rescues where?

- **Italian Coast Guards and Custom Guards** mainly operate between Sicily, Calabria, Malta, Lampedusa and Pantelleria (both islands belonging to Italy), rescuing irregular migrants inside, as well as near Italian territorial waters and the Italian SAR area.
- Frontex's **Operation Triton** mainly rescues in the Maltese SAR area.<sup>18</sup>
- **EUNavFor Sophia** mainly operates within the Libyan SAR area, but outside Libyan territorial waters.
- As **commercial ships** mainly cross the Central Mediterranean in waters close to Sicily, Malta and North-eastern Tunisia, the majority of rescue operations carried out by commercial vessels also take place in that area.
- **NGOs** active in the area rescue both in the Libyan SAR area and inside Libyan territorial waters.<sup>19</sup>

Figure 7: Search and rescue operations moving closer to the Libyan coast line



Source: Frontex

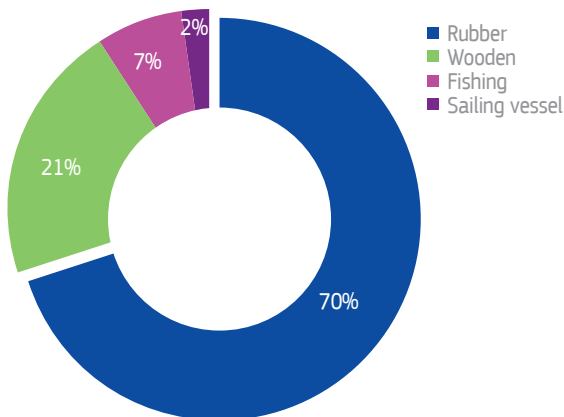
On the one hand, this shift has relieved merchant marine ships crossing the Central Mediterranean of a significant disruption to their commercial activities.

On the other hand, it has fundamentally changed the business model of people smugglers by creating a new opportunity structure that makes it cheaper (but no less risky) to reach EU territory.

As recently as 2014, people smugglers were still mainly making use of larger vessels – wooden boats, fishing vessels or decommissioned commercial vessels – that they manned themselves and that were, for the most part, able to reach Italian shores without having to rely on rescue operations. Since 2016, however, smugglers have switched to mainly placing people on cheap and completely unseaworthy inflatable dinghies that have no prospect of ever reaching the Italian shores. The smugglers themselves no longer embark on these boats, but leave it to those on board to navigate from the Libyan coast to a place where they can call for help via satellite phones and wait to be picked up.

In practice, this means that **the majority of irregular immigrants and refugees arriving in Italy are now actually being transported most of the way on vessels provided by European navies, coast guards and NGOs – thereby facilitating the work of the smugglers.** At the same time, the number of smugglers arrested during SAR operations is, unsurprisingly, declining.<sup>20</sup>

**Figure 8: Types of vessels provided by smugglers**



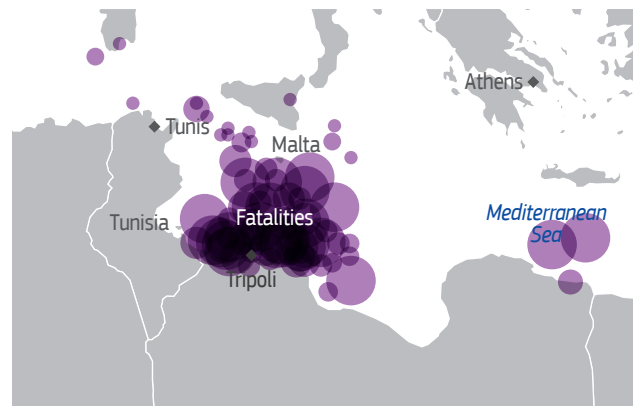
Source: Joint Operation Triton/Maritime Rescue Co-ordination Centres Rome

This change in dynamics partly explains why irregular flows were actually much smaller prior to the start of highly-publicised, large-scale maritime surveillance operations (Figure 1), whether these were led by Italy (*Mare Nostrum*, *Mare Sicuro*), by NGOs or organised as joint European operations (*Frontex/Triton* and *EUNavFor/Sophia*).

