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The Mediterranean as a *Carceral Seascape*

Abstract: In May 2019, 75 distressed migrants fleeing Libya were rescued by the merchant vessel *Maridive 601* in the central Mediterranean Sea. With Italy, Malta, and Tunisia denying permission to disembark, the merchant vessel turned from a floating refuge into an offshore carceral space, leaving the migrants stranded near the Tunisian coast for 19 days. This article traces the migratory trajectories of the *Maridive 75*, as I will collectively refer to them, in order to show how Europe's desire to deter, capture, and contain migrant mobilities has transformed the Mediterranean Sea into a *carceral seascape*. While offshore carcerality is not specific to Europe's southern maritime border and also not a novel phenomenon, increasingly restrictive migration policies have dramatically reshaped the Mediterranean borderzone over recent years, multiplying infrastructures, technologies, and spaces of confinement. Interrogating the Mediterranean Sea as a carceral space generates insights into an ever-growing panoply of carceral but mobile forms of governance seeking to discipline and police unauthorised and precarious human movements, both at sea and on land. At the same time, as this article demonstrates, unruly migrant mobilities and struggles at sea continue to expose the often-conflictual processes at work in the production of the Mediterranean carceral seascape.

Keywords: Mediterranean Sea; carceral seascape; migrant offshore detention; borders; carceral geography

Introduction

In late May 2019, 75 people, among them 33 unaccompanied minors, were trying to escape from Libya on a small wooden boat. The Italian Maritime Rescue Coordination Centre (MRCC) was alerted to this group in distress, as was the Maltese Rescue Coordination Centre (RCC) which assumed responsibility. Military assets of Italy and the EU's Naval Force Mediterranean (Eunavfor Med) spotted the boat from the sky. After being instructed to carry out a rescue operation, the offshore supply ship *Maridive 601* proceeded toward the scene of distress. Despite detecting the wooden boat, the crew remained at a distance and watched. As one of the migrant travellers told me later on, a rescue operation was initiated only when some of the distressed jumped into the water, swam toward the supply ship, and begged the crew to rescue the others. After all 75 men and minors were taken aboard, the captain of the *Maridive 601* contacted both the Maltese and Italian rescue coordination centres who refused to

coordinate the disembarkation process and instead directed the captain to Tunisia. The Tunisian authorities were equally unwilling to allow the migrants to land and ordered the captain to stay several nautical miles off Tunisia's coast. Over 19 days, the supply ship turned from a floating refuge into an offshore carceral space in which the situation for the rescued deteriorated over time. Food and water were scarce, untreated injuries worsened, scabies spread, as did the desperation on board. Eventually, on 18 June, the captain received the permission to disembark the rescued in the Tunisian harbour of Zarzis. Their ordeal, however, was far from over.

This article traces the migratory trajectories of the 75 precarious passengers - the *Maridive 75* - as I will collectively refer to them. The offshore incarceration of the *Maridive 75* is particular in that their boat had left Libya, entered a European SAR zone and come under the responsibility of a European rescue coordination centre, only to end up in the Tunisian SAR zone and on a Belize-flagged supply vessel owned by an Egyptian company. And yet, despite its particularity, the case reveals larger carceral dynamics at work in the Mediterranean Sea, both the proliferation and interconnection of carceral infrastructures as well as their volatility. I have closely followed the *Maridive 75*'s predicament since May 2019 and interviewed some of them from distance.ⁱ Due to travel restrictions resulting from the Covid-19 pandemic, my plans to finally meet them in person in April 2020 were thwarted. However, even if I had travelled to Tunisia, I would not have met most of them. Gradually, over the ten months prior, the vast majority had left Tunisia, leaving merely three men behind who were also planning their departure.

At the time of writing, the *Maridive 75* live dispersed, across three continents and six countries - Bangladesh, Libya, Italy, Egypt, Tunisia, and Chad. The story of how they got to these places after being confined together in the Mediterranean Sea sheds light on the production, multiplication, and interconnection of carceral spaces through the governance of migration, both at sea and on land. In fact, as the *Maridive 75* would come to realise, their offshore incarceration precipitated their incarceration in a host of other spaces as well as their (forced) im/mobilities, involving a range of state and non-state actors, including the Tunisian government, EU coastguards, EUNAVFOR Med, the Bangladeshi embassy, the so-called Libyan coastguard, activist groups, NGOs and journalists, the International Organisation for Migration (IOM), the United Nations High Commissioner for Refugees (UNHCR), Tunisian smugglers and Libyan militias.

This article examines the ways in which Europe'sⁱⁱ desire to deter, capture, and contain migrant mobilities has produced novel forms of offshore carcerality and thereby turned the Mediterranean Sea into a *carceral seascape*. By pointing to the ways in which "im/mobilising

carceral regimes” (Turner and Peters 2017: 9) have become extended to the sea through the governance of migration, it alludes to novel configurations of migrant incarceration. While carcerality at sea is not specific to Europe’s southern maritime border and also not a novel phenomenon, increasingly restrictive migration policies have dramatically reshaped the Mediterranean borderzone over recent years, multiplying infrastructures, technologies, and spaces of confinement that aim to discipline migratory mobilities. The notion of carceral seascape, more than simply referring to the view or scenery of the sea, seems able to capture the volatile condition of the Mediterranean Sea, subject not only to the currents, waves, and winds, but also to a complex and often conflictual interplay between a range of actors, situated in often confusing and disputed sovereign and jurisdictional contexts.

As much else at sea, the maritime confinement of migrants is not static but itself ‘on the move’, which supports Jennifer Turner and Kimberley Peters’ (2017: 2) observation that “spaces of incarceration” are often “underscored by mobilities”. Rather than sedentariness, the political form of maritime space is founded on movement and its management, the policing of the ‘freedom of the seas’ and thus represents a space of “unbundled sovereignty” (Sassen 2006). The trajectories of one migrant group highlight such unbundling of sovereignty and the proliferation of spatial modes of disciplining unauthorised migrations. What comes into view are “carceral circuits” of migration governance, the often concealed “nodes, routes and pathways that constitute carceral space” (Gill et al 2018: 193). Interrogating the Mediterranean carceral seascape thus generates insights into the ever-growing carceral circuits that have come about at sea, on land and in the sky through the attempt to govern and police human movements. Such governing and policing occurs not through static, hierarchical or even ‘total’ systems of control but through dynamic and diffusing modes of governance.

This article contributes to the emerging carceral geographies literature that has extended the concept of the carceral beyond ‘classic’ spaces of confinement, such as prisons (Mountz 2011; Turner and Peter 2017; Maillet, Mountz and Williams, 2018; Moran, Turner and Schliehe 2018). Besides adding insights to carceral geography scholarship, my conceptualisation of the carceral seascape contributes also to ongoing attempts in critical migration-, border-, and citizenship studies to complicate simplistic top-down, inside-outside, inclusion-exclusion binaries and emphasise the deeply relational but also frictional ways in which humans and their movements are differentially regulated and contained today (Nyers and Rygiel 2012; De Genova 2013; Papadopoulos and Tsianos 2013; Walters and Lüthi 2016; Mezzadra 2020).