The fact that such unseaworthy dinghies now account for 70% of all boats leaving the Libyan coast (Figure 8) also explains why the number of people dead or missing is still high and rising despite rescue efforts moving ever closer to the Libyan coast. And, in the absence of experienced navigators on board, casualties caused by navigation errors and incompetence have been growing.

Most casualties now take place between Western Libya and Malta (Figure 9).

**Figure 9: Irregular migrants and refugees dead or missing, by place of death in the Central Mediterranean, 2016**



Source: International Organisation for Migration, <http://migration.iom.int/europe/>

## Urgent action required

With 4,579 lives lost in the Central Mediterranean in 2016,<sup>21</sup> and many more people risking and losing their lives in their attempts to cross the Sahara before ever reaching the Libyan coast, humanitarian concerns remain a critical issue. Against this backdrop, emergency responses, including SAR operations, are likely to remain an important part of the solution in the short term.

However, the drawbacks of SAR operations as they are currently carried out by European naval forces, coast guards and NGOs must be acknowledged with a view to stemming the numbers of irregular crossings. **A purely humanitarian approach will not suffice to resolve the situation in the longer term.**<sup>22</sup>

Addressing irregular migration and refugee flows in the Central Mediterranean is also a clear political priority for Europe.<sup>23</sup> Indeed, although progress has been made in terms of the registration, identification and reception of migrants, the persistent high levels of irregular arrivals in Europe leads many citizens to question public authorities' ability to effectively manage borders and guarantee their security. It also poses a formidable

challenge to reinstating the proper functioning of the Schengen area of border-free travel.

Now that flows from Turkey to Greece and Bulgaria are – at least temporarily – under control, **the Central Mediterranean route is in the focus of attention** as it has become the main gate of entry for irregular migrants arriving in the EU. Indeed, in contrast to Greece, Italy remains an attractive destination for irregular migrants and refugees wanting to move to Western Europe.

Of course, it will never be possible to prevent all irregular movements across the Mediterranean. Nonetheless, several options – none of which are mutually exclusive – are available to the EU and its Member States in order to create a systemically viable solution.<sup>24</sup> Any measures considered to channel and stem the flows must be taken in full respect of human rights, European values and humanitarian obligations towards people in need of protection.

The **first option** – and probably the most effective from a pure border-control perspective – is for the EU to **negotiate an agreement with Libya** (and possibly also with Egypt) on the better enforcement of exit controls (**option 1**). Such an agreement could, for instance, foresee that asylum claims for the EU Member States could be registered and assessed by the Office of the United Nations High Commissioner for Refugees (UNHCR) or by the European Asylum Support Office (EASO) *inside Libya*.<sup>25</sup> It could also regulate the return of third-country nationals having departed from Libyan coasts.

However, it is unlikely that there will be, in the near future, a central government in Libya that would have the full authority to implement a negotiated solution or to guarantee that human rights (in particular the rights of migrants and refugees) are fully respected (Box 1). What's more, it seems unlikely that the *EU NavFor Med/Sophia* operation would get the necessary permission from Libya's Government of National Accord (GNA) or a United Nations' mandate enabling it to enter Libyan territorial waters directly, to support a revived Libyan Coast Guard.