The article is organised into three main parts. Part I briefly contextualises the production of offshore carcerality in diverse regions and historical contexts before exploring recent forms of

migrant incarceration in the central Mediterranean Sea. Part II turns to the *Maridive 75* and their carceral mobilities, focusing on the predicament of 64 Bangladeshi migrants among them. Part III discusses how the case of the *Maridive 75* highlights larger carceral processes and circuits at work. I explore how the Mediterranean Sea's geography and ambiguous jurisdictional regimes allow European border enforcements to extend sovereign privileges and elude responsibilities at will. Although offshore carcerality proliferates at sea and connects to other carceral spaces on land, these processes are not unopposed. Indeed, as I will highlight, unruly migrant mobilities expose the often-conflictual processes at work in the production of the Mediterranean carceral seascape.

Part I: Offshore Carceralities

Manifestations of offshore carcerality are neither recent phenomena nor specific to the Mediterranean context. From the 16th century on, the capacity of ships “to incarcerate and transport African bodies had helped to bring into existence a new Atlantic world of labor, plantations, trade, empire, and capitalism” (Rediker, 2007: 72). In this way, an estimated 12.5 million Africans were moved across the Atlantic to the Americas via the Middle Passage. Besides the intended incarceration of people and their forced movements, ships have also turned into unintended carceral spaces, “floating detention centers” (Piché 2015: 93), when migrant travellers had to endure in confinement for weeks or months due to denied landings, often in horrendous conditions and, at times, only to be returned to the place they had sought to escape. In 1914, the Japanese ship *Komagata Maru* carried 376 people from British India to Vancouver but had to return to Kolkata when the majority of passengers were not allowed to disembark in Canada. In 1939, the German ship *St. Louis* crossed the Atlantic with over 930 people on board, mostly Jews seeking to escape the Nazi regime. After being denied permission to land in Cuba, the US, and Canada, the ship sailed back to Europe. When Germany invaded western Europe in 1940, over 250 of the returnees were murdered.

More recently, after the phenomenon of ‘boat-people’ had emerged in the late 1970s in the context of the Vietnam war, offshore confinement of ‘irregular’ migrants has become increasingly common. In 2001, the Norwegian cargo vessel *MV Tampa* was denied permission to disembark 433 rescued migrants in Australia, many of whom were fleeing conflict in Afghanistan. Eventually transported by the Australian navy vessel *HMAS Manoora* to the island of Nauru, the incident “signaled the introduction of the ‘Pacific Solution’ to extend

remote detention practices offshore” (Mountz 2011: 124). In 2015, thousands of Rohingya fleeing Bangladesh and Myanmar were stranded at sea off the coasts of Thailand, Malaysia, and Indonesia, being prohibited from disembarking (BBC 2015). Similar scenes occurred in 2020, when hundreds of Rohingya were stuck off the Bangladeshi coast after being turned away by Malaysian authorities citing Covid-19 fears (Deutsche Welle 2020). In March 2020, in the Aegean Sea, about 500 people who had already reached Lesbos Island by boat were confined on the Greek navy ship *Rhodes*. After several days off the island’s coast, and mounting public pressure, the ship moved to mainland Greece to disembark the detained and detain them elsewhere (InfoMigrants 2020).

In the central Mediterranean Sea, the region this article focuses on, offshore carcerality has become an increasingly pressing issue over recent years. Although struggles over unauthorised human mobility, rescue, interception, and disembarkation have occurred already for decades,ⁱⁱⁱ the number of migrant crossings to Europe has risen in unprecedented ways over recent years, triggering a range of counter-measures that have turned the Mediterranean into a carceral seascape. Since 2011, when the Arab Uprisings and continuous turmoil in North African regions ‘re-opened’ the central Mediterranean migration corridor, we can observe the swinging of “the dialectical pendulum” (Bauder 2018: 125), with migrant arrivals starkly rising, then starkly falling in light of intensifying border security efforts (Mann 2016; Cuttitta 2017). Between 2014 and the end of 2017, an average of about 156,000 people reached Italy each year, dropping to an annual average of about 23,000 for 2018, 2019, and 2020 (UNHCR 2021). Over this period of time, humanitarian-military responses to migration, such as the short-lived Italian Mare Nostrum operation in 2014, gave way to European deterrence efforts, embodied by Frontex operation Triton from late 2014 on, and operation Eunavfor Med launched in 2015 (Moreno-Lax 2018; Cusumano 2019; Author; Tazzioli 2020).

Especially from 2015 on, European navies and coastguards gradually withdrew north while shifting responsibilities to Libyan authorities who were, however, never able to fully govern the maritime expanse off Libya’s coast, not least due to ongoing warfare within Libya. Though acknowledged in June 2018 as Libya’s official Search and Rescue (SAR) zone by the International Maritime Organization (IMO), this zone has remained not only politically contested but also the deadliest borderzone in the world. Seeking to counteract the mass dying, non-state actors such as NGOs, crews of commercial vessels, and regional fishermen have conducted mass rescues. Although initially regarded by EU member states as actors to whom migrant rescues could be conveniently outsourced, the increased securitisation of Europe’s maritime border has reconfigured the central Mediterranean Sea. In particular since mid-2018,

when Italy's then Interior Minister Salvini prompted a "disembarkation crisis" (ECRE 2019) by declaring Italian harbours closed for rescued migrants, forms of offshore carcerality have multiplied. The transformation of state and non-state rescue assets from floating refuges to floating prisons have come to mirror the transformation of the Mediterranean Sea into a carceral seascape.

Merchant vessels

On 21 January 2019, a migrant group reached out to the Alarm Phone (2019a), an activist network that runs a hotline for people in distress in the Mediterranean Sea.^{iv} Surprisingly, the call came not from a boat in distress but a merchant vessel, the *Lady Sham*. Its crew had carried out a rescue operation and informed the approximately 150 rescued migrants that they would be brought to Europe. In reality, however, the ship sailed back to Libya. On board, the group was separated into men and women and locked into different compartments of the vessel. With the Libyan coast coming into sight and the rescued realising that they were being returned, panic spread on board and some threatened suicide. At the port of Misrata, the migrants refused to disembark but were violently removed by Libyan security forces during the night. From the infamous Karareem detention camp, several migrant women re-connected with the activists, passing on photos of bodies bearing torture marks and reporting of physical violence, overcrowded and unhygienic conditions, a lack of food, and retaliation for an attempted break-out. After months without contact between the migrants and Alarm Phone activists, one of the women reached out from Nigeria where she had been deported to in the meantime, together with about 60 others from the *Lady Sham* incident. In 2020, I learned that several of the men who had been forcibly returned to Libya were forced to fight for a Libyan militia, with some said to have been killed.

In the central Mediterranean Sea, merchant vessels such as the *Lady Sham* have long played a crucial role in rescues, but recently increasingly also in the return, of thousands of people escaping on precarious boats. To the dismay of shipping companies given the substantial financial losses resulting from deviations of planned courses, European authorities would regularly instruct commercial crews to engage in SAR operations. In fact, in the months following the end of the Mare Nostrum operation in 2015, merchant vessels became the actor carrying out the greatest number of rescues (Forensic Oceanography 2019). Although merchant vessel crews often succeeded in conducting complex rescue operations, the withdrawal of state rescue capacities has had catastrophic consequences. Due to a lack of adequate equipment and

training, several major shipwrecks have occurred *during* attempted rescues by merchant vessels. Indeed, the largest shipwreck in the recent history of the Mediterranean Sea took place when a migrant boat rammed into the merchant vessel *King Jacob* and capsized on 18 April 2015. Survivors, of whom there were merely 28, speak of over 1,000 fatalities in this single incident (Leroyer 2019).

Before 2018, when instructed by European authorities to carry out SAR operations, merchant vessels would commonly proceed to Italy after rescue to disembark the rescued. While, certainly, returns or ‘refoulements’ by merchant vessels have been documented before, from mid-2018 on, merchant vessels “were systematically directed away from Italian (and Maltese) ports, to either Libyan or Tunisian ones” (Forensic Oceanography 2019: 36). Although some merchant vessels would still seek to disembark the rescued in Europe, and would in consequence endure stand-offs similar to those experienced by NGO rescuers, ‘privatised’ push-backs or push-backs ‘by proxy’ in breach of the non-refoulement principle have become frequent, indeed “a routine pattern of practice” (Ibid). Merchant vessels have thus increasingly become offshore detention and deportation assets, returning in this way at least 1,800 people between 2018 and early 2020 alone (Kingsley 2020). The formation of the Italian government coalition of the far-right League and the populist Five Star Movement in late May 2018 was thus a turning point, with merchant vessels as well as NGO rescue vessels increasingly morphing from places of refuge into places of migrant containment.^v

NGO rescue vessels

Within a week in August 2019, the NGO *Open Arms* rescued migrants from three boats in distress off the coast of Libya. All three migrant groups had alerted Alarm Phone (2019b) activists who relayed their GPS positions to authorities and the NGO. With over 160 people on board, the *Open Arms* requested a port of safety in Europe but was refused permission to land. The Armed Forces of Malta (AFM) transferred 39 migrants who had been rescued within the Maltese SAR zone off the vessel and disembarked them in Valletta. Anchoring close to the Italian island of Lampedusa, the physical and psychological condition of the remaining migrants on board worsened over time. Repeatedly, as I could witness myself from the island’s shore, exhausted individuals had to be medically evacuated and brought to land. Several times, people jumped into the sea and became shipwrecked and rescued once more when trying to escape by swimming to shore. After 19 days, the *Open Arms* was allowed to land in Lampedusa and the manufactured humanitarian emergency was ended.

Besides merchant vessels, civil rescuers have become crucial actors in the Mediterranean Sea, rescuing about 120,000 people between 2014 and 2019 (Cusumano and Villa 2020). Following the end of the Mare Nostrum operation, and similar to merchant vessels, NGO assets became regarded by EU authorities as crucial resources. Particularly the Italian MRCC instructed NGOs innumerable times to conduct rescues off the Libyan coast. While, at first, “Italian authorities welcomed NGOs as an important multiplier of their SAR capabilities” (Cusumano 2019: 107), Italy and other EU member states turned ever-more hostile from 2017 on. Despite a lack of evidence, NGO rescuers were increasingly portrayed as a ‘pull-factor’, accused of prompting migrants to embark on risky journeys - an argument that had significantly contributed to the termination of Mare Nostrum. As a result, NGO rescuers faced increasingly draconian state measures, ranging from accusations of collaboration with smuggling networks, to confiscations of rescue vessels and criminal investigations of crew members.

In mid-2018, with the right-wing Italian government newly in office, the antagonism toward NGO rescuers escalated further. While merchant vessels were increasingly sent south to return the rescued to Libya, NGO vessels were denied permission to land in Italian harbours. Though initially disapproving of Italy’s closing of harbours, Malta quickly followed suit and denied entry to NGOs as well which “arbitrarily deprived rescued persons of their liberty and obstructed the right to seek asylum” (ECRE 2019: 4). Dozens of ‘stand-offs’ ensued and in several cases, migrants could be disembarked only after agreements were found for ad-hoc relocation procedures to other EU member states. In one recent case, the NGO vessel *Alan Kurdi* spent 14 days at sea in April 2020 with over 140 rescued migrants. Having declared their harbours closed once more, this time in light of the Covid-19 pandemic, Malta and Italy denied permission to disembark. After two weeks, during which one person attempted to commit suicide and another jumped overboard, the rescued were trans-shipped to the Italian passenger ship *Raffaele Rubattino* on which they spent another two weeks in quarantine (Sea-Eye 2020).

With Europe in sight, overcrowded NGO vessels have increasingly turned into carceral spaces. Although the disembarkation of the rescued in Europe was never in question, lengthy periods on board of NGO vessels have exacerbated the hardship of the rescued, many of whom suffered from injuries, trauma, and seasickness. In this way, NGO vessels as routes to freedom out of Libyan detention centres have become reconfigured, though only temporarily, and turned into unintended carceral spaces. The civil rescue fleet has adapted to the transformation of the Mediterranean Sea into a carceral seascape, equipping their vessels with spaces, infrastructures, resources, and personnel to accommodate the rescued for longer periods of time. Viewing this trend critically, indeed as anticipatory obedience, the crew of the newest rescue vessel, the

Louise Michel, financed by street artist Banksy, has announced to not accept offshore stand-offs any longer. Their intervention in August 2020, arguably the most radical and provocative intervention to date, challenged migrant interception and offshore carcerality in novel ways by engaging in maritime ‘races’ with Libyan authorities (Author).

State vessels

In August 2018, the Italian coastguard vessel *Ubaldo Diciotti* rescued 190 people in distress in the Maltese SAR zone. RCC Malta refused to permit disembarkation, stating that the migrants had not been in distress and would have continued to Italy, allegedly their desired destination. The Italian government denied its own coastguard to land at the closest harbour in Lampedusa and also disallowed disembarkation in Catania where the *Diciotti* docked. While thousands of protestors gathered in the harbour to demand their release, the rescued, mostly from Eritrea, declared a hunger strike to protest their confinement on board - “a final desperate act of resistance by over a hundred people who have already fled an authoritarian, violent dictatorship” (Brodie 2018). After ten days during which some of the most vulnerable were evacuated, the remaining 134 people were allowed to disembark, following the announcement that 20 of them would be relocated to Albania, 25 to Ireland, and that the others would be released into the care of the Catholic Church. For his role in preventing this group, as well as others from disembarking, former Minister Salvini continues to face criminal investigations for possibly unlawfully detaining migrants and depriving them of their liberty (Tondo 2020a).

That European coastguard and navy vessels have also been drawn into the disembarkation crisis needs to be viewed as directly related to the short-lived Italian government coalition between the League and Five Stars. With its end, the blocking of state vessels also ended. While merchant vessels continue to be re-directed south or wait, like NGO rescuers, outside European harbours, the spectacle of state vessels turning into offshore carceral spaces has ceased. And yet, this spectacle has greatly impacted the creation of the Mediterranean carceral seascape. After Minister Salvini sought to prevent the Irish navy vessel *Samuel Beckett*, part of EUNAVFOR Med, from disembarking 106 rescued migrants in Italy in early July 2018, the EU naval operation ceased to conduct rescues. As is noted in EUNAVFOR Med’s six-monthly report, the rescue of the 106 by the *Beckett* was the only rescue carried out by the operation between 1 June and 30 November 2018 - “minus 95% in comparison with the 2,155 [migrants rescued] in the previous reporting period” (EUNAVFOR Med 2019). Thus, long before officially suspending

the deployment of naval assets in March 2019, EUNAVFOR Med vessels had made themselves wholly unavailable for SAR operations.