## Box 1: Libya's fragmented political map

**Five years after the fall of the Gaddafi regime, competing political and armed forces make Libya extremely fragile, divided and prone to centrifugal developments.** The Libyan political landscape is currently dominated by **four competing forces**, namely:

1. The **Government of National Accord** (GNA), a UN sponsored interim government for Libya, headed by **Fayez al-Sarraj**: It was formed in December 2015 to implement the Libyan Political Agreement that was signed with the support of the international community.
2. The self-proclaimed **General National Congress**, a parliament and associated government, mainly composed of Islamists and Misratan militia. They took control of Tripoli in August 2014 and they also control some of the national ministries.
3. The **House of Representatives**, the internationally recognised parliament, elected in June 2014 and based in Tobruk, which does not back the GNA interim government.
4. The **Libyan National Army**, under the command of **General Haftar**, dominated by secular (i.e. non-islamist) forces that control and administer most parts of eastern Libya. This power centre is backed by Egypt, the United Arab Emirates and recently also by Russia. It is multiplying actions to be recognised as the legitimate authority of Libya, after taking the control of 70% of Libya's oil and gas production facilities and defeating ISIS together with the Misratan militia.

The **second option** – which is less ambitious but perhaps more realistic in the shorter term – is to **provide assistance to Libya to better manage migration flows**. This would entail building on ongoing efforts by the European Commission<sup>26</sup> and some Member States, including (a) providing continued **training and material support** to a revived Libyan Coast Guard;<sup>27</sup> (b) linking the Libyan Coast Guard with other Coast Guards operating in North Africa and the Mediterranean;<sup>28</sup> (c) supporting efforts to control Libyan land borders<sup>29</sup> and (d) closing existing detention camps that are controlled by smugglers' networks, with awful living conditions that currently do not meet minimal

standards<sup>30</sup> and eventually setting up reception facilities for third-country nationals<sup>31</sup> (**option 2**).

However, as neither options 1 or 2 would halt irregular migration flows in the immediate future, it will remain necessary to continue SAR operations, while taking measures aimed at limiting their unintended consequences. All relevant European actors engaged in rescue operations need to be involved in the reflection on the current modus operandi. A dialogue among state and non-state actors (including relevant NGOs) should be initiated to discuss the options and their implications.



In this regard, one solution (**option 3**) could be to give SAR actors the **possibility to disembark migrants and refugees outside the EU/Schengen area** (e.g. in a North African country, but not in Libya). This option of external processing would require the creation of safe and secure spaces, where shelter, proper identification, due process and the full respect of human rights are guaranteed. And this is in fact a major obstacle. Unlike Turkey, Lebanon, Jordan and Pakistan (which already host very large numbers of refugees from neighbouring countries, such as Afghanistan, Iraq and Syria), **North African, Middle Eastern and Sahel countries are currently either extremely reluctant or simply unwilling to properly host and process economic migrants and refugees** from other parts of Africa who want to go to Europe. Hence, the willingness of the EU and its Member States to provide support for the establishment of adequate multi-purpose reception facilities, both financially and with human resources, as well as through a credible resettlement mechanism, would be key pre-requirements for this third option to materialise.

Another option (**option 4**) would be to continue disembarking migrants rescued in the Central Mediterranean at Italian ports, but **scaling up the efficiency of hotspots** where their identity is checked and their status is determined. And it would require keeping irregular migrants and refugees temporarily in closed facilities in order to prevent them from absconding while their status is processed. However, this option would neither reduce the number of crossings, nor the pressure on the most affected Member States, like Italy (and potentially Malta). Furthermore, the implementation of option 4 presents a number of challenges. Firstly, **Italy is still waiting for a practical answer to its legitimate request for an effective EU-wide solution**. This would require some form of financial compensation, additional human resources supporting Italian migration and asylum services, and a functioning EU-wide relocation system, either based on the agreed temporary relocation mechanism<sup>32</sup> or on a 'coalition of willing Member States', offering substantial relocation places.

Secondly, **the lack of a well-functioning European return policy for those migrants who do not qualify for asylum and/or have no valid residency permit presents a major obstacle**.<sup>33</sup> The reality is that it is not always easy to establish the identities and nationalities of arriving migrants, a large number of whom come to Europe without passports or other means of identification. Even when this can be achieved, it remains difficult to convince major sending countries to expeditiously process the return of their citizens whose asylum claims are rejected or who are not

seeking asylum.<sup>34</sup> The inability to swiftly distinguish those who are in genuine need of protection and qualify for asylum from those who do not has made the implementation of an effective EU-wide relocation system even more difficult. Nonetheless, in the long term, a credible European return policy could pave the way to a fully-fledged European relocation system, while also reducing the number of Africans risking their lives and paying multiples of regular travel costs when seeking to cross the Sahara and the Central Mediterranean.

Finally, given the political and economic realities faced by many migrants, and the mounting demographic pressures on the African continent, it remains clear that the only real long-term solution will be to **pro-actively address the situation in the countries of origin** of migrants themselves (**option 5**).<sup>35</sup> The EU and its Member States are already seeking to do this via the Partnership Framework launched in June 2016, which aims at targeted cooperation with key countries of origin and transit,<sup>36</sup> and they have a range of instruments at hand. These include institutionalised dialogues on migration, visa facilitation (travel) and contingents of work permits (temporary labour migration), as well as increased overseas development assistance (ODA), better access to EU markets (trade) and improved access to foreign investment (in particular through the forthcoming European External Investment Plan<sup>37</sup>), with a view to stimulating job creation and economic growth, as an alternative to emigration. Developing legal avenues for pre-selected labour migrants to move from Africa to Europe (including the issuance of permits for temporary and circular migration) would most likely also serve to reduce irregular flows.

The EU and its Member States must make use of all these instruments in a more coherent and strategic way so as to respond to both positive and negative developments on the ground.

## Conclusions

Recent history has demonstrated that a purely humanitarian approach to irregular migration flows in the Central Mediterranean, focusing only on saving the lives of those in immediate distress, will not bring about a long-term solution to the plight of the thousands of migrants risking their lives on a daily basis in the hope of a better way of life. If anything, the rise in the death toll and in the number of arrivals show that this approach has – unintentionally – encouraged smugglers to adopt new strategies enabling them to reap more benefits, while placing migrants even more at risk.

To put an end to the humanitarian crisis and regain control over external borders, the EU and its Member States must put in place a holistic response, making use of the different instruments they have at hand in a flexible, coordinated and agile manner, and in dialogue with sending and transit countries, as well as relevant non-governmental actors.

Although the complexity of the situation in Libya limits the scope for an all-encompassing deal on irregular migration similar to that which was negotiated with Turkey, the EU and its Member States do have meaningful policy options at hand that can help to improve the situation in the short term, while working in parallel with countries of origin to deliver longer-term solutions.