Coinciding with the withdrawal of Italy's state vessels, EUNAVFOR Med's inactivity in SAR operations has not merely shifted the burden further to non-state actors but also corresponded with a more general desire to govern from and through distance. Whereas before European presence near the Libyan coast would frequently lead to SAR operations and disembarkations in Europe, the withdrawal of naval vessels and the shift to greater use of aerial assets allowed to disengage from rescues. Italy's closed harbour policy provided an ideal pre-text to move toward large-scale aerial surveillance off Libya's coast in order to spot escaping migrant boats early enough to have them intercepted by the 'competent' Libyan authorities. Thus, the temporary episode of incarceration on board of state vessels has had other carceral ramifications: the withdrawal of European (supra-)state actors from SAR operations and a shift toward surveillance from the sky has further turned the maritime expanse off Libya's coast into a carceral seascape, with practices of migrant capture and offshore containment multiplying.

Part II – The *Maridive* 75

On 6 June 2019, after a week on board the *Maridive* supply ship, the 75 men and minors staged a protest, chanting: "We don't need food, we don't want to stay here, we want to go to Europe" (InfoMigrants 2019). Only six of them, all Bangladeshi nationals, would later reach Europe via the sea. Everyone else was either returned to their countries of origin, had moved back to Libya, or remained in Tunisia, at least for the time being. Already weeks after being disembarked in Tunisia in June 2019, one minor of Sudanese nationality was returned to Chad while a man of Moroccan nationality crossed the Tunisian land border and returned to Libya. Nine Egyptian men were flown out to Egypt. Of the 64 Bangladeshis, the largest group in terms of nationality, 53 were quickly returned to Bangladesh in several rounds of 'voluntary' returns. The eleven Bangladeshis who refused to be returned applied for asylum in Tunisia via the UNHCR. With little prospects of being granted asylum, one of them flew out to Bangladesh, another took a boat from Tunisia and reached Italy. Several others crossed the land border to Libya, took to the sea once more, and were intercepted by the Libyan coastguard in February 2020. But they tried again, and some made it to Italy. At the time of writing, three Bangladeshi men remain in Tunisia. They are searching for ways out, but Covid-19 related lockdowns have further hampered their chances.

Tracing the carceral im/mobilities of the *Maridive 75* was not a simple undertaking.^{vi} Although I was able to remain in contact with some, it was not possible to maintain contact to most due to linguistic barriers, lost or confiscated phones, or waning interest to engage after being ‘voluntary’ returned. Nevertheless, this article draws from a range of materials gathered between May 2019 and July 2020, especially in exchanges with some of the 64 Bangladeshi migrants. Eleven video testimonies of Bangladeshi migrants were collected in June 2019 in Tunis by a colleague who posed questions on my behalf. The eleven men, who were aware that their anonymised testimonies would be used for purposes of publication, responded in Bangla and their testimonies were subsequently translated to English. Some of the testimonies already featured in three journalistic pieces that I published in 2019. This article draws also from materials obtained through my journalistic research, including correspondence with IOM personnel and the Bangladeshi embassy in Libya (as there is no Bangladeshi embassy in Tunisia). Updates and reports on the situation of the *Maridive 75* were also gathered in exchanges with Tunisian activists and members of the NGO Forum Tunisien pour les Droits Economiques et Sociaux (FTDES). Based on this material, I next focus on three aspects of the *Maridive 75*’s precarious trajectories which highlight their carceral im/mobilities and shed light on larger economies of unauthorised migration and migration governance.

Bangladesh, Libya, Europe?

In terms of nationality, Bangladeshis were the largest group of migrants crossing the central Mediterranean Sea and reaching Europe in the first quarter of 2020 (UNHCR 2020). What may come to some as a surprise, Bangladeshis have frequently featured in the top ten of nationalities moving on this maritime route over recent years. What underwrites these journeys is economic and political hardship which amplifies if the desired destination cannot be reached. In Bangladesh, the services of ‘dalaal’ (fixers) are widely available, who organise journeys that often lead from remote Bangladeshi villages to Dhaka and via Dubai, Istanbul, and Alexandria to Libya. While some who move to Libya have no intention to travel on to Europe, the disastrous security situation in Libya and the inability to earn a living often prompt reconsideration. Others have planned to cross the sea all along, commonly with the intention to reach Italy where a large Bangladeshi community might offer work opportunities to newcomers.

Many aspects of the stories of the 64 Bangladeshi migrants among the *Maridive 75* resemble one another. All eleven testimonies gathered in June 2019 highlight that the young Bangladeshi

men left their families in order to provide for them, hoping to work abroad and send remittances home. Debt was one of the main reasons to depart and the families' debt position deteriorated dramatically after mustering the financial support for the journey, and even further when being extorted by criminal networks in Libya. Most of the Bangladeshi migrants spoke of being incarcerated shortly after arriving in Libya and tortured by 'the mafia' as they referred to the criminal networks operating within Libya. One of them, K., reported that he was held in 'locked rooms' for months until his ransom arrived:

My parents sold everything to get the money. By selling everything they had, our parents managed to save our lives. If I go back to Bangladesh, I can't pay back this money. And our creditors are threatening our lives. If I go back to Bangladesh, they could kill me.

Once released, they would try to find work either to raise the means for the sea crossing or to establish themselves in Libya. However, cycles of incarceration and extortion would continue. Several men, including B., were captured repeatedly:

After I was taken by the mafia I was tortured. They called my family to get the money. My family sent the money and freed me. But after one day I was taken again. I was captured three times in total.

With few options left, the Bangladeshi migrants decided to cross the Mediterranean Sea. Among them was G., for whom it became clear that "one can't live in Libya because of the mafia. They kidnap you over and over again. Then I heard that it was possible to go to Italy." Despite wanting to escape Libya and cross the sea, some felt nonetheless forced onto the journey. Seeing the small wooden boat and nothing but water on the horizon, several men stated that they wanted to stay behind but that armed men made them embark. In one, rather exceptional case, the person brought to the boat did not even know that he would cross the sea. K. was deceived, he said, told that he would fly out to Italy:

I said, no, I paid for the plane. There were 10-12 policemen there and they started pushing us to the boat. They are beating people and tell them go to the boat. I said, 'I cannot do this. If I do it, I will die.' We did some negotiating. They beat me. I still said I cannot do it. Everyone was on the boat. I was the last one. Then the person came who I had given my passport and he said: 'if you don't go on the boat, we will shoot you here.' I was pushed

into the boat. The boat started running and I had no idea where the boat was going. To Italy? To Malta? To Tunisia?