## Notes

1. It is important to note that the majority of people arriving from Northern and sub-Saharan Africa are not refugees in the sense of the Geneva Convention.
2. International Organisation for Migration (IOM); United Nations High Commissioner for Refugees (UNHCR), 'Comparison of monthly Mediterranean sea arrivals to Italy, 2016 and 2017', 2017, <http://data.unhcr.org/mediterranean/country.php?id=105>.
3. Following the adoption of the 1979 SAR Convention, the International Maritime Organisation's (IMO) Maritime Safety Committee divided the world's oceans into 13 search and rescue areas, in each of which the countries concerned have delimited search and rescue regions for which they are responsible. These areas or regions show the nation or rescue coordination centre responsible for coordinating distress emergencies which occur in these areas. Search and rescue areas are still undefined in many ocean regions.
4. Italian Journalists' Code of Conduct website: Associazione Carta di Roma, <http://www.cartadiroma.org/osservatorio/factchecking/medianarrativa/>.
5. During the year 2014 Italy had requested additional funds from the other EU Member States in order to continue the operation, but none of them offered support (<http://www.reuters.com/article/us-eu-italy-migrants-idUSKBN0FD1YL20140708>).
6. European Border and Coast Guard Agency, 'Frontex launches joint operation Triton', January 2017 <http://frontex.europa.eu/news/frontex-launches-joint-operation-triton-JSYpL7>
7. France, Germany, Ireland, UK.
8. Iceland, Norway.
9. Sophia is a baby who was born on 24 August 2015 at 4:15 AM, born by a Somali mother, rescued together with other 453 migrants on board the German frigate Schleswig-Holstein as part of EUNAVFOR MED Task Force. The baby was named after Princess Sophia of Schleswig-Holstein (8 April 1866 - 28 April 1952). On 24 September 2015, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission Federica Mogherini proposed '[...] that we change the name of our Operation: instead of calling it EUNAVFOR MED, I suggest we use the name: Sophia. To honour the lives of the people we are saving, the lives of people we want to protect...', see European Commission, 'EU Operations in the Mediterranean Sea', October 2016, [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/securing-eu-borders/fact-sheets/docs/20161006/eu\\_operations\\_in\\_the\\_mediterranean\\_sea\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/securing-eu-borders/fact-sheets/docs/20161006/eu_operations_in_the_mediterranean_sea_en.pdf), and European External Action Service, 'Background Documents and legal basis – EUNAVFOR MED operation SOPHIA', 18 October 2016, [https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/12353/background-documents-and-legal-basis-eunavfor-med-operation-sophia\\_en](https://eeas.europa.eu/csdp-missions-operations/eunavfor-med/12353/background-documents-and-legal-basis-eunavfor-med-operation-sophia_en).
10. The 62 nautical mile stretch refers to the Gulf of Sirte. Since 1973, Libya has claimed the whole Gulf of Sirte south of a line stretching from Misrata to Benghazi as territorial waters.
11. Eugenio Cusumano, 'How NGOs took over migrant rescues in the Mediterranean', Opinion in EU Observer, 1 September 2016, <https://euobserver.com/opinion/134803>.
12. Medecins Sans Frontieres, 'MSF and MOAS to launch Mediterranean search, rescue and medical aid operation', 10 April 2015 <http://www.msf.org/en/article/msf-moas-launch-mediterranean-search-rescue-and-medical-aid-operation>.
13. NGO SAR in the Central Mediterranean is contingent on the Italian Government's willingness to allow for the disembarkation of migrants rescued in the Maltese and Libyan SAR zones.
14. The approach was endorsed by the European Council of 25-26 June 2015. The details of the hotspots' functioning modalities are specified in an Annex to the Commission Communication on managing the refugee crisis of 29 September 2015 available at: [ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication\\_on\\_managing\\_the\\_refugee\\_crisis\\_annex\\_2\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication_on_managing_the_refugee_crisis_annex_2_en.pdf)
15. In addition, there are hotspot-like procedures in 6 ports of disembarkation (Augusta, Cagliari, Crotona, Messina, Reggio Calabria and Vibo Valentia) and 11 mobile teams (operating in Rome, Milan, Catania, Villa Sikanà, Mineo, and Bari). End of January 2017, Italian hotspots were supported by 67 experts from Frontex and 8 from EASO, as well as 9 cultural mediators (source: DG HOME).
16. Eurostat News Release, 'Asylum in the EU Member States', 4 March 2016, <http://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf>.
17. Eurostat Statistics Explained, 'Asylum Quarterly Report', 14 December 2016, [http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_quarterly\\_report](http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report).
18. There has been speculation about an agreement between Malta and Italy providing that that people rescued in the Maltese and Libyan SAR area usually are not taken to La Valetta, but to an Italian port of disembarkation. <http://www.independent.com.mt/articles/2016-04-09/local-news/Malta-Italy-migration-secret-deal-resurfaces-in-the-international-media-6736156026>.
19. They occasionally get attacked by Libyan groups (for example: <http://www.msf.org/en/article/central-mediterranean-msf-condemns-attack-rescue-vessel>).
20. BBC News Online, 'EU Mission 'failing' to disrupt people-smuggling from Libya', 13 May 2016, <http://www.bbc.com/news/world-europe-36283316>.
21. International Organisation for Migration (IOM), Recorded deaths in the Mediterranean by route, 2016: <https://missingmigrants.iom.int/mediterranean>.
22. European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration, COM(2015) 240 final, 13 May 2015, ([https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf)).
23. As outlined in the Communication on 'Migration on the Central Mediterranean route. Managing flows, saving lives' (JOIN(2017) 4 final published on Jan. 25, 2017; <https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda->