Stranded at Sea

It is not certain on what date the 75 migrants departed from the coastal city of Zuwarah. Some say it was towards the end of Ramadan and that they were at sea for three to four days before rescue but keeping track of time at sea is notoriously difficult. According to one of the survivors, two armed Libyan men accompanied them for a while on a second boat before pointing ahead and telling them to move straight to reach Italy. The small boat was travelling near the El Bouri oil field, whose burning fires guide migrants departing from western Libya even during the night. Migrant boats have to pass these offshore landmarks to the west to reach Lampedusa, Malta or even Sicily. Running out of fuel, it became clear to those on board that their journey would not continue. While drifting precariously, the distressed noticed aerial activities. As K. reported: “We saw an Italian plane, the flag was Italian. We saw them 12-13 times. Then the plane left.” Later on, Eunavfor Med confirmed the presence of both Italian and Eunavfor Med aerial assets at the scene (Forensic Oceanography 2019: 49). The migrant group was detected by the *Maridive 601*, a 76-meter-long vessel sailing under the flag of Belize that services offshore oil platforms and is owned by the Egyptian company Maridive Group. According to survivors, it took a long time until a rescue operation was initiated. Only when several people went overboard and swam to the *Maridive* were also the remaining people rescued, on 31 May 2019.

With days passing without confirmation of where they would be brought, the initial relief to have survived turned into worry and anger. The survivors had to endure on the open deck, even at night. Water and food were scarce and, for the first three days, were only taken in after sunset, when the Ramadan fast was broken. Most suffered from scabies, some from injuries that were not sufficiently treated. Not knowing what would happen to them amplified tensions on board. As K. recalls: “I spoke to the captain every day and asked: ‘what does Italy say?’. He always said: ‘we will see’.” Eventually, Captain Faouz Samir informed the rescued that European authorities denied permission to disembark them and that he had requested the Tunisian authorities to assign a port and “allow us to make an emergency entry to Zarzis port” (InfoMigrants 2019). However, the Tunisian authorities also refused. Four days after the rescue, a team of the Tunisian Red Crescent was allowed on board to bring supplies and treat the injured. Another two days later, the *Maridive 75* staged a protest which was relayed to the

Tunisian NGO FTDES and made public. Gaining some attention, the regional Tunisian authorities in Medenine reacted, arguing that they could not allow them to land as migrant detention centres were already overcrowded and had insufficient capacity to accommodate the 75. They would only be allowed to step foot on Tunisian soil if they were immediately removed to their countries of origin.

In order to solve the impasse, Sekander Ali, the Bangladeshi ambassador to Libya, visited the supply vessel about two weeks after the rescue in order to convince the Bangladeshi migrants to accept return to Bangladesh. They were handed a phone and told to speak to their families in order to come to a decision. After the Bangladeshi ambassador returned to land, Vincent Cochetel (2019), special envoy of the UNHCR for the Central Mediterranean, stated on Twitter that the migrants were “willing to return home” and that they would therefore be able to disembark in Zarzis. The precarious conditions in offshore detention and the fact that disembarkation was made conditional upon the decision to return, seemed to not put in doubt the veracity of such willingness. Concerns were quickly raised, however, by relatives of the *Maridive 75*. I was able to speak to a family member of a person on board, who said: “They were told by the Bangladeshi embassy that if they didn’t agree to sign, they would not get any food or water anymore. The people were afraid to die on the boat.”

Survivors confirmed later on that the Bangladeshi ambassador had put them under immense psychological pressure, stating that if they refused to agree to ‘voluntarily’ return, not only would food and water be withheld but they might also be subjected to organ trafficking. As K. recalls:

They told us, ‘if you don’t sign, no one will force you, but after we go maybe someone will come and cut you up and take your kidneys, or throw you in the sea’. This was the kind of thing that the Bangladesh ambassador told us. They spoke to us one by one. They have the paper for all of us to sign. A declaration. Many people said ‘we don’t want to sign’ but they are pushing us, also mentally. We were so exhausted. The embassy said: ‘you will be arrested, they will beat you, your organs will be sold.’ Everyone then signed the paper because of the threats. While we were on the *Maridive*, they booked our deportation flights already.

Though declining to respond to several email enquiries I sent, the Bangladeshi embassy later confirmed on the phone that they were “taking the accusations very seriously” and were

“willing to collaborate with the foreign ministry in Dhaka in case they decide to launch an investigation.”

Disembarking to Deport

After 19 days in offshore detention, the *Maridive 75* were brought to land in Zarzis on 18 June 2019 where they were greeted by IOM staff as well as the Tunisian police who took their fingerprints. They were exhausted but given no time to rest. Upon the Tunisian authorities’ refusal to allow them to stay in Medenine, they were transported in two busses to Tunis through the night where they arrived on 19 June and were accommodated in a centre in Mégrine, at the outskirts of Tunisia’s capital city. A day later, 17 minors were ‘voluntarily’ returned to Bangladesh where they arrived on 21 June. Within one week, 53 Bangladeshi migrants, including 30 minors, were repatriated by the Tunisian authorities and the IOM’s assisted voluntary return and reintegration programme (AVRR).

In the AVRR process, according to the IOM, several steps have to be undertaken until a person can be returned. These include counselling during which the person is fully informed about existing options, including claiming asylum, and freely agrees to being returned; administrative assistance, such as the acquisition of travel documents; logistical assistance, such as the purchase of travel tickets; as well as travel assistance, including support in transit if needed (IOM 2018). For unaccompanied minors, AVRR procedures have to take the United Nations Convention on the Rights of the Child into account: “the best interests of the child shall be a primary consideration” (OHCHR 1989). In UNHCR (2018) guidelines on Determining the Best Interests of the Child, this determination process is described as

the formal process with strict procedural safeguards designed to determine the child’s best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision-makers with relevant areas of expertise, and balance all relevant factors in order to assess the best option.

In light of such procedural requirements and safeguards, AVRR procedures can be characterised, according to the IOM (2018) by: “1. Voluntariness; 2. Migrant-centred response; 3. Safety; 4. Sustainability of reintegration; 5. Confidentiality; 6. Dialogue and partnerships; 7. Evidence based programming.”

In an email, Leonard Doyle, IOM Head of Media and Communications, stated that there was “no typical or average timeline [for AVRR], as many issues need to be considered, including issues related to documentation.” Although frequently impeded by bureaucratic hurdles and taking many months, the implementation of AVRR procedures in the case of the *Maridive 75* was rapid. The return of dozens of Bangladeshi minors and men days after disembarkation indicates that arrangements were made between Bangladeshi and Tunisian authorities as well as the IOM while the *Maridive 75* were still off Tunisia’s shore, thus prior to any counselling and interviews of the individuals concerned. Their immediate return following several weeks in confinement onboard the supply vessel demonstrates that their best interest was never a priority. Yet, in the email, Doyle insisted that those who returned had done so in a voluntary and informed way:

Voluntariness is assumed to exist if two conditions apply: freedom of choice, which is defined as the absence of physical or psychological pressure to be returned; and an informed decision based on timely, unbiased and reliable information.

The testimonies of the eleven Bangladeshi migrants who refused to leave are consistent in demonstrating the absence of both conditions, also refuting Doyle’s implausible assessment that “[t]he fact that [...] eleven Bangladeshis, opted to stay in Tunisia would indicate that there was no coercion towards those who agreed to be returned home from Tunisia.”