[migration/proposal-implementation-package/docs/20170125\\_migration\\_on\\_the\\_central\\_mediterranean\\_route\\_-\\_managing\\_flows\\_saving\\_lives\\_en.pdf](https://ec.europa.eu/europeaid/docs/20170125_migration_on_the_central_mediterranean_route_-_managing_flows_saving_lives_en.pdf).

24. The European Commission and the High Representative/Vice-President presented, on 25 January 2017, a number of possible additional measures to strengthen the work along the Central Mediterranean migration route, including with and around Libya. For a summary of proposed actions, see: European Commission Press Release, 'Questions and Answers: Migration on the Central Mediterranean route', 25 January 2017 [http://europa.eu/rapid/press-release\\_MEMO-17-135\\_en.htm](http://europa.eu/rapid/press-release_MEMO-17-135_en.htm).
25. This would require a functioning resettlement programme from Libya to EU Member States for people with legitimate claims and for vulnerable groups of persons.
26. Current support to Libya is provided mainly through the European Neighbourhood Instrument ([https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/libya\\_en](https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/libya_en)) and the Instrument Contributing to Stability (<https://www.insightsonconflict.org/icsp/>).
27. In 2016, the Libyan Coast Guard rescued/intercepted an estimated 20,000 irregular migrants.
28. In particular by extending the Guardia Civil-led operation 'Seahorse' from the Atlantic to the Western and Central Mediterranean.
29. See EU Border Assistance Mission in Libya (EUBAM) website: [https://eeas.europa.eu/csdp-missions-operations/eubam-libya\\_en](https://eeas.europa.eu/csdp-missions-operations/eubam-libya_en)
30. Spiegel Online, 'Auswärtiges Amt sieht "KZ-ähnliche Verhältnisse"', 29.01.2017, <http://m.spiegel.de/politik/ausland/a-1132184.html>.
31. Libya benefits from funding under the EU Emergency Trust Fund for Africa ([http://ec.europa.eu/europeaid/regions/africa/eu-emergency-trust-fund/north-africa\\_en](http://ec.europa.eu/europeaid/regions/africa/eu-emergency-trust-fund/north-africa_en)) to increase protection of migrants and to strengthen effective migration management.
32. European Commission op. cit.
33. The existing EU Action Plan on Return, adopted in 2015, (COM(2015) 453 final of 9.9.2015) will be adapted in the spring of 2017.
34. This issue has already been discussed between the EU and the leaders of African countries at the Valletta Summit in November 2015 (<http://www.consilium.europa.eu/en/press/press-releases/2015/11/12-valletta-final-docs/>).
35. As already announced in June 2016, in the context of Europe's 'Migration Partnership Framework' ([https://eeas.europa.eu/sites/eeas/files/factsheet\\_ec\\_format\\_migration\\_partnership\\_framework\\_update\\_2.pdf](https://eeas.europa.eu/sites/eeas/files/factsheet_ec_format_migration_partnership_framework_update_2.pdf)) and the introduced concept of 'Migration Compacts'.
36. COM (2016) 960 final of 14.12.2016, Second Progress Report: First Deliverables on the Partnership Framework with third countries under the European Agenda on Migration.
37. European Commission, 'State of the Union 2016: European External investment Plan', 14.09.2016, [https://ec.europa.eu/europeaid/news-and-events/state-union-2016-european-external-investment-plan\\_en](https://ec.europa.eu/europeaid/news-and-events/state-union-2016-european-external-investment-plan_en).