According to the gathered testimonies, nobody voluntarily returned to Bangladesh but agreed to return only after being subjected to constant pressure by Tunisian and Bangladeshi authorities as well as IOM staff. K., the only one of the 64 Bangladeshis with some proficiency in English, said he was asked by the IOM to function as a translator for other Bangladeshi migrants, including minors, although he had “no idea” at the time, “what a ‘minor’ was, what the ‘UNHCR’ was, or what ‘asylum’ was.” According to him, the Bangladeshis who were returned to Bangladesh were not interviewed by the UNHCR. K. also confirmed that the refusal of the eleven Bangladeshis to be returned was repeatedly questioned by IOM staff:

They are always asking us what we have decided. We have told them that we do not want to go back to Bangladesh. They have understood but keep asking us anyway. I have told them directly that I do not want to go back. The paper they gave to us during the interview was in French. We do not understand French.

C., who had left Bangladesh to work abroad twelve years earlier, said that the IOM

told us that we cannot stay here. They made us sign a piece of paper written in French. We did not understand what was written on it. They took all of our signatures. They told us to stay calm and that there would be clothes and food.

Following the account of several of the eleven Bangladeshis, also the Bangladeshi ambassador visited them repeatedly in their accommodation. F. confirmed that embassy staff repeated mantra-like at every visit “you can’t stay, you can’t work, you can’t do anything, the police will catch you.” According to K., whenever the ambassador spoke to the minors, he was sent out of the room.

In August 2019, the Tunisian NGO FTDES filed a formal complaint against the IOM, raising severe concerns about the treatment of the Bangladeshi migrants:

The testimonies of the migrants were consistent and all allude to forms of malpractice on the part of IOM – be it the continuous pressure on migrants who were in a concerning physical and mental state, the rapid return of many of them to Bangladesh after their disembarkation from the *Maridive 601*, the lack of professional translators, the lack of medical assistance, the lack of support in claiming for asylum, and the lack of support in explaining AVRR procedures. (XXX)

A year and a half after filing the complaint, FTDES has still not received a response by the IOM. All asylum claims were rejected by the UNHCR, the last one in June 2020.

Part III: The multiplication of carceral sea- and landscapes

The Mediterranean as a carceral seascape conflicts with its historic portrayal as “a connected space”, a bridge that allowed “diverse cultures to interact and trade, to cooperate, coexist and confront one another” (Mainwaring 2019: 62; Braudel 2001). According to Manuel Borutta and Sakis Gekas (2012: 7), the Mediterranean’s dominant depiction “as a cultural and natural unity with a continuity from ancient Rome to modern European imperialism” overshadows the role of colonialism in shaping, and fragmenting, the Mediterranean region. Mediterranean migrations, first south-bound through European colonial and imperial expansions were

followed by movements of the (formerly) colonised north during the latter half of the twentieth century. When the freedom of mobility within the EU became increasingly consolidated from the 1980s onward, coinciding with expanding immigration restrictions for citizens of the Global South, north-bound Mediterranean crossings turned increasingly precarious, and fatal. European measures to prevent movements of (post-)colonial populations along “underground seaways” (Author) have occurred for several decades already along Euro-African faultlines. And yet, it is in the most recent period during which instances of offshore carcerality have materialised to an unprecedented degree.

Instances of offshore carcerality have multiplied in the Mediterranean Sea over recent years, especially since the disembarkation crisis starting in mid-2018. Europe’s ever-more restrictive border control efforts since have made migrant confinement at sea an increasingly common phenomenon with migrants being “violently obstructed, confined, cramped, entrapped, and injured in numerous ways” (Tazzioli and De Genova 2020). Offshore carcerality depends on a range of factors, including the location and condition of the migrant boat in distress and the jurisdictional regime it finds itself under, the presence and behaviour of EU, state or private assets in vicinity of the distressed, the relationship between the countries or the maritime rescue coordination centres involved, public attention or lack thereof, the implication of activist or human rights networks, as well as the behaviour of the migrants at risk. These factors determine the outcome of a distress case – shipwreck or disappearance, return of migrant groups through a rescue, an interception or a push-back (by proxy) operation, or rescue to a place of safety.

Offshore carcerality can thus be understood as a temporary detention of migrants at sea, meant to facilitate their return to countries of departure (as well as to countries neighbouring those of departure) or even home countries as well as to prolong the suffering of the rescued and rescuers in order to create often symbolic spectacles of punishment and deterrence. While a politics of deterrence underwrites the carceral seascape more generally, there is a specificity to each instance of offshore incarceration. The case of the *Maridive 75* allows to draw out several aspects examined in turn: the significance of ‘imperio’ and extraterritorial ambiguity, the interconnection between carceral sea- and landscapes, and the constitutive roles of migrant struggle in determining the outcome of an instance of offshore detention.

Imperio and Extraterritorial Ambiguity

In order to understand the production of the carceral seascape, one has to consider the sea’s uneven political geography and the complex and ambiguous jurisdictional regimes at play in

the Mediterranean Sea. Migrant boats often navigate through spaces officially outside the reach of any singular state, thus a space in which sovereign territorial rights and obligations are, in theory, disaggregated from each other and extended across variegated jurisdictional spaces. When migrants disembark from Libya, for example, they regularly pass not merely through territorial waters of states but also through spaces defined in the UN Convention on the Laws of the Sea (UNCLOS), SAR regions, areas surveilled through temporary military missions, as well as ecological and archaeological protection zones. Moreover, the situation of precarious passengers on migrant boats, themselves often situated in-between different legal statuses (migrant, asylum-seeker, refugee), is not necessarily legally evaluated in the same manner by authorities, with Italy and Malta, for example, interpreting the notion of distress very differently.^{vii}

The Mediterranean carceral seascape, “a space in which there is no distinction between law and its suspension”, is characterised by “the uneven topography of detention sites” where legal ambiguity at sea is exploited to contain and exclude unwanted migrants (Martin and Mitchelson 2009: 469). The overlapping, flexible, and conflicting jurisdictional regimes in place are not unintended defects but there by design, reflecting the EUropean desire to use the existing ambiguity to both extend sovereign privileges and elude responsibilities, thus to exert “*imperio*, a boundless, limitless and administrative power”, a power through which they “mediate jurisdiction and legal protection by virtue of geography” and “[manipulate] jurisdiction to suit political goals” (Maillet, Mountz and Williams 2018: 143, emphasis in original). The phenomena of externalised borders and extraterritoriality in migration governance have long been viewed as being “driven by a desire to escape the inconveniences of public scrutiny, legal constraint and the physical capacity restrictions of existing carceral facilities” (Gill et al 2018: 192).

When detention centres can be characterised “as territorially ambiguous, simultaneously inside and outside national territories” (Mountz et al 2012: 531), incarceration at sea must constitute one of the prime examples of ‘*imperio*’ and extraterritorial ambiguity where EUropean authorities compel non-state actors such as the *Maridive* crew to conduct a rescue operation only to subsequently refuse the responsibility for coordinating disembarkation. In particular the use of aerial assets by EUropean authorities to spot migrant boats from the sky to then mobilise their interception speaks to EUrope’s “remote control” (Alarm Phone et al 2020) at work in the Mediterranean Sea. The *Maridive 75*’s detention was thus predicated on “exclusion through *imperio*” where EUropean actors felt empowered not only to govern without bounds and “through isolation and remoteness” (Maillet, Mountz and Williams, 2018:

142, emphasis in original), but also to withdraw from governing once it was ensured that the migrants would not land in EUrope.

Carceral Circuits between the Sea and Land

The carceral condition of the Mediterranean Sea cannot fully be grasped without an awareness of the “carceral circuits” at work that connect what may at first appear as disconnected geographies and that are underpinned by “mutations in the neoliberal landscape, [...] criminalization of poor and othered communities, the mobility and agility of finance capital and the expedient generation of surplus populations” (Gill et al 2018: 184). That the majority of people confined on the *Maridive* were Bangladeshi nationals reflects increasingly precarious migration patterns of Bangladeshis who seek to escape poverty by moving abroad and sending remittances home. According to the International Labour Organization (ILO n.d.), over 400,000 workers leave Bangladesh annually to find overseas employment, often in highly exploitative sectors, including in seafaring. As some of the world’s lowest paid seafarers, Bangladeshi nationals have experienced offshore carcerality not merely in precarious migration projects but also while working at sea, with many Bangladeshi nationals featuring in the IMO (2020) database on seafarer abandonment that has recorded nearly 5,000 abandoned seafarers since 2004, some of whom had to endure for up to 32 months at sea.

Given the incredibly low chances of obtaining a visa through regular channels, particularly for EUrope, the 64 Bangladeshi minors and men stuck on the *Maridive* could realise their migration projects only through ‘fixers’ who offered their services within remote Bangladeshi villages and arranged journeys to Libya. Meant to alleviate their families’ debt in the long term, these initial journeys would drag families into further debt, and expose them to the risk of being harassed by creditors. Many of the Bangladeshi migrants spoke of their fear of being harmed, even killed, by their creditors if they were to return without the ability to pay them back. Once in Libya, incarceration, extortion, and often also torture by Libyan criminal networks became frequent experiences, leading to a further increase of their families’ debt. Failing to cross the sea, they found themselves subjected to a circuit of carceral im/mobilities that appeared nearly inescapable, impossible to buy one’s way out of. Their offshore confinement, following detection through EUropean aerial surveillance, precipitated their incarceration in several other (mobile) spaces that eventually led the majority to the runways of Tunis airport.

The circuit connecting the *Maridive* supply vessel to the one-way flight QR 634 of Qatar Airways to Dhaka, the first deportation flight out, was certainly not a smooth process. Fearing

that a, or more accurately another,^{viii} precedent could be set for Europe to evade disembarkation responsibilities and ‘dump’ unwanted migrants in Tunisia, the initial refusal of the Tunisian government to allow disembarkation needs to be contextualised in larger geopolitical disputes over European attempts to externalise borders, including through the proposal to install regional disembarkation platforms in northern Africa – a proposal dismissed by North African governments (Euronews 2018). As the Tunisian ambassador to the EU, Tahar Cherif, stated in June 2018: “We have neither the capacity nor the means to organise these detention centres. We are already suffering a lot from what is happening in Libya, which has been the effect of European action” (Rankin and Wintour 2018).

In light of the *Maridive* stalemate off Tunisia’s shore, the IOM took on the pivotal role as an intermediary to broker agreements. As a “consent-generating apparatus” (Ashutosh and Mountz 2011: 25), the migration agency related to the UN mediated in often conflictual processes and allowed state authorities not only to ‘save face’ but also to depict the de facto deportations as voluntary returns, in line with the best interests of the migrants. Though portraying itself merely “as a neutral go-between that does not interfere with the political orientations of the contracting states or the content of the negotiations” (Pécoud 2020: 7), the IOM thus became indispensable in the resolution of the *Maridive* stalemate through its “bureaucratic skills, its strong presence in the field and its experience and expertise, all of which enable the organisation to become a key partner upon which all parties end up being dependent” (Pécoud 2020: 7).

While the *Maridive 75* were detained off Tunisia’s shore, the Tunisian government, the Bangladeshi embassy, and the IOM negotiated their fate. Through threats and the withholding of basic human needs, medical treatment and information, the incarcerated were worn out over nearly three weeks. The prolongation of their offshore incarceration was thus part and parcel of a concerted effort to remove them immediately after being allowed to touch Tunisian soil. On board, one of the Bangladeshi migrants was requested to compile a list of all Bangladeshis who would then place signatures next to their names, indicating agreement to return. Only then did the *Maridive* captain receive the permission to land, after which the deportation process was rapidly instigated, with busses that brought them to a holding facility and quickly after via deportation flights ‘home’. The carceral im/mobilities of the 64 Bangladeshi migrants thus need to be situated in wider carceral circuits that span from Bangladeshi villages to Libyan torture camps to offshore supply boats in the Mediterranean Sea and deportation planes in Tunisia. Though certainly not constituting a ‘perfect system’ of transversal migrant incarceration, these circuits interconnect in various moments, conceivable as an “*assemblage of spatial practices*”

(Martin and Mitchelson 2009: 470, emphasis in original) that produces those implicated as continuously precarious, irregularised, and exploitable subjects.

Indeterminacy and Migrant Struggle

In the Mediterranean carceral seascape, “interdiction, capture, seizure, confinement, sequestration, detention, and containment” of migrants can be conceived as “a spatial, temporal, and biopolitical tactic increasingly used for regaining control over ‘unruly’ mobilities” (Tazzioli and De Genova 2020: XXX). That carceral circuits are underscored by “economies of violence that are simultaneously necropolitical and biopolitical” does not preclude forms of struggle and resistance, for example through “refusals, mutiny, and hijacking”. Instead of constituting mere passive victims, migrants themselves play a constitutive role in determining the outcome of distress situations and confinements (Author). The *Maridive 75* were protagonists in the drama off Tunisia’s coast. Some of them triggered the rescue operation in the first place by swimming to the supply vessel whose crew had merely monitored them from distance. While authorities and the IOM were organising their deportation, especially the Bangladeshi migrants, who signed the return agreements last, were committed to not give in to pressure. Some of them also continued their ‘unruly’ migration projects after disembarkation.

Of the migrants who refused to return to Bangladesh, six returned to Libya, including four who crossed the land border in early 2020. According to a relative in Libya, they were briefly arrested by the Tunisian police in Ben Gardane, then driven to the desert area near the border. Soon after reaching Libya by foot, the four Bangladeshis embarked on another sea journey from Zuwarah. They were spotted, however, by *Osprey*, an aerial asset of the EU border agency Frontex, and later intercepted by the *Fezzan*, a patrol boat of the Libyan authorities that Italy had donated in October 2018. Returned to Tripoli harbour, they were handed over to ‘the mafia’, incarcerated and beaten. When they were moved to another prison, one of them managed to escape by jumping out of a moving van. The parents of the other three paid around 6,000 Euro per person, being extorted for the ‘deal’ of ending the torturing of their sons and having another opportunity to cross the sea. In summer 2020, several of them reached Italy in their next attempt. For the Bangladeshi minors and men who were returned to Bangladesh, their ‘voluntarily’ return has not, it seems, ended their migration projects. In May 2020, one of the *Maridive 75* told me that most of those who had been deported wanted to leave once more in order to find work abroad to cancel their families’ debt.

These forms of migratory “turbulence” (Papastergiadis 2000) and “incorrigibility” (De Genova 2010) reveal both the existence of but also the ruptures in the carceral seascape, often creating blockages to the smooth penal management of migration flows. Migrant unruliness is a constitutive factor, infusing attempts to govern them with indeterminacy (Author). Whether ships turn into temporary holding cells on journeys back to unsafe ports, such as in Tunisia and Libya, or into refuges moving toward places of (perceived) safety, depends on a variety of factors, of which migrant struggles are among the most significant. While the *Maridive 75* were ultimately unable to convince the crew to steer toward Europe, other migrant groups have successfully resisted their return or offshore incarceration. In the infamous *ElHiblu1* case of March 2019, 108 rescued migrants protested their push-back to Libya, convincing the crew of the merchant vessel to re-direct toward Malta where, upon arrival, three African teenagers were arrested on terrorism charges for ‘hijacking’ the vessel (Free Elhiblu Three 2020). In spring 2020, Maltese authorities incarcerated over 400 rescued migrants on private ferry ships off Malta’s coast, citing Coronavirus fears and arguing that other EU member states should share the ‘burden’ and relocate migrants arriving via the sea (Times of Malta 2020a). One of the detained reached out to Alarm Phone activists, reporting on their “deplorable state” inside the “water prison” and stating that a hunger strike had been commenced (Times of Malta 2020b). Their unlawful detention came to an end after five weeks, following on-board protests of the detained.

Conclusion

By tracing the carceral but turbulent im/mobilities of the *Maridive 75*, this article has alluded to carceral practices and carceral circuits that connect seemingly distant geographies, actors, and infrastructures. Detention, including its offshore variety, indeed “fuses overlapping scales and spaces of border enforcement” (Mountz et al 2012) and involves a growing number of state and non-state actors. As Dominique Moran, Jennifer Turner, and Anna Schliehe (2018) note, scholars need to track and map these carceral strategies that evolve in accelerated but often disguised ways. This article has attempted to do precisely that, exploring how the Mediterranean Sea has been exploited to exert ‘imperio’ and to develop a range of often creative strategies of excluding subjects who are consistently framed “through *discourses of criminality, penalty, illegality, and colonial geographical imaginaries*” (Martin and Mitchelson 2009: 470, emphasis in original).

The Mediterranean seascape constitutes a key site to explore, and contest, EUrope's carceral experimentations that systematically undermine migrants' rights and dignity not only at sea but also long before, and after, their precarious maritime journeys. Forms of offshore carcerality have multiplied over recent years, turning the Mediterranean Sea into a carceral seascape where tens of thousands of migrants are captured against their will, often to orchestrate their return to places they had sought to escape from. We can thus see a 'refoulement industry' at work, in which offshore detention seeks to contain unruly migrant mobilities. The logic of deterrence underwrites the carceral seascape, fuelled by EUrope's strong desire to prevent migrants from arriving along its shores. And yet, as this article has shown, migrant incarceration at sea is not predetermined but subject to contestation, not least as the Mediterranean Sea is a complex space, criss-crossed and monitored by a variety of actors who often operate with conflicting rationales. This suggests that the carceral seascape is not a sealed or static space but one with ever-changing boundaries where different scales of carcerality intersect but also rupture in the international governance of migration.

No pre-written script exists when migrants enter the sea on precarious boats in order to reach northern shores. Whether they drown, are rescued, arrive independently, or whether they are disembarked in EUrope or back in North Africa, is not predetermined but the outcome of a struggle that plays out at sea, a struggle that implicates migrant groups, commercial actors, North African and EUropean fishermen, NGO rescuers and activists, militia groups and smuggling networks, as well as national and supranational actors operating at sea and up in the sky. Often contentiously, and sometimes unintentionally, some configuration of this myriad of actors is drawn into processes of offshore capture and rescue, with at times thin boundaries separating the two. While the multiplication of offshore detention reveals the transformation of the Mediterranean Sea into a carceral seascape, this process is not smooth or unconstrained but constantly ruptured and reconfigured, with migrant individuals and groups playing constitutive roles.

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ⁱ Further methodological details will be included regarding the generation of data. These details make anonymity of the author impossible and have been removed for review.

ⁱⁱ The term *EUrope* is used to problematise frequently employed usages that equate the EU with Europe and Europe with the EU and to suggest, moreover, that EUrope is not reducible to the institutions of the EU.

ⁱⁱⁱ Infamously, in 2004, the ship *Cap Anamur* run by a German humanitarian NGO was disallowed from landing in Italy with 37 rescued migrants on board. The ship, whose namesake predecessor had rescued over 10,000 ‘boat-people’ decades earlier in the South China Sea, was stranded off the coast of Sicily for about two weeks during which a media spectacle ensued with “numerous lawyers, journalists, photographers, politicians, priests, activists, and doctors” boarding the ship (Pezzani 2014, 689). Eventually allowed to land, as Lorenzo Pezzani writes, “the rescued migrants were immediately expelled after being identified as ‘bogus’ asylum seekers, and representatives of the *Cap Anamur* [...] were indicted (and not acquitted until a few years later) for supporting illegal immigration and turning the humanitarian emergency into a ‘PR stunt’ for their own profit.” This stand-off foreshadowed what would become a common sight over ten years later – rescued migrants stuck on ships for days and weeks near European coasts.

^{iv} I am an active member of the Alarm Phone network since it was founded in October 2014. Over nearly six years, the network has assisted over 3,200 boats in distress in the Mediterranean Sea (see Alarm Phone 2020a).

^v It is important to note that push-back operations have continued also after the collapse of the Italian government coalition in summer 2019 and the formation of the Democratic Party and Five Star Movement government coalition.

^{vi} Further methodological details will be included here regarding the generation of data. These details make anonymity of the author impossible and have been removed for review.

^{vii} As outlined by Amnesty International (2018): “Italy, rightly aiming to maximize security of navigation and life-protecting measures, regards refugees and migrants’ boats as in distress from the moment they set sail because they are invariably overcrowded, unseaworthy and lacking a professional crew, safety equipment, and adequate supplies of fuel and provisions. Instead, Malta takes the view that in order for there to be a situation of distress, there needs to be a request of assistance and an immediate danger of loss of life. In this way, if a boat can still float and the people on board do not expressly ask for rescue by Maltese authorities, Malta’s practice has been to let the boat continue navigation without providing assistance.” Recently, in April 2020, and as uncovered by the Alarm Phone (2020b), Malta had provided 101 migrants off its coast with fuel and an engine to then directed them, at gunpoint, to Sicily, where they arrived a day later. In response, Italy’s foreign ministry threatened Malta to open an investigation against Maltese officers for aiding illegal migration (Tondo 2020b).

^{viii} In a similar incident, a year before in July 2018, 40 people in distress were rescued by the supply vessel *Sarost 5* and not allowed to disembark in Tunisia for over two weeks (see Santer 2018